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PASSENGERS ROAD TRANSPORT REGULATIONS N°007/TRANS/RT/RURA/2015 of
01/06/2015

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PREAMBLE

Pursuant to the Law N°09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organisation and functioning especially in articles 2,4,7, 8,9,10, 20, 33, 36,37,47 and 48 ;

Having reviewed the Regulations N° 005/TRANS-RURA/2011 of 26/08/2011 governing transport services in Rwanda;

Based on the recommendations made during the consultative meeting held on 19/08/2014 between RURA and different stakeholders in the transport sector;

The Regulatory Board, upon due consideration and deliberation in its meeting of 24/03/2015;

HEREBY issues the following Regulations:

CHAPTER ONE: GENERAL PROVISIONS

Article One: Purpose

The purpose of these regulations is to establish a regulatory framework for the undertaking of passenger road transport activities so as to achieve an efficient, effective, sustainable, and orderly development and operations of public transport services in Rwanda.

Article 2: Definitions of terms

In these Regulations unless the context stipulates otherwise, the following terms shall have the following meanings:

1. **“Bus”** : a vehicle used in public transport services, with the capacity more than 25 passengers;
2. **“Cooperative”** : a corporate body with perpetual succession and legal personality, power to sue and be sued, power to enter into contracts, capacity to hold movable and immovable, properties of every description, ability to do all things necessary for the purpose of and in accordance with its bylaws;

3. **“Company”** : a corporate body composed of one or more persons for making profit, registered in Rwanda pursuant to the Law No. 07/2009 of 27/04/2009 relating to companies;
4. **“Cross border Operator”**: a person, company or Cooperative carrying out or intending to carry out the operations of passenger road transport across the borders of Rwandan territory;
5. **“Feeder route”**: a secondary road used to bring traffic to the main road or trunk route;
6. **“Intra-zone”** : a geographic area of a municipality, a district or a sector described by different features of the area;
7. **“License”** : refers to any document issued by the Authority which authorizes the licensee to carry out the activity specified in the license under the conditions prescribed in the license;
8. **“Licensee”** : any person who holds one of the license issued by the Regulatory Authority under this regulation;
9. **“Minibus”** : a vehicle used in public transport services transporting between 14 and 24 passengers;
10. **“Motor vehicle”** : a mechanically propelled vehicle automotive vehicle other than motorcycles, scooters, motortricycles, motor quadricycles and other agricultural automotive machines and usually serving on the public highway for the transport of persons on the public highway of vehicles used for the transport of passengers;
11. **“Motorcycle”** : designates any two wheeled vehicle provided with a propelling engine excluding mopeds, scooters, motortricycles, motor quadricycles and other agricultural automotive machines;
12. **“Operator”**: a natural person or legal entity who owned license to undertake public transport activities;
13. **“Origin to Destination”**: the beginning of a trip or travel to its end;
14. **“Passenger”**: A person who is traveling in a public transport service vehicle especially one who is not the driver;
15. **“Person”** : an individual or organization which is legally permitted to enter into a contract, and be sued if it fails to meet its contractual obligations;
16. **“Public Transport service Vehicle”**: a motor vehicle which carries or is intended to carry passengers for hire or reward used or constructed solely for that purpose;
17. **“Regulatory Authority”**: the Rwanda Utilities Regulatory Authority as established by the Law N°09/2013 of 01/03/2013;

18. **“Staff Van”**: a vehicle designated to transport certain private or public institutions staff free of charge;
19. **“Special Hire Vehicle”** : a motor vehicle used with the services of a driver, to carry passengers for hire or reward on pre-booked journeys for a pre-determined fee where the purpose of the journey is to transport the passengers in connection with a function or event or a class of functions or events;
20. **“Taxi Cab”** : a type of vehicle for hire with a driver, used by a single passenger or small group of passengers not more than four (4) conveying passengers between locations of their choice;
21. **“Tourism Vehicle”**: a type of vehicle used for the carriage of tourists for hire or reward specifically for transportation of tourists in parks or any others touristic locations;
22. **“Zone”**: An area or a region distinguished from adjacent parts by a distinctive feature or characteristic.

Article 3: Scope of application

These Regulations shall apply to any national and cross Border Company or Cooperative carrying out or intending to carry out the operations of passenger road transport within and across the Republic of Rwanda.

These regulations concern, public transport service vehicles, school buses, taxi cabs, tourism vehicles, motorcycles and special hire vehicles.

These regulations do not apply to staff van used for transportation of public or private organization staff belonging to those organizations but not engaged in remunerated public transport.

Article 4: Objectives

These regulations have the following Objectives:

1. Setting up a comprehensive licensing framework in order to streamline public transport services based on quality of services and fair competition;
2. Liberalization and regulation of passengers transport services by road;
3. Harmonious development of transport of persons for all categories of the population and for all economic and social development sectors;
4. Setting up conditions enabling efficient public transport of persons by road;
5. Respect for the conditions of fair and loyal competition and for rights of passengers and operators;
6. Encourage the use of public transport by offering attractive and appropriate services;

7. To encourage passengers transport services that meet the reasonable expectations of the community for safe, reliable and efficient passengers transport services.

CHAPTER II: LICENSING REGIME FOR PUBLIC TRANSPORT SERVICES

Article 5: Classification of Public transport vehicles

These regulations focus on six (6) classes of public transport vehicles, namely:

1. Buses and mini buses;
2. School buses;
3. Taxi cabs;
4. Motorcycles;
5. Tourism Vehicles;
6. Rental Vehicles.

Article 6: Licensing of public transport services

No person shall operate or provide public transport service using any of the categories of public transport vehicles mentioned in article 5 unless he/she holds an operator's licence issued by the Regulatory Authority under these regulations.

