

REPUBLIC OF SOUTH AFRICA

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# NATIONAL ROAD TRAFFIC AMENDMENT BILL

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*(As introduced in the National Assembly (proposed section 76); explanatory summary of  
Bill and prior notice of its introduction published in Government Gazette No. 43201  
of 3 April 2020)*  
*(The English Text is the official text of the Bill)*

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(MINISTER OF TRANSPORT)

[B 7—2020]

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[ ] Words in bold type in square brackets indicate omissions from existing enactments.

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To amend the National Road Traffic Act, 1996, so as to insert new definitions and to amend others; to provide for the suspension and cancellation of the registration of an examiner for driving licences or an examiner of vehicles, if such person has been convicted of an offence listed in Schedule 1 or 2 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), or has a direct or indirect conflict of interest; to provide for the registration and grading of training centres; to further provide for the registration of manufacturers, builders, body builders, importers and manufacturers of number plates, including manufacturers of reflective sheeting for number plates, suppliers of blank number plates, suppliers of reflective sheeting for number plates, embossers of number plates, weighbridge facilities, manufacturers of microdots, suppliers of microdots and microdot fitment centres; to extend the right to appeal to a manufacturer of blank number plates, manufacturer of reflective sheeting for number plates, supplier of blank number plates, supplier of reflective sheeting for number plates, embosser of number plates, weighbridge facility, manufacturer of microdots, supplier of microdots and microdot fitment centres; to require a provincial Department responsible for transport or local authority to register a driving licence testing centre before operating as a driving licence testing centre; to further provide for the appointment of inspectorate of manufacturers, building, body builders, importers, including inspectorates of number plates, microdots and weighbridge facilities; to provide for the surrender of a driving licence by a holder of a driving licence and the re-issuing of a different category of a licence on request to the chief executive officer; to prohibit the wilful or negligent issuing of a learner's licence or authorising the issue of a learner's licence, endorsing or failure to endorse a learner's licence, or to produce, print or manufacture any document similar to a learner's licence, contrary to Chapter IV of the National Road Traffic Act, 1996; to prohibit the use of unauthorised aid during a test for a learner's licence or a driving licence test, and the disqualification thereof; to provide for the registration and grading of driving school instructors; to provide for the registration and grading of driving schools; to further prohibit and reduce the limit of alcohol in a specimen of blood taken from any part of the body; and to provide for matters connected therewith.

**B**E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

**Amendment of section 1 of Act 93 of 1996, as amended by section 1 of Act 8 of 1998, section 1 of Act 21 of 1999 and section 1 of Act 64 of 2008**

1. Section 1 of the National Road Traffic Act, 1996 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the substitution for the definition of “ambulance” of the following definition:
 

“**‘ambulance’** means a motor vehicle that is—

  - (a) appropriately equipped, designed or adapted solely for the purpose of providing emergency care and conveyance of patients;
  - (b) owned by an Emergency Medical Service as contemplated in the Emergency Medical Services Regulations, 2016, as amended; and
  - (c) registered as an ambulance in terms of this Act;”;
- (b) by the insertion after the definition of “authorised officer” of the following definition:
 

“**‘body builder’** means any person who builds and fits new bodies on chassis or chassis cabs, or modifies motor vehicles;”;
- (c) by the substitution for the definition of “builder” of the following definition:
 

“**‘builder’** means any person who manufactures or assembles motor vehicles in whole or in part from used components[, or modifies motor vehicles using new or used components];”;
- (d) by the insertion after the definition of “driving licence testing centre” of the following definitions:
 

“**‘driving school’** means any person who has been registered in terms of this Act to conduct or offer instruction or training in the operation of motor vehicles in preparation of an applicant for examination to obtain a learner’s licence, provisional driving licence, driving licence or professional driving permit in terms of this Act;

**‘ECE regulations’** means the United Nations Economic Commission for Europe Regulations;”;
- (e) by the insertion after the definition of “edge of the roadway” of the following definitions:
 

“**‘embosser of number plates’** means any person who is registered to emboss an allocated licence number or a motor trade number of a motor vehicle on a blank number plate for the purpose of selling such number plate;

**‘emergency services’** means emergency medical services provided by an organ of state or private body, disaster management services, fire and emergency services, traffic officers, traffic warden, members of the South African Police Services, metropolitan police department, municipal police department, members of the South African National Defence Force or the national Department of Health;

**‘emergency vehicle’** means a fire-fighting vehicle, fire-fighting response vehicle, rescue vehicle, ambulance, emergency medical response vehicle, a vehicle driven by a traffic officer in the execution of his or her duties, a vehicle driven by a member of the South African Police Service in the execution of his or her duties or a vehicle driven by a member of a metropolitan police department or municipal police service in the execution of his or her duties, both defined in the South African Police Service Act, 1995 (Act No. 68 of 1995), and a vehicle driven by a person engaged in civil protection as contemplated in the Disaster Management Act, 2002 (Act No. 57 of 2002);”;
- (f) by the insertion after the definition of “examiner of vehicles” of the following definition:
 

“**‘fire-fighting response vehicle’** means a vehicle operated by a person rendering a “service” as defined in section 1 of the Fire Brigade Service Act, 1987 (Act No. 99 of 1987);”;
- (g) by the insertion after the definition of “importer” of the following definition:
 

“**‘incident’** means an extraordinary condition or event which results in a reduction in road capacity or creates a hazard for road users for a

