**National Assembly**

**Question Number: 297**

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

1. With regard to the Administrative Adjudication of Road Traffic Offences Act (AARTO), Act 46 of 1998, on what policy basis and other considerations it has been decided that the AARTO testing phases in Johannesburg and Tshwane were successful;
2. whether he has found that there is a reduction in the number of motor vehicle accidents; if not, (a) why does he find that AARTO has not made a difference and (b) why the implementation of AARTO nationwide will deliver a different outcome;
3. whether the Road Traffic Infringement Agency (RTIA) has the operational efficiency to effectively deal with the adjudication of offences; if not, why will the RTIA function more effectively in the adjudication of offences, especially as the volume of offences will increase drastically;
4. whether he has found that the collection of fines was better than before AARTO was established; if not, why will the implementation of AARTO nationwide definitely ensure that the collection of fines will improve with regard to the previous system and the creation of AARTO courts across the country that currently do not exist;
5. whether he has clear evidence that the implementation of AARTO nationwide will make the roads safer; if not, why are they continuing to implement the system; if so, whether he and his department accept personal responsibility if the roads become more unsafe and more people are killed or injured by reckless driving? **NW313E**

**REPLY:**

1. The AARTO Pilot Report, identified the weaknesses in the implementation and the related interventions that should developed. With the identified loopholes corrected, the implementation has subsequently proven to be successful. The last of the remaining weaknesses relate to the legislative framework and the amendments to the AARTO Act have recently been approved by the Portfolio Committee as well as the National Council of Provinces;

 (2) Yes, (a) there was 19% reduction in fatalities in Gauteng, where AARTO is operational, recorded for the 2018 December/2019 January festive season. Enforcement Orders issued acted as a catalyst to ensure that lleged infringers comply with the infringement notices issued and in retun allowed for a compliant road user and a safer road traffic environment.

 (b) Intenternational Research indicates that the Points Demerit System substantially reduce the accident rates upon implimentation thereof. It is envisaged that the same will apply with the national implimentation of AARTO, which will include the enforcement of the demerit points system.

(3) Audited performance reports over the last three years shows that the Agency has easily cope with the volumes of representation applications received within an average of 5 days, which is significantly less than the prescribed 21 day period. The Agency adjudicated 87,848 representations during the 2015/16, 96,310 during the 2016/17and 133,790 during the 2017/18 periods respectively.

 Furthermore, only a small percentage of infringement notices results in representation applications, since there are currently four other elective options that an infringer can choose from.

(4) In the first instance, the AARTO system is not just based on the collection of traffic penalties. AARTO seeks to decriminalise road traffic violation. It provides for five different options from which an infringer must elect and exercise their right, such as challenging it by submitting a representation, electing to go to court, nominating the driver, making a once-off payment or arranging to pay in installments. Generally, revenue increase has been experienced, given the easier process of payments at additional payment platforms throughout the country, thereby introducing greater convenience for infringers to effect payments where applicable. throughout the country. It would be incorrect to move from a point that AARTO is only about collection of fines.

(5) The implementation of AARTO nationwde will include the Points Demerit System (PDS) and international studies have shown that the PDS has a direct bearing on the reduction of road fatalities. The evidence in this regard is based on the following:

* Norway - reduction of 10.49% of road crashes when demerit points was introduced during 2009/2010;
* Denmark - reduction of 16.2% of road crashes when demerit points was introduced during 2009/2010
* Germany - reduction of 7.24% of road crashes when demerit points was introduced during 2009/2010;
* A study by Stichting Wetenschappelijk Onderzoek Verkeersveiligheid (SWOV) Institute, Leidshendam, Nederlands dated 2012 on Demerit Point Systems founded that the general effect on the reduction of injury accidents after the introduction of a PDS will be between 15-20% for the first one and a half year after introduction.

The Minister, the Department and all its roads Agencies, firmly believe that road safety is everyone’s responsibility. Thus the strategic position is to show leadership by engaging with all stakeholders and members of the public to ensure full compliance to all road traffic laws, which will ensure the achievement of the goal of increased road safety. We all accept that any road fatality or serious injury is one too many to accept and thus everyone must ensure that we contribute to the success of a safer road traffic environment.