



OCTOBER 2014

THE SELF REGULATORY CHARTER ON VEHICLE LOAD CONTROL



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Foreword

The development of a Charter on Vehicle Load Compliance is an important milestone in mitigating the damage caused on roads due to uncontrolled overloading. The Ministry of Transport and Infrastructure therefore welcomes the Charter taking cognisance of the fact that the Charter will promote self regulation in the area of vehicle loading.

This initiative is timely for Kenya because it will complement our efforts to increase our paved road network by reducing costs of unwarranted maintenance. The Ministry commends the Vehicle Load Control Charter drafting Committee for working diligently to develop the Charter.

The desire to protect road assets in the region is manifested by the overall vision of the Charter, which seeks to commit the member-states of the Northern Corridor Transit and Transport Co-ordination Authority (NCTTCA) to take drastic measures in ensuring that vehicle load regulations are complied with. The aim is to nurture responsible road usage culture and ultimately improve the efficiency and competitiveness of the road infrastructure.

There is consensus among member states that addressing the enforcement of Vehicle Load Control alone will not be sufficient to eradicate overloading of vehicles. It is for this reason that the charter is also geared towards promoting self regulation among private sector operators to reduce overloading on our roads.

It is my sincere hope that the benefits accruing from the implementation of this Charter will engender quality services for all road users, both along the Northern Corridor and in Kenya.

My sincere appreciation goes to the Stakeholders who actively participated in this process. In particular, I would like to acknowledge Sub-Saharan Africa Transport Policy Program(SSATP)-World Bank through the Multi-donor Trade Facilitation Facility (TFF) trust fund for their unwavering technical and financial support, the Kenya Transporters Association (KTA) for using its experience in the transport field to share and strengthen the contents of the Charter. Last but not the least; I thank the NCTTCA Secretariat for successfully coordinating the activities that culminated with the development of the Charter.

A handwritten signature in black ink, appearing to read 'M. KAMAU', with a long horizontal stroke extending to the right.

Eng. Michael KAMAU, CBS
Cabinet Secretary.



Foreword

The rationale for the development of a Charter on vehicle load compliance derives in the fact that the road infrastructure is a public asset requiring huge investment. Henceforth, its maintenance is a shared responsibility ranging from roads authorities to users.

Several surveys and findings from the Northern Corridor Transport Observatory had outlined that Regulations' enforcement and usage of technology means are necessary but not sufficient to eradicate overloading.

The entire industry: beneficiaries, users and the shippers must play their role and be part of the road protection process through self-regulation.

The Charter, which has been developed from private sector perspective, also engages the public institutions, line ministries and regulatory agencies to obtain commitments for voluntarily promotion of self-regulation on vehicle load control. The signatories to the Charter are drawn from both Private and Public Sectors. Meeting commitment targets will go a long way in removing NTBs and spur prosperity of our region.

The Charter has been developed to enable all concerned parties to state their collective and individual commitments towards compliance with vehicle load regulations. The Charter also includes a monitoring and evaluation framework stating baseline and targets for both individual and collective commitments.

Monitoring the implementation of the Charter will require data collection and analysis of selected verifiable key performance indicators and the NCTTCA is committed to perform this task as Secretariat for the Charter. This will be achieved through the Northern Corridor Dashboard and the Northern Corridor Transport Observatory monitoring framework.

This Charter feeds well into the implementation of the Port Charter which was signed on 30th June 2014. The Port Charter binds Members to sign up to the Professional Code of Conduct within three months of signing of the Port Community Charter.

Implementation of the Charter on vehicle load compliance will enhance compliance of the EAC vehicle control bill thereby protecting our roads network against premature damage as a result of overloading.

The long term plan includes rolling out a similar initiative to the rest of the Northern Corridor Member States.

A handwritten signature in black ink, appearing to read 'Donat M. Bagula', written over a horizontal line.

Donat M. BAGULA
Executive Secretary

Acknowledgement

The successful development of this Charter on Vehicle Load Compliance can be attributed to the input from both the private sector players and the public sector agencies.

Our gratitude is extended to the Charter drafting Committee comprising of Members of the following Institutions: Kenya Maritime Authority (KMA), Northern Corridor Transit and Transport Coordination Authority (NCTTCA), Kenya Transporters Association (KTA), Kenya Revenue Authority (KRA), CFS Association, Kenya National Highway Authority (KeNHA), Kenya National Police Service, Kenya Long Distance Truckers Union, Shipping Council of East Africa, Kenya International Freight & Warehousing Association, Kenya Ports Authority (KPA), National Transport & Safety Authority, Ministry of Transport and Infrastructure and the Kenya Pipeline company (KPC).

We are grateful to KTA and KMA for their coordinated efforts in chairing the meetings of the Charter drafting Committee. We are also thankful for the extensive involvement of the Association Members in developing the Charter.

Special thanks go to the SSATP-World Bank, through the Multi-donor Trade Facilitation Facility (TFF) trust fund for having the vision and conviction to support this project by providing both technical and financial assistance to enable the realization of this Charter.

Finally, we appreciate the Northern Corridor Transit and Transport Coordination Authority (NCTTCA) for their steadfast commitment to ensure the timely delivery of this Charter and their continued support to its implementation.

Paul MAIYO
Chairman of the Drafting Committee

Abbreviations

CFS	Container Freight Stations
COMESA	Common Market for Southern and Eastern Africa
CSD	Customs Service Department
DR Congo	Democratic Republic of Congo
EAC	East Africa Community
ECCAS	Economic Community of Central African States
GVW	Gross Vehicle Weight
HSWIM	High Speed Weigh in Motion
KENHA	Kenya National Highways Authority
KIFWA	Kenya International Freight and Warehousing Association
KLDTDU	Kenya Long Distance Truck Drivers Union
KMA	Kenya Maritime Authority
KNPS	Kenya National Police Service
KPA	Kenya Ports Authority
KPC	Kenya Pipeline Company
KRA	Kenya Revenue Authority
KTA	Kenya Transporters Association Limited
MOTI	Ministry of Transport and Infrastructure
NCTTCA	Northern Corridor Transit and Transport Co-ordination Authority
NTSA	National Transport and Safety Authority
SADC	Southern African Development Cooperation
SCEA	Shippers Council of Eastern Africa
SSATP	Sub-Sahara Africa Transport Policy (World Bank)
TFF	Trade Facilitation Facility (World Bank)

Preamble

THE PARTIES TO THIS CHARTER,

BEING the stakeholders and users of the Northern Corridor transport link in Kenya,

AWARE that overloading of vehicles along the Northern Corridor road network remains one of the major causes of premature failure of the regional road infrastructure with a consequence of deterioration of road safety, high maintenance and transport costs,

RECOGNIZING that legislation by its own cannot achieve desired compliance, but can provide the essential legal backstop to make self-regulation effective and tackle rogue operators,

BEING OF THE VIEW that effective self-regulation together with the statutory enforcement can provide a significant step towards compliance and demonstrates industry's ability and obligation to regulate itself responsibly, by actively promoting the highest ethical standards and safeguarding the public interest,

CONVINCED that self-regulation is the first step towards instilling discipline and professionalism among members of the road transport sub-sector and that a self-regulating charter is the foundation for providing a level playing field, and equally important objective of maintaining high standards of road transport infrastructure,

CONSIDERING need to develop a Vehicle Load Control Charter to act as a fundamental administrative instrument for self-regulation by both the operators and regulators in the multi-modal transport and logistics industries, and commit to work together to achieve full compliance,

BEARING IN MIND that effective self-regulation provides compelling evidence of business' commitment to corporate social responsibility,

REALIZING that the continued acceptance of self-regulation by government and society can best be assured by full application of common principles and standards of best practice on the entire Northern Corridor by the signatories to this charter,

CONSCIOUS that this Charter will be a guiding principle for voluntary, collaborative rule making by multi-stakeholders on axle load compliance,

NOTING that the Charter complements the Mombasa Port Community Charter whose purpose is to establish a permanent framework of collaboration that binds the port community to specific actions, collective obligations, targets and timelines, and complement the individual institutional service charters in addressing the challenges that act as barriers to trade facilitation,

We, the undersigned, representatives of trucking companies, truck drivers, logistic operators, shippers, relevant government agencies, and the Northern Corridor Transit and Transport Co-ordination Authority (NCTTCA),

HAVE AGREED AS FOLLOWS:

COLLECTIVELY,

1. To adopt this Charter which shall serve as the guiding principle for voluntary and collaborative rule making by multi-stakeholders on vehicle axle load compliance;
2. To commit to effective self-regulation as the best way to maximize confidence in responsible vehicle overload control;
3. To promote and commit to the Kenya Traffic Act and the EAC Vehicle Load Control Bill (as per Annex I), which have objective to achieve efficient and effective control of vehicle overloading in the region as a basis for reducing accelerated deterioration of road networks and, as a consequence, reducing total transport costs,
4. To develop and implement a self-monitoring mechanism for the collective obligations and accountability,
5. To desist from corrupt practices, to report and act expeditiously on incidences of corruption,
6. Agree that the senior managers of the participating entities shall voluntarily submit themselves to sanctions for breach of any of the collective obligations,

INDIVIDUALLY,

1. To perform the respective undertakings set out in this part to support the NCTTCA in monitoring the implementations of the objectives of the parties under this Charter:

A. THE SHIPPERS COUNCIL OF EASTERN AFRICA (SCEA)

SCEA commits to:

- a) Promote compliance by parties with their undertakings under this Charter on its website by publicizing the compliant companies (importers/exporters and transporters);
- b) Conduct communication and publicity of the Charter;
- c) Incorporate in its periodic training and awareness stakeholder forums the provisions of this Charter and particularly, rules and regulations on vehicle overload control;
- d) Rigorously implement its code of conduct which includes a component of compliance by all its signatory members, and which specifically obliges all its members to desist from colluding with road transporters to overload trucks and giving bribes at police check points and weighbridge stations.
- e) Advocate for the compliance with all the relevant rules and regulations requiring weighing of cargo at the first point of loading using calibrated and certified equipment, and the verified information stated in the shipping documents;
- f) Ensure that its members comply with the relevant regulation that provide for road weight limits;
- g) Lobby the Kenya Ports Authority management not to receive any containers beyond a certain weight; and
- h) Ensure accountability of shippers on cargo loadings.

