



EASTERN CAPE PROVINCIAL LEGISLATURE

Independence Avenue
Private Bag X0051
Bhisho
5605

Tel: (040) 608 0081
Fax: (040) 636 4922
Enquiries: I Netshitumbu
Email: inetshitumbu@ecleg.gov.za

Date: 07 Oct 2008

PORTFOLIO COMMITTEE ON TRANSPORT

Negotiating mandate on the National Road Traffic Amendment Bill (B39B-2008)

1. *Terms of reference*

The National Road Traffic Amendment Bill (B39B-2008), hereinafter referred to as the Bill, was referred to the Portfolio Committee on Transport by the NCOP Business Committee for consideration.

2. *Consideration of the Bill*

The Portfolio Committee was briefed on the content and effect of the Bill by the officials from Department of Transport and by the special, Hon Z Luyenge. The Committee also conducted public hearings on the Bill on from the 22nd to the 26th of September 2008.

3. *Negotiating mandate of the Committee*

The Committee supports the Bill but wish to raise the following matters for consideration.

3.1 Clause 2

It is proposed that this clause should further give the Minister powers to prescribe a single uniform for traffic officers across the country so that the whole Republic can use the same uniform.

3.2 Clause 7 (b)

It appears that the clause only refers to the applicant who use an unauthorized aid but not the testing person who allow the use of the unauthorized aid or supply it.

3.3 Clause 9

This clause is confusing as in the opinion of the Committee, the TBVC licences are not valid and the conversion period has long expired.



3.4 Clause 12

Whereas the Portfolio Committee supports the intention of the clause, it is of the view that the clause is too harsh and instead of endorsing the licences, higher fines should rather be imposed.

3.5 Clause 15 and 16

It appears that this clause does not cover vehicles transporting VIP's such as the President, Ministers, Premiers and MEC's. It is necessary that these people be exempted as safety considerations must also be taken into account. This category of people and the escort vehicles must be accommodated in the Bill as this is creating a lot of confusion. The other VIP's such as MPs, MPL's and Councilors may apply for special permits as and when it is necessary.

3.6 Clause 17 (a)

It is proposed that the Minister make regulations pursuant to this clause, after consultation with the Minister of Safety and Security as the latter is responsible for accident scene and opening of cases where necessary.

3.7 Clause 25

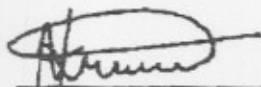
It is proposed that the Minister be given powers to prescribe rates that should be imposed for various traffic offences as currently they differ hugely from one area to another.

3.8 Control measures for foreign driving licences must be put in place.

3.9 Control measures for foreign vehicles road worthy certificates must be put in place.

3.10. It is proposed that the traffic officer's uniform be patented.

4. The Committee further resolved that Hon. M Gogo be mandated to represent the Province in a meeting to consider the negotiating mandate.



N. KIVJET

SPEAKER: EASTERN CAPE PROVINCIAL LEGISLATURE