- sustained period of time, which includes a minor accident, shoulder or lane obstruction, rail or aviation accident, leakage or spilled load;”;
- (h) by the insertion after the definition of “inspector of licences” of the following definitions:
- “**‘inspectorate of driving licence testing centres’** means a person, an authority or an organisation appointed in terms of section 11; 5
- ‘inspectorate of driving schools’** means a person, authority or an organisation appointed as such in terms of section 28G;
- ‘inspectorate of manufacturers, builders, body builders and importers’** means a person, an authority or an organisation appointed as such in terms of section 7; 10
- ‘inspectorate of testing stations’** means any person, authority or organisation appointed in terms of section 41;”;
- (i) by the substitution for the definition of “instructor” of the following definition: 15
- “**‘instructor’** means any person registered and graded as an instructor in terms of section 28B;”;
- (j) by the insertion after the definition of “manufacturer” of the following definitions:
- “**‘manufacturer of blank number plates’** means any person or an organisation who is registered to manufacture blank number plates for purposes of embossing an allocated licence number or a motor trade number of a motor vehicle; 20
- ‘manufacturer of microdots’** means any person or an organisation registered in terms of section 5K to manufacture microdots;”;
- (k) by the insertion after the definition of “manufacturer of number plates” of the following definition: 25
- “**‘manufacturer of reflective sheeting’** means any person or an organisation who is registered to manufacture reflective sheeting for purposes of manufacturing blank number plates;”;
- (l) by the insertion after the definition of “medical practitioner” of the following definitions: 30
- “**‘medical rescue vehicle’** means a motor vehicle owned by an Emergency Medical Service as contemplated in the Emergency Medical Services Regulations, 2016, as amended and registered as a medical rescue vehicle in terms of this Act; 35
- ‘medical response vehicle’** means a motor vehicle owned by an Emergency Medical Service as contemplated in the Emergency Medical Services Regulations, 2016, as amended and registered as a medical response vehicle in terms of this Act; 40
- ‘microdot’** means a micro-particle with a diameter smaller than 1,8 mm which bears a unique optically readable microdot identifier of which the content and structure complies with the specifications SANS 534-1 and is legible with equipment that magnifies the text 60 times;
- ‘microdot fitment centre’** means any person or organisation registered in terms of section 5K to fit microdots on vehicles;”;
- (m) by the insertion after the definition of “Minister” of the following definition: 45
- “**‘model regulations’** means the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations, 2015;”;
- (n) by the substitution for the definition of “motor vehicle” of the following definition: 50
- “**‘motor vehicle’** means any self-propelled vehicle, and includes—
- (a) a trailer; and
- (b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto and which is designed or adapted to be propelled by means of such pedals, engine or electric motor, or both such pedals **[and]**, engine or electric motor, but does not include— 55
- (i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; 60
- [or]**
- (ii) any vehicle with a mass not exceeding 230 **[kilograms]** kg and specially designed and constructed, and not merely

- adapted, for the use of any person suffering from some physical defect or disability and used solely by such person; or
- (iii) a pedal cycle having pedals and an engine or an electrical motor as an integral part thereof with a maximum design speed not exceeding 45 km/h;” 5
- (o) by the insertion after the definition of “motor vehicle” of the following definition:  
“‘NaTIS officer’ means a person who has been appointed and registered in terms of sections 3A and 3C, respectively;” 10
- (p) by the insertion after the definition of “park” of the following definition:  
“‘Passenger Rail Agency of South Africa’ means the company established in terms of section 22 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989);”
- (q) by the substitution for the definition of “pedal cycle” of the following definition: 15  
“‘pedal cycle’ means—  
 (a) any bicycle or tricycle designed for propulsion solely by means of human power; or  
 (b) any bicycle or tricycle with operable pedals and an electric motor with a total weight that does not exceed 30kg: Provided that the electric motor may not be capable of propelling the bicycle or tricycle unassisted at a speed not exceeding 25km/h;” 20
- (r) by the insertion after the definition of “province” of the following definition:  
“‘provincial inspectorate’ means a person or an organisation appointed in terms of section 11A;” 25
- (s) by the substitution for the definition of “reserve traffic warden” of the following definition:  
“‘reserve traffic warden’ means a [person] traffic warden who has been declared a peace officer by the Minister of Justice in terms of section 334 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), and has been appointed as a reserve traffic [officer] warden by the chief executive officer or the MEC, as the case may be, on a temporary basis for a specific period;” 30
- (t) by the insertion after the definition of “South African Bureau of Standards” of the following definition: 35  
“‘standard’ means any code of practice, compulsory specification, specification, standard or standard method adopted by the South African Bureau of Standards, as defined in section 1 of the Standards Act, 2008 (Act No. 8 of 2008), or adopted by the International Standard Organisation;” 40
- (u) by the insertion after the definition of “stop” of the following definitions:  
“‘supplier of blank number plates’ means a person, an authority or an organisation registered to supply blank number plates for purposes of embossing an allocated licence number of a motor vehicle or a motor trade number of a motor vehicle;  
‘supplier of microdots’ means a person, an authority or an organisation registered in terms of section 5K for the purpose of supplying microdots;  
‘supplier of reflective sheeting’ means a person, an authority or an organisation registered to supply reflective sheeting for blank number plates for purposes of embossing an allocated licence number or a motor trade number of a motor vehicle;” 45 50
- (v) by the substitution for the definition of “testing station” of the following definition:  
“‘testing station’ means a testing station registered in terms of section 39 to examine and test a motor vehicle;” and 55
- (w) by the insertion after the definition of “verge” of the following definition:  
“‘weighbridge facility’ means a facility with a mass measuring apparatus and is registered in terms of section 5E to determine the tare of a motor vehicle;”. 60