

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 9th October 2013

The House met at 9.00 a.m.

[Hon. Deputy Speaker (Dr. Laboso) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, we do not have quorum. The Leader of Majority Party and the Whips, who is not doing their job? We cannot continue to have this every Wednesday morning. Please, ring the Quorum Bell.

(The Quorum Bell was rung)

Order, Members! We now have quorum and we may proceed with the business of today. Hon. Francis Njenga, you have a Paper to lay?

Hon. Njenga: No, I do not have a Paper.

(An hon. Member crossed the Floor without bowing)

Hon. Waititu: Thank you, hon. Deputy Speaker. On a point of order, hon. Deputy Speaker; there is a Member of Parliament who has crossed the Floor without bowing. He is behind there with sunglasses and I am wondering if he is in order.

Hon. Deputy Speaker: He is definitely not in order, but only if he has done that after we have started the business.

Hon. Waititu: We had just started, while you were speaking and the Member here is my witness because we saw him.

(Laughter)

Hon. Deputy Speaker: What I mean hon. Members, during the time the bell is ringing, a Member can cross but not once the business has started. Hon. Members, let us not be telling on each other. Please, just learn the rules and know that you are not allowed to cross the Floor. Let it be the last warning for that Member. I will ask hon. Waititu to be looking out for me so that we can know who is not doing the right thing.

Hon. Cyprian Iringo, are you having a Paper to lay? Members, for us to manage our electronic system, we agreed last week that you only switch on your microphone when the Order has been called. It is going to help us to manage the system very well. For example, when they say, "Order No.1", if you have no business with Order No.1, do not switch on your microphone. You have to wait until the Order you have business with

is called. Just switching on the microphone and walking in and out of this House will not help us.

Next Order! Hon. Cyprian Iringo, you have a Notice of Motion?

NOTICE OF MOTION

POLICY FRAMEWORK TO ENHANCE CAPACITY FOR SECURITY SECTOR

Hon. Iringo: Thank you, hon. Deputy Speaker. I beg to give notice of the following Motion: -

THAT, aware that acts of terrorism have increased significantly; noting that countless innocent lives have been lost from those acts of violence and hundreds others seriously maimed; deeply concerned that private guards who are the first line of defence against such acts of violence are ill equipped and lack the requisite training to combat terrorism and other forms of disaster management; this House urges the Government to develop a policy framework to regulate the mainstream and private security sector with a view of enhancing their capacity to combat emerging security challenges such as terrorism.

Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Is there any other Member with a Notice of Motion? I see none. Next Order! I also see no requests for Statements, but I see one request by hon. Maweu. Remember, we only make Statements if they have been requested. Now you have switched off your microphone. It means you do not have a Statement.

Next Order! Hon. Members, before you sit down or decide which side you should sit, you cannot say the Member has crossed the Floor. Only when we have clearly seen they have gone to one side and sat down, then the business of crossing to the other side becomes completely out of order.

MOTIONS

REVIEW OF FARM GATE MILK PRICES FOR SMALLHOLDER FARMERS

THAT, aware that milk production is a major source of income for millions of smallholder livestock farmers in the country who account for over 75% of the milk industry's total output; concerned that whereas livestock farming is a tedious and delicate undertaking when compared to farming of other consumable produce, smallholder farmers get a paltry Kshs. 27 per litre of milk, way less than what water bottlers get at Kshs. 60 per litre of water; and further noting that smallholder milk producers encounter numerous obstacles amongst which is the high cost of production but are forced to settle for less when selling their produce; this House urges the Government to urgently intervene with a view to reviewing farm gate milk prices in order to guarantee smallholder farmers better returns and shield them from endless losses.

(By hon. J.K. Bett on 26.9.2013)

(Resumption of Debate interrupted on 2.10.2013)

Hon. Members, on this Order, we had already completed debate on the Motion and we were only left with putting the Question.

(Question of the Motion as amended put and agreed to)

Resolved accordingly:

THAT, aware that milk production is a major source of income for millions of smallholder livestock farmers in the country who account for over 75% of the milk industry's total output; concerned that whereas livestock farming is a tedious and delicate undertaking when compared to farming of other consumable produce, smallholder farmers get a paltry Kshs.27 per litre of milk, way less than what water bottlers get at Kshs60 per litre of water; and further noting that smallholder milk producers encounter numerous obstacles amongst which is the high cost of production but are forced to settle for less when selling their produce; resolves that the Government should urgently review the farm gate price to Kshs.45 per litre and review the price from time to time to reflect the cost of production.

Hon. Deputy Speaker: Hon. Gladys Wanga.

ESTABLISHMENT OF SELECT COMMITTEE ON ROAD SAFETY

Hon. (Ms.) Nyasuna: Thank you, hon. Deputy Speaker. I beg to move the following Motion: -

THAT, aware that there has been an increase in fatal road accidents in the country in the recent past, including the most recent cases of the accident which occurred at Ntulele area along the Nairobi-Narok Road where 42 persons lost their lives and others left debilitated; further aware that since January to 19th September 2013, there has been a total of 4,501 road accidents with 1,841 of them being classified as fatal and in total 2,293 persons have lost their lives due to those accidents; concerned that there are reported increases in the failure of road users to adhere to traffic rules, the laxity in enforcing the provision of Legal Notice No.161 of 2003, popularly known as the "*Michuki Rules*" and the Traffic (Amendment) Act of 2012, and the lack of any legislation or policy on motorcycles and *boda boda* operations; noting that there has not been a national study on the possible manufacturer's defaults, particularly on locally assembled public transport vehicles; this House resolves that the National Transport and Safety Authority do conduct safety training, testing and licensing of all *boda bodas* and motorcycles, and further resolves to establish a select committee on road safety to investigate,

inquire into and make recommendations to the House, including recommendations on proposed legislation within one hundred and twenty (120) days on-

- (i) the root causes of the rising cases of road carnage, including motorcycle accidents;
- (ii) the failures in enforcement mechanisms of the existing traffic-related statutes and regulatory measures;
- (iii) the process of training and licensing of public transport, including licensing of drivers, public transport vehicles and motor cycles; and
- (iv) any correlation between the rise in road accidents and manufacturer's defaults; and further, that the Committee comprises of the following Members: -

1. The Hon. Gladys Wanga, MP - Chairperson
2. The Hon. Priscilla Nyokabi, MP
3. The Hon. Rosalinda Soipan Tuyu, MP
4. The Hon. Fatuma Ibrahim, MP
5. The Hon. (Eng). Mahamud Mohamed Maalim, MP
6. The Hon. John Mbadi, MP
7. The Hon. Mary Emase, MP
8. The Hon. (Eng). Vincent Musyoka, MP
9. The Hon. Andrew Toboso, MP
10. The Hon. Asman Kamama, MP
11. The Hon. Kabando wa Kabando, MP
12. The hon. Nicholas Gumbo, MP
13. The Hon. Mishi Juma, MP
14. The Hon. Ben Mutura, MP
15. The Hon. Dennitah Ghati, MP

Road traffic accidents have continued to be one of the greatest challenges facing us globally, not just in this country. The World Health Organization (WHO) statistics indicate that 1.2 million people die annually from road accidents. Coming back home to Kenya, we have an average of 3,000 deaths annually from road accidents. This particular year, we have hit the 3,000 mark and this is in early October, which means we are going higher than the average this year.

It is estimated that 10 times this number are left disabled from those accidents. The 3,000 are just those who die instantly and are counted by the police. We do not count those who go and die elsewhere. Besides creating enormous social and economic losses to individuals and families---

Hon. Deputy Speaker: Order, hon. Wanga. I can see a Member here agitating with a point of order, but I cannot see your intervention.

Hon. Kinyua: On a point of order, hon. Deputy Speaker. I am rising under Standing Order No.216, which is about the appointment of Members to Departmental Committees. Sub-section 1 provides that: -

“(1) There shall be select committees to be known as Departmental Committees, whose Members shall be nominated by the Committee on Selection in consultation with parliamentary parties at the commencement of every Parliament”.

Sub-section 3 provides that: -

“(3) Unless the House otherwise directs, the Departmental Committees and the subject matter respectively assigned to them shall be as set out in the Second Schedule”.

The Second Schedule provides that we have a Departmental Committee known as Transport, Public Works and Housing. If you look at what is being proposed here and look at the mandate of the Departmental Committee, there is no need of raising the issue on the Floor of the House, unless we propose to dissolve that Committee and put in place another one. If we are saying that we have a Committee that discharges its mandate as set out in the Standing Orders, then this is procedurally wrong.

Hon. Deputy Speaker: Hon. Member, much as I do not want to stop you, but allow hon. Wanga to move the Motion because clearly, this Motion would not be on the Order Paper if it had not been processed through the Speaker’s Office and allowed to continue. *Ad hoc* committees are very much anchored in our Standing Orders. So, allow the Member to move the Motion and you can bring in those points that you are bringing in now, after it has been moved, seconded and we begin debate on it. Hon. Wanga!

Hon. Kinyua: Hon. Deputy Speaker, I stand guided.

Hon. (Ms.) Nyasuna: Hon. Deputy Speaker, in fact, the section that has been quoted by the Member reads “the Committee on Transport, Public Works and Housing that will deal with transport, roads, public works, construction and maintenance of roads, rails and buildings, air, seaports and housing”. Nothing is said expressly about road safety.

As I move this Motion, I urge Members of the Transport, Public Works and Housing Committee to just listen because I will be canvassing before this House that road safety is a matter that goes beyond a single committee of this House. Road safety is a major priority and many lives are being lost. This is not the work of a single committee. This Motion is not judgement on the performance of any single committee of this House.

Hon. Kang’ata: On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: The Motion will be moved, seconded and we will debate it after. Please, allow the Member to continue, hon. Irungu!

Hon. (Ms.) Nyasuna: Hon. Deputy Speaker, as I move this Motion, I would like to say that it is a coalition sponsored Motion. It is sponsored by the Coalition for Reforms and Democracy (CORD). These numbers might look like mere statistics, but they are not mere statistics. This reality dawned on me when I rushed to the scene of the accident at Ntulele where a City to City bus going to Homa Bay had had an accident and 42 people had died. After I walked out of the mortuary that had 42 bodies, which has normally a capacity of just nine bodies, I walked out to speak to many Homa Bay residents who had come to Narok to view bodies of their deceased. The reality that these numbers are not just statistics dawned on me.

As I spoke to the families, one lady came forward and said to me: “I hope you remember me. We were with you in Kisumu Girls”. She was holding back her tears and continued: “Today, I have lost my father, my son and my brother”. I could only hold back myself, but I knew that we had to have a radical departure that these numbers did not just mean 3,000 who are in the air. These numbers mean people’s wives, husbands, fathers, mothers and children. Reality sank on me that day that gaps that were being left by these accidents were unfillable. People’s lives changed forever from these accidents. These numbers represented bread winners of families.

In this decade of action on road safety as declared by the United Nations that is, 2011 to 2020, this House has a moral obligation to come out strongly and speak on the matter of road safety. We must have a radical departure from the past. It cannot be business as usual. This Motion provides a platform for us to move from business as usual to business unusual. The resolution on the Decade of Action on Road Safety calls upon member states to implement road safety activities, particularly in areas of road safety management, road infrastructure, vehicles safety, road user behaviour, road safety education and post-crash responses.

If this country is ever to meet the Vision 2030, we must deal with the issue of road safety and we must deal with it decisively. Comparative estimated costs of road accidents, if you look at the various countries, as a percentage of the gross national products of these countries, you will find Ethiopia at 0.8 per cent, South Africa at 2.3 per cent, Zambia at 2.7 per cent and Kenya almost at 5 per cent of our gross national product being wasted on road accidents. These numbers are very high.

A major area of concern, while having the road accident conversation, is that of motorcycles as we popularly know them as *boda bodas*. The *boda bodas* are a major youth enterprise in this country. In Homa Bay County, we have 15,000 of them and not driven by just 15,000 young men. You will find that they share these motorbikes even three of them. It is estimated that those young men support up to six other members. We, therefore, have an obligation as a House to look at how best to support that youth enterprise. In Kenya, we have an estimated national fleet of motorcycles at 600,000. It is estimated that 1.6 million Kenyans depend on the motorcycle industry with an additional of 100,000 depending on repairs and other sustenance issues for those motorcycles. This is, therefore, a massive industry. Our young men, however, lack safety training and equipment to save their lives and the lives of their passengers. This industry is increasingly becoming a fatality zone. That is why we find a designated area for *boda boda* accident victims in many of our hospitals. We must act.

Hon. Deputy Speaker, riders continue to hang helmets on the motorcycles, perhaps, oblivious of the safety advantages of the helmets if they were worn. The majority of our young men who ride on those motorcycles - and Members of this House will agree with me - do not have licences. This is because of the prohibitive cost of training and licensing of our young men. For example, for one to have a driving licence as a motorcycle rider, you have to go to a driving school and it will cost you between Kshs5,000 and Kshs7,000. After that, you have to cross over to Kisii County where you will be licensed. This is one of the major imports of this Motion.

