

COUNTY GOVERNMENT OF VIHIGA



BODA BODA POLICY



Boda Boda operators at Luanda market, Vihiga County, Western Kenya

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CHAPTER ONE: INTRODUCTION AND BACKGROUND TO THE VIHIGA COUNTY BODA BODA POLICY

1.1 COUNTY PROFILE

1. The County is located in the Western region of Kenya. It lies in the Lake Victoria Basin between longitudes 34°30' and 35°00' east and between latitudes 0° and 0°15' north. The County covers an area of 531.0 Km². The County has five administrative Sub-Counties namely, Hamisi, Emuhaya, Luanda, Sabatia and Vihiga. The county is further subdivided into 11 divisions, 38 locations, and 131 sub-locations. Hamisi is the most expansive with an area of 156.4 Km², Sabatia 110.9 km², Vihiga 90.2 Km², Emuhaya 89.5 Km² and Luanda 84 Km².
2. According to the 2009 National Population and Housing Census, the County had a population of 554,622. The county has one of the highest population densities in the country at 1,033 persons per square km compared to the national average of 66 persons per Km². 47.8% of the population were male while 52.2% were female. The county population is estimated to have grown to 637,877 persons in 2017 and is projected to grow to 694,819 persons in 2022. The high population density has negatively impacted on the available resources including land, forests and wetlands. The county's demographic profile depicts a youthful population comprising of 46% of persons aged below 15 years.
3. The total road network is 1,058.2 Km; bitumen surface covers a length of 201.5 Km, gravel surface 373.7 Km and earth surface 483 Km. The County has a railway length of 20 Km and has one non operational railway station at Luanda. The County has no airstrip and relies on the neighbouring counties for flight services. However, the County Government plans to revive an airstrip at Kaimosi, Hamisi sub-county.

1.2 OVERVIEW OF MOTORCYCLE INDUSTRY IN KENYA

4. Public road passenger transport in Kenya dates back to the 1930s and accounts for over 80 percent of the total internal freight and passenger traffic in Kenya with the remainder of about 7 percent being mainly carried by rail and air. The public transport is dominated by the informal sector commonly referred to as Paratransit. This is composed of privately-owned and operated transport options that include *matatus* (buses, mini buses, vans), motorcycles (*boda boda*), bicycles and tricycles (tuk tuk). Due to the lack of organized public passenger transport, alternatives have led to the rapid growth in these non-conventional means of the public transport. In this policy, the word 'boda boda' will be used interchangeably with motorcycle.
5. The entry of boda boda as a mode of transport (commercial motorcycles as taxis) in the already chaotic public passenger transport sector brought even more chaos. The zero rating of bodaboda below 250cc in Kenya in 2008 by the government meant that more people could afford them. Just like matatus, the boda boda started off without any form of regulation. Boda boda motorcycles became popular because they could use all possible routes to get their pillion passengers to their destination even during heavy traffic congestion.
6. With thousands of vehicles and minimal regulation of routes, paratransit responds quickly to changes in demand. This demand could be as a result of ordinary daily and seasonal changes, or longer-term changes brought about by competing forms of transport, and/or changes in mobility patterns.
7. Although paratransit often appears to be disorderly, it is actually an intricate system that involves different players. Paratransit in Kenya is characterized by flexibility and demand responsiveness, lack

of schedules, fluctuating fares, poor working conditions, competition, formation of cartels and unpredictable stops and routes.

