



Reg Number: 9900211 / 08  
Driving force in all modes of transport



## SACO COMMUTERS RIGHTS CHARTER AND POSITION



REVISED AND ADOPTED AT THE  
SACO NATIONAL CONFERENCE  
IN APRIL 2007



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### TABLE OF CONTENTS

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INTRODUCTION	.....	PAGES 1-2
ARTICLES 1-4	.....	PAGE 3
ARTICLES 5-7	.....	PAGE 4
ARTICLES 8-10	.....	PAGE 5
ARTICLES 11-12	.....	PAGE 6
ARTICLES 13-17	.....	PAGE 7
ARTICLES 18-19	.....	PAGE 8
ARTICLES 20-22	.....	PAGE 9

SOUTH AFRICAN COMMUTERS ORGANISATION  
PO BOX 812  
MONDEOR  
JOHANNESBURG  
2110

10999 EXT 7B  
ORANGE FARM  
072 222 0087  
INFO@SACOMMUTERS.ORG  
WWW.SACOMMUTERS.ORG

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DRIVING FORCE IN ALL MODES OF TRANSPORT



# WE, THE SOUTH AFRICAN COMMUTERS ORGANISATION (SACO) MEMBERS

*Having consulted broadly amongst our constituent members regarding public passenger transport and related issues;*

- noted that the use of land based on the policy of racial segregation resulted in spatial and mobility inefficiencies of unparalleled magnitude;
- noted that the apartheid system created a legacy of inefficiencies that require proactive transport planning approach;
- noted that the apartheid policies resulted, *inter alia*, in the low-density development, spatially dislocated settlements, long travelling distances between home, work and service points, growth of informal settlement on the fringe of towns, disparities between areas in terms of economic activity and levels of service provided to different areas, and urban sprawl;
- noted that there are no **Transport Authorities (TAs)** in existence and no comprehensive public transport plans have been drawn up;
- noted that transport plays a crucial role in fulfilling one of the important policy directives of the government, i.e. providing a means that enables the majority of children of school-going age to get to school;
- noted that many of the learners are still walking to school, not out of choice, but because they have no available and/or other affordable option;
- noted that most of the learners are mainly using unsubsidized taxi services, or walking long distances, and are thus not catered for in the transport and/or education subsidy administration system;
- noted that scholar transport services are continuing to be operated on informal basis with very minimal or no proper regulatory measures at all.
- in most instances, safety standards are lacking, or are not adhered to by the scholar transport operators, and thus compromising the quality of the service that they are rendering.
- compromising the safety of the passengers thereof, and quite often, the condition of many of the vehicles used for scholar transport operations is unacceptable.
- The current public transport services do not adequately address the needs of people with disabilities;
- noted that there is no dedicated infrastructure or public transport service earmarked specifically for the people with disabilities or the mobility y-impaired members of the community in the whole of the study area;
- noted that the disabled people have to pay twice in addition to his/her own fare for a seat for his/her wheelchair in a minibus taxi, and have to suffer the inconvenience and embarrassment of having to be uplifted onto the buses or taxis;
- noted that most of the drivers are also not sensitive towards the plight of the people with disabilities, and are treating them with contempt and/or impatience;
- noted that non-motorised transport, and specifically walking, and cycling are the major modes of transport for most of the people;
- noted that there are no adequate facilities (shelters) for public passenger transport modes in general;
- noted that certain transport

infrastructure is in a poor state and an upgrading programme will make a substantial difference, and that those that are there are not adequately equipped to can deal with the challenges.

- noted that increased investment in physical infrastructure to accommodate motorised transport needs have become economically and financially unsustainable;
- noted that the **South African** urban transport scene is characterised by a substantial overspending on personal transport ~ cars and an abnormally high level of subsidy to cars.
- noted that **South Africa** spends about **RI75 billion** a year on private passenger transport, i.e. about 17% of GDP;
- noted that a higher than average percentage of the population (around 70%) remains either immobile, i.e. does not have access to cars, or is dependent on inadequate public transport.
- noted the low levels of investment within the South African rail sector, coupled with the lack of coordination with the other modes, poor safety and security, etc.
- noted that public transport is fragmented, inadequate in terms of both route coverage and frequency, and has failed to develop in keeping with urban expansion.
- noted that there is no integrated ticketing,

scheduling, marketing or branding of public passenger transport.

