



## UNIVERSITY OF NAIROBI ENTERPRISES AND SERVICES LTD

### STAKEHOLDERS WORKSHOP ON FUEL ECONOMY LABELING AND FEEBATE PROGRAMME FOR MOTOR VEHICLES IN KENYA

HELD ON 12<sup>TH</sup> MAY 2016 AT HILTON HOTEL, NAIROBI KENYA



### WORKSHOP REPORT

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**MAY 2016**

## LIST OF ACRONYMS AND ABBREVIATIONS

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CO <sub>2</sub>	Carbon Dioxide
CS	Cabinet Secretary
ERC	Energy Regulatory Commission
GFEI	Global Fuel Economy Initiative
Gt	Gigatonnes
KEBS	Kenya Bureau of Standards
km	Kilometer
LDV	Light Duty Vehicle
NTSA	National Transport and Safety Authority
PIEA	Petroleum Institute of East Africa
UNEP	United Nations Environment Program
UNES	University of Nairobi Enterprises and Services Ltd
US	United States

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## LIST OF ATTENDANCE

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1.	Dr. Frederick O. Nyang	ERC
2.	Edward Kinyua	ERC
3.	Ezra Terer	ERC
4.	Peter N. Kaigwara	ERC
5.	Godfrey Mwaloma	ERC
6.	Karen Kiamba	ERC
7.	Rob De Jong	UNEP
8.	Jane Akumu	UNEP
9.	Amos Mwangi	UNEP
10.	Bert Fabia	UNEP
11.	Mamode Ally Rechad	Mauritius Revenue Authority
12.	Satish Chandra Sharma	Indian Oil Corporation Limited (IOCL) India
13.	Adano Wario	National Treasury -Kenya
14.	Gerald Banaga Baingi	MEMD - UGANDA
15.	Mercy Kanyesigye	MEMD -Uganda
16.	Noelle Obrien	STARCK/DFID
17.	Nancy Omolo	Finance Innovation for Climate Change Fund (FICCF)
18.	Pascal Vusa	Kenya Bureau of Standards (KEBS)
19.	Purity Maondo	Ministry of Energy & Petroleum
20.	Justus Mbithi	Ministry of Energy & Petroleum
21.	J.M Kimani	Ministry of Transport and Infrastructure
22.	Wanjiku Manyara	Petroleum Institute of East Africa (PIEA)
23.	Henry Kamau	Sustainable Transport Africa (STA)
24.	Kasahun Hailemariam	Transport Authority- Ethiopia
25.	Eng. Opere Nyaroya	National Transport and Safety Authority (NTSA)
26.	Wanyambura Mwambia	National Treasury - Kenya
27.	Ezekiel Weya	NUR
28.	A. M. Kitolo	SDEAA
29.	Eng. Prof. Ayub N. Gitau	UNES - Team Leader and Environmentalist
30.	Prof. J. A. Nyang'aya	UNES - Mechanical Engineer/Automotive studies
31.	Alex Oguso	UNES - Financial Analyst
32.	Peter Kimani	UNES - Environmentalist

33.	Mariana Mulinge	UNES - Project Officer
34.	Robert Mathenge	UNES - Project Officer
35.	Collins Omomo	SID
36.	Benson Wakoli	A. T. G. R
37.	Opondo Gerphas	ECI
38.	Albert Mwangeka	Baraka FM
39.	Simon Ndong'a	Capital FM
40.	Ngari Kariuki	Nation Media Group
41.	Irene Githinji	People Daily
42.	Dennis Onsongo	People Daily
43.	Beryu Oyweri	Kiss 100

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## **1.0 INTRODUCTION**

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The moderator Mr. Edward Kinyua (ERC) called the workshop to order at 9 a.m. Participants were briefed on fire safety and evacuation plans in case of an accident in the workshop venue. This was followed by brief introduction by the members present.

### **1.1 Workshop Objectives**

Mr. Peter Kaigwara from ERC took the participants through the following objectives of the workshop:

- a) Share the findings of the Proposed Vehicle Fuel Economy Labeling and Feebate Study for Kenya.
- b) Sharing experiences on Feebate Tax Systems implemented in other countries.
- c) Receive stakeholder's comments and suggestions on the proposed programs
- d) Concurrence on the way forward

### **1.2 Opening Remarks**

Speaking on behalf of the Director General of ERC Dr. Frederick Nyang' welcomed all the members present at the workshop. He acknowledged the presence of partners from India, Mauritius, Uganda and Ethiopia. He noted that the workshop was a culmination of over more than one-year consultation between Multilateral organizations, Government and the academia.