Article 7: Categories of licenses

Under these regulations, the Regulatory Authority grants three (3) categories of licenses:

- i) Long term license;
- ii) Short term license and;
- iii) Temporary Authorization.

Article 8: Conditions for obtaining a public transport license

The Regulatory Authority shall issue a public transport license to any undertaking that proposes to carry out passenger transport services and satisfies the conditions of these regulations and other requirements which the Authority may establish.

For the purposes of these regulations, a person is deemed to be operating or providing a public transport service if he/she:

- 1) Uses or drives a public transport service vehicle of any class mentioned in article 5;
- 2) The managing Director has not been found guilty of committing any crime punished by serving a sentence of imprisonment of at least six months;
- 3) Has not been declared bankrupt by the Court;
- 4) Whose License has never been revoked by the Regulatory Authority;
- 5) Has a financial and technical capacity to carry out licensed activities, including the qualifications of senior managers responsible for supervision of the proposed license activities;

Article 9: General license Requirements for Providing Public Transport Services

- 1) Application letter;
- 2) Application form duly completed;
- 3) Payment of application;
- 4) Payment of License fees;
- 5) Business plan for at least for five (5) years;
- 6) Trade registration certificate/certificate of cooperative registration;
- 7) Parking space for the company or cooperative approved by the local authority;
- 8) Valid Insurance certificates for all utilized vehicles;
- 9) Motor vehicle inspection certificates for all vehicles except motorcycles;
- 10) Motor vehicle log books (yellow card);
- 11) The company or cooperative shall, by their own vehicles, be able to transport at least a total number of passenger as determined in appendix II of these regulations;
- 12) Company/cooperative logo and color.

Article 10: Specific requirements

Notwithstanding the provision of article 8, a taxi cab vehicle shall be in white color with an orange band of fifteen (15) centimeters and taxi lamp on vehicle top.

Taxi cabs working for organizations or institutions willing to bear specific colors may request to the Regulatory Authority to exclusively serve such organization or institution, in this case the organization or institution dealing with this taxi cabs are required to submit this application to the Regulatory Authority on their behalf.

A taxi meter with standards specified in appendix I;

For buses and mini buses, they should hold car tracking system and use electronic ticketing system as one of the requirements in order to be issued a license;

For buses and mini buses the specific requirements are specified in appendix II;

School buses shall be in yellow color with standards specified in appendix II.

Article 11: License Application

Any person intending to operate or provide a public transport service using more than one class of public transport service vehicles shall stipulate such in the application form to the Regulatory Authority which shall also contain such particulars as the Authority may require and shall be submitted together with documents mentioned in article 9 of these regulations.

Application forms shall be collected from the Authority headquarters, Authority website or any other areas specified by the Regulatory Authority;

All application forms shall be submitted in typewritten format or in an electronic form approved by the Authority. In the latter case, the applicant shall underline a statement to the electronic form confirming that the electronic version is identical to the typewritten form to be submitted later to the Regulatory Authority.

The license application form, with all attachments, must be signed by the applicant or his/her authorized representative. The signatory must sign a verification statement that:

- a. All information provided to the Regulatory Authority in the application form is true and correct to the best of the applicant's knowledge;
- b. The license application shall be accompanied by a cover letter which contains a statement describing the category of license required.

Article 12 : License Application evaluation

Following submission of the license application, the Regulatory Authority shall process the license application in accordance with licensing process and procedures prescribed herein;

Any license application determined by the Regulatory Authority to be incomplete shall be considered as a defective filing;

Any license application from an applicant who has not made full payment of application fee shall be considered to be a defective filing until that payment is made.

Article 13 : License application Proceedings

Upon receipt of a license application from the Director General, the Regulatory Authority shall proceed with the examination of the submitted documents.

The Regulatory Authority may upon scrutiny of the long term license application, within twenty (20) working days after the receipt of the application, notify and require the applicant to furnish such additional information or particular documents as considered necessary for the purpose of dealing with the application;

If the Regulatory Authority determines that the license application is complete, it shall grant a license within a period of fourteen (14) days. The fourteen (14) days' period does not include time for applicant to respond or to request for additional information.

Article 14: Information to be provided by the applicant

The applicant shall provide to the Regulatory Authority the following information:

- a. Complete information on the details of the routes which are related to the application and the proposed frequency of the services to be provided;
- b. Cooperative/Company's name;
- c. Office address;
- d. Category of license required;
- e. Type and number of vehicles; and
- f. Other information provided in the application form.

Article 15: Reasons for rejection of License Application

The Regulatory Authority may refuse to grant a license, or may require that the application be appropriately amended, completed and resubmitted or a new application be submitted in its place if:

- a) The application form is not duly completed by reason of any omission or misdescription;
- b) The application form contains any error or alteration;
- c) The applicant fails to provide the documents or information required;
- d) The application does not comply with any other prescribed requirements.

The regulatory Authority may ask the applicant to provide additional or missing document(s).

Article 16: Right of appeal

If the application is refused or if the license is granted with conditions on it which the applicant thinks is unfair, he/she has the right to submit the claim before the Regulatory Board within fifteen (15) working days after the date of refusal.

If the applicant is not satisfied by the Regulatory Board Decision, he/she have a right to appeal before a competent Court.