8. The wave of this two-wheeled transport began in the 60s, in the border of Kenya and Uganda, in the towns of Busia and Malaba. This means satisfied the need for quick transport across the border through no man's land. Hence, the trade flourished and more bicycles plied this route. More riders set up camp along this route, and they had to call out to clients from a distance. To do that, they shouted Boda! Boda!, which is a corruption of border-to-border.
9. Years later, the motor cycle (bodabodas) replaced bicycles. Though bicycles still operate in remote parts of the country, the motorcycle is now the king of fast public transport in all parts of Kenya.
10. Thousands of young men and women earn a living from this industry. Boda Boda industry has become the most preferred economic activity by the youth out of school in the rural areas. They prefer boda boda operator business because it is flexible and allows one to perform other tasks which do not require full time participation. For instance when farming other crops like maize, one only needs to invest a few hours to the crop, and once planting is done, they can engage in other activities. Similarly, one can keep poultry and livestock and still run "boda boda" or taxi services. The youth can even hire someone to ride their "boda boda" as they tend to other activities. Boda-boda have infiltrated all major towns, cities, villages, estates; and now bodabodas are everywhere.
11. The growth of the boda boda industry has brought additional advantages at grassroots, County and National level and to other road users, such as:
 - Being the fastest way to beat traffic jams;
 - Bobabodas operating where taxis and buses cannot;
 - Cheap and fast transport where other means would not be effective or is the only viable option.
12. A 2004 report by the Asian Development Bank (ADB) highlights reasons for tricycle preference in the country and which include high accessibility, availability, affordability, safety relative to four-wheeled vehicles, and convenience.
13. The bodaboda industry flourished in 2008, when the government exempted tax on bodaboda under 250cc. The number of accidents increased since then as more untrained riders took advantage of the tax exemption to earn from the industry. Some of the reasons attributed to these accidents are overloading by carrying more than one passengers, riding under the influence of alcohol and not using precautionary measures such as helmets.

1.3 TIMELINES OF MOTORCYCLES

14. In the last one and half a centuries, scientists searched the way to make transport on public roads more automated and faster. With that goal in mind, many inventors tried to make their version of the motorcycle, with some important events regarding their discoveries stipulated as hereunder:
 - 1867 – First steam-powered motorcycle was made during 1867, in the factory of famous bicycle inventor Pierre Michaux. His son Ernest who also invented the bicycle pedals attached small steam engine to one of his bicycle designs.
 - 1868 - American, Sylvester H. Roper presented his twin cylinder steam velocipede with a coal burn furnace. He died in 1896 while performing a demonstration of one of his steam motorcycles.
 - 1871 – French engineer Louis-Guillaume Perreaux developed steam one cylinder motorcycle with an alcohol burner.

- 1881 – American inventor Lucius Copeland strapped small boiler engine on a rear wheel of “farthing-penny” bicycle. This configuration enabled him to reach the speed of 12mhp.
- 1885 – German inventors Gottlieb Daimler and Wilhelm Maybach produced first motorcycle with diesel-based engine in 1885. They managed to equip a wooden bicycle with a small 264cc engine. This device, which carried the name of “Daimler Reitwagen” (riding wagon) is today regarded as the first motorcycle. It kick-started huge way of future innovation and were precursor to all other forms of transport devices that uses gasoline internal combustion engine.
- 1894 – “Hildebrand & Wolfmüller” was the first mass-produced motorcycle in the world. Sadly, only several hundred units were produced. After that year, many more motorcycle makers started building their designs around the world.
- 1895 – First motorcycle came to USA via the French circus group. In the same year, American inventor E.J. Pennington demonstrated his first version of motorcycle that had top speed of 58mph.
- 1900 – Werner Brothers submitted first motorcycle patent.
- 1901-1903 – Several big manufacturing plants started their production of motorcycles, most notably English Royal Enfield, Triumph, American Harley-Davidson and Indian Motorcycle Manufacturing Company. During that time begun the first organized motorcycle races, which in return increased demand for faster and powerful engines and designs.
- 1928 – German company DKW managed to become largest motorcycle maker in the world, surpassing American builders Indian and Harley-Davidson.
- 1930s – Before the Second World War, there were over 30 models of motorcycles in England.
- The 1950s – After the end of Second World War, American War veterans started gathering themselves into loosely organized motorcycle clubs. They became famous after their portrayal in Marlon Brando’s 1954 film “The Wild One” .
- 1959 – Japanese company Honda became the largest manufacturer of motorcycles in the world, surpassing German NSU.
- The 1960s – British motorcycle dominance faded away during 1960s with the appearance of several large Japanese manufacturers - Suzuki, Kawasaki and the Yamaha.
- 1990 – Japanese supreme dominance lasted all up to 1990s when several American and Italian companies begun expanding their markets.
- Present day – Today beside Japanese companies several other manufacturers hold sizable piece of the market. Most notably there are BMW, Ducati, Victory and Harley-Davidson.