B. THE CONTAINER FREIGHT STATION ASSOCIATION (CFSA)

CFSA commits to:

- a) Progressively work to install weighing scales at the CFSs to ensure correct measurements for truck loadings.

C. KENYA INTERNATIONAL FREIGHT AND WAREHOUSING ASSOCIATION (KIFWA)

KIFWA commits to:

- a) Ensure accountability of shippers on cargo loadings;
- b) Accuracy of information on quantity and weight of cargo declared in the customs entries;
- c) Being aware of weight of the cargo, ensure heavy cargo is moved by railway to avoid overloading and damage to the road.

D. KENYA TRANSPORTERS ASSOCIATION LIMITED (KTA)

KTA commits to:

- a) Undertake compliance advocacy among its members by informing, preparing and encouraging its members to comply with the requirements of freight transport laws and regulations;
- b) Undertake comprehensive training of Heavy Commercial Vehicle Drivers and truck owners on proper vehicle loading and, strategic and productivity improvement;
- c) Deploy a reward scheme for excellence among its members to encourage adoption of global best practices and to enhance compliance with industry laws and regulations;
- d) Promote self-regulation through enforcement of the KTA Code of Conduct;
- e) Collaborate with relevant government agencies in developing policies/administrative procedures that will encourage transport operators to belong to Associations that already have self-regulatory mechanisms in order to bring more order to the sector as well as guarantee its sustenance; and
- f) Encourage enhanced constructive dialogue with the government and relevant stakeholders with a view to designing and implementing policies that are geared towards improving trade and logistics in East Africa and ensuring fair and just application of the law as well as propose solutions in areas of potential conflict.

E. KENYA LONG DISTANCE TRUCK DRIVERS UNION (KLDTDU)

KLDTDU commits to:

- a) Sensitize and educate more than 250 truck drivers on Axle load self-regulations and dangers of overloading in the next 6 months;
- b) Train 50 monitors and investigators who will be patrolling the corridor and report incidents of overloading to relevant law enforcement agencies for action;
- c) Develop, adopt and implement procedures for ensuring the confidentiality of information reported by truck drives to assure them that they do not risk victimization for refusal to drive overloaded trucks;
- d) Investigate reported cases of overloading of trucks & monitor for compliance;
- e) Create reporting desks for incidents of overloading and make them accessible to all its members.

F. KENYA PORTS AUTHORITY (KPA)

KPA commits to:

- a) Collaborate with KeNHA and explore installing weighbridges at the port exit points to ascertain correct weight loading;
- b) Share information of cargo weights received from manifests and cargo handling;
- c) Establish cargo weights and facilitate release of heavy cargo for railage.

G. KENYA REVENUE AUTHORITY (KRA)

KRA commits to:

- a) Share advance information gathered by KRA on cargo weights submitted through manifests by shipping lines and entry declarations by shippers or cargo agents made online;
- b) Share information from the Electronic Cargo Trucking System (ECTS) for monitoring the movement of cargo to ensure there is no tampering for overload by adding more cargo while transiting;
- c) Respond expeditiously in instances of where breaking/removal of seals is necessary to facilitate offloading/redistribution of excess load in transit;
- d) Secures excess cargo that has been off-loaded due to overloading;
- e) Collaborate and facilitate release of heavy cargo on railways.

H. KENYA NATIONAL HIGHWAYS AUTHORITY (KeNHA)

KeNHA commits to:

- a) Install High Speed Weigh in Motion (HSWIM) systems in all the weighbridges on the Kenyan portion of the East Africa Northern Transport Corridor by 31st December 2014 to ensure faster movement of compliant vehicles;
- b) Fully automate weighing systems in all weighbridges to ensure faster weighing;
- c) Collaborate with the office of the Director of Public Prosecutions and the National Police Service to prosecute owners and drivers of overloaded vehicles within 2 working days;
- d) Upon enactment of overload fee legislation, release of vehicle within two hours after payment of fee and distribution/offloading of cargo.
- e) Enhanced monitoring through increased patrol of mobile units to deter cargo overloading and reconstitution;
- f) Ensure issuance of exemption permits for wide loads or out of gauge cargo within 3 days upon receipt and approval of application;
- g) Facilitate faster weighing and movement of vehicles at weighbridges through elimination of bottlenecks causing delays;
- h) Carry out regular calibration (and engage private sector during calibration) to ensure consistency in weighing between successive weighbridges;
- i) Ensure transparency and zero tolerance to corruption at weighbridges for fair and best practices;
- j) Actualize the demerit point system and ensure proper maintenance of records;
- k) Regularly share information on overloading with relevant stakeholders in public and private sectors for monitoring and improvement on overload control.

I. KENYA PIPELINE COMPANY LIMITED (KPC)

KPC commits to:

- a) Ensure compliance to axle load regulations.

J. KENYA MARITIME AUTHORITY (KMA)

KMA commits to:

- a) Follow up on the effective date of coming into force, the amendments to the International Convention on the Safety of Life at Sea , 1974 (SOLAS), in which shippers will be required to produce weight verification certificate in respect of laden export container prior to being accepted for loading on board ships and advise.
- b) Incorporate into the regulations for implementation of standards for maritime service providers provisions that would ensure compliance with the amended SOLAS convention when it comes into force.
- c) Ensure compliance within the Port Community Charter by dealing with non-compliance issues as observed and raised by NTTCA ;
- d) Engage the stakeholders on the need for self-regulatory axle load compliance through port community meetings.

K. KENYA NATIONAL POLICE SERVICE (KNPS)

KNPS commits to:

- a) Ensure non-compliant trucks do not bypass or abscond the weighbridges;
- b) Ensure no diversions of overloaded vehicles on minor roads;
- c) Ensure safe custody and security of vehicles detained for overloading;
- d) Hasten prosecution process: speedy prosecution of defaulters for overloading where law demand; and
- e) Compliment the NTSA and KeNHA enforcement of the demerit point system on vehicle overloading by ensuring the de-registered/de-licensed trucks are not operating on the road.

**L. THE NATIONAL TRANSPORT AND SAFETY
AUTHORITY (NTSA)**

NTSA commits to:

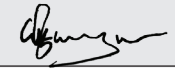


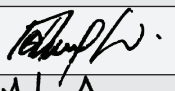
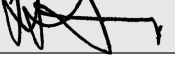
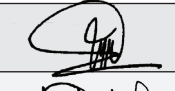
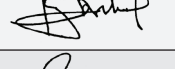
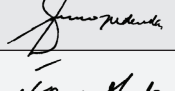
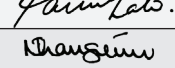
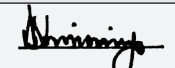


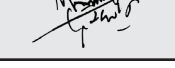
- a) Through the demerit point system, de-register or de-license a truck or driver with continuous record of overloading.

**M. THE NORTHERN CORRIDOR TRANSIT AND
TRANSPORT CO-ORDINATION AUTHORITY
(NCTTCA)**

The Northern Corridor Transit and Transport Agreement established and mandated the Northern Corridor Transit and Transport Co-ordination Authority (NCTTCA) to promote co-operative transport policies and foster an efficient and cost-effective transit and transport system within the Corridor. To achieve the goals and objectives of the Charter, the NCTTCA commits to:

- a) Host the Charter Secretariat and provide technical support;
- b) Integrate the Charter monitoring and evaluation framework in the Transport Observatory and Corridor Performance Dashboard;
- c) Undertake to roll out initiative for the self-regulation to increase compliance on vehicle load control to the rest of the Northern Corridor member states.

IN WITNESS whereof the parties hereto have signed this Charter on the day and year first above written.