This Motion seeks a resolution of this House to have the National Transport and Safety Authority (NTSA) conduct a two-day training for *boda boda* riders across the country or in every constituency. On the third day, this Motion seeks a resolution of the House that these riders be tested and those who pass the test should be licensed. If this is a bad Motion, do we not want our young people to get licences? The NTSA has the mandate to do this.

The Authority has the mandate to establish systems, do training, test and license. Even as we look at this Motion, and this is why I thank you for giving me this opportunity to move it before Members actually contribute to it and decide whether they should reject it or pass it--- As for the timing of those trainings, this Motion is not urging the Government or anybody to do this. This Motion seeks a resolution of this House to

have NTSA do these trainings which are its mandate. In terms of timing, we say that they should do this beginning November so that when we approach December when we have many fatalities, we have our young men trained.

Hon. Deputy Speaker, many questions remain unanswered on road accidents. Those questions, in the opinion of the Mover, transcend the mandate of a single committee of this House. Questions of enforcement and whether the police have sufficiently pulled their weight are a preserve of the Departmental Committee on Administration and National Security. Questions on infrastructure, transport and the ones we have read fall under the Departmental Committee on Transport, Public Works and Housing. Availability of adequate laws and legislation might be taken up by the Departmental Committee on Justice and Legal Affairs.

The massive health impact created by those accidents can be correctly canvassed by the Departmental Committee on Health of this House. The cost to the economy as a result of the accidents in Kenya - I had said 5 per cent - is a preserve of the Departmental Committee on Finance, Planning and Trade. This is, therefore, a multi-faceted and complex matter of national priority. The Select Committee would like to look at these issues thoroughly and in a detailed manner and in consultation with all the committees that are involved.

In this decade of action on road safety, this House must have, in my view, a face on road safety. Issues of road accidents cannot be reduced to turf wars between which committee and which committee of this House.

This country has no shortage of laws because we have them in abundance. There is the Traffic Act of 2012, the "*Michuki Rules*" and other regulations like the ones recently released by the Cabinet Secretary. The list is long.

The elephant in the room that this House must tackle practically and decisively is the issue of enforcement. Enforcement will compel our drivers to comply with the rules and regulations that we have. Effective enforcement will lead to rapid reduction in the accidents that occur. Enforcement will also have a long-lasting effect on driver's behaviour. Research has just shown this. In seeking solutions of enforcement, this Select Committee, if adopted, must have a candid discussion with the public. It must have a candid discussion with the public and other stakeholders on our current enforcement mechanisms. Difficult questions must be asked. Must the police remain the enforcing agency despite the massive and cancerous corruption that has bedeviled that force? Must the police remain the enforcing agency as our people continue to exchange their lives with *kitu kidogo*? Must the police remain the enforcing agency when our people continue to die in insecurity zones? Not a single week passes in this House without a Member raising matters of insecurity in their areas. Do we need policemen with guns to enforce traffic? Must the police continue to be the enforcing agency despite the serious lack of accountability and poor public perception? Must the police continue as the enforcing agency while they line their pockets as the blood of innocent children, pregnant mothers, fathers and grandparents continue to flow on our tarmac roads? Kenyans must answer these questions.

A country like Ghana has traffic wardens that are separate from the police service. Would that be the way this country would like to go? The jury is out there. Manufacturing defects continue to be our major issue in this country and we do not even have the statistics.

The top of the bus that rolled at Ntulele came off when it rolled once. Those who saw it on television saw a bus without a cover. Does it mean that this was cobbled in a *jua kali* workshop? How could the top of the bus be the first thing to come out? When it rolled the second time, the bus' top cut the heads of passengers. If we had looked at this matter, we would have adequately reduced the fatalities.

Hon. Deputy Speaker, this is a matter of great national interest.

(Loud consultations)

Hon. Deputy Speaker: Order, hon. Members! The consultations are too loud. Hon. Serut and the others, could you, please, allow the Member to complete moving the Motion.

Hon. (Ms.) Nyasuna: Hon. Deputy Speaker, as I conclude, this is a matter of great national interest where lives of Kenyans are involved. It is not passing judgment on any single committee of this House. It is coming from deep in my heart after seeing what happened in Ntulele.

Hon. Deputy Speaker: It is time---

Hon. (Ms.) Nyasuna: Hon. Deputy Speaker, how much time should one take to move a Motion? I thought it was 30 minutes. This is not a matter that should be handled by a single committee.

Hon. Deputy Speaker, with these very many remarks, I beg to move and call upon my good friend, hon. Nyokabi, to second the Motion.

Hon. Deputy Speaker: Yes, hon. Nyokabi.

Hon. (Ms.) Nyokabi: Thank you, hon. Deputy Speaker. I am happy this good morning to second this Motion which proposes the setting up of an *ad hoc* Committee of this House to look into the issue of road safety.

Using the Ntulele accident as a case study, the bus had 77 passengers even though it was supposed to have 60 passengers. The bus was travelling at night. So, the first and wrong reaction by both hon. Wanga and I was to condemn night travel. We were woken up by Kenyans on *Facebook* and other social media. We should not be told that accidents happen in the morning. Is the hon. Member saying that we should also ban 9.00 a.m. travel? Should we also ban 5.00 p.m. travel? It dawned on us that the measures required to be put in place to ensure road safety are many more and go beyond what we had proposed.

As witnessed, the bus did not meet the Kenya Bureau of Standard's (KEBS) certification requirements. We are also wondering whether KEBS is competent enough to continue certifying some of the vehicles that use our roads. I would like to refer hon. Members to the *Daily Nation* of 9th October 2013, page 22. There is a story which says that nine people had been killed in road accidents in Uasin Gishu and Kwale counties. It is time for this House to speak on the matter of road safety. We are the people's representatives. Our first duty is to ensure that our people stay alive. Road safety is a big problem in this country. Therefore, this House needs to take action.

The proposed committee will, in 120 days, look at the five pillars around which road safety is organised. The first pillar is road safety management. We acknowledge the presence of NTSA but there is a problem with enforcement of the law. We have been told, in the radio shows that we have attended, that some operators of Public Service

Vehicles (PSVs) are saying that John Michuki passed away. He seemed to have died with his rules. It is time for this House to show that the *John Michuki* rules can be brought back and given life. During the period that we used the *Michuki Rules*, the number of accidents came down significantly.

Hon. Deputy Speaker, the other pillar is safer roads. We need to look at safer vehicles. We have the eight-year rule in place but we have no rules at all on protection of children. We are in a country where all fathers think that it is a good idea to put children on the front seat as they drive. We are in a country where people carry their children in vehicles without protection. We are in a country where we just recently buried school children. One of the biggest hazards in this country is going to school as a child. We have absolutely no protection mechanisms for children as they use our roads.

If you look at the statistics of pedestrian deaths in this country, you will see that most of those who lose their lives are school-going children. Therefore, we need to look into this issue. We need to look into the issue of education. We are in a country where road sign plates are stolen and sold as scrap metal. Educating road users is crucial. More importantly, looking at the Ntulele accident and many other accidents that have happened in this country, it is clear that there are shortcomings in our post-crash responses. Our emergency treatment and healthcare need to work. The proposed committee should map out the black-spot areas of our highways and suggest appropriate emergency response mechanisms in those areas. This is already happening in the Northern Corridor. It should happen across the country.

Hon. Deputy Speaker, I am also looking at the statistics in Africa. We have 2 per cent of the road vehicle population in Africa but we contribute 16 per cent of the road traffic accidents in the continent. Kenya is, of course, leading in road traffic accidents in Africa. In Europe, they have 8 per cent deaths and 16 per cent population of vehicles. Many countries are now moving to “vision zero accidents”. We are urging this House to make Kenya a safe country for road users. We should have a “vision zero accidents” in this country. That can only happen if we set up the proposed committee after adopting this Motion and move to a situation similar to that of Nigeria. Today, Nigeria has a traffic unit called “Yellow Fever”. Those are not police officers. They are transport wardens. That traffic unit, in their yellow uniforms, are so feared that everybody enforces and adheres to all the road traffic rules that are in place.

(Loud consultations)

Hon. Deputy Speaker: Order! Order, hon. Members! The levels of consultations are getting high again. Allow the hon. Member on the Floor to finish seconding the Motion.

An hon. Member : *(off-record)*

Hon. (Ms.) Nyokabi: Thank you, hon. Deputy Speaker. The matters that I am raising here are important. So, hon. Members should have a chance to listen.

Hon. Deputy Speaker: Hon. Members, I clearly said that this Motion shall be moved, seconded and then we shall propose the Question in the normal manner. You can then make your contributions.

Hon. (Ms.) Nyokabi: Thank you, hon. Deputy Speaker, for that protection and guidance.

Hon. Deputy Speaker, the committee that will be set up will, in 120 days, spend a lot of time looking into the aspect of the 83 per cent of human error that contributes to accidents in this country. Recently, there was a wellness clinic for drivers. Ironically, one of eight drivers who came for the wellness clinic was drunk. We have to be concerned about such issues. Our roads continue to have drunk drivers. Our roads continue to have speeding cars. Our roads continue to have problems that we need to deal with.

On the issue of motorcycles, we need sufficient data, so that this House can be able to take necessary measures to address the problem. That is why, in looking at solutions, we found out that there was no way other than looking into the issue of creating a committee to delve deeper into these issues. This is not the place to save costs. This is not the time to say that we are saving costs by opposing the creation of a committee like this one. We will save costs today and then tomorrow and the day after tomorrow, accidents will continue to happen on our roads.

Therefore, since we are already elected and we are here, I urge the House to allow the committee to be established. Once given the mandate, the committee will spend time looking into these issues. It will put energy into road safety measures. On 17th November 2013, the committee will participate in activities related to the lives of victims. It will join the global actors in the UN decade on road safety. We will not ask for any extension of time. In the next 120 days, we will ensure that we have safer roads. This House will have given its word and directed its efforts towards dealing with matters affecting our country. We are guided by the new Constitution, specifically on the right to life, which should concern leaders like the ones seated here. We should all be concerned by loss of lives, noting that many of the people we are losing on the roads are aged between 15 years and 29 years.

Hon. Deputy Speaker, I am speaking as the Women Representative of Nyeri County. In my county, we have alcohol problem. Many of our young men have been taken away by alcohol. The boy-child has gone to alcohol. The sad part is that amongst the remaining ones, those who buy motorcycles and use them on our roads, actually they give themselves another death wish. So, it is time for us to speak out and act.

As I conclude, I would like to caution the Departmental Committee responsible for transport that, as they seek to tell the House that they are also looking into these issues, the blame on the next accident will be put squarely on them. If debate on this Motion does not proceed to enable the House adopt the measures that it should adopt, we will blame the Departmental Committee responsible for transport.

Hon. Deputy Speaker: Hon. Nyokabi, please, withdraw that statement. You cannot blame a committee for road traffic accidents. So, withdraw that statement.

Hon. (Ms.) Nyokabi: Hon. Deputy Speaker, I withdraw the statement.

Hon. Deputy Speaker: Okay. She has withdrawn the statement. Let us leave it there.

(Question proposed)

Hon. Mulu: Thank you, hon. Deputy Speaker for giving me this opportunity to contribute to this important Motion. At the outset, I want to say that I support this Motion. I am aware that the Standing Orders of this House have a provision for Departmental Committees. They also provide for *ad hoc* committees. While we have had

hon. Members here seeking adjournment of the House to discuss issues of national importance, the Committee on Transport, Public Works and Housing has not made request to discuss road safety.

It is important that this House discusses this important Motion on road safety. Life is very precious. If you look at the negative impact as a result of what is happening on our roads, as a House, we have all the reasons to seriously think about how we can address this problem. For example, what is happening to our *boda boda* riders? Most of them have lost their lives. Most of them have broken their ribs. Many Kenyans have lost their lives. In today's newspaper, the number of road deaths has gone up to 2,475 people. Those are fathers and mothers and they are the breadwinners. Because of careless driving, many families have been put in a state of extreme poverty. As Kenyans and leaders, it will be very bad for us to continue watching Kenyans die and say that things are normal. That is why I support the formation of this committee. Once it is formed, it should engage in serious consultations with the authorities and it should also do research. We need to be told as a House the impact of what is happening.

Hon. Deputy Speaker, many people are saying that all this is as a result of corruption. Others are saying that the Traffic Department is not fully equipped to do what it is supposed to do. I really wonder whether we need guns to control traffic. Any time I drive, the only thing I see traffic officers holding is a book where they are supposed to be booking traffic offences. We really need to change. Actually, I would recommend for an overhaul of the Traffic Department. That is because Kenyans are suffering. They have been put in a very awkward position by those accidents.

