**Report of the Portfolio Committee on Transport on the National Road Traffic Amendment Bill [B 7 – 2020] (National Assembly – sec 76), dated 16 September 2022**

1. **Background to the Bill**

The National Road Traffic Amendment Bill [B7-2020] (the Bill) was referred to the Portfolio Committee on Transport (the Committee) on 29 May 2020. The Bill seeks:

• 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 test, and the disqualification therefor;

• 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.

The Committee was briefed on the proposed amendments by the Department of Transport on 13 October 2020. The Bill was published for comment from 25 October to 20 November 2020 for comment in national and regional newspapers, on the Parliament website, Twitter and Facebook. The period for comment was extended to 20 January 2021 for further comment. Close to 7000 submissions were received from the public. Most of the comments (over 6 700) were submitted via the DearSA website. The public hearings were held on 10, 11, 16 and 17 March 2021 for stakeholders that indicated that they would like to submit oral submissions, in addition to the written comments made. The Department responded to the oral and written submissions on 1 and 2 June 2021. The deliberations on the proposed amendments to the Bill were concluded on 31 May 2022.

Following the engagements on the Bill by the Committee and in consideration of the proposed amendments to the Bill as received from stakeholders, some of the notable amendments to the Bill are:

* Several proposed amendments and insertions to definitions have been strengthened or expanded upon, additional terminology is introduced into the Bill to align the legislation with practical aspects of road traffic law enforcement and administration as well as strengthening the need to ensure registration of training centres, testing centres, driving schools and the officials linked thereto;
* Provisions are made for impoundment of vehicles to be in terms of the Criminal Procedure Act, 1977 (No. 51 of 1977) as well as compliance in other sections to the applicable traffic laws and prescribed requirements (including provincial ordinances and municipal by-laws);
* The proposal of the introduction of a provisional driving licence is rejected and removed from the Bill;
* Provisions are strengthened to address prevalent concerns regarding the recognition of foreign driving licences or permits as well as addressing concerns linked to the employment of drivers who do not hold valid and recognised driving licences or permits; and
* The proposed amendments to the levels of concentration of alcohol in blood or breath specimens taken were rejected.
1. **Stakeholders who made oral submissions**

The following persons, organisations and entities made oral submissions before the Committee:

* COSATU;
* Alta Swanepoel and Associates;
* Automobile Association of South Africa;
* South African Alcohol Policy Alliance (SAAPA);
* South African Medical Research Council [Alcohol, Tobacco and other drug research unit (ATODRU)];
* South African Driving Schools Operators Association (SADSOA);
* National Organization of Driving Schools (NODSA);
* South African Number Plate Association (SANA);
* Stellenbosch Wine Routes;
* AGBIZ;
* New Number Plate Requisites (NNPR);
* South African Liquor Brand Owners Association (SALBA);
* Vinpro, Beer Association of South Africa (BASA) and Craft Beer Association of South Africa (CBASA);
* Vinpro, Wesgro, Federated Hospitality Association of Southern Africa (Fedhasa);
* Justice Project South Africa (JPSA);
* Southern African Catholic Bishops’ Conference;
* Sakeliga;
* South Africans Against Drunk Driving (SADD); and
* South African Insurance Association (SAIA).

**3**. **Committee decision on the Bill**

The **Portfolio Committee on Transport**, having considered the subject of the **National Road Traffic Amendment Bill** [B 7 – 2020] (National Assembly – sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill with amendments [B 7A – 2020].

Report to be considered.