Category and Name of Partner	Acronym	Name of Signatory	Position	Signature
A: Private Sector Players				
1. Shippers Council of Eastern Africa	SCEA	Gilbert Langat	CEO	
2. Container Freight Stations Association	CFSA	Meshack Kipturgo	Chairman	
3. Kenya International Freight and Warehousing Association	KIFWA	Sam Njoroge	Chairman, Board of Trustees	
4. Kenya Transporters Association Limited	KTA	Willington Kiverenge	Ag. CEO	
5. Kenya Long Distance Trucks Drivers Union	KLDTDU	Nicholas Mbugua	General Secretary	
B: Public Sector Partners				
1. Kenya Revenue Authority	KRA	John Njiraini	Commissioner General	
2. Kenya Ports Authority	KPA	Gichiri Ndua	Managing Director	
3. Kenya National Highways Authority	KENHA	Meshack Kidenda	Director General	
4. Kenya Pipeline Company Limited	KPC	Charles Tanui	Managing Director	
5. Kenya Maritime Authority	KMA	Nancy Karigithu	Director General	
6. Kenya National Police Service	KNPS	David Kimaiyo	Inspector General	
7. National Transport and Safety Authority	NTSA	Francis Mooke Meja	Director General	
C: Special Interest Partners				
1. The Northern Corridor Transit and Transport Co-ordination Authority	NCTTCA	Donat M. Bagula	Executive Secretary	

The signatories agree that other contracting agencies may be admitted as members to the Charter for the purposes of achieving the goals and objectives of the Charter.

The appending signatories hereby undertake to provide regular data and reports – weekly, monthly, quarterly, and annually – on the implementation progress, challenges, and recommendations for the purposes of monitoring and evaluation.

ANNEX I: Guiding Principles

The Charter is the response to the challenge of dealing with issues affecting overloading through co-operation rather than detailed legislation. Through self-regulation, the industry demonstrates its ability to regulate itself responsibly, by actively promoting the highest ethical standards on axle load control and safeguarding the government and shippers' interests.

The Charter that promotes self-regulation demonstrates that, within a framework of legislation, self-regulation is a more effective way of regulating overloading and has a crucial role in achieving high level of compliance.

The Charter complements the individual institutional service charters by way of adoption where appropriate.

The Charter will introduce, educate and publicize the best industry practices and guiding principles, and inculcate acceptable behaviour by the trucking companies, logistic operators, shippers and general public participating in international trade.

The Charter establishes a permanent framework of collaboration that binds the parties to specific actions, collective obligations, targets and time lines and being implemented within the wider scope of the Mombasa Port community Charter.

The initial roll out of the Charter will be on the Northern Corridor transport link in Kenya. Voluntary compliance with the Charter will be made by the Kenyan trucking companies, shippers and logistic operators in the private sector.

The Charter is anchored on the EAC Vehicle Load Control Bill 2012, which provides the guiding principles for collective obligation. The Bill makes provisions for the control of vehicle loads, harmonizes axle load limits and establishes institutional arrangements for the protection of the regional trunk road network. The Charter commits the party members to compliance on requirements provided in the Bill.

Implementation of the Charter will thus promote the EAC Vehicle Load Control Bill, which gives recommendations for:

- Axle Load Limits
- Gross Vehicle Weight Limits
- Vehicle Dimensions, Axle Load Configurations and Vehicle Combinations

(a) Axle Load Limits

Table 1: Permissible Maximum Axle Load Limits

Axle Type	No. of tyres on the axle	Type of tyre	Permissible limit (metric tonnes)
Single	2	Conventional	8
Single	4	Conventional	10
Tandem	8	Conventional	18
Tandem	4	Super Single	16
Tridem	12	Conventional	24
Tridem	6	Super Single	22.5
Liftable single	4	Conventional	10
Liftable single	2	Super Single	8.5

Source: EAC Vehicle Load Control Bill, 2012

1. A tolerance of 5% of the permissible maximum axle load limit shall be allowed on the axle load limits.

Any vehicle established to be overloaded on the axle or axle group but is within the prescribed gross vehicle weight as per the axle configuration shall be allowed to redistribute its cargo to within tolerance before being re-weighed and allowed to proceed with its journey. Such vehicles will not be charged.

Any vehicle which is overloaded on the axle and axle group and cannot redistribute its cargo to within allowable tolerance shall be charged.

To harmonize with EAC Vehicle Load Bill, Kenya enacted the Traffic (Amendment) Rules, 2013, which grant an allowance of 5% on the legal axle and axle group weights limits to take care of possible movement of cargo while on transit as indicated in the Table 4 below.

Table 2: Allowable Tolerance on Permissible Maximum Axle Load Limits

No	Axle Type	Legal Weight (Kg)	5% Tolerance (Kg)	Allowable Weight (Kg)
1	Single Steering Axle	8,000	400	8,400
2	Single axle with four wheels fitted with conventional tyres	10,000	500	10,500
3	Single axle with two wheels fitted with Super Single tyres	8,500	425	8,925
4	Double steering axle having two wheels fitted with conventional tyres	12,000	600	12,600
5	Double steering having four wheels fitted with conventional tyres	16,000	800	16,800
6	Tandem axle group having two wheels fitted with Super Single tyres	16,000	800	16,800
7	Tandem axle group having four wheels fitted with conventional tyres	18,000	900	18,900
8	Triple axle group each having two wheels fitted with Super Single tyres	22,500	1,125	23,625
9	Triple axle group having four wheels fitted with conventional tyres	24,000	1,200	25,200

2. A vehicle with liftable axles shall be fitted with the manufacturer's certified dead man's switch and must have an automatic drop-down mechanism when loaded.
3. No axle in the tandem or tridem axle group shall exceed the permissible maximum single axle load limits.
4. The maximum number of axles in any axle groups shall be limited to three (3) axles.
5. The conventional tyres and inflation pressures that match the recommended axle load limits shall be the following:
 - (a) A 1100 x 20, which is an 11-inch (280 mm) wide cross-ply tyre, fitted to a 20-inch diameter wheel rim and inflated at a pressure of 750 kPa (7.5 bars); or,
 - (b) A 12 R 22.5, which is a 12-inch (305 mm) wide radial-ply tyre on a 22.5-inch diameter wheel rim and inflated at a pressure of 800 kPa (8.0 bars); or,
 - (c) A 315/80R22.5, which is a 315 mm wide tyre inflated at a pressure of 800 kPa or 8.0 bars.

The super single tyre shall be of size 385/65R22.5, but will be progressively replaced with wide-base single tyres such as 455/55R22

(b) Gross Vehicle Weight Limits

The permissible maximum Gross Vehicle Weight shall be 56 metric tonnes, subject to the following conditions:

1. The vehicle shall have a maximum of seven (7) axles.
2. The GVW shall be limited in relation to the vehicle spatial axle load distribution of using the bridge formula.

(c) Vehicle Dimensions, Axle Load Configurations and Vehicle Combinations

Table 3: Dimensions, Configurations and Combinations

Standard /Provision	Type of tyre	Proposed EAC Standard/Provision
Maximum overall length of Vehicles (m)	Rigid Vehicle	12.5
	Articulated Vehicle	17.4
	Combination vehicles	22.0
Maximum overall width of Vehicles (m)	All categories	2.65
Maximum overall height of Vehicles (m)	All categories	4.3
Projecting load limits - front and rear (m)	All categories	1.25
Projecting load limits - sides (m)	All categories	0.15

Source: EAC Vehicle Load Control Bill, 2012

Additional Requirements for Bulk Liquid Tank

The Weights and Measures Act (Cap. 513) in Kenya, requires bulk liquid tanks to:

1. Have an identification plate affixed and containing information on name of manufacturer, year of manufacture of the measure, serial number, registration number of the vehicle, for measure mounted on a vehicle and the nominal capacity of the measure.
2. All tankers must be calibrated by an officer of the Department of Weights and Measures.

ANNEX II: Challenges and Assumptions

Challenges

- a) Inadequate legal environment which encourages overloading since it makes business sense to overload;
- b) Corruption at weighbridges:- this is exacerbated by the players who deliberately set aside money to pay as bribes and those who take it, undercutting the genuine compliant operators;
- c) How to address cargo shifts during transportation as this directly affects axle weights. The question is: "How do we ensure that cargo in containers coming through the port and/or containers packed locally are properly locked and braced?" There are globally acceptable and enforceable best practices on this. However, inter-agency collaboration will be paramount in ensuring that cargo handlers adhere to the global best practices on cargo locking and bracing. A self-regulatory mechanism that encompasses accreditation based on institutional compliance with laid down standards should be adopted. There is need for stakeholders to openly discuss with a view to developing sustainable modalities;
- d) Calibrations are carried out by the Weight and Measures department as per guidelines set out in the Traffic and Energy Acts. The Charter must therefore enforce accountability at the Weights and Measures department. Calibration of tankers becomes a real issue where the current calibration standards inhibit axle load compliance. In this case, it would be proper to scientifically establish this as the case and thereafter the calibration guidelines be redrawn to reflect requirements of axle load limits;
- e) The main weakness of the Charter is that it is voluntary in nature and lack enforcement measures that would ensure delivery of the goals. Further, not all operators are members of the associations' signatory to this Charter. However, it is hoped operators will progressively become members of the logistic associations, while the Government will make regulations to require operators to become members of industry associations.
- f) The Charter is localized in Kenya, whereas there are other cargo interveners who have an influence on payload stationed beyond Kenya borders. It is notable that signatories to the charter are purely Kenya operators whereas overloading is a regional scourge. A roll-out of the Charter to the rest of the Member States is therefore considered necessary.