Most of those vehicles have insurance. After an accident where death has occurred, families lodge insurance claims, but it takes many years before the families are compensated. Children from the affected homes drop out of school. Some die because they cannot afford medical care. This is a serious matter and that is why I support this Motion to have in place an *ad hoc* committee.

The other issue is enforcement. We have adequate legal framework in this country, but the remaining issue is enforcement. We need to come up with very serious penalties for those who are not enforcing the legal framework. When the "*Michuki Rules*" were enforced, in a very short time, we saw a drastic reduction in accidents in this country. The problem now is that we have people who have been given responsibilities to enforce the laws but they are not doing it. That is very bad to this House. The House legislates, but the enforcement agencies do not do their work. That is why, as part of the work of that *ad hoc* committee, it needs to come up with very clear recommendations so that penalties are prescribed for persons who fail to enforce the law. We have reached a level where we cannot take any more in terms of what is happening on our roads.

That *ad hoc* committee should not restrict itself to what is happening today only but, rather they should determine how that relates to other sectors in the country so that they can come up with a comprehensive report that will help us address this serious matter.

I support the Motion.

Hon. Deputy Speaker: The hon. Chair of the Departmental Committee on Transport, Public Works and Housing, hon. Maina Kamanda.

Hon. Kamanda: Thank you, hon. Deputy Speaker. I want to appreciate the sentiments expressed by the hon. Member, but I want to say this: This matter has been

addressed by my committee. This is a matter that even the Cabinet Secretary in charge of Transport is working on. Even today, he has a stakeholder meeting so as to come up with the regulations. Within two weeks, we are going to bring the regulations to this House because we are concerned as a committee. Again, the National Transport and Safety Authority is like a bus without a driver. It is only the other day that we managed to get a chair. The Authority has no budget. As we speak, we have even summoned the Cabinet Secretary---

Hon. Member: On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: Allow him to speak. You have not even heard what he is saying before you want to bring in your point of order.

Hon. Kamanda: We have even summoned the Cabinet Secretary in charge of the National Treasury so that he can allocate money to that Authority. All that *Mheshimiwa* has said about this Authority falls within its mandate. Without funds, the Authority cannot proceed in testing the drivers and doing all that it is supposed to do.

Hon. Deputy Speaker, my committee has agreed to meet with the Departmental Committee on Administration and National Security so that we can bring the two committees together and come up with a common front on how we are going to fight corruption in the roads sector.

Hon. Deputy Speaker, so, with all due respect to the Member who has brought this Motion, we are the Committee of this House. I urge Members to consult us because all these committees belong to you. The other time when we had the issue of the Kenya Rural Roads Authority (KeRRA) and the Kenya Urban Roads Authority (KURA), all the members of this Committee were consulting with me. Why not now? We even managed to solve that problem at that time.

Hon. Deputy Speaker, Standing Order No.195 allows any Member to attend meetings of any committee. The Member who has brought this Motion has never requested to attend our meetings. She has never consulted me. When she was about to move this Motion, I tried to contact her to tell her how far, as a Committee, we have gone. She even refused to talk to me. If we behave like that here, then it is like we are running a parallel Parliament and these committees are of this House. We do not want to create *ad hoc* committees just for the sake of creating them.

Hon. Deputy Speaker, the matters that are raised in this Motion are of concern to the country and it is a matter that the Principal Secretary for Transport, Mr. Nduva Muli has been working on with regard to the Road Safety Act so that we can bring the regulations to this House. I can tell the Member that she should come to the committee. We are handling this matter and we want to invite her to the next meeting of our sub-committee on transport.

Hon. Deputy Speaker, I see a duplication of roles. When we talk to the officers, they tell us that they are tired of many committees. Let us not behave like the Senate who are duplicating what we are doing here. We summon officers here and they are also summoned by the Senate on the same matter. With this trend, we will then be forming *ad hoc* committees summoning the same people and yet, my Committee can do the same job.

Hon. Deputy Speaker, I seek your guidance on this matter and I oppose this Motion and inform hon. Nyasuna that this matter is being ably handled by my committee. Thank you.

Hon. Deputy Speaker: Leader of Majority Party.

Hon. A.B. Duale: Thank you, hon. Deputy Speaker. I stand first to oppose this Motion on procedural matters. This Motion is before the House and it is in order. Standing Order No.218 allows this Motion to be before the House but it is the House to decide at the end of the day on how to deal with it.

Hon. Deputy Speaker, I want to refer my colleagues to Standing Order No.216 on the appointment of Departmental Committees. More so, I want to refer my colleagues to Standing Order No.216(5) that outlines the functions of a Departmental Committee. The 349 Members of this House are members of various Departmental Committees. As is the practice and the precedent even in other jurisdictions, including this Parliament, there is nothing wrong when a Member forms an *ad hoc* committee through a Motion. However, when we start the culture of forming *ad hoc* committees then that means the Members who have membership to particular committees are abdicating their roles.

Hon. Deputy Speaker, if you look at the functions and the mandate of the Departmental Committee on Transport, Public Works and Housing and then compare them with the Motion before this House, that is duplication. I am even shocked that this is a coalition Motion and the seconder comes from another coalition. It has never happened. Members of Parliament should know that you can second another Member's individual private Motion---

Hon. (Eng.) Gumbo: On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: Leader of Majority Party, allow Eng. Gumbo to raise his point of order.

Hon. (Eng.) Gumbo: Hon. Deputy Speaker, that is intimidation and it cannot be allowed to go on. Every Member in this House is here in his or her own right and we are Members of the National Assembly.

Hon. Deputy Speaker: Hon. Leader of Majority Party, you remember we were clearly told here that Members vote with their conscience particularly in a presidential system. So, Nyokabi is totally in order to second the Motion.

Hon. A.B. Duale: Hon. Deputy Speaker on how we manage our coalition, it is the preserve of that coalition and its leadership. The Jubilee Coalition that I lead has structures and a code of ethics and we will do it outside the Chamber.

However, coming to what I have said, and this is a message I want to send to all Members, a Member of Parliament can second his colleague Member of Parliament but where a coalition comes in, then that Member must consult the coalition on whether or not to support the other coalition. However, that is just for the time being.

Hon. Kaluma: On a point of order, hon. Deputy Speaker.

Hon. A.B. Duale: Hon. Speaker, if the Members could listen to the more fundamental issues---

Hon. Deputy Speaker: Leader of Majority Party, allow hon. Kaluma to raise his point of order. What is your point of order, hon. Kaluma?

Hon. Kaluma: On a point of order, hon. Deputy Speaker. You have given directions on the matter. I am rising on a point of order to question whether the Leader of Majority Party can rise against the position you have given. You have given directions that we debate and vote by conscience. What is this coalition thing in the House? Does the Jubilee Coalition have a position on road safety?

Hon. Deputy Speaker: Hon. Leader of Majority Party, continue with your arguments, but can you prosecute party matters out of the Chamber?

Hon. A.B. Duale: Madam Chair, I had the privilege to serve in this House in the last Parliament; the people of Dujis gave me the mandate. On 26th October, 2012, we passed the National Transport and Safety Authority Act. If you read that Act, a preserve of this House, Section 4---

Hon. Deputy Speaker: Hon. Leader of Majority Party, we are not in the Committee of the whole House. You have been referring to me as the Chair.

Hon. A.B. Duale: Hon. Deputy Speaker, forgive me. If I refer the Members to that Act which was passed by this House, Section 4 talks about the functions of that Authority. What hon. Wanga is bringing is an Act whose functions are already here. The stage which the Committee on Transport, Public Works and Housing has reached as of today, it needs about a week to enforce and regularise all the good issues. These include issues on *boda boda* transport and traffic rules. In a week's time, this Committee will finalise this.

Hon. Nyokabi is the Vice-Chair of the Committee on Justice and Legal Affairs. Tomorrow, a Member will bring a Motion to form an *ad hoc* committee on a matter that they are investigating. The same will happen to the Chair of the Committee on Administration and National Security. In today's newspaper, a Member is saying that we do not need the two Committees of Defence and Foreign Relations and the Committee on Administration and National Security to investigate the Westgate attack. Can we form *ad hoc* committees? What is the purpose? We cannot run Parliament that way. On procedure, we do not need a Motion. We need to appear before this committee and the committee needs to bring an amendment to the law that we have passed. The route that my good friend, hon. Wanga is taking is a very long route. Even if that route was taking us to Heaven, then some of us will avoid that route because the better route is the route of the committee where we take this existing law, namely the National Transport and Safety Authority Act. Already there is a chair appointed to this Authority. Interviews for the position of Director-General are ongoing. We need to bring an amendment to the Traffic Act. Hon. Midiwo brought an amendment to the Traffic Act in the last Parliament.

Parliament has a budget and it cannot have two committees investigating the same issues. I want to inform my colleagues and my good friend, hon. Wanga, that this is not the way that we should go. She should withdraw this Motion and appear before this committee. We should bring an amendment to the National Transport and Safety Authority Act and see how we can save the lives of our people. If we pass this Motion, this committee will take three months and then ask for an extension of another three months. We will be using resources. Also, why did we appoint, from both coalitions, competent Members to serve in the Transport, Public Works and Housing Committee? Why did we appoint competent Members to all the committees? We did this so that we only have *ad hoc* committees where necessary. By passing this Motion, we are saying that we have no confidence in the Committee on Transport, Public Works and Housing.

Hon. Deputy Speaker, this is a vote of no confidence on a committee of Parliament. If that is the route, then that is the preserve of Parliament. The Standing Orders are very clear on how to remove committee members. We remove them in consultation with the Clerk's Office, the Speaker's Office and the leadership. On procedure, I want to urge my colleagues that let us not duplicate roles. Let us have

confidence in the committee that we have created. Let us ask the committee headed by our able Chair, hon. Maina Kamanda, former Minister, to make sure that what hon. Wanga wants is brought to the House as an amendment to the law, so that we amend the law and do not deal with Motions.

I oppose.

Hon. (Dr.) Nyikal: Thank you, hon. Deputy Speaker, for giving me the opportunity to address this issue. I stand to support this Motion purely because it is important to this country. I will later on address the issue of whether there is duplication or not. Road safety is an important issue and what we are dealing with here are the lives and the health of people. I am getting really surprised that I see a division that is becoming partisan when we are talking of people's lives. This must be discouraged at any time.

When an accident occurs and people die, it does not matter which party, committee or coalition you belong to. You die. I say this with experience. Before the "*Michuki Rules*" and after, when I was the Director of Medical Services, we saw the impact of accidents and people dying like you saw yesterday. It is not just that people are dying. I do not have the numbers here, but the disease burden that it brings to the country and the amount of money that is used to treat these people is enormous. People have argued here that we need Intensive Care Unit (ICU) care in hospitals. We needed ICU care in Naivasha, Voi and Nakuru, but if you look closely, a lot of these cares were happening because of road traffic accidents. These are very expensive to treat.

Even after people have been treated, you remain with a huge amount of disability. If you go to the Spinal Injury Unit---

(Loud consultations)

Hon. Deputy Speaker: Members, consultations are too high.

Hon. (Dr.) Nyikal: Hon. Deputy Speaker, as the Members are lobbying and consulting, let us for once be guided by the well-being of Kenyans. If you go to the Spinal Injury Unit, 90 per cent of the patients are as a result of road traffic accidents. We have had ministries working on this before and committees set up before, but the problem has persisted. So, having just another committee looking at it, I do not think is a problem at all.

Even in this House, we have Members who can attest to the problem of road traffic accidents. We have people on wheelchairs due to road traffic accidents. The *boda boda* issue is well known. We are far behind Uganda where they have addressed the issue of injuries from the *boda bodas* accidents. In fact, in many countries, *boda boda* riders are referred to as organ donors because when they are involved in accidents, many people die because of brain injuries, yet the body is still functioning. So, in many places, when their brains are dead, the organs are taken. We do not want to have a situation where we have organ donors because the brain has died while the rest of the body is still functional. We must put away all partisan feelings here and deal with this matter. The issue of failure to enforce the law is a shame to this country. Do not think we are moving forward bringing anything new. I think some of you here are old enough to know that we had discipline when rules were adhered to. Some of you here know that buses travelling to upcountry had fixed time when they departed and reached a destination. They would stop

on the way because if you reached Nakuru too early, obviously, you were over-speeding and the officers did not need a gadget to show them this. Just be organized.

Hon. Deputy Speaker, many of us know that in this city, transport was very organized and one could use the time the bus arrived at a bus stop to adjust his or her watch. That is gone and we have mayhem with *matatus*.

Even the owners of the *matatus* cannot benefit from them because they have been taken over by gangs. When we had the “*Michuki Rules*”, I was amazed by the drop in the number of accident cases, particularly in Nakuru, Naivasha and Voi. Do we need any more evidence that we need to control traffic or we need something drastic to be done? We saved a huge amount of money at that time. I can get the data later on.

