WHOSE CITY IS IT ANYWAY? INTERROGATION OF SOCIALLY JUST PUBLIC TRANSPORT PRINCIPLE IN URBAN MOBILITY PLANS/PROJECTS OF SECONDARY CITIES IN KENYA (NAKURU CITY) AND ZAMBIA (CHIPATA CITY)

Report on: -

Interrogating the Current and Proposed Urban Mobility Plans from A Socially Just Perspective In Nakuru City.

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Abbreviations and Acronyms

CA	County assembly
CBD	Central business district
CFSP	County fiscal strategy paper
CGN	County Government of Nakuru
CIDP	County integrated development plan
EARS	East African Road Services
GoK	Government of Kenya
ILO	International Labour Office/Organization
INTP	Integrated national transport policy
ISUDP	Integrated strategic urban development plan
ITS	Intelligent transport systems
KBS	Kenya Bus Services Limited
KeNHA	Kenya National Highways Authority
KeRRA	Kenya Rural Roads Authority
Kms	Kilometers
KURA	Kenya Urban Roads Authority
MCA	Member of County Assembly
MIDP	Municipality integrated development plan
MOTI	Ministry of Transport
MP	Member of Parliament
MTP	Medium term plan
NATCO	Nakuru Transport Cooperative Society Limited
NTSA	National Transport and Safety Authority
PSVs	Public Service Vehicles
RoK	Republic of Kenya
RVTC	Rift Valley Transport Company
SACCOs	Savings and Credit Co-operative Societies
SGD	Sustainable development goals
SGR	Standard gauge railway
SJPT	Socially Just Public Transport
TLA	Transport licensing act
TLB	Transport Licensing Board
TMC	Transport management company
TSAA	Transport safety authority act

PART I: INTRODUCTION

The Report

This report is a review of public transport policies that are relevant for Nakuru city. The report includes a historical overview of public transport in Nakuru from which lessons are drawn for informing policy. It also highlight policy gaps and opportunities for informing Nakuru's public transport policy, planning and organising – using the socially just lenses.

This review used a mixed method approach that involved:-

(i) Conducting a policy scoping of national and sub-national level policies to identify public transport policies that are relevant to the Nakuru situation and for informing public transport planning. The search included libraries, archives in Nairobi and Nakuru, internet sources, and county government of Nakuru.

(ii) Search and access to archival resources and policies on Nakuru's public transport to understand the historical context. This also involved holding discussions with officials of the Nakuru Municipal Board and Nakuru town residents with a history of public transport operations in Nakuru.

(iii) Review of obtained policies and resources for Nakuru to assess whether the existing public transport policies and planning are socially just, identify gaps and opportunities while drawing lessons from the past.

This review was undertaken at a time when Nakuru got the city status and was therefore timely.

Nakuru City

Nakuru City received the city status Charter on December 1 2021[1] in line with the Urban Areas and Cities Act. The plan to confer city status to the Nakuru town started in August 2017 when the town received approval by the Senate. Nakuru City is the administrative capital of Nakuru County and the headquarters of the former Rift Valley province. It is the fourth largest city in Kenya after Nairobi, Mombasa, and Kisumu. It is located in

[1] Gachuhi, K. and Chepkwony, J., December 2nd 2021. *New dawn for Nakuru as 'flamingo town' is awarded city charter.* https://www.standardmedia.co.ke/rift-valley/article/2001430745/new-dawn-for-nakuru-as-flamingo-town-is-awarded-city-charter.

the northwest of Nairobi City, in the central part of the Great Rift Valley. The County whose economy relies on agriculture and trade is one of the fastest-growing urban centres in Kenya as well as East and Central Africa. The County covers an area of approximately 7,498.8 Km². The 2019 national population census estimated Nakuru County population as 2,162,202 people (CIDP-2018-2022), and this is expected to rise with the now 'city' status and the cosmopolitan nature of the city that continues to attract newcomers and migrants from other parts of Kenya and from the rural areas.

The new city is expected to attract business investments[2] and this will have developmental and planning impacts. A case in point is the provision of an efficient, effective and inclusive public transport services to the city residents and its environs. Being a new city, Nakuru has the potential to offer leadership in demonstrating how best to organise public transport that promote socially just principles. For instance, and as noted by the President during the award of the city charter, the city belongs to the residents of Nakuru. Hence, public transport systems, planning and decision-making should address the needs of Nakuru residents and who should also be involved in planning as the Nakuru County Government strives to make the new city 'more attractive to investors and tourists'.

Anchored on five SJPT pillars - availability, accessibility and affordability, human rights and equity, and sustainability - the visions for Nakuru is a city that has an efficient public transport system that meets basic socially just standards. Such public transport system should ensure that services are available for Nakuru residents; accessible, affordable, acceptable, friendly, and safe for all including special and vulnerable groups like the elderly, persons with disability, children, pregnant, and the sick; and sustainable and organised in a way that it meets the needs of users in an integrated manner.

Nakuru's Transport System

(a) Nakuru County Transport Network

Nakuru City is served by a network of road and rail transport. The County's Road network is approximately 12,491 kms, out of which 993.7 kms are paved roads, 4,500 kms gravel roads whereas the earth roads cover 6,998 kms. The County has embarked on road infrastructure improvement projects and targets to tarmac 79 kms, gravel 3500 kms, install 3000 streetlights, construct four fire stations, a high-capacity underground storage tank, and acquire two fire engines for disaster management[3].

Nakuru is a major transport hub and transit corridor for public transport service vehicles serving Kenyan cities and towns, and the Eastern African region. There are plans for dualing the Nairobi-Nakuru highway to ease traffic on the A104 road which is a major highway connecting Kenya to Uganda, Rwanda, South Sudan and

[2] Nakuru – IDEP (2019)
[3] Nakuru County Government website. https://nakuru.go.ke/

the Democratic Republic of Congo (DRC). Beyond the matatus, Nakuru is a major transit corridor for freight and cargo serving the Eastern African region.

Within Kenya, Nakuru is a link hub for inter-town and inter-city services especially for long-distance routes that connect Nakuru to the region and other cities and towns such as Nairobi, Naivasha, Kericho, Eldoret, Kisumu, Bungoma, Kitale, Busia, Subukia, Njoro, Kabarnet, Eldama Ravine, Nyahururu, Nanyuki, Thika, and Nyeri. Nakuru is known for having some of the best long-distance transport SACCOs among them, the Prestige Shuttle, Mololine, 2NK and North Rift. Other SACCOs serving Nakuru connections include 4NTE, 3NS, SIMA, Moline, Nyakakima Line, Sunrise Travellers, and Nairobi Line.

