

LIMPOPO LEGISLATURE

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0700

NEGOTIATING MANDATE

To : **The Chairperson: SC on Transport, Public Service and Administration, Public works and Infrastructure**

Name of Bill : **NATIONAL ROAD TRAFFIC AMENDMENT BILL**

Number of the Bill : **[B7B- 2020]**

Date of Deliberation : **25 OCTOBER 2023**

Vote of the Legislature : **Provincial NCOP Permanent Delegates to negotiate in favour of the Bill with the proposed amendments.**

PROPOSED AMENDMENTS

Clause 41 Certain drivers may exceed general speed limit

“60. Notwithstanding the provisions of section 59, the driver of a [fire-fighting vehicle, a fire-fighting response vehicle, a rescue vehicle, an emergency medical response vehicle or an ambulance] an emergency vehicle who drives such vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act No. 68 of 1995), who drives a vehicle in the carrying out of his or her duties or any person [issued with the necessary authorisation and] driving a vehicle while responding to a disaster as

contemplated in the Disaster Management Act, 2002 (Act No. 57 of 2002),
may exceed the applicable general speed limit: Provided that—

(c) he or she may not exceed a speed of 20 km/h through an intersection.



HON SEONO M.R
CHAIRPERSON

PORTFOLIO COMMITTEE ON TRANSPORT, SAFETY, SECURITY AND LIASON
LIMPOPO LEGISLATURE

31/10/2023

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OFFICE OF THE SPEAKER

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REPORT OF THE PORTFOLIO COMMITTEE ON TRANSPORT AND COMMUNITY SAFETY ON THE NATIONAL ROAD TRAFFIC AMENDMENT BILL [B7B – 2020]

1.INTRODUCTION

The National Road Traffic Amendment Bill [B7B – 2020] was referred to the Provincial Legislature by the NCOP's Select Committee on Transport, Public Services and Administration, Public Works and Infrastructure and the Legislature in turn referred it to the Portfolio Committee on Transport and Community Safety for consideration and processing.

PROCEDURE FOLLOWED BY THE COMMITTEE

In dealing with the Bill, the Portfolio Committee on Transport and Community Safety was briefed on the principle and provisions of the Bill by the NCOP Permanent Delegate on 29 March 2023. Following this briefing on the Bill, the Portfolio Committee resolved to subject the Bill to a public consultation process involving all key stakeholders with interest in all the five districts of the province.

A virtual public hearing was conducted on 14 August 2020 to afford all stakeholders and interested parties an opportunity to present both oral and

written submissions. Additionally, a call was made, in newspapers and radio, to all interested parties to submit their written submissions to the Committee.

4. PURPOSE AND BACKGROUND OF BILL

Amongst others, the Bill is aimed at amending the National Road Traffic Act, 1996 (Act No. 93 of 1996) to provide for empowerment of MECs to carry out the registration and licensing motor vehicles, manufacturers, builders, bodybuilders, importers and manufacturers of number plates. The Bill also seeks to prohibit unlawful driving schools by regulating their registration and grading of applicants as driving school instructors.

In the same vein, the Bill empowers the MECs to declare all documents purporting to be driving licenses void as well as appointment of inspectors for driving license testing centres. In this regard, the Bill seeks to ensure compulsory registration and grading of driving schools, and the suspension and cancellation of registration by the MEC. The Bill is further aimed at ensuring that misconduct and criminal processes relating to traffic violations are more efficient, effective, properly enforced and implemented.

5. INPUTS AND SUBMISSION BY STAKEHOLDERS

The Committee received both oral and one written submissions on the Bill from various stakeholders both during and after the public hearings. To this end, a written submission is attached hereto. The Committee was impressed with attendance and participation of all the stakeholders who attended the public hearing.

Despite submissions and comments which fell outside the parameters of the Bill, the Committee has however noted some submissions and


comments which should be considered for incorporation into the Bill. The inputs and comments can therefore be summarized as follows:

- I. One of the contentious provisions related to clause 25 which speaks to the admissibility of foreign driver's licenses in the Republic. In their submission, traffic law enforcement officers raises challenges in validating foreign licenses. They argue that while driver licenses issued in the Republic can be verified on the NaTIS portal, there is no any other mechanisms to validate foreign driver ;icenses obtained abroad, particularly from SADC region and countries which are not contracting States to the SADC convention.
- II. Another issue raised by law enforcement practitioners relates to the challenges in handling traffic law infringements committed by foreign drivers. The view expressed by practitioners is that existing SADC protocols are not adequate to ensure effective punishment and penalization of foreign drivers for traffic law violations.

6. CONCLUSION.

The public hearings were well attended and the Portfolio Committee managed to solicit inputs from stakeholders.

The Committee agrees and endorse the principles and provisions advance in the Bill, and as such vote in its support.



31/10/2023

HON SEONO

DATE

CHAIRPERSON: PORTFOLIO COMMITTEE ON

TRANSPORT AND COMMUNITY SAFETY