



Attachment Size act93of1996.pdf 24.72 MB TheNational Road Traffic Act 93 of 1996 intends: to provide for road traffic matters which shall apply uniformly throughout theRepublic and for matters connected therewith. Amends Commencement1 August 2001, Sections54 and 55(Gazette 22544 of 1 August 2001)1 August 2000, except certain definitions in Sections1,3, 3A, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 11, 28, 28A, 28B, 28C, 41, 51A, 51B, 54, 55 and 90 (Gazette 21425 of 31 July 2000)AmendmentsThe Southern African Legal Information Institute provides a complete amended Act at [Updated to 20 November 2010] [Last checked: 28 March 2025.*] *The last time this Act was reviewed for updates. NATIONAL ROAD TRAFFIC ACT 93 OF 1996 [Updated to 20 November 2010.**] **Date of last changes incorporated into this Act. Published: G. 17603 Commencement: 1 August 2000; Ss 54, 55: 1 August 2001 Proc. (English text signed by the President.) (Assented to 12 November 1996.) R46, G. 21425 Amended Act 8 of 1998 (G. 18801, with effect from 1 August 2000; 20 November 2010 [Proc. R47, G. 21425; Proc. 61, G. 33742]), Act 20 of 2003 (G. 25541, with effect from 7 October 2003 unless otherwise indicated), Act 64 of 2008 (G. 31907, with effect from 20 November 2010 [Proc. 60, G. 33742]). General Note: Sections 3 and 28 were substituted and sections 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 28A, 28B, 28C, 51A, 51B and 80Ainserted by the National Road Traffic Amendment Act 21 of 1999 with effect from 1 August 2000 (Proclamation R48 of 2000) Althoughthese sections were explicitly excluded from the general commencement date of 1 August 2000 of the principal Act (Proclamation 46of 2000), it would appear that the Department considers these sections having come into force on 1 August 2000. ACT To provide for road traffic matters which shall apply uniformly throughout the Republic and for matters connected therewith. BE IT ENACTED by the Parliament of the Republic of South Africa, as follows. ARRANGEMENT OF SECTIONS CHAPTER I INTERPRETATION OF ACT SECTION 1. Definitions CHAPTER II APPLICATION OF ACT AND MINIMUM REQUIREMENTS 2. Application of Act 3. Appointment of registration as inspector of licences, examiner for driving licences, examiner for driving licences or traffic officers 3D. Minimum requirements for registration as inspector of licences, examiner of vehicles, examiner for driving licences and traffic officer 3E. Suspension and cancellation of registration of officer 3F. Powers and duties of examiner for driving licences 3I. Powers and duties of traffic officer 3F. Powers and duties of traffic officer 3F. direction of inspector of licences, traffic officer, examiner of vehicles or peaceofficer 3K. Impersonating authorised officer or peace officer or inducing any such officer or peace officer or peace officer 3K. Impersonating authorised officer or peace officer or peace officer or peace officer 3K. Impersonating authorised BUILDERS, IMPORTERS AND MANUFACTURERS OF NUMBER PLATES 4. Registration and licensing of motor vehicles 5. Registration of manufacturers, builders, importers and manufacturers, builders and importers CHAPTER IV FITNESS OF DRIVERS 8. Driving licence testing centre to be registered 8A. Application for registration of driving licence testing centres 10. Suspension or cancellation of driving licence testing centres 12. Driver of motor vehicle to be licensed 13. Licence to drive, either learners or driving licence 14. Prescribing, classification and extent of learners or driving licence 15. Disgualification in respect of licence authorising driving of motor vehicle prohibited 17. Application for and issue of learners licence 18. Application for and issue of driving licence shall give notice of driving licence 21. Directions to applicant for learners or driving licence 22. Holder of licence to drive motor vehicle shall give notice of change of place of residence 23. When licence not issued in terms of this Act deemed to be driving licence 24. Department of State may issue learners or driving licence to person in its employment only 25. Suspension or cancellation by MEC of licence authorising driving of motor vehicle 26. Lapsing of endorsement on licence 27. Cancellation or amendment of endorsement on licence 28. Instructor 28B. Registration and grading of instructor 28B. Registration and grading of instructor 29. Voidness of licence issued contrary to Chapter 30. Use of somebodys learners or driving licence by another prohibited 31 Unlicensed driver not to be employed or permitted to drive motor vehicle 32. Professional driver to have permit 33. Production of licence or permit or disqualify person from obtaining licence or permit 35. On conviction of certain offences licence and permit shall be suspended for minimum period and learners or drivinglicence may not be obtained 36. Procedure subsequent to suspension or cancellation to be registered 38. Application for registration of testing station 39. Registration and grading of testing station 40. Suspension or cancellation of registration of resting stations 42. Certificate to be displayed on motor vehicle 43. Application for certification of roadworthiness 44. Notice to discontinue operation of motor vehicle CHAPTER VI OPERATOR FITNESS 45. Registration of operators 51. Act or omission of manager, agent or employee of operator CHAPTER VI A RIGHT OF APPEAL 51A. Right of appeal to Shareholders Committee 51B. Right of appeal to chief executive officer CHAPTER VII DANGEROUS GOODS 54. Transportation of certain dangerous goods prohibited 55. Appointment of dangerous goods inspector or inspectorate CHAPTER IX ROAD TRAFFIC SIGNS AND GENERAL SPEED LIMIT 56. Minister may prescribe road traffic signs 57. Authority to display road traffic signs 58. Failure to obey road traffic signs 58. Failure to obey road traffic signs 58. Failure to a speed limit 60. Certain drivers may exceed general speed limit CHAPTER X ACCIDENTS AND ACCIDENT REPORTS 61. Duty of driver in event of accident 62. Garage to keep record of motor vehicle involved in accident CHAPTER XI RECKLESS OR NEGLIGENT DRIVING, DRIVING, DRIVING, DRIVING, DRIVING, DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR A DRUG HAVING A NARCOTIC EFFECT, AND MISCELLANEOUS OFFENCES 63. Reckless or negligent driving 64. Inconsiderate driving 65. Driving while under the influence of intoxicating liquor or drug having narcotic effect, or with excessive amount of alcohol in blood or breath 66. Unauthorised acts in relation to number plates, registration number, registration mark or certain documents CHAPTER XII PRESUMPTIONS AND LEGAL PROCEDURE 69. Presumption regarding mass ascertained by means of mass-measuring bridge or other mass-measuring instrument 71. Presumption regarding gross vehicle mass of motor vehicle 72. Proof of gross vehicle mass of motor vehicle 73. Presumption that owner drove or parked vehicle 74. Act or omission of manager, agent or employee of consignor and consignee 74B. Proof of certain facts CHAPTER XIII REGULATIONS 75. Power of Minister to make regulations 76. Incorporation of standards by reference CHAPTER XIV REGISTERS AND RECORDS 77. Registers or record to be prima facie proof 79. Cognisance may be taken of information contained in register or record to be kept 78. Copy of entry in register or record to be prima facie proof 79. Cognisance may be taken of information contained in register or record CHAPTER XV GENERAL PROVISIONS 80. Parking for disabled persons 80A. Power of local authority to make by-laws 81. Vehicle and load may be exempted from provisions of Act 82. Inspections for ensuring that provisions of Act 82. Inspections for ensuring that provisions of Act 83. Doubt regarding use or classification of vehicle 84. Variation of prescribed form 85. Issue of document as proof of driving licence in special circumstances 86. Signature upon documents 87. Service of notices 88. State bound 89. Offences and penalties 90. Apportionment of fines 91. Delegation by Minister and MEC 92. Fees 93. Repeal of laws, and savings 93A. Transitional provisions 93B. Transi this Act, unless the context otherwise indicates ambulance means a motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or adapted for the conveyance of sick or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle specially constructed or injured persons to or from a place for medical treatment and which is registered as an ambulance; articulated motor vehicle special treatment and which is registered as an ambulance; articulated motor vehicle special treatment and which is registered as an ambulance; articulated motor vehicle special treatment and which is registered as an ambulance; articulated motor vehicle special treatment and which is registered as an ambulance; articu trailer; authorised officer means an inspector of licences, an examiner for driving licences, a traffic officer, and also any other person declared by the Minister by regulation to be an authorised officer; [authorised officer, and also any other person declared by the Minister by regulation to be an authorised officer, and also any other person declared by the Minister by regulation to be an authorised officer ins by s 1(a) of Act 21 of 1999 with effect from 1 August 2000; subs by s 1(a) of Act 64 of 2008.] breakdown vehicle means a motor vehicle designed or adapted solely for the purpose of recovering or salvaging motor vehicles and which is registered as a breakdown vehicle; bridge includes a culvert and a causeway; builder means any person who manufactures or assembles motor vehicles in whole or in part from used components, or modifies motor vehicles using new or used components; [builder subs by s 1(a) of Act 8 of 1998.] bus means a motor vehicle designed or adapted for the conveyance of more than 16 persons (including the driver, if any); by-law means a by-law issued under the laws of a province; [Commencement of by-law: Not in force.] certification of roadworthiness. in relation to a motor vehicle, means certification of roadworthiness in terms of section 42; [certification of roadworthiness ins by s 1(b) of Act 8 of 1998.] chief executive officer of the CorporationAct, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer of the Corporation Act, 1999 (Act 20 of 1999); [chief executive officer ins by s 1(b) of Act 21 of 1999 with effect from 20 November 2010; subs by s 1(b) of Act 64 of 2008.] combination of motor vehicles means the International Convention nears the International Convention nears the International Convention of motor vehicles means the International Convention of motor vehicles means two or more motor vehicles (Geneva, 1949), or the United Nations Convention on Road Traffic (Vienna, 1968); Corporation means the Road Traffic Management Corporation ins by s 1(c) of Act 21 of 1999 with effect from 20 November 2010.] cross, or any like expression, means to move on a public road in a direction which intersects the normal course of travel of traffic onsuch road; dangerous goods means the commodities, substances and goods listed in the standard specification of the South African Bureau of Standards SABS0228 The identification and classification of dangerous substances and goods; Department means the Department of Transport, department of State means a department as defined in section 1(1) of the Public Service Act, 1994 (Proclamation 103 of 1994); Director-General means the Director-General means the Director-General: Transport; driver means any person who drives or attempts to drive any vehicle or who rides or attempts to ride any draught, pack or saddle animal or herd or flock of animals, and drive or any like word has a corresponding meaning; driving licence testing centre referred to in Chapter IV; edge of the roadway means the boundary between the roadway and the shoulder, which is indicated by an appropriate road traffic sign, or in the absence of such sign (a) in the case of a road with a bituminous or concrete surface; or (b) in the case of any other road, the edge of such surface; or (b) in the case of a road with a bituminous or concrete surface and registered in terms of sections 3A and 3C, respectively; [examiner for driving licences: not in force.] examiner of vehicles means an examiner of vehicles means and 3C, respectively; [examiner of vehicles means an examiner of vehicles means an examiner of vehicles means an examiner of vehicles means and 3C, respectively; [examiner of vehicles means an examiner of vehicles means subs by s 1(e) of Act 21 of 1999 with effect from 20 November 2010; commencement of examiner of vehicles:not in force.] fire-fighting vehicle means a motor vehicle designed or adapted solely or mainly for fighting fires and which has been designated as a freeway by an appropriate road traffic sign; goods means any movable property; gross combination mass, in relation to a motor vehicle, means the maximum mass of any combination of motorvehicles, including the drawing vehicle, and load as specified by the manufacturer thereof or, in the absence of such specification, as determined by the registering authority; gross vehicle mass, in relation to a motor vehicle, means the maximum mass of such vehicle and its load as specified by the registering authority; haulage tractor means a motor vehicle, designed or adapted mainly for drawing other vehicles, and with a gross combination mass exceeding 24 000kg, but does not include a truck-tractor or tractor; [haulage tractor ins by s 1(c) of Act 64 of 2008.] identity document means an identity document means any person who imports new or used motor vehicles into the Republic; [importer subs by s 1(c) of Act 8 of 1998.] inspector of licences means an inspector of li oflicences: not in force.] instructor means any person who for direct reward (a) instructs any other person in the driving of a motor vehicle; (b) teaches any other person in the driving of a motor vehicle; (b) teaches any other person in the driving of a motor vehicle; (b) teaches any other person in the driving of a motor vehicle; (b) teaches any other person who for direct reward (a) instructs any other person in the driving of a motor vehicle; (b) teaches any other person who for direct reward (a) instructs any other person in the driving of a motor vehicle; (b) teaches any other person in the driving of a motor vehicle; (b) t learners licence referred to in Chapter IV; local authority means a transitional metropolitan substructure, transitional local council or local government body contemplated in section 1(1) of the Local Government Transitional local council or local government Transitional local council or local government body contemplated in section 1(1) of the Local Government Transitional local council or local government transitional local government transiting dovernment transitional local government transiti subs by s 1(d) of Act 8 of 1998.] manufacturer of number plates means a person who, for the purpose of selling number plates, manufacturer of number plates, manufacturer of number plates ins by s 1(e) of Act 8 of 1998.] MEC means a member of the Executive Council appointed in terms of section 132 of the Constitution of the Republic of South Africa, 1996(Act 108 of 1996), and who is responsible for road traffic matters, or any other person authorised by him or her to exercise anypower or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform in terms of this Act; [MEC subs by s 1(f) of Act 8 of 1998.] medical practitioner means any person registerective or perform any duty or perform as such in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act56 of 1974); Minister means the Minister of Transport, or any other person authorised by him or her to exercise any power or perform any duty or function which such Minister