Picture 1: Image of Prestige Matatus
Source: Deww, 2020[4]

(b) Rail transport

Nakuru is served by rail network whereby the old railway line traverses through the County to Uganda to transport cargo mainly from the port of Mombasa and up to the Malaba border. There are plans to construct the Standard Gauge Railway (SGR) to pass through Mai Mahiu in Naivasha and join Narok County to the Malaba border. The construction of the SGR Phase 2A was expected to be concluded in 2019. The construction of the dry port in Naivasha that will be served by the SGR is expected to boost economic activities in Nakuru County.

(a) Airport and Airstrips

Currently, the County does not have an existing airport. Plans are underway to expand Nakuru's airstrip at the Lanet Military Base for commercial services. It is expected that this will improve economic integration of

4Deww (September 14, 2020). *Best Matatu Groups for Travelling Long-distance From Nakuru.* https://stavica.com/best-matatu-groups-for-travelling-from-nakuru/

Nakuru with the rest of Kenya and open up Nakuru to the international market for export of produce from the County, including direct export of horticulture and floriculture products.

Picture 2: Images of Nakuru Railway Station (under renovation & revamping)
Source: Field Photos

(b) Nakuru City Public Transport Services

Nakuru's city-level public transport constitutes of the paratransit's (matatu's and omnibuses) that serve the inner-and-outer city routes and peri-urban areas. Within the city catchment, these PSVs ply along residential areas. They include the paratransits, the two-and-three wheelers (boba boda and Tuktuks), and PSV bicycles (boda boda). In addition, cart pushers as well as back and head loaders are a common in the city; as well as animal-driven services mainly the donkeys that are used for transportation of goods. Private car use is also common in Nakuru, and likely to increase as more people migrate to Nakuru and in the absence of a mass rapid transit system.


Picture 3: Images showing personal cars along streets in Nakuru and the main street
Source: Field Photos

Picture 4: Images showing various public transport modes use in Nakuru
Source: Field Photos

Picture 5: Images showing different goods transport options
(Back-and-head loading, carts, animals)
Source: Field Photos

PART II: HISTORY OF NAKURU'S PUBLIC TRANSPORT

Nakuru does not have formal public bus transport services presently. However, several formal public bus transport companies have previously operated in Nakuru since the colonial period. These transport companies included: the 1956-Rift Valley Transport Company in the 1950's, the East African Road Services in the 1960's, the Kenya Bus Services in the 1960's and 1970's, the Nakuru Transport Co-operative Society Limited (NATCO) in the 1980's, the Nyayo Bus Services (NBS) in the 1990's and Foxxy in 2000's. However, none of these companies operated in Nakuru for long, and though highly appreciated by the residents, mismanagement and poor operational practices led to their winding up as described further.

Rift Valley Transport Company (1956)

The Rift Valley Transport Company (RVTC) started its operations in Nakuru In 1956. Not much is documented about the RVTC, even though its existence was short as it was later taken over by the EARS company, described below.

East African Road Services (1963 – 1970s)

The East African Road Services took over in 1963 and commenced with three buses covering the whole of the town. Up to 1970, the bus services faced no competition as they operated under a franchise which protected them from other operators. In 1973, however, a presidential decree that allowed matatus to operate in all areas including urban centers was issued. This meant that East African road Services no longer had monopoly in provision of public transport services in Nakuru town. By 1974, the company could realized enough revenue to keep it running. However, the company lacked adequately trained personnel leading to poor scheduling of bus operations and accounting. The combined effect of competition from matatu's and poor management led to loss of revenue and the winding up of the company.

Kenya Bus Services (1960 – 1970s)

The Kenya Bus Services (KBS) operated in Nakuru in 1960s up to 1970s. The buses, which were mainly double decker buses, ran as far as the Free-Area and the former Nakuru Armed Forces Training College (AFTC) on the eastern end of the town and as far as the Njoro Cheese factory on the western end of town. Within the town, the buses operated along the Kimathi and flamingo estate route in a loop. These buses charged 45 cents per trip. The buses withdrew from Nakuru around 1977 after the expiry of the franchise agreement in 1976, and because of challenges resulting from competition from matatu's and management challenges.

Nakuru Transport Co-operative Society Limited - NATCO (1970-1985)

In the late 1970s and several years after the exit of Kenya Bus Services Ltd, the Nakuru Transport Co-operative Society Limited (NATCO) was formed. The society, founded by the former Nakuru town Member of Parliament, Mark Mwithaga, was registered on October 29 198I under the Co-operatives Act. The society had about 3000 members and expected to have membership of up to 50,000 members by 1984. Being a shareholding cooperative society, NATCO membership was open to anybody living in Nakuru with each share costing Kshs 500 but were restricted to a maximum of five shares per person. The shareholders' investment was supplemented by commercial loans from the Continental Credit Finance Company Limited, and the Kenya Finance Corporation Limited. NATCO started operating in January 1983 with a fleet of 6 buses. The company bought four more buses in May1983 and two more buses in October 1983, operating 12 buses in total. These Isuzu buses were imported and locally assembled.

The NATCO society was hailed as having raised the prestige of Nakuru town, being the third urban center after Nairobi and Mombasa to have an organized transport system by then. It also enabled Nakuru town residents to buy shares from the society, including women, thus becoming co-owners of the buses. The founders of NATCO were motivated by the deplorable conditions commuters faced in the hands of matatus and the exorbitant fares charged by matatus. For instance, the school-going children and the aged were often trampled on by other commuters and humiliated by matatu operators. NATCO drivers underwent training at Kenya Bus Service and ticketing machines were purchased from KBS. The NATCO buses were vibrant town service vehicles that charged reduced fares of 50 cents that were later hiked to 1 shilling within the town, which was low compared to 2 shillings charged by matatu's; and 5 shillings from Nakuru town center to Egerton, a distance which matatu's charged 15 shillings. This forced the matatu operators to reduce their fares to remain competitive. Further, unlike Matatus, NATCO did not charge for small baggage and vegetable vendors were not charged for transporting their merchandise, further incentivizing the commuting public[5].

NATCO Company provided several benefits to commuters. Besides easing transport to the surrounding farmlands, NATCO helped to ease the Nakuru town housing problem – though indirectly - as many commuters were able to operate from their homes to work. The buses ferried approximately 12,000 people daily and NATCO hoped to double or treble the number of commuters in a few years' time. With a fleet of 12 vehicles, NATCO was a town service bus, which also covered its surroundings. The buses operated on six routes *[see Box 1]* that had a circular operation and this helped to speed up the frequency of the buses.

Town service routes covered by NATCO

- **Route 1** - Railway - Langalanga, Hospital - End of Eldoret Road, Right to Langalanga and back Via Kanu Street.
- **Route 2** - Railway-Langalanga-Sewage-Top Ten.
- **Route 3** - Shabab-2 buses.
- **Route 4** - Engoshura, Kiamaina, Maili Kumi, Bahati and Mangu
- **Route 5** - Ndunduri in the North-East (source of vegetables for sale in Nakuru)
- **Route 6** - Mutukanio to the West just beyond Njoro, Egerton College, NDEFFO (Nakuru Ex-Freedom Fighters' Organization) farms.