Alcohol also contributes to these accidents. Some of you may have seen me in my earlier work when I was on the road stopping *matatus* and asking the drivers to be tested using alcoblow device. The only problem at the time was that we could not use the alcoblow device because the law required one to take blood for testing to determine whether the driver was drunk or was under the influence of alcohol. There are very many factors that contribute to road accidents.

Hon. Deputy Speaker, on the role of professionalism, I am happy that this committee that is being proposed has the names of many engineers and professionals. We need them. I am surprised that the roads that Hitler built are still good but the roads we built less than 10 years ago are in a mess.

All these contribute to deaths and people being maimed. I am sure technical error accidents are casually investigated. Even air crashes in this country are casually investigated because we do not go into the real causes.

Hon. Deputy Speaker, other countries investigate, find the actual cause and therefore come up with a policy to address that. Here we do not do that. So, a committee that will look into these things is important to us.

We must also look at corruption. There have been Government systems and parliamentary committees and so on but things have not changed, particularly in this area. They only changed when we had the “*Michuki Rules*”. That was a drastic measure. However, because of corruption--- Somebody was talking about yellow something in Nigeria. I was travelling over the weekend and we also have them in this country.

The Traffic Department is a whole department. If you travel along the road, you see police officers wearing yellow jackets. They are everywhere but does it make a difference? In fact, you cannot cover 50 kilometres or 100 kilometres before you see traffic police officers wearing yellow jackets. Has this changed anything? So, we must go deep into this matter; that is the matter of corruption, the way we design our roads and all these things.

As to whether this is duplication or not, I think we should not see this and say that it is one coalition trying to outdo the other coalition. There is nothing with hon. Nyokabi being in this committee. I do not think that she needed to consult somebody.

Hon. Deputy Speaker: I think you have prosecuted that matter, hon. Nyikal.

Hon. (Dr.) Nyikal: Hon. Deputy Speaker, I appeal to my colleagues that if this committee sits and there is---

Hon. Deputy Speaker: Hon. Nyikal, you can see the red light is on. You have had your 10 minutes.

Hon. (Dr.) Nyikal: I would like to end my contribution by saying that if the other committee is there, they will work together.

With those remarks, I beg to support this Motion.

Hon. Waititu: Thank you, hon. Deputy Speaker. The issue before us is very sensitive and it is true that we have many accidents in this country. I agree that the *boda boda* riders who are mostly the youth in this country, the buses, taxis and truck drivers have caused a problem in this country. However, this Government and the 11th House are new. It is true that we have the Departmental Committee on Transport, Public Works and Housing which is only a few months old. When we joined Parliament, all the committees that include the one that I am a Member of; that is the Departmental Committee on Agriculture, Livestock and Cooperatives had a problem in starting their work. I saw one of my friends in this committee, and I hope that he will not cause problems. Hon. Simba Arati has been nominated to be in that committee. All the committees are out to do their work. The departments that we have need many changes.

If the Departmental Committee on Transport, Public Works and Housing is not working, it is the duty of the hon. Member who has brought this Motion to go and sit with the Departmental Committees of this House which are capable of bringing changes to this country. Given a chance, I know that the Departmental Committee on Transport, Public Works and Housing will do its work.

I agree that all of us in this House are allowed to join various committees. The Chairman of the Departmental Committee on Transport, Public Works and Housing, hon. Kamanda--- We should not belittle this committee because it is very important. I have heard one of my colleagues here say that there are air accidents. I am not denying that. However, let us give this committee a chance to do its work. This is because we have a problem in this country. We have had commissions which have even made this Parliament not to move.

I was surprised that the committee that I am a Member of; Catering and Hospitality, when Members talk about the food they want on the table, we have to go to the Commission like we did yesterday. This is because we cannot do things ourselves. We should give the Departmental Committee on Transport, Public Works and Housing a chance or time so that we can see what it can do.

I know we have the Inspector-General of Police in this country. These are the people we should summon to appear before that Committee and ask them why we have these accidents in this country. I know we have police officers in every constituency and other areas. It is the duty of the police to take care of our country. If they do not work, then this House will change them. I want the 11th Parliament to think differently from the other House and we work together for the sake of this country.

I agree that there is a problem of accidents in this country but this is not the way to go about it. This is a way of bringing more committees into the system. We have many Members in that committee. I know one man, John Michuki, was tough when he was the Minister. The Committee has 29 Members now. What is the Committee doing? Let us give them time. If they do not work, we know what we did with the Departmental Committee on Agriculture, Livestock and Cooperatives. We changed the Chairman. We should give the Chairman and the Vice-Chairman of this committee a chance and if they do not work, we will definitely change them.

With those few remarks, I do not support this Motion.

Hon. Deputy Speaker: Hon. Arati, you keep on switching your microphone on and off. Are you on a point of order or what?

Hon. Arati: Hon. Deputy Speaker, I wanted to raise a point of order but since I was given the chance to do so then, I will now contribute to the Motion.

This is a good Motion but the question that we have is that the Departmental Committee responsible for transport has not dispensed the issue. My colleagues have been talking of accidents occurring in this country. A city like Guangzhou has 3.5 million vehicles. I was there for about two weeks but I did not witness any accident. I would ask whether we have had anybody taking responsibility for the fatal accidents that have been happening in this country. If today the Cabinet Secretary responsible for transport resigned because of the increasing deaths arising from road traffic accidents since he got into office, we would be talking differently.

Hon. Deputy Speaker, I would want to oppose the Motion for one reason. Let us give the Departmental Committee responsible a chance to dispense this issue and bring a report to this House. That is the only way through which we can bring order on our roads. We have seen what the *ad hoc* committee on *miraa* is doing. We did not leave the matter to the Departmental Committee on Agriculture, Livestock and Cooperatives and now we are having a circus. We are going to have a confused House, if order is not restored.

With those remarks, I beg to oppose the Motion.

(Several hon. Members stood up in their places)

Hon. Deputy Speaker: Hon. Members, help me to manage the list of requests. You seem to think that there is something else going on. I am following the list.

Hon. wa Kabando: On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: Order, hon. Kabando wa Kabando! You will get a chance to speak.

Hon (Eng.) Mahamud: Hon. Deputy Speaker, while I thank my colleagues for bringing this Motion, let me, on the outset, say that I oppose it.

It is true that road carnage is a very serious matter in this country. Quite a number of Kenyans die on our roads daily. That fact cannot be denied. In its wisdom, the 10th Parliament addressed this matter and came up with legislation. That legislation, which is yet to be operationalised, is the National Transport and Safety Authority Act, 2012, which was passed by the 10th Parliament on 26th October, 2012.

Hon. Deputy Speaker, the challenges that the transport sector has been facing are many. Some of them are laws that are ineffective; penalties that are not clearly spelt out; multi-agencies dealing with the matter; lack of synchronisation amongst the major agencies concerned with transport matters and lack of tamper-proof processes, including licensing recommendation. The Act intends to bring all these issues under one law.

Section 4 of the Act provides for the functions of the Authority. One of the functions of the Authority is to administer the Traffic Act. The Traffic Act has been amended so that it can be administered by the Authority. The Act also provides, under Section 54, for regulations to be developed by the Cabinet Secretary in charge of transport. In the short time we have been in this committee, we have interacted with the Ministry of Transport and Infrastructure and seen what they are doing to operationalise the Act.

Hon. Kabando wa Kabando: On a point of order, hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order?

Hon. Kabando wa Kabando: Hon. Deputy Speaker, I rise under Standing Order 40(3), which reads as follows: -

“(40)(3) On Wednesday morning, a Bill or a motion not sponsored by the Majority or Minority Party or a member belonging to the Majority or Minority Party or by a Committee, shall have precedence over all other business in such order as the House Business Committee shall ballot.”

Hon. Deputy Speaker, clearly, listening to the sentiments of the Departmental Committee in charge of transport, there appears to be some confusion as to whether the House Business Committee met or not. By precedent and history, Wednesday mornings are reserved for Private Members’ Motions. Therefore, this Motion, having been sponsored by the Minority Party, and which could have been sponsored by any other party or a Member belonging to either the Majority or Minority Party, clearly, is un-procedurally before the House. As Members of Parliament, we have an obligation to correct the House Business Committee when it errors because to err is human.

Therefore, I seek your indulgence. Kindly, allow this matter to go back to its sponsors, so that there can be further consultations. Either the Mover can withdraw the Motion for further consultations or we have a stoppage of the debate because this is clearly an abuse of Wednesday morning. I did not come here today, being a Wednesday morning, to listen to Motions sponsored by political party coalitions. I came here to listen to Motions like the one of hon. Nyamai, who has done personal research.

Thank you, hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you, hon. Kabando wa Kabando. In actual fact, you are right. The House Business Committee deliberated on this Motion and resolved that we shall have it debated this morning. Using Standing Order No. 1, the Motion having been moved and seconded, and debate on it having progressed, I shall order that we continue, taking into account what you have said. But having gone this further, I order that there shall be no further debate on the issue of whether the Motion is properly before the House or not. We shall allow the debate to continue.

Hon. (Eng.) Mahamud: Hon. Deputy Speaker, the intention of the Motion is very good. My contention is that this matter would be properly before the House, through the Departmental Committee in charge of transport. The questions that the Motion seeks to answer; namely, the root causes of rising cases of road traffic accidents, including accidents involving motorcycles, have actually been dealt with by the Departmental Committee. We know the root causes. They have been identified by the respective Ministries concerned. The challenge is how to deal with those causes and how to update them, so that we know that the matter can be dealt with.

On the issue of careless driving and licensing of drivers, we have established that there is no uniform syllabus for tutoring would-be drivers in this country. So, quite a number of challenges have been identified. The Committee has engaged the Ministries concerned, so that we can operationalise the Authority properly, with all the staff members required. So, the questions that this Motion seeks to answer have already been answered. In fact, if the hon. Member had come to our committee, she would have seen that all these matters are being dealt with.

Hon. Deputy Speaker, therefore, my contention is not that the Motion is not proper. The issues raised in it are very clear. Kenyans are dying on the roads but we are saying that these matters are being dealt with. So, constituting the proposed committee to delve into these matters would be duplication of work that is already being done by a Departmental Committee of this House. A time will come when we shall call the Cabinet Secretary and other concerned public officers and deal with them. The proposed *ad hoc* committee of this same House will, again, have to deal with them. In the process, there will be total confusion. So, we beg the Mover of this Motion to understand. It is not that we do not want them to deal with this very serious matter affecting the country.

During our discussion of this matter with the Cabinet Secretary, matters to do with designs of our roads, the designs of vehicles plying our roads and the standards of those vehicles, came up. The various auto body fabricators must be dealt with. The issue of motor vehicle inspections, which are currently carried out by the police, also came up.

It is not necessary for the police to inspect. It is not their mandate. They should be left to inspect vehicles that are involved in road accidents. On the issue of inspection of vehicles for roadworthiness, it has been proposed that it be outsourced so that we have inspectors who are AA certified. A lot of things are happening. Our position on the Motion is that having an *ad hoc* committee will actually duplicate the work of the Departmental Committee on Transport, Public Works and Housing. I have been proposed to be in that *ad hoc* committee and I thank the hon. Member for honouring me. It is, probably, because of my experience as an engineer, but I think we will not achieve anything extra by having this *ad hoc* committee.

As one hon. Member said, we will not stop accidents today, but we must be able to deal with them because accidents are caused by vehicle owners, drivers, pedestrians who are careless and so on. We require public education and proper engineering and enforcement. We know that enforcement is a very big issue. We would, therefore, like the Members to agree with us that we will not be dealing with *ad hoc* matters every time. Members should be free to engage us and ask us what we are doing or what is happening. If need be, we could have a session in this House and inform the public. The officials of the Ministry of Transport and Infrastructure will then come here and explain to Members what is being done as far as this matter is concerned.

With those remarks, I oppose the formation of the *ad hoc* committee.

Hon. Aden: Thank you, hon. Deputy Speaker. The safety and lives of Kenyans can never be comprised. The lives of Kenyans are of utmost importance. Without Kenyans, there will be no Kenya. The road menace that is killing Kenyans in very large numbers is something that should pain everyone in this country. Every concerned citizen should be prepared to ensure that an end is brought to this menace. For that reason, any initiative or any *ad hoc* committee or any sitting committee inquiring into the road menace in Kenya is something that I will support.

Not too long ago this House formed an *ad hoc* committee to inquire into the ban of *miraa* by the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) and I think you saw some results yesterday. There is something in the news as a result of the good work that has been done by this particular *ad hoc* committee. Was there no Departmental Committee on Finance, Planning and Trade when we were forming this *ad hoc* committee to inquire into the ban of *miraa*? Why are we surprised

when a person proposes a very good and noble Motion to ensure that we end the menace of road carnage in this country?