Assumptions

In creating the charter, setting targets and proposing initiatives, it is assumed that:

- a) That there is enough evidence of skewed positive effects of overload control that will be a driving force for self-regulation and high level of compliance;
- b) There will be adequate alignment of relevant legislations of Kenya Traffic Act with the EAC Vehicle Load Control Act for harmonious implementation;
- c) All agencies shall provide adequate resources to support the required compliance initiatives;
- d) The private sector community members shall indeed embrace ethical business practice even if it lowers their current profitability;
- e) There will be strong compliance measures to avoid violations;
- f) That members will sign on to collective self-regulatory accountability standards as a means of ensuring common principles are met, improving good practice, and restoring confidence among stakeholders.
- g) The Ministry of Transport and Infrastructure (MOTI) will adopt the necessary legal and regulatory reforms to implement the undertakings of the parties to this charter;

ANNEX III: Background

The Vehicle axle load control is a multidisciplinary and cross-agency effort involving numerous players in public and private sectors. The players include politicians and policy makers, truck operators, shippers, logistics operators, road authorities, police and the judiciary among others.

Legislation for overload control has been developed for East Africa, through a process involving several studies and numerous consultations with the stakeholders. That East Africa Vehicle Load Control Bill was passed by the East Africa Legislative Assembly in May 2013. The law has not only harmonised the approach for weight controls amongst the partner states but also standardized the requirements and quantification of the Axle Load and Gross Vehicle Weight limitations, which is ultimately expected to improve transport efficiency in the region.

The Bill will impact largely on improving the sustainability of infrastructure and lower the general maintenance cost of roads as well as for the vehicles.

The State parties to the East African Community and their development partners are supporting the effective implementation of the EAC Vehicle Load Control Bill, through development of weighbridge facilities and strengthening the regulatory enforcement agencies.

The Ministry of Transport and Infrastructure (MOTI) offers policy directions to mainstream the East African Community (EAC) Vehicle Load Control Bill;

However, there is a large consensus among the stakeholders that addressing the enforcement side only will not be sufficient to eradicate overloading of trucks, and that accompanying measures promoting compliance among private sector operators (traders and logistics operators) are necessary to ensure significant reduction of overloading.

Whereas it is anticipated that the new legislation and implementation of the harmonized regulations will, in the long run, result to lower transport costs, this can only be achieved with the collaboration and effective participation of the actual road users.

The Northern Corridor Transit and Transport Coordination Authority (NCTTCA) and Kenya Transporters Association Limited (KTA) with support of SSATP-World Bank through the multi-donor Trade Facilitation Facility (TFF) trust fund have rolled out a program to encourage voluntary Axle Load Compliance within the region. The program will engage public institutions, line ministries, regulatory agencies, and the private sector aims at obtaining a commitment from the shippers and logistics operators to voluntarily comply with axle load limits.

As a first step initiative to achieve this, a stakeholders' workshop on axle load compliance was held at Nairobi on 27th January 2014 with the following primary goals to support the program:

- To sensitize stakeholders on the EAC Vehicle Load Control Bill 2012;
- Take stock of the status of implementation of axle load control in the region; and
- Develop an action plan for preparing the ground work towards the signing of Charter in support of voluntary compliance.

The first phase of the program is development of the Communication Strategy, finalized in April 2014, and being implemented.

The Second phase is establishment of a Self-Regulatory Charter on Axle Load Compliance that will be signed and voluntarily implemented by the industry stakeholders. Establishment of the Charter is a very important development that would bear commitment from the shippers and logistics operators, transporters, drivers and all other stakeholders affected to voluntarily comply with axle load limits and provisions in the Charter.

The third phase is conviction of commitment initialled by signing of the Charter.

The fourth phase is the Monitoring and Evaluation and Capacity Building.

The Axle Load Compliance Implementation program is summarised below.

1. Communication Strategy

- Collection of Evidence
- Media Plan
- Advocacy
- Developing an incentive system

2. Drafting of the Charter

- Establishment of the Charter and Identifying Signatories

3. Conviction/ Commitment

- Signing of the Charter

4. Monitoring & Evaluation and Capacity Building

It is envisaged that with an effective self-regulation approach by the transport and logistics service providers, coupled with a coherent statutory enforcement mechanism by the relevant government agencies, there shall be a noticeable improvement in compliance to the axle load and gross vehicle weight limitations in the entire region.

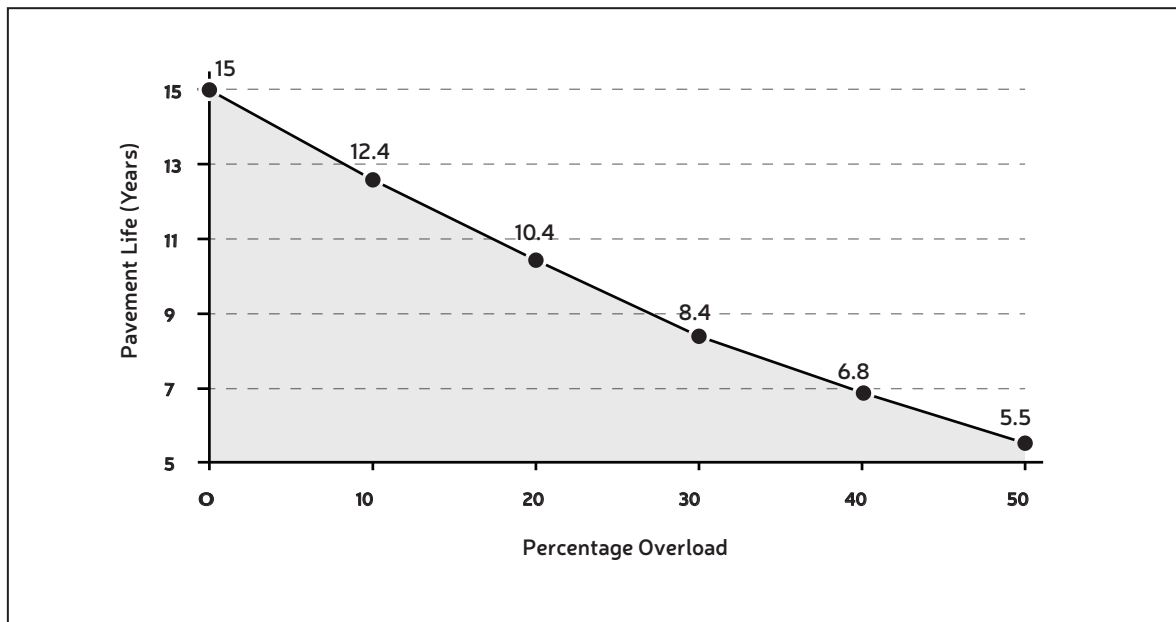
Rationale for Axle Load Control

The rationale for axle load control is to control the negative effects caused by heavy vehicle overloading, which include the following:

- The additional damage caused to the roads by overloaded vehicles, leading to accelerated deterioration, increased maintenance costs, and the need for early rehabilitation of such roads. As heavy vehicles pass over a road, they cause deflection, stress and strain to the road pavement.

Below shows that pavement life can be reduced by approximately 50% if axles are overloaded by 35%.

Figure 1: Pavement Life Reduction due to Overloading



Source: Axle Load Control Best Option Study, Kenya Roads Board, 2006

Although other factors, such as drainage, material properties and construction quality also affect pavement life, overloaded axles are by far the dominant factor in reducing pavement life. Figure 2 below indicate damage to the road asset due to high overloading.

Figure 2: Overloading leads to increased damage to the road asset



- Operators that continually overload their heavy vehicles affect the ability of operators that do not overload to compete on equal terms in the transport market. Overloading of heavy vehicles causes imbalance in the competition in the road freight industry. If operators are allowed to overload their heavy vehicles, such operators obtain considerable advantage over law abiding operators (either by offering lower tariffs so obtaining a bigger share of the business, or by earning additional profits), while causing additional costs (considerably in excess of their additional price advantage or profits) to the country that are borne by all road users and the general tax payers.

Poor control of overloading contributes to loss of investment in road infrastructure and permit unfair trade practices that affect haulage rates.

- The deterioration in safety on the roads, which results from overloaded heavy vehicles either being a traffic hazard due to the overload causing them to be excessively slow (due to reduced power to weight ratio) or being unable to manoeuvre or stop when required. The situation is further aggravated by steep downhill slopes and sharp curves in the road. Traffic accidents caused directly or indirectly by overloaded heavy vehicles are normally not included when the total cost to the country caused by overloading is calculated.

Ultimately, the rationale behind axle load control is to ensure that legal loads, set at a level that minimizes total transport costs to the national economy, are observed. Violation of these limits by overloading and associated premature distress of road infrastructure can be very costly to the national economy. Consequently, there is a very strong technical and economic rationale for controlling axle loads on the Kenya and Northern corridor road network.