is empowered or obliged to exercise or perform in terms of this Act; motor cycle means a motor vehicle which has two wheels and includes any such vehicle having a side-car attached; motor vehicles required to be registered and licensed in terms of this Act or of building permanent structures onto such vehicles and who complies with the prescribed conditions; motor quadrucycle means a motor vehicle, other than a tractor, which has four wheels and which is designed to be driven by the type of controls usually fitted to a motor cycle; motor tricycle means a motor cycle or a tractor, which has three wheels and which is designed to be driven by thetype of controls usually fitted to a motor cycle; motor vehicle means any self-propelled vehicle and includes (a) a trailer; and (b) a vehicle having pedals and an engine or motor, or both such pedals and engine or motor, but doesnot include (i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or (ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person; number plate means a prescribed plate on which the licence number of a motor vehicle or to permit a vehicle to be used or driven on a public road, or to have or to permit a vehicle to be on a public road; operator means the person responsible for the use and who has been registered as the operator of such vehicle; owner, in relation to a vehicle, means (a) the person who has the right to the use and enjoyment of a vehicle in terms of the common law or a contractual agreement with the title holder of such vehicle; (b) any person has failed to return that vehicle to the title holder in accordance with the contractual agreement referred to in paragraph (a); or (c) a motor dealer who has failed to return that vehicle to the title holder of such vehicle. is in possession of a vehicle for the purpose of sale, and who is licensed as such or obliged to be licensed in accordance with the regulations under section 4, and owned or any like word has a corresponding meaning; [owner subs by s 1(d) of Act 64 of 2008.] park means to keep a vehicle, whether occupied or not, stationary for a period of time longer than is reasonably necessary for the actualloading or unloading of persons or goods, but does not include any such keeping of a vehicle; peace officer means a traffic officer and also a traffic warden appointed in terms of section 3A; [peace officer subs by s 1(h) of Act 21 of 1999 with effect from 20 November 2010; commencement of peace officer: notin force.] pedal cycle means any bicycle or tricycle designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe designed for propulsion solely by means of human power; prescribe desig Botswana, the Republic of Malawi, the Republic of Mozambique, the Republic of Namibia, the Republic of Zambia and the Republic of Zambia and the Republic of Zambia and the Republic of Simbabwe; and (b) any other state or territory declared by the Minister by notice in the Gazette to be a prescribed territory; professional driver means the driver of a motor vehicle referred to in section 32; [professional driver subs by s 1(h) of Act 8 of 1998.] professional driving permit means a province referred to in Chapter IV; province subs by s 1(i) of Act 8 of 1998.] public road means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the publicor any section thereof or to which the public or any section the public or any section thereof or any section the public or any section the public or any section the pu object forming part of or connected with or belonging to such road, street or thoroughfare; registering authority means a registering authority subs by s 1(i) of Act 21 of 1999 with effect from 20 November 2010; commencement of registering authority:not in force.] registration plate means a prescribed plate on which the registration number of a motor trade number of a motor vehicle is displayed; [registration plate rep by s 1(j) of Act 8 of 1998.] regulation under this Act; repealed ordinance means an ordinance or any provision of an ordinance means a regulation under this Act; repealed ordinance means a regulation under this Act; repealed ordinance means an ordinance means an ordinance means an ordinance means a regulation under this Act; repealed ordinance means an ordinance means a regulation under this Act; repealed ordinance means rescue vehicle means a motor vehicle designed or adapted solely for the purpose of rescuing persons, and which is owned or controlled by a department of State, a local authority or a body approved by the MEC concerned and is registered as a rescue vehicle; reserve traffic officer means a person who complies with the requirements of section 3D and is registered as a traffic officer in terms of section 3C orany person who is a peace officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic officer in terms of section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977), and 1977 (Act 51 of 19 s 1(e) of Act 64 of 2008.] reserve traffic warden means a person who has been declared a peace officer by the Minister of Justice in terms of section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer or the MEC, as thecase may be, on a temporary basis for a section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer or the MEC, as thecase may be, on a temporary basis for a section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer or the MEC, as the chief executive officer of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer or the MEC, as the chief executive officer of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a reserve traffic warden by the chief executive officer of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of 1977), and the Criminal ProcedureAct, 1977 (Act 51 of specific period; [reserve traffic varden ins by s 1(e) of Act 64 of 2008.] road traffic ordinance, 1966 (Ordinance 21 of 1966), of the former Transvaal, Natal, the Orange Free State and the Capeof Good Hope, respectively; road traffic sign means a road traffic sign means a road traffic sign means the Road Traffic ordinance 21 of 1966), of the former Transvaal, Natal, the Orange Free State and the Capeof Good Hope, respectively; road traffic sign means a road traffic sign means the Road Traffic ordinance 21 of 1966), of the former Transvaal, Natal, the Orange Free State and the Capeof Good Hope, respectively; road traffic sign means the Ro portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic which is between the edges of the roadway; roadworthy, in relation to a vehicle, means a vehicle which complies with the relevant provisions of this Act and is otherwise in a fit condition to be operated on a public road; roadworthy certificate, in relation to a motor vehicle, means a certificate issued in terms of section 42; semi-trailer means a trailer having no front axle and so designed that at least 15 per cent of its tare is super-imposed on and borne by a vehicle drawing such trailer; Shareholders Committee means the Shareholders Committee established by section 6 of the Road Traffic Management Corporation Act, 1999; [Shareholders Committee ins by s 1(j) of Act 21 of 1999 with effect from 20 November 2010.] shoulder means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that portion of a verge intended for the exclusive use of pedestrians; South African Bureau of Standardssent and the kerb line; sidewalk means that pedeate the exclusive use of pedestrians; South African Bureau of Standardssent and the exclusive use of pedestrians; South African Bureau of Standardssent and the exclusive use of pedeate the ex means the South African Bureau of Standards referred to in section 2(1) of the Standards Act, 1993 (Act 29 of 1993); stop means the mass of such vehicle ready to travel on a road and includes the mass of (a) any spare wheel and of all other accessories and equipment supplied by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the structure of such vehicle; (c) anything attached to such vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the manufacturer as standard for the particularmodel of motor vehicle is self-propelled by the particularmodel of motor vehicle is self-propelled by the particularmodel of motor vehicle is electrical power, but does not include the mass of (i) fuel; and (ii) anything attached to such vehicle which is not of the nature referred to in paragraph (b) or (c); testing station means a testing station registered in terms of section 39; this Act includes the regulations; title holder, in relation to a vehicle, means (a) the person who has to give permission for the alienation of that vehicle in terms of a contractual agreement with the owner of such vehicle; or (b) the person who has the right to alienate that vehicle in terms of the common law, and who is registered as such in accordance with the regulations under section 4; tractor means a motor vehicle designed or adapted mainly for drawing other vehicles and with a gross combination mass not exceeding 24 000 kg, but does not include a truck-tractor; [tractor subs by s 1(f) of Act 64 of 2008.] traffic officer means a traffic officer appointed in terms of section 3A, and any member of the South African Police.] Service Act, 1995 (Act 68 of 1995), and for the purposes of Chapters V, IX and X and sections 74 and 78 of this Act, includes a peace officer: [traffic officer:not in force.] traffic off to be a peace officer in terms of section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a traffic warden by the chief executive officer, the MEC or another competentauthority to appoint a traffic warden by the chief executive officer, the MEC or another competentauthority to appoint a traffic warden by the chief executive officer, the MEC or another competentauthority to appoint a traffic warden by the chief executive officer, the MEC or another competentauthority to appoint a traffic warden by the chief executive officer in terms of section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a traffic warden by the chief executive officer in terms of section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a traffic warden by the chief executive officer in terms of section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a traffic warden by the chief executive officer in terms of section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a traffic warden by the chief executive officer in terms of section 334 of the Criminal ProcedureAct, 1977 (Act 51 of 1977), and has been appointed as a traffic warden by the chief executive officer in terms of section 344 of terms of terms of section 344 of terms of section 344 of terms of section 344 of terms of propelled and which is designed or adapted to be drawn by a motor vehicle, but does not includea side-car attached to a motor cycle; Transnet Limited means the company floated and incorporated in terms of section 2 of the Legal Succession to the South African Transport ServicesAct, 1989 (Act 9 of 1989); truck-tractor means a motor vehicle, but does not include side-car attached to a motor cycle; Transnet Limited means the company floated and incorporated in terms of section 2 of the Legal Succession to the South African Transport ServicesAct, 1989 (Act 9 of 1989); truck-tractor means a motor vehicle, but does not include side-car attached to a motor cycle; Transnet Limited means the company floated and incorporated in terms of section 2 of the Legal Succession to the South African Transport ServicesAct, 1989 (Act 9 of 1989); truck-tractor means a motor vehicle, but does not include a side-car attached to a motor cycle; Transnet Limited means the company floated and incorporated in terms of section 2 of the Legal Succession to the South African Transport ServicesAct, 1989 (Act 9 of 1989); truck-tractor means a motor vehicle, but does not include a side-car attached to a motor cycle; Transnet Limited means the company floated and incorporated in terms of section 2 of the Legal Succession to the South African Transport ServicesAct, 1989 (Act 9 of 1989); truck-tractor means a motor cycle; Transport ServicesAct, 1989 (Act 9 of 1989); truck-tractor means the company floated and incorporated in terms of section 2 of the Legal Succession to the South African Transport ServicesAct, 1989 (Act 9 of 1989); truck-tractor means the company floated and incorporated in terms of section 2 of the Legal Succession 2 of the designed or adapted (a) for drawing other vehicles; and (b) not to carry any load other than that imposed by a semi- trailer or by ballast, but does not include a tractor or a haulage tractor; [truck-tractor subs by s 1(h) of Act 64 of 2008.] urban area means that portion of the area of jurisdiction of a local authority which has by actual survey been subdivided into erven or issurrounded by surveyed erven, and includes such a device which is connected witha draw-bar to a breakdown vehicle and is used as part of the towing equipment of a breakdown vehicle to support any axle or allthe axles of a motor vehicle which is being salvaged other than such a device which moves solely on rails; and verge means that portion of a road, street or thoroughfare, including the sidewalk, which is not the roadway or the shoulder. CHAPTER II APPLICATION OF ACT AND MINIMUM REQUIREMENTS 2. Application of Act This Act shall apply throughout the Republic: Provided that any provision thereof shall only apply to those areas of the Republicin respect of which the Road Traffic Act, 1989 (Act 29 of 1989), did not apply before its repeal by section 93, as from a datefixed by the Minister by notice in the Gazette. 3. Appointment of registering authorities (1) For the purposes of this Act, the Shareholders Committee shall, in consultation with the relevant MEC and by notice in the area and on the conditions it determines from time to time. (2) The Shareholders Committee, in consultation with the relevant MEC, may combine the area of any registering authority or any portion thereof with the area of another registering authority, may divide the area of a registering authority into areasfor two or more registering authority, in this subsection referred to as a new registering authority, becomes there registering authority for an area previously under the jurisdiction of another registeringauthority, including a registeringauthority shall, from or after such date, be construed as a reference to such new registering authority. (4) The powers and duties conferred or imposed upon a registering authority by or in terms of this Act shall be exercisedor performed on behalf of that registering authority. (5) If the Shareholders Committee decides that circumstances warrant such a step, the chief executive officer may execute the functions, or appoint an agent to execute the functions, of a registering authority whose service delivery, collection of paymentor management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of business groups by the Road Traffic Management fall short of the standards set in respect of the standards set in respect of the standards set in respect of th commencement of s 3: not in force.] 