REPUBLIC OF RWANDA

RWANDA UTILITIES REGULATORY AGENCY
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ICYEMEZO CY'INAMA NGENZURAMIKORERE N°13/TR-RURA/2009 CYO KUWA 4 NZELI 2009 CYEREKERANYE N'IMIKORERE Y'AMASHURI YIGISHA AMATEGEKO Y'UMUHANDA NO GUTWARA IBINYABIZIGA	**BOARD DECISION No 13/TR-RURA/2009 OF 4 SEPTEMBER 2009 REGARDING THE FUNCTIONING OF DRIVING SCHOOLS IN RWANDA.**
Inama Ngezuramikorere mu nama yayo yo kuwa 4/09/2009;	The Regulatory Board in its session of 4/09/2009;
Ishingiye ku itegeko n°.039/2001 ryo ku wa 13 Nzeri 2001 rishyiraho Ikigo cy' igihugu gishinzwe kugenzura imikorere y'inzego zimwe z'imirimo ifitiye igihugu akamaro ;	Given the Law no.039/2001 of 13th September 2001, establishing an Agency for Regulation of certain Public Utilities Agency;
Imaze kubona ko Ikigo Ngenzuramikorere cyahawe inshingano zo	Considering that RURA, was given the responsibility of regulating and

kugenzura uburyo serivisi z'imirimo zifitiye igihugu akamaro zitangwa, hagamijwe guharanira irushanwa nyaryo no kurengera uburenganzira bw'abakorerwa iyo mirimo;	monitoring the services provided by the Public utilities, with the aim of ensuring fair competition and protecting the rights of Utility users;
Imaze kubona ko serivisi zo gutwara abantu n'ibintu ziri mu zigenzurwa n'Ikigo Ngenzuramikorere;	Considering that the services of goods and persons transport are among the services regulated by RURA;
Imaze kubona ko uburenganzira bw'ibanze bw'abakorerwa imirimo yo gutwara abantu n'ibintu ari umutekano wabo ndetse n'uw'ibintu byabo;	Considering that the fundamental rights of those that benefit from transport services are their security and safety of their property;
Imaze kubona ko imwe mu ngamba yo kubungabunga ubwo burenganzira ari uguharanira ko habaho abashoferi bazi gutwara neza ibinyabiziga kandi bakaba basobanukiwe n'uburemere bw'akazi bakora;	Considering that one of the strategies to protect those rights is to ensure that there are well trained and equipped drivers who understand and value their work;
Imaze kubona ko kugira ngo ibyo bigerweho hagomba kunonosorwa uburyo inyigisho buri wese agomba gukurikirana mbere y'uko ahabwa uruhushya n'ikarita yo gutwara ibinyabiziga zitangwa;	Considering that, to achieve this objective, there should be a standard review of what should be taught to the interested candidates for them to be accepted to drive;
Imaze kubona harabayeho inama nguranabitekerezo n'inzego zirebwa n'iki kibazo mu nama yo kuwa kabiri taliki ya 30 Kamena 2009;	Considering the consultation meeting with the stakeholders in the meeting held on Tuesday the 30th June 2009;
Inama Ngenzuramikorere imaze kubisuzuma no kubyunguranaho mu nama yayo yo kuwa 04 Nzeli 2009,	After consideration and deliberation of the Regulatory Board in its meeting of 04 September 2009,
YEMEJE:	**HEREBY ORDERS:**
umutwe wa mbere: Ingingo z'ibanze	**Chapter one: General provisions**
Ingingo ya 1: Impamvu	**Article 1: Purposes**