The positive effects (benefits) accrued from axle load control:

- Uninterrupted flow of traffic, which reduces travel times and costs to transporters. A vehicle not overloaded will save 29 hours of uninterrupted flow at weighbridges. As shown below, currently a vehicle diverted to a weighbridge due to overloading on gross vehicle weight will loose the following amount of time:

Estimate of time taken for diversion at weighbridge for GVW overload

- Optimizes the life span of the road structure. It protects the road infrastructure against damage from impacts of gross vehicle weight as well as axle overload. It controls the “consumption” of the road pavement in a balanced and cost effective manner;



- Provision of a safe framework within which the vehicles concerned may operate and the road pavements can be protected in accordance with the design standards used for the road and the vehicle;
- Efficient operation of the road transport system. It promotes fair competition between transport providers;
- Provision of an equitable framework within which transport operators can compete in a free market environment;
- Reduction in road hazard imposed by overloaded vehicles. It improves road safety and reduces the related costs of incident management;
- Longer economic life for compliant vehicles compared to non-compliant vehicles. Overloading vehicle has shorter life before overhauling as indicated below.

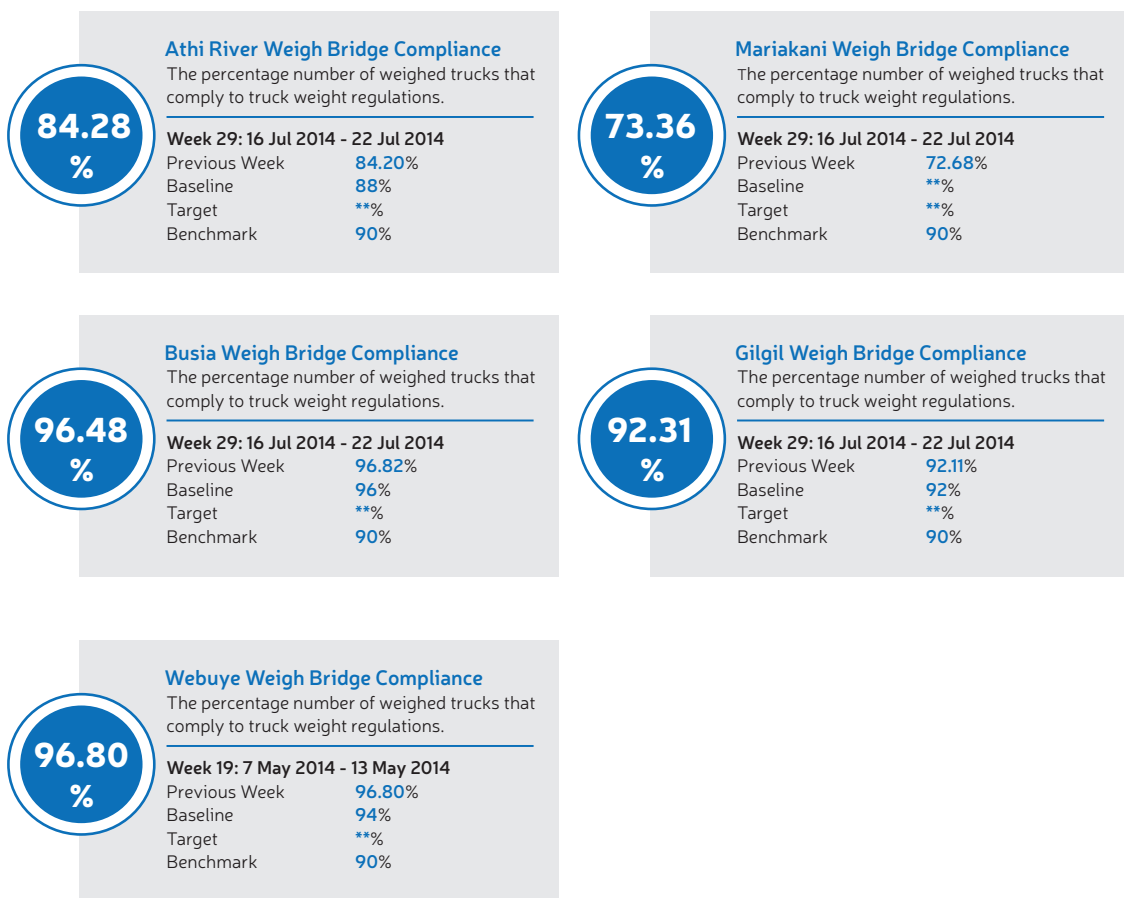
- A refurbished truck without overload can serve 12 years with average km of 10,000 to 14,000 km per month
- A refurbished truck with overload can serve 7 to 8 years with average 8000 km to 11,000 km per month
- Vehicles not overloaded are overhauled between 400,000km to 500,000 km
- Vehicles overloaded are overhauled at about 300,000 km or even at 10,000 km

- Reduced congestion and inconvenience to public caused by road repairs necessitated by overloading;
- Reduces the cost of road maintenance to road authorities and governments; and
- Facilitates and supports regional trade.

Status of axle load control in Northern Corridor

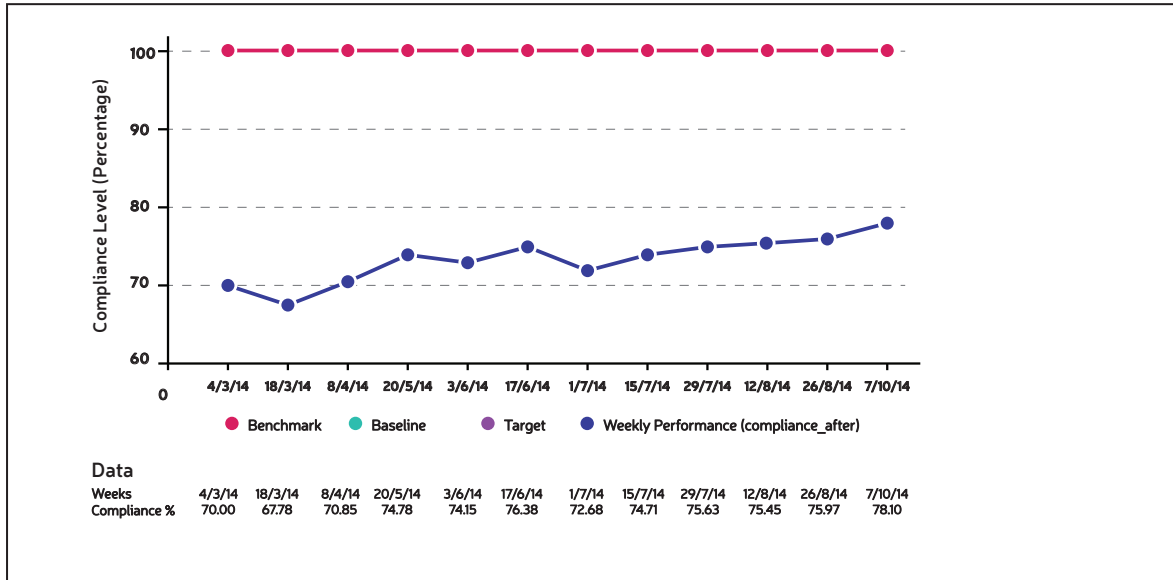
Vehicle overloading on the Northern Corridor is prevalent. Compliance levels to axle load limits at Mariakani weighbridge, which is the first point of weighing upon entry into the corridor from Mombasa is below 75%. However, as shown in the figures below, the compliance levels increases with the subsequent weighbridges as vehicles overloaded are made to comply in previous weighbridges.

Figure 3: Weighbridge Compliance



Source: NCTTCA Transport Observatory, 2014

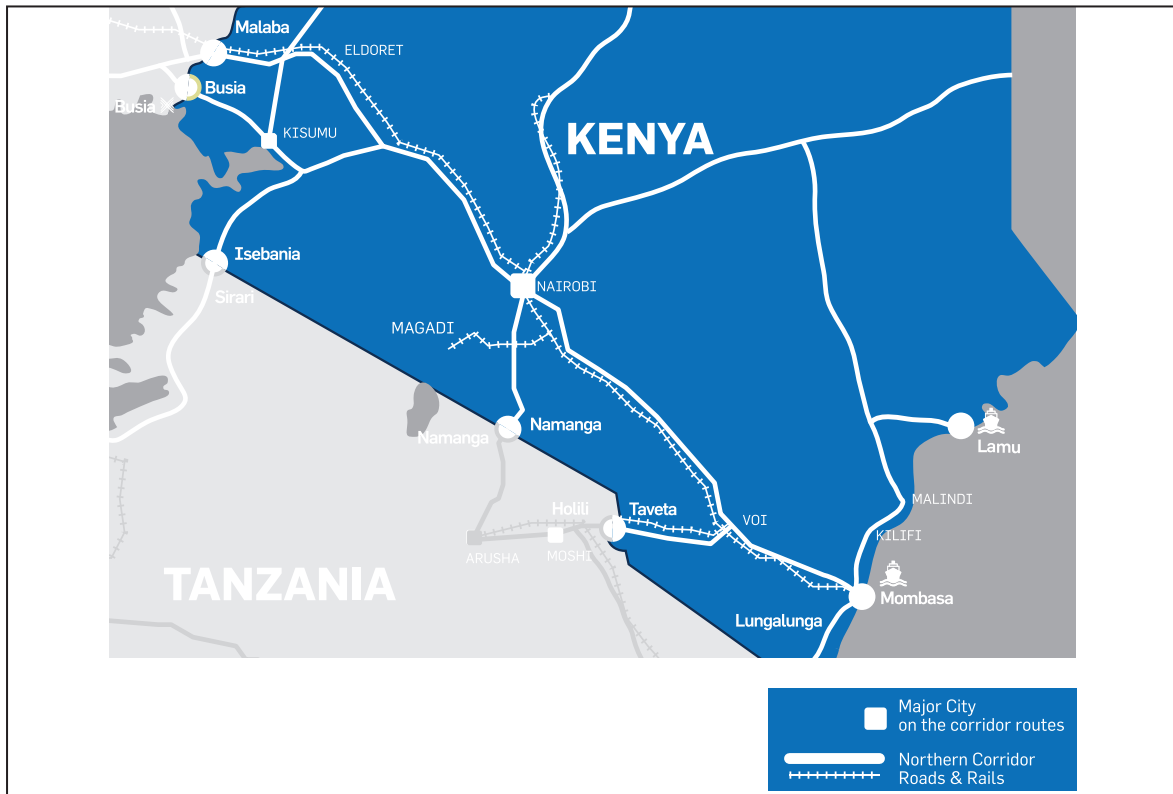
Figure 4: Mariakani Weighbridge Compliance