Article 17: Criteria for license issuance

The Regulatory Authority shall issue a license to an applicant that demonstrates the following:

- a. The applicant fulfils all technical, operational, safety and other conditions in accordance with applicable laws, regulations, and standards;
- b. The applicant has demonstrated the financial capacity and readiness to perform all related activities applied for and to provide safe and reliable services in accordance with all applicable laws, regulations and standards;
- c. The applicant has demonstrated the capacity to provide financial, technical reports and other financial information required by the Authority in the format and detail prescribed;

- d. The applicant and senior managers have not been found liable for any significant civil or criminal violation of an economic law or law related to fraud in Rwanda or another country;
- e. The applicant has not had a transport license revoked or been found liable for significant license violations in Rwanda or another country;
- f. The applicant has demonstrated that he/she will comply with all applicable laws and other regulations, including but not limited to, the Authority regulations and decisions;
- g. Any other substantive criteria that the Regulatory Authority determines needed to fully protect the passengers' interests.

Article 18: License validity

A long term license issued under these regulations through tendering shall be valid for five (5) years;

Whereas short term license shall have validity of two (2) years renewable. However, the Regulatory Authority reserves the rights to nullify the two (2) years license on the routes which have been tendered and the successful bidder has obtained the five (5) years license.

The Regulatory Authority shall provide other alternative routes to be operated by these operators whose licenses have been nullified.

Article 19: Temporary authorization

The Regulatory Authority may, if for administrative reasons or on the ground of urgency of the matter it thinks it is so desirable to do, issue to the applicant a temporary authorization for limited period of time for certain activities.

A Temporary authorization shall cease to have effect from the date on which the activities stopped, this authorization validity shall not be more than three (3) months period renewable once in accordance with the extension of activities or according to the circumstances.

Except the long term license that is issued by the Regulatory Board, other licenses related to public transport services are issued by the Director General of the Regulatory Authority.

Article 20: License obligations

A) General obligations:

The licensed operator shall, in connection with his/her operator's license, only use:

- (i) Public service vehicles of the class as specified in the license;
- (ii) Such number of public service vehicles as specified in the operator's license;
- (i) The extent, hours, frequency and routes or areas to be served;
- (ii) The performance level of services to be provided to passengers;
- (iii) Drivers of the public service vehicle;
- (iv) The measures to safeguard the safety of passengers and other road users including:
 - a) The requirement that passengers in excess of a specified number shall not be carried at any one time in any public service vehicle;
 - b) The public service vehicle licensee shall respect the permitted number of persons recorded in the license;
- (v) That the licensed operator shall keep and produce on demand for inspection and verification specified accounts, documents and records, other than the documents mentioned above;
- (vi) Submit the annual financial statements not later than 31st march of each year;
- (vii) Submit an annual business plan implementation report;
- (viii) The licensed operator must provide all his employees with uniform.

B) Specific obligations for buses and mini buses:

- (i) Passengers shall only be taken up or set down except at the specific points (Bus stops) along the operator's route or shall not be taken up or set down between these points or before reaching their final destination;
- (ii) The type of documents to be carried and information to be displayed on each public service vehicle, such as copies of the operator's license, timetable and fare table, and which shall be liable for inspection;
- (iii) Each bus and mini bus must have a car tracker installed in the vehicle, the Regulatory Authority shall establish the modality of use the car tracker.

The Regulatory Authority may, from time to time, adopt other general and specific obligations in public transport services to enhance the quality of service.

Article 21: License Fees

The License for Public Transport Services shall be issued upon the payment of the application and license fees as prescribed in appendix IV on Regulatory fee.

The annual contributions to the functioning of the Authority shall be paid according to the Regulatory Board decision governing the matter.

Article 22: License Renewal

The License holder must file an application for any license renewal at least two (2) months prior to the expiration of the current license.

The license renewal proceeding shall be subject to the same procedures and approval criteria as provided for by article 9, except (2, 3, 5, 6).

The license renewal application shall not be considered if the applicant is not complying with these regulations.

The Regulatory Authority shall attempt to make its decision not later than ten (10) days prior to the expiration of the current license, and shall issue the license not less than five (5) working days prior to the license expiration.

Article 23: License transfer

The transfers of licenses, including the direct or indirect sale, assignment, conveyance, lease or other transfer of assets or activities subject to a license to a different individual or institution shall be subject to a prior written approval of the Regulatory Authority.

Such approval shall be granted after consideration of the matter and if the proposed transferee meets all the conditions for granting the relevant license.

Failure to comply with such requirements shall lead to license suspension or revocation.

Article 24: Procedures for license transfer

A license transfer proceeding is initiated by the licensee. Until the Regulatory Authority has issued an approval of the transfer, no licensee may attempt to transfer its license to another person.

A license transfer proceeding shall be conducted in the same manner as review of a license application. The transferee shall be considered as the licensee.

The duration of the license and the license terms and conditions shall remain the same, unless the license transferee requests a license modification as part of the transfer proceedings.

Article 25: Ground for suspension of the license

The Regulatory Authority may suspend a license before the expiration of the license term when it determines that suspension is needed in order to respond to:

- a. Licensee failure to comply with license terms and conditions;
- b. Failure of the licensee to provide the Regulatory Authority with monitoring and reporting data required by the license or failure to cooperate with the Regulatory Authority inspection and audits;
- c. Licensee's failure to pay the Authority's regulatory fees.

Article 26: Ground for revocation of the license

The Regulatory Authority may revoke a license before the expiration of the license term when it determines that revocation is needed in order to respond to:

- a. Licensee failure to comply with license terms and conditions in a repetitive manner;
- b. Licensee abandonment of license activities;
- c. Bankruptcy, financial insolvency or liquidation of the company;
- d. If the issuance of the operator's license was induced by a false representation of fact(s) by or on behalf of the licensed operator;
- e. To operate or provide the public service issued under these regulations which has been or is intended to be used for an unlawful purpose or that the original purpose for which the operator's license was issued no longer exists.

Article 27: Return of the revoked license

If an operator's license has been revoked, it shall have no effect from the date of revocation and the licensed operator shall within fourteen (14) days from the date of revocation of the operator's license return the operator's license to the Regulatory Authority if the license has been suspended, it shall have no effect during the period of suspension.