Box 1: Nakuru routes served by NATCO buses

[5] (Asiemo, 1986)

The Country Government of Nakuru can draw lessons from NATCO on the importance of providing efficient and affordable public transport services as one way of dealing with land access and land use challenges – currently facing the city. Having an organized public transport system that is supported with the necessary infrastructure so as to reduce travel times and delays can encourage Nakuru residents to live in distances that are outside the center of the city. This would in turn reduce pressure on land that is close to the city, which can then be used for city development and other purposes that are beneficial to the residents.

Unfortunately, NATCO did not operate long enough to meet its objectives of building a depot with a capacity to hold 50 buses and purchasing of a business building in town. The company plunged into financial mismanagement in 1985, forcing the government to dissolve its management through the Ministry of Cooperative Development in 1987. NATCO thus provided services to Nakuru residents up to 1987 when it collapsed. With the absence of the founder member, Mark Mwithaga, the new board members and some of the workers took advantage to serve their self-interests and further misappropriated and embezzled funds, with some touts ending up buying their own vehicles. The company also faced competition from matatus and it collapsed leaving matatus as the dominant mode of public transport in Nakuru town (Gachango, 1996).

NATCO nonetheless offers useful lessons that the County Government of Nakuru can learn from. For instance, the need to plan upfront on the public transport system that is efficient for the town and the business model to use. As much as possible, the town should ensure that a well-organized public transport systems ia available, that have connections that make travel convenient for users, and one that is well managed. The County should invest in systems that would help the bus providers to curb possible theft of resources generated. Of importance to note is the need to include Nakuru residents as stakeholders in providing and running their own public transport services, including women.

Nyayo Bus Corporation (1986 1990s)

In 1986, the Kenya government joined the provision of public transportation services in Nairobi and other major towns around the country, through the Nyayo Bus Services Corporation. The bus corporation was established to alleviate public transport demand in Nairobi and other major urban centres like Mombasa, Kisumu and Nakuru. However, the bus corporation collapsed in the late 1990s due to mismanagement with services being halted in the various cities and towns including in Nakuru (Waweru, 2013).

Foxxy Buses (1999 – 2009)

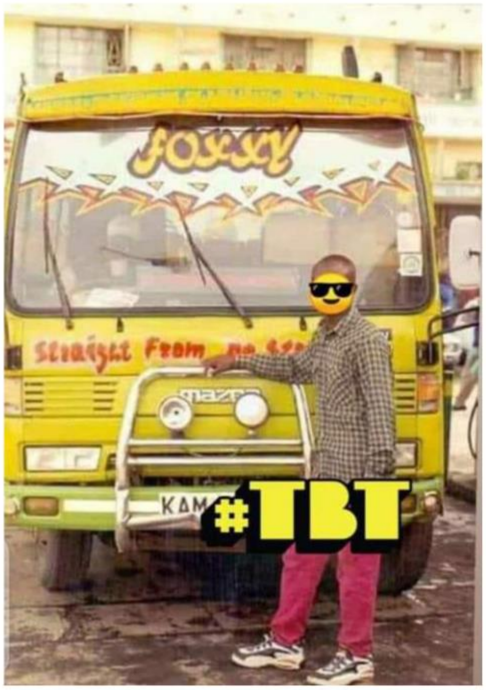
The Foxxy buses plied the Nakuru town routes. The proprietor of the buses also owned the Shaggy buses that plied long distance routes for instance from Nairobi to Nakuru, and other routes in Kenya. The Shaggy buses stopped operating after one bus was involved in a gravely fatal road accident that resulted in several fatalities. The owner withdrew the shaggy buses from offering long-distance services and, in 1999, started operating in Nakuru offering town services in the name of Foxxy. Foxxy operated 11 vehicles in all, 9 buses of 25 capacity and 2 of 31 capacity. The services were therefore provided across a loop that took around one hour from the end terminal to town. The company had an organized passenger picking and dropping system where continuous services were provided along the served routes. The company had no stage in town and only one vehicle could wait at the stage – at any one time - to pick passengers and this way they avoided congesting the town. Foxxy plied the Langalanga–Shabab route in Nakuru in routes that covered the whole town as follows;

- Route 1 – Town - Lake road - Kanu street - Langalanga - hospital - Lakeview - Race track (Eldoret Stage) – Sewage - Ponda Mali – Shabab.
- Route 2- Town - Lake road - Kanu street - Langalanga, Pondamali then into Shabaab before taking the highway back to town.

The Foxxy buses were attractive to Nakuru residents for a number of reasons. First, they offered convenient services as they covered continuous journeys, for instance, from Langalanga to Shabaab. Unlike the matatus which served only certain routes – avoiding instead to ply on routes covered by other SACCOs' – the Foxxy buses were free to operate in the whole town. Second, they were low cost buses that charged Kshs 10 while others charged Kshs 15. Third, they appealed to young people due to the loud hip-hop music that they played in their vehicles and the way they were pimped up - "manyangas". They were also popular because of the 'funny' conductors who manned them - always jovial, cracked jokes and made endless conversations with passengers. These buses nonetheless did not last long, but for the short period they operated, they were a threat to the 14-seater matatus. Even then, the buses were known for luring young people, especially young girls, who got attracted to the touts who would dance in the buses, make randy jokes, swing from the door, and basically do everything to impress the girls who made almost three-quarters of the passengers on every trip.

The Foxxy buses folded in 2009 after around 6 years of operation, mainly due to heavy costs of litigation of the earlier accident, the company went bankrupt. Also, speculation and bizarre rumors spread across the town[6] driven partly [as told] by the 14-seater matatu's operators who worried about their dwindling returns, created fear among the Foxxy users leading to sudden reduction of passengers and to withdrawal of the buses from Nakuru town routes. Moreover, probably due to the behaviour and antics of the bus conductors, the loud music and blinking lights, the elderly folks avoided the buses claiming that they got headaches that associated with 'evil spirits'. These acts and user fears pushed Foxxy buses out of business.

6 *That the vehicles belonged to the Illuminati cult whereby they (matatus) would turn into cows during the night to eat grass.*



Picture 6: Images showing Foxxy vehicles
Source: Nakuru town residents' memory Facebook page

The Matatus (1970s to date)

Matatu transport has remained as the dominant mode of transport in Kenya since its emergence in the 1970s. In 1973 matatus were allowed to operate legally in Kenya following the presidential decree that allowed them to carry passengers without having to obtain special licenses. Prior to this, matatus were considered illegal even though they continued to ply across the country providing short and long distant commuter services. Nonetheless, matatu's had to comply with insurance and traffic regulations to operate – and this has been the case ever since where the sector has had to comply with the constantly changing government regulations and policy directives.