- noted the interface between road and rail is usually ad-hoc, uncoordinated and user-unfriendly.
- further noticed that some of the trips and transport needs are largely local in character, with travel activities including home-to-work, home-to-school and trips to social amenities of life;
- noted that mobility and access to transport facilities is essential to the everyday life of the travelling communities in order for them to become active participants in developing their lives;
- noted that law enforcement forms a vital link with the implementation of transport policies and legislation;
- regrettably noted that law enforcement is at its lowest levels;
- further noted that the lack of visible law enforcement is the missing link and a contributory factor to most of the problems within the public transport sector;
- noted that the low level of various skills in the taxi industry attribute many of the problems that are experienced by the taxi operators, drivers, officials, rank marshals, and the users thereof;
- noticed that there is a travesty of justice for discriminating against the

majority of the people who are making use of public transport, or are being conveyed for reward when it comes to third party compensation;

- noted the manner in which third party claims are being handled, with claim procedures taking a very long time;
- realising that our constituency is amongst the most underprivileged and is often marginalised by those who wield power;
- that public transport users are amongst the worst victims of the legacy of the past policies and miss planning and that they are not being taken with high esteem by the authorities as some of the important components within the public transport sector;
- the need for the levelling of the playing field among the providers of public passenger transport and on the one hand the users of public and private transport;
- the scarce resources within the public transport sector are not being distributed equitably among different role players;
- with dismay the escalating level of safety and security within the public transport system;
- reaffirming the duty of the state to protect our rights and for policy makers to ensure that opportunities equal to those of the other role players within the public transport sector are created



for the commuters so that they receive equal treatment and enjoyment in the benefits of social and economic development in the country; and

- recalling the fundamental principles of human rights entrenched in the Constitution and all other international documents of similar nature; now therefore declare that

## **ARTICLE 1 PUBLIC PASSENGER TRANSPORT POLICY**

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All role players within the public passenger transport sector shall be actively involved in shaping the future of their destiny.

The commuters shall have the unquestionable right to be actively engaged in policy decision making in matters that adversely affect them at all levels of governance.

There shall be no transport planning of whatever nature within the public passenger transport sector without the active involvement of the users who will be affected by such planning.

In formulating public transport policy, the government shall take public participation seriously and make it possible for the users to take part in transport planning.

There shall be economically sustainable public passenger transport funding system at all levels of governance.

There shall be proper control and monitoring of passenger transport subsidies.

The state shall ensure that the tax payers' money is not unnecessarily spent on subsidizing parallel routes while other routes remain unsubsidised.

There shall be an improvement in targeting the intended beneficiaries of the subsidies in public passenger transport, e.g. the disadvantaged, the poor, school children, the disabled, the elderly, etc.

## **ARTICLE 2 REPRESENTATION**

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2.1 The commuters shall represent themselves through their elected bodies and participate actively on all matters adversely affecting their lives.

2.2 The state shall provide for the resources to enable the commuters to fulfil this role.

2.3 The commuters shall be actively involved in the decision making process relating to transport matters at all levels, and in the identification and implementation of transport interventions, rather than being passive beneficiaries of new developments.

## **ARTICLE 3 EQUITABLE TREATMENT**

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3.1 There shall be no favourable treatment of any

of the stakeholders within the passenger transport sector.

3.2 There shall be an equitable treatment of all the relevant stakeholders within the land transport industry in general.

3.3 The state shall take positive action to address gross distortion in spending patterns between public passenger transport and private passenger transport.

## **ARTICLE 4 CONVENIENT AND SEAMLESS TRANSPORT**

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4.1 There shall be convenient, reliable, effective and affordable public passenger transport.

4.2 Transport frequencies shall be at least two services per hour.

4.3 Transport services shall operate at least 15 hours a day.

4.4 All major generators of traffic, such as shopping complexes, office parks, industrial areas, recreation centres, etc. shall be linked to routes.