3A. Appointment of officers (1) For the purposes of this Act (a) the chief executive officer may, upon such conditions as he or she may determine, appoint as many persons as (i) inspectors of licences; (ii) examiners of vehicles; (iii) examiners for driving licences; (iv) traffic officers; and (v) traffic wardens, as he or she may deem expedient; (b) an MEC may, upon the conditions set by the chief executive officer, appoint for the province concerned as many personsas (i) inspectors of licences; (ii) examiners for driving licences; (iv) traffic officers; and (v) traffic wardens, as he or she may deem expedient; (c) a local authority which is a registering authority may, upon the conditions set by the chief executive officer, appoint for its area as many persons as (i) inspectors of licences; (ii) examiners for driving licences; (ii) examiners for driving licences; (iii) examiners for driving licences; (ii) examiners for driving licences; (iii) examiners of vehicles; and (iii) examiners for driving licences; (ii asthe case may be, upon the conditions set by the chief executive officers as many persons as traffic officers as may be reasonably necessary, and such officers as may be reasonably necessary, and such officers as may be reasonably necessary. area such powers and duties of a traffic officer as the MEC may determine: Provided that the MEC may (i) make different determinations in respect of different determine: Provided that the MEC may (i) make different determinations in respect of different determinations in respect determinations in respect determinations determinations in respect determinations determi determined by the chief executive officer by notice in the Gazette, may, on the conditions and for the areas determined in this Act or any other law, the chief executive officer may, inconsultation with the MEC or local authority concerned, as the case may be, determine that some or all traffic officers and reservetraffic she has been graded and registered may be appointed once on probation as an authorised officer for a periodnot exceeding 12 months or for such further period as the MEC may approve. (c) It must be a condition of appointment that the person appointed on probation must during such probation period complywith the competency and registration requirements prescribed for the specific category of appointment. (d) A person appointed under paragraph (b) may not use an authorised officers infrastructure number to certify a vehicletested by such person. [S 3A(3) subs by s 2(a) of Act 64 of 2008.] (4) Any person appointed under subsection (1) as an authorised officer, shall upon his or her appointment by the chief executive officer, MEC concerned, local authority, person or institution appointment by the chief executive officer, shall not exercise any power or perform any duty unless he or she is in possession of his or hercertificate of appointment. (6) An authorised officer shall produce his or her certificate of appointment at the request of any person having a full or partial traffic officer shall produce his or her certificate of appointment at the request of any person having a full or partial traffic officer shall at all times when wearing a full or partial traffic officer shall produce his or her certificate of appointment at the request of any person having a material interest in the matter concerned. breast pocket of his or her uniform in such a manner that it is completely visible and easily legible. [S 3A ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3A: to be proclaimed; s 3A(7) ins by s 2(b)of Act 64 of 2008.] 3B. Application for registration as inspector of licences, examiner for driving licences or traffic officer (1) Any person desiring to be registered as (a) an inspector of licences; (b) an examiner for driving licences; (c) an examiner of vehicles; (c) an examiner of vehicles; (c) an examiner for driving licences; (c) an examiner of vehicles; (c) an examine ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3B: not in force.] 3C. Registration and grading of officers (1) The chief executive officer shall, if satisfied that a person referred to in section 3B complies with the prescribedcompetency and registration requirements in respect of the specific application category, register such person in the prescribed manner: Provided that the chief executive officer shall grade an examiner of vehicles or an examiner of vehicles or an examiner of vehicles or an examiner of vehicles if he or she has or acquires a direct or indirect financial interest in the manufacturing, selling, repairing or modifying of motor vehicles; or (b) an inspector of licences, an examiner for driving licences or a traffic officer if he or she, or through his or her spouseor partner has or acquires a direct or indirect financial or other related interest in any driving school or in the training orinstruction of or supervisions of thissubsection. (3) Any act by a person in terms of subsection (1) notwithstanding the provisions of thissubsection. (3) Any act by a person in the executive officer may register a person in the execution of his or her duties whilst he or shewas incompetent by reason of the provisions of subsection (2), shall not be invalid for such reason only. (4) Any person registered as a traffic officer for a province in terms of subsection (1), shall be deemed to be registered for any other province. [S 3C ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3C: not in force.] 3D. Minimum requirements for registration as inspector of licences, an examiner of vehicles, an examiner for driving licences and traffic officer, as the case may be, shall be that the applicant (a) has obtained an appropriate diploma at a training centre approved by the Shareholders Committee; (b) is a fit and proper person to be registered as such; and (c) in the case of a traffic officer, has undergone training in relation to the laws applicable to the transportation ofdangerous goods: Provided that a person appointed before (i) 1 January 1992 in terms of a repealed ordinance or section 3(1) of the Road Traffic Act, 1989 (Act 29 of 1989); or (ii) the commencement of this Act in terms of any road traffic law contemplated in item 2 of Schedule 6 to the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), as an inspector of licences, an examiner of vehicles, an examiner for driving licences or a traffic officer, as the case may be, shall be deemed to have complied with the provisions of this subsection. (2) The diploma referred to in subsection. (3) The diploma referred to in subsection. (4) The diploma referred to in subsection. (5) The diploma referred to in subsection. (5) The diploma referred to in subsection. (5) The diploma referred to in subsection. (6) The diploma referred to in subsection. (7) The diploma referred to in subsection. (8) The diploma referred to in subsection. (9) The diploma referred to in subsection. indicate the codes of learners licences and driving licences for which a person may be examiner for driving licences as prescribed. [S 3D ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3D: not in force.] 3E Suspension and cancellation of registration of officer (1) The inspectorate of driving licences, or an examiner of vehicles, if (a) in the opinion of the inspectorate such person is guilty of misconduct in the exercise of his or her powers or the performance of his or her duties; (b) such person has not attended an appropriate refresher course within the prescribed time at a training centre approved by the Shareholders Committee; or (d) in the opinion of the inspectorate concerned, the performance record of such person indicates that he or she is registered. (2) The chief executive officer may for the period that he or she deems fit and in the manner prescribed, suspend or cancelthe registration of a traffic officer or inspector of licences if any of the circumstances referred to in subsection (1) or (2) may only be suspended or cancelted after such personhas had the opportunity to make representations in writing and to show cause, within the period determined by the chief executive officer, which period shall not be less than 21 days, why the registration should not be suspended or cancelled. (4) Any person adversely affected by the decision of the inspectorate referred to in subsection (1) or the chief executive officer referred to in subsection (2) may, within 21 days after he or she became aware of the decision, request the inspectorateor chief executive officer, as the case may be, to give reasons in writing for its, his or her registration document to the chief executive officer, who shall keep such document for the period of suspension, orcancel such document, as the case may be. [S 3E ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3E: not in force.] 3F. Powers and duties of inspector of licences In addition to the powers and duties conferred upon him or her or under this Act, and inspector of licences may, subject to the provisions of this Act or any other law (a) by notice in writing as prescribed, direct the owner, operator, driver or person in charge of any vehicle, wherever found, which in his or her opinion does not comply with the requirements for roadworthiness certification provided for in this Act orin any other law, to produce such vehicle for inspection, examination or testing to an appropriately graded testing station forsuch class of vehicle, demand from the title holder, owner, operator or driver thereof the production of anydocument which such person is required to have in respect of that motor vehicle in terms of this Act or any other law, or any likedocument issued by a competent authority outside the Republic; (c) require from any instructor (i) where such instructor is engaged in teaching or instructor (i) where such instructor is engaged, within seven days, to produce evidence of his or her registration; (d) examine any motor vehicle in order to satisfy himself or herself that it is the motor vehicle in respect of which a document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in paragraph (b) was issued; (e) impound any document referred to in been or appears to have been unlawfully altered or defaced or which is being put to unlawful use, and where any documentis so impounded, the inspector shall issue a receipt in respect thereof to the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the inspector shall issue a receipt in respect thereof to the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the owner, operator or driver or person in charge of any vehicle for the person concerned; (f) require the pers any other particulars required as to his or her identification, and where applicable, immediately to produce a professionaldriving permit; (g) demand from any person immediately to produce a licence or any other document which he or she is required to have in respect of any motor vehiclein terms of this Act or any other law; (h) impound any licence or document produced to him or her in terms of paragraph (g) which in his or her opinion may affordevidence of a contravention or evasion of this Act or any other law; (h) impound end, the inspector shall issue a receipt in respect thereof to the person concerned; (i) require any person, whether or not this person is in a vehicle, to furnish his or her identification, as well as such information as is within his or her power to furnishand which may lead to the identification of the owner, operator or driver of the vehicle concerned; (j) require any person to furnish him or her with any information as is within the power of such person in charge of a vehicle at any time or during anyperiod; or (k) at any reasonable time, having regard to the circumstances of the case, without prior notice, and in the exercise of any other law authorised or required to exercise or perform, enter any premises on which he or she has reason to believe that any vehicle is kept. [S 3F ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3F: not in force.] 3G. Powers and duties of examiner of vehicles (1) An examiner of vehicles may inspect, examiner of vehicles or any part thereof or its equipment or accessories: Provided that the examiner shall reassembleany vehicle so dismantled, or shall cause any vehicle so dismantled to be reassembled, to the same condition in which it was beforeit was dismantled unless the person in charge of the vehicle requests him or her duties, if, in the caseof a motor vehicle, he or she is licensed to drive a motor vehicle of the class concerned. [S 3G ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3G: not in force.] 3H. Powers and duties of examiner for driving licences (1) An examiner for driving licences (1) An examiner for driving licences (1) An examiner for driving licences (2) An examiner for driving licences (3) An examiner manner and in regard to the matters as prescribed, in order to determine whether the applicant is fit and competent to obtain a learners or driving licences shall test an applicant for a driving licence in terms of this Act unless the examiner himself or herself is licensed to drive a vehicle of the class for which the applicant applies to obtain a driving licence or of the class prescribed. [S 3H ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3H: not in force.] 3I. Powers and duties of traffic officer In addition to the powers and duties conferred upon him or her or under this Act, a traffic officer may, subject to the provisions of this Act or any other law (a) exercise or perform any of the powers or duties conferred upon an inspector of licences under section 3F; (b) when in uniform, require the driver of any vehicle to stop such vehicle; (c) inspect and test or cause to be inspected and tested by a person whom he or she considers competent to do so, any partand the functioning of any vehicle, and the equipment thereof, with a view to ascertaining whether the vehicle concerned or thefunctioning thereof and the equipment the equipment thereof and the equipment thereof and the equ power hereby conferred upon him or her, dismantle themechanism or any working parts of any motor vehicle unless he or she is also a qualified motor mechanic or has passed an examination for examiners of vehicles as prescribed, and if he or she has so dismantled the vehicle, he or she has so dismantled motor mechanism or parts to the same condition in which it was before it was dismantled unless he or she is requested by the person in charge of the vehicle, or the mass, axle mass load of, any vehicle, or themass of any combination of vehicles, loaded or unloaded, and if necessary for the purpose of ascertaining such mass, require anyvehicle or combination of vehicles to proceed to a mass-meter or mass adjusted to comply with this Act: Provided that where the load on a vehicle includesany hazardous substance as contemplated in the Hazardous substance as contemplated in the reduction and handling of themass shall be undertaken in terms of that Act; (e) drive any vehicle where necessary in the performance of his or her duties if, in the case of a motor vehicle, he or she is licensed to drive a motor vehicle, appears, by reason of his or her physical or mental condition, howsoever arising, to be incapable for the time being of driving or being in charge of that vehicle, temporarily forbid the person to continue to drive or be in charge of that vehicle and make the arrangements for the safe disposalor placing of the vehicle as in his or her opinion, be necessary or desirable in the circumstances; (g) regulate and control traffic upon any public road, and give such directions as may, in his or her opinion, be necessary for the safe and efficient regulation of the traffic, which may include the closing of any public road, and, where he or she isof the opinion that the driver to remove the vehicle from such road and to follow another route with the vehicle; (h) require any person to furnish his or her name and address and other particulars which are required for his or her identification or for any process if the officer, he or she is able to give evidence in regard to the commission of any such offence; (i) in respect of any motor vehicle, demand from the owner, operator or driver thereof to produce any document referred to in paragraph (i) produced to him or her and which in his or her opinion may affordevidence of a contravention of or failure to comply with any provision of this Act or any other law related to road traffic mattersand where any document is so impounded, the traffic officer shall issue a receipt in respect thereof to the person concerned; (k) require any professional driver or the operator or owner of any motor vehicle to produce for inspection and to have a copy made of (i) any record or document which that person is required in terms of this Act to preserve; (l) at any time enter any motor vehicle; or (ii) any record which that person is required to be affixed to any such motor vehicle; (m) at any time enter upon any premises on which he or she has reason to believe that a motor vehicle of an operator is keptor any record or other document, which he or she finds there; (n) if he or she has reason to believe that an offence in terms of this Act has been committed in respect of any record or document, inspected by him or her, impound that record or document is so impounded, the traffic officershall issue a receipt in respect thereof and impound any document is so impounded, the traffic officershall issue a receipt in respect thereof to the person concerned; (o) inspect any motor vehicle or part thereof and impound any document is so impounded, the traffic officershall issue a receipt in respect thereof and impound any document is so impound that record or document is so impounded, the traffic officershall issue a receipt in respect thereof and impound any document is so impounded. such motor vehicle which relates to the motor vehicle, where it is found that the engine or chassis number of the motor vehicle be taken, forthwith, to any police station specified by the traffic officer for police clearance, and may after such clearance has been obtained, return the impounded document to any person who is entitled thereto, or notify the owner of the motor vehicle concerned that the vehiclemust be re-registered in any prescribed territory, police clearance in respect of the motor vehicle before allowing the motor vehicle to be taken across the borders of Act 21 of 1999 with effect from 1 August 2000 commencement of s 31: not in force.] 