###### National Assembly

###### Question Number: 1613

**1613. Adv A de W Alberts (FF Plus) to ask the Minister of Transport:†**

(1) Whether, with reference to the judgment in the case *The Road Traffic Infringement Agency Board v Fines 4 U (Pty) Ltd and Another* in April 2017, in which it was found that the Road Traffic Infringement Agency did not comply with the Administrative Adjudication of Road Traffic Offences Act (AARTO), she will take steps to ensure that all officials in the AARTO process comply fully with the provisions of the specified legislation; if not, what is the position in this regard; if so, what are the relevant particulars;

(2) what number of the representations dealing with technical defects and handed to the Road Traffic Infringement Agency have been implemented since the test phase in Johannesburg and Pretoria;

(3) whether, in light of the specified judgment, the Road Traffic Infringement Agency will take the specified representations under review, since it has been illegally dismissed; if not, why not; if so, (a) what are the full relevant particulars and (b) whether reimbursement will be made to people from whom money was irregularly collected in this regard;

(4) What are the road accident statistics (a) on the road on which AARTO was implemented since the beginning of the test phase and (b) for each year since AARTO has been implemented up to the latest specified date for which information is available;

(5) (a)(i) why and (ii) in which manner AARTO will be implemented countrywide and (b) what (i) is the deadline and (ii) are the milestones in this regard? NW1818E

**REPLY:**

1. In order to ensure compliance with the legal prescripts and processes enshrined in the AARTO legislation, the RTIA has developed Standard Operating Procedures. The Standard Operating Procedures will be published as part of the Regulations in order to ensure compliance by all role players.
2. The RTIA regards every aspect raised in the representation made as a technical issue. To this extent, the number of representations that the RTIA dealt with since the pilot phase since 2008 up to 31 March 2017, is 506 984 representations.
3. The RTIA is in the process of giving effect to the court order in relation to the specified judgement. The Court made a ruling in respect of specified representations that were in dispute particularly due to the inconsistent adjudication outcomes. In this respect the specified representations will be reviewed and be made successful.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **City of Joburg - AARTO Area** | | |  |  |  |  |  |
| **YEAR** | **Fatal Crashes** | **Pedestrian** | **Driver** | **Passenger** | **M/Cyclist** | **Cyclist** | **TOTAL Fatalities** |
| "2012 | 556 | 363 | 206 | 73 | 1 | 607 | 649 |
| "2013 | 693 | 431 | 188 | 148 | 11 | 7 | 785 |
| "2014" | 533 | 337 | 127 | 94 | 17 | 4 | 579 |
| "2015 | 698 | 441 | 154 | 127 | 22 | 10 | 754 |
| "2016 | 746 | 478 | 138 | 137 | 35 | 14 | 802 |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| **City of Tshwane - AARTO Area** | | |  |  |  |  |  |
| **YEAR** | **Fatal Crashes** | **Pedestrian** | **Driver** | **Passenger** | **M/Cyclist** | **Cyclist** | **TOTAL Fatalities** |
| "2012 | 512 | 247 | 245 | 110 | 1 | 9 | 612 |
| "2013 | 578 | 264 | 240 | 183 | 3 | 7 | 697 |
| "2014" | 482 | 243 | 135 | 148 | 14 | 18 | 558 |
| "2015 | 537 | 254 | 168 | 141 | 31 | 16 | 610 |
| "2016 | 618 | 313 | 186 | 166 | 24 | 7 | 696 |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| **Combined** |  |  |  |  |  |  |  |
| **YEAR** | **Fatal Crashes** | **Pedestrian** | **Driver** | **Passenger** | **M/Cyclist** | **Cyclist** | **TOTAL Fatalities** |
| "2012 | 1068 | 610 | 451 | 183 | 2 | 616 | 1261 |
| "2013 | 1271 | 695 | 428 | 331 | 14 | 14 | 1482 |
| "2014" | 1015 | 580 | 262 | 242 | 31 | 22 | 1137 |
| "2015 | 1235 | 695 | 322 | 268 | 53 | 26 | 1364 |
| "2016 | 1364 | 791 | 324 | 303 | 59 | 21 | 1498 |

1. The AARTO Bill is still in Parliament, once Parliament has gazetted for further public engagement the AARTO Bill will be enacted then become South African Legislation.