



FREE STATE LEGISLATURE

**PORTFOLIO COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE,
ROADS, TRANSPORT AND HUMAN SETTLEMENT**

Negotiating Mandate

TO: Chairperson of the Select Committee on Transport, Public Service and Administration, Public Works & Infrastructure

NAME OF BILL: National Land Transport Amendment Bill

NUMBER OF BILL: [B7F-2016]

DATE OF DELIBERATION: 31 October 2023

VOTE OF THE LEGISLATURE:

The Portfolio Committee on Public Works, Infrastructure, Roads, Transport and Human Settlement as designated by the Free State Legislature supports the Bill subject to the following inputs and comments:

1. Non-South Africans or foreigners saturating the taxi industry by operating without license (pirating) and without number plates and such operations have got the potential of fuelling violence within the taxi industry and must be prohibited.
2. Trucks or private car owners that utilize or allows hikers within their vehicles a regulatory system need to be put in place to regulate such practices.
3. The Bill should make provision for the driving schools to be regulated.
4. The Municipal regulating body should work hand in hand with the province.

5. The Bill should make provision to ensure that driving schools are registered and comply with the regulations of the Bill.
6. The Bill should clearly state the powers of the municipalities with regards issuing of taxi operating licensees.
7. The Bill should make provision for one town one association to avoid taxi violences.
8. Pirating taxis should be impounded including those that operate without number plates.
9. The Bill should make provision for taxis that does not use the country's number plates not to ferry scholars to schools as this might put the lives of the children at risk.
10. The Bill should make provision for the government officials that are doing taxi business to be stopped and punished.
11. Operating Licencing should be paid annually instead of six months.



HON S MOLELEKI
CHAIRPERSON OF PORTFOLIO COMMITTEE ON PUBLIC WORKS,
INFRASTRUCTURE, ROADS, TRANSPORT AND HUMAN SETTLEMENT

FREE STATE LEGISLATURE

31 October 2023



**REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC WORKS,
INFRASTRUCTURE, ROADS, TRANSPORT AND HUMAN
SETTLEMENTS WITH REGARD TO THE PUBLIC HEARINGS ON
NATIONAL LAND TRANSPORT AMENDMENT BILL [B 7F - 2016]**

DRAFT REPORT

**TO THE HONOURABLE SPEAKER AND HONOURABLE MEMBERS OF THE
FREE STATE LEGISLATURE**

The Portfolio Committee on Public Works, Infrastructure, Roads, Transport and Human Settlements herewith submits its report, Inputs by the public and recommendations with regards to the Public Hearing on the National Land Transport Amendment Bill [B 7F - 2016].

The Portfolio Committee wishes to express its gratitude to the officials of the National Department of Transport, Provincial Department of Community Safety, Roads and Transport, Ngwathe Local Municipality, Matjhabeng Local Municipality, Taxi Associations and all Stakeholders from the Public and Private Sectors for their inputs and effective participation during consideration of the Bill.

Chairperson and Members of the Portfolio Committee:

**M.S MOLELEKI
CHAIRPERSON**

BULWANE, K.W

CLOETE, A. B

MASHININI, M. S

MOKOENA, M. J

TSHABALALA, M. A

TSHABALALA, V. W

TSIU, M

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1. INTRODUCTION AND PURPOSE OF THE BILL

The Portfolio Committee on Public Works, Infrastructure, Roads, Transport and Human Settlements conducted the public hearings to solicit comments and inputs from stakeholders and public on the Bill.

To amend the National Land Transport Act, 2009, to insert certain definitions and amend others; to provide for non-motorised and accessible transport; to bring the Act up to date with developments since the implementation of the Act; to provide for certain powers of provinces to conclude contracts for public transport services; to expand the powers of the Minister to make regulations and introduce safety measures; to amend other transport-related legislation to bring it into line with the Act; and to clarify or simplify various provisions or solve problems that have arisen since the implementation of the Act; and to provide for matters connected therewith.

The Public hearings were conducted in compliance and commitment to section 118 of the Constitution of the Republic of South Africa, which enjoins the Legislature to facilitate public involvement in the legislative and other processes of the legislature and its committees as well as to conduct its business in an open manner and hold its sittings and those of its committees in public.

2. MEMBERS OF THE PORTFOLIO COMMITTEE

The Portfolio Committee comprises the following Members:

Moleleki, M. S	(Chairperson)
Bulwane, K.W	(Member)
Cloete, A. B	(Member)
Mashinini, M. S	(Member)
Mokoena, M. J	(Member)
Tshabalala, M. A	(Member)
Tshabalala, V. W	(Member)
Tsiu, M	(Member)

3. PROCEDURE OF THE PORTFOLIO COMMITTEE

The Portfolio Committee on Public Works, Infrastructure, Roads, Transport and Human Settlements was briefed by the NCOP permanent delegate Hon. Moshodi with the assistance of officials of the Department of Transport on the 16th May 2023. Which then lead to the process of Public Participation and Education to take place throughout the Free State Province.

