



**FOREIGN REGISTERED PETROLEUM ROAD TANKERS GUIDELINES
ISSUED BY THE ENERGY AND PETROLEUM REGULATORY AUTHORITY**

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DEFINITION OF TERMS

In these Guidelines, unless the context otherwise requires, the following words shall have the meaning as defined.

“Accident” is defined as an event that occurs when the tanker transporting petroleum product is involved in a collision and/or any event that leads to spill or fire or an explosion.

“Authority Having Jurisdiction” means the organization, office or individual responsible for approving equipment, an installation or a procedure.

“Authority” means The Energy and Petroleum Regulatory Authority as established under Section 9 of the Energy Act, Cap. 314.

“Axle” in relation to a vehicle, means a device or set of devices, whether continuous across the width of the vehicle or not, about which the wheels of the vehicle rotate and which is so placed that, when the vehicle is travelling straight ahead, the vertical centre lines of such wheels would be in one vertical plane at right angles to the longitudinal centre-line of such vehicle;

“Axle load” means the sum of the wheel weight loads of all wheels on any axle;

“Commissioner” means Commissioner of Customs appointed under Section 5 of the East African Community Customs Management Act (EACCMA), 2004;

“Containment” means body or tank or trailer combination used in the transportation of petroleum product;

“Danger” means risk to the environment, health, life, person or property of anyone from shock, fire or otherwise arising from transportation and sale of petroleum.

“Driver” means any person who drives or guides, or is in actual physical control of a vehicle on a road, and includes an operator of such transport unit;

“Flammable Liquid” means a liquid having a flash point below 37.8°C (100°F) and having a vapour pressure not exceeding 2,068mmHg (40psia) at 37.8°C (100°F) shall be known as a Class I Liquid.

“Foreign registered vehicle” means a transport unit which is registered or put into service in a Member State within the East African Community (EAC) or any other foreign country.

“Incident” means:

- (a) A fire or an event incidental to a fire resulting from the conduct of a transportation service; or
- (b) An event that involves the leakage of a petroleum product from a transport unit or a spill of a petroleum product resulting from the dispensing or offloading activities;

- (c) Any other significant event that may adversely affect the conduct of a transportation service.
- (d) Death or personal injury occurring as a result of the conduct of a transportation service;

"Inspection" means the examination of a product design, product, process or installation, and determination of its conformity with specific requirements or, on the basis of professional judgement, with general requirements;

"Kenya Standard" means a specification or code of practice declared by the Council under the Standards Act Cap. 496.

"Licence" means any document or instrument in writing granted to any person authorizing the importation, exportation, transport and sale of petroleum.

"Licensee" means a holder of any licence issued by a recognized legal entity.

"Licensing authority" means any person or an institution of a state, including the Authority, with powers to grant, revoke or suspend a licence.

"Liquefied petroleum gas" means commercial propane, commercial butane, commercial pentane and mixture thereof as specified in the relevant Kenya Standard.

"Motor vehicle" means any power-driven vehicle on wheels which is moved by its own means. Where not specified this shall mean a 'transport unit' in these Guidelines;

"Owner" means any person who is registered as such in the logbook or similar registration of a vehicle and includes for any vehicle under a hire purchase agreement any person in possession of the vehicle other than a financier or any person who is registered as owner under a lien or security document.

"Partner States" means the Republic of Uganda, the Republic of Kenya, the United Republic of Tanzania, the Republic of Burundi, the Republic of Rwanda, Republic of South Sudan, Democratic Republic of Congo, Federal Republic of Somalia and any other country granted membership to the EAC under Article 3 of the EAC Treaty;

"Person" means any natural or juridical entity.

"Petroleum Depot" means premises used primarily for receipt, storage and loading of petroleum products in bulk;

"Petroleum product spill" means unintended escape of a petroleum product onto or into any land or water, or any structure or thing, the magnitude of which poses danger to the environment, lives or property;

"Petroleum road tanker" means a vessel or transport unit used by a transporter to conduct transportation service. It is a vehicle used for the transport of petroleum products. Such vehicle would satisfy the minimum requirements listed by the authorities having jurisdiction and in any case meet or exceed the nominal standards

of KS EAS 979:2020, KS EAS 902:2018, KS EAS 903:2018, KS EAS 925:2018 or any other applicable code of practice;