3]. Failure to comply with instruction or direction of licences, traffic officer, examiner of vehicles, or obstruct, hinder or interfere with any inspector of licences, traffic officer or examiner of vehicles in the exercise of any power relating to a provision of this Act; (b) fail to comply with any peace officer, or obstruct, hinder or interfere with any peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any instruction or direction given to him or her by a peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any power relating to a provision of this Act; (b) fail to comply with any peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any peace officer in the exercise of any power relating to a provision of this Act; (b) fail to comply with any peace officer in the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power relating to a provision of the exercise of any power Act assigned to him or her in terms of section334 of the Criminal Procedure Act, 1977 (Act 51 of 1977); or (c) in order to compel a person referred to in paragraph (a) or (b) to perform or to refrain from performing any act in respect of the exercise of his or her duties, or on account of such person having performedor refrained from performing such an act, threaten or suggest the use of violence against or restraint upon such person or of any of his or herrelatives or dependants. (2) Whenever the production of any document which is not required to be affixed to a vehicle or to be kept with him or herin a vehicle by any person, is demanded under sections 3F(b), 3F(g) or 3I(i), the production thereof at any police station or officeset aside by a competent authority for use by a traffic officer or peace officer, within a period of seven days after being sodemanded, shall be deemed to be sufficient compliance with the demand. (3) Whenever any document is produced under subsection, the officer in charge of such police station or office so set aside, shall accordingly forthwith notify the officer who made thedemand concerned and shall issue an acknowledgement of production of such document to the person producing it. (4) Where a document is not produced under subsection (2) and any process is to be handed to or served upon a person in terms of section 54 or 72 of the Criminal Procedure Act, 1977, an inspector of licences, traffic officer or peace officer may require the imprint of the left thumb of the person to whom the process relates on such process, and such person shall be obliged to furnishsuch imprint in the manner and at such a place or places on the document or copies thereof as directed by the inspector or officer concerned. Provided that if it is not possible to obtain the left thumb print of any other finger maybe required, in which case the finger so used shall be identified in writing by the inspector or officer concerned under each imprint f such finger. [S 3] ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3]: not in force.] 3K. Impersonating authorised officer or peace officer or inducing any such officer to forsake his or her duty (1) Any person who is not an authorised officer or a peace officer shall not act in a way that may create an impression thathe or she is an authorised officer or peace officer. [S 3K(1) subs by s 3(a) of Act 64 of 2008.] (2) No person shall connive with or induce or attempt to induce any authorised officer to omit to carryout his or her duty or to commit an act in conflict with his or her duty or to commit an act in conflict with his or her duty or to commit an act in conflict with his or her duty. (3) A person who is not duly appointed as a traffic officer under this Act, may not wear a traffic officer under this Act, may not w distinguishes such person as a traffic officer without the written permission of the enforcement authority. [S 3K(3) ins by s 3(b) of Act 64 of 2008.] (4) Notwithstanding subsection (3), the Minister or MEC, as the case may be, may, if accompanied by law enforcement officials, wear a traffic officers uniform. [S 3K(3) ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3K: to be proclaimed; s 3K(4) ins by s 3(b)of Act 64 of 2008.] 3L. Approval of training centre referred to in sections 3D(1)(a), 3E(1)(c) and 28C meets the prescribed requirements, the Shareholders Committee shall approve it. (2) The Shareholders Committee may, if a training centre no longer complies with the requirements referred to in subsection(1) revoke the approval referred to in that subsection. [S 3L ins by s 2 of Act 21 of 1999 with effect from 1 August 2000; commencement of s 3L: not in force.] CHAPTER III REGISTRATION AND LICENSING OF MOTOR VEHICLES AND REGISTRATION OF MANUFACTURERS, BUILDERS, IMPORTERS AND MANUFACTURERS OF NUMBER PLATES [Chapter heading subs by s 2 of Act 8 of 1998.] 4. Registration and licensing of motor vehicles for each province shall be registered and licensed unless the contrary is prescribed in respect of specific cases. (3) No person shall operate a motor vehicle is registered and licensed in accordancewith this Act. [S 4 subs by s 3 of Act 21 of 1999 with effect from 1 August 2000; s 4(3) ins by s 4 of Act 64 of 2008.] 5. Registration of manufacturers, builders, importers and manufacturers of number plates (1) The prescribed manufacturers, builders or importers, and every manufacturer of number plates shall apply in the prescribed manufacturer of number plates shall apply in the prescribed manufacturer of number plates shall apply in the prescribed manufacturers, builders or importers, and every manufacturer of number plates shall apply in the prescribed manufacturers of number plates shall apply in the prescribed manufacturers of number plates shall apply in the prescribed manufacturers of number plates shall apply in the prescribed manufacturers of number plates shall apply in the prescribed manufacturer of number plates shall apply in the prescribed manufacturers November 2010.] (2) If the chief executive officer is satisfied that an applicant referred to in subsection (1) complies with the qualifications for competency as prescribed for the specific category in respect of which application is made, he or she shall register such application is made, he or she shall register such application is made, he or she shall register such application is made, he or she shall register such application is made, he or she shall register such application is made. of 1999 with effect from 20 November 2010.] (3) The chief executive officer may, in the prescribed manner, alter the conditions referred to in subsection (2). [S 5(3) am by s 4(b) of Act 21 of 1999 with effect from 20 November 2010.] (4) The chief executive officer may, in the prescribed manner, alter the conditions referred to in subsection (2). [S 5(3) am by s 4(b) of Act 21 of 1999 with effect from 20 November 2010.] (4) The chief executive officer may, in the prescribed manner, alter the conditions referred to in subsection (2). cancel, the registration of a manufacturer, builder, importer or manufacturer of number plates. [S 5(4) am by s 4(b) of Act 21 of 1999 with effect from 20 November 2010.] (5) The manufacturers, builders or imported by him or her, before he or she distributes or sells such vehicle. (6) Manufacturers, builders and importers shall not manufacture, build, modify, import, sell or distribute motor vehicles except in accordance with the prescribed conditions. (7) A manufacturer of number plates shall not manufacture, builders and importers shall not manufacture of number plates shall not manufacture of number plates unless he or she is registered as a manufacturer of number plates. [S 5 subs by s 3 of Act 8 of 1998; s 5(7) ins by s 5(c) of Act 21 of 1999 with effect from 1 August 2000.] 6. Right of appeal to Minister (1) Any person who is aggrieved at the refusal of the chief executive officer to register him or her as a manufacturer, builder, importer or manufacturer of number plates, or at the suspension or cancellation of his or her registration as a manufacturer, builder, importer or manufacturer of number plates, or at the conditions on which he or she is so registered, in writing appeal to the Shareholders Committee against such refusal, suspension, cancellation or conditions, and such person shall at the same timeserve a copy of the appeal on the chief executive officer. [S 6(1) subs by s 4 of Act 8 of 1998; s 6(1) am by s 5(a) and (b) of Act 21 of 1999 with effect from 20 November 2010.] (2) After receipt of the appeal referred to in subsection (1), the chief executive officer shall forthwith furnishthe Shareholders Committee with his or her reasons for the refusal, suspension, cancellation or conditions to which such appealrefers. [S 6(2) am by s 5(a) and (b) of Act 21 of 1999 with effect from 20 November 2010.] (3) The Shareholders Committee may after considering the appeal give such decision as it may deem fit. [S 6(3) am by s 5(b) and (c) of Act 21 of 1999 with effect from 20 November 2010.] 7. Appointment of inspectorate of manufacturers, builders and importers. (2) The powers and duties of the inspectorate contemplated in subsection (1) in relation to the registration and inspector of manufacturers, builders and importers shall be as prescribed. (3) The Minister may, in order to defray the expenditure incurred by or on behalf of that inspectorate for the purposes of performing its functions, prescribed fees to be paid in respect of inspections

carried out by it in terms of this Act. CHAPTER IV FITNESS OF DRIVERS 8. Driving licence testing centre to be registered and graded. [S 8 subs by s 6 of Act 21 of 1999 with effect from 20 November 2010.] 8A Application for registration of driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centres for the registration of such a testing centre (3) Any department of State or registering authority desiring to operate a driving licence testing centre shall in the prescribed manner apply to the inspectorate of driving licence testing centres for the registration of such a testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring to operate a driving licence testing centre (1) Any department of State or registering authority desiring testing centre (1) Any department of State or registering authority desiring testing centre (1) Any department of State or registering authority desiring testing centre (1) Any department of State or registering authority desiring testing centre (1) Any department of State or registering authority desiring testing centre (1) Any department of State or registering authority desiring testing centre (1) Any department of State or registering authority desiring testing centre (1) Any department of State or registering testing centre (1) Any department of State or registering testing te driving licence testing centre may, on the prescribed conditions, be registered and graded to test applicants for learners licences only. (3) No department of State or registering authority shall operate a driving licence testing centre unless such testing centre is registered and graded in accordance with this Act. [S 8A ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 8A(3) ins by s 5(b) of Act 64 of 2008.] 9. Registration and grading of driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centres of driving licence testing centres of driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centres of driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centres shall, if satisfied that, in relation testing centres shall, if satisfied that, the registration of such a testingcentre have been met, register and grade such testing centre in the prescribed manner, and give notice of such registration of driving licence testing centre The inspectorate of driving licence testing centres may, if a registered driving licence testing centre no longer complies with the requirements referred to in section 9, suspend the registration of that testing centre for such period as it deems fit, or regrade or cancel it, in the prescribed manner. [S 10 subs by s 8 of Act 21 of 1999 with effect from 20 November 2010.] 11. Appointment of inspectorate of driving licence testing centres (1) The Minister shall, after a decision has been taken by the Shareholders Committee, appoint a person, an authority ora body as an inspectorate of driving licence testing centres. (2) The powers and duties of the inspectorate contemplated in subsection (1) in relation to the inspectorate of driving licence testing centres. and the control of standards, grading and operation of driving licence testing centres shall be as prescribed. (3) The Minister may, in order to defray expenditures incurred by or on behalf of that inspectorate for the purposes of performance of its functions, prescribe fees to be paid in respect of inspections to be carried out in terms of this Act. (4) The Minister may, in order to defray expenditures incurred by or on behalf of that inspectorate for the purposes of performance of its functions, prescribed fees to be paid in respect of inspections to be carried out in terms of this Act. (4) The Minister may, in order to defray expenditures incurred by or on behalf of that inspectorate for the purposes of performance of its functions, prescribed fees to be paid in terms of this Act. (4) The Minister may, in order to defray expenditures incurred by or on behalf of that inspectorate for the purposes of performance of its functions, prescribed fees to be paid in terms of this Act. (4) The Minister may, in order to defray expenditures incurred by or on behalf of that inspectorate for the purposes of performance of its functions, prescribed fees to be paid in terms of this Act. (4) The Minister may, in order to defray expenditures incurred by or on behalf of that inspectorate for the purposes of performance of its functions. Minister shall prescribe the training procedures and qualifications of a person appointed under subsection (1). [S 11 subs by s 9 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 November 2010; s 11(4) ins by s 6 of Act 21 of 1999 with effect from 20 Novemb in accordance with the conditions of a licence issued to him or her in terms of this Chapteror of any document deemed to be a licence or document or any other prescribed authorisation with him or her in the vehicle. 