First Motorcycle - Sylvester Howard Roper 1867 Steam Cycle

1.4 RATIONALE FOR DEVELOPMENT OF THE BODA BODA POLICY

15. Under the Constitution, functions, powers and resources are divided between the National and County Governments. The Constitution recognizes two categories of roads: national trunk roads and county roads- and attendant functions of each spelt out in the Fourth Schedule of the Constitution. Specifically, the County governments are responsible for county transport including county roads, street lighting, traffic and parking, public road transport and ferries and harbours. The County Governments Act, 2012 is intended to give effect to Chapter Eleven (11) of the Constitution on Devolved Governments. This policy is developed with full knowledge that boda boda operators will use the road transport in the County to carry out their business.
16. The County Integrated Development Plan (2013-2017) identifies Vihiga as a County that has inadequate and subordinate roads infrastructure to facilitate the requisite access to markets, economic growth, wealth and employment creation and investment. This policy acknowledged that boda boda operators, despite the bad road, are all weather operators as they penetrate the most inaccessible road network.
17. Under the Constitution of Kenya (2010), transport is a devolved function, with some companies and organisations in the County having programmes and sectoral transport policies. According to the Motorcycle Assembly Association of Kenya, the motorcycle business in the country is generating income of Sh400 million daily – this cannot be wished away.
15. The need for a boda boda -specific policy that focuses on increasing transportation access and employment chances for young people and families to address issues of unemployment and poverty.
16. Transport is vital in fostering economic growth and development and has a role to play in two strategic industrial clusters targeted for growth, namely: tourism and entrepreneurship.
17. Vihiga County needs to develop a strong economy, a sustainable environment and an inclusive society. Good transport facilities are central to economic development and general quality of life.
18. The County Government of Vihiga is committed to facilitating the mobility of the populace in an economically, financially and environmentally sustainable manner. The County Government takes cognizance of issues such as gender inequality, provisions for the disabled and the elderly in the boda boda policy.
19. Vihiga County Government believes in an effective bodaboda policy at the local and county levels to meet the County's transport needs, whilst respecting safety and environmental concerns.
20. The County Boda Boda Policy is a long-term statement of objectives that are appropriate for posterity. However, it must be recognized that many parts of this policy may have a shorter life and this this document will be regularly reviewed and updated.

21. The launching of the Vihiga County Bodaboda policy will contextualize the plight of the bodaboda owners and operators whose current reputation has sometimes been linked to insecurity. This policy promotes security of the motorcycle industry amongst all stakeholders.

1.5 THE VISION OF THE COUNTY BODABODA POLICY

22. A Bodaboda industry that is trusted and provides cost effective transport services to the people of Vihiga County.

1.6 MISSION OF THE COUNTY BODABODA POLICY

23. To create a dynamic Bodaboda industry that is responsive to the transport and safety needs of the people in Vihiga county. The policy provides a framework for ensuring attainment of self -reliance and sufficiency in transport access and sustainability for the people of Vihiga County.

1.7 GOAL OF THE BODABODA POLICY

24. To have a vibrant and sustainable Bodaboda Industry for the County Government of Vihiga. The policy provides for establishment of SACCOs around which groups of bodaboda operators should form to increase security and confidence of travelers.

1.8 OBJECTIVES OF THE COUNTY BODABODA POLICY

25. The following objectives will guide the implementation of this policy:
- a) Establish an institutional framework for implementation of the Vihiga County Bodaboda Policy.
 - b) Promote skills training, entrepreneurship, employment and skills development in Vihiga county.
 - c) Increase visibility and image of bodaboda transport services in Vihiga County.
 - d) Promote code of conduct and entrepreneurship among bodaboda operators in Vihiga county.
 - e) Ensure measures to prevent unethical behaviour in the bodaboda industry in Vihiga county.
 - f) Create public awareness on safety measures for bodaboda operators and users in Vihiga County.
 - g) Ensure adequate funding /investment in the bodaboda industry.

1.9 VALUES GUIDING DEVELOPMENT OF THE BODABODA POLICY

26. The policy promotes the following values:
- Recognition of Boda Boda as the transport of choice, safety and thrift;
 - Recognition of Boda Boda as partners in development;
 - Placing the bodaboda industry at the heart of human and physical development;
 - Promoting ethical behaviour and transparency in the boda boda industry;
 - Transport sensitivity - recognizing the special needs of women, persons with disabilities and the elderly while using bodaboda services.