"Petroleum products" means refined products obtained from the distillation of crude oil or synthesis which include premium motor spirit (PMS or petrol), automotive gas oil (AGO or diesel), jet A-1 fuel, illuminating kerosene (IK), heavy fuel oil (HFO), bitumen and liquefied petroleum gas (LPG);

"Placard" means a printed sign indicating the class and nature of the hazardous cargo;

"Specification" has the meaning assigned to it in the Standards Act, Cap. 496;

"Trailer" means any non-self-propelled vehicle on wheels which is designed and constructed to be towed by a motor vehicle;

"Transportation service" means the movement of a petroleum product from a sender to a receiver by road, together with related activities;

"Transporter" Includes an owner and driver of a vehicle and every person acting as agent for the owner, or who is in possession or control of the vehicle;

"Transport Unit" means any motor vehicle configuration used in the transportation of petroleum products and LPG in cylinders.

"Unauthorized person" means any individual who has not been duly approved, licensed, trained, or granted permission by the relevant Authority, transporter, or facility operator to access, operate, handle, or be present in or on a petroleum transport unit, loading depot, or any area where petroleum transportation activities are being conducted.

ACRONYMS

AGO	Automotive Gas Oil, “diesel”
BOL	Bill of Lading
DHP	Designated Health Practitioner
DOSHS	Directorate of Occupational Safety and Health Services
e	Electronic
EAC	East African Community
EACCMA	East African Community Customs Management Act
EACVLCA	East African Community Vehicle Load Control Act
EAS	East African Standard
EPRA	Energy and Petroleum Regulatory Authority, “the Authority”
ERP	Emergency Response Plan
GPS	Global Positioning System
HFO	Heavy Fuel Oil
IK	Illuminating Kerosene
KEBS	Kenya Bureau of Standards
KPC	Kenya Pipeline Company Limited
KRA	Kenya Revenue Authority
KS	Kenya Standard
LPG	Liquefied Petroleum Gas
MSDS	Material Safety Data Sheet
NEMA	National Environment Management Authority
OMC	Oil Marketing Company
PMS	Premium Motor Spirit, “super petrol”
PPE	Personal Protective Equipment
RECTS	Regional Electronic Cargo Tracking System
UN	United Nations

1 INTRODUCTION

This document is intended to offer guidance on the use of foreign registered petroleum tankers undertaking transportation of petroleum products in Kenya. The document is based on the Regulations and safety requirements associated with transportation of petroleum products by road in Kenya.

The Energy and Petroleum Regulatory Authority (EPRA) in collaboration with other authorities having jurisdiction would pronounce as to the fitness for use of all non-Kenyan transport units to be used in the bulk transportation of petroleum products. It is anticipated that users of this document would form the base for a safe, health conscious and environmentally responsible operation in the transportation of petroleum products by road and act as the primary and minimum requirements in the industry across the East African Community (EAC).

2 BACKGROUND

Annual imports of petroleum products received through the Port of Mombasa comprise of about nine (9) million cubic metres of refined products (RP) and three hundred thousand metric tonnes (300,000 MT) of Liquefied Petroleum Gas (LPG). These include about four (4) million cubic metres of RP destined for exports (transit) to the EAC Partner States. The white oils imported are discharged into the Kenya Pipeline Company Limited's (KPC) oil storage facilities and transported through pipeline network from Mombasa to hinterland depots located at Konza, Nairobi, Nakuru, Eldoret and Kisumu. Export consignments are subsequently loaded in road transport units and ferried to the EAC region through designated routes along the Northern Corridor. Heavy Fuel Oils (HFO), bitumen and LPG are handled separately in dedicated facilities prior shipment by road. Part of LPG is also imported into the country via road.

The Northern Corridor is a key transport route for petroleum products in the East and Central Africa. In line with Section 10(a)(ii) of the Energy Act, Cap.314 which mandates the Energy and Petroleum Regulatory Authority (the Authority) to regulate transportation of petroleum products, the Authority noted a rising number of traffic incidents involving foreign registered petroleum transport units. Consequently, this necessitated the development of Guidelines to ensure safe transportation of petroleum products to these markets. The Guidelines shall apply to all foreign registered transport units while in the Kenyan territory. The Guidelines establish the minimum safety, health, and environmental requirements for petroleum transportation by road, forming the foundation for responsible operations in the sector. References and requirements of the Regional standards shall take precedence over any other referenced standards in the implementation of these Guidelines. EPRA, in coordination with other relevant authorities, shall ensure compliance and spur establishment of harmonized regulatory framework and code of practice between the foreign and locally registered transport units.