13. Licence to drive, either learners or driving licence A licence authorising the driving of a motor vehicle shall be issued by a driving licence, to be known as a learners licence, to be known as a learners licence, to be known as a driving licence, to be known as a driving licence testing centre in accordance with this Chapter and shall be either (a) a provisional licence, to be known as a learners licence, to be known as a driving licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance with this Chapter and shall be either (b) a licence testing centre in accordance testing centre in accorda for the purpose of the issue to him orher of a driving licence unless he or she is the holder of a learners licence. 14. Prescribing, classification and extent of learners or driving licence; (b) the class of motor vehicle to which each category of such licence relates; (c) the authority granted by such licence; (d) the period of validity of such licence; (e) the limitations to which the authority granted by such licence, shall be as prescribed. 15. Disqualification from obtaining or holding a learners or driving licence (a) if he or she (i) in the case of any licence for a motor cycle, motor tricycle or motor quadrucycle having an engine with a cylindercapacity not exceeding 125 cubic centimetres or which is a vehicle as contemplated inparagraph (b) of the definition of motor vehicle, is under the age of 16 years; (ii) in the case of a learners licence for a light motor vehicle, being a motor vehicle not of a class referred to insubparagraph (i) and the tare of which does not exceed 3 500 kilograms or, where such motor vehicle is (aa) a bus or goods vehicle, the gross vehicle mass of which does not exceed 3 500 kilograms; (bb) an articulated motor vehicle, the gross combination mass of which does not exceed 3 500 kilograms, is under the age of 17 years; or (iii) in the case of any other licence, is under the age of 18 years; (b) during any period in respect of which he or she has been declared by a competent court or authority to be disqualified from obtaining or holding a licence to drive a motor vehicle, while such disqualification remains in force; (c) where a licence to drive a motor vehicle held by him or her has been suspended by a competent court or authority, forsuch period as he or she may not apply for a licence; (e) if such licence relates to a class of motor vehicle which he or she may already drive under a licence; (ii) sudden attacks of disabling giddiness or fainting due to hypertension or any other cause; (iii) any form of mental illness to such an extent that it is necessary that he or she be detained, supervised, controlled as a patient in terms of the Mental Health Act, 1973 (Act 18 of 1973); (iv) any condition causing muscular incoordination; (v) uncontrolled diabetes mellitus; (vi) defective vision ascertained in accordance with a prescribed standard; (vii) any other disease or physical defect which is likely to render him or her incapable of effectively driving and controllinga motor vehicle of the public: Provided that deafnessshall not of itself be deemed to be such a defect; (g) if he or she is addicted to the use of any drug having a narcotic effect or the excessive use of intoxicating liquor; or (h) in such other circumstance as may be prescribed, either generally or in respect of a particular class of learners driving licence. (2) The chief executive officer may, if he or she deems it expedient and on such conditions as he or she may deem fit, declarethat any person shall no longer be subject to any disqualification, suspension or cancellation by a competent authority referred to in subsection (1)(b), (c) or (d), respectively: Provided that in the case of any cancellation such declarationshall be subject to section 25(9). [S 15(2) am by s 10 of Act 21 of 1999 with effect from 20 November 2010.] 16. Failure to disclose disqualification in respect of licence authorising driving of motor vehicle prohibited (1) No person shall, when applying for a learners or driving licence, wilfully fail to disclose any disqualification towhich he or she is subject in terms of section 15. (2) Any person who (a) is the holder of a licence authorising the driving of a motor vehicle in terms of this Chapter; and (b) becomes aware thereof that he or she is disqualified from holding such licence, shall, within a period of 21 days after having so become aware of the disqualification, submit the licence or, in the case whereit is contained in an identity document, that document to the chief executive officer. [S 16(2) am by s 11(a) of Act 21 of 1999 with effect from 20 November 2010.] (3) When a licence is submitted in terms of subsection (2) the chief executive officer shall cancel it and if the licencewas issued in a prescribed territory he or she shall notify the authority which issued it of the cancellation: Provided that if the licence is submitted in terms of subsection (2) the chief executive officer shall cancel it and if the licence is submitted in terms of subsection (3). to drive the class of motor vehicle concerned with the aid of glasses, an artificial limb or any other physical aid, the chief executive officer shall, in the case where the licence (a) is contained in an identity document (i) not cancel the licence is held; (ii) return the identity document to the holder thereof; or (b) is not contained in an identity document, issue of a new licence in the prescribed manner reflecting the conditions on which it is issued. [S 16(3) am by s 11(b) of Act 21 of 1999 with effect from 20 November 2010.] 17. Application for and issue of learners licence (1) Subject to section 24, a person desiring to obtain a learners licence shall in person apply therefor in the prescribedmanner to an appropriately graded driving licence testing centre. (2) Upon receipt of an application in terms of subsection (1), the driving licence testing centre concerned shall, if it is satisfied from the information furnished or from such further information as such centre may reasonably request, that the applicant shall present himselfor herself to be evaluated in the manner and in respect of the matters prescribed. [S 17(2) subs by s 7(a) of Act 64 of 2008.] (3) If the driving licence testing centre is satisfied that the applicant, after being evaluated in the prescribed manner, has sufficient knowledge of the matters prescribed in respect of the class of vehicle concerned, and is not disqualified in terms feedback set in the prescribed in terms of section 15 from obtaining a learners licence testing centre shall issue a learners licence in the prescribed manner to such applicant in respect of the appropriate class of motor vehicle, and the driving licence testing centre shall (a) in the case where the applicant is found to be competent to drive with the aid of spectacles or contact lenses, an artificial limb or other physical aid, endorse the licence testing centre shall (a) in the case where the applicant is a physically disabled person who has to drive a vehicle adapted for physically disabled persons, or a vehicle adapted specifically for that physically disabled person shall wilfully or negligently issue or authorise the issue of a learners licence contrary to the provisions of this Chapter. (5) Any applicant for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes use of any unauthorised aid during a test for a learners licence who makes u not exceeding 12 months from the date of conviction. [S 17(5) ins by s 7(b) of Act 64 of 2008.] (6) If the court makes an order disqualifying the applicant has obtained a learners licence, and the State leadsevidence to the effect that the applicant from reapplying for a learners licence. such licence and shall deal with it in the manner contemplated in section 34(1)(b). [S 17(6) ins by s 7(b) of Act 64 of 2008.] 18. Application for and issue of driving licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence who desires to obtain a driving licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learners licence (1) Subject to section 24, the holder of a learner testing centre for a licence to drive a motor vehicle of a class thedriving of which is authorised by his or her learners licence. (2) Upon receipt of an application in terms of subsection (1), the driving licence testing centre concerned shall, if it is satisfied from the information furnished in the application or from such further information as such centre may reasonably request, that the applicant is not disqualified from obtaining a driving licence, determine a day on and time at which the applicant shall supply a motor vehicle of the class to which his or her application relates. (3) An examiner for driving licences shall test an applicant for a driving licence is competent, to drive a motor vehicle of the class to which such applicants application relates, the examinershall issue, or authorise a person employed by the driving licence in the said authorised person shall [Words preceding s 18(4)(a) subs by s 8(a) of Act 64 of 2008.] (a) in the case where the applicant has in terms of subsection (2) provided a motor vehicle equipped with an automatic transmission or the motor vehicle equipped with an au automatic transmission or which is electrically powered, as the case may be; (b) in the case where the applicant is found to be competent to drive a physical aid, endorse the licence accordingly; and (c) in the case where the applicant is a physically disabled person who has to drive a vehicle adapted for physically disabled applicant, endorse the licence; (b) authorise the issue of a driving licence; or (c) endorse a driving licence; (b) authorise the licence accordingly. (5) No person shall wilfully or negligently (a) issue a driving licence; (b) authorise the licence accordingly. applicant for a driving licence who makes use of any unauthorised aid during a test for a driving licence shall be guilty for a driving licence shall be guilty of an offence and upon conviction shall be liable, in addition to any other sentence which the court may impose, to be disqualified from re-applying for a driving licence for a period not exceeding 12 months from the date of conviction [S 18(5A) ins by s 8(b) of Act 64 of 2008.] (5B) If the court makes an order disgualifying the applicant from reapplying for a driving licence in the meanwhile, the court shall require the accused to produce and shall deal with it in the manner contemplated by section 34(1)(b). [S 18(5B) ins by s 8(b) of Act 64 of 2008.] (6) (a) A driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in an identity document shall be deemed to be a driving licence which has officially been included in a driven a driving lice of any person who was unable to apply for such a driving licence due to him or her having been (i) admitted to any medical facility or detained in any state institution in terms of an order issued or sentence imposed by the Government on a foreign mission or assignment; (iii) on a contract of employment outside the borders of the Republic; [S 18(6)(iii) subs by s 8(c) of Act 64 of 2008.] (iv) a full-time student at a foreign academic institution; or [S 18(6)(v) ins by s 8(c) of Act 64 of 2008.] the date determined in that notice shall, upon proof submitted by any such person of the date of his or her discharge from such facility or, release from such facility or, release from 30 April 2003.] (7) (a) A driving licence other than a licence contemplated in subsection (6) that was valid immediately before the commencement (b) The Minister may (i) determine different dates for the expiry of the validity of driving licences contemplated in paragraph (a) in respectof different categories of persons; and (ii) extend any date determined in terms of subparagraph (i). [S 18(7) ins by s 1(b) of Act 20 of 2003.] 19. Substitution of driving licence testing centrefor the issue of a driving licence testing centrefor testing cent in substitution of his or her existing licence. (2) An application under subsection (1) shall be made in the prescribed documents. (3) A driving licence which has not been substituted as contemplated in subsection (1) shall be made in the prescribed documents. 18(6) or (7), as the case may be. (4) Any person whose licence has become invalid in terms of subsection (3) and who requires a driving licence must applyanew for the issue of a licence in terms of section 18. [S 19(3) subs by s 13 of Act 21 of 1999 with effect from 1 August 2000; s 19 subs by s 2 of Act 20 of 2003.] 20. Special provisions in relation to driving licences which ceased to be valid in terms of road traffic ordinance (1) The holder of a licence issued in terms of (a) section 59(1) of the said Ordinance (Natal); (b) section 59(2) of the said Ordinance (the Orange Free State); and (d) section 59A(1) of the said Ordinance (the Cape of Good Hope), may, subject to section 15 of this Act, apply to a prescribed authority that a driving licence be issued to him or her, in terms of section 57 of the Ordinance concerned, subject to such conditions as may apply to the latter licence. (2) An application for a driving licence under subsection (1) shall be accompanied by (a) the prescribed form. (3) Upon receipt of an application under subsection (1), the prescribed authority shall satisfy itself in the prescribedmanner as to the authenticity of the document referred to in subsection (2)(a) and, if satisfied that (a) the existing licence; (b) the applicant is the holder thereof; and (c) the holder thereof; and (c) the holder thereof; and (c) the applicant is the holder thereof; and (c) the holder thereof; and (c) the applicant is the holder thereof; and (c) the app in the manner prescribed in section 18(4) to the applicant and, if applicable, endorse such driving licence in accordance with section 18(4). [S 20(3) subs by s 9 of Act 64 of 2008.] 21. Directions to applicant for learners or driving licence shall apply tobe evaluated at any driving licence to drive motor vehicle shall give notice of change of place of residence When the holder of a licence to drive a motor vehicle which was issued in terms of this Chapter, has changed his or her place offresidence permanently, he or she shall, within 14 days after such change, notify in the prescribed manner the registering authority subsection (2) and the prescribed conditions (a) a licence authorising the driving of a motor vehicle and which was issued in any other country; and (b) an international driving permit which was issued in any other country; and (b) an international driving permit which was issued while the holder thereof was not permanently or ordinarily residentin the Republic, shall, in respect of the class of motor vehicle to which that licence or permit relates and subject to the conditions thereof, bedeemed to be a licence or an international driving permit, it shall not authorise the driving of a motor vehicle carrying passengers and in respect of which a professional driving permit, it shall not authorise the driving of a motor vehicle carrying passengers and in respect of which a professional driving permit, it shall not authorise the driving of a motor vehicle carrying passengers and in respect of which a professional driving permit is required. (2) (a) The period in respect of which a licence or an international driving permit referred to in subsection (1) shall be deemedto be a licence or an international driving licence to take the place of such licence or permit. (3) An application under subsection (2)(b), the driving licence testing centre concerned shall, subject to the application under subsection (2)(b), the driving licence testing centre concerned shall, subject to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the application under subsection (2)(b) shall be made in the prescribed conditions, issue to the prescribed conditions, issu licence in the prescribed manner. 