Source: NCTTCA Transport Observatory, 2014

Figure 5 below shows the Northern Corridor road sections in Kenya.

Figure 5: Northern Corridor Route in Kenya



Overloading has resulted into a very serious and costly maintenance problem as shown in Figure 6 below.

Figure 6: Costly and regular maintenance works



Implementation of axle load control is an ongoing process in Kenya. The privatisation of management and modernisation of axle limit control especially on the Northern Corridor has resulted in reduced weighing times and reduced delays with increased willingness of the transporters to divert to weighbridges for weighing. The practice in Kenya is that vehicles are weighed in three aspects as provided under the Traffic Act Cap 403.

- Axle Overload
- An Axle Group Overload and
- Gross Vehicle weight Overload

The regulation set the maximum allowable single axle load limit of 10 tons and a maximum gross vehicle mass of 56 tons. Conformity involves compliance to both Axle Load and Gross Vehicle Weight.

The EAC Vehicle Load Control Bill passed in May 2013 harmonizes the GVW limits to 56 tons. Measurement is based on axle load with maximum for single axle =10 tons, tandem=18 and tridem=24 tons.

- Kenya increased its GVW limit from 48 tons to 56 tons based on the EAC vehicle Load Control Bill.
- Rwanda and Burundi are also set to increase their GVW load limit from 53 to 56 tons.
- Uganda has its GVW limit at 56 tons. Enforcement is based on both Gross and Axle load limit.
- Rwanda, Burundi and South Sudan do not enforce axle load limits.
- South Sudan has no weighbridges at the moment.
- DR Congo has its GVW limit at 50 tons. DR Congo has adopted a regulation on axle load based on the ECCAS requirements –these are not harmonized with the EAC or the Tripartite COMESA-EAC-SADC. The regulation sets maximum allowable single axle limit to 13 tons. Axle load regulations are only being enforced in the west of DR Congo.

All EAC Governments have undertaken to promote convergence and compatibility with regional trends by adopting a unified approach to issues of common interest in the transport sector, of which overload control is critical.

There is a need to harmonize the rules to ease the movement of goods across the region. The EAC Vehicle Load Control Bill, 2012 aims at providing the region with a uniform vehicle weighing regime.

A regional law on overload control assists to achieve efficient and effective control of vehicle overloading in the region as a basis for reducing accelerated deterioration of road networks, and as a consequence reducing total transport costs.

Table 4 below show other axle load and vehicle load limits in other countries.

Table 4: Axle Load and Vehicle Load Limits in other Countries

Country	Single Axle (Non-steering)	Two Axle Unit (Tandem)	Three Axle Unit (Tridem)	Gross Vehicle Weight
Angola	10	16	24	38
Botswana	8.2	16.4	24.6	50.2
Malawi	8.2	16.4	24.6	55.0
Mozambique	10	16	24	38
South Africa	9	18	24	56
Tanzania	10	18	24	56
Zambia	10	16.3	23	-
Zimbabwe	8.2	16.4	24.6	55
AVERAGE	9.2	16.7	24.1	53.6
Kenya	10	18	24	56
COMESA	10	16	24	53

* GVW in Angola and Mozambique are regarded as “outliers” and are not included in the average

ANNEX IV: Rationale for Self-Regulatory Vehicle Load Control Charter

Self-regulation in all its myriad permutations is a vital part of today's global economy. Diverse industries, such as health care, higher education, fashion, advertising, mining, marine fishing, professional sports, and nuclear power, have used self-regulatory processes to govern industry practices. The private sector relies on self-regulation to address a range of issues, from establishing industry standards, to developing and applying codes of professional ethics, to ensuring consumer confidence. Businesses come together to form cooperative agreements to establish industry standards or best practices endorsement by government.

Self-regulation uses self-policing as the primary mechanism to ensure compliance and provide remediation.

The threat of more restrictive and costly regulation in axle load control is always in the background to keep the users of the road focused on ensuring compliance. Self-regulation is proven to be the best method of responding quickly, efficiently, and effectively than to the long government procedures that would involve investigations and judiciary.

Self-regulation on vehicle load control must always be in compliance with the law, and will provide essential complement to national legislation governing axle load control.

Self-regulation will also help businesses internalize ethical behavior and principles since the rules are based on social norms and conduct of peers rather than top-down prescriptive rules. This may help instill deeper respect and acceptance of the rules and result in better firm behavior, and avoid adversarial situations in which operators will try to find exceptions to externally imposed rules.

The trucking companies and logistic operators implementing the Charter provide a high degree of oversight since they will regularly monitor the activities of their competitors and have an incentive to report violations. Self-regulation is more likely to have rules that promote remediation rather than sanctions for violations.

The Charter for self-regulation will include all stakeholders, will produce clear and transparent rules, and be overseen by an **independent organization** (namely, NCTTCA) to assess its effectiveness.

Monitoring and enforcing regulations will be important parts of the regulatory process.

The Government Support

Self-regulation is an important mechanism for governing industry practices and has many benefits over government regulation on compliance. While some policy makers promote regulation as a way to reduce risk to compliance, the potential for over regulation also poses a risk to evasions on compliance, and utilization of more resources to enforce compliance. Government regulation by its nature addresses identified harms, and as such can inadvertently create problems when it establishes norms that only address current market participants and practices. Rule making, monitoring, enforcement and remediation processes can thus be faster when using self-regulation rather than government regulation enforcement. By creating a cooperative regulatory model, rather than an adversarial one, allowing self-regulation on axle load compliance can yield sustainable benefits for government, industry, shippers and the region.

Without either explicit or implicit endorsement by government, the private sector led initiative on self-regulation may have the negative impact of regulatory uncertainty.

Self-regulation on axle load control will benefit the economy by creating a more flexible regulatory environment than is typically found with state regulation whether under Traffic Act Cap 403 or the EAC Vehicle Load Control Bill. More flexible regulatory environment may allow operators to operate more efficiently and minimize compliance costs.

By utilizing a multi-stakeholder approach, the government will be able to more efficiently and effectively influence industry practices than it likely could have through a more expensive and lengthy rule making proceeding.

Effective self-regulation together with the statutory enforcement authorities can provide appropriate level playing field for operators.

Legislation cannot achieve compliance on its own, but it can provide the essential legal backstop to make self-regulation effective and tackle violators.

The axle load control self-regulation benefits government and taxpayers. Regulatory processes, including rule making, monitoring and enforcement, can be expensive and resource intensive. The government agencies benefit by reducing regulatory overload and allowing them to focus their efforts on more productive activities, such as taking action against bad actors that refuse to follow the rules. It conserves limited government resources and is more prompt and flexible than government regulation, given the substantial time required to complete an investigation or to adopt and enforce a regulation.

Finally, reducing unnecessary regulations is a high priority in the Kenya national agenda by identifying and using the best, most innovative and least burdensome tools for achieving regulatory ends. Clearly not every public-policy problem should be solved with legislation or government action. Policymakers should remember that self-regulation is an important tool for governing rapidly changing businesses in the world competitive economy.

ANNEX V: Monitoring & Evaluation Matrix

The self-regulatory axle load control charter is an industry-driven initiative in co-operation with government, which attempts to address issues of overloading, and indirectly road safety and the cost of logistics. It is anticipated that the road transporters, logistic operators and shippers will in future be required to assume a far greater responsibility for the manner in which their goods are transported on the public road network.

The main weakness of self-regulation initiatives is that they are voluntary in nature, and lack strong monitoring or compliance measures. To ensure delivery of the goals of this Charter, there is need for a robust monitoring and evaluation framework. This M&E framework shall follow the recommended vehicle load control guidelines in the Kenya Traffic Act and the EAC Vehicle Load Control Bill. The overriding objective is to ensure the compliance and spur regional economic growth.