The Public Hearings were conducted as follows in 4 districts of the province:

The public hearings were conducted as follows: -

PROGRAMME OF THE INFRASTRUCTURE DEVELOPMENT PORTFOLIO COMMITTEE

Date	Time	Venue
16 May 2023	10:00	Multi – Purpose Centre, Thabo Mofutsanyane District, Harrismith
17 May 2023	10:00	Vredefort Town Hall, Ngwathe Local Municipality, Parys

18 May 2023	10:00	Odendaalsrus Town Hall, Odendaalsrus, Matjhabeng Local Municipality
23 May 2023	10:00	Gariepdam Town Hall, Gariepdam, Kopanong Local Municipality

4. OVERVIEW OF THE PUBLIC HEARING ON National Land Transport Amendment Bill [B 7F - 2016]

4.1 General Comments by the Public and Stakeholders.

1. Clause 7(a) is silent with regards to the taxi industry.
2. Clause 7 (10) (b) should also include the Member of the Executive Council to ensure that the powers and functions of government are aligned with that of the municipalities.
3. Clause 13 (c) should also include member of the taxi association.
4. Clause 27 (47) (1) should make provision for operating licences not to expire after 7 years but to operate indefinitely and make provision for the spouse and children of the deceased to take over the operating licence.
5. Taxi operators are dismayed by the giving of legislated powers to Local Municipalities to enter into contracts with Bus companies and according to them, they are conflicted as they lack the capacity to manage such agreements entered into and that opens a window for rampant corruption as they operate as they please.
6. Operating Licencing should be paid annually instead of six months.
7. Within those legislated powers to Municipalities, the Bill should make provision to allow or include the Local Taxi Council to form part of that entity to avoid the Municipality to make or take decisions on behalf of the taxi industry.
8. The Bill should make a provision not to allow Law Enforcement Agencies or Officers such as SAPS and Local Municipal Officers and Traffic Officers to abuse the system when issuing licences.

9. That e-hailing or meter taxis operators must operate where routes are demarcated within which they must operate and not to operate as they currently operating within an un-routed, unregulated, unlegislated environment disadvantaging Mini-Bus and Bus Drivers operators. They must also form and belong to their own association.
10. Non-South Africans or foreigners saturating the taxi industry by operating without license (pirating) and without number plates and such operations have got the potential of fuelling violence within the taxi industry and must be prohibited.
11. Including the businesses that provides courier services need also to be regulated and legislated and be demarcated under a routing system.
12. Trucks or private car owners that utilize or allows hikers within their vehicles a regulatory system need to be put in place to regulate such practices.
13. E-hailing services be banned and not allowed to operate within the Free State Province
14. The Bill should make a provision to regulate meter taxis.
15. The municipalities should be exempted to deal with licences.
16. The Bill should make provision for the driving schools to be regulated.
17. The Municipal regulating body should work hand in hand with the province.
18. The provincial department of Community Safety, Roads and Transport should ensure that all municipalities are trained and capacited to be able to issue licences.
19. The Bill should make provision to ensure that driving schools are registered and comply with the regulations of the Bill.
20. The Bill should make provision for the taxi industry to be financially assisted by government.
21. The Bill should clearly state the powers of the municipalities with regards issuing of taxi operating licensees.
22. The Bill should make provision for one town one association to avoid taxi violences.

23. Pirating taxis should be impounded including those that operate without number plates.
24. The Bill should make provision for taxis that does not use the country's number plates not to ferry scholars to schools as this might put the lives of the children at risk.
25. The Bill should make provision for the government officials that are doing taxi business to be stopped and punished.

5. RECOMMENDATIONS

After briefing and analysis the Portfolio Committee made the following recommendations:

1. Operating Licencing should be paid annually instead of six months.
2. Non-South Africans or foreigners saturating the taxi industry by operating without license (pirating) and without number plates and such operations have got the potential of fuelling violence within the taxi industry and must be prohibited.
3. Trucks or private car owners that utilize or allows hikers within their vehicles a regulatory system need to be put in place to regulate such practices.
4. The Bill should make provision for the driving schools to be regulated.
5. The Municipal regulating body should work hand in hand with the province.
6. The Bill should make provision to ensure that driving schools are registered and comply with the regulations of the Bill.
7. The Bill should clearly state the powers of the municipalities with regards issuing of taxi operating licensees.
8. The Bill should make provision for one town one association to avoid taxi violences.
9. Pirating taxis should be impounded including those that operate without number plates.
10. The Bill should make provision for taxis that does not use the country's number plates not to ferry scholars to schools as this might put the lives of the children at risk.
11. The Bill should make provision for the government officials that are doing taxi business to be stopped and punished.
12. It is recommended that the National Council of Province should note and implement the inputs made by the community.
13. The Bill is supported by all five districts.