3 OBJECTIVES

These Guidelines are intended to:

- (a) Enhance safety in the use of foreign registered transport units in the transportation of petroleum products in Kenya.
- (b) Promote and standardize the safety, health and environmental practices with foreign registered transport units that are used for the transportation of petroleum products in Kenya.
- (c) Create and enhance liaison between EPRA and other Regulators in the EAC region on safe cross-border transportation of petroleum products among the Partner States.

4 SCOPE

The Guidelines shall apply to road transportation of petroleum products by foreign registered transport units in Kenya. These include Oil Marketing Companies (OMCs), independent petroleum marketers, Transporters, Drivers and Depot operators undertaking cross border transportation of petroleum products between Kenya and any foreign country. The provisions of the Energy Act, the Petroleum Act, Cap.308 (the Petroleum Act) and the prevailing petroleum and LPG regulations shall guide any entity while in Kenya. The Guidelines encompass transit cargoes for Premium Motor Spirit (PMS), Automotive Gas Oil, (AGO), Jet A-1 fuels, Heavy Fuel Oil (HFO), Liquefied Petroleum Gas (LPG) and related petroleum products transported by road by foreign registered transport units.

5 GUIDELINES FOR TRANSPORTERS

- a) A person intending to use a foreign registered transport unit to transport petroleum products across the Kenyan border shall be required to adhere to the following:
 1. Register with EPRA or its appointed agent or representative before the first entry by giving the following information:
 - i. Transport licence issued by the licensing Authority or any other authority having jurisdiction
 - ii. Country of registration
 2. Notify EPRA or its appointed agent or representative giving the following information:
 - i. A list of the transport units (and logbooks); paired prime movers and trailers where applicable.
 - ii. Particulars of the drivers to be engaged.
 - iii. Designated route of travel
- b) The Transporter shall:
 1. Transport only petroleum products that conform to the applicable quality standards.

2. Only use the routes designated or prescribed by the Commissioner of Customs and Control. Goods in transit shall be conveyed only through these routes and the transit period shall not exceed thirty (30) days from the date of entry, unless an extension is expressly granted by the Commissioner.
3. Ensure the driver engaged is instructed on the route conditions, the risks associated with the route, allowed and prohibited stopping areas, speed limits and where loading and delivery will take place.
4. Ensure the driver engaged is fully aware of the required emergency response procedures and the relevant contact details of authorities.
5. Only loads petroleum from petroleum storage depots that are licensed under the Petroleum Act.
6. Take necessary precautions and exercise reasonable care when loading, handling, offloading, delivering, using or disposing a petroleum product, to avoid endangering the safety or health of any person, placing any property at risk or creating immediate risk of significant environmental harm.
7. Conduct annual inspections on the transport unit and at the point of entry into Kenya, provide a valid inspection report from the Authorities in the respective countries the transport unit is registered
8. Ensure the transport unit's compartments, meters and related equipment are calibrated by an approved Authority.
9. Ensure the safe disposal of tankers sludge, slops and used oil in accordance with the applicable Waste Management Regulations.
10. Mark or engrave its transport unit with safety warning signs and lights in accordance with Good Petroleum Industry Practices.
11. Notify EPRA of the occurrence of an incident or dangerous situation involving the transport unit not later than forty-eight (48) hours after the fact. Such notification shall comprise the steps taken or proposed to be taken by a transporter to remedy such incident and minimize any danger arising from such incident. If the occurrence involves impacts on the environment, the transporter shall also be required to notify the National Environment Management Authority (NEMA) within twenty-four (24) hours of the occurrence.
12. Maintain and, on demand, make available to EPRA documentary evidence that all electrical equipment and installations relevant to the conduct of its transportation service comply with relevant codes and applicable law(s).
13. Ensure that the transport unit is only driven by persons in possession of valid certificates issued by relevant authorities.
14. Ensure that the driver has a valid driving licence for the respective class of vehicle from a relevant Authority having jurisdiction.