Article 28: license suspension or revocation procedure

- a. The Regulatory Authority shall commence a license suspension or revocation proceeding by sending written notice to the licensee requiring him to provide a response;
- b. If the licensee contests the content of the charges and fails to convince the Regulatory Authority, the latter shall hold a hearing on the charges;

If during the course of the suspension or revocation proceedings, the Regulatory Authority is not satisfied with the explanations, it can suspend or revoke the license.

Article 29: Prohibition in relation to suspended operator's license

A licensed operator whose license has been suspended shall not, during the period of suspension, operate or provide the public transport service.

CHAPTER III: COMMON DUTIES AND RESPONSABILITIES TO ALL LICENSEES IN PUBLIC TRANSPORT

Article 30: Duty of licensee to keep records

It shall be the duty of every licensee under this article to keep such:

- a) Accounts and records as required by these regulations in relation to the license or operator's license issued to it;
- b) Records in relation to the use of relevant vehicles as may be required by these regulations.

Article 31: Duty of licensee to provide information to the Regulatory Authority

The Licensee shall, on request by the Regulatory Authority, provide any information relating to his activities conducted under or in connection with this license, as the Regulatory Authority may consider necessary for the purpose of performing its functions.

The Licensee shall provide the Regulatory Authority with contracts concluded with other Licensees and shall also provide the Regulatory Authority with consumers' contracts forms and templates, all for review and approval. Any contracts concluded in a different manner are considered null and void. The Regulatory Authority has the right to keep copies of those contracts.

"Information" shall include any plans, drawings, specifications, designs, documents, reports, accounts, statistics, registers including registers relating to the Licensee's Members or Directors and Secretaries from time to time or planned annual maintenance schedules whether or not prepared specifically at the request of the Regulator or other licensee of any description specified in the request.

Article 32: Responsibility of the licensee for the vehicle unalterable

A licensee or its or employees, shall not make alteration including but not limited to the replacement of parts, colour, vehicle number plate, route number and the structure or fixed equipment of a relevant vehicle or Motorcycle without the approval of the Regulatory Authority.

Article 33: Advertisement on public service vehicles

A licensed operator wishing to advertise on its public service vehicles shall apply for the approval to the Regulatory Authority.

The licensee must comply with the terms and conditions for displaying advertisements on public service vehicles as determined by the Regulatory Authority.

Article 34: Auditing of the Licensee's activities

The licensee shall facilitate and provide all the required information to the Regulatory Authority in conducting the audit, including granting them access to its or his/her premises and documentation and required information.

CHAPTER IV: ROUTE TENDERING

Article 35: Route tendering Considerations

The route tendering shall be dictated by the choice of the procurement route. This shall include short listing bidders basing on the compliance with these regulations, issuing tender documentation, receiving tenders, tender evaluation and selection.

The route tendering shall take in to consideration:

- a) The route which the bidder is competing for shall include Origin to destination, feeder routes, zones and intra-zones arrangements;
- b) The frequency of the service at different times of the day and the week;
- c) The type and capacity of vehicles to be used;
- d) The Performance Standards in the bidding documents;
- e) And other considerations which may be found necessary from time to time by the Regulatory Authority.

The Regulatory Authority shall ensure that the procedure to be followed is fair and transparent.

Article 36 : Route tendering process

All along the tendering process, the following steps shall be observed:

- a) The Regulatory Authority shall prepare and publish tender documents for expression of interest from transport service providers;
- b) To receive bids from service providers;
- c) To assess and evaluate bid documents;
- d) To send notifications to all bidders;
- e) To approve the license of the successful bidder by the Regulatory Board;
- f) To sign the license.

Article 37: Types of Vehicle Utilised

The Regulatory Authority specifies the minimum requirements for the vehicles within the tender documentation. The operator may choose the vehicle's manufacturer as long as the vehicles meet all the criteria in the vehicle specification.

Article 38: Classification and numbering of bus routes

The Regulatory Authority may classify and number, in such manner as may be convenient, the routes in respect of which operator's licenses to operate express buses, mini buses are issued under these regulations and may publish a list of the routes so classified and numbered for competitive tender.

Article 39: Service Specification

The Regulatory Authority specifies the terminals, routing, frequency and operating times on route, feeder route, zone and intra-zone.

Article 40: Tender Information and Response

All tenders are submitted on a sealed bid basis with all the relevant information that is required by The Regulatory Authority for the evaluation.

Article 41: Evaluation criteria

The overriding principle applied throughout the tendering process is one of fairness to all parties. The criteria used include but not limited to:

- a) Type of vehicles which shall be used;
- b) The ability of the bidder to deliver quality services and to conform to the fare set by the Regulator;
- c) Ability to recruit, train and retain staff of a suitable calibre premises;
- d) Type proposed and any additional features offered. This includes ability to maintain vehicles in an acceptable condition through the life of the license;
- e) The resources to fund the start up costs and provide stability over the license term;
- f) Financial Status;
- g) Schedules compliance with the specifications;
- h) Health and Safety Policy and records;
- i) Sustaining competition for tendered routes.

Article 42: Appointment and composition of Tender evaluation committee

The Director General of the Regulatory Authority shall appoint the Tendering Evaluation Committee members from the Regulatory Authority and request other institutions to nominate their respective representatives. The Regulatory Authority shall chair the committee which shall be composed of the representatives from institutions having public transport services in their attributions and having technical, legal and economic skills.

During the evaluation exercise, the evaluation committee may contact bidders to clarify any areas of uncertainty.

After the evaluation exercise, the committee shall file the report to the Director General of the Regulatory Authority for notification of the successful and unsuccessful bidders about their evaluation results.