4.5 There shall be minimum guaranteed levels of public transport provided in all areas by the local authorities concerned.

4.6 When addressing public transport issues, cognisance should be taken of the fact that, the optimum utilisation of an integrated multi modal public transport system requires that each

mode be used under circumstances for which it is economically and technically best suited.

## ARTICLE 5 LAND-USE PLANNING

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5.1 The government shall ensure that at local level the local government and municipal planning departments are representative of a broader range of people with different social and education backgrounds.

5.2 The planning departments shall concentrate also on other operational development aspects to public transport and not concentrate on infrastructural matters, such as statistics and costing exercise alone.

5.3 There shall be an overall, coordinated planning system in South Africa.

5.4 There shall be no low-density developments without proper consideration for the provision of adequate formal public transport.

5.5 Minimum guaranteed levels of public transport shall be provided in all areas by the local authorities concerned.

5.6 There shall be a proper system of planning law principles where all people affected by planning of whatever nature are drawn into the decision making process.

5.7 The government shall place a moratorium of any

further unilateral development and implementation of land-use planning measures in South Africa.

5.8 Focus should be on the development and implementation of the key transport corridors, integrated nodal developments and appropriate land uses adjacent to established transport corridors.

## ARTICLE 6 VIOLENCE IN TRANSPORT

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6.1 There shall be serious commitment on the warring factions within the public passenger transport to recognize the established communication mechanisms in terms of which they can discuss and settle their differences amicably without any loss of life.

6.2 The government shall provide safety and security to all public transport users and take concrete measures to realise this objective.

6.3 The government shall act decisively against the perpetrators of violence of whatever nature and root out the criminal elements and punish them ruthlessly as the commuters can no longer rely on voluntary enforcement of agreements and have lost confidence in artificial handshakes, cease fires and truces by the warring factions who cannot honour their commitments.

6.4 The government shall establish a transport tribunal

to deal with transport disputes which are not of criminal nature.

## ARTICLE 7 LEARNER TRANSPORT

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7.1 Government shall look into the learner transport operating environment, and develop specific priorities and strategies within the constraints of resources available, to achieve those objectives in support of government priorities.

7.2 Government shall address learner transport aspects relating to planning, service delivery and acknowledge of the full cost of service delivery with a renewed emphasis on accountability and reporting.

7.3 Government shall develop broad key performance indicators relevant to learner transport.

7.4 Government shall coordinate and liaise with the operators and other stakeholders, including the users of the scholar transport services in the area;

7.5 Government shall further:

- Establish effective liaison and communication among stakeholders involved in transport for the learners;
- Promote and advance effective, affordable learner transport;
- Ensure that learner transport is adequately covered during the development and implementation of Transport Plans;



- Ensure co-coordinated, integrated and well-managed learner transport planning;
- Develop broad criteria and guidelines on price/ fare structure for learner transport
- Develop/review learner transport financial economic support policies;
- Develop a process whereby additional financial and economic support policies relevant to learner transport can be developed;
- Develop measures to ensure that acceptable safety standards are maintained and enforced with respect to vehicles conveying learners:
  - ~ utilisation of appropriate types of vehicles and equipment
  - ~ the quality of services provided, including the comfort, reliability, punctuality, etc.

## ARTICLE 8 TRANSPORT FOR PEOPLE WITH DISABILITIES

8.1 Disabled people also have the same travel needs as the non- disabled.

8.2 Disabled people also need to commute to work, to conduct personal businesses, education, recreation, medical treatment, sport and all the activities that constitute a full life.

8.3 Before the government could address the needs of the disabled people using public transport facilities in its area of

jurisdiction, it should then embark upon the detailed study to determine the extent of the problem.

8.4 It is only when the transport needs, requirements and priorities of the disabled are really understood by those that are responsible for supplying transport facilities that they can objectively evaluate the needs of the disabled against other transport needs.

## ARTICLE 9 NON-MOTORIZED TRANSPORT

9.1 The introduction of non-motorized transport can improve economic and social development of the disadvantaged communities by increasing accessibility while at the same time, reducing infrastructure investment requirements.

9.2 The government should encourage the appropriate use of non- motorised transport and facilitate the safety of persons travelling by non- motorised transport.

