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| **COSATU Submission:** **National Road Traffic Amendment Bill****20 November 2020** |
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**Submitted to:****Portfolio Committee:** **Transport****National Assembly****Republic of South Africa** |

1. **Introduction**

COSATU welcomes the tabling of the National Road Traffic Amendment Bill. The Federation participated in its engagements at Nedlac and strongly supports its progressive objectives.

14 000 unnecessary deaths occur on average every year on South Africa’s roads. This is not only a painful and needless for those families but also threatens their economic survival as it usually involves the loss of their bread winners. It costs the economy billions in lost wages and productivity. It requires billions to be levied from consumers through the fuel tax to fund the Road Accident Fund.

COSATU believes that the provisions of this Bill will go a long way towards addressing this national crisis.

1. **Areas of Support in the Bill**

COSATU welcomes the provisions of the Bill. Key provisions that the Federation supports include:

* 1. **Regulation of and Requirements for Traffic Schools**

COSATU supports the provisions providing for clear criteria and conditions for the establishment of driver education schools. This includes the standards set out for driving instructors as well as empowering government to deregister offending schools.

This is critical as many driving schools have become notorious for corruption, for failing to teacher learners properly and at times colluding with corrupt traffic officials.

This is a key cause for the large numbers of reckless drivers on our roads and must be tackled ruthlessly. Lives are at stake.

* 1. **Traffic Officials’ Business Interests**

COSATU supports the prohibition for traffic officials, licensing testing officials, from having business or financial interests in the sector.

This is long overdue. We cannot afford to have officials who have financial conflicts of interests.

This is a necessary anti-corruption provision and must be meticulously enforced.

* 1. **Impounding Vehicles**

South African roads are littered with vehicles that are clearly not road worthy. All too often blatantly reckless drivers can continue driving.

The provisions allowing for traffic officials to impound vehicles in cases serious of serious transgressions is necessary.

However, it must not be allowed to be abused by traffic officials who may seek to use it to extort bribes.

Oversight mechanisms to prevent such corrupt abuses are needed.

* 1. **License Plate Manufacturing**

The manufacturing of license plates needs strict regulation and security controls. Poor quality license plates undermine the enforcement of traffic laws. Fake, duplicate or stolen license plates present serious security risks to the entire nation.

The provisions providing for the regulation of manufacturing of licenses are welcomed and need to be strictly enforced.

* 1. **Weighbridges**

The provisions for the tighter regulation and oversight of weighbridges are important.

Frequently the quality of testing has been poor. Often, they have been riddled with corruption.

This poses a risk to the lives of not only truck drivers provided with unsafe vehicles by their employers but in fact all road users.

It also contributes to the premature deterioration of our roads at great expense to the state and economy.

* 1. **Driver’s Licenses Cancellation**

The cancellation of drivers’ licenses needs to be handled with care. This power must not be exercised recklessly or used in a corrupt manner.

The provisions providing for cancelling licenses when drivers are no longer physically able to drive safely are necessary. Provisions setting out the specific condition and mechanisms for appeal must be provided for in regulations.

This is important as millions of workers depend upon having licenses not only to travel to work but often to retain their jobs. Abuses of this provision could threaten the jobs of many workers.

* 1. **Learners and Drivers’ Testing**

The provisions providing for strict supervision of learners and drivers’ testing are important. Reports of cheating are frequent and threaten the safety of road users when poorly trained drivers are allowed on the roads.

* 1. **Profession Drivers’ Permits**

The requirements for persons driving passengers on a professional basis to have PDPs is necessary.

However, the requirements to earn such PDPs need to be reviewed and overhauled. They are simply insufficient given the levels of responsibility such drivers exercise over the lives of their passengers.

Thousands of passengers and road users’ lives are lost as a result of drivers who should never have been allowed are permitted to drive busses and taxis.

* 1. **Emergency Vehicles**

The provisions governing exemptions for emergency vehicles are supported.

However, they need to be further tightened. The SAPS VIP Unit officers driving political office bearers are frequently coerced into breaking numerous traffic laws.

This has resulted in the deaths of SAPS VIP Unit Officers, other road users and the politicians who demanded or allowed such illegal and dangerous driving to take place.

Ministers have died. Platitudes have been issued and nothing done afterwards. Or SAPS members made the scape goats and fired.

A new clause needs to be inserted to specifically exclude SAPS VIP Unit members driving politicians and not responding to an actual emergency from being exempt from any traffic laws.

The culture of entitlement and the abuse of the abuse by politicians needs to be dealt with if government is serious about leading by example.

* 1. **Complete Banning of Drinking and Driving**

Alcohol is said to be responsibly for 25% of road accidents. The existing laws are clearly insufficient.

The current limits allow for too much ambiguity with regards to a person’s weight, age, the type of alcohol etc.

The proposed amendment simply banning any drinking and driving is progressive and long overdue.

It must be ruthlessly enforced, especially for young people and professional drivers.

* 1. **Import Exemptions**

The provisions allowing persons to apply for import exemptions to the Minister for vehicles not meeting our road requirements are too vague.

The conditions for which exemptions could be allowed and not allowed need to be specified. They should not infringe upon any matters that may affect the road safety of a vehicle for both passengers and other road users nor should they allow for an undermining of our pollution laws.

The Minister should not be given a blank cheque that could undermine the progressive intentions of the law.

1. **Conclusion**

COSATU supports this progressive Bill. It is long overdue and must be passed by Parliament, enacted by the President and implemented by government as a matter of urgency.

A mass public education campaign is needed to ensure all officials and road users are aware of their legal obligations.

Government must begin to take road safety seriously and invest in the capacitation and resourcing of road traffic enforcement.

The current lackadaisical approach of government is condemning thousands to premature deaths and costing the economy billions.

Thank you.

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