From the early years of matatu's entry in Kenya, the public had mixed views. On the one hand, they offered the much needed and appreciated transportation service usually in the absence of alternatives. On the other hand, the rowdy behaviour of the conductors, poorly maintained vehicles, careless driving and high accident rates, and notion that the sector workers were uneducated and often on the influence of drugs created negative public perception towards the matatus. In the early 1980's many matatus associations were formed to try and improve the battered image of matatus. Examples include the Matatu Vehicle Owners Association (MVOA) and the Matatu Association of Kenya (MAK). These associations set out to restore order and discipline among operators, represent matatu the operators and owners as a united body, establish cordial relationship between matatu operators and authorities concerned with public transport regulations, encourage issuance and acquisition of insurance cover for matatus, lobby for allocation of matatu terminals and regulate routes allocation.

In a later development, in 1984, the Traffic Act was amended and all matatus were required to have a road license (public transport vehicle stickers - TLB) to legally operate as public transport vehicles[7]. In general, matatu's have undergone regulatory and operational transformations since being declared as legal, much of which has been pushed by the government. Notably, the NTSA Act of 2014 remains the most influencial regulation to date in terms of organizing and regulating the sector operations. In Nakuru like in other major urban centers of Kenya, the number of matatus has continued to increase making them the dominant mode of public transport[8].

The sector is a large employer of informal economy workers who works as drivers, conductors, SACCOs managers among other workers; and a major occupant of urban land spaces in the form of occupation of terminus, picking and drop-off points, and generally road use – all of which are public goods. The future of matatus in Kenya remain unknown, even though there is acceptance that whereas their sizes might shift in the coming years to the higher-capacity buses, they are likely to remain on Kenyan roads for a long time. At the same time, the looming entrance of the Bus Rapid Transit (BRT) systems across major urban cities in Kenya, is likely to threaten the survival of matatus especially in the provision of inner-city and town services. As witnessed already in Nakuru, matatus have been pushed out of the central business district, and this status quo that is likely to remain, hence the need for matatus operators, investors and managers to engage further with the Nakuru city government so that socially just amicable solutions are reached.

Picture 7: Images showing use of urban spaces

Source: Field Photos

[7] Gachango (1996)

[8] Koimur, Kangogo, & Nyaoga (2014)

PART III: PUBLIC TRANSPORT POLICIES FRAMEWORK

The public transport sector is governed by national and local policies. For instance, public transport operations are regulated by the National Transport and Safety Authority (NTSA) under the NTSA Act of 2014. As a requirement, all matatus are required to form and join public transport savings and credit cooperatives (SACCOs) in order to operate. Further, public transport workers, mainly the drivers and the conductors, are required to wear uniform, whereas the SACCOs should ensure that vehicles under their fleet are fitted with speed governors, safety belt, and undergo routine mechanical check.

Governance and Institutional context

Nakuru town is the headquarters of Nakuru County. The County Government of Nakuru, like other County Governments in Kenya, is established under Chapter eleven of the Constitution of Kenya 2010 and it consists of a County Assembly established under Article 176 (1) of the Constitution and a County Executive (CGN, 2021). Nakuru County has fifty-five (55) civic elective Wards and each is represented by a Member of County Assembly (MCA) at the Assembly, which has a total of seventy-eight (78) members including twenty-three who represent special interest groups like the women, youth, and persons with disabilities. The management of the town is run by the Municipal Board established in by the Urban Areas and Cities Act of 2011. (GoK, 2011).

Two of the key goals of the County Assembly (CA) are to provide overall policy and leadership direction for Nakuru County; and quality, efficient, effective, results based and ethical public services. The role of CA is crucial in the development of public transport policies that should as per the CA's objective be implemented in such a way that they ensure provision of quality, efficient and ethical public transport services in Nakuru. The perspectives of the stakeholders are key in shaping Nakuru's public transport policies and service provision. The stakeholders identified by the CGN, include the residents, the county executive, the national government, national assembly and senate, members of the county assembly and staff, civil society and community based organizations as well as the business community, regulatory agencies, media, and professional bodies. The SJPTWG is thus fit to provide policy guidelines on public transport as a key stakeholder.

Public Transport Regulatory Framework and Policy Shifts

Nakuru city is a hive of business activities and the headquarters of Nakuru County, the former rift valley region. Consequently, it hosts regional and county government offices. This necessitates Nakuru County residents to travel to Nakuru to seek government services or for other reasons, including transiting to other cities, towns and regions. Further, Nakuru is a major transit corridor for freight and cargo serving mainly the Rift Valley region as well as border countries like Uganda.

Nakuru's public transport has undergone shifts and developments in line with developments in the country. Nakuru has a unique history in the development of public transport, having evolved largely from a largely non-motorized town, to one with organized public transport systems that serviced the town residents, and later to development of paratransit's that served the town and peri-urban areas, and later with the development of the paratransit's both for town and long-distance services, the two-wheeler motorcycle and bicycle *boda-bodas* as well as three wheelers. At the same time, walking has remained a key mode of travel in Nakuru especially due to the proximity of zoned residential areas to the central business area of the city.

International policies

Kenya's public transport, as well as that of Nakuru is anchored within the international policy framework. First with the Sustainable Development Goals: The SDG 3 on good health and well-being, SDG 5 on gender equality, SDG 8 on decent work and economic growth, SDG 9 on industry, innovation and infrastructure, SDG 11 on sustainable cities and communities, and SDG 13 on climate action – all in some way touch on the different aspects of socially just public transport. The response by Nakuru County Government on social just principles of public transport would directly and indirectly respond to the SDGs. These SDGs are also supported by other international and regional instruments, for instance the ILO Social protection floors that are nationally-defined sets of basic **social security** guarantees that should ensure at a minimum that individuals have access to essential health care and basic income security. The Agenda 2063, described as the 'Africa's blueprint and master plan for transforming Africa into the global powerhouse of the future also focuses on key aspects that would drive public transport provision not just at the regional level but also at the national and county level. Thus, Nakuru needs to response to the Agenda 2063, which though ambitious, can be achieved through bit-by-bit contribution by county governments in line with their national goals. For instance, investment in infrastructure development and ICT is key in achieving these goals.

