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Amendment of section 27 of Act 7 of 1998

3. Section 27 of The South African National Roads Agency Limited and National Roads Act, 1998, is hereby amended—

- (a) by the addition in subsection (3)(b) of the following subparagraphs:
- “(v) the means by which the passage of a vehicle beneath or through a toll plaza is identified and the liability to pay toll is recorded; and
 - (vi) the means of payment, including pre-payment of toll liability;”.
- (b) by the insertion in subsection (4) of the following paragraph after paragraph (b):

“(bA) the Agency, in co-operation with the municipality contemplated in subsection (4)(b)(ii) and the province in which the proposed toll road is situated, has performed a socio-economic and traffic impact assessment pertaining to the proposed toll road which must be submitted to the Minister and made available to the province and every municipality contemplated in subsection (4)(b);” and

by the substitution in subsection (4) for paragraph (c) of the following paragraph:

“(c) the Agency, in applying for the Minister’s approval for the declaration, has forwarded its proposals in that regard to the Minister together with a report on the comments and representations that have been received (if any). In that report the Agency must indicate—

- (i) the outcome of the assessment contemplated in paragraph (bA);
- (ii) the extent to which any of the matters raised in those comments and representations have been accommodated [in those proposals]; and
- (iii) the steps proposed to mitigate against the impact or likely impact on alternative roads with regard to maintenance and traffic management that may result from the declaration contemplated in subsection (1); and”.

Amendment of section 58 of Act 7 of 1998

4. Section 58 of The South African National Roads Agency Limited and National Roads Act, 1998, is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

“(1) The Minister, after consultation with the Agency and by notice in the Gazette, may make regulations that are not inconsistent with this Act—”;

- (b) by the insertion in subsection (1) of the following paragraphs after paragraph (d):

“(dA) providing for the terms and conditions applicable to the payment of toll and for the establishment of a system that permits the registration of persons liable to pay toll;

- (dB) providing specifications for—
- (i) any tolling equipment, electrical, electronic or mechanical device or a combination thereof used for the identification of vehicles on toll roads in order to record the liability to pay toll; and
 - (ii) the installation, maintenance and verification of the device and tolling equipment contemplated in subparagraph (i);

- (dC) providing for—
- (i) the manner in which the liability to pay toll will be recorded, including the time and the manner in which such toll must be paid;
 - (ii) the payment of toll in cash, electronically or by other method, which is subject to but not dependent on any conditions that the Agency may determine under section 27(1)(b);
 - (iii) the offences and penalties applicable to the owner or user or driver of a vehicle in the event of the non-payment of toll;

(bB) a notice of the publication of the
report contemplated in
paragraph (bA) is published
in the Gazette indicating the
availability of such report; and