Article 43: Responsibilities of Institutions during the tendering process

The concession and tendering system shall place responsibilities on both the Regulatory Authority and operators.

Article 44: Responsibilities of the Regulatory Authority

The Regulatory authority shall have the following responsibilities:

- a) Determine the route;
- b) Specify the frequency;
- c) Set and monitor quality and safety standards;
- d) Set vehicle capacities and minimum standards;
- e) Agree with the schedule prepared by the operator;
- f) Set fares and monitor its implementation;
- g) Supply and maintain ticket machines system;
- h) Supply and maintain radio and vehicle tracking equipment;
- i) Manage liaison with local authorities and other stakeholders;
- j) Coordinate public customer service contacts, complaints, comments and compliments.

Article 45: Responsibilities of the Operators

The Operators shall have the following responsibilities:

- a) Develop and submit bids;
- b) Develop timetables, schedules and staff rotas which must be agreed with the Regulatory Authority;
- c) Provide and maintain premises and vehicles;
- d) Manage the day to day operations on given routes;
- e) Sign performance contract with local authorities where the won routes pass through;
- f) Provide day to day supervision of routes, to maintain quality and deal with disruption;
- g) Control the use of passes and collect any cash revenues on buses;
- h) Comply with the national laws and regulatory regimes, including Operating Licenses;
- i) Provide data that is reasonably required by the Regulatory Authority;
- j) Recruit, train and manage sufficient staff of a suitable calibre.

Article 46: Customer Satisfaction

The Regulatory Authority shall be carrying out at least a Customer Satisfaction Survey once (1) a year after the issuance of a long term license to the successful bidder.

CHAPTER V: FARES

Article 47: Payment of fares

Subject to these regulations, no cooperative or Company may demand, collect and retain such fares in relation to a public vehicle service in excess of such rates of fares as set by the Regulatory Authority.

Any person, who demands, collects, retains or attempts to demand collect or retain fares in contravention of paragraph one of this provision commits a fault and shall be liable to an administrative fines provided for in the appendix III of these regulations on faults and administrative fines.

Every person travelling on a public transport services vehicle shall, when required to do so, show proof of payment of the fare to a licensed operator of a public service vehicle or his employee duly authorized to examine the payment of fares.

Article 48: Proof of payment of the fare

Proof of payment of the fare shall include tickets and electronic cards issued for the purpose of payment of fares or any other satisfactory evidence of payment of fares as may be determined by the Licensee and approved by the Regulatory Authority.

The Regulatory Authority shall determine when the use of paper tickets shall cease along given route(s) to be replaced by e-tickets, e-cards and other electronic payment systems.

Article 49: Complaint handling in connection to the payment of fares

If any dispute arises between the Licensee and the passenger, as to the fare calculated according to distance, the complaint may be referred:

- a) In the first instance, to the officer of the licensed operator of a public service vehicle duly authorized to determine the dispute;
- b) Upon appeal from the decision of the duly authorized officer of the licensed operator of a public service vehicle under paragraph a), the Regulatory Authority shall assess the complaint and make a decision. If the passenger is not satisfied by the decision of the Regulatory Authority, he or she may refer the case to the Competent Court.

CHAPTER VI: PROMOTIONAL TARIFFS

Article 50: Application for Promotional Tariffs

Every licensee shall prior to the release of any promotion of its services, make an application to the Regulatory Authority with a descriptive report of the promotion specifying clearly the services, the duration of the promotion and the targeted passengers.

Article 51: Approval of Promotional Tariff

The Regulatory Authority after analysis shall cause the approval or otherwise to be communicated to the licensee within seven (7) days of receiving the application

Article 52: Communication of the approved promotional tariff

The transport operator must communicate clearly and understandably to the subscribers all relevant terms and conditions of the promotion, seven (7) days before the implementation.

Article 53: Denial of Application

The Regulatory Authority reserves the right to reject any application for any promotion tariff. The reasons for the rejection shall be communicated to the licensee within seven (7) days of receiving the application.

Article 54: Withdrawal of Approval

The Regulatory Authority reserves the right to withdraw any approvals for a promotion tariff when the licensee does not comply with the promotional tariff obligation.

Article 55: Appeal against promotional tariff rejection

Where a request for approval is rejected or approval is withdrawn, the transport operator is entitled to request an appeal from the decision of the Regulatory Authority within three (3) days of receiving the decision.

CHAPTER VII: SPECIFIC ENFORCEMENT POWERS

Article 56: Inspection of vehicles

If any authorized RURA staff has reasonable cause to believe that the provisions of these regulations or any conditions of a license issued under these regulations have not been complied with in respect of any relevant vehicle, he/she may require such vehicle to be stopped and may require the driver of such vehicle to drive it to some other designated premises by the Regulatory Authority until he or she complies with his license obligations or other rules and regulations in force.

Article 57: Discontinuation of the use of the vehicle

If on inspection of such relevant vehicle, it is found that the licensee has contravened the provisions of these regulations or any conditions of a license issued under these regulations, the Regulatory Authority may order such vehicle to be discontinued from use or to be used on such conditions as the authority considers necessary to be in compliance with these regulations or any conditions of the license issued under these regulations.

In case relevant vehicles are discontinued from use, the detained vehicles shall be led and detained in the designated premises for a period not exceeding twenty four (24) hours. Beyond that period, all charges of the detained vehicle are determined by the Regulatory Authority and payable by the owner of the vehicle.

Article 58: Stopping vehicles

Authorized RURA staff have the power to set up check points requiring a vehicle to stop before reaching it or to make a signal requiring such vehicle to stop before reaching a check point, any person attempts to cross or knock any such check point is prohibited.

No authorized officer shall be liable for any loss, injury or damage caused to any person or property consequent upon him/her taking the steps as mentioned above.