Relevant National Development Policies

(a) The Constitution of Kenya, 2010

The Constitution of Kenya is Kenya's supreme law. It guarantees citizens' rights and fundamental freedoms (RoK, 2010). For instance, citizens have a right to access to basic services, to inclusion and not being discriminated against based on social status. Article 21 establishes the 7 progressive realizations of social and economic rights and obligates the State to "observe, respect, protect, promote, and fulfil the rights." Article 53 focuses on children; Article 54 on persons with disability; Article 55 on youth; Article 56 on minorities and marginalized groups; and Article 57 on older members of society. Article 43 provides the citizens with a right to a clean, healthy and safe environment, including the road environment. Article 62(h) categorizes road as a public land while the fourth schedule distributes the function of managing roads and general transport sector between the county and national governments. This implies that the governance of road transport is the responsibility of both the national and county governments, and that citizens have a right of use of public road space as a constitutional right~~s~~. It is therefore the role of the government to ensure that there is safe access and use of the public road space in a manner that is inclusive and take care of the needs of different population groups including the children and youth, women, persons with disability, minorities and marginalized groups, including the migrants, and older persons.

(b) The Kenya Vision 2030 and Medium-term Plans I-III

Kenya's Vision 2030 launched in 2008 with three pillars - economic, social and political. The Economic Pillar identified infrastructure development as an important enabler and foundation for socio-economic transformation. This includes development of road and rail network, airstrips, ICT, housing among others (RoK). This mandate is to be undertaken by the Kenya Urban Roads Authority (KURA). The Social Pillar seeks to build a just and cohesive society enjoying equitable social development in a clean and secure environment. In this respect, the Vision 2030 has a goal of equity and resource mobilization among the sexes and improved livelihoods for all vulnerable groups, including children and the youth. The social pillar of the vision further aims at improvement of public transport. In line with the Kenya constitution, the Social Pillar seems to ensure equity in access, control, and resource distribution for improved livelihoods for marginalized categories including women, youth and other vulnerable groups.

The first, second and third Medium-Term Plans (MTPs) have recognized infrastructure as one of the key priority areas. The plans advocate for new investments on the road network to provide a safe, efficient, and cost-effective transport. MTP 2 (2013-2017) was to ensure adoption by Parliament of the Sessional Paper No.2 on Integrated National Transport policy, which was to guide the development of a sustainable transport sector to be responsive to the needs of the economy, society and environment – as part of policy, legal and institutional reforms[9]. The NTSA was expected to implement road safety improvement programmes and develop road transport regulatory framework, and reduce road fatalities jointly with the Ministry of Transport (MOTI).

However, the vision does not directly link the challenges facing these groups with transport. In the section dealing with housing and urbanization, the vision notes that `with right urban planning strategy, it will be possible to change the lives of millions of Kenyans for the better'. MTP 3 (2018-2022) focus is integrating of the Sustainable Development Goals (SDGs) and institutional reforms aimed at improving governance and accountability among others (RoK, 2008). In infrastructure development, decongestion of Cities and Urban Areas is part of the agenda for MTP III to ensure efficient traffic flow in major urban cities in the country[10].

(c) Urban Areas and Cities Act, 2011

The Urban Areas and Cities Act (2011), gives effect to article 184 of the Kenyan Constitution. It provides for classification, governance and general management of urban areas. The Act provides for participation by

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9RoK, 2013. *Vision 2030: Sector Plan for Infrastructure 2013 – 2017.* Government of the Republic of Kenya. https://vision2030.go.ke/publication/infrastructure-2013-2017/.

[10]Towards A Globally Competitive and Prosperous Nation. Kenya Vision 2030 Flagship Projects Progress Report (FY 2019/2020).

residents in the governance of urban areas. This means that stakeholders in Nakuru's public transport sector should participate in plans and decision making on issues relating to public transport reforms, planning and operations. Sections 13 and 14 provide for establishment of the board of cities or municipalities mandated to manage an urban area in line with national and county laws. It further provides that the board should include a representation of registered associations of the informal sector, for instance in this context, the transport SACCOs and sector associations. Section 20(1) provides that the board shall facilitate and regulate public transport in line with county government laws whereas Section 28 provides for establishment of city or municipal manager or administrator's office, expected to implement decisions and functions of the board. These structures are in place in Nakuru (RoK, 2011), even though the legal and institutional structure for management of public transport in urban areas is not clearly defined. For instance, discussions with stakeholders in Nakuru revealed that the various public transport interest groups have not been adequately involved in decision-making or in the board representation.

(d) Kenya Persons with Disabilities Act No. 14 of 2003

Kenya Persons with Disabilities Act No. 14 of 2003 provide for the rights and rehabilitation of persons with disabilities, including equal opportunities and establishment of the National Council for Persons with Disabilities. One of the functions of the council is to achieve equal opportunities for persons with disabilities by ensuring to the maximum extent possible that they obtain education and employment, and participate fully in sporting, recreational and cultural activities and are afforded full access to community and social services. Section 21 stipulates that persons with disabilities are entitled to a barrier-free and disability-friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility (RoK, 2003).

Section 1.02 Public Transport Policies Relevant for Nakuru

Several national policies have shaped the organization, regulation and management of public transport in Nakuru city, mainly the paratransit's, the two and three-wheelers, non-motorized transport, and now the rail transport as follows:-

a) The National Transport and Safety Authority Legal Notice of 2003.

The Kenya's Minister for Transport and Communications [NTSA] Legal Notice No. 161 of 2003, commonly termed as the Michuki Rules (GoK, 2003), aimed at reforming the public transport sector in Kenya, but were later legally dismissed as having been illegally constituted[11]. In Nakuru, just like in the rest of the country, all paratransit's provide town-service and long-distance public transport services and are required to adhere to set guidelines and regulations aimed at curbing or minimize accident rates by regulating vehicles speed and ensuring commuter safety, enhancing accountability of public transport workers and their access to social protection, as well as eliminate illegal workers and cartels. As argued, paratransits are present across many

11 Mukabanah, E (2012). *Road Transport Act 2013.* Transport Reforms Working Paper. Justification_for_a Road_Transport_Act_2013.pdf (kenyabus.net)

African cities and are as a result of failure by governments to invest in the development and management of public transport. They are therefore the mode of choice for most citizens and are characterized by non-scheduled operations, weak or no standards or enforcement, unpredictable fares that are sometimes costly for users, and are 'not sensitive to social justice and social equity'; and absence of intelligent transport systems (ITS) and data on operations[12].

The requirements outlines in the Legal notice require all PSVs to be fitted with seat belts and speed governors, to undergo regular mechanical checks once a year, to be painted with uniform color with a 150-millimetre-width yellow band on both sides and on the rear, and details of the vehicle owners to be indicated on the vehicle's body. The workers are required to wear uniform while on duty (blue for drivers and maroon for the conductors), to be employed on formal contracts, and to be provided with social insurance, mainly health and pensions coverage. The NTSA Legal Notice was to be implemented through government institutions that included the Transport Licensing Board (TLB) and the Traffic Department.