The initiative by the Mover of this Motion is a very good one. I support it. The menace of *boda bodas* and *matatus* is something that is killing Kenyans on a daily basis. We cannot accept this to continue. Even if there is a Departmental Committee on Transport, Public Works and Housing whose mandate, as the chairman as said, is to look into some of these things, there is no harm at all in setting up a special committee or a special team of representatives of this House. When I look at the Members whose names are put here, I realize that they are very able Members of this House from a cross-section of the political parties represented here. I believe they will do a very candid investigation into this matter. There are laws in place to control our traffic, but the implementation of the laws is not there.

The Departmental Committee on Transport, Public Works and Housing did not start to exist today. It has been in existence the last six months. Why was this issue not a priority to that Committee? Why is it being mentioned today after this very good initiative has been started that this Committee is now going to meet this and that person? Kenyans who die do not belong to any commission. They are Kenyans---

Hon. KK Kinyanjui: Hon. Deputy Speaker, with all due respect, the hon. Member is not in order because we have already addressed that issue. We have summoned the Cabinet Secretary in charge of transport and infrastructure. We have also summoned the Principal Secretary and the newly appointed Chairman, former Member of this House, hon. Lee Kinyanjui. We have summoned all the persons concerned with national safety. We have cracked our whip only that we are compiling a report to bring to this House. Therefore, the hon. Member is not in order---

Hon. Deputy Speaker: Hon. Abdikadir Aden, I think that point was raised by the Chairman of the Departmental Committee. He told us the level that they have reached. So, to say that they have been in existence--- Withdraw that part because we had already been guided and given information.

Hon. Aden: I stand guided, hon. Deputy Speaker. I withdraw that part.

As I contribute to this Motion, I want to urge the hon. Members of this House that we need some serious reforms in our Traffic Police Department. It is very important that this is dealt with as a matter of priority. Corruption and laxity are going to kill us *en masse*. Corruption in the units that are given authority to enforce laws is putting the lives of Kenyans in a very dangerous situation. We need to ensure that the overloaded Probox vehicles that we saw on television carrying school children somewhere in Narok--- A Probox was shown carrying more than 15 school-going children and yet we are quiet. We see this happen. We see this same vehicle being flagged down by a traffic police officer who is seeing what is in that vehicle. The fellow knows that life is being endangered, but nothing is being done. That is why I say that any initiative aimed at ensuring that we bring some sense into the way our traffic issues are managed in this country will get my support.

This initiative is good. These are people I have confidence in that they will be able to do a good inquiry which will enable us reform our traffic laws. I support this. It is not the first *ad hoc* committee that is being formed. Therefore, there is no excuse to say that because there exists another committee, we should not form an *ad hoc* committee.

We formed an *ad hoc* committee here when already there were other committees mandated within the scope of the inquiry.

I support.

Hon. (Ms.) Korere: Thank you, hon. Deputy Speaker. The issues brought up by the hon. Member for Homa Bay are very important. I listened to her talking and I was wondering why the CORD Coalition was trying to sneak in some elements in the name of minority leaders. I thought Gladys Wanga has the full capacity. However, I stand to oppose.

(Laughter)

I oppose this Motion not because the Member did not bring out the issues clearly but because listening to the Chairman of the Departmental Committee on Transport, Public Works and Housing, I have no doubt whatsoever in my mind that his committee is handling exactly the same issues that were brought by hon. Gladys Wanga.

Hon. Deputy Speaker, we have lost so many lives of the young, old, very important persons and the very humble, not only through road accidents but even through air crashes and ferry accidents. These are things which need to be addressed by the National Transport and Safety Authority. As a person, I think empowering this Authority so that it can handle these issues with the seriousness and the intensity it deserves will be very crucial.

Hon. Deputy Speaker, if for example we allow these *ad hoc* committees to be formed, what assurance do we have that tomorrow somebody will not want to bring an *ad hoc* committee to investigate the Westgate matter?

Hon. (Ms.) Shebesh: On a point of order, hon. Deputy Speaker. I am looking for guidance from you on the issue of formation of select or *ad hoc* committees even as we discuss what is on the Floor because the rules are clear. The need for *ad hoc* or select committees once in a while is also very clear. The work they do is known. So, let us not mix this discussion with whether we support this Motion or whether or not this House should encourage formation of *ad hoc* committees because they are necessary and sometimes, they are the ones that solve the problems which Kenyans are facing.

Hon. Deputy Speaker: Hon. Members, I do not think we are making a blanket decision that we cannot have *ad hoc* committees. I think the point that is being canvassed by the Members, as I understand it from here, is not that there should not be *ad hoc* committees but that when they are formed, they should be addressing the issues that cannot be handled by a single committee. I think that is what is being canvassed here. So, the formation of *ad hoc* committees is perfectly in our Standing Orders but we want to say that Departmental Committees take precedence over all committees because those are the standing committees that we have in the House. So, the formation of an *ad hoc* committee must really be justified beyond reasonable doubt. It must be established that the substantive committee cannot handle the matter that is being investigated by the *ad hoc* committee. So, hon. Paulata, do not make it look like there is a problem with forming an *ad hoc* committee.

Hon. (Ms.) Korere: I stand guided hon. Deputy Speaker. Thank you. Resuming my contribution on the Motion, I note with a lot of concern the issues brought up by my sister here. Talking about the *boda bodas*, these young men and women, some of them

who are the breadwinners of their families through a very humble means of income have lost their lives. So many young lives have been cut short through these tragic road accidents but again I repeat and say that I have no doubt in my mind that the Departmental Committee on Transport, Public Works and Housing under the very able leadership of hon. Kamanda is able to deliberate on these issues.

So, hon. Deputy Speaker, I oppose, oppose and oppose.

Hon. Deputy Speaker: Hon. Nicolas Gumbo.

Hon. (Eng.) Gumbo: Thank you, hon. Deputy Speaker for giving me the opportunity and I want to start by saying that I fully support this Motion. As I support this Motion, I want to declare that I have only total respect for the Chair of the Departmental Committee on Transport, Public Works and Housing and his able deputy who is my senior colleague in the distinguished profession of engineering. However, I want them and I plead with them to see this effort as being complementary to what they are doing and as adding synergy to their work.

Hon. Deputy Speaker, there is no gain saying it. Carnage on our roads has become a pandemic. When you lose more than 10 people per day, it is not a matter to be glossed over and for me it is not because of lack of laws. Laws are simply not being followed. Sometimes when you look at our country, the problem might as well be that we have an oversupply of laws. There are too many laws every time we get into a situation. Instead of getting the willpower to apply the existing laws, we go and start looking for another law. It has been said that an abundance of laws in a society sometimes is nothing but a manifestation of pervasiveness of nobility among the citizens of that country. I think in the transport sector, it is manifested.

[Hon. Deputy Speaker left the Chair]

*[The Temporary Deputy Speaker
(Hon. Cheboi) took the Chair]*

Hon. Temporary Deputy Speaker, when the Ntulele accident happened, no lesser person than the Cabinet Secretary in charge of transport called it a murder. What we are shocked of is that in spite of this being called murder and more than 40 people were murdered if that is to be taken as so, nobody has taken personal responsibility for what happened. If truly the Government believes that what happened was a murder of a national scale, then what we would have liked to see by now is the Cabinet Secretary, the Inspector-General of Police, the Police Commandant in charge of traffic taking personal responsibility and vacated their positions by now. However, nothing of the sort has happened and looking at where we have come from, nothing of the sort is likely to happen.

Hon. Temporary Deputy Speaker, the concern that we express as a House is knee jerk reactions. Whenever accidents such as the Ntulele one happen, people respond very strongly. The whole country was grieved when the Ntulele accident happened and then as soon as a few days go by, it is back to business. It is like nothing has happened before. I want to maintain that, because I know that they are so many people who want to contribute to this Motion, what we lack in Kenya is not laws. What we lack in Kenya is

the will to enforce the laws that we have. What we lack is the commitment from those we have put into positions to enforce the laws that we have.

Hon. Temporary Deputy Speaker, on the accident that occurred at Ntulele, the bus was overloaded. There were police roadblocks all over the place. It went all the way with an excess passenger capacity of about 10 or 11. It was not stopped and I want to say this: It is time now that Kenya started doing things differently. When we look at the people in charge of managing traffic on our roads, there is obvious evidence of corruption. We all know what traffic policemen are supposed to be earning but even by the way some of them look, they have waistlines which are bigger than those of old male elephants.

With big protruding stomachs, clearly, what other evidence do we need if the Inspector-General of Police is serious about enforcing our laws? Those people whose earnings are known have stomachs hanging over their knees.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. (Dr.) Pukose, you have a point of order? Order hon. Gumbo! Let us hear from him.

Hon. (Dr.) Pukose: Thank you, hon. Temporary Deputy Speaker, Sir. With all due respect to my senior colleague Eng. Gumbo, he has said that policemen have protruding stomachs. As a surgeon, when you say that it means the stomach is either herniating or something like that and it is a disease. I do not know whether he can substantiate that.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Gumbo is not a medical doctor; he must be having his own personal meaning.

Hon. (Eng.) Gumbo: As much as I am not a medical doctor, what I said, and I hope the good doctor could have listened was some of the traffic police men in our country have waistlines which look like the size of an old male elephant, with a big stomach hanging above their knees. That is a fact, and you see it everywhere. Clearly, is that something to be debated?

If the Inspector-General of Police wants to take action, the first point to start is by putting some of those policemen on a diet. Maybe, boiled *sukuma wiki* and rationed *ugali* and then we start moving. Something needs to be done. There has to be a willpower and a commitment to enforce the laws.

I support and urge my good friend, hon. Maina Kamanda, and my senior colleague in the profession of engineering, Eng. Mahamud Maalim, that please, this is complementary and synergy. We are all moving towards achieving the same thing.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Gikaria.

Hon. Gikaria: Thank you, hon. Temporary Deputy Speaker, Sir. Let me take this opportunity, first of all, to thank hon. Gladys Wanga for having some concern about the road carnage, deaths and disability of our people on the roads.

If you look at the statistics which she has brought forward, it just shows how serious as a country and Parliament we need to take some steps to try and address these situations as they occur. If you look at the reasons why accidents happen, of course, it has been said there before; corruption by the Police Department enforcers is part of the reasons why these things are happening in such huge numbers.

(Loud consultations)

The Temporary Deputy Speaker (Hon. Cheboi): Order Members! The consultations are too high.

Hon. Gikaria: Recently, the issuance of driving licence is riddled with corruption where nobody attends driving school lessons and, yet, ends up having a driving licence in their pockets.

When hon. Wanga, was bringing this Motion, it was to strive to address how fast we can--- We know the laws are there, but the enforcement has brought a lot of issues.

Secondly, it is about the poor road network. I come from a constituency where we have over 5,000 registered *boda bodas*. The status of our roads is questionable and it leads to increased road accidents. The other bit is about the road signs. If you look at our roads, there are only a few road signs. But in most of the areas, the road signs are not there.

Thirdly, the over-speeding of bus drivers due to lack of enforcement by the traffic policemen has also brought about increased accidents in our roads. I know there were some laws which were passed here last year under the Traffic Act. When you look at the punitive measure that has been stated in that law, then it will only show how serious these things are. If indeed---

(Loud consultations)

The Temporary Deputy Speaker (Hon. Cheboi): Order Members! It is becoming very difficult to hear the contributions, because there are very high levels of consultations.

Hon. Gikaria: I want to agree with the people who have just spoken before me that this country has enough laws. It is only a matter of enforcement and that is what we need to address.

If you look at the issues of unemployment, of course, the Mover has indicated how the industry is assisting our people in terms of job creation. All the monies that they receive from their businesses end up paying hospital bills. They also hold *harambees* to try and collect money to pay for the medical expenses that are incurred through the accidents. It is very unfortunate that every other day we are called upon to attend *harambees* to try and get money to pay for medical bills.

If the law enforcers would take their job seriously, the accidents would reduce. I want to agree with the speakers who have said that we might be setting precedent when we form *ad hoc* committees. I do not want to question what informed the Mover to indicate the names which are on the list but, at the same time, I just wish that the work could be left to the Departmental Committee on Transport, Public Works and Housing.

Lastly, what informed the Mover to bring this Motion to Parliament? If you look at what the Chairman of the Committee on Transport, Public Works and Housing has just said, currently as much as they have indicated they are in the process of recruiting a Chief Executive Officer (CEO), he has made it very clear that they do not have budgets. If the National Transport and Safety Authority has no---

The Temporary Deputy Speaker (Hon. Cheboi): Order Member! Hon. Kathuri, do you have an intervention?

Hon. Murungi: Thank you, hon. Temporary Deputy Speaker, Sir. I am standing under Standing Order No.97. This is a very important Motion as moved by hon. Wanga.

Many Members are interested in contributing. We kindly request you to reduce the time to five minutes to allow as many Members as possible to air their views on this.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Gikaria, proceed as I make some consultations here because Members want to contribute.