Article 59 : Power to seize documents

If any authorized RURA staff or appointed officer has reasonable cause to believe that a document carried on a relevant vehicle, or any license, record or other document produced to him pursuant to these regulations by the driver or person in charge of a relevant vehicle is a document, a license or a

record in relation to which a fault under these regulations has been committed, he/she may seize or detach the documents, license or record from the relevant vehicle.

Article 60: Faults and administrative fines

The faults and their respective administrative fines are found on appendix III of these regulations.

CHAPTER VIII: TRANSITIONAL AND FINAL PROVISIONS

Article 61: Transitional period

Any existing activity related to passenger road transport conducted by any Cooperative or Company, must apply for a license within three (3) months of the effective date of these regulations, and shall be conducted in compliance with the provisions of these regulations.

Any other person who commences passenger road transport activities after the effective date of these regulations shall apply for a license in due form as provided for under these regulations.

Article 62: Repealing provision

The Regulations N° 005/TRANS-RURA/2011 of 26/08/2011 governing transport services in Rwanda is hereby repealed.

Article 63: Commencement

These regulations shall come into force on the date of its signature by the Chairperson of the Regulatory Board.

Kigali on,01/06/2015

(sé)

Eng. Coletha U. RUHAMYA
Chairperson of the Regulatory Board

LIST OF APPENDIXES

Appendix I: Specifications for taxi cab meters

Appendix II: Public transport service standards

Appendix III: Faults and administrative fines in transport services

Appendix IV: Application and license fee per license category

APPENDIX I: SPECIFICATIONS FOR TAXI CAB METERS

1. The taxi meter shall be programmed to display the correct fares on receipt of specified numbers of pulses or elapsed time in accordance with tariff structure set by the Rwanda Utilities Regulatory Agency(RURA);
2. Taxi meters that have met with the above requirement shall have a sealed fare change mechanism that can only be accessed by an authorized official;
3. The meter shall have an LED with the following indicators:
 - Unit fare indicator;
 - Waiting time indicator;
 - Payable distance indicator;
 - Payable fare indicator.
4. The taxi meter shall be able to work efficiently subject to the Rwanda environmental conditions;
5. The taxi meter shall be able to measure distance ranging from 0Km to 999.90 Km, with a resolution of 0.01 Km;
6. The taxi meter shall be able to measure fares ranging from 0 RWF to 99,900 RWF, with a resolution of 100 RWF;
7. The taxi meter shall be constructed to operate light boxes indicating whether the taxi cab is hired or vacant;
8. The taxi meter shall have a printing function with a mass memory for storing 600 – 1800 service data;
9. The taxi meter display, markings and instructions shall be in English or French language.

APPENDIX II PUBLIC TRANSPORT SERVICE STANDARDS

PART I: PASSENGER VEHICLES SPECIFICATIONS

1 Application

This Part applies to all vehicles.

2 Stability

A vehicle must be constructed and equipped so as to be stable when carrying the maximum number of passengers allowed at all speeds permitted.

3 No undue noise or vibration

A vehicle must be constructed and maintained so that no undue noise or vibration arises during its operation.

4 Seats

- (1) A vehicle must have seats fitted which have cushions that are suitably padded or contoured and are firmly and securely attached to the vehicle structure.
- (2) A vehicle must have seats, interior fittings and trimmings which are properly constructed, fixed and finished.

5 Handholds

A vehicle must have a suitable number of handholds for the safety and convenience of passengers.

6 Electrical wiring must be safe

A vehicle must have all electric wiring properly insulated and protected from damage and located so it is of no danger to passengers.

ADDITIONAL REQUIREMENTS

7 Application

This Part applies to vehicles other than motorcycles.

8 Construction and maintenance of vehicle body

A vehicle must have a body constructed and maintained so as to provide appropriate protection to passengers under all weather conditions.

9 Seats

A vehicle must have seats fitted which have backs constructed so as to provide reasonable support for passengers.

10 Floors

A vehicle must have floors of sound construction finished and maintained with a skid-resistant surface and sealed so as to prevent fumes and dust from entering the vehicle.

11 Interior lighting

A vehicle must have interior lamps adequate for the reasonable convenience of passengers.

12 Windows

A vehicle must have every window sound and properly fitted and each moveable window equipped with a suitable opening device.

13 Notices to be fixed on or in the vehicle

A vehicle must have notices on or in the vehicle to the satisfaction of the Regulatory Authority which:

(a) Clearly show in letters at least 25 millimetres high and of proportionate width the maximum number of adult passengers, including any standing passengers, the vehicle is licensed to carry; and

(b) Are displayed on the outside rear only of vehicles licensed to carry less than eight (8) passengers, and on the inside and outside rear of any other vehicle.

15 Engine compartment

A vehicle must have an engine compartment—

- (a) That does not contain flammable sound proofing material or material capable of being impregnated with fuel or lubricant; and
- (b) That has drainage orifices or that is otherwise designed to prevent the accumulation of fuel or lubricant.

16 Segregation of engine department and other heat sources

A vehicle must have its engine compartment and other sources of heat separated from the remainder of the vehicle by heat resisting material.

16 Vehicle fuel filler pipe

- (1) A vehicle must have a vehicle fuel filler pipe—
 - (a) that is designed so that any overflow or leakage cannot accumulate; and
 - (b) That does not project beyond the overall width of the bodywork; and
 - (c) that is not located in the engine compartment.
- (2) A vehicle must have its fuel filler pipe opening on an external surface.

17 Fuel tank

A vehicle must have its fuel tank, or any part of it—

- (a) Not less than 1·2 metres from the front of the vehicle; and
- (b) Not projecting beyond the overall width of the bodywork; and
- (c) Not located in the engine compartment.