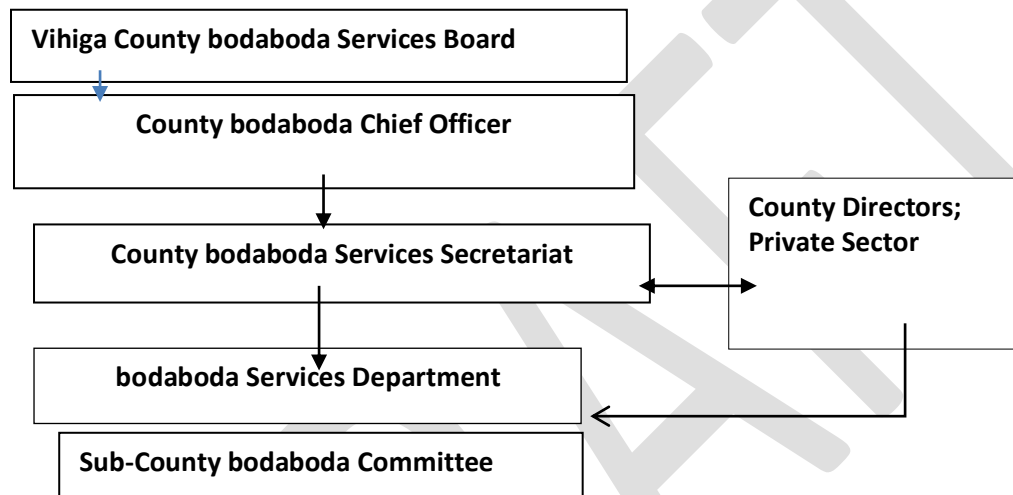
1.10 GUIDING PRINCIPLES

27. The County bodaboda Policy will be guided by the following principles, derived from existing national and international frameworks, such as the United Nations Declaration on Human Rights (UNDHR, 1948 when the motorcycle was used in the Phillipines to ferry war survivors among other people.
- **Non-discriminatory approach** – bodaboda operators should not discriminate against persons with disability or the elderly, in accessing transport services.

- **Respect for the rights and privacy of others** which embraces all aspects of physical, emotional, social, economic, political and spiritual respect between the operator and passenger.
- **Transparency and accountability** – requiring that all motorcycle operators must belong to a SACCO. This should be a constant code of conduct for any bodaboda operator.

1.11 GOVERNANCE STRUCTURE OF THE BODABODA POLICY

28. This involves clarity of roles and responsibilities in relation to the implementation of the Boda boda policy. The structure also describes the lines of authority, communication and responsibility – from the County bodaboda Board /Council, Sub-County bodaboda Committee, bodaboda Secretariat and community and how these interact with other stakeholders in the county.



1.12 METHODOLOGY FOR DEVELOPMENT OF THE COUNTY BODABODA POLICY

29. A qualitative approach was preferred and involved desk review of key documents and data on boda boda industry. Also reviewed were Vihiga County Integrated Development Plans (2013-2017) and zero draft CIDP (2018-2022), Medium-Term Plan (2018-2022) of Vision 2030 and the County’s Strategic Plan for the same period. The desk review identified some gaps in motorcycle industry, which have been incorporated into this draft Motorcycle Policy. An FGD guide helped to generate information on collective thinking of motorcycle operators and their owners.

30. Key Informant Interviews (KII) were held with stakeholders from the public and private sector, county government departments and heads of civil society organizations - non-governmental and community based organizations. The draft motorcycle policy will be subjected to a one-day stakeholder consultation and validation workshop for information of information.

CHAPTER TWO: SITUATION ANALYSIS AND STATUS OF BODABODA INDUSTRY IN VIHIGA COUNTY

2.1 SITUATION ANALYSIS

31. The boda boda motorcycle mode of transport in Kenya gained prominence after the zero rating of duty levied on imported motorcycle below 250cc by the Ministry of Finance in 2008. After the tax waiver, the country became flooded with boda boda motorcycles, a scenario that resulted in increased number of accidents encountered mostly by riders who had not undergone quality

training. World Bank (2009) indicate an increase to 343.7% deaths from motorcycle accidents alone, a situation that was exacerbated by lack of legislation on boda boda operations.