15. Ensure that the driver has undergone defensive driving and medical fitness test.
16. Provide evidence that employees involved with the transport of petroleum products by road have received relevant training, including but not limited to, dangerous goods awareness, first aid and basic firefighting training.
17. Maintain an approved journey plan for each trip.
18. Provide insurance cover for any damage caused to third parties or loss of life while undertaking transport business in Kenya. The transporter shall ensure that insurance, based on the hazard and risk of the goods or substances transported, fully covers public liability, recovery of goods and vehicle, and environmental rehabilitation costs in the case of an incident.
19. Provide an interpreter at own cost where necessary if the driver engaged is not conversant with either English or Swahili for effective communication with the Authority and security forces on any matter while in Kenya.
20. Be responsible for placarding and shall ensure that placarding of the transport unit is at all times an accurate reflection of the petroleum products to be transported such as diesel (UN 1202), petrol (UN 1203), kerosene (UN1223) and aviation fuel (UN 1863) may be placarded with the generic UN number 1203. Transport units dedicated to any of these products shall use the appropriate United Nations (UN) number. Placards shall be displayed on a background of contrasting colour, or shall have either a dotted or solid outer boundary line.
21. Not engage in any activity that may deceive, tend to deceive or have the effect of deceiving the Authority, with respect to the type of petroleum product being transported (composition, grade or quantity).
22. Provide a Safety and Contingency plan which shall contain the following:
 - i. Emergency response plan;
 - ii. Systematic response plan in the event of spillage or accidental damage to the tanker;
 - iii. Driver training in emergency operating response procedures;
 - iv. Installation of functional communication devices on the transport unit; and
 - v. Mobile number of an Emergency Control Coordinator, his/her deputy and mobile number of the transporter, to manage any incidents that may occur during operation of the transport unit.
23. Ensure a 24-hour functional hot line contact number for receiving and providing information on the transport of petroleum products is conspicuously displayed on the body of the transport unit.
24. On being informed of an incident involving the transport unit covered by these Guidelines:

- i. Ensure that the relevant emergency services, Kenya Revenue Authority (KRA) Rapid Response Unit and the police have been informed;
 - ii. Make an initial incident report to the Authority within 48 hours; and
 - iii. Submit a detailed report to the Authority within fourteen (14) days, if the incident causes loss of life, personal injury, explosion, oil spill, fire or significant harm or damage to the environment or property while in Kenya.
- 25. Provide a Highway Emergency Response Plan (ERP) or evidence of subscription to a contingency oil spill group. The objectives of an ERP shall be:
 - i. To minimize any adverse effects on people, damage to property or harm to the environment in a transport emergency;
 - ii. To facilitate a rapid and effective emergency response and recovery;
 - iii. To provide assistance to emergency and security services; and
 - iv. To facilitate communication of vital information to all relevant persons involved in the transport emergency (both internal personnel and external agencies) immediately without delay.
- 26. Take all necessary steps to ensure that personnel or employees involved in the loading, handling, offloading and delivery of a petroleum product exercise caution in respect of anything which may cause fire or explosions and that such persons comply with these Guidelines and other applicable law regarding fire and explosions.
- 27. Ensure that the transport units are fitted with functioning Global Positioning System (GPS) tracking device accessible via web platform with capability to provide, at minimum, information on distance, location and speed as and when needed. Further;
 - i. The tracking system shall store information related to movement of its transport unit in a permanent, replayable and printable form.
 - ii. The transporter shall maintain records related to the movement of its transport units for a period five (5) years and make these available for inspection by the Authority upon request
 - iii. No one shall temper, alter or in any way deal with the Information Management System in such a way to make it dysfunctional or working inappropriately.
- 28. Not hinder or obstruct EPRA or other relevant Partner Government Agencies or their agents in exercising its mandate.