Whereas these regulations helped to organize the sector, for instance, in making it easy to identify PSVs and the workers, reduce accidents and also increase PSVs users appreciation of the sector operations, there were critical area of public transport services that were neglected[13] such as the vehicle carrying capacity, vehicles designs that did not ensure universal access especially for persons with special needs, organization and orderly use of termini and route allocations that did not take into account different user's needs. For the workers, there is nationwide adherence to the requirement to wear uniform and to have identification badges, but access to social protection for the workers in terms of employment arrangements, access to social insurance, and enabling workers to organize to voice and seek for favourable terms of work remains a challenge for the sector[14]).

b) Legal Notice No. 65 of 2005 also known as Traffic (Amendment) Rules

The Legal Notice No. 65 of 2005 also known as Traffic (Amendment) rules[15] aimed at addressing legal gaps that led to the declaration of the Legal Notice No. 161 of 2003 as illegal, by amending various sections of Traffic Act Cap 403. The amendments provided details of PSV badge, fitting of seat belts, type of vehicles on which speed governors are to be fitted, as well as display of certificate of compliance for matatu's and omnibuses, and painting of the PSVs including the 'yellow band' on the body of the vehicles but not ruling against heavy colouring of vehicles as is the case with most vehicles in Kenya where graffiti is the norm; and regulation for the drivers to exhibit their photographs while driving a PSV. The 2005 regulations provide in-depth description of the 2003 Legal notice by focusing on mechanical, safety and identification aspects of

[12] Mukabanah, 2012.

[13] Asingo et al., 2007

[14] Kamau, 2021.

[15] RoK, 2005. *The Traffic Act (Cap. 403): Legal Notice No. 65*. Kenya Subsidiary Legislation, 2005. [LN65_2005.pdf (kenyalaw.org)]

PSV operations. These rules did not address public transport operation issues that would improve user experience social justice aspects for instance fare pricing, route scheduling, and universal access.

c) The Roads Act, 2007

The Kenya Roads Act (2007) establishes road authorities responsible for designing, construction, maintenance, and general management of road infrastructure in urban and rural areas. The Authorities established under this act include the Kenya National Highways Authority (KeNHA) and Kenya Urban Roads Authority (KURA) and the Kenya Rural Roads Authority (KeRRA). Nakuru City roads are both national and county roads, and the three agencies play a role in the development of roads infrastructure that pass through the city or serve the urban, peri-urban and rural areas.

d) The Integrated National Transport Policy, 2009

The Integrated National Transport Policy (INTP), developed in 2009, focused on social justice and inclusion aspects for instance mobility challenges of special groups and individuals such as women, children and the elderly in rural and urban settings. The policy committed to the creation of a conducive environment for the development and use of transport facilities and services as well as increasing access by low-income households and communities to basic needs, an aspect that from a socially just perspective would require regulation of fares and ensuring that public transport services are available for all and accessible.

The INTP policy also proposed the decongestion of traffic by removing paratransits from the central business districts in major urban towns in Kenya and designating corridor on routes leading to the CBD and construction of terminals that would serve these corridors. In addition, the 14-seater matatu's would be phased out (initially within five years) and investment in larger carrying capacity vehicles promoted. Removal of matatu's from the CBD is likely to have positive benefits in terms of reducing air pollution and thereby impact positively on people's health. However, this is likely to disadvantage commuters with special needs if there are no direct connecting safe modes of travel. Also, multiple connections are likely to cost passengers more and this would mean that commute by public transport would not only be inconveniencing but also costly for commuters, therefore not being socially just.

In Nakuru, Matatu's were removed from the CBD and have been relocated to peripheral sites on the outer city. Some of the matatu's have been moved to the railways site but as noted, the primary stakeholders – the matatu operators and even the police who are incharge of traffic were not involved in decision making. Consequently, there is discontent and threats of paralyzing public transport services by the workers and this would greatly inconvenience commuters. There is also concern that the sites where the matatus have been moved to is likely to cause further congestion of an already heavily congested round-out thereby creating further challenges for the law enforcers. For the passengers, the new sites have created access challenges since there are no connecting vehicles between the CBD areas or new sites near the lower part of the town, to the upper side, and many now use the more unsafe motorcycle modes to connect, digital taxis, or matatus, especially if they have luggage. This makes their travel costly and also unsafe. In this scenario, women who often travel with children, and many times with luggage, the sick, pregnant women and persons with disability are affected more, yet no alternatives were provided. This inconvenience is likely to push private cars on the increase thereby increase the traffic congestion in the city.

Alternative approaches that would decongest the city without inconveniencing users or making the service costly should be explored. For instance, higher capacity vehicles that provide town and residential areas service should be considered. As observed during the interviews in Nakuru, the current plans is to introduce bus transport services that service only the city boundaries and connecting with the matatus terminus. Whereas this will provide connection services, it is not convenient for users who have to alight and take onboard vehicles. Instead, the city authorities should consider providing services that connect the center to the residential areas, and have a circular route. This kind of service is not new in Nakuru. As noted by residents, Nakuru has previously had efficient services for instance the Kenya Bus Services, NATCO buses and the Foxxy (Shaggy) buses that provided town and residential areas connections. Such a service would be more efficient in reducing congestion, discouraging use of private vehicles, making services affordable, and providing user satisfaction.

e) Sessional Paper No. 2 of 2012 on the Integrated National Transport Policy

The Integrated National Transport Policy (INTP) was adopted by Parliament in 2012 through the Sessional Paper No. 2 of 2012[16]. The policy was greatly informed the 2003 and 2005 regulations – specifically section 89 to 102. The sessional paper themed as the "Transport for Prosperity" was expected to address challenges inhibiting the transport sector by focusing on infrastructure, operational, service quality; user safety, protection and paying attention to the needs of persons with special needs. The policy also aimed at creating a fair playing field for the sector operators, as well as integrating information and communication technologies in transport development and operations, and inclusion of non-motorized and intermediate transport modes including the two-and-three wheelers; as well as focus on sustainability, environmental protection and human capacity development aspects. The policy was instrumental in raising policy awareness on the need to improve public transport services and ensuring the safety and security of not only the sector operators but also of the consumers, while also paying attention to inclusion of persons with special needs.

f) The National Transport and Safety Authority Act, No.33 of 2012

The National Transport and Safety Authority Act No 33 of 2012 provide for the establishment of the National Transport and Safety Authority (NTSA). The NTSA functions include providing advice, implementation, and recommendation, planning, managing and regulating road transport and safety matters (NTSA, 2015). The Act mandates NTSA to ensure the provision of safe, reliable and efficient road transport services which are critical elements of a socially just public transport. For instance, developing and implementing road safety

[16] RoK, 2012

strategies would ensure the safety of commuters and avoid or reduce unintended injuries and fatalities that often costly for the affected persons, their families, and the state. The NTSA was also mandated with the compilation and inspection of traffic accidents data, which is necessary for identifying accident hotspots and taking corrective and preventive measures. Additionally, the NTSA is required to coordinate persons and organizations dealing with road safety matters and this could include the road construction agencies, the police, the service providers, SACCOs, and user groups. Due to conflicting roles, the NTSA was removed – through a presidential directive – from the roads and the responsibility of ensuring road safety was left to the police.