Iki cyemezo cy'Inama Ngenzuramikorere kigamije kugena imikorere y'amashuri yigisha amategeko y'umuhanda no gutwara ibinyabiziga, kikanagena uburyo impushya zo gukora uwo mwuga zitangwa.	The purposes of this Regulatory Board are to establish the functioning of Driving School and to provide for licensing process and procedure for Driving Schools.
Ingingo ya 2: Ibirebwa n'aya mabwiriza	**Article 2 : Scope of application**
Iki cyemezo kireba umuntu cyangwa ikigo ukora cyangwa wifuza gukora umwuga wo kwigisha amategeko y'umuhanda no gutwara ibinyabiziga ku butaka bwa Repubulika y'u Rwanda	This decision is applicable to a person or legal entity wishing to establish or operating a driving school in the Republic of Rwanda.
Umutwe wa kabiri: Ibisabwa mu ishyirwaho ry'ishuri ryigisha gutwara ibinyabiziga	**Chapter 2: Requirements for starting a driving school**
Ingingo ya 3: Isabwa ry'uruhushya.	**Article 3. Applying for a License.**
Ibaruwa isaba uburenganzira bwo gushyiraho ishuri ryo kwigisha amategeko y'umuhanda no gutwara ibinyabiziga yandikirwa Umuyobozi Mukuru w'Ikigo Ngenzuramikorere iherekejwe n'urupapuro rwuzuzwa n'usaba n'inyemezabwishyu y'amafaranga y'u Rwanda 20.000 Frw yo gutegura dosiye yishyurwa kuri konti n° 1201127 y'Ikigo Ngenzuramikorere iri muri Banki Nkuru y'u Rwanda.	The letter applying for a license to start a driving school is addressed to the Director General of the Rwanda Utilities Regulatory Agency, accompanied with the application form filled by the applicant, together with a receipt of twenty thousand (20,000 Rwf) payable on RURA's Account N0.1201127, in the National Bank of Rwanda.
Isabwa ry'ubwo burenganzira rikorwa n'uwifuza gushinga ishuri ryo kwigisha amategeko y'umuhanda no gutwara ibinyabiziga cyangwa umuhagarariye ufite nibura imyaka 21 y'amavuko, akagaragaza umwirondoro we na kopi y'igitabo cy'ubucuruzi (registre de commerce). Iyo ari Koperative cyangwa isosiyete bisaba urwo ruhushya bigomba kugaragaza icyemezo kibihesha ubuzima gatozi n'amategeko-shingiro yabyo.	The license application is done by the person intending to establish a driving school, or his/her representative who shall not have less than 21years of age, he/she shall provide his full Identifications and present a copy of his/her trade register. For companies or a cooperatives, it should be legally binding (legal status) with a memorandum of association (Statute).
Ingingo ya 4: Ubushobozi bw'uwifuza gutangiza ishuri.	**Article 4: The Capacity to establish a driving school.**

Usaba uruhushya rwo gushinga ishuri ryigishirizwamo amategeko y'umuhanda no gutwara ibinyabiziga agomba kugaragaza ko abifitiye ubushobozi, atanga amakuru ku mubare w'abanyeshuri ashobora kwakira, umubare w'abarimu afite, umubare n'ingano z'ibyumba afite byo kwigishirizamo, umubare w'imodoka afite ndetse n'ikibuga azigishirizamo.	The party applying for a license to establish a driving school must show that he/she has the required capacity, by giving information about the number of students he/she can serve, number of instructors, number of classrooms, number of vehicles and the apprenticeship field.
Ingingo ya 5: Ubushobozi bw'abarimu.	**Article 5: Instructor's Capacity.**
Kugira ngo ishuri rihabwe uruhushya rwo gukora rigomba kugira abarimu babihugukiwemo n'imfashanyigisho za ngombwa.	For a driving school to be given a License to operate, it must have well skilled instructors and all necessary syllabuses.
Ingingo ya 6: Ibisabwa abarimu bigisha amategeko y'umuhanda	**Article 6: Requirements for Traffic code Driving Instructor.**
Kugirango umuntu yemererwe kuba umwarimu wigisha amategeko y'umuhanda agomba kuba yujuje ibi bikurikira:	For a person to qualify as a traffic code instructor, he/she must fulfill the following requirements:
1. Kuba afite byibura impamya bushobozi y' amashuri yisumbuye cyangwa indi mpamyabushobozi binganya agaciro kandi yarize amategeko y'umuhanda;	1. Must have at least a high school certificate of education or its equivalent and having satisfactorily completed a traffic code course;
2. Kuba afite ubuzima bwiza mu gutwara ikinyabiziga no kwigisha abandi gukoresha ikinyabiziga;	2. Must be physically able to safely operate a motor vehicle and to train others to use motor vehicles;
3. Kuba afite uruhushya rwo gutwara imodoka mu cyiciro gihwanye n'icyiciro yemerewe kwigisha;	3. Must hold a valid Rwandan driver's license in the same category as the one he/she is appointed to instruct;
4. Kuba azwiho ubunyangamugayo;	4. Must be known as a person of Integrity;
5. Kuba mu gihe cyose yatwaye ikinyabiziga, atazwiho gusuzugura icyemezo cyaba cyaramufatiwe mu nkiko cyangwa kuba atarishyuye amafaranga y'amande yaba yarahanishijwe;	5. Must in all his/her driving life, not be known of under looking any outstanding decision taken against him/her by any tribunal or willfully refuse to pay the fines imposed on him/her;