- c) If a transport unit is involved in an incident in which there is risk of damage to its cargo containment, the transporter shall, prior to placing the transport unit back into service:
 - 1. Notify EPRA and relevant emergency services before any transfer of cargo takes place between the scheduled loading and off-loading points in case of an incident. A competent person appointed by the transporter shall supervise the transfer process.
 - 2. Submit the transport unit for inspection of the cargo containment by a qualified facility to determine compliance with the requirements of the relevant standard; and
 - 3. Submit the transport unit to a roadworthiness testing facility for a roadworthiness test in accordance with the requirements and relevant test standards.
- d) The transporter shall ensure that any transport unit for transporting LPG in cylinders is openly ventilated.
- e) **The transporter dealing with LPG shall:**
 - 1. Ensure the transport units are conspicuously marked with the words "DANGER LPG HIGHLY FLAMMABLE"
 - 2. Ensure the transport units are equipped with suitable respiratory protective equipment for use by the driver(s) in the event of accidental release of the product;
 - 3. Ensure transport unit for LPG cylinders are open-sided and that the LPG cylinders are kept vertical to the transport unit's axis and properly secured to prevent movement;
 - 4. Ensure the driver:
 - i. Wears safety footwear, gloves and eye protection when handling a cylinder;
 - ii. Does not remove or deface labels provided by a sender, as the case may be, to identify cylinder contents; and
 - iii. Remains in control of a transport unit while it is being loaded or unloaded.

6 GUIDELINES FOR PETROLEUM TANKERS

A foreign registered transport unit used for the purpose of transporting petroleum products in Kenya shall be required to meet the following:

- a) Have a valid motor vehicle registration certificate, valid transit licence and valid motor vehicle inspection certificate, issued by a recognized Authority from the country of registration.
- b) Have a functional GPS tracking system that provides, at minimum, distance, location and speed reports accessible through a web-based platform. The tankers must also be fitted with the KRA e-Fuel cargo monitoring seal installed in Kenya to allow for cargo tracking and must be registered on the Regional Electronic Cargo Tracking System (RECTS) Export Booking Module.
- c) Be designed and manufactured for the intended use, capable of containing petroleum products while considering amongst other factors, temperature, pressure, chemical properties, and the flammability or combustibility of the petroleum products. The fuel tankers to bear the words "TRANSIT GOODS" on the sides and should be constructed and, equipped such that a customs seal can be fixed.
- d) Have equipment to relieve pressure or vacuum conditions as appropriate.
- e) Have all vents, where provided maintained in good working condition, with testing, labeling, and certification carried out in accordance with approved practices, standards and applicable legislation.
- f) Have pressure/vacuum relief valves clearly marked with their capacity, type and last inspection date.
- g) The Motor Vehicle Inspection Certificate issued by the relevant Authority for the transport unit shall demonstrate roadworthiness and operational integrity (structural integrity) as per the requirements provided in KS EAS 979:2020 - *Road tankers for petroleum - based flammable liquids –Specification*; KS EAS 902:2018 - *Bulk LPG road tankers - Vehicle, equipment and accessories – Assembly*; KS EAS 903:2018 - *Welded steel tanks for liquefied petroleum gas (LPG) -Road tankers - Design and Manufacture*; and KS EAS 925:2018 - *Inspection and testing of LPG road tankers*.
- h) The transport unit shall be provided with at least two fire extinguishers of appropriate class, maintained in good working condition in compliance with the relevant authority's requirements. Transport units with non-functional or undercharged extinguishers shall not be granted access to the loading Depot.

- i) The transport unit shall have applicable Placarding and Markings with the following features:
1. The markings shall be clear, legible and unobstructed at all time. They shall not be modified or concealed by fixtures.
 2. The full placard and markings must be visible from the road side. They must remain clean, legible and undamaged at all time.
 3. The full placard and markings shall be placed either directly on the transport unit or within a permanently fixed frame.
 4. Placards and warning signs shall be 273 mm (10.8 inches) on each side, with a 12.7mm (0.5 inches) solid line inner border, and must be clearly displayed on all four sides of the transport unit. The hazard class text should be at least 41mm (1.6 inches) in height.
 5. The placards shall comply with the labelling requirement for UN modelling regulation for hazard class diamonds Which shall display two rectangular orange-coloured plates mounted vertically, one at the front and the rear of the transport unit perpendicular to longitudinal axis. The orange coloured plates shall;
 - a. Be reflectorized;
 - b. Be of 40 cm base and of 30 cm high and have a black border of 15 mm wide.
 - c. Be weather-resistant and ensure durable marking.
 - d. Not detach from its mount in the event of 15 minutes' engulfment in fire.
 - e. Remain affixed irrespective of the orientation of the vehicle.
 - f. Optionally be separated in their middle with a black horizontal line of 15 mm thickness.
- j) The transport unit shall be marked with an environmentally hazardous substance marking in the form of:
1. A square set at an angle of 45° (diamond-shaped) bearing the symbol (fish and tree) which shall be black on white or of suitable contrasting background; and
 2. With minimum dimensions of 250 mm x 250 mm and, a line width forming the diamond of 2 mm.
- k) Hose clamps, clips, and other fixing mechanism on the transport unit shall comply with manufacturer design and shall be of a type approved by the relevant Authority.