Section 1.5 of the NTSA Act identifies non-integration of the transport system as a challenge to the transport sector. The policy proposes for the development of integrated transport master plans encompassing all modes; and the integration of non-motorized and intermediate modes in the design, development and operation of transport systems. This would address the needs of the urban poor, promote health of the population, and provide for intermediate means of transport facilities in planning and design of road infrastructure. The integration of services would harmonize the different modes of transport, the supporting infrastructure, and mandate of the different road agencies (RoK, 2012).

g) *The National Transport and Safety Authority Act 2012 - 2014*

The National Transport and Safety Authority (NTSA) has issued a number of regulations to govern the public transport operations since its formation. Examples include the Transport and Safety Authority Act (TSAA) of 2012. It also established the National Transport and Safety Authority (NTSA). This Act repealed the Transport Licensing Act (TLA) Cap 404[17] but as argued, it was skewed more towards PSV licensing as opposed to addressing road transport reforms in totality. Further in 2012, the *Traffic (Amendment) Act 2012* became in force. This was a review of the 1954 Traffic Act 2012 relating to registration and licensing of motor vehicles, issuance of driving licenses, and amendment of various sections of the Traffic Act to enhance penalties for various traffic offences. Later in 2014, the *National Transport and Safety Authority Traffic Act of 2014 was developed.* The Act (Cap 403 Laws of Kenya) focused on safety of road users including commuters and pedestrians, by ensuring vehicles are roadworthy and operate as per set standards. As a restatement of the NTSA Legal Notice 161 of 2012, all PSVs are required to join SACCOs and transport management companies (TMCs) while workers must obtain a Certificate of Good Conduct and be licensed with the NTSA to work in the sector[18].

17 RoK, 2012. *The Traffic Act Chapter 403.* Laws Of Kenya. Revised Edition 2012 (2010) Published by the National Council for Law Reporting with the Authority of the Attorney General. [TrafficAct_Cap.403_No.37and38of2012Amendments.pdf (kenyalaw.org)]

18 NTSA (2014), *National transport and safety authority (operation of public service vehicles) regulations, 2014: Subsidiary legislation.* National Transport and Safety Authority. Nairobi, Government Printer.

h) The National Transport Safety Authority (Operation of Motorcycle) Regulation, 2014

These regulations apply to all motorcycles operating on public roads in Kenya. It addresses issues pertaining to protective gears, responsibility of motorcycle owner, rider and pillion passenger. Regulation 9 stipulates that the Authority in consultation with relevant county governments shall designate areas of operation of commercial motorcycles. However, the regulation does not stipulate the operation time for commercial motorcycle operators (RoK, 2014).

Nakuru Integrated Development Plans

Nakuru County Integrated Development Plan 2018-2022. The Nakuru County Integrated Development Plan is linked to the Sustainable Development Goals, Kenya Vision 2030, the Medium-Term Plan III 2018-2022, National flagship projects within the County, (SDGs) Sectoral Plans and the Urban Plans. The County Government transformative agenda is built within the national planning framework that seeks to transform the Country through implementation of County's own flagship projects. The County's Mission is to formulate citizen-oriented policies, promote sustainable socio-economic and technological development. The CIDP 2018-2022 emphasizes the need for all residents to enjoy equal, social, economic and political rights and to live in harmony and unity. The transport challenge in the city are attributed to infrastructure constraints resulting from increased population, as well as local and external economic activities (CIDP 2018/2022). The **Nakuru Municipality Integrated Development Plan** (NMIDP) - **(2019-2023)** like the CIDP, identified traffic congestion, lack of or narrow urban road reserves, inadequate public service vehicles terminus, lack of non motorized transport facilities and inadequate parking spaces as the main challenges facing the transport sector in Nakuru.

Both the CIDP and the MIDP have identified key transportation sector strategic goals for developing, maintaining and managing transport infrastructure to facilitate efficient movement of goods and people, while ensuring environmental sustainability[19]. These include construction of a 20km Nakuru by-passes to reduce the congestion problem, construction of more modern bus parks and at least two additional terminal facilities for public service vehicles; as well as bodaboda sheds and non-motorized transport facilities; provision of street furniture and infrastructural facilities and additional wayleaves. The County documents further recognize the role of the informal sector in job creation and proposes some roads within the municipality to be reserved on specific days to facilitate informal sector trading activities[20].

The **Integrated Strategic Urban Development Plan for Nakuru Town (ISUDP) (2015-2035)**

The ISUDP provides a spatial development framework to guide the town's growth up to 2034. Key developmental challenges identified in the Nakuru ISUDP 2014-2034 include: lack of an elaborate

[19] Nakuru County (2018)

[20] Nakuru County (2019)

development control framework, congestion especially in the Central Business District, inadequate social facilities, inadequate provision of water and sewerage systems, and lack of alternative land for relocation of the dumpsite. The plan proposes that the CBD should be expanded to include the Freehold area up to Kanu Street, and the implementation of the CBD improvement strategy as a transportation hub[21].

PART IV: POLICY GAPS

Like other urban areas in Kenya, Nakuru residents rely on multiple modes of transport namely matatus, boda-boda, pedestrians, cyclists, taxis and three wheelers commonly known as tuk-tuk. The railway line from Nairobi, Nakuru and Kisumu is currently under renovation and is expected to increase the number of visitors from and to Nakuru once it is in operation. There are many vehicles both passenger and freight passing through the town given that it is situated along the busy highway from Nairobi to western part of the country. As a result, the city is constantly experiencing heavy traffic especially during peak hours. The situation is exacerbated by increasing ownership and use of private cars among residents, which has increased exponentially due to the Covid-19 pandemic. The limited parking space for both private and public service vehicles, high influx of people to the town since it became the County headquarter following the enactment of the 2010 constitution and the old urban planning provisions that have been overtaken by current circumstances have worsened the situation. This is expected to get worse since the town is now a City.

Since Nakuru is one of the mostly expanding and growing towns in Kenya, the future development and planning of the town needs to consider public transport systems that serve the town, rural and peri-urban areas, as well as a transit corridor serving beyond the Kenyan boundaries. As a major transit route, and with the current City status, Nakuru has an opportunity to influence urban planning with regard to organisation of public transport and avoid getting into a ‘catch up’ situation. It can also become a pacesetter for other secondary towns.

In Kenya, a lot of planning and transport sector engagement has been going-on in major cities – Nairobi, Mombasa and Kisumu. Similar attention is necessary for secondary towns, and Nakuru offers the best choice. The fact that it is the next largest city after Nairobi and is sandwiched between Nairobi and Kisumu means that it offers a lot of benefits to the country, and to the residents of both the western and the rift valley regions, hence the need for it to have organised public transport systems.