6. Kuba afite imyaka itari munsi ya 21.	6. Must not be less than 21 years of age.
Ingingo ya 7 : Ibisabwa Umwarimu wigisha gutwara Ibinyabiziga.	**Article 7 : Requirements for a qualified Driving Instructor**
Bitanyuranije n'ibivugwa mu ngingo ya gatandatu (6),uwigisha gutwara ikinyabiziga asabwa nibura kuba afite byibuze icyiciro rusange cy'amashuri yisumbuye.	Notwithstanding the provisions of article six (6), a driving instructor must hold at least an Ordinary level (O'level) certificate of education.
Ingingo ya 8: Ibiranga ikinyabiziga yigishirizwaho	**Article 8: Identifications of a Driving School vehicle.**
Uwifuza uruhushya rwo gushinga ishuri agomba kugaragaza ibyangombwa biranga imodoka bigizwe na « carte jaune », isuku, ubwishingizi bwo gukora uwo murimo, n'icyemezo ndangamiterere y'ikinyabiziga cyigishirizwaho.	The applicant for a license to establish a Driving School must exhibit all the detailed identifications of the vehicle which include; the vehicle's ID card, cleanliness, Driving School's Insurance, and Certificate of inspection.
Ingingo ya 9: Imiterere y'ikinyabiziga cyigishirizwaho	**Article 9: The conditions of the teaching vehicle**
Ibinyabiziga byabugenewe nibyo byemewe kwigishirizwaho gusa. Ibyo binyabiziga bigomba kuba bifite aho guhagarikira imodoka habiri (double pédales), ikinyabiziga kigomba kwandikwaho izina ry'ishuri, bikarangwa n'inyuguti ya **L** mwibara ry'ubururu kandi igomba kugaragara neza inyuma y'ikinyabiziga	Only vehicles manufactured for training purposes shall be allowed. Those vehicles must have the halting pedals on both sides (double clutch system), each vehicle must be labeled with the name of the School, identified with a Letter « **L** » in blue colour at the rear side of the vehicle.
Umutwe wa 2: Uburyo uruhushya rutangwa	**Part 2: License issuance modalities**
Ingingo ya 10: Gusaba uruhushya.	**Article 10: Applying for a License.**
Ushaka kwaka uruhushya rwo gufungura ishuri ryigisha amategeko y'umuhanda no gutwara ibinyabiziga, asabwa kuzuza urupapuro rusaba (Formulaire) akura kuri RURA cyangwa kuri site yayo.	The person intending to open a traffic code and Driving School is asked to fill the application form provided by RURA or download it from the RURA's website.

Umuntu cyangwa isosiyete yifuza uruhushya rwo gufungura ishuri ryigisha amategeko y'umuhanda no gutwara ibinyabiziga agomba kugaragaza ibi bikurikira ; a) Icyemezo cy'imiterere y'ibinyabiziga bisabirwa uruhushya, kigaragaza ko ari bizima; b) Ubwishingizi bw'icyo kinyabiziga butari munsi y' amezi atandatu nibura, kandi hakishingirwa umwarimu n'umunyeshuri c) Ikarita y'ikinyabiziga (carte jaune); d) Umushinga w'Ubucuruzi(nibura w'imyaka itanu) e) Umubare fatizo w'ibinyabiziga bitari munsi ya bine (4) mu Mujyi wa Kigali na bibiri (2) mu Ntara; f) Kuba afite icyumba cyangwa ibyumba ,ikibuga ndetse n'ibikoresho byangombwa by'Infasha nyigisho ; g) Inyemezabwishyu y'amafaranga atangwa n'uwemerewe gukora uwo mwuga ihwanye n'amafaranga ibihumbi mirongo itanu (50.000 frw) kuri Konti **n^{o} 120.11.27** y'Ikigo Ngenzuramikorere iri muri Banki Nkuru y'u Rwanda. h) Kumenyekanisha aho iryo shuri rizakorera: i) Gushyikiriza ikigo Ngenzura Mikorere icyemezo gitangwa n'inzego z'ibanze zimwemerera gukorera muri aho akorera. **Ingingo ya 11** : **Igihe uruhushya rutangwamo**	An individual or a Company applying for a license to open up a traffic code and driving school must submit the following documents: a) Certificate of inspection of all the vehicles to be licensed, proving their good condition; b) Insurance of both the instructor and the student of not less than 6 months period; c) Vehicle identification card; d) Business plan (5 years minimum) e) The number of vehicles for a Driving school should be at least four (4) in Kigali City and two (2) in the Provinces. f) He/she must have classroom(s), apprenticeship ground and all the related guiding facilities; g) A receipt of the license fees of fifty thousand Rwandan francs (50,000 Rwf), payable on RURA's account **n^{o} 120.11.27** in the National Bank of Rwanda; h) Showing full address of the school. i) Submitting to the Regulatory Agency the operational authorization issued by the local authorities. **Article 11 : Time to acquire a license**