He informed the participants that in February 2015, the Energy Regulatory Commission contracted UNES Ltd. to carry out a feebate and vehicle labeling study as a follow-up to the recommendations proposed in the GFEI study. He thanked the technical team and the experts involved in the preparation of the report and welcomed all the participants to contribute positively that thus was a National agenda.

### **1.3 Keynote Address**

In the keynote address read on behalf of CS Treasury by Mr. Wanyambura Mwambia, the government gave its commitment to support importation of fuel efficient vehicles. In addition, the National Treasury confirmed having received the findings from the GFEI baseline survey and this has helped sensitize all stakeholders on the need for action as well as seek their concurrence towards the implementation of the proposed policies to improve the country's fuel efficiency and reduce emissions.

## **2.0 WORKSHOP PRESENTATIONS**

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### **2.1. GFEI International Trends**

Mr. Rob de Jong of UNEP Transport Unit made a presentation titled “Promoting Cleaner and More Efficient Vehicles - the Global Fuel Economy Initiative”. He informed the workshop that, the transport sector account for 22% of global CO<sub>2</sub> Emissions, estimated at 7 Gt CO<sub>2</sub>. 73% of the emissions in the transport sector originate from road transport vehicles, 53% of which originate from Light Duty Vehicles (LDVs). He emphasized the need to reduce CO<sub>2</sub> emissions from LDVs.

The workshop was informed that the transport sector was growing rapidly than any other sector. The total global population of vehicles is currently estimated at half a billion Vehicles and that by 2050, the population is projected at 2.5 billion vehicles. Most of this growth is happening in the developing and emerging economies and if there were no interventions, the growth of the vehicle population might result to poverty in these countries.

He highlighted the GFEI’s commitment to working with governments to double the fuel efficiency from the current 8.7l/100km to 4.3 l/100km by 2050. Globally, GFEI is already working with 27 Nations and that up to 100 countries were gearing to take up the initiative.

### **2.2. Fuel tax and feebate system in Mauritius**

Mr. Mamode Ally Rechad from the Mauritius Revenue Authority made a presentation on Mauritius Feebate Tax System. He informed the workshop that the Fuel tax and feebate system was introduced in Mauritius in 2011 where by the excise Act of 1994 was amended. The system is similar to the French system. In case of second hand cars, a Pre-Shipment Inspection (PSI) Certificate specified in the Consumer Protection (Control of Imports) Regulation 1999 is required, where the CO<sub>2</sub> emission must be provided. The motor vehicle importers must present a CO<sub>2</sub> emission certificates to the customs office in case of a new vehicle. For a second-hand car, pre-shipment inspection certificate is mandatory.

The Feebate System applies to cars (including hybrid cars), whether new or second-hand at the time of removal from Customs for home consumption. The system is applicable to all cars including hybrids. In 2011, the CO<sub>2</sub> thresholds was at 158 g/km but was later reviewed in November 2013 to 150 g/km. The CO<sub>2</sub> levy is added to the excise duty whereas the feebate is subtracted from excise duty. Under the program any rebate granted shall not exceed the excise



duty payable on the motor car. The administration of the Feebate system is done by Mauritius Revenue Authority.

Mr. Rechad informed the workshop revenue neutrality was not achieved in the first year of implementation. Rebates were much higher than the fees by 28 million US dollars hence the lowering of the benchmark to 150 g/km in 2013.

### **2.3. Proposed Feebate and Vehicle Labeling Programme for Kenya**

Representing the consultants team, Prof. Ayub Gitau made a brief presentation on how the feebate and vehicle labelling study was conducted. He informed members that the study involved detailed consultations with stakeholders and analysis of vehicle imports into the country. Study recommendations were guided by international best practices. After his presentation Prof. Gitau invited Prof. James Nyang'aya to make a presentation of the detailed study findings.

#### ***2.3.1. Vehicle Labeling Programme***

Prof. Nyang'aya indicated that the consultants proposed three labels for selection by the regulator. The labels were designed taking into consideration International best practices. He indicated that the team proposed roles of the key institutions in the implementation of the feebate and vehicle labelling program. Some of the key institutions critical in implementation of the program include:

- a) Kenya Bureau of Standards
- b) National Transport and Safety Authority
- c) Kenya Revenue Authority
- d) Auto Dealers
- e) Energy Regulatory Commission
- f) Ministry of Transport and Infrastructure

The stakeholders were also taken through some of the foreseen challenges in vehicle labelling program. These included.