24. Department of State may issue learners or driving licence to person in its employment only (1) A department of State registered as a driving licence testing centre may issue a learners or drivi purposes of subsection (1), a person who renders service in the South African National Defence Force shall bedeemed to be in the employment of the Department of State prior to 1 January 1993, shall, subject to the prescribed conditions, grant the holder thereof the right to be issued with a driving licence of theappropriate class in accordance with this Chapter. 25. Suspension or cancellation by chief executive officer of licence authorising driving of motor vehicle [Section heading am by s 15 of Act 21 of 1999 with effect from 20 November 2010.] (1) If the holder (a) of a learners or driving licence issued in terms of this Chapter, a repealed ordinance or any prior law, is disqualified in terms of section 15 from holding it, the chief executive officer shall cancel such licence; or (b) of a licence referred to in paragraph (a) would constitute a source of danger to the public by driving a motor vehicleon a public road, the chief executive officer may cancel or suspend such licence. (2) For the purposes of subsection (1) the chief executive officer may request the holder of the licence concerned to submit himself or herself within such period as the chief executive officer may request the holder of the licence. executive officer, to determine his or her competency to drive a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerned shall provide a motor vehicle of the class to which his or her licence concerne submitted to an examination and a test to determine his orher competency to drive a motor vehicle (i) of any other class of which the driving is authorised by his or her licence; or (ii) of a specific prescribed class, and for the purpose of such examination, at the cost of the Administration of the province concerned, by a medical practitioner nominated by the chief executive officer, to determine his or her physical and mental fitness to drive a motor vehicle; or (c) to an examination and a test contemplated in paragraph (a) and an examination and a test contemplated in paragraph (b). (3) If the holder of the licence concerned is, after the examination and test in terms of subsection (2)(a), found to becompetent to drive a motor vehicle of the class provided by him or her and is not disqualified in terms of section 15, the chiefexecutive officer may direct (a) that every licence authorising the driving of a motor vehicle and of which he or she is the holder shall be cancelled; and (b) that a driving licence in respect of a motor vehicle of the class provided by him or her shall be issued to him or herby an examiner for driving licences of the authority authorised thereto by the chief executive officer, and for that purpose the provisions of section 18(4) shall apply with the necessary changes. (4) If any person, after having been examined and tested in terms of subsection (2)(a), is found not to be competent to drive motor vehicle of the class provided by him or her, the chief executive officer may forthwith suspendor cancel, as the case may be, the licence concerned unless such person is able to satisfy the chief executive officer within aperiod determined by the chief executive of this section shall apply to any other learners or drivinglicence held by the holder of such suspended or cancelled in terms of subsection (3)(a) or(4), (a) When a licence is cancelled in terms of subsection (3)(a) or(4), (b) and (c) an the holder thereof shall forthwith submit the licence or, in the case where it is contained in an identity document to the chief executive officer or an inspector of licences, the chief executive officer or the inspector of licences, as the case may be, shall record particulars of the cancellation or suspension in that register; (ii) and particulars thereof are not contained in the register for driving licences, as the case may be, shall notify the authority which issued the licence of the cancellation or suspension, and where the licence has been suspended the chief executive officer or the inspector of licences, as the case may be, shall retain the licence is contained in an identity document, the chief executive officer or inspector of licences, as the casemay be, shall effect an appropriate endorsement on the licence, record the particulars of the cancellation or suspension in thereof. (8) The chief executive officer may, where he or she deems it expedient and on such conditions as he or she may deem fit (a) in the prescribed manner reinstate a licence suspended in terms of this section; (b) authorise a person whose licence has been cancelled in terms of this section; (c) a repealed ordinance or any priorlaw or by prescribed territory or a foreign state, which would have disqualified such person as contemplated in section 15 from obtaining a driving licence, or if such holder would constitute a source of danger to the public by driving a motor vehicleon a public road, the chief executive officer may inform such person that such licence is of no force within the Republic, and as from the date on which such person is so informed the licence shall cease to be in force within the Republic. [S 25 am by s 15 of Act 21 of 1999 with effect from 20 November 2010.] 26. Lapsing of endorsement on licence (1) An endorsement in terms of any order of a court effected on any licence authorising the driving of a motor vehicle interms of this Chapter, shall lapse after the expiry of a period of 5 years from the date upon which such endorsement was ordered, if during such period of suspension of suchlicence shall be included in the calculation of the period of five years. (2) Where in relation to a driving licence, all endorsements have lapsed in accordance with subsection (1), the authority which issued such licence free from any endorsements. 27. Cancellation or amendment of endorsement on licence (1) Where the holder of a licence (a) authorising the driving of a motor vehicle in the Republic; and (b) on which an endorsement in terms of section 18(4) or a similar endorsement by a competent authority in a prescribed territoryhas been effected, is of the opinion that there are circumstances justifying the cancellation or amendment of such endorsement, he or she may apply to the chief executive officer for the cancellation or amendment of such endorsement. [S 27(1) am by s 16(a) of Act 21 of 1999 with effect from 20 November 2010.] (2) (a) An application under subsection (1) shall be accompanied by (i) the licence concerned or, in the case where it is contained in an identity document, that document; (ii a statement by the applicant setting forth the reasons for the application. (b) The chief executive officient for the purposes of section 12(b). [S 27(2)(b) am by s 16(b) of Act 21 of 1999 with effect from 20 November 2010.] (3) Upon receipt of an application under subsection (1) the chief executive officer may, for the purpose of the consideration thereof (a) require the applicant to submit such further statement or document; or (b) take such other steps, as the chief executive officer may deem expedient. [S 27(3) am by s 16(c) of Act 21 of 1999 with effect from 20 November 2010.] (4) If an application under subsection (1) (a) is refused by the chief executive officer, he or she shall notify the applicant accordingly and return the licence and issue or authorise the issue of a new licence in the prescribed manner without endorsement or reflecting the amended endorsement, as the case may be; and (ii) notify the authority which issued the licence accordingly. [S 27(4)(b)(ii) subs by s 11 of Act 64 of 2008; s 27(4) am by s 16(c) of Act 21 of 1999 with effect from 20 November 2010.] 28. Instructor to be registered (1) No person shall act as instructor in accordance with the laws of any province unless he or she is (a) registered in terms of the laws of that province to act as an instructor, and was medically examined to ascertain such fitness. (2) A person referred to in subsection (1) shall only be registered as an instructor in respect of a class of motor vehiclewhich he or she is licensed to drive. [S 28 subs by s 17 of Act 21 of 1999 with effect from 1 August 2000.] 28A. Application for registration as instructor shall in the prescribed manner apply to the chief executive officer. [S 28 subs by s 17 of Act 21 of 1999 with effect from 1 August 2000.] 28A. 28A ins by s 17 of Act 21 of 1999 with effect from 1 August 2000.] 28B. Registration and grading of instructors (1) No person shall be registered to act as instructor, and was medically examined to ascertain such fitness. (2) A person referred to in subsections (1) shall only be registered as instructor in respect of a class of motor vehiclewhich he or she is licensed to drive. (3) The chief executive officer shall, if satisfied that an applicant referred to in subsections (1) and (2), register and grade such applicant in the prescribed manner. [S 28B ins by s 17 of Act 21 of 1999 with effect from 1 August 2000.] 28C. Suspension and cancellation of registration of instructor if that instructor if the previous equal to the previo guilty of misconduct in the exercise of his or her powers or the performance of his or her duties; or (b) failed within the prescribed period to attend an appropriate refresher course at a training centre approved by the Shareholders Committee. [S 28C ins by s 17 of Act 21 of 1999 with effect from 1 August 2000.] 29. Voidness of licence issued contrary to Chapter A learners or driving licence issued contrary to this Chapter, shall be void, and upon the request of the inspectorate of drivinglicence testing centres, the authority which issued such licence or a traffic officer, as the case may be, the holder of such licence issued contrary to this Chapter at the inspectorate of drivinglicence testing centres. that document, to the inspectorate of driving licence testing centres, the authority which issued it or the traffic officer, as the case may be, who shall cancel the licence with the prior approval of theinspectorate of driving licence testing centres. [S 29 subs by s 18 of Act 21 of 1999 with effect from 20 November 2010.] 30. Use of somebodys learners or driving licence by another prohibited No person who is the owner or operator, or is in charge, or control, of a motor vehicle shall employ or permit any other person to drive the vehicle. 32. Professional driver to have permit (1) No person shall drive a motor vehicle of a prescribed class on a public road except in accordance with the conditions of a professional driving permit issued to him or her in accordance with this Chapter and unless he or she keeps such permit withhim or her in the vehicle: [Words preceding the proviso subs by s 5(a) of Act 8 of 1998.] Provided that this subsection shall not apply to the holder of a learners licence who drives such vehicle while he or she isaccompanied by a person registered as a professional driver in respect of that class of vehicle. (2) The (a) categories of; (b) nature and extent of the authority granted by; (c) period of validity of; (d) form and content of; (e) application for and issue of; (f) suspension and cancellation of; (g) incorporation in any other document of; and (h) other necessary or expedient matters in relation to, professional driving permits, shall be as prescribed territory and serving in that territory a purpose similarto that of a professional driving permit shall, subject to the conditions thereof and to such conditions as may be prescribed, be deemed to be a professional driving permit for the purposes of subsection (1). (b) A public driving permit issued in terms of the Road Traffic Act, 1989 (Act 29 of 1989), or a road traffic law contemplated paragraph 2 of Schedule 6 to the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), shall, in accordance with the conditions thereof but subject to this Act, be deemed to be a professional driving permit for the purposes of this section for the purposes of this section for the purposes of this Act relating to the driving of a motor vehicle or a failureto stop after or report an accident, he or she is not in possession of the or she is the holder, or a duplicate thereof issued in terms of this section and sections 34 to 36 inclusive licence means a learners or driving licence; and permit means a professional driving permit. (3) No person referred to in subsection the licence and permit or duplicate so referred to on request. 34. Court may issue order for suspension or cancellation of licence or permit or disqualify person from obtaining licence or permit (1) Subject to section 35, a court convicting a person of an offence in terms of this Act, or of an offence in terms of this Act, or of a motor vehicle may, in addition to imposing a sentence, issue an order, if the person convicted is (a) the holder of a licence, or of a licence and permit, that such licence or licence and permit be suspended for such periodas the court may deem fit or that such licence or licence and permit, that such licence or licence and permit be cancelled, and that the person convicted be disqualified from obtaining a licence, or a licence and permit, for any class of motor vehicle for such periodas the court may deem fit, and any such licence and permit, for any class of motor vehicle for such periodas the court may deem fit, and any such licence and permit, declaring him or her to be disqualified from obtaining a licence, or a licence and permit, either indefinitely or for such period as the court may deem fit. (2) The making of an endorsement in terms of subsection (3) may be postponed by the court issuing the order until any appealagainst the conviction or sentence or both has been disposed of. (3) Where a court has issued an order under subsection (1)(a) or (b) the registrar or clerk of the court shall, subject tosubsection (2), in the case where the licence (a) is contained in an identity document, retain such licence accordingly and return the identity document, retain such licence (b) is not contained in an identity document, retain such licence (c) is contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (b) is not contained in an identity document, retain such licence (c) is contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity document, retain such licence (c) is not contained in an identity docum conviction of certain offences licence and permit shall be suspended for minimum period and learners or drivinglicence may not be obtained (1) Subject to subsection (3), every driving licence and permit of any person convicted of an offence referred to in (a) section 61(1)(a), (b) or (c), in the case of the death of or serious injury to address of the death person; (aA) section 59(4), in the case of a conviction for an offence, where (i) a speed in excess of 30 kilometers per hour over the prescribed general speed limit in an urban area or on afreeway was recorded; [S 35(1)(aA) instantion of the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit in an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescribed general speed limit outside an urban area was recorded; and the prescrib by s 12(a) of Act 64 of 2008.] (b) section 63(1), if the court finds that the offence was committed by driving recklessly; (c) section 65(1), (2) or (5), where such person is the holder of a driving licence or a licence and permit, shall be suspended in the case of (i) a first offence, for a period of at least six months; (ii) a second offence, for a period of at least five years; or (iii) a third or subsequent offence, for a period of at least 10 years, calculated from the bolder of a driving licence or of a licence and permit, shall, on conviction of an offence referred to in subsection (1), be disqualified for the periods mentioned in paragraphs (i) to (iii), inclusive, of subsection (1) calculated from the date of sentence, from obtaining a learners or driving licence or a licence and permit. (3) If a court convicting any person of an offence exist which do not justify the suspension or disqualification referred to in subsections, order that the suspension of those subsections of th person of an offence referred to in subsection (1) shall, before imposing sentence, bring the provisions of subsection (3) to the notice of such person. (5) The provisions of section 36 shall with the necessary changes apply to the suspension of a driving licence or a licenceand permit in terms of this section. 