Iyo ibyangombwa byose bisabwa byuzuye, uruhushya rutangwa mu gihe kitarenze ibyumweru bibiri (iminsi 14) uhereye igihe dosiye yuzurijwe usaba uruhushya amaze kwishyura amafaranga yarwo avugwa mu ngingo ya 10 (g). Iyo Uruhushya rudatanze muri icyo gihe, Ikingo Ngenzuramikorere kigomba kumenyesha uwarusabye mu nyandiko, impamvu z'ubwo bukererwe.	When all the requirements for the license are available, the license is issued within two weeks (14 days) from the submission of a valid and complete application for a license and provided that the applicant has first paid the license fee provided for in article 10 (g). If a license is not issued within that time, RURA shall inform the applicant in written the reasons for delayed issuance.
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Ingingo ya 12 : Ibigize uruhushya	**Article 12: License Components.**
Uruhushya rugaragaza uruhawe, igihe rumara, ibyo agomba kubahiriza n'ibihano biteganywa.	The license shows the licensee, its time value, the licensee's binding obligations and penalties for failure to comply with the license obligations.
Ingingo ya 13: Ibiciro bikoreshwa.	**Article 13: Driving school scholarship.**
Ikigo Ngenzuramikorere nicyo cyemeza uburyo amafaranga y'ishuri yishyurwa n'abiga amategeko y'umuhanda no gutwara ibinyabiziga bariha.	The Regulatory Agency shall approve the Driving School Scholarship structure.
Uburyo amafaranga y'ishuri agenwa bushobora kuvugururwa n'Ikigo Ngenzuramikorere igihe bibaye ngombwa.	The scholarship structure may be revised from time by RURA.
Ingingo ya 14 : Inyandiko zibikwa	**Article 14: Records of Licensee**
(a) Umuntu wese wahawe uruhushya rwo kwigisha amategeko y'imihanda no gutwara imodoka, agomba kubika inyandiko zerekana ibi bikurikira :	(a) Every licensed operator must, under this Decision keep a record of the following information:
1. Izina, umwirondoro na numero y'uruhushya yahawe rw'ishuri;	1. The name, details and the license number issued to the school;
2. Izina n'umwirondoro wa buri munyeshuri wize muri iri shuri;	2. The name and details of students that studied in the school;

