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The Competitiveness and Trade Expansion Program

## QUARTERLY TECHNICAL REPORT QUARTER 4

(OCTOBER 1<sup>ST</sup> – DECEMBER 31<sup>ST</sup> 2010)

BY



**KENYA TRANSPORT ASSOCIATION**

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*For a safe, reliable, professional, environmentally friendly Road Freight Industry*

**KTA INCOMING EXECUTIVE COMMITTEE – AGM 16<sup>TH</sup> OCTOBER 2010**



## KTA – COMPETE GRANT – BASIC INFORMATION

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P F Tracking Number:	KTA-STA-010-011
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## **1.0 INTRODUCTION**

The Kenya Transport Association (KTA) is an association of road transporters and is registered under the Societies Act in the Kenyan laws. It seeks to instill safety, discipline and professionalism in trucking. It has a membership of over 200 companies and accounts for 96% of the cargo leaving the Port of Mombasa.

The COMPETE grant to KTA is intended to strengthen the institutional capacity of KTA to transform it into a strong, effective and self-sustaining association. This would aid the association to strongly advocate for better policies in the transport industry, enhance road safety, reduce both tariff and non-tariff trade barriers and campaign for ethical business practices, leading to the development and growth of a safe, reliable, professional and environmentally friendly trucking industry, thus realize reduced cost of living in the region.

## **2.0 OBJECTIVES**

KTA is currently working in partnership with USAID-COMPETE in setting up structures at KTA that will see the Association be able to provide the needed services and support to its members. KTA has seen tremendous progress in the provision of services to its members since the beginning of the Grant . KTA has also been able to address members concerns in a timely manner and has been able to voice concerns to the relevant stakeholders and Government agencies on behalf of its membership.

Through the COMPETE'S grant, KTA seeks to improve its capacity and administrative structures to be able to advocate for efficient terms, better transport policies, reduced costs and fair competition in road transport. KTA seeks to strengthen its secretariat and thus improve on services to members, instill professionalism, and increase participation of small and upcoming transporters in the transport business by linking them to existing and new networks of transport businesses within the region. Among the new members targeted are female transporters.

KTA also seeks to become the regulatory agency of the transport sector. This is through the constant engaging of Government Agencies and strengthening the advocacy efforts. Through advocacy, KTA has been able to achieve better and faster results and tangible direct benefits to its membership.

## **3.0 NARRATIVE REPORTS**

### **3.1 INSTITUTIONAL DEVELOPMENT & SUSTAINABILITY**

#### **KTA MAGAZINE**

The production of the 11<sup>th</sup> issue of the magazine was printed for distribution. The number of copies printed were 1,500. A vigorous distribution campaign was carried out and the magazine was distributed to all key stakeholders including embassies, Government Ministries and Agencies, Oil companies, Clearing and Forwarding firms, Insurance firms, banks among others. Due to the wide distribution of the 11<sup>th</sup> issue, a lot of interest has been generated for the following issue. Thus we have been able to get very positive feedback and companies have been made aware of the magazine's existence. We have been able to generate interest in the 12th issue which is expected to be published by 1<sup>st</sup> quarter 2011.

The revenue generated from the magazine was KES: 543,000. The revenue did not meet the target however we expect better returns with the improvement on the circulation on the magazine.

#### **KTA ANNUAL GENERAL MEETING – 16<sup>TH</sup> OCTOBER 2010.**

KTA held its Annual General Meeting on 16<sup>th</sup> October 2010 at the Travelers Beach Hotel. The Annual General Meeting is held every 2 years to elect new officials.

The 2010 AGM was attended by the KTA National Chairman – Mr. Mwangi Mathai as well as a representative from COMPETE – Mr. David Adolwa. During the AGM, it emerged that KTA needed to move to the next level. It was clear from the speech of the both the National Chairman and the Coast Branch out-going Chairman that the Code of Conduct was key towards getting Government recognition as an industry regulator. It was also pointed out that KTA members needed to UNITE so as to get tangible results for the industry.