The scoreboard is a useful tool to visually track commitment status and present a snapshot of the overloading situation along the regional transport link in Kenya, and provide a simple overview of developments in self-regulation. Progress on compliance can be visually monitored by looking at the Charter commitment scoreboards created for this purpose.

The M&E will be integrated in the Northern Corridor Transport Observatory developed to identify time delays from all possible causes along the corridors. The observatory captures global indicators, which are analyzed and presented in a weekly port community stakeholders' meeting at the port of Mombasa. The performance dashboard include for this Charter, the number of trucks weighed per day at weighbridges along the Northern Corridor, and the level of compliance (i.e. percentage number of weighed trucks that comply with truck weight regulations at every weighbridge).

A progressive report on M&E will be required on specific undertakings and commitments by partners to the Self-Regulatory Vehicle Load Control Charter. A framework for M&E (to be carried out by NCTTCA as an independent organization) is indicated in Annex VII. The NCTTCA will receive reports from individual signatories on implementation progress, challenges, level of compliance and recommendations, and prepare and present to the stakeholders the quarterly and annual reports.

ANNEX VI: Members of the Technical/ Drafting Committee

Acknowledgement is made to the members of the technical committee for their inputs and tireless efforts that made the realization of this Charter possible. Special acknowledgement is also made to SSATP-World Bank, through the Multi-donor Trade Facilitation Facility (TFF) trust fund for support of the program to establish self-regulatory Charter to enhance the axle load compliance on the Northern Corridor and in the region. Members of the Draft Committee are given below.

Name	Organization	Designation in Organization	Position in Committee
Mr. P. Maiyo	Kenya Transporters Association	Chairman	Chairman
Ms. E. Kiyangu	Kenya Maritime Authority	Licensing Assistant Officer	Vice Chair
Mr. A. Rusagara	NCTTCA	Head of Programme, Transport Policy & Planning	Secretariat
Mr. G. Chikamai	NCTTCA	Ass. Programme Officer, Transport Policy & Planning	Secretariat
Mr. L. Chirhalwirwa	NCTTCA	Head of Program, Infrastructure Development and Management	Secretariat
Ms. R. Nganwa	NCTTCA	Ass. Program Officer, Infrastructure Development and Management	Secretariat
Mr. A. Murithi	SSATP/World Bank	Transport Economist	Consultant
Mr. W. Kiverenge	Kenya Transporters Association	Ag. CEO	Member
Mr. S. Ogolla	Kenya Transporters Association	Programme Officer	Member
Mr. D. Mwangela	Kenya Revenue Authority	Manager	Member
Mr. D. Nzeki	CFS Association	Chief Executive Officer	Member

Name	Organization	Designation in Organization	Position in Committee
Mr. I. J. Onsongo	Kenya National Highway Authority	Senior Engineer – Axle Load Control	Member
Mr. R. W. Katithi	Kenya National Police Service	Senior Superintendent of Police	Member
Mr. N. Mbugua	Kenya Long Distance Truckers Union	General Secretary	Member
Mr. C. Munywe	Shipping Council of East Africa	Member Services & Communications	Member
Mr. D. O. Ombok	Kenya International Freight & Warehousing Association	Executive Officer	Member
Mr. M. Farouk	Kenya Ports Authority	Principal Statistician	Member
Mr. F. Oanya	National Transport & Safety Authority	Deputy Director (motor vehicle inspection)	Member
Mr. F. Gitau	Ministry of Transport and Infrastructure	Engineer	Member
Mr. D. Nyandika	Kenya Pipeline Company	Planner	Member

ANNEX VII: Monitoring and Evaluation Framework for the Self-Regulatory Vehicle Load Charter

Commitment / Activities	Key Performance Indicators (KPIs)	Baseline/ 2014 August	Targets	Time Frame	Data Source
Shippers Council of Eastern Africa (SCEA)					
a) Conduct communication and publicity of the Charter.	200 shippers/service providers sensitized	Published charter document	At least 4 workshops per year	Quarterly	Workshop report
b) Integrate awareness on vehicle overload control in trainings carried out.	No. of listed compliant traders on website	Code of Conduct document	Continuous	Continuous	Published list on website
c) Code of conduct urging all its members desist from colluding with road transporters to overload trucks, giving bribes at police check points and weighbridge stations.	No. of signed documents - all members			By end of 2015 for current members & continuous as new members join	Copies of signed documents retained by SCEA
d) Advocate for the regulation that requires weighing of cargo at the first point of loading using calibrated and certified equipment, and the verified information stated in the shipping documents.	No. of engagements held with the Ministry of Transport/KPA		Continuous	12 months from time of publishing Charter	Policy paper developed as advocacy tool
e) Act on corruption/bribery	Reported & resolved cases of corruption				
Container Freight Stations Association (CFSA)					
a) Installation of weighbridges at CFS's that will ensure correct measurements for truck loading at CFSs. Weighbridges to be operate by KeHNA to avoid re-weighing	No. of weighing bridges to be installed and No. of KeHNA staff manning them	2	At least 4 installed per year	2017	KeNHA and CFSA
b) Act on corruption/bribery	Reported & resolved cases of corruption				

ANNEX VII

MONITORING AND EVALUATION FRAMEWORK FOR THE SELF-REGULATORY VEHICLE LOAD CHARTER

THE SELF REGULATORY CHARTER ON VEHICLE LOAD CONTROL

Commitment / Activities	Key Performance Indicators (KPIs)	Baseline/ 2014 August	Targets	Time Frame	Data Source
Kenya International Freight and Warehousing Association (KIFWA)					
a) Ensure accountability of shippers on cargo loadings;	• No. of court cases on overloading	20 Monthly	3 monthly	August 2015	KeNHA /KTA
b) Accuracy of information on quantity and weight of cargo declared in the customs entries;	• Entry misdeclarations on weights	0.3	5%	2016	KRA
c) Ensure heavy cargo is moved by railway to avoid overloading and damage to the road	• Heavy containerized cargo and loose cargo transported by rail	0.4	90%	2017	KeNHA/RVR
d) Act on corruption/bribery	Reported & resolved cases of corruption	Reported - 2%; Not reported-	NIL	2017	KNPS, KTA, KeNHA, Judiciary and KIFWA
Kenya Transporters Association Limited (KTA)					
a) Promote safety and professionalism within the transport industry	% level of drivers trained on proper vehicle loading % level of fleet/transport managers and truck owners trained on proper vehicle loading and, strategic and productivity management % of members who indicate increased knowledge in transport and logistics services and other laws and regulations governing the trade	10% 5% 18%	70% 100% 30% 60% 100% 60% 100%	September 2015 September 2016 September 2015 September 2016 September 2017 September 2015 September 2016	KTA KTA KTA
b) Promote self-regulation (Compliance to transport regulations and adaption of industry standards by KTA members	% level of weighbridge compliance by transporters % level of transporters signatory to the KTA Code of Conduct	72% 80%	90% 100%	September 2015 September 2015	KeNHA & KTA KTA
c) Enhanced Advocacy	% level of satisfaction for KTA advocacy results by members % level of undisputed legislations enacted and policies implemented		80% 100% 100%	September 2015 September 2016 September 2015	KTA
d) Act on corruption/bribery	Reported & resolved cases of corruption		30% 60% 100%	September 2015 September 2016 September 2017	KTA

Commitment / Activities	Key Performance Indicators (KPIs)	Baseline/ 2014 August	Targets	Time Frame	Data Source
Kenya Long Distance Truck Drivers Union					
a) Sensitize truck drivers on dangers and effect of overloading and reporting incidences of overloading.	No. of drivers sensitized		250	6 months	monthly reports
b) Educate truckers on rules and regulations on overloading, offer assurance, and protection against fear of losing jobs for reporting cases of overloading.	No. of truck drivers educated		250	6 months	monthly reports
c) Establish monitors for overloading and report such incidents to relevant authorities.	No. of monitors established		50	3 months	monthly reports from the police
d) Act on corruption/bribery	No. of cases reported		20	continuous	
Kenya Ports Authority (KPA)					
a) Collaborate with KeNHA and determine location(s) for weighbridge	Reported & resolved cases of corruption				
b) Share of information on cargo weights received from manifests and actual weights from cargo handling operations (stevedoring and shorehandling).	No. of weighbridges installed at port exit points	None		Dec 2014	KeNHA, KPA
c) Establish cargo weights and facilitate release of heavy cargo for rail.	Information on weight declarations		100%	August 2015	KPA monthly reports
d) Act on corruption/bribery	Modal split and % of heavy cargo by rail		100% for heavy cargo	August 2015	KPA monthly reports
Kenya Revenue Authority (KRA)					
a) Share of advance information gathered by KRA on cargo weights submitted through manifests by shipping lines and entry declarations by shippers or cargo agents made online.	Reported & resolved cases of corruption/corruption index		Zero tolerance	2017	Transparency International - Kenya; KPA
b) Cargo trucking system, which plays a great role in monitoring the movement of cargo on the corridor on transit.	Shared information between KRA, Shipping Line, KPA, C/Agents and on request by other stakeholders	Online	Online	continuous	KRA
c) Response after notification of an overload on transit cargo	No of Vehicles armed with ECTS	Online	Online	continuous	KRA
d) KRA secures excess cargo that has been off-loaded due to over loading. The off-loaded cargo are transhipped to another truck with ECTS	Time taken to respond to notification of an overload	On request, Reported cases	On Need Basis Reported Cases	continuous	KRA, KeNHA, KTA
e) Act on corruption/bribery	No of Times Requests for transshipment	On Need Basis Reported Cases	On Need Basis Reported Cases	continuous	
	Reported & resolved cases of corruption/corruption index		Zero tolerance	2017	Transparency International - Kenya; KRA