32. Kenya has a high fatality rate with an average of 8 deaths from about 35 road crashes that occur each day. The country registers about 3000 deaths and 30,000 injuries every year (Odero et al., 2003) from car accidents. With the increase in the number of boda boda in Kenya, the number of crashes continues to increase unless urgent counter-measures are taken to reduce the number of those killed and injured. Many riders in Vihiga county lose their lives due to inadequate riding skills.
33. Motorcycles play a crucial role in the Kenyan transport sector today. They are an alternative mode of transport especially for the low and middle income earners. Motorcycles serve passengers in areas where other modes of transport may not be available (Ministry of Transport, 2009). They serve as taxis and provide the convenience of travelling irrespective of time, type of road, distance or destination and in addition, they are readily available.
34. In Kenya, boda boda motorcycles are found in urban centres and rural areas. Vihiga County (Majengo, Mbale, Chavakali and Luanda towns) in particular is known for its large number of boda boda motorcycles. Being within easy proximity to Busia, Luanda particularly has a long history of the use of boda boda (Howe, 2003). In rural areas, motorcycle taxis provide relief to an inadequate transport system, while in urban areas, they supplement passenger and goods transport services (Ministry of Transport, 2009).
35. All the advantages of boda boda motorcycles notwithstanding, the safety of motorcycle users has become a major concern to all road users, the government and non-governmental organizations concerned with transport safety. This is due to the increase in road accidents involving boda boda motorcycles. In Naivasha, there were reported deaths of up to 40 people per month. The death toll from motorcycle crashes has been so high that some hospital wards are set aside specifically for boda boda motorcycle victims (Bogan, 2010). This situation is comparable to South Sudan where there is a 'Senke Ward' (for victims of motorcycle crashes).
36. The rising number of accidents is known to overwhelm the already stretched health sector due to the number of casualties. The health facilities especially in the rural areas, may have no capacity to deal with the injured due to few medical personnel and other medical facilities. Therefore, there are social and economic implications. The likely consequence of motorcycle accidents include a drain on the economy through loss of income for the riders who are maimed, loss of labour for the country, loss of support for household especially if the breadwinner dies or is incapacitated and loss of time for other activities because of caring for the injured. In addition, for those injured in accidents, the treatment is long and expensive because most of them sustain head and limb injuries, not to mention the emotional pain for relatives in the case of death (Khayesi, 1999).

2.2 STATUS OF BODABODA INDUSTRY IN VIHIGA COUNTY

37. Vihiga County boasts of several vocational training centres, however none of them offers driving and riding training. These skills are often sought from Kisumu or Kakamega towns.
38. The absence of a County Driving institution /Platform where young people's capacities could be built to engage in motorcycle related entrepreneurship was identified as a key gap for the county. The policy provides guidelines on strengthening of motorcycle rider SACCOs using the savings and

internal lending communities approach to help the riders access money to start and grow own enterprises.

39. Vihiga County has rider groups, however there is little evidence to show that they undergo any related refresher training such as etiquette that is key to customer relations or value addition on entrepreneurship as a diversification of their business. This explains why some of them drop off once they have encountered a problem which they could have avoided or addressed head-on. The policy provides guidelines to for value addition, etiquette skills and action in motorcycle industry.

CHAPTER THREE: LEGAL CONTEXT AND APPROACHES FOR DEVELOPING COUNTY BODA BODA POLICY

3.1 LEGAL FRAMEWORK ON BODA BODA POLICY

40. The motorcycle policy is anchored within Government of Kenya legal provisions including the National Transport Safety Authority (2012). The adoption of the Integrated National Transport Policy (INTP) gives directions to deal with challenges in public transport. The Traffic Amendment Act (2012) introduced a number of regulations and severe penalties for traffic offences. It also highlighted the regulations targeting *boda boda* transport. The requirement that paratranist groups join savings and credit cooperatives (SACCOs) was another new development to ensure smooth running of the transport affairs through self-regulation.

41. The Policy is also informed by the following Sustainable Development Goals (SDGs):

- End poverty in all its forms everywhere (SDG 1)
- End hunger, achieve food security and improved nutrition and promote sustainable agriculture (SDG 2)
- Ensure healthy lives and promote well-being for all at all ages (SDG 3)
- Achieve gender equality and empower all women and girls (SDG 5)

3.2 APPROACHES FOR IMPLEMENTATION OF COUNTY BODA BODA POLICY

42. The following cross cutting approaches will ensure increased participation, contribution and benefits for motorcycle owners and operators in the motorcycle industry all levels of the county:
- (i) Institutional capacity strengthening of the Motorcycle machineries and key players in the implementation of the county Boda Boda policy;
 - (ii) Inculcating and promotion of a code of conduct for the motorcycle operators.