The new selected office bearer for the 3 key positions were elected as follows:

1. PAUL KIRWA MAIYO - CHAIRMAN
2. SAM MACHIO - HON. SECRETARY
3. MINESH PANDYA - TREASURER

#### **KTA EXECUTIVE COMMITTEE INDUCTION RETREAT**

Following the Annual General Meeting, an induction retreat was held to update the new members of the Executive Committee on the various issues the association was currently handling. The Executive Committee members were inducted on the KTA-COMPETE partnership and especially the 2010 – 2012 KTA Strategic Plan.



Figure 1: Members vote during the KTA AGM while (right) the KTA National Chairman conduct the election. Looking on is the representative from the Registrar of Societies, Ms. Eddah Njoroge.

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### **KTA MEMBERS RATIFY THE CODE OF CONDUCT – 13<sup>TH</sup> NOVEMBER 2010.**

KTA organized a Special General Meeting as required by the KTA constitution, to present to members the Code of Conduct as well as seek approval from the membership to change KTA from an Association into a Company limited by guarantee. Both resolutions were presented to the membership and were cast to a vote.

Following the vote, it was unanimously agreed that KTA would be converted to a Company Limited by guarantee. Members also unanimously ratified the Code of Conduct with 56 members present signing the Code of Conduct.



Special General Meeting: The Chairman explains to the members the reason for the SGM while (right), a section of the membership listens keenly.

### **3.3 ADVOCACY – WEIGHBRIDGE OPERATIONS**

The KTA membership faced severe challenges at the weighbridge and this became a growing concern. It was decided that action was needed on the part of KTA to address this issues. It was therefore deemed

necessary to increase awareness on the various issues. In this regard, KTA has in the past quarter engaged the services of a professional editorial writer to bring to light the issues facing the industry as well as highlight KTA's contribution in efforts towards addressing the issues at hand.

KTA also held meetings with the relevant stakeholders as follows:

## **MEETING WITH HON. MINISTER FOR ROADS – HON. MR. FRANKLIN BETT – 11<sup>TH</sup> NOVEMBER 2010**

Date: 11<sup>th</sup> November 2010.

Time: 7.00pm

Venue: Nyali Beach Hotel.

Agenda: Axle load petition to Hon. Franklin Bett, EGH, MP, Minister for Roads.

KTA met with Minister of Roads, Hon. Franklin Bett. The KTA representatives presented the "Axle load petition to Hon. Franklin Bett, EGH, MP, Minister for Roads". At the meeting, the KTA delegation present the issues facing transporters at the weighbridge as follows:

- a. Weighbridges Calibration.
- b. Corruption at the weighbridges.
- c. Harmonization of weighbridges.
- d. Amendment to the legislation to include the owner of the cargo and the loader.

The KTA delegation presented recommendations on the way forward. The Minister assured the KTA delegation that action would be taken on all the listed recommendations and a review meeting would be planned to review the progress.

## **MEETING WITH WEIGHBRIDGE STAKEHOLDERS – 19<sup>TH</sup> NOVEMBER 2010**

Date: 19<sup>th</sup> November 2010.

Time: 9.00pm

Venue: KeNHA HQ offices - Nairobi

Agenda: Axle load petition to Hon. Franklin Bett, EGH, MP, Minister for Roads.

As a result of the petition to the Minister for Roads that had been presented on the 11<sup>th</sup> November 2010, a meeting was called to discuss the recommendations set out in the petition.

### **QUANTIFIABLE RESULTS:**

#### **1. UP-GRADING OF THE WEIGHBRIDGE**

It was reported that the Government had committed funds to improve weighbridges at Mariakani, Athi-River and Gilgil weighbridges. It was reported that the weighbridge at Mariakani would have a complete overhaul and new weighbridges would be installed. The new weighbridges would be Weigh-In-Motion weighbridges that would greatly decrease the time taken to weigh trucks.