36. Procedure subsequent to suspended or cancellation of licence or permit (1) Where a court has issued an order that any licence is or a licence and permit are suspended or cancelled, the prescribed procedureshall be followed. (2) Whenever a licence is or a licence is or a licence and permit are suspended or cancelled, the prescribed procedureshall be followed. (2) Whenever a licence is or a licence i cancellation shall apply to every other licence or licence and permit, as the case may be, held by the person concerned. CHAPTER V FITNESS OF VEHICLES 37. Testing station to be registered No person, department of State or registering authority shall operate a testing station unless such testing station is registered and graded. 38. Application for registration of testing station Any person, department of State or registering authority desiring to operate a testing station. [S 38 subs by s 19 of Act 21 of 1999 with effect from 20 November 2010.] 39. Registration and grading of testing station If, upon receipt of an application referred to in section 38, the inspectorate of testing stations is satisfied that the prescribedrequirements for registration of the testing station concerned have been met, it shall register and grade such testing station of the testing station of the testing station of the testing station concerned have been met, it shall register and grade such testing station of the testing station of the testing station of the testing station of the testing station station of the testing station of te registration in the Gazette. [S 39 subs by s 20 of Act 21 of 1999 with effect from 20 November 2010.] 40. Suspension or cancellation of testing stations may, if a registered testing station no longer complies with the requirements contemplatedin section 39, suspend, for such period as it may deem fit, or cancel the registration of such testing station or regrade the testing station in the prescribed manner. [S 40 subs by s 21 of Act 21 of 1999 with effect from 20 November 2010.] 41. Appointment of inspectorate of testing stations (1) The Minister shall, after a decision has been taken by the Shareholders Committee, appoint a person, an authority or a minister shall station of the state of testing state of t body as an inspectorate of testing stations. (2) The powers and duties of the inspectorate contemplated in subsection (1) in relation to the inspectorate for the purposes of performing its functions, prescribe fees to be paid in respect of every examination conducted or test carried out regarding theroadworthiness of a motor vehicle. (4) The Minister shall (a) prescribe the training procedures and qualifications of a motor vehicle. (4) The Minister shall (a) prescribe the training procedures and qualifications of a motor vehicle. or a body established as an inspectorate in terms of subsection (1) must comply. [S 41 subs by s 22 of Act 21 of 1999 with effect from 20 November 2010; s 41(4) ins by s 13 of Act 64 of 2008.] 42. Certification of roadworthy condition on a public road. (2) No person shall operate a motor vehicle on a public road unless the requirements in respect of a certification of roadworthiness. (3) No person shall operate a motor vehicle on a public road unless the requirements in respect of a roadworthy certificate contemplated in subsection (4) in relation to such motor vehicles are complied with, and except in accordance with the conditions of such motor vehicles are completed in subsection (4) in relation to such motor vehicles are completed with, and except in accordance with the conditions of such motor vehicles are completed in subsection (4) in relation to such motor vehicles are completed with and except in accordance with the conditions of such motor vehicles are completed with and except in accordance with the conditions of such motor vehicles are completed with and except in accordance with the conditions of such motor vehicles are completed with and except in accordance with the conditions of such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsection (4) in relation to such motor vehicles are completed with a subsect the classes of motor vehicles requiring roadworthy certificates; (b) the period of validity of certificates; and roadworthiness and roadworthiness and roadworthy certificates; (c) the examination of roadworthiness and roadworthy certificates; (c) the examination of roadworthiness and roadworthy certificates; (c) the examination of motor vehicles; (d) the certificates; (d) the certificates; (d) the certificates; (e) the examination of roadworthy certificates; (e) the examination of roadworthy certificates; (f) the examination of motor vehicles; (f) the certificates; (f) the examination of roadworthy certificates; (f) the examination of roadworthy certificates; (f) the examination of roadworthy certificates; (f) the examination of motor vehicles; (f) the examination of roadworthy certificates; (f) the examination of roadworthy certificates; (f) the examination of motor vehicles; (f) the examination of mo certificates which the Minister may deem necessary or expedient, shall be as prescribed territory relating to any vehicle registered in such prescribed territory and serving a similar purpose to that of certification of roadworthy certificate shall, in accordance with the conditions thereof but subject to this Act, be regarded to be certificaterelating to any such vehicle registered in the prescribed territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 64 of 2008.] 42A. Roadworthy certificaterelating to any such vehicle registered in the prescribed territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 64 of 2008.] 42A. Roadworthy certificaterelating to any such vehicle registered in the prescribed territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 64 of 2008.] 42A. Roadworthy certificaterelating to any such vehicle registered in the prescribed territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 64 of 2008.] 42A. Roadworthy certificaterelating to any such vehicle registered in the prescribed territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 64 of 2008.] 42A. Roadworthy certificaterelating to any such vehicle registered in the prescribed territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 64 of 2008.] 42A. Roadworthy certificaterelating to any such vehicle registered in the prescribed territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 64 of 2008.] 42A. Roadworthy certificaterelating territory for the purpose of subsection (2) or (3), as the case may be. [S 42 subs by s 6 of Act 8 of 1998; s 42(5) subs by s 6 of Act 8 of 1998; s 42(5) subs by s 14 of Act 8 of 1998; s 42(5) subs by s 14 of Act 8 of 1998; s 42(5) subs by s 14 of Act 8 of 1998; s 42(5) subs by s 14 of Act 8 of 1998; s 42(5) subs by s 14 to be displayed on motor vehicle Subject to section 42(3), no person shall operate a motor vehicle referred to in section 42(3) on a public road unless a valid roadworthycertificate disc issued in terms of this Act is displayed on such motor vehicle in the prescribed manner. [S 42A ins by s 7 of Act 8 of 1998.] 43. Application for certification of roadworthiness Any person desiring to obtain certification of roadworthiness shall apply in the prescribed manner to an appropriately graded testingstation. [S 43 subs by s 8 of Act 8 of 1998.] 44. Notice to discontinue operation of motor vehicle (1) If a motor vehicle is not roadworthy a traffic officer or an examiner of vehicles may, by notice in the prescribed formserved on the driver, owner or operated on a public road or that such vehicle shall not be operated on a public road or that such vehicle shall only be operated on the prescribed conditions. (2) The manner in which and circumstances under which the traffic officer or examiner of vehicles may issue a notice referred to in subsection (1), and the further steps which shall or may be taken in respect of the vehicle concerned, shall be as prescribed. CHAPTER VI OPERATOR FITNESS 45. Registration of operator (1) (a) Subject to paragraph (b), the owner of a motor vehicle of a prescribed class is the operator (1) (b) the owner of a motor vehicle of a prescribed class is the operator (1) (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b), the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to paragraph (b) the owner of a motor vehicle of a prescribed class is the operator (1) (c) Subject to pa prescribed manner and on the prescribed conditions. (b) Notwithstanding the provisions of paragraph (a), a person who is not a manager, employee or agent of the owner of a motorvehicle refer-red to in that paragraph and who enters into a written agreement providing that such motor vehicle may be operated by such person for any period, shall for the purposes of section 49(c), (d), (e), (f) and (g) be deemed to be the operator thereoffor that period. (2) The registering authority concerned shall in such circumstances as the chief executive officer may determine, submitthe particulars of the operator to the chief executive officer within seven days after registration of such operator. [S 45(2) am by s 23 of Act 21 of 1999 with effect from 20 November 2010.] (3) The registering authority may issue a temporary operator card to the operator under the circumstances, in the mannerand on the conditions prescribed. (4) (a) The registering authority the registering authority may issue a temporary operator card to the operator under the circumstances, in the mannerand on the conditions prescribed. authority concerned accordingly. (b) The registering authority referred to in paragraph (a) shall in the prescribed manner issue the operator card, he or she shall notify the operator in the prescribed manner as contemplated in section 50(3)(d). [S 45(5) am by s 23 of Act 21 of 1999 with effect from 20 November 2010.] (6) The Minister may by regulation exempt any operator or category of operator sfrom any provision of this Act. [S 45 subs by s 9 of Act 8 of 1998.] 46. Issue of operator card (1) The registering authority shall, in respect of every motor vehicle contemplated in section 45, issue an operator card in the prescribed manner: Provided that where any operator card to such operator until the period of suspension has expired. (2) The categories, period of validity, form and contents of an operator card shall be as prescribed conditions, be deemed to be an operator card for the purposes of subsection (3) which wouldhave empowered the chief executive officer to act under section 50 if such card was issued in the Republic, the chief executive officer may inform such holder that such card is of no force within the Republic, and as from the date on which such person isso informed, such card shall cease to be in force within the Republic. [S 46 am by s 24 of Act 21 of 1999 with effect from 20 November 2010.] 47. Operator card to be displayed on motor vehicle of any class contemplated in section 45(1) on a public road unless a valid operator cardis displayed on such motor vehicle in the prescribed manner. 48. Proof of certain facts (1) If in any prosecution the question arises as to who the operator of a motor vehicle is or was, an imprint or a copy ofor an extract from an operator card certified by a peace officer, or a person authorised thereto by a registering authority, tobe true, shall, upon production thereof, be prima facie proof that the person whose name appears as operator of such vehicle at the time in question. (2) No person shall in terms of subsection (1) certify any imprint, copy or extract to be true, knowing that it is not atrue imprint, copy or extract. 49. Duties of operator of a motor vehicle shall (a) notify the registering authority; [S 49(a) subs by scheme days of any change in the circumstances in relation to his orher registration as the operator of such vehicle and return the operator card in respect of that motor vehicle and return the operator of such vehicle and return the operator of 10 of Act 8 of 1998.] (b) keep safe and protect from theft an operator card is lost, stolen or destroyed, he or she shall notify the nearest police station within 24 hours and the registering authority within whose area the holder isordinarily resident within seven days after having become aware of such loss, theft or destruction or after it could reasonablybe expected that he or she should have been aware of such loss, theft or destruction, whichever event occurred first; (c) exercise proper control over the driver of such aware of such loss, theft or destruction or after it could reasonablybe expected that he or she should have been aware of such motor vehicle to ensure the compliance by such driver with all therelevant provisions regarding (i) there event occurred first; (c) exercise proper control over the driver of such aware of such requirements in respect of the professional driving permit referred to in section 32; and (ii) the loading of such vehicle as prescribed by or under this Act; (d) ensure that such motor vehicle complies with the fitness requirements contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (e) conduct his or her operations with due care to the safety of the public; (f) if dangerous contemplated in Chapter V; (f) if dangerou goods or substances are conveyed, ensure that all requirements for the conveyance of such goods or substances; and (ii) this Act, are complied with; and (g) take all reasonable measures to ensure that such motor vehicle is operated on a public road in compliance with the provisions for the loading and transportation of goods as prescribed by or under this Act. 50. Power of chief executive officer may, on account of any evidence regarding the state of fitness of a motor vehicle in respect of which an operator is registered, produced to him or her in accordance with subsection (4), by written notice (a) notify such operator that such motor vehicle is suspected of being unroadworthiness in accordance with Chapter V; (b) require from such operator to indicate in writing what precautions he or she has taken to ensure the continued roadworthinessof such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle, if such motor vehicle, if such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle, if