CHAPTER FOUR: INTERVENTIONS FOR THE VIHIGA COUNTY BOD BODA POLICY

4.1 SKILLS TRAINING AND ENTREPRENEUR DEVELOPMENT

43. Access to the right set of tools and opportunities is key to making a sustainable contribution to one's county and /or national development. Bodaboda riders need skills that can make them relevant in the market place and which ensure that they are gainfully engaged. A bodaboda rider can, for example, make daily savings and borrow from their SACCO to invest in a plot where they can build cheaply and become real estate owner.

Objective 1: Establish a bodaboda industry that makes sustainable contribution to Vihiga county.

Strategies

- Support to establishment of a County bodaboda Riding School
- Carry out a baseline survey and skills audit of the bodaboda industry in Vihiga county
- Enact a legislation to guide capacity strengthening /training of bodaboda riders in Vihiga county.
- Establish a mechanism of financing training and skills development of the bodaboda
- Undertake targeted outreach and awareness programmes towards the bodaboda industry.

Objective 2: Support to capacity strengthening of the bodaboda operators

Strategies:

- Undertake a mapping of all bodaboda operators and riders in Vihiga county.
- Hold road shows to showcase the role and contribution of bodaboda industry to Vihiga County.
- Create customized training and refresher training for bodaboda riders and operators in the County.
- Encourage the bodaboda riders to engage in Savings and Internal Lending Communities (SILCs)
- Link bodaboda riders to funding opportunities provided by finance institutions and private sector

4.2 PUBLIC AWARENESS RAISING ON SAFETY MEASURES IN THE MOTORCYCLE INDUSTRY

44. Vihiga County seeks to have an environment where its citizens are guaranteed travel safety and an environment that is free from bodaboda pollution among other pollutants. This policy provides guidelines to promote on safe travels with bodaboda, for example, not allowing the rider to carry a person unless they wear a helmet and closed shoes. Bathroom sandals are reputed for perpetuating accidents rainy or slippery situations due to sliding.

Objective: Ensure safety in bodaboda riding

Strategies

- Create public awareness about safe riding both for the rider and pillions
- Undertake targeted health programmes for riders and pillions
- Increase access to refresher training for the riders
- Promote recognition of a County bodaboda Awareness Day

Boda-boda riders to

- Have a valid driving license issued by the Authority.
- Ensure that they shall not ride or carry a person on a motor cycle without the prescribed protective gear properly fastened.
- Not carry more than one person at a time.
- Ensure that passengers are carried on a proper seat with foot rests securely fixed to the bodaboda behind the rider's seat.
- Ensure that a passenger sits astride the bodaboda.
- Ensure that the headlights of the bodaboda are on at all times when riding.
- Ensure that loads and passengers are not carried at the same time.

- Keep the protective gear in a clean, dry and generally wearable condition.
 - Ensure that the rear number plates are visible at all times.
 - To overtake on the right hand side and not to overtake in the same lane occupied by vehicle being overtaken.
 - To observe traffic lights.
 - To observe all traffic rules.
 - Not park in undesignated areas.
- For the purposes of these responsibilities;
- A child less who is less than 12 years old maybe carried together with an adult provided the child is seated between the rider and the adult and wears a helmet designed for children.
 - Persons with disabilities will be exempted from the requirement to sit astride while being carried on a motorcycle

Passengers to

- Properly wear a helmet and reflective jacket whenever being carried on a bodaboda.
- Not board or be carried on a bodaboda that already has a passenger.
- Not board or be carried on a bodaboda that is carrying any load.
- Sit astride in the seat fixed behind the rider's seat.

Carriage of Loads

1. No load shall be carried on a bodaboda:-
 - Whose width projects more than fifteen (15) centimeters beyond the outside end of the handle bars.
 - Whose height is more than two(2) metres from the ground.
 - Whose weight is more than thirty (30)kilograms for a bodaboda whose carrying capacity does not exceed fifty (50) cc and 60 kilograms for a bodaboda whose carrying capacity does not exceed Four hundred (400)cc.
 - Which projects to the rear beyond the maximum overall length of the boda-boda by more than sixty (60) centimeters. The rear extremity of the load must be plainly indicated by a conspicuous red marker during the day and by a red light at night.
2. The rider of a bodaboda carrying loads shall ensure that no part of the load carried drags on the road.
 - For the purpose of this regulation the term "load" excludes luggage carried by a passenger provided such luggage does not exceed ten (10) kilograms in weight and does not project more than fifteen (15) centimeters beyond the outside end of the handle bars . Such luggage may be carried together with the passenger provided the luggage is properly secured between the rider and the passenger.