In responses to these challenges, the county government through Nakuru Municipal Council board has embarked on a raft of measures aimed at improving mobility and access in the town and its environs under its new urban plan. Some of the notable initiatives include improving non-motorized transport within the town, relocation of the bus stop from the CBD and re-organization of informal traders within the town. There is also

[21] Nakuru County (2014)

a plan to introduce rapid bus transit along other mass transit. Recently, and in the wake of Covid-19, the county government relocated public transport operations from the CBD to the outskirts of the town which as noted by an observer are areas that lack amenities. The aim was to decongest the CBD, to pave way for initiating new stages as well as convert the area into green areas. These measures stand to benefit the people of Nakuru more if they are conceptualised and implemented with the lenses of social justice.

The SJPT-WG plans to initiate a socially just public transport catalytic project in Nakuru. As a major transit route, and with the upgrading to city status, Nakuru has an opportunity to influence urban planning with regards to the organization of public transport focusing on socially just principles. Hence, the future development and planning of the town needs to consider the existing public transport policies and past policies that informed the current public transport service provision in Nakuru town, peri-urban and rural areas, as well as a transit corridor serving beyond the Kenyan boundaries.

PART V: OPPORTUNITIES FOR IMPROVING NAKURU'S PUBLIC TRANSPORT SECTOR

Nakuru has great potential in improving its public transport systems and also benefiting from the sector economically and financially. Whereas actual number of public transport SACCOs operating in Nakuru are unavailable, the sector is a key employer especially of youths and a major source of revenue generation for the county. There is need however, for improving public transport operations in order to reap maximum economic benefits. For instance, the County should develop a data system for capturing pubic transport vehicles that originate from or serve Nakuru town, as well as the boda bodas and the Tuktuks. These could be key avenues of revenue generation for the county which could be used to enhance infrastructure development and public transport provision for Nakuru residents and citizens. As much as possible, part of the revenue generated from the sector should be used to improve public transport infrastructure and provision of inclusive, affordable, safe and sustainable public service in line with the county's fiscal planning strategy[22].

The Nakuru County Fiscal Strategy Paper (CFSP) of 2021 states for instance that 'a minimum of 30% of the County budget shall be allocated to development expenditures' (CGN, 2021b)[23]. Thus, as good practice, the county government should enhance revenue collection from the sector and also ensure that at least 30% of the revenue is revamped back to improve public transport services in the town, as well as in the peri-urban and other towns in the county.

[22] 2021 (CGN). County Assembly of Nakuru Sub Sector Report. Public Administration, National International Relations, Sector. County Government of Nakuru, MTEF 2021/2022 – 2023/2024, January 2021.

[23] 2021 (CGN). County Fiscal Strategy Paper 2021: Resilient and Sustainable Economic Recovery. COUNTY TREASURY, County Government of Nakuru, March 2021.

The experiences from the different public service vehicles companies show a continued demand for public transport services, emergence of different actors offering different services that are either tilted in favour of the users, the owners of the transport vehicles and companies, or the operators. Regardless of the motivation for establishing the public transport services, their survival is dependent on a number of factors, among them, having well trained personnel, having an equitable and friendly operating environment, investment not only on the fleet but also on management, and finally and more important address threats of self-seeking individuals and poor management that could eventually ground the fleet no matter how well they serve the urban settings and meets the commuter needs. The Nakuru County Government can draw lessons from these experience even in terms of designing services that best respond to the user needs as follows:-

a) The public transport sector is awash with many policies that focus on infrastructure development, sector regulation and coordination, monitoring of service provision with a focus on safety; and on non-motorized transport. The policies also on the whole focus on social just issues of inclusion especially of vulnerable groups and individuals with special needs; but there is little or no focus of other aspects like access and affordability of services. There is also no real focus on issues of sustainable and minimizing for instance air pollution, service integration and a clear focus on non-motorized transport. Further the issue of users' safety within the different modes needs attention, even in terms of how this should be monitored. Given that the policies are many, with each touching on different aspects, there may be need for the County Government of Nakuru to develop a consolidated policy that brings together the different socially just elements, and as a reference for developing and organizing public transport in the city. This process should ensure that citizens' perspectives are obtained and included in the City's public transport planning and decision-making, so that the city effectively responds to the Nakuru residents and public transport users needs.
b) Understanding the user needs. In the case of NATCO, the company understood the fact that those travelling in their vehicles depended on the agricultural sectors for their livelihood, and needed to transport their merchandise to their trading areas. Hence, such commuters, who mostly likely were daily for regular commuters, were not charged for transportation of small luggage or vegetables. Any future public transport for Nakuru should pay attention to this and as much as possible, make travel for such users not only convenient, but also cheap and affordable, without necessarily undercutting other service providers. To do this, it would be necessary for the County to consider regulating fares so that users pay standard fare regardless of the service provider. If this happens, the service providers would be incentivized to provide quality service, as opposed to providing cheap but perhaps less quality service to users. Lessons in doing this can be drawn for instance from Tanzania where standard fares are charged across the different city routes in Dar es Salaam regardless of the distance of travel. This way, the service providers do not unfairly edge each other out of business because of providing cheaper services and eventually end up collapsing, or costly services that edge them out of the market.

c) Management of public transport service provision is important to ensure maintenance of quality standards and also survival of the companies. In all the cases, collapse of the companies or corporation resulted due to either internal or external factors – and mainly related to financial management and self-seeking individuals. Whereas it might be difficult to control peoples interests, there is need for financial regulation of the sector operators so that management challenges that are likely to result in collapse, for instance of even the planned BRT services for Nakuru, can be detected early and corrective or deterred measures taken. This also means that there is need to ensure that the operators are well trained and supported even through technology in running the fleet operations.

d) Route designs and service planning is critical for ensuring convenience of users and minimizing cost of travel. Presently as planned in Nakuru, the BRT services will provide town service that will provide linkage with other modes, including the paratransits serving different routes. This will help, on the one hand, to minimize the number of vehicles entering the central business district and restrict movement to only the designated zones. On the other hand, there is potential that such a move will make services costly for users, and will most likely disadvantage women who often have to travel with children, luggage or have special conditions like pregnancy; persons with disability who may not have the option of walking to the outer zone, old persons, the sick and those travelling with luggage. The County government will therefore need to explore options of using integrated ticketing system whereby individuals who use town service are not disadvantaged by the fact that that they have to connect to other modes. As much as possible and with ICT support, payment of fare should be once and the tickets should be allowed for use in the continued journeys. This however needs a comprehensive stakeholder engagement and investment in acceptable ICT solutions that will allow for integration while taking into consideration diverse perspectives and interests of different service providers. Where possible loop service should be provided.