Hon. Gikaria: Thank you, hon. Temporary Deputy Speaker, Sir. I was just commenting on what the Chairman, Committee on Transport, Public Works and Housing has just indicated in his speech. He stated that the National Transport and Safety Authority has no budget; no money was allocated. I kindly ask the Chairman, through the supplementary budget, to get some funding for that Authority. Of course, it should engage a CEO, so that the responsibilities under the Act which had been passed here last year, could be undertaken.

Lastly, we visited a country two weeks ago and I think this is why our enforcers need to act and be given facilities. In the country we visited recently, the driver who is a Kenyan national was driving us through that town. We were stopped by traffic policemen at some point and our driver was asked to blow into an alcoblow. They said the alcohol levels in his blood were very high and he was taken to a police cell for, at least, one hour so that the alcohol levels could come down.

We want to ask the Committee on Transport, Public Works and Housing to request for a budget; at least to enable the enforcers to have those gadgets which are working and are effective. Any drunk driver should not be allowed on our roads.

I want to say that I oppose the Motion, and request the Committee on Transport, Public Works and Housing to do something about the budget for the National Transport and Safety Authority.

Thank you, hon. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Wangwe.

Hon. Wangwe: Thank you, hon. Temporary Deputy Speaker, Sir. I sincerely appreciate the Motion before the House by hon. Wanga. It touches on the issues that are affecting our communities. However, I oppose the Motion as it is. As a Member of the Transport, Public and Housing Committee, on Monday, we had a session with the Cabinet Secretary, Eng. Kamau, and we deliberated on this issue. We talked about it and made some proposals to him. He gave us counter proposals. We prepared for his meeting on Tuesday with the *matatu* operators at the KICC. The aim of the discussion was all about safety and the licensing of the *matatu* operators.

In the same meeting, we also invited the NTSA Chair, hon. Lee Kinyanyui. We also had a chance to meet the Traffic Commandant, Mr. Kimaru. All we were addressing were issues and concerns of safety and the Ntulele accident came up. Should hon. Wanga get access to the minutes of that meeting, it is all about this Motion before the House. I look at this as a repetition of what our Committee is already discussing. Therefore, I oppose the Motion as it is.

Looking at the proposals in the Motion, we look at the cost implication to the taxpayers. We have already deliberated on this issue and we are seeking the budgetary allocation to fund the NTSA. Forming a select committee shall not come free of charge. It will attract some financial implications. Why can we not save on it and ask the Member who has brought the Motion to come before the Committee on Transport, Public Works and Housing and bring the good ideas that she has to us, so that we can bring it to the Floor of this House? I beg to oppose the Motion.

Hon. Kajwang’: Thank you, hon. Temporary Deputy Speaker, Sir, for giving me an opportunity also to add my voice to the debate before us. I rise to support this very noble Motion before the House. I want to appreciate my colleague, hon. Gladys Wanga, for being a variant lady that in spite of all the odds, is able to bring to the fore an issue that is pertinent amongst her residents in Homa Bay County. I note that so many people died out of the Ntulele accident, many of whom came from Homa Bay County. Some of them came from Migori County and until you see your brothers, sisters and mothers dying like rats, you may not know how it feels when an issue comes before you to support them.

I heard the Leader of Majority Party talk about it and I almost felt that because some of us do not use vehicles in their areas, they do not know what it means to get into these issues when it comes as it did come along the Narok Road. I have listened to contributors and I see that there is a general consensus in the House. Everybody is saying that it is true that there are issues of accidents. The issue of *boda bodas* is becoming a menace and it is true that something has to be done. I only see a source of departure when Members are debating whether it should be conducted by the select committee or something else.

If you look at this Motion properly, you will see that hon. Wanga is asking for two things. One, that this House resolves that the National Transport and Safety Authority conducts safety training, testing and licensing of all *boda boda* motorcycles. What is wrong in that? Is everybody not speaking the same thing? Is everybody not agreeing that we need to rein in the *boda bodas*, so that we can have safety on our roads? There is, of course, a divide when we go into the next issue of whether to establish a select committee, but I rise to urge Members that we should not kill a noble idea because of an issue that can even be cured by an amendment proposed by the Members. We should understand things the way they are and try to rise above party lines. The reason this is a party sponsored Motion is not because it is a coalition Motion, the way the Leader of Majority Party was making it look. The reason why Members sometimes get permission from their coalition Whips so that a matter is raised as a party sponsored Motion is to take precedence over other items on the agenda. This underlines how serious this issue is.

I have seen people think that this is a CORD Motion or an opposition Motion and so on. People are opposing it on the basis of politics rather than principle. I want to urge Members that we can look at this issue as a matter of principle. Our colleague, hon. Wanga, is not oblivious to the mood in the House. She is able to come up and address us very well even on a point of an amendment, if that be the case. But let us not kill an issue which is principled.

To end, the other time we had the *Miraa* Select Committee and this could as well have been done by the Committee on Health or Agriculture, Livestock and Cooperatives Committee, but we debated it here openly and we allowed Members from Gwassi and Meru districts where *miraa* is grown to articulate their issues very well. We allowed them to have their go and sort themselves out. So, why is it that when we people who go through these roads, for example, the Narok, Nakuru and Mombasa roads, which are killers, bring these issues we look at it politically? Let us see how to save our people rather than see politics in every single thing that comes before us. So, I want to support this Motion. I want to urge my colleagues on the opposite side that let us not thump our

feet just because you think that CORD is trying to pull something under the feet. The CORD is not pulling anything.

Hon. Wambugu: On a point of order, hon. Temporary Deputy Speaker, Sir. Is the Member in order to say that they are the only ones who travel on roads? I go to Murang'a and I use a road which is very bad and there are very many accidents along the road. Should he insist that the people who travel on the road to Homa Bay are the only ones who are involved in accidents?

The Temporary Deputy Speaker (Hon. Cheboi): From my hearing, hon. Wambugu, he said "us". I am sure he included you.

Proceed, hon. Kajwang'.

Hon. Kajwang': Thank you, hon. Temporary Deputy Speaker, Sir. But hon. Wambugu travels across some of the best roads there are in the country, namely, Thika Road and then they go to Murang'a. Anyway, I just want to say that we should allow Members to bring issues that affect their people and treat it the way it is.

I was only going to end by saying that just as we allowed the *Miraa* Select Committee to handle these issues---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Ghati, you think hon. Kajwang' is out of order?

Hon. (Ms.) Ghati: (*Inaudible*)

The Temporary Deputy Speaker (Hon. Cheboi): Not at all. You had pressed that button, but you have again disappeared from my eyes.

Hon. Kajwang': Hon. Temporary Deputy Speaker, Sir, I am sure the Member for Migori was going to give me further information which I would have taken. Let me just end by saying that we should deal with this issue just as we handled the *miraa* issue. Hon. Gladys Wanga was in that committee of *miraa* if I remember and there was a cross-section of people who joined to booster it. The way we handled it, in spite of the fact that we had select committees which could deal with it, allow this also to go through. The same way we allowed that Motion to go through, we will allow this Motion to also go through. This Motion is specific. Let us see what comes out of it and then we will decide how we deal with select committees.

Hon. Temporary Deputy Speaker, Sir, I want to support this Motion and urge my friends to treat it as an issue of the republic rather than a political issue.

Thank you very much.

Hon. Njomo: Thank you, hon. Temporary Deputy Speaker, Sir. The import of this Motion cannot be underestimated. People are dying on our roads, yet we have rules that govern the use of our roads that are not being implemented. The main question here today is: Do so many of these *ad hoc* committees address the issues that we have? Will this select committee implement the "*Michuki Rules*" once we form it? Is this *ad hoc* committee that we are forming going to address the number of accidents being experienced by our *boda boda* operators? We know very well that *boda boda* operators are supposed to have driving licences, but they do not have them. This is the case, yet our policemen allow them to continue using motorcycles and ferry passengers from place to place.

We know that the riders need to be trained on safety. This should be part of the training they should receive before they get their driving licences but they do not get it. Will this *ad hoc* committee address that?

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Njomo! What is your point of order, hon. Junet?

Hon. Nuh: On a point of order, hon. Temporary Deputy Speaker, Sir. Is the Member in order to allege that an *ad hoc* committee might not address anything when we know that many *ad hoc* committees formed in this Parliament have done a good job?

The Temporary Deputy Speaker (Hon. Cheboi): Really, that is a point of argument.

Proceed hon. Njomo.

Hon. Njomo: Thank you, hon. Temporary Deputy Speaker, Sir. Allow me to ignore that point of order because it does not add value to my argument.

Hon. Temporary Deputy Speaker, Sir, we are going to set a very bad precedent where a committee is formed to usurp the roles of a Departmental Committee that is mandated by this House to address certain issues. The Departmental Committee on Transport, Public Works and Housing chaired by hon. Maina Kamanda is responsible for all matters pertaining to our transport, including road safety. Why then do we need to form an *ad hoc* committee to do exactly what that committee is doing?

The Chairman has told us that in a week's time, they will be ready to bring us a report, yet this Motion is giving an *ad hoc* committee 100 days to give us a report. What do we need? How urgent do we need the report? Do we need 100 days or do we need a report that comes within one week?

Secondly, we need to have a system that will make sure that laws are enforced, because that is what needs to be done. I remember when the "*Michuki Rules*" were implemented, people used to wear safety belts and *matatus* never used to be overloaded. This was implemented because there was one person who was focused and believed that it can be done. Nobody ever believed that you can fasten safety belts in *matatus*. This was done.

If you ride on a *matatu* today, you will find that it has safety belts but they lie on its floor without being used. So, we need to have a police force that knows its responsibilities and is ready to implement the "*Michuki Rules*," and any other rules that this House will deem fit to make sure that our roads are safe. We need responsible policemen.

We have heard even in other areas *matatus* are forming SACCOs, so that they can regulate themselves. This is because they have looked at the situation, and have known that the police will never help them. So, they have decided to regulate themselves. They have already started looking for a solution to the road carnage and the problems that they have on the roads.

I know that a select committee to investigate whether *miraa* is a drug or not was formed a couple of weeks ago. However, this is completely different because the *miraa* issue had not been addressed before.

The Chairman has told us the steps they have already taken to address the issues that have been mentioned in this Motion. Why do we want to duplicate the efforts of a committee which is already working? Why do we want to interfere with this committee? My advice to the Members who have been proposed to join this *ad hoc* committee is that they put more effort in the committees that they have been appointed to, so that those committees become more effective rather than duplicating efforts of other committees and doing work that is done by other committees.

Hon. Temporary Deputy Speaker, Sir, with those remarks, I beg to oppose the Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Ababu, do you have an intervention?

Hon. Ababu: Hon. Temporary Deputy Speaker, Sir, I thank you for this opportunity. Hon. Members, it is not in doubt that accidents on our roads have reached levels that honestly qualify them to be called a national crisis and shame. The number of people we are losing on our roads, the man hours wasted that could go into---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Ababu, so that I can be clear, are you building your case----

Hon. Ababu: Hon. Temporary Deputy Speaker, Sir, I am building a case because I wanted to place before the House a very humble proposal.

The Temporary Deputy Speaker (Hon. Cheboi): Proceed, hon. Ababu.

Hon. Ababu: Hon. Temporary Deputy Speaker, Sir, it is equally not in doubt that the Traffic Department has badly failed this country. Indeed, it has become part of the problem rather than being part of the solution. It is equally not in doubt that this is a House of rules. In fact, if you remove rules of procedure, practice and custom then this House becomes nothing better than a market place, where anybody can do anything in any manner anytime anywhere.

It is rules that elevated this House to what it is called universally; the august House. As hon. Members, we must always demonstrate utmost fidelity to the rules of this House. These rules clearly define how we ought to conduct our business, especially in the new dispensation which is quite different from the dispensation some of us served under in the 10th Parliament.

Committees of this House have taken an eminent place. In fact, all manner of business of this House is now transacted through committees. Therefore, this House must be very careful when determining the instances when we can properly say that it is worth forming an *ad hoc* committee. One thing we should be grappling with---

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Ababu, there is a problem here. I would rather you go straight to the matter.

Hon. Ababu: Hon. Temporary Deputy Speaker, Sir, what I am driving at in a very circumlocutory manner is the proposal that we can find a middle ground for this Motion. I wanted to propose the following middle ground. It is very clear listening to hon. Members that we see a challenge here that requires the intervention of this House in a focused manner.

My proposal, therefore, is that, under Standing Order 96, we could adjourn debate on this particular Motion with only one objective – to allow the Mover of it and the team that is behind it to relook at its content and the issues that it proposes to deal with, and undertake further consultations with the Departmental Committee that bears the overall mandate over this matter, and further consult with the leadership of this House. At the conclusion of that process, they can then bring a revised Motion to this House.