4.3 PROMOTING ETHICAL BEHAVIOUR IN THE BODABODA INDUSTRY

This focuses primarily on behavioural communication between the rider and the pillion. While the rider the pillion have rights to association or expression, it is important for both of them to know the boundaries of the talks during the travel service. For example, the pillion is not supposed to engage in talks of accidents with the rider when travelling, for example, saying ""I saw a really horrible bodaboda accident last month. I'm pretty sure the rider didn't survive.". This policy provides guidelines on etiquette for riders and pillions alike.

Objective: Instill social values and etiquette for riders and pillons

Strategies

- (i) Initiate projects and activities that support entrenchment of appropriate behaviour in the bodaboda industry
- (ii) Support training of riders and pillons on safe etiquette and behaviour for riders and pillons.
- (iii) Encourage NGOs and private sector organisations to support etiquette in the bodaboda industry.
- (iv) Sensitize community on bodaboda etiquette

4.4 RESOURCING OF INVESTMENTS IN THE BODABODA INDUSTRY

45. Since the bodaboda industry is here to stay and is key stakeholder in the provision of transport services for people and goods, the County should make adequate provisions for funds to manage programmes for the industry in the annual county budgets.

Objective: To ensure sustainability of bodaboda programmes in Vihiga county

Strategies:

- Ensure the mobilization of resources from diverse sources including corporate sponsorships, commercial advertisements of goods and services.
- Ensure accountability of available funds for bodaboda programmes through financial monitoring and auditing machineries.
- Encourage bodaboda shows as a contribution to the county’s economy.
- Promote and diversify bodaboda SACCO branding in Vihiga county.

CHAPTER FIVE: IMPLEMENTATION MATRIX FOR THE COUNTY BODABODA POLICY

5.1 KEY PLAYERS AND RESPONSIBILITIES

46. The Chief Officer (CO) in charge of Transport and Infrastructure will be responsible for the implementation of this policy. Other stakeholders in the County shall include all County departments and non –state actors, private sector and the community. The team will establish and nominate members to the County Bodaboda Board to oversee implementation of the policy.

Key players	Role / Key institutional processes
Office the Governor –County Executive Committee Member and Chief Officer for Transport and Infrastructure	<ul style="list-style-type: none"> • Advise the Governor on needs/priorities of bodaboda industry in the County • Brief the Governor on status of the industry in the rural and peri-urban level; • Represent the Governor in high level Bodaboda industry forums.
County Assembly	<ul style="list-style-type: none"> • Pass the Bodaboda policy for launching; • Resource the budget for implementation of the policy; • Report on status of Bodaboda industry in respective Wards and Sub-counties.
County Executive Committees	<ul style="list-style-type: none"> • Regular review and embedding challenges facing the Bodaboda industry in the County Integrated Development Plan (CIDP); • Support implementation of the Bodaboda policy
Department of Transport (Transport machinery)	<ul style="list-style-type: none"> • Develop County Bodaboda Action Plans; • Develop a Bodaboda Strategic Plan to facilitate implementation of this policy

designate)	<ul style="list-style-type: none"> • Provide overall leadership, monitoring and reporting on the Bodaboda policy; • Resource the implementation of the Bodaboda policy; • Establish a County Bodaboda Coordination Committee to implement the policy; • Establish a monitoring, reporting and evaluation unit to fast track the policy implementation.
Focal persons on motorcycle 'boda boda' programmes	<ul style="list-style-type: none"> • Coordinate partnerships between County government departments, private sector and communities on role, safety of the boda boda industry; • Creation of awareness to schools and communities on role, safety and utilization of the boda boda industry.
Ministries of Health and Transport	<ul style="list-style-type: none"> • Compilation of data on status of the boda boda industry, for example, contribution to the County GDP and casualties.
Private sector	<ul style="list-style-type: none"> • Resourcing Bodaboda training and entrepreneurship programmes;
Civil Society Organizations	<ul style="list-style-type: none"> • Create public awareness on the Bodaboda policy at community level (use, safety and risks);
International Organizations with presence in Vihiga county	<ul style="list-style-type: none"> • Lead advocacy on implementation of the boda boda policy in Vihiga county.
Individuals and communities	<ul style="list-style-type: none"> • Provide information on early warning and response on utilization and risks associated with Bodaboda use in the county
Media	<ul style="list-style-type: none"> • Profile Bodaboda programmes and initiatives in the media • Motorcycle policy dissemination.
Education institutions (e.g. Technical & Vocational Colleges	<ul style="list-style-type: none"> • Provide training courses (riding, repairs) that add value to Bodaboda industry • Policy dissemination