## ARTICLE 10 TRANSPORT INFRASTRUCTURE AND FACILITIES

10.1 Where any application is made for the granting, renewal, amendment or transfer of an operating licence in respect of a non-contracted service, the board may grant or refuse the application only after having considered, inter alia, whether the availability of

ranks or terminals or other facilities or spaces for boarding or alighting from and for holding or parking vehicles engaged in the operation of that service, and the recommendations with regard thereto of the relevant planning authority or municipality and of any other planning authority and municipality with an interest in the matter.

10.2 Infrastructure should be provided where the need is the highest and at locations that are accessible to the majority of the users.

10.3 Transport infrastructure (road network, rail Network, public transport termini, public transport and off-loading point/bays, train stations, modal transfer facilities, and public transport routes) represents a significant proportion of government's total financial investment in fixed assets, and as such needs to be well managed.

10.4 Transport infrastructure should be provided at locations that will promote the integration of other modes and services, such as near to rail stations.

10.5 funding for provision of facilities (stops or lay-byes, ranks, terminals, holding areas) is limited and prioritisation of the provision of facilities is considered important.

10.6 It is also desirable that infrastructure and facilities should be provided only in accordance with the Public Transport Plan.



and improve its corporate image.

12.6 Improved skills on issues such as advanced driving skills, labour relations, and customer care, will not only have an immediate effect on the taxi industry's functioning, but will also facilitate many other aspects, such as reduction in accidents and violence, and efficient businesses, better communication with other stakeholders, improved corporate image of the industry, improved leadership qualities, change in attitude, improved interpersonal relationships and appreciation of self-worth.

## ARTICLE 13 FUNDING

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13.1 SACO acknowledges the fact that the government has got a pivotal role to play in making this organization a success by providing funding to SACO to enable it to carry out its functions.

13.2 Funding will have far reaching consequences for the effective participation of SACO in transport related activities, and this will benefit public passenger transport and the users thereof in South Africa as a whole .

13.3 Furthermore the government shall divert a fraction of what it spends on private motoring into fixing the roads, recapitalising the taxi industry, getting the robots working, buying new

equipment and/or rolling stock for the rail operations, subsidising public transport and doing whatever else may be necessary to normalise the situation.

## ARTICLE 14 PASSENGER COMMITTEES

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14.1 SACO is calling for the establishment of statutory (i .e. created by an Act of Parliament) "passengers committees" to monitor public passenger transport and to formally bring the concerns of passengers to the attention of the planning authorities or the TA's.

14.2 SACO shall create a platform to provide information to commuters and community based structure on latest developments in transport and for the public to play a role in transport policy formulation and related issues.

14.3 "Passengers committees" shall monitor and evaluate the provision of services delivery of government priorities by transport operators.

14.4 SACO shall assist and support all government departments in all transport related projects in making those projects a success

## ARTICLE 15 ACCESSIBILITY

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15.1 Walking times shall not

be more than 15 minutes (roughly equivalent to a km)  
15.2 Waiting times shall be as short as possible during peak a minimum frequency of 6 services per hour, i.e. every ten minutes, and not less than hourly during off peak period.

15.3 Minimum frequencies on normal routes should not be less than once per hour at all reasonable times, including weekends.

15.4 Buses and taxis should be given "*dedicated rights of way*", i.e. high occupancy lanes that will render them more effective in terms of speed.

## ARTICLE 16 MODAL INTEGRATION

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16.1 Most cities that have "good" public transport systems make use of a variety of modes that include heavy rail, light rail, trolley buses, duo buses, midi-buses, minibuses, metered taxis, etc.

16.2 The image of the taxi, bus and rail services should be improved as a matter of national priority.

## ARTICLE 17 TRANSPORT AUTHORITIES

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17.1 In line with the provisions of the **Constitution**, national transport policy as set out in the **White Paper on National Transport Policy**, confirms the principle of



subsidiarity and the devolution of transport functions to the lowest appropriate sphere of government.

17.2 Transport Authority (TA) is likely to command greater support from National and Provincial government, and this is likely to translate into more committed funding support.