Hon. Temporary Deputy Speaker, I wanted to propose a couple of things that could inform the revised Motion. One of them is the custom and the practice of forming *ad hoc* committees in this House. We have formed *ad hoc* committees before. I formed and chaired an *ad hoc* committee in the last Parliament, namely the Committee on Cost of Living. Among the factors that support the formation of an *ad hoc* committee is the cross-

cutting nature of the matter at hand. A matter can be so cross-cutting that you cannot properly confine it to a single Departmental Committee, or attempt to put it under a joint committee.

Secondly, matters can be so urgent and requiring such swift action that, because Departmental Committees are so busy, especially now, we can decide to constitute an *ad hoc* committee to give us that speedy response to a particular matter. I want to propose to the House that the sponsors of this Motion could identify a very limited focus. I am looking at a matter like enforcement of the regulations that already exist. This country is full of regulations on road safety. Only last year, through an amendment to the Traffic Act, brought to the 10th Parliament by the Member for Gem, hon. Jakoyo Midiwo, the House had an opportunity to delve very deeply into the weaknesses of the Traffic Act then. We amended the Traffic Act and considerably enhanced regulations on road safety. However, those rules are not being enforced. So, this Committee could focus on enforcement of the existing regulations. Those regulations touch on national security, transport, health and a whole host of departments. Perhaps, such would be a Motion worth supporting.

Hon. Temporary Deputy Speaker, another thing to consider would be the timeframe. Since this is a matter of utmost national importance and urgency, I do not see why this committee would require 120 days. This is a matter that could be concluded within not more than 60 days. So, if the sponsors of the Motion could relook at those issues and come back to the House, I believe that even the committee responsible for transport would not object to it. The Chairperson of the Committee on Transport, Public Works and Housing is a gentleman for whom I have utmost respect. He has been a Cabinet Minister before. He has held positions of responsibility. He knows his stuff. I believe, knowing how busy he is, he would not be averse to having Members of this House participating in aiding his cause by targeting a particular responsibility through an *ad hoc* committee. I can see the Chairperson of the Transport, Public Works and Housing Committee nodding his head to that proposition. I believe that he agrees with me.

Let me conclude by urging the Leader of Majority Party, whom I was listening to while driving to Parliament Buildings, having come in a bit late--- He seemed to be saying that a Motion that is either sponsored or supported by one side of the House cannot be either seconded or supported by hon. Members from the opposite side of the House. With due respect to him, I beg to disagree. We are the National Assembly of the Republic of Kenya. We may have used different routes to enter this House, but when we sit here, we are seized of matters that are of importance to the people of this country. We must repeatedly rise above political differences to address matters that are of concern to Kenyans. Road accidents are not killing CORD or the Jubilee coalitions. Road accidents are killing Kenyans. So, when we debate such matters, we must look at them from that perspective.

Hon. Temporary Deputy Speaker, allow me to conclude, now that the Leader of Majority Party has come into the House, by sharing with him some words of Edmund Burke, a British statesman who lived between 1729 and 1797. Edmund says the following: -

“Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and

advocate, against other agents and advocates; but Parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed; but when you have chosen him, he is not member of Bristol, but he is a member of parliament.”

Hon. Members from Chuka, Budalang’i and Embakasi are selected as Members to represent that unit. Once you walk through those doors into this House, you become a Member of the National Assembly of the Republic of Kenya. We should really rise above those political differences to be able to address matters that are of concern to the people of this country. May I plead with this honourable House that we allow the Mover of this Motion the opportunity to adjourn debate on this matter or even withdraw the Motion, revise it, in consultation with the Departmental Committee and with the leadership of the House, and then bring it back to the House.

Thank you.

The Temporary Deputy Speaker (Hon. Cheboi): Thank you, hon. Namwamba. I want, first, to hear what the Mover of the Motion has in mind.

By the way, Mover, you do not have to agree with the proposal by hon. Ababu. You have choices. There are many ways of going around it, if you are in agreement. You could also look at Standing Order No. 58. There are many ways of doing it. It is up to you to make a decision. You could even decide to allow the Motion to proceed.

So, let me hear from you, hon. Wanga.

Hon. (Ms.) Nyasuna: Thank you, hon. Temporary Deputy Speaker. Let me also take this opportunity to thank the hon. Members of this House for ventilating very eloquently on this matter.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Pukose, I want to get the mind of the Mover. You have not even placed an intervention. You are on the request list. Anyway, hon. Wanga, let us give him an opportunity to say something.

Hon. (Dr.) Pukose: Hon. Temporary Deputy Speaker, there is something that hon. Namwamba talked about. He tried to correct the Leader of Majority Party, based on the fact that he had advised the hon. Member who seconded the Motion that he was on the Jubilee side. What hon. Namwamba needs to consider is the fact that the Motion is sponsored by a minority party. That is the bone of contention for the Leader of Majority Party.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Pukose, if that is the case, the Leader of Majority Party is here. He can speak for himself.

Hon. (Dr.) Pukose: Hon. Temporary Deputy Speaker, he was still walking into the Chamber when hon. Namwamba made the remarks.

The Temporary Deputy Speaker (Hon. Cheboi): Order, hon. Pukose! Let us hear the Mover of the Motion.

Proceed, hon. Wanga.

Hon. (Ms.) Nyasuna: Hon. Temporary Deputy Speaker, as I was saying, I would like to really thank the Members of this House for ventilating very eloquently on this matter. From the views that we have heard, it is clear that all the Members of this House are in agreement that road safety is big issue in this country.

As I said, I find the drive of moving this Motion because of what happened in Ntulele. It has a major impact to my county. Understandably, I came on and moved on. Today, on the Floor, I had a chance to listen to the Chairman and Members of the Departmental Committee on Transport, Public Works and Housing on what has progressed within that committee with regard to this matter. We are in agreement that this is an important issue. Some things have been done. Some things could actually need more effort. On this basis, I would like to take on the advice given by senior colleague, hon. Ababu.

The import of this Motion is to save the lives of Kenyans. Under Standing Order No.96 I would like to call for adjournment of debate on this Motion for the sole reason that we need to consult with the Committee on Transport, Public Works and Housing and with other Members of this House on this subject matter. We are all driving in the same direction but we could be mixing up or duplicating issues.

I am glad that this House had an opportunity to debate the matter of road safety. People have given their views on road safety and now the country knows that road safety is a matter close to the heart of Members. I, therefore, propose adjournment of debate on this Motion and call upon hon. Kajwang' to second.

Hon. Kajwang': Thank you, hon. Temporary Deputy Speaker. Under Standing Order No.96 it is a Motion for leave of the House to adjourn the debate and I think it calls for a seconder. I wish to second that Motion. I am impressed by how the Member for Homa Bay has treated us this morning. She is an astute debater, in my view. This is because she is a debater who is able to sense the mood of the House and to preserve what is a national calling. I know that the way the Motion has been pushed--- It is in two respects: One, to resolve that the Authority should do something; and, two, so that the Mover has enough time to be able to know the way by which that could be done. It could be either through a select committee or through consultations with the relevant Departmental Committee.

I would like to second this Motion and ask all our colleagues on the left-hand side and right-hand side to support. This is how things should go. A Motion becomes party sponsored when a Member wants to have priority. It is not supported by a coalition because it wants to take advantage. It is just because a Member wants priority in the HBC so that the issue he has brought has priority. Once we understand that, I am sure that even Members on the right-hand side of the Speaker will also bring Motions that are supported by the coalition so that they have precedence or priority over other issues. You should not wait for the Leader of Majority Party to be bringing all the Bills and Motions.

I second and support.

The Temporary Deputy Speaker (Hon. Cheboi): It is important for hon. Members to note that it is an adjournment the Mover of the Motion is seeking and not a withdrawal. If it was a withdrawal, it would have come under Article 58. In both cases, however, we will have to put the Question for the House to make the decision.

*(Question, that the Debate be now
adjourned, put and agreed to)*

(Debate adjourned)

ESTABLISHMENT OF NATIONAL UNIFIED IDENTIFICATION SYSTEM

THAT, aware that the process of obtaining national identification documents such as birth certificates and national identification cards is long and complex due to the different centres of processing such documentation; deeply concerned that there is a multiplicity of identification documents in registration of identity cards (IDs), birth certificates, passports, elector's cards, driving licences, National Hospital Insurance Fund (NHIF) and National Social Security Fund (NSSF) cards yet there is a proposed simplified way of doing the same; noting that the Government is embracing new ICT measures in line with Vision 2030, this House urges the Government to spearhead the establishment of a national unified identification system that harmonizes all personal biodata.

(Hon. Nyamai on 2.10.2013)

(Resumption of Debate interrupted on 2.10.2013)

Hon. Wandayi: Thank you, hon. Temporary Deputy Speaker. I beg to support this Motion by hon. Nyamai. Every one of us understands the difficulties one has to go through to acquire these national documents. It is common knowledge that the acquisition of IDs, birth certificates, passports, electors' cards, driving licences and others has been turned into an industry by corrupt Government officials. It is only in this country that one has to go through motions of struggle to acquire a basic document like a national identity card. I want to believe that in this day and age when technology has advanced considerably, we do not have to go through the motions of lining up and queuing in Government offices to acquire the documents that we need in our life. It is important to make life easy for citizens. That is the work of Government really. The work of any Government worth its salt is to make the work of its citizens as easy as possible.

Hon. Temporary Deputy Speaker, it does not really call for rocket science to implement a system that would ensure that when children are born, they acquire birth certificates automatically. Secondly, most of the children reach the age of 18 years while in secondary schools. It really would make more sense to have these children leave secondary school with national identity cards. Once you acquire a national card, you are eligible to be a voter.

Hon. Temporary Deputy Speaker, it basically calls for political goodwill from the highest possible level so that we create a system which is consolidated and that can capture biodata of every citizen of this country. This will make work easy for even other agencies such as security agencies in carrying out investigations on criminal activities.

Therefore, this Motion has come at a very opportune time. It is the right time for this Motion to have come. I want to support it so that we cut the bureaucracy that has been turned into an industry by corrupt Government officers supported by their godfathers. They continue to milk poor citizens of their hard-earned cash in the process of acquiring these very basic documents. Therefore, I want to suggest that this Motion be supported in its entirety so that Kenyans can live with the confidence that once you become of age, you automatically get these vital documents and your information will be

consolidated in a database that can be easily accessed by yourself, the Government and any other agency that could be interested in accessing it.

Therefore, hon. Temporary Deputy Speaker, with those few remarks, I want to support this Motion and really thank the Mover for having come up with this very noble idea. Thank you.

The Temporary Deputy Speaker (Hon. Cheboi): Honourable Tobiko, do you wish to contribute to this one?

Hon. (Ms.) Tobiko: Hon. Temporary Deputy Speaker, thank you for the chance but I am sorry I had wanted to contribute to hon. Gladys Wanga's Motion.

The Temporary Deputy Speaker (Hon. Cheboi): Okay, hon. Wario. He has also left his card. So, we are giving the honourable Leader of the Minority Party.

Hon. Nyenze: Thank you, hon. Temporary Deputy Speaker. I just want to thank the Mover of this Motion for coming up with a very relevant Motion. We are all aware of how difficult it is for Kenyans to obtain simple documents like identification cards, NHIF cards, NSSF cards, electors' cards, passports and so forth. It can be simplified as earlier speakers have said. It is not rocket science to do registration at birth because births are celebrated throughout all cultures in the country and it is not very easy to forge births.

Hon. Temporary Deputy Speaker, with the modern technology we have one united registry where all these things are done to avoid corruption and duplication. The whole process has been very expensive, haphazard and Kenyans suffer a lot. For example, in the constituency which I represent – Kitui West – my constituents have to travel all the way to Kitui Town to get birth certificates. The cost of transport is very high and sometimes you go there and you find the clerks are not there. I am sure that is repeated all over the country and this gives Kenyans a lot of hard time.

Hon. Temporary Deputy Speaker, I would rather urge that the Government takes it very seriously and instead of Kenyans suffering this much, we have a more centralised modern process whereby documents are issued from centres that are nearer to people but which are linked to the central system. This way, records are properly kept to avoid cheating and duplication.

Hon. Temporary Deputy Speaker, Kenya has suffered a lot of terrorist attacks. The terrorists who attacked Westgate and who have caused a lot of havoc in this country passed through our borders using fake documents which were given to them through corruption. This country lost a lot. With modern technology, all this data can be got and stored and the right people given the right identification documents. If there are so many other centres that give different documents, we will still continue suffering.

Hon. Temporary Deputy Speaker, Sir, I just want to say that if the processing has to be foolproof so that safeguards are put in place, it has to be connected to a central area whereby they will be monitored. So, it will not be easy to cheat and for the wrong people to get these documents.