5.2 FRAMEWORK FOR COORDINATION OF IMPLEMENTATION OF THE BODA BODA POLICY

47. This will be the responsibility of the County Chief Officer in charge of Transport and Infrastructure. Working closely with other key stakeholders, the Chief Officer shall:

- (i) Ensure regular action research to obtain sex-disaggregated data on use of Bodaboda to guide responsive programming;
- (ii) Ensure the resourcing of Bodaboda policy implementation;

5.3 THE COUNTY BODA BODA COORDINATION SECRETARIAT

48. The Secretariat shall be the link between the County government, all other sectors in the county and the community:

5.4 COUNTY MOTORCYCLE BOARD

49. The County Bodaboda Board shall facilitate the establishment of Sub-County Boda Boda Executive Committee that will serve as the watchdog of Bodaboda programmes in sub-counties. The Committee shall monitor and provide reports on the status of the Bodaboda industry and disseminate the policy.

5.5 OVERVIEW OF THE COUNTY MACHINERY ON BODABODA INDUSTRY

50. This will be County Government structure set up to promote initiatives and development programmes for the motorcycle industry in Vihiga County. There shall be established a department to monitor implementation of the policy.

5.6 REVIEW AND EVALUATION OF THE BODABODA POLICY

51. The Boda Boda policy will be reviewed every two years to determine progress on implementation. This is important to guide development of the next County Integrated Development Plan (CIDP).

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6.0 GLOSSARY OF TERMINOLOGIES

Boda boda refers to a motorcycle used for transporting passengers and goods at a fee. The term originated from the English word 'border' Boda boda (originally bicycle taxi) mainly provide passenger taxi services across the Kenya Uganda border at Busia a corrupted version of the English border-border. It was first used at the Kenya and Uganda border by people who needed Bodaboda services to cross to the opposite side of the country.

Good condition of Bodaboda: means a boda boda in good working order and having reflectors, side mirrors, passenger seats, effective brakes among others.

Motorcycle: it is a two wheeled motor vehicle similar to a bicycle (but motorized) usually bigger in size, mainly for one rider but sometimes having two saddles.

Bodaboda accident involvement: it refers to loss of control and rolling mostly off the road of boda boda motorcycle or when a motorcycle collides with another vehicle, pedestrian, animal, road debris, or other geographical or architectural obstacle. It was measured by whether one has been involved in accidents one has been involved in for the last 12 months.

Bodaboda safety: it has to do with aspects that reduce the vulnerability to accidents when riding the Bodaboda. It involves equipment design (motorcycle design), operator training, skills and knowledge; operator's behaviour and attitudes, leading to increase or reduction of Bodaboda accidents. It was measured by the respondent's involvement or non - involvement in accidents.

Road safety: it is a term that refers to all activities or methods and measures that are issued to reduce risks of injury, death and harm to all road users thereby reducing the rates and consequences of road crashes.

Pillion: refers to Bodaboda passengers.

Stakeholders: Individuals, community, organizations or firms that have an interest in Bodaboda activities.

Private sector : Part of the national economy that is not under direct government control.

7.0 REFERENCES

1. The Constitution of Kenya 2010;
2. Kenya's Vision 2030 Medium Term Plan 2013-2018
3. County Integrated Development Plan (CIDP, 2013 -2017; 2018- 2022) for Vihiga County
4. Integrated Strategic Regional Development Plan for Vihiga County (2012-2030)
5. Responses from interviews with Vihiga County Bodaboda Policy stakeholders.
6. <https://www.standardmedia.co.ke/lifestyle/article/2000179565/motorbike-riders-risk-impotence-and-cancer>
7. Vihiga CIDP – 2018-2022

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