- a) Challenges in Data Management
- b) Misrepresentation of Vehicle Information
- c) Non Compliance
- d) Ignorance
- e) Slow Implementation of Proposed Program

### **2.3.2. New Vehicle Purchase Scheme**

Prof. Nyang'aya presented the various types of vehicle purchase schemes: Trade-in's, Scrappage schemes and Credit schemes. He indicated that new vehicle purchase scheme work best in countries with vehicle industries under manufacture and assembly.

### **2.3.3. Feebate Programme**

The consultant presented an overview of the countries in the world that had implemented Feebate Programs and their common features. International best practices for feebate programmes were also discussed. He informed the workshop that from a consumer survey, only 25% were aware of feebate program in Kenya and that 45% were willing to pay emission fees if introduced.

The stakeholders were taken through the process of establishing the benchmark rate for Kenya where a recommended rate of Kshs 1,500 g CO<sub>2</sub>/km was proposed for both fees and rebates.

### **2.3.4. Recommendations**

The consultant presented the following study recommendations:

- a) To ensure that the proposed vehicle labeling is implemented, Kenya Bureau of Standards (KEBS) in consultation with Energy Regulatory Commission (ERC) and other stakeholders should develop a standard on vehicle labeling. ERC should hold consultative forums with key stakeholders to reach an agreement on proposed vehicle labels.
- b) Development of a consumer-focused website to provide consumers with downloadable vehicle detailed information, with access to tools, applications and social media. The online database should be created by KEBS where vehicle buyers and Auto dealers can log in to access vehicle information.
- c) ERC to lobby support for enactment of a revised Energy Bill (could be of 2015). The bill should propose establishment of an energy efficiency and conservation agency, in relation to vehicle fuel efficiency. The proposed agency will be instrumental in implementing vehicle labeling program.
- d) The study recommended that should a feebate system be initiated in Kenya, a range between 169.00 gCO<sub>2</sub>/km to 169.99 gCO<sub>2</sub>/km be used as a benchmark level where there will be no fee or rebate for vehicles with emissions falling within the range
- e) Vehicle purchases with emissions below 169.00 gCO<sub>2</sub>/km be considered efficient and an incentive of Kshs 1,500 per gCO<sub>2</sub>/km be established as the rebate.

- f) A fee of Kshs 1,500 per gCO<sub>2</sub>/km for vehicles with emissions above 170 gCO<sub>2</sub>/km be charged.
- g) The rebate fee should be lower than the fee upon determining the administrative costs involved with a view of ensuring that there are no revenues generated from the program.

#### **2.4. Experience on Vehicle Emissions Policies in India**

Mr. Satish Chandra Sharma of Indian Oil Corporation Limited on his presentation on Indian Experience noted that “the world is one family”. This was due to the fact that we all work to attain the same thing which makes it easier to find the necessary cooperation that would pave way for global assistance in helping everyone acquire what they need.

He informed the workshop the roles played by the Indian Regulatory and other Agencies in formulation of standards, planning, development of regulations and in pollution abatement. These agencies included:

- a) Bureau of Indian Standards (BIS)
- b) Central Pollution Control Board (CPCB)
- c) Ministry of Environment and Forest (MoEF)
- d) Ministry of Petroleum and Natural Gas (MoPNG)
- e) Ministry of Road Transportation and Highways (MoRTH)
- f) Bureau of Energy Efficiency-
- g) Petroleum Conservation Research Association

Mr. Sharma informed the workshop that 13 out of 20 most polluted cities in world by particulate matter concentration are in India and that the greatest source of pollution was from fuels. In this regard India has taken a host of measures to reduce pollution in major towns and cities among them;

- a) Charging fees for large and small trucks that pass through the cities other than using bypasses.
- b) Ban on use of ten-year-old diesel vehicle in and no further registration of vehicles older than 15 years in National Capital Region (NCR) of Delhi.
- c) Ban on registration of diesel vehicle beyond 2000 CC in NCR
- d) Petrol and Diesel Taxis banned from plying in NCR by the order of the Honorable Supreme Court of India from 1st May 2016

That the country was in the process of implementing fuel economy measures by use of Light and Heavy-duty vehicle efficiency standards.

## **2.5. Fuel Efficiency Initiative in Uganda**

The Workshop was informed that the Global Fuel Economy Initiative (GFEI) was launched in Uganda in August 2015. Mr. Gerald Banaga in his presentation pointed out that public transport in Uganda is populated mainly by old vehicles that are inefficient in fuel use and have massive emissions. The average fuel efficiency has declined from 12.52 L/100km in 2005 to 13.73 L/100Km in 2014. This is attributed to the increase in the average age of vehicles imported into the country. Average carbon dioxide emission has also worsened from 465 g/km in 2005 to 503g/km in 2014.