Hon. Temporary Deputy Speaker, while I support this Motion, I also want the Government to put a lot of effort in helping Kenyans obtain documents because this is where Kenyans suffer a lot after they have completed school. We used to get identification cards before we left secondary school after attaining the age of 18 years. These days, in most areas you complete school and you have to look for the identification cards. Sometimes you have to part with something. This is a big shame in modern Kenya. Let us make it easy for Kenyans to get these documents without suffering.

Hon. Temporary Deputy Speaker, with those few remarks, I just want to support. Thank you.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Sunjeev Birdi.

Hon. (Ms.) Sunjeev: Thank you very much, hon. Temporary Deputy Speaker, Sir. As I stand to support this very noble Motion that has been forwarded by hon. Charles Nyamai, I would like to say that lack of a proper ICT system and lack of consolidated database is one of the biggest causes of corruption in our country.

Hon. Temporary Deputy Speaker, Sir, when we look at the process of obtaining these documents, it is quite shocking.

Hon. Temporary Deputy Speaker, Sir, how does a person from, maybe, Ukambani or any other place, get information if he wants to apply for an identity card, passport, driving licence or NSSF card? I was just trying to browse on our national Government website where they have this information and it is so confusing. It is not very accessible to a young person who has just come out of school. How strange is it that we can find one person with five identity cards? That is stupefying. It is does not make any sense at all. That system also needs to be checked. That goes back to corruption. If somebody can pay Kshs500 or even Kshs10,000 to get a passport or any other document, what are we saying here? We are talking about the process. The process is what needs to be looked into.

Today, if you do not have the documents, as a citizen of this country, it is absolutely difficult for you to apply for a mortgage. If we do not look into the process of how we can get these documents, we are pulling back the youngsters who want to apply for funding to do businesses. We are actually pulling back the youngsters if the process is not checked well. I would also like to mention that on March this year, my driving licence was stolen and until today, I am still carrying a copy. That is shameful. The process now is absolutely ridiculous. You have three counters at the KRA, but 10 others are empty. The queue starts from inside going all the way to the outside. You can almost give up standing on that queue. If you do not have water or food, you might as well just go home. It is very difficult. That is why I think it is very important for the Government to focus on formalizing this whole system and making it ICT effective. We should also remember that in this day and time, we have international, perhaps even local computer hackers, who go into the system and get this information for good or bad use.

So, on the same note, I would like to urge the Government that while it is making this whole system ICT effective, it has to look very seriously into all those hackers who get into our systems and run away with important information.

With that, I would like to once again, support this Motion. Thank you for giving me the opportunity.

Hon. J.K. Ng'ang'a: Thank you, hon. Temporary Deputy Speaker, Sir. Let me begin by thanking hon. Nyamai for coming up with this idea. This Motion ought to have been brought to the House earlier because there are a lot of things which have gone wrong. A lot of things have been happening in this country. Had the Motion been introduced and amended earlier, we could have saved the situation. Nonetheless, it is not too late.

The House will agree with me that the world has changed and it has become digital. This needs to be taken seriously by this House. Notably, Kenyans carry a lot of documents in their wallets and handbags. Men carry big wallets, not for carrying money, but for the many documents that they carry. Our sisters' handbags are full of these

documents. People have to carry these documents because if you do not have them, you will not be attended to. We need to harmonise these documents into one or two cards, so that when you go to learning institutions or Government offices, they only need to key in the card number and they can retrieve all the information.

I am little bit concerned because of the level of corruption in our country and I do not know whether we have some Kenyans who can implement this. Many Government officers are so corrupt. If you need assistance in any Government or private institution, you must talk the Kenyan language. Sometime back during the last Parliament, the Government introduced the requirement of birth certificates for any child joining nursery or primary school. In Nakuru County, many parents lost a lot of money to officers in the Department of Immigration and Registration of Persons who were demanding a lot of money from the poor parents. The parents came all the way from Kuresoi, Subukia or Rongai to get that important document in Nakuru. I raised that issue in this House.

Will my fellow Kenyans change their attitude of corruption? The Department of Immigration and Registration of Persons is very corrupt. This House will agree with me that all the insecurity problems that we are having in our country are brought about by the corrupt officers in the Department of Immigration and Registration of Persons. If there is any department which needs a total overhaul, it is the Department of Immigration and Registration of Persons. Any person can get a passport or a work permit as long as they pay some money. I understand that there are people who were deported from this country back to their countries, but after a very short period, it was said that they had been seen in the streets and estates in Nairobi, dinning and wining with Kenyans. Where did they pass through? They did not come from Heaven. They just sneaked back into our country through our airports and our border points.

As I support this Motion, I request that the people who will be mandated to implement its provisions be patriotic Kenyans who will not be compromised, so that we can feel safe and our country will progress.

With those few remarks, I do not want to waste a lot of time, but I support this Motion.

Hon. Chea: Thank you, hon. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. First and foremost, I must thank the Mover of this Motion, hon. Nyamai, for this noble idea. The subsequent implementation of this Motion will go a long way towards sorting out the problems the people of Kenya have had in accessing these vital documents.

The relevance of IDs, birth certificates and others as mentioned in the Motion cannot be overemphasized.

The laws of this country make it mandatory for any individual to possess an ID. However, what has worried us before is the manner in which these documents have been issued to the citizens. I represent the people of Kaloleni Constituency and it is sad to note that my people avoid travelling long distances in search of these, otherwise, very important documents.

Accessibility has been a great issue. People avoid to queue and withstand hunger in search of these documents. It is quite a shame that probably 50 years after Independence, people still have difficulties in getting these documents. It is my submission that once this Motion is passed and implemented, the issue of accessibility will be a thing of the past and Kenyans will be able to enjoy these facilities.

Hon. Temporary Deputy Speaker, Sir, it has been costly before to get these documents and people avoid long distances and incur expenses to obtain these documents. Once we use ICT, this problem will, of course, not be there. You will realize that a birth certificate has been mandatory for students to register for their national examinations. We understand that most of the population in the rural areas is poor. There is poverty in those areas and paying the little amount to get these documents has been a problem.

As we even think of computerizing or going the ICT way, we must also look at ways and means of cutting down on costs so that these documents can be offered cheaply. I do not understand why if it is mandatory for a Kenyan to obtain an ID card or birth certificate, he or she must pay for them. These documents must be made available at no cost at all.

Hon. Temporary Deputy Speaker, Sir, as I conclude, it is true that the process of acquiring these documents has been complicated all along. It has been complex and people avoid going an extra mile to get these documents. I know this has happened because we have had few registrars in this country. For instance, in the great constituency of Kaloleni which I represent, we have four wards with one registrar who is stationed in one ward. Therefore, it has been difficult for people to travel 50 or 60 kilometres in search of these documents. It is important and that is why this Motion is before this House that the process is simplified so that these documents can be obtained easily.

Hon. Temporary Deputy Speaker, Sir, with these few remarks, I honestly support this Motion.

Hon. Gitau: Hon. Temporary Deputy Speaker, Sir, I rise to support this Motion. I would like to thank hon. Nyamai for this very timely Motion. As I sat here, I thought the processes you follow when you lose your ID, birth certificate and passport. You are taken through a very complicated and cumbersome process. Some of these things cannot be understood now that you are saying that we are in a digital era. It is time that we thought of a unified system; a system where by a touch of a button, your details are available and you are able to get some of these documents in a record time.

I am thinking of this system because there are security concerns in this country, for example, the Westgate Mall terrorist attack. There are security concerns in this country but we are saying that even with these concerns, taking into cognizance the fact that we are talking about digital era, the security worry should not be there.

We know and we have to be honest that in Kenya, you can easily get birth certificate or citizenship within a year. But in the United States of America if you are not an American citizen, it takes you more than 15 years for you to get even the green card and so on.

We have concern in terms of procedure, time and costs. We are saying that if you have all it takes, if you are a Kenyan citizen born in Kenya and you have the requisite identification, then with a touch of a button, you should be able to get these documents from a central place within record time. This is a right for every Kenyan. That is why we are saying that it is high time we had a unified registry so that Kenyans can get these identification documents in a record time.

There were many Kenyans who could not vote during the last elections because they did not have the requisite documents because of the process, time and other logistics.

It is high time that we all upheld this Motion because it is timely for Kenyans to get these documents and we do not want to be taken through this process again.

I am a consultant and sometimes it is complicated when you apply for a search certificate. It takes seven days. Some of us are also in the process of obtaining mortgage. To get documents from the Lands Office, it takes 14 days. These are not things that are acceptable or can be discussed in a digital era. With all fairness, we are saying that it is possible and we should come up with a central registry so that Kenyans can get IDs and personal identification numbers in a record time.

Hon. Temporary Deputy Speaker, Sir, with those few remarks, I strongly support this Motion.

Thank you.

Hon. Otsiula: Thank you, hon. Temporary Deputy Speaker, Sir. I also want to contribute to this Motion. As I support it, our primary concern should be exactly what has been ailing the system. As most of the Members have observed, the main problem here is corruption. This is the overriding principle. That is why you find 75 per cent of our youth who are 18 years and above do not have the IDs. By centralizing the system which I highly support, how will it eliminate corruption? Are we in one way trying to centralize corruption so that the corrupt elements will find a way of colluding and sitting in one particular environment?

We want to propose to the Government that issuance of these essential documents to Kenyans should be done in a manner that is acceptable and is efficient. But how will we ensure that this system is above board?

Once we pass the Motion, a Bill should be brought to this House for us to debate and pass it into law. Apparently, most of the listed documents are handled independently by independent institutions. I think a law must be enacted to provide for use of documents other than a national identity card for one to participate in an election. People should be allowed to use their birth certificates. Once it is verifiable that one is 18 years and above, one should be allowed to register as a voter. The Government has spent a lot of money in an attempt to embrace ICT but has this helped the Kenyan society? It is as if ICT has not helped us at all. We are still doing things in the traditional way. By so doing, it only confirms the fact that ICT has never been of benefit to us, as a nation.

Finally, I would like to point out the fact that our security problems start at our border points. Many aliens are brought into this country on a daily basis. Between 300 and 400 aliens enter into this country daily. As soon as they get in, they obtain identification documents. As much as we would want to have a unified system that will facilitate quick issuance of identification documents, we should ponder about how corruption-free the system will be.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Hon. Cheboi): Yes, hon. Millie Odhiambo.

Hon. (Ms.) Odhiambo-Mabona: Thank you, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Millie, for your information, you have about six minutes.

Hon. (Ms.) Odhiambo-Mabona: Hon. Temporary Deputy Speaker, I rise to support the Motion. In doing so, I want to congratulate hon. Nyamai for bringing the Motion to the House. This is a timely Motion.

One of the challenges that we face as a country, especially the youth and women, is often accessing documents of identification. I remember that when we were making the Constitution, we deliberated on this matter at length. Many of us were of the view that we should as much as possible have one document of identification. Countries like the United States of America have two documents of identification – a driving licence and a social security card. In this country, we have a myriad of documents for all manner of things. This Government says that it is digital but it is digital in words, and not in deeds. I would want to urge them to walk the talk and start being digital. We are living in an era where you can get all this information very fast and contain it in an electronic card. So, I would want to urge that, as much as possible, we reduce these documents to one card. There are border constituencies like mine, which borders Tanzania and Uganda. It becomes very difficult for my constituents to get identification documents. Even when you get one, getting the next one becomes a nightmare. So, we would rather go through that nightmare once and have it done with.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Waititu, are you on a point of order?

Hon. Waititu: Yes, hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): What is out of order?

Hon. Waititu: Hon. Temporary Deputy Speaker, is my senior hon. Member in order to say that this Government is of words and not of deeds when she knows very well that it is only a few months old? We have had the previous Government, which was in office for 10 years. She was in this House but she did nothing. Is she in order to speak harshly about the Government, which is only six months old?

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Waititu, that would be her opinion. So, really, you do not have to have a problem with it.

Hon. (Ms.) Odhiambo-Mabona: Thank you, hon. Temporary Deputy Speaker. Of course, I do not shy away from responding. Firstly, I have never purported to be digital. So, those who purport to be digital must prove that they are indeed digital. Although I do not purport to be digital, I am more digital than the Government. Secondly, some of us learn running. If I had told you that I was digital, in six months' time, I would truly be digital. So, the hon. Member should tell the Government to pull up their socks.

Hon. Temporary Deputy Speaker, I would also want to indicate that when documents of identification are not attained very quickly, we deny young people the ability to access resources. Just last week, I was in my constituency. There are many groups that applied for registration a year ago but, to-date, they have not been registered. If a simple registration certificate for a group takes forever to come out, surely, it still goes back to what I was telling the hon. Member. Really, this does not even require digital technology. They cannot even handle analogue technology. So, why jump to digital technology? Issuance of registration certificates is a very simple thing. So, I would want to encourage this Government to be serious, if they are really committed to furthering the welfare of young people and women. Some of these things affect women and young people much more than other sectors of our society.

With those remarks, I beg to support.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Members, it is now 12.30 p.m. Therefore, the House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 2.30 p.m.