ROAD SAFETY SECRETARIAT (RSS)

TERMS OF REFERENCE
(TOR)
FOR LEGAL CONSULTANCY FOR DRAFTING LEGISLATION FOR THE NATIONAL ROAD SAFETY AGENCY ACT (NRSA)

1. BACKGROUND

The Government of Liberia has received financing from the International Development Association (IDA), toward the financing for the Southeastern Corridor Road Asset Management Project (SECRAMP).
The Southeastern Corridor Road Asset Management Project is currently in the implementation stage, with two lots.

- SECRAMP Lot 1: Ganta to Saglepie (approx. 39KM) and
- SECRAMP Lot 2: Saglepie to Tippita (61KM)

In 2025, the Inter-Ministerial Council (IMC) on Road Safety approved the establishment of the National Road Safety Agency (NRSA). To support this initiative, the Ministry of Transport intends to use a portion of the financing from SECRAMP to pay for the services of an individual Legal Consultant to draft legislation for the establishment of the National Road Safety Agency (NRSA) Act.

The existing Secretariat is increasingly overburdened in handling the growing demands of road safety issues, which range from policy and regulatory frameworks required in the road safety sector. Over time, on a daily basis, the sector continues to face multiple challenges, which include but are not limited to weak vehicle and traffic laws, Ineffective enforcement, Poor infrastructure, Limited technological and financial resources, inadequate road maintenance strategy, and policy gaps affecting microeconomic activities. As such, this consulting service seeks to fill this gap by providing legal expertise for drafting an act that will eventually lead to the creation of the National Road Safety Agency of Liberia, an autonomous authority responsible for road safety regulation, policy making, and enforcement in Liberia.
The consultancy services will include the following:

- Draft the enabling legislation for the National Road Safety Agency of Liberia.
- Conduct stakeholder consultations.
- Lead the legislative enactment process.

Given the ongoing reforms in the road transport sector, a revised legal framework is necessary to meet evolving road safety goals. The consultant will provide both technical and managerial support for this process.

2. OBJECTIVES OF THE ASSIGNMENT

The objective of the assignment is for the Consultant to carry out the following:

- To draft legislation establishing the National Road Safety Agency (NRSA) as an autonomous agency.

- To facilitate stakeholder consultations in three phases: a. Initial framework discussion b. Mid-term review and c. Final review and submission of the draft legislation to consult with both Houses of the Legislature, particularly their Transport Committees.
- To provide legislative advice and support to ensure the enactment process aligns with Liberian law and international best practices.

3. SCOPE OF THE ASSIGNMENT

The consultant assignment will focus on two major components, but not limited to:

- Drafting the National Road Safety Agency legislation.
- To work closely with the Ministry of Transport, as the ministry leads the legislative process for enacting the NRSA as an autonomous agency.

The Consultant will also execute the following:

1. Carry on desk review of relevant documents to understand the legal framework of Ministries such as Public Works, Transport, Justice, Health, Education, and the Liberia National Police to identify overlaps and propose policy shifts.

2. Present findings and legislation, gather feedback from sector stakeholders, including government entities, civil society, donor partners, and local commissioners. The Consultant will undertake the following:

- Desk Review: Analyze all relevant laws, policies, agency mandates, and documents related to the Road Safety Agency and road safety.
- Organizational Review: Examine RSS's structure, financial and administrative systems, and recommend policy updates.
- Stakeholder Conference: Plan and facilitate a transport and infrastructure conference to support the legislation process.
- Legal Framework: Clearly define the procedures for establishing the NRSA, with documentation and referencing.

3. The draft legislation for the National Road Safety Agency should be primarily based on international best practices.

4. DURATION OF THE ASSIGNMENT

The assignment duration is 120 calendar days from the start date.

5. OUTPUT/DELIVERABLES

The Consultant will report to the Inter-Ministerial Council, chaired by the Minister of Transport and the Secretariat, and deliver the following in both hard and electronic formats:

- Inception Report (Due in 20 days): Including methodology, work plan, stakeholder list, and plan for the Review Conference.
- Initial Legislation (Due in 1 month): Covering all TOR requirements.
- Review Workshop (Within 2.5 months): A one-day session with IMC and key stakeholders to discuss the draft.
- First Draft Legislation (Due in 3 months): Including executive summary, legal analysis, recommendations, and two days of stakeholder dialogue.

- Sector Review Conference (By month 3.5): Organized and facilitated with broad stakeholder participation.

Final Draft Legislation Report (By month 4): Incorporating feedback from the Conference and recommendations leading to the enactment of the draft.

6. QUALIFICATION AND EXPERIENCE

The Consultant must have the following Qualifications and experience:

a) At least a LLB degree in Law, BSc Public Administration, Public Policy, or Related Fields.

b) The Consultant shall have prior experience leading, reviewing, and drafting legislation or legal frameworks in at least 3 projects or programs within the public/private sectors.

c) Good communication and facilitation skills.

d) At least 10 (ten) years' experience in the legal profession and understanding the laws of Liberia and the bureaucratic functions of governance.

e) Past experiences in working with the Government of Liberia, most especially the (Ministry of Public Works/Transport/ Justice or any other institution), and added advantages could be if knowledgeable of the Liberian Law.

f) Prior successful experience in drafting road safety legislation is required.

g) Prior experience in the facilitation of stakeholder conferences or meetings.

h) An LLM degree with experience in other relevant areas will be considered an added advantage.

Applicants must submit the following:

a) Curriculum Vitae (CV),
b) Copies of academic and professional credentials,
c) Evidence of past relevant legal consultancy assignments,
d) Expression of interest/cover letter.

The selection process will be competitive and based on the outlined qualifications.

7. PAYMENT SCHEDULE

Payment to the Consultant will be made as follows:

1. Upon Signing of the Contract ……10%
2. Inception Report (Submission and Acceptance) 10%
3. First Draft Legislation (Submission and Acceptance) 30%
4. Final draft Legislation (submission and Acceptance) ….50%

8. FACILITIES TO BE PROVIDED BY THE CLIENT

The Client will provide the below listed documents necessary to facilitate the Consultant's work.

a. The Vehicle and Traffic Law of 1972.
b. Revised Draft Amended Vehicle and Traffic Law of 2022.
c. The Executive Law establishing the Ministry of Transport, Ministry of Public Works, Ministry of Justice, Ministry of Health, Ministry of Education, and the Ministry of Finance and Development Planning.
d. Act establishing the National Road Funds.
e. Act establishing the Liberia National Police.