Mr. Banaga informed members that Uganda has woken up as far as fuel economy is concerned and that there are several planned actions to improve the current situation. Some of the planned actions include to:

- a) Develop the policy, legal and regulatory framework for fuel efficiency
- b) Continue stakeholder consultations/involvement
- c) Estimate the level of carbon savings for possible carbon trading
- d) Develop a fuel efficiency labelling scheme
- e) Develop a Feebate/Rebate scheme
- f) Undertake the feasibility on vehicle standards and age limits
- g) Undertake surveys on vehicle use, efficiency and emissions
- h) Develop fiscal incentives to encourage acquisition of more fuel efficient vehicles
- i) Develop a financial incentives scheme for vehicle replacement
- j) Promote Mass Public Transport (MPT)

## **2.6. Fuel Efficiency Initiative in Ethiopia**

Mr. Kasahun Hailemariam from the Ethiopia Transport Authority made a brief presentation on GFEI initiative in Ethiopia. He mentioned that Ethiopia has constructed a metropolitan railway line in Addis Ababa. He also informed the meeting that they had learnt a lot and that they were considering implementing cleaner vehicle policies.

### 3.0 DISCUSSIONS

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- a) **Question:** *In Kenya Maintenance of vehicles is by the Juakali artisans, what is the government doing about it?*

**Response:** Enlightening of Artisans is critical. There is need for approval and licensing of private garages by NTSA under the Motor Vehicle Inspection Unit. Motor Vehicle Inspection unit is in the process of accrediting garages.

- b) **Question:** *Has the Mauritius program changed consumer preferences?*

**Response:** Over the period of implementation, consumers' preference has changed. With the incentives provided by Government to promote energy efficient motor cars, there has been a marked increase in importation of hybrid cars. From 2009 to 2014, the number of hybrid and electric cars has increased from 43 to 1824 and from 0 to 8 respectively.

- c) **Question:** *What is Kenya doing to reduce inefficiencies of vehicle fleet already in the country and how can the country ensure that only genuine and quality vehicle spare parts get into the market?*

**Response:** Kenya Bureau of standards has been conducting pre-verification of conformity in line with KS 1515. There has been high surveillance to ensure that goods destined for regional markets do not end up in the country. Kenya abolished leaded fuels in 2005. The octane rating was increased from 91 to 93. Kenya has also reduced sulfur content from 500 to 50 ppm. On importation of Genuine parts, proper inspection should be done by the four companies mandated to do inspection.

- d) **Observation:** *The president of Kenya signed the Climate Change Bill into law, combined with Paris Protocol which Kenya is a signatory, the country can gain if reduction in vehicle emissions can be quantified in the future.*

- e) **Comment:** *There is need to include a Social scientist in the consulting team, some people in the workshop could not understand technical terms used in the presentation. There is need to use terms that can easily be understood by common people.*

**Response:** The consultant will try to use simple terms in the final report. However, it will be prudent to involve social scientists when preparing educational adverts on the feebate and vehicle labelling programs.

## **4.0 WAY FORWARD**

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- a) The consultant to prepare the National Workshop report
- b) The ERC technical committee will give feedback to the Consultant
- c) That the consultant updates the Final Study Report taking into account the stakeholder's comments.
- d) The consultant to submit the final study report.

## **5.0 CLOSING REMARKS**

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There being no other business, the workshop was officially closed at 13.00 hours with a vote of thanks from PIEA General Manager, Wanjiku Manyara.

## ANNEX

### A 1. Photos of Workshop Participants




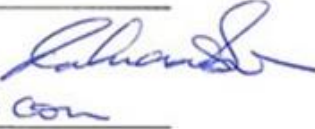

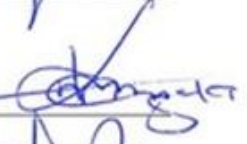


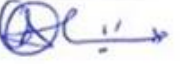
Plate 1: Stakeholders Group Photo



Plate 2: Photo of Stakeholders following workshop proceedings





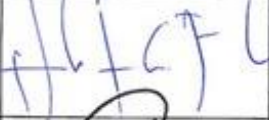


A 2. Attendance list

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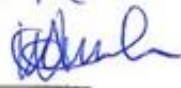



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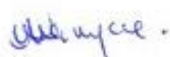


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**A 3. Presentation Slides - Promoting Cleaner and More Efficient Vehicles -  
The Global Fuel Economy Initiative**

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**A 4. Presentation Slides - Implementation of the Feebate Tax System: Case of Mauritius**

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**A 5. Presentation Slides - Proposed Feebate and Vehicle Labeling Programme for Kenya**

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**A 6. Presentation Slides - Experience on Pollution and Fuel Economy in India**

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