SUBJECT **PORTFOLIO COMMITTEE ON TRANSPORT: TRANSPORT LAWS REPEAL (B19-2010)**

1. PURPOSE

1.1 To bring to the Transport Portfolio Committee's attention the reasons/facts advanced for the repeal of the National Road Traffic Act, 1996 (Act No. 93 of 1996).

2. BACKGROUND AND DISCUSSION

2.1 Chapter 1X of the above mentioned Act regulates the speed limit on various parts or sections of any road throughout the country. In particular, Section 59(4) (a) and (b) regulates the speed limit in excess of 120km/h. it is well known that the maximum speed limit of 120km/h has been in force long before 1996, with the sole purpose of preventing accidents resulting from speeding.

2.2 As the Act is mainly concerned with ensuring that any motorist who exceed the speed limit is penalized, it is worth noting that this Act is **ignorant** of the following facts:.

- As South Africa is steadily growing economically, the situation dictates that the traffic volume, including the trucks from the neighbouring countries has dramatically increased on our roads.
- The number of new (often inexperienced) drivers has also increased.
- Most of the vehicles on our roads are more powerful than those manufactured before or during 1996.
- The Act is ignorant of the congestion the motorists are subjected to everyday as motorists cannot overtake another vehicle after reaching 120km on the clock.
- The Act is not aware that a number of accidents are caused by fatigue and frustration of being on the road more than one would normally do.
- The Act is ignorant of the upgraded road infrastructure which was non-existent prior and during 1996.
- In totality, the Act does not provide for the solution to the problem of congestion, motorists, including trucks driving below speed limit on the fast lane and a number of old and powerless vehicles that are still abundant on our roads.

3. SOLUTION

3.1 This Act should be repealed and be replaced with the new one that will have its focus on the **free flow of traffic.** This objective can be achieved by increasing the speed limit to at least