18 Fuel system fittings

A vehicle must have its fuel system fittings designed so that any leaking fuel flows freely to the ground without contacting the exhaust system or any electrical equipment.

19 No flammable material near exhaust system

A vehicle must have no flammable material located within 100 millimetres of the exhaust system unless that material is effectively shielded.

1. Route

Follow the route in accordance with the License Specification.

Not transport passengers to any destinations other than those on the specified route.

When dropping off/picking up passengers at their destination, stop on the indicated side of the road, and pay special attention to any hazards, traffic or obstructions to ensure the safety of passengers.

In relation to fares and meters:

Give correct change at the termination of the hiring and have sufficient change to do so to the value of Rwf 5000.

Additional surcharges are not permitted, unless approved by the Regulator.

2. Vehicle

Vehicle to have passed technical inspection – control technique

Operating all equipment on the vehicle including doors, passenger crutch/lifts and wheelchair tie-downs.

Not allow passengers to operate the doors on any large vehicle (buses and minibuses).

Ensure that before moving off, doors are properly closed and that no bags or clothing are caught in the doors.

Drivers to remind passengers that seatbelts should be worn where appropriate.

To put a dustbin in the vehicle and advise passengers not to throw anything to the ground through windows of the vehicle in order to protect the environment.

Ensure that there is sufficient fuel before the start of the journey.

Not re- fuel the vehicle when there are passengers on board.

Not drive a vehicle that they consider to be un-roadworthy or in Contravention of any relevant regulations or legislation.

Drivers should check for lost property at the end of each journey, and hand any items found to their employer.

3. Emergency incidents

working together with the conductor where applicable,

In case of an accident or technical problem of the vehicle, drivers and conductors must ensure that the breakdown triangle indicating the situation is put at a distance of 15 m in inhabited areas and 30 m out of the inhabited areas.

In an emergency the driver and/or conductor must put on a reflector waistcoat to indicate the situation of accident or technical problem of the vehicle.

Any accident resulting in injury to any passenger must be reported to the Police.

Where the passengers are children or vulnerable adults, they should not be left unattended if the driver needs to summon help.

Drivers must report all serious accidents/incidents (even if there are no injuries) to their employer.

4. Protection of children and vulnerable adults

This clause refers to the following groups of people

Children as defined under our domestic law;

Adults with learning difficulties;

Adults with physical disabilities;

Adults with mental health problems;

Older people, including those with dementia.

Drivers must always maintain a strictly professional relationship with the children and vulnerable people, adults that they transport. The code of conduct of drivers shall ensure that the safety and security of the children and vulnerable adults on transport is assured.

5. TAXI CAB

In addition to the above, the taxi cab driver has to

- Use a taximeter and inform the customer about the price before departure;
- Drive a car that has Identification color;
- hand business card to the customer;
- drive a clean vehicle in and out;
- be smart on cloths and physical;
- Be friendly with the customers;
- Agree on the price before departure and not change it at arrival;
- Correctly dealing with passengers with special needs;
- Drop passengers to indicated place;
- When dropping off/picking up passengers at their destination, stop on the indicated side of the road, and pay special attention to any hazards, traffic or obstructions to ensure the safety of passengers ;
- Give correct change at the termination of the hiring and have sufficient change to do so to the value of at least Rwf 5000;
- Ensure that there is sufficient fuel before the start of the journey;
- Always maintain a strictly professional relationship with the children and vulnerable people and adults that they transport;
- Be always helpful and polite.

6. Motor cycle

The motor cycle rider has to

- Agree with the customer on the prices before departure;
- drive motorcycle that has Identification color;
- drive a clean motorcycle;
- clean every day the helmet;
- be smart on cloths and body;
- Be friendly with the customers;
- Agree on the price before departure and not change it at arrival;

- Correctly dealing with passengers with special needs;
- Drop passengers to indicated place;
- Always maintain a strictly professional relationship with the children and vulnerable; people and adults that they transport;
- Be always helpful and polite.

9) CAPACITY OF VEHICLES AND MOTROCYCLE

The Table below shows the minimum capacity in terms of vehicles or motorcycles for license categories:

License Category	Validity	Minimum number							
		Buses with seats >32	Buses with seats between 21-32	Minibuses with seats between 14-20	Taxi cabs	Pick-ups (Double cabin)	Jeeps	Mixed types	Motorcycles
Long term	5 years	Shall be determined by the ToR	Idem	Idem	Idem	Idem	Idem	Idem	Idem
Short term	2 years	10	20	30	15	15	15	15	100
Temporally authorization	3 months	10	20	30	15	15	15	15	100

APPENDIX III: FAULTS AND ADMINISTRATIVE FINES IN PUBLIC TRANSPORT SERVICES

FAULTS	ADMINISTRATIVE FINES FOR MOTORCYCLE' COOPERATIVES (RWF)	ADMINISTRATIVE FINES FOR OTHER CLASSES OF PUBLIC TRANSPORT VEHICLES FOR COMPANIES AND COOPERATIVES (RWF)	
1. To operate without a license	200,000	Buses and mini buses	500,000
		Taxi cabs	400,000
		Tourism vehicles	300,000
		Rental vehicles	300,000
2. Operate without appropriate or with an expired license	200,000	Buses and mini bus	300,000
		Taxi cabs	200,000
		Tourism vehicles	100,000
		Rental vehicles	100,000
3. Leaving passengers at the place which is not the final destination		Buses and	200,000