- l) Each transport unit shall have a valid Fire Clearance Certificate issued by the relevant Authority in the respective country of origin.
- m) The transport unit shall have the following features clearly labelled:
 - 1. Earth lugs and bonding reels;
 - 2. Emergency release;
 - 3. Battery isolator activation devices;
 - 4. Jump start socket (where fitted); and
 - 5. Product pump drive operation.
- n) The transport unit shall, at all times:
 - 1. Carry two safety warning triangles;
 - 2. Carry an equipped first aid kit;
 - 3. Have four wheel chocks of sufficient strength and made from non-sparking material, for each transport unit in a combination (except the track tractor) Wheel chocks shall be set during loading, unloading when the transport unit is parked;
 - 4. Carry a spill kit suitable for containing and cleaning small spills (up to 50 litres) of the petroleum product being transported.
- o) The exhaust system shall be fitted with spark suppression. The routing of the exhaust should not compromise the safety of the cargo or personnel.
- p) The following conditions may require a transport unit to undergo inspection notwithstanding the last inspection date of road worthiness:
 - 1. After an accident affecting the key components and amongst others;
 - 2. When the safety, mechanical, and environmental system or components have been altered or modified; and,
 - 3. In cases where the transport unit is flagged as being potentially un-road worthy.
- q) Where a transport unit has undergone inspection as described under paragraph (p) the respective Authority shall issue an inspection certificate (including structural integrity of the cargo containment) and certificate of road worthiness.
- r) The transport unit shall have an acceptable method of determining cargo size. This shall comprise of dipstick for petroleum and rotary gauge for LPG.
- s) The transport unit shall comply with the prescribed Axle Load Limits as per the East African Community Vehicle Load Control Act, 2016 (EACVLCA, 2016).
- t) Every transport unit should have a validly endorsed Calibration Chart.

7 GUIDELINES FOR TANKER DRIVERS

A person intending to drive a non-Kenyan registered transport unit, for the purpose of transporting petroleum products by road in Kenya shall comply with the following conditions:

- (a) Possess a valid driving licence from recognized Authority having jurisdiction.
- (b) Provide evidence of training in defensive driving.
- (c) Possess a valid certificate of health from a recognized Designated Health Practitioner (DHP) approved by a relevant authority having jurisdiction.
- (d) Have a valid training certificate on petroleum safety, handling of dangerous goods, regulations and security or a certified copy thereof listing the type of transport and the various products (by class or UN number) that the driver has been trained for. The training programme must include the following components:
 - 1. The type of motor vehicle;
 - 2. Class of hazardous product;
 - 3. Detailed theoretical and practical training on emergency response action to be taken in the event of an incident; and
 - 4. Proper method of operating transport unit and procedures for loading and offloading.
- (e) Ensure that the insurance documents, Bill of Lading (BOL), Material Safety Data Sheet (MSDS) and a clear indication of the designated route for the transport unit are well kept aboard the cabin of the prime mover. The transport unit driver to ensure all customs documents are produced when required to, in the course of the transit journey.
- (f) Be competent to perform pre-journey vehicle inspections to determine roadworthiness and suitability of the vehicle to load and undertake the journey in accordance with the requirements of these Guidelines.
- (g) Have available at all times, at least the following personal protection equipment whilst on a journey:
 - 1. A protective overall (Flame retardant for Classes 1 to 4, inclusive) with reflective stripes;
 - 2. Safety-footwear with non-skid soles;
 - 3. Protective work gloves suitable for the goods being carried; and
 - 4. Safety goggles or a facial splash shield suitable for the petroleum products being carried.
- (h) Be able to interpret and implement the instructions on the Safety and Contingency Plan.