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Commitment / Activities	Key Performance Indicators (KPIs)	Baseline/ 2014 August	Targets	Time Frame	Data Source
Kenya National Highways Authority (KeNHA)					
a) Installation of High Speed Weigh In Motion (HSWIM) systems in all the weighbridges on the Kenyan portion of the Northern Corridor by 31st December 2014 to ensure faster movement of compliant vehicle	No. of HSWIM weighbridges installed	3 HSWIMS at Mariakani, Athi River, Webuye	4 HSWIMS at Mariakani, Athi River, Gilgil, Webuye	31st Dec, 2014	KeNHa
b) Automation of weighing systems in all weighbridges to ensure faster weighing		3	4	31st Dec, 2014	KeNHa
c) Prosecution of overloaded vehicles within 2 working days/ upon the enactment of overload fee legislation, release of vehicle within 2 hrs after payment of fee and distribution/ offloading of cargo	2 days/2hrs	2 days	1 day/ 2hrs	31st Dec, 2014	KeNHa
d) Increase the quarterly monitoring teams from the available 1 No. to 2 No and increase monitoring to two times in a quarter	Frequency & level of monitoring	1 monitoring team in a quarter	2 monitoring teams in a quarter	31st Dec, 2014	KeNHa
e) Enhance patrol of mobile unit teams within clusters to deter cargo reconstitution	Number of cases of cargo reconstitution	150 cases per month	Less than 50 cases per month	31st Dec, 2014	KeNHa
f) Reduction of bypassing/ absconding of weighbridges by 50% within the next 6 months and increase compliance to over 90%	Weighing abscondment	15 No. of bypassing per day	Less than 5 No. of bypassing per day	1st Nov, 2014	KeNHa
g) Ensure issuance of exemption permits for wide loads or out of gauge cargo within 3 days upon receipt and approval of application	Days issue of exemption permit	4 days	3 days	31st Aug, 2014	KeNHa
h) Reduce excessive overloading by 50% within 1 year upon the coming into place of the charter	Compliance level (% of overloading)	72% compliance	90% compliance (reduce overloading to 10%)	31st Aug, 2014	KeNHa
i) Installation of a static weighbridge on the Mai Mahiu Bomet road within the next two years to deter vehicles avoiding the Gilgil weighbridge	Static weighbridge	0	1	30th June 2016	KeNHa
j) Installation of weighbridges on either side of the road at Mariakani and Athi River within the next three years to remove the bottle neck caused by turning vehicles	Smooth & faster weighing at Mariakani & Athi River	1 weighbridge for two way direction	1 weighbridge at each side of the road	1st Nov, 2017	KeNHa
k) Carry out regular calibration of weighbridges (and engage private sector during calibration)	Accuracy of measurements & calibration certificates	2 calibrations in a year	3 calibrations in a year	30th June 2015	KeNHa

ANNEX VII | MONITORING AND EVALUATION FRAMEWORK FOR THE SELF-REGULATORY VEHICLE LOAD CHARTER

THE SELF REGULATORY CHARTER ON VEHICLE LOAD CONTROL

Commitment / Activities	Key Performance Indicators (KPIs)	Baseline/ 2014 August	Targets	Time Frame	Data Source
Kenya National Highways Authority (KeNHA) cont.					
l) Ensure transparency and no corruption at weighbridges for fair and best practices	Reported & resolved cases of corruption	Average 15 reported cases per month	Average 6 reported cases per month	31st Dec, 2014	Transparency International - Kenya; KeNHA
m) Ensure 24 hrs operation of weighbridges					
n) Share information on overloading with relevant stakeholders in public and private sectors for monitoring and improvement on overload control	Information sharing channels	2 channels (KeNHA website & NCTTCA for transport observatory)	5 info sharing channels	30th June 2015	KeNHA
Kenya Pipeline Company (KPC) Limited					
a) Ensure compliance to axle load regulations.	No. of Trucks reported to exceed Axle limits No. of reported/detected violations on existing controls		100% compliance to Axle limits at all KPC depots 100% compliance to existing controls	Continual	KPC
b) Act on corruption/bribery	Reported & resolved cases of corruption/corruption index		Zero tolerance		Transparency International - Kenya; KPC

ANNEX VII

MONITORING AND EVALUATION FRAMEWORK FOR THE SELF-REGULATORY VEHICLE LOAD CHARTER

THE SELF REGULATORY CHARTER ON VEHICLE LOAD CONTROL

Commitment / Activities	Organization Key Performance Indicators (KPIs)	Baseline/ 2014 August	Targets	Time Frame	Data Source
Kenya Maritime Authority (KMA)					
a) Follow up on the effective date of coming into force the amendments to the International Convention on the Safety of Life at Sea , 1974 (SOLAS), which require shippers to produce weight verification certificate in respect of laden export container prior to being accepted for loading on board ships and advise.	Advise on the Ratified convention, SOLAS convention regulations on weight verification	Develop implementation mechanism to ensure compliance	100% weighing of cargo at the point of loading and producing of weight verification certificates.	Upon the convention entry into force (IMO estimate 2016)	Shipping line cargo manifest and KPA actual cargo weight
b) Engagement of stakeholders on the Charter by convening regular meetings to review progress and implementation.	Number, type and frequency of the corridor/port community meetings	Quarterly meeting to review progress & implementation; weekly (Friday) port community stakeholders meeting	Quarterly & weekly meeting	Continuous	Quarterly meetings reports, KPA actual cargo weight reports and reports on compliance from the relevant stakeholders
c) Act on corruption/bribery	Reported & resolved cases of corruption/ corruption index		Zero tolerance		Transparency International - Kenya; KMA
Kenya National Police Service (KNPS)					
a) Ensure non-compliant trucks do not bypass/abscond the weighbridges	No. of trucks absconding	15 No. of bypassing per day	Less than 5No. of bypassing per day	Continuous	KNPS, KeNHA
b) Ensure safe custody and security of vehicles detained for overloading	No. trucks vandalized		No vandalism	Continuous	KNPS
c) To compliment enforcement by the demerit point system on overloading by ensuring the de-registered/ de-licensed trucks from overloading do not operate on the road	No. of de-registered/ de-licensed trucks operating		100% enforcement	Continuous	KNPS/NTSA
d) Act on corruption/bribery	Reported & resolved cases of corruption/ corruption index		Zero tolerance	Continuous	Transparency International - Kenya; KNPS

ANNEX VII | MONITORING AND EVALUATION FRAMEWORK FOR THE SELF-REGULATORY VEHICLE LOAD CHARTER

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Commitment / Activities	Organization Key Performance Indicators (KPIs)	Baseline/ 2014 August	Targets	Time Frame	Data Source
National Transport and Safety Authority (NTSA)					
a) Actualize the enforcement of the demerit point system	No. of truck drivers arrested for overloading	Transport Integrated Systems (TIMs) in progress	Continuous	42156	NTSA
b) Act on corruption/bribery	Reported & resolved cases of corruption/corruption index		Zero tolerance	2017	Transparency International - Kenya; NTSA
Ministry of Transport and Infrastructure					
a) Offer policy directions e.g. formulate policy to mainstream the EAC Vehicle Overload control Bill.	Policy Main Streamed	EAC Bill in Place	Traffic Act Review	August 2015	MOTI
b) Legal/legislative reforms	Roads Bill 2014	Roads Act in place	Roads Act 2014	August 2015	MOTI
c) Spearheaded training for truck drivers and advocacy campaigns on awareness on axle load control	No. Sensitized	KeNHA Reports	Training programme	June 2015	KeNHA
d) In-built incentives to self-regulation e.g. give honors to operators with excellent record of compliance	Honorary provision	Charter draft	Launch	August 2014	MOTI
e) Act on corruption/bribery	Reported & resolved cases of corruption/corruption index		Zero tolerance	2017	Transparency International - Kenya; MOTI
The Northern Corridor Transit and Transport Co-ordination Authority (NCTTCA)					
a) Host the Charter Secretariat and provide technical support	Performance Dashboard well maintained and secured	Dashboard well maintained and secured	Dashboard continuously improved	Continuous	NCTTCA
b) Integrate the Charter monitoring and evaluation framework in the Transport Observatory and Corridor Performance Dashboard	No of Weekly Reports produced and disseminated	Weekly report produced	High quality of weekly reports produced.	Weekly	Stakeholders
c) Co-ordinating and ensuring projects and interventions along the Corridor by Charter member have linkages with relevant projects in the rest of the Northern Corridor member states	No. of Projects and interventions with linkages with other Member States	Agreed strategic Plan for the six Member States	Sustainable coordination mechanism with Member States	Continuous	Member States



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