	100.000	mini buses	
		Taxi cabs	150,000
		Tourism vehicles	100,000
		Rental vehicles	100,000
4. Loading the bus at unauthorized place or terminal (a non assigned route or terminal)	N/A	Buses and mini buses	200,000
		Taxi cabs	N/A
		Tourism vehicles	N/A
		Rental vehicles	N/A
5. Operator of taxi service who operates taxi, or allow taxi to be operated, when it is not fitted with a meter in good working conditions.	N/A	Buses and mini buses	N/A
		Taxi cabs	200,000
		Tourism vehicles	N/A
		Rental vehicles	N/A
6. A license holder who collects, demands, retains or attempts to demand fares in contravention of public transport regulations	N/A	Buses and mini buses	300,000
		Taxi cabs	200,000
		Tourism vehicles	200,000
		Rental vehicles	200,000
7. Failure to provide the required document on demand by enforcement officer		Buses and mini buses	250,000

	100,000	Taxi cabs	200,000
		Tourism vehicles	150,000
		Rental vehicles	150,000
8. knowingly possess vehicle part with changed/defaced/removed/interfered with component identification number without Authority approval	150,000	Buses and mini buses	250,000
		Taxi cabs	200,000
		Tourism vehicles	100,000
		Rental vehicles	100,000
9. To modify/add component contrary to regulations	150,000	Buses and mini buses	150,000
		Taxi cabs	120,000
		Tourism vehicles	100,000
		Rental vehicles	100,000
10. Modifying the vehicle construction without the Authority approval	100,000	Buses and mini buses	300,000
		Taxi cabs	200,000
		Tourism vehicles	200,000
		Rental vehicles	200,000
11. Using a License issued to another person or Use of defective license	100,000	Buses and mini buses	200,000
		Taxi cabs	150,000
		Tourism	100,000

		vehicles	
		Rental vehicles	100,000
12. Failure to apply for renewal of expired license within the term fixed in Regulations	100,000	Buses and mini buses	200,000
		Taxi cabs	150,000
		Tourism vehicles	150,000
		Rental vehicles	150,000
13. Failure to publish approved tariff in the Office and in the Bus	N/A	Buses and mini buses	100,000
		Taxi cabs	N/A
		Tourism vehicles	N/A
		Rental vehicles	N/A
14. RURA, POLICE AND COMPANY emergency call number on the missing on the BUS	N/A	Buses and mini buses	100,000
		Taxi cabs	N/A
		Tourism vehicles	N/A
		Rental vehicles	N/A
15. Falsifying, suppressing or destroying data recorded	150.000	Buses and mini buses	250,000
		Taxi cabs	200,000
		Tourism vehicles	150,000

		Rental vehicles	150,000
16. Lack of indication to identity operator	100.000	Buses and mini buses	200,000
		Taxi cabs	150,000
		Tourism vehicles	100,000
		Rental vehicles	100,000
17. Failure to produce technical reports on time	50,000	Buses and mini buses	150,000
		Taxi cabs	100,000
		Tourism vehicles	100,000
		Rental vehicles	100,000
18. Operating a route/zone not given by the Authority	150.000	Buses and mini buses	250,000
		Taxi cabs	200,000
		Tourism vehicles	150,000
		Rental vehicles	150,000
19. Use of a vehicle which is technically unsuitable in terms of design or condition for public transport	50,000	Buses and mini buses	150,000
		Taxi cabs	100,000
		Tourism vehicles	100,000
		Rental	

		vehicles	100,000
20. Failure to provide uniform to the staff	30,000	Buses and mini buses	200,000
		Taxi cabs	150,000
21. Using a vehicle which is not on Regulator's car tracking system	N/A	Buses & minibuses	200,000
22. Splitting the assigned route	N/A	Buses & mini buses	300,000
23. Using a non licensed vehicle/motorcycle	50,000	Tourism vehicles	100,000
		Buses & mini buses	300,000
		Taxi cabs	100,000
		Rental vehicles	100,000
24. Not issuing a ticket to a passenger	N/A	Buses & mini buses	200,000
		Taxi cabs	100,000
25. Providing promotion without the approval of the Regulatory Authority	N/A	Buses & mini buses	300,000
26. Operating without car tracking system	N/A	Buses & mini buses	300,000
27. Use of brokers (Abakarasi)	N/A	Buses & mini buses	200,000
28. Exceeding the number of authorized passengers		Buses and	200,000

	50,000	mini buses	
		Taxi cabs	100,000
		Tourism vehicles	100,000
		Rental vehicles	100,000
29. Employing a driver or a conductor without a vocational card	N/A	Buses and mini buses	100,000
30. Suspending transport activities without informing the Regulatory Authority	200,000	Buses and mini buses	300,000
		Taxi cabs	150,000
		Tourism vehicles	150,000
		Rental vehicles	150,000
31. Failure to observe the set bus schedule departure time	N/A	Buses and mini buses	200,000
32. Failure to use electronic ticketing system	N/A	Buses and mini buses	200,000
33. Advertising on public service vehicle without the approval of the Regulatory Authority	25,000	Buses and mini buses	100,000
		Taxi cabs	50,000

The faults and Administrative fines for buses and minibuses apply also for school buses.

APPENDIX IV. APPLICATION AND LICENSE FEES PER LICENSE CATEGORY

Item	Long term 5 Years	Short term 2 Years		Temporally authorization 3 Months
Application fee	Rwf 500,000	Buses and mini buses	Special vehicles	Free of charges
		Rwf 200,000	Rwf 150,000	
License fee	Rwf 2,000,000	Rwf 600,000	Rwf 400,000	Free of charges

Motorcycles company/cooperative

Fee	Amount/Rwf
Application fee motorcycle' cooperative/company	200,000 payable once
License fee motorcycle' cooperative/company	600,000 for 2 years

Seen to be attached on the passengers' road transport regulations

Kigali on, 01/06/2015

(sé)

Eng. Coletha U. RUHAMYA
Chairperson of the Regulatory Board