- (i) Ensure loading and offloading of the transport unit is only done at approved locations.
- (j) Ensure the engine of the transport unit is switched off before loading/offloading, except where the engine is required to drive pumps or hydraulic units for the purposes of loading or offloading.
- (k) Ensure the battery isolator is turned to the "Off" position before transfer of product commences.
- (l) Ensure electrical bonding/earthing is adhered to in precaution against ignition by static charges when handling petroleum products.
- (m) Inspect and test the transport unit to ensure that it is fit for the journey and check that it is free of any substance that may contaminate the load or create a safety hazard.
- (n) Adhere to the safety and contingency measures while at the petroleum storage depot.
- (o) Ensure that whenever the composite units of an articulated transport unit are separated, the cargo tank(s) must be so restrained and supported on a surface of sufficient bearing capacity as to avoid the risk of moving or falling.
- (p) The driver shall, before loading commences, ensure that:
 - 1. The loading site is as instructed by the operator and can be safely entered;
 - 2. The transport unit is positioned as directed for loading; and
 - 3. Permission has been given for loading to commence.
- (q) The driver shall, after loading has been completed, ensure that:
 - 1. The transport unit has been properly loaded with the product as per the transporter's instructions;
 - 2. The necessary safety equipment is on board;
 - 3. The orange warning signage and relevant placards are in place;
 - 4. The transport unit is not overloaded or the steering and driving axles of the vehicle are not under-loaded to present a safety risk, and the load is properly secured; and
 - 5. There are no defects that arose during the loading process that could cause unsafe conditions during the journey.
- (r) The driver shall adhere to the driving time of not more than eight (8) hours in any 24 hours a day. After every four (4) hours of continuous driving, the driver shall be required to take a rest for a minimum of thirty (30) minutes.
- (s) While enroute, the driver shall:

1. Not allow any passengers or unauthorized persons to be in or on the transport unit at any stage during the journey;
 2. At all times adhere to the designated route and authorized stopping places, unless directed otherwise by a member of the emergency services;
 3. Where pre-planned stops are not in designated places, the transport unit shall stop only in areas sufficiently far away from the main traffic flow so as not to present a risk to other road users;
 4. Not be permitted to unload product except in an authorized and properly equipped area under the supervision of a qualified person, and after the transporter and the Authority have been informed;
 5. In the event of a mechanical breakdown, place regulatory warning triangles at least 50 metres on both sides of the road and notify the transporter immediately; and
 6. Exercise good and defensive driving with anticipation of potential problem situations at all times.
- (t) The driver shall ensure that in-transit monitoring is undertaken, thus, regular checks are made during transit to ensure the continued service worthiness of the transport unit and where possible, the integrity of the load is maintained.
- (u) During transit, if non-compliance or an unsafe condition is noticed which could jeopardize the safety of the transport unit or impact on the environment, the driver shall stop the transport unit and only continue when the noncompliance or unsafe condition has been rectified and the transport unit declared safe to proceed by duly authorized representative of the transporter as per the Highway Emergency Respond plan.
- (v) During transfer of petroleum product, the driver shall be donned in appropriate Personal Protective Equipment (PPE), be equipped with the appropriate class of fire extinguisher and remain with the transport unit at all times while the fuel is being transferred.
- (w) The driver shall use the parking, emergency or service brake to ensure that the transport unit does not move during loading. At least two (2) chock blocks shall be set when loading and when the transport unit is parked.
- (x) The driver shall not allow an unauthorised person to drive a petroleum transport unit in his/her custody unless the person has a valid permit issued by a relevant authority having jurisdiction.
- (y) The driver shall:
1. Not tamper with the quality and quantity of the product and any customs seals attached on the tanker in his custody.

2. Not divert petroleum product destined for export into the Kenyan market.
 3. Transport petroleum only for petroleum business licensees in possession of valid licences issued by a relevant authority having jurisdiction or petroleum imported through an import route designated or prescribed.
 4. Load petroleum product only from petroleum storage facilities in possession of a valid licence issued by the Authority or any other relevant authority having jurisdiction.
 5. Comply with the emergency preparedness and response plan that has been put in place by the transporter.
 6. Comply with the arrangements for the safe parking of petroleum road tankers in accordance with the emergency preparedness and response plan. Where designated parking does not exist the driver shall park the tanker one hundred metres (100m) away from any building whether the tanker is loaded or empty.
 7. Adhere to the pre-loading inspection at the depot in accordance with a checklist approved by the Authority
 8. Be under obligation to present their permit, together with transportation documents related to petroleum products or cylinders being transported, to the Authority or its agent or to any law enforcement officers when requested to do so.
 9. Adhere to the instructions of the Authority at all times.
 10. Present the transport unit to be weighed at every weighing station that is situated along the Regional Trunk Road Network traversed by such transport unit or that is designated for this purpose by a national roads authority.
- (z) In the event of an incident, the driver shall give all necessary assistance to the emergency services and the KRA response teams. The Transport Documents for the consignment on board shall be produced to the Authority and/or emergency services when so requested.
- (aa) Smoking, sparks and open flames in the vicinity of the transport unit is prohibited.
- (bb) The driver shall on being signalled or requested to do so by an authorised officer, comply and take the transport unit to a weighing station or such other designated parking or quarantine area, as may be directed.