3. Umunyeshuri wabonye uruhushya rwo gutwara imodoka yarize mu ishuri na numero y'urwo ruhushya; 4. Amatariki uruhushya rwo kwigisha rwatangiwe; 5. Amazina na nomero y'uruhushya rwo gutwara ibinyabiziga bya mwarimu; 6. Ibyigishwa na gahunda yo kubyigisha; 7. Igihe gisabwa mu kwigisha ikigishwa; 8. Amasaha bisaba mu kwigisha ikigishwa; 9. Amafaranga bisaba umunyeshuri mu kwiga icyigishwa;	3. Every student that has obtained a driving permit and its number; 4. The date that the license was issued. 5. The names and driving license numbers of the instructor; 6. The syllabus and studies program; 7. The amount of time devoted to each type of instruction; 8. The total number of hours of instruction; 9. The total cost for the student cover the whole course;
(b) Inyandiko zibitswe zizajya zisuzumwa na RURA byibura nyuma y'amezi atandatu cyangwa igihe cyose bibaye ngombwa;	(b) The records shall be inspected every after six months by RURA, or anytime it deems necessary;
(c) Uwahawe uruhushya ahagaritse imirimo yakoraga, izo nyandiko zibitswe zizashyikirizwa RURA kugirango izisuzume bitarenze umunsi wa gatatu uhereye itariki imirimo yahagarikiweho.	(c) Whenever the licensee suspends or terminates the licensed activity, the licensee shall submit the records to the Regulatory Agency for inspection and this shall be done in not later than three (3) days, after the date of suspension or termination;
Ingingo ya 15. Guhindura aho Ishuri rikorera	**Article 15. Change of Driving School's Location**
(a) Nyiri ishuri wemewe n'amategeko asabwa kumenyesha RURA ako kanya ku mihindukire y'aho akorera ndetse n'aho abarizwa.	(a) Every school owner licensed pursuant to this code of law shall immediately notify RURA upon changing the site or location of the school's established place of business.

(b) Nyiri shuri ndetse n'uwigisha asabwa kubimenyesha RURA mbere y'iminsi itanu igihe ateganya kwimuka aho abarizwa.	(b) Every school operator and every instructor licensed pursuant to this Decision shall report to RURA every change of residence address within five days of the change.
Ingingo ya 16 : Kwakwa uruhushya rwo kwigisha amategeko cyangwa gutwara ibinyabiziga Uruhushya rwahawe ishuri rishobora kurwamburwa hashingiwe kuli ibi bikurikira: (a) kuba ishuri ritakiri aho ryahoze rikorera mu gihe cyo kwiyandikisha kandi ritarabimenyesheje RURA nk'uko biteganywa n'ingingo ya 13 y'iki cyemezo; (b) Bimenyeshejwe RURA ko uwatse uruhushya yahindutse;	**Article 16. Cancellation of School Owner's License** The license issued to a school owner shall be automatically cancelled upon the happening of any of the following: (a) The abandonment of the established place of business or the change thereof without notice to RURA pursuant to Article 13 of this Board decision; (b) Notification to RURA that the person designated as licensee has changed;
Ingingo ya 17 : Ingingo zinyuranye n'izisoza Amashuri asanzwe akora ahawe igihe cy'amezi atatu (3) kugira ngo yubahirize ibiteganywa n'iki cyemezo.	**Article 17: Transitional provisions** All driving schools in operation are given a timeframe of three (3) months to meet the requirements prescribed by this decision.
Ingingo ya 18: Ibihano Buri muntu, cyangwa ikigo gikora umwuga wo kwigisha ibinyabiziga kigomba kubahiriza ibikubiye muri ki cyemezo. Ukutubabiriza iki cyemezo bihanishwa: a. Ihazabu iri hagati y'amafaranga 50.000 Frw kugera kuri 1.000.000	**Article 18: Penalties** Every operator, be it an individual or a Company, must abide by the provisions of this Board decision. Failure to comply with this Board Decision, will lead to the penalties here below:

arihwa kuri ya RURA **n^{o} 120.11.27** iri muri Banki Nkuru y'u Rwanda; b. Kwamburwa uruhushya rwo gukora mu gihe cy'amezi atatu c. Kwamburwa uruhushya rwo gukora burundu. **Ingingo ya 17 : ivanwaho** Ingingo z'amabwiriza zibanziriza aya kandi zinyuranye na yo zivanyweho. **Ingingo ya 18 : ishyirwa mu bikorwa** Iki Cyemezo gitangira gushyirwa mu bikorwa kuva italiki gishyiriweho umukono. Bikorewe i Kigali, kuwa 04/09/2009 **Marie Claire MUKASINE** **Perezida w'Inama y'Ikigo Ngenzuramikorere** **Sé**	a. Fine ranging from 50.000 to 1.000.000Rwf payable on RURA's account **n^{o} 120.11.27** in the National Bank of Rwanda; b. Withdrawal of the license for a period of three (3) months; c. Total expulsion from the sector **Article 17: Abrogation.** All preceding articles contrary to this Board decision are hereby abrogated. **Article 18: Entry into force** This Board Decision shall enter into force the day of its signature. **Done at Kigali, on 4th September 2009.** **MUKASINE Marie Claire** **Chairperson – Regulatory Board.** **Sé**