Currently, the weighbridges translate to the most time consuming barrier along the Northern Corridor. However, with the new weighbridges in place, the time taken to weigh a truck will be 1min/truck as opposed to the current 3min/truck. This translates into a 33% decrease in the time spent at the weighbridge. The works on the installation of the weighbridge is set to be completed in March 2011.

## **2. REPRIEVE ON WEIGHING TRUCKS ON AXLE LIMITS.**

On 14<sup>th</sup> November 2010, the KTA Executive Committee visited the Mariakani weighbridge and weighed one trucks on all the 3 sets of weighbridge stations. The disparity of the weights was clear and it was therefore agreed that action needed to be taken as it was clear that trucks were being charged in court on unfair scales.

Following this visit, it was unofficially communicated to weighbridges that trucks should not be charged on the Axle limits but on the Gross Vehicle Weight limits until such a time that the weighbridge installations will be completed. This has been of great benefit to members as now members are able to carry more payload while at the same time be complaint with the law as regards the weight limits.

The temporary reprieve on Axle load limits has been lauded by the KTA Membership as the highest achievement for 2010 as KTA takes the lead in offering tangible value addition benefits to its membership. This has seen improved participation and feedback from membership on the various issues.

## **3.4 CERTIFICATION & STANDARDS**

### **NATIONAL ROAD SAFETY CONFERENCE – 19<sup>TH</sup> OCTOBER 2010**

The National Road Safety Council organized a Safety conference, inviting all the stakeholders in the transport sector. This was a forum where policies and regulations were formulated and some of the policies adopted. KTA took up the opportunity to present the problems facing the Heavy Commercial Transport sector and also presented proposed solutions to the same. A major recommendation to KTA that was presented was to put a requirements that all HGV operators must be members of a Government registered transport company or a transport association, with a centralized management office, to make enforcement easier, encourage professionalism and self-regulation of the industry. KTA is in the process of lobbying for this and other recommendations to be enforced and for KTA to be the Association of choice for road transporters.

## **3.5 MEMBER SERVICES**

KTA held 3 members meetings. The purpose for these meetings was to discuss the course of action to be taken as regards the issue of the weighbridge. This was as a result of the fact that trucks were still being impounded at the weighbridge despite the fact that they transport operators would ensure that the trucks were within the weight limits before embarking on the trip. It was reported that members were being charged of overloading with payload weights as low as 36tonnes on the Gross Vehicular Weights.

At the meeting held on 26<sup>th</sup> October 2010, members agreed to go to court collectively and challenge the Axle Load requirement. Members also agreed that as part of the agreement, the number of weighbridges should be reduced as this was causing unnecessary delays, once a truck is weighed at one weighing station, the ticket should be recognized at all the other weighing stations and calibration of weighbridges should also be enforced.

KTA will in the coming year continue to lobby for the above recommendations, as they would greatly enhance trade facilitation and would decrease the number of transport barriers along the Northern Corridor.

## ***APPENDICES***

### **PICTORIAL**



**Special General Meeting: A section of the Executive Committee comprising of (from left); Organizing Secretary – Lucas Dindi, Assistant Organizing Secretary – Nora Mugavana and Vice-Chairman – Timothy Nguoh, listen keenly as (right) the Ag. Executive Officer – Grace Maina takes the audience through the proposed Code of Conduct. The Code of Conduct was unanimously ratified by all members present during the Special General meeting held on 13<sup>th</sup> November 2010.**



**SGM: A section of the KTA Executive Committee comprising of Chairman – Paul Maiyo, EC Members – Kiprof Bundotich and Ibrahim Pasta confer on the issues surrounding the Code of Conduct at the Special General Meeting.**



**SGM: KTA staff assist with registration of members during the recently held SGM while (right) KTA member – Else Givers of Pelse Transporters seeks clarification to clauses within the Code of Conduct.**

## NEWSPAPER ARTICLES

A major part of the activities for the 4<sup>th</sup> quarter involved advocacy and lobbying on various issues. The following are some of the newspaper articles published in the last quarter covering several issues:

### 1. Parking levy fees – Mombasa Municipal Council



### 2. Transporters decry Escalating fuel prices



### 3. Transporters demand better weighbridge standards.

## Truck operators block highway, give demands

By PATRICK BEJA

Truck operators have paralysed moving of cargo on the Nairobi-Mombasa highway for hours to protest alleged harassment.