8 GUIDELINES FOR LOADING DEPOTS

The loading depot operator shall be responsible for the following:

- a) Ensure that all transporters accessing the facility comply with these Guidelines and all applicable laws and regulations. The Depot shall verify the foreign transport units against the register provided by EPRA from time to time.
- b) Before loading any petroleum product, depot operator shall verify the registration status of the transport unit, the transporter, roadworthiness and structural integrity certificate, particulars of the consignment and the driver.
- c) Supervise loading operation and ensure they are carried out by personnel with the necessary training and equipment.
- d) Procedure shall be established by the depot operator to ensure OMCs understand the site lay out, follow protocol for entering, loading and exiting the depot and have the required equipment to respond to emergencies such as fire, and oil spill from the transport unit or fuel delivery hose.
- e) Pre-loading inspection of the transport unit shall be conducted by the depot operator as per a checklist approved by the Authority.
- f) Ensuring that all personnel working within the premises are familiar with these Guidelines.
- g) Ensuring access to the depot is restricted to authorised persons only.
- h) The loading operation shall be undertaken as per the standard operating procedures and entry to the gantry area shall be posted with conspicuous warning signs.
- i) The loading depot operator shall:
 - 1. Conduct an entry inspection to confirm the transport unit is safe to enter the depot;
 - 2. Ensure the correct grade of petroleum product is/are loaded;
 - 3. Ensure the transport unit has appropriate placard display correct information before it departs;
 - 4. Provide the transport unit driver with the necessary transport documents;
 - 5. Perform an exit inspection to check for tank leaks, equipment leaks and general roadworthiness, including tire condition, light, before allowing the transport unit to proceed.
- j) A transport unit that had been previously loaded with a different grade of petroleum than it is now loading shall be properly cleaned and inspected before loading as per the existing standard operating procedures. A cleaning certificate shall be produced at the depot in the case of Jet A-1. Switch loading poses an explosive hazard and shall be avoided by following the appropriate procedures.

9 TRANSITION

A foreign registered transporter engaged in transportation of petroleum products by road shall be required to comply with these Guidelines within one (1) year of publication.

10 REVIEW

These Guidelines shall be reviewed every three (3) years from the date of publication or on need basis.

APPENDICES

Online registration forms-transport unit, driver, transporter; templates

Appendix-1: Transporter Registration

Company Name _____
Licence No. _____
Registered Office _____
Street/Market _____
Town/District _____
Licence expiry date _____
Local Representative _____
Reg. Transport Units _____
Emergency Contact _____

Appendix-2: Transport Unit Registration

Prime Mover/Trailer Reg. No. _____
Chassis No. _____
Maximum Capacity _____
Country of Origin _____
Insurance Company _____
Insurance Cover _____

Appendix-3: Driver Particulars

Driving Licence No. _____ Class _____
Name _____
Nationality _____
Passport No. _____

Appendix-4: Particulars of A Journey Plan

Reg. No. of the Tanker _____
Cargo on Board _____
Name of Authorizing Officer _____
Designated Stopping Points _____
Designated Resting Points _____
Date & Time of Travel _____
Name of Driver _____
ID/Passport No. of Driver _____
Route of Travel _____
Maximum Allowed Continuous Driving Time _____

Appendix-5: Safety and Contingency Plan Contents

Site-specific Emergency Response Plan.

Systematic response plan in the event of spillage or accidental damage to the tanker

Driver training in ERP procedures.

Installation of functional communication devices on the transport unit.

Mobile number of an Emergency Control Coordinator.

24-hour functional hot line contact numb