17.3 A TA facilitates coordination and integration of the transport system, and it also has advantages for key stakeholders such as service providers and customers in that they only need to access a single organisation as opposed to multiple organisations, often at different spheres of government.

17.4 SACO is calling for the immediate establishment of the **Transport Authorities (TA)** as provided in the **National Land Transport Transition Act, 2000 (Act No . 22 of 2000)**.

## ARTICLE 18 ELECTRONIC MANAGEMENT SYSTEMS (EMS)

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18.1 As the legitimate lobby group and representative forum of the commuters, SACO feels very strongly that the **Electronic Management System (EMS)** that would be introduced should meet the needs of the commuters. It must be reliable, secure, and very user friendly in order to make it convenient for the

commuters to use the system.

18.2 SACO does not prescribe to smart card vendors as to what kind of technology they should use, but as the commuter organization we believe that the technology must meet at least the following criteria:

- It should be **very secure**, the commuter must feel safe
- We are proposing the **contact-less smart card** where the chip is embedded inside the card and the possibility of changing the information on the chip is greatly excluded.
- The commuter should be **guaranteed a refund** should the card be stolen or lost.
- The card must be **user friendly**.
- The card must be **highly reliable**, in other words, it must work every time it is being used and should not take a number of swipes as often does with the normal contact card
- The card must be of **high speed** so as to make sure that it does not slow down the process.
- The card must allow the commuter to use it for **multi-applications** i.e. the same card must be able to be used in train, taxis.

## ARTICLE 19 ROAD ACCIDENT FUND (RAF)

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19.1 SACO commends the government on the bold and drastic decision it has taken

to improve efficiency and effectiveness of the RAF with regard to third party claim system and removing the limiting provisions of the **Road Accident Fund Act**.

*this is a big victory for SACO, which had been lobbying the government in that regard.*

19.2 Though it might not be entirely possible to take the experts out of the equation we believe if payments were made directly to the claimants, there would not be fraudulent pay outs to unscrupulous stakeholders in the system, mostly practitioners that defraud unsuspecting claimants.

19.3 SACO acknowledges that claimants would still require in one way or another, the assistance from legal experts to quantify the damages accurately, as most cannot conclude the process on their own.

19.4 For instance visitors to the country should get themselves what is called traveller's insurance to insure themselves against any eventuality, as it cannot be expected of South Africa to have unlimited claims for foreigners and limited liability to her own citizens.

## ARTICLE 20 TAXI RECAPITALISATION PROGRAMME (TRP)

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20.1 SACO supports the government on the Taxi Recapitalisation Programme (TRP) initiative.

20.2 The TRP, together with the taxi co-operatives are the programmes of the National Departments Of Transport and Trade And Industry that are setting towards putting the taxi industry on the path towards economic empowerment and/or rendering the industry economically viable.

20.3 The TRP is about the introduction of the "fit for-purpose" vehicles with more spacious type of body, a higher roof and a proper aisle between the seats, and it is envisaged that this will raise the corporate image of the taxi industry and improve safety levels.

## ARTICLE 21 ROAD AND RAILWAY SAFETY

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21.1 To promote public awareness of the road traffic safety such as traffic safety campaigns, and railway safety issues, direct and active participation of relevant stakeholders should be taken into a serious consideration.

21.2 SACO would also like to play a visible and meaningful role in road safety campaigns such as Arrive A Live and rail safety campaigns such as railway crossings.

21.3 By means of consultative approach and a systematic use of broad-based public participation in pilot projects, campaigns, workshops and seminars, for example.

*The objectives of the government will be negotiated and discussed with all the key role-players.*

## ARTICLE 22 PUBLIC PARTICIPATION

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22.1 Participatory consultation in transport developments is being highly cherished by SACO.

22.2 To promote public awareness of the important roles and functions of transport in economic development and social uplifting, direct and active public participation should be considered in serious light.

22.3 All development initiatives must be clearly communicated and concerns be responded to.

22.4 A policy of transparency and public education where the commuters are fully informed of all decisions and proposals and are given the opportunity to respond will also develop their trust.

22.5 Public participation will definitely go a long way towards popularizing the vision of South African transport, as spelt out in the national transport policy.