The truck drivers blocked the busy highway at Mariakani weigh bridge on Saturday evening to protest against old weigh bridge machines, which allegedly give false weight.

The drivers said they were tired of being arrested and prosecuted for overloading. "We are constantly harassed and our trucks detained arbitrarily over claims of overloading," said a protesting driver.

The drivers complained that they were not allowed to re-weigh the cargo to confirm the weight before being charged. There was a standoff when truck owners sought audience with weight officials, as they were accused of inviting their drivers to strike and cause the heavy traffic jam.

Addressing a news conference in Mombasa yesterday, members of the Kenya Transport Association (KTA) said their drivers staged a strike because of frequent arrests.

KTA chairman Paul Maiyo said the weighing equipment at Mariakani required immediate replacement because it gives weight variation of up to seven metric tonnes.

Mr Maiyo, addressing a news conference accompanied by more than 10 truck owners at KTA offices, claimed the weigh bridges at Mariakani, Athi River and Gilgil were poorly maintained and rarely calibrated.

The transporters claimed on re-weighing their vehicles after being charged in court, the weight had been found to be within the permitted limits. "The weigh bridges are rarely calibrated and corruption and extortion is rampant," Maiyo said.

A KTA executive committee member Kiprop Bundotich said although the Government has invested heavily in roads construction, it should provide new weigh bridges to check overloading.

## 4. Transporters demand calibration and standardization of the weighbridges

DAILY NATION  
Wednesday November 24, 2010

**FURY** | Officials accused of extortion

# Faulty weight machines hurt transporters

Truck owners lobby says members are paying dearly for faulty weighbridges

BY PETER LEFTIE  
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Faulty weighbridges could be costing transporters millions of shillings in penalties, it has emerged.

The Kenya Transporters Association yesterday raised the red flag over the faulty machines saying that unscrupulous attendants at the Gilgil, Athi River and Mariakani weighbridges were demanding Sh30,000 from each truck as cash bail to allow their impounded vehicles to continue with their journey.

"Trucks are impounded at weighbridges even when they are not overloaded. They are not even permitted to re-weigh and our members pay cash bails of up Sh30,000. This is because of the use of old weighbridges that are poorly maintained," the association's chief executive, Ms Grace Maina, protested in a statement.

Ms Maina said that officers from her association inspected the Mariakani weighbridges last week, accompanied by police officers, and weighed one truck on several weighbridges, only to discover that each gave a different weight.

"Even a re-weigh using the same weighbridge gave different readings," she added. The inspection was prompted by a major disruption of traffic at the two weighbridges early this month after truck drivers

blocked the roads protesting harassment by Kenya National Highways Authority officials.

The Kenya National Highways Authority chief executive Meshack Kidenda confirmed through a spokesman that they had received several complaints about the faulty machines and they would repair them.

"We urge The Ministry of Roads to take recommendations by the technical committee on Axle Loads Limits Implementation in the East African Community seriously as shifting of cargo from one section of the trailer to another is not the transporter's business especially where there is proof that all axle readings were compliant on departure," she argued.

### BACKGROUND

#### Drivers protest at long delays

On November 13 and 14, more than 100 truck drivers blocked the busy Naivasha-Nakuru highway protesting delays at the Gilgil weighbridge which were attributed to a faulty weighing machine. They were protesting the arrest of 20 truck drivers who had been accused of overloading while they had been cleared at Mlolongo and Mariakani.

Axle load regulations stipulate that only trucks with three axle loads are allowed in the country with a maximum of 24 tonnes or a gross weight of 48 tonnes

Report compiled by:  
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