such motor vehicle, if such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle, if such motor vehicle, if such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance with Chapter V; (c) direct such operator to produce such motor vehicle in accordance such acco vehicle has been examined or testedunder paragraph (c) and found to be unroadworthy in terms of Chapter V, for such period as such motor vehicle in respect of which an operatoris registered, by written notice (a) inform such operator that it is suspected that he or she does not exercise proper control over the driver under his or her authority; (c) require such operator to indicate in writing what precautions he or she has taken in order to ensure proper control overdrivers under his or her authority; (c) require such operator to produce for examination the records regarding drivers which an operator is required to keepin terms of this Act; and (d) direct that the driver concerned be retested in terms of section 25. (3) The chief executive officer may, if the record of an operator to carry out his or her duties in terms of section 49 properly; (b) appoint a person whom he or she deems fit, to investigate the activities or specific activities or specific activities of such operator to appear before him or her or before any other person appointed by him or her, in order to furnishreasons for his or her failure to carry out his or her failure operator card shall be issued to him or her for such period as the chief executive officer may specifyin the notice; or (iii) that the operator is or are suspended until the chief executive officer may determine in respect of which he or she is registered as the operator is or are suspended until the chief executive officer is satisfied that the grounds for the suspension have lapsed: Provided that (aa) the period of any suspension under subparagraph (iii) shall not exceed 12 months; (bb) any decision by the chief executive officer under this paragraph shall only be taken on the basis of a recommendation by a person appointed under paragraph (b); and (cc) the chief executive officer shall, within 21 days after the date of the notice, in writing furnish such operator with the reasons for his or her decision. (4) The chief executive officer may, in the exercise of his or her decision. (4) The chief executive officer may, in the exercise of his or her decision. answering interrogatories on oath and to produce such documents for inspection; (b) require any operator to allow inspection of any records and documents required to be kept by the operator in terms of this Act; (c) appoint a commission to take the evidence of any person in the Republic or in a prescribed territory or in a foreignstate and to forward such evidence to him or her in the same manner as if the commission were a commissioner appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquiry be instituted into the operator by a person appointed by a court; and (d) at any time require that an inquire that approximate the operator by a person appointed by a court; and (d) at a person appointed by a court; and (d) at approximate the of companiesto which the operator belongs or of which the operator is the controlling company. [S 50 am by s 11 of Act 8 of 1998; subs by s 25 of Act 21 of 1999 with effect from 20 November 2010.] 51. Act or omission of manager, agent or employee of an operator commits or omits an act which would have constituted an offence in terms of this Act if the operator shall, in the absence of evidence (a) that he or she took all reasonable measures to prevent an act or omission; (b) that he or she took all reasonable measures to prevent an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent an act or omission; (b) that he or she took all reasonable measures to prevent an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent an act or omission; (b) that he or she took all reasonable measures to prevent an act or omission; (b) that he or she took all reasonable measures to prevent an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (b) that he or she took all reasonable measures to prevent and (c) that an act or omission; (c) that an omission of the nature of the act or omission charged did not fall within the scope of the employment as such manager, agent or employee of the authority of or the course of the employment as such manager, agent or employee of an operator commits or omits any act which would have constituted an offencein terms of this Act if such operator had committed it, such manager, agent or employee shall be liable to be convicted and sentenced in respect thereof as if he or she were such operator. CHAPTER VI A RIGHT OF APPEAL 51A. Right of appeal to Shareholders Committee (1) Any person, department of State or registering authority who or which is aggrieved (a) at the refusal of the chief executive officer to register him or her in any capacity referred to in section 3C, or asan instructor; (b) at any decision of the chief executive officer regarding the activities of an operator, the refusal of the chief executive officer to have an operator card issued to an operator or the suspension or cancellation of such operator card; (c) at the refusal of the inspectorate of driving licence testing centres or the inspectorate of any such registration, may within 21 days after such refusal, suspension, cancellation or decision, in writing lodge an appeal with the Shareholders Committeeagainst such refusal, suspension, cancellation or decision, and such person, department of State or registering authority shallat the same time serve a copy of the appeal on the chief executive officer, inspectorate of driving licence testing centres or inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of driving licence testing centres or inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (2) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (3) After receipt of the copy of appeal referred to in subsection (1), the chief executive officer, the inspectorate of testing stations, as the case may be. (3) After receipt of the copy of appeal referred to in subsection (1), the chief executive of testing stations, as the case may be. (3) After receipt of the copy of appeal referred to in subsection (1), the chief executive of testing stations, as the case may be. (3) After receipt of testing stations, as the Committee with his, her or its reasons for the refusal, suspension, cancellation or decision, to which the appeal refers. (3) The Shareholders Committee may after considering an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision it deems fit. (4) An appeal referred to in subsection (1) shall include an appeal against any refusal, suspension, cancellation or decision is decision. decision of the chief executive officer taken in terms of the laws of any province. [S 51A ins by s 26 of Act 21 of 1999 with effect from 1 August 1999.] 51B. Right of appeal to chief executive officer (1) Any person who is aggrieved at the refusal of an examiner for driving licences to issue or authorise the issue to himor her of a learners or driving licence, may, within 21 days after such refusal, in writing appeal to the chief executive officer, and such person shall at the same time serve a copy of the appeal on the examiner of vehicles or a testing station to issue certification of roadworthiness in respect of a motor vehicle or to authorise the issue of such certification to him or her, or at the conditionssubject to which such certification was issued to him or her, may, within 21 days after such refusal or conditions concerned, in writing appeal against any such refusal or conditions concerned to the chief executive officer, and such person shall at the same time serve a copy of the appeal on the examiner or the testing station. (3) After receipt of the copy of appeal referred to in subsection (1) or (2), the examiner of vehicles or the testing station, as the case may be, shall forthwith furnish the chief executive officer with his or her reasonsfor the decision to which such appeal refers. (4) For the purpose of deciding an appeal under subsection (1), the chief executive officer may nominate any person to examine and test the appeal to furnish such information and evidence as he or she deems expedient. (5) For the purpose of deciding an appeal under subsection (2), the chief executive officer may (a) where the appeal concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of roadworthiness, cause the motor vehicle concerns a certification of the concerns a cer party to the appeal to furnish such information and evidence as he or she deems necessary. (6) The chief executive officer may after considering the appeal against any refusal, suspension, cancellationor decision in terms of the laws of any province. [Chapter VI A ins by s 26 of Act 21 of 1999 with effect from 1 August 1999; s 51B ins by s 26 of Act 21 of 1999 with effect from 1 August 1999; s 51B ins by s 26 of Act 21 of 1999 with effect from 1 August 1999.] CHAPTER VII ROAD SAFETY 52. Powers and functions of chief executive officer (1) The chief executive officer may (a) prepare a comprehensive research programme to effect road safety in the Republic, carry it out systematically and assign research projects to persons who, in his or her opinion, are best equipped to carry them out; (b) give guidance regarding road safety in the Republic by means of the organising of national congresses, symposiums, summerschools and study weeks, by means of mass-communication media and in any other manner deemed fit by the chief executive officer. (2) In order to perform his or her functions properly the chief executive officer may (a) publish a periodical to promote road safety in the Republic; (b) give guidance to associations or bodies working towards the promotion of road safety in the Republic; (c) organise national congresses, symposiums, summer schools and study weeks; (d) with a view to promoting road safety in the national sphere, publish advertisements in the mass-communication media. (3) The chief executive officer shall exercise his or her powers and perform his or her perform her 27 of Act 21 of 1999 with effect from 20 November 2010.] 53. Delegation by chief executive officer (1) The chief executive officer may, subject to such conditions as he or she may deem necessary (a) delegate to any person employed by the Corporation to carry out any duty assigned to him or her by section 52. (2) Any person to whom any power has been so delegated or who has been so delegated or wh or authorisation. (3) Any delegation or authorisation under subsection (1) shall not prevent the chief executive officer from exercising thatpower or carrying out that duty himself or herself. [S 53 subs by s 28 of Act 21 of 1999 with effect from 20 November 2010.] CHAPTER VIII DANGEROUS GOODS 54. Transportation of certain dangerous goods prohibited No person shall, except as prescribed, offer for transportation in a vehicle, or transport in a vehicle, or accept after transportation in a vehicle, or accept after transportation in a vehicle, or accept after transportation in a vehicle of s 54: 1 August 2001.] 55. Appointment of dangerous goods inspector or inspectorate (1) (a) The Minister may appoint a person, an authority or a body as a dangerous goods inspector or inspectorate. (b) The training and qualifications of a person appointed under paragraph (a) shall be as prescribed training and qualifications at its disposal before that authority orbody is so appointed. (2) The powers and duties of the inspector or inspectorate contemplated in subsection (1)(a) in relation to the transportation f prescribed dangerous goods shall be as prescribed dangerous goods shall be as prescribed to the transportation of prescribed dangerous goods shall be as prescribed dangerous goods shall be as prescribed. be paid in respect of inspections carried out by him, her orit in terms of this Act. [Commencement of s 55: 1 August 2001.] CHAPTER IX ROAD TRAFFIC SIGNS AND GENERAL SPEED LIMIT 56. Minister may prescribe road traffic signs (1) The Minister may prescribe road traffic signs (2) The Minister may are controlling. trafficin general or any particular class of traffic on a public road or a section thereof or for the purpose of designating any publicroad or a section thereof as a public road or a s the conditions on and circumstancesunder which any road traffic sign may be displayed on a public road. (2) The Minister may, subject to such conditions as he or she may deem expedient, authorise any person or body to displayed on a public road. signalor device as a road traffic sign. 57. Authority to display road traffic signs (1) The Minister, or any person authorised thereto by him or her, may in respect of any public road cause or permit to bedisplayed in the prescribed manner such road traffic signs as he or she may deem expedient. (1A) The chief executive officer, or any person authorised thereto by him or her, may in respect of any public road cause or permit to be displayed in the prescribed manner such road traffic signs as he or she may deem expedient. [S 57(1A) ins by s 29 of Act 21 of 1999 with effect from 20 November 2010.] (2) The MEC concerned, or any person authorised thereto by him or her either generally or specifically. may in respect of any public road not situated within the area of jurisdiction of a local authority, cause or permit to be displayed in the prescribed manner any such road traffic signs as he or she may deem expedient. (3) (a) A local authority, or any person in its employment authorised thereto by it either generally or specifically, may inrespect of any public road within the area of jurisdiction of that local authority display or cause to be displayed in the prescribedmanner any such road traffic signs as such authority may in writing prescribed manner any road traffic sign approved by it prior to the display of such sign. (c) A local authority referred to in paragraph (b) may determine the conditions for such display and may order the removalof such sign. (4) Notwithstanding the provisions of subsections (2) and (3), the MEC concerned, or any person authorised thereto by himor her either generally or specifically, may in respect of any public road referred to in subsection (3) and which is a road constructedor maintained by the Administration of the province concerned, in addition to the road traffic signs as he or she may deem expedient, and no localauthority may without the consent of that MEC remove or permit to be removed any such road traffic sign. (5) In such circumstances and subject to such conditions as the MEC concerned may determine, scholars or students may be organised into patrols) for the purpose of displaying, in the prescribed manner, an appropriate road traffic sign so as to ensure the safety of scholars or students crossing a public road referred to in subsection (2) or (3), and any such association or club may thereupon, in the prescribed manner, display a badge or other token of the association or club inconjunction with any such road traffic sign. (7) Transnet Limited, or a person in its employment who has either generally or specifically been authorised thereto, mayin respect of any railway level crossing on any public road for which Transnet Limited is responsible, cause or permit to be displayed, in the prescribed manner, any such road traffic signs as Transnet Limited or such person may deem expedient. (8) Notwithstanding the provisions of subsections (3) and (7), the MEC concerned may direct that any road traffic sign bedisplayed or removed by a local authority on or along any public road in the area of jurisdiction of such local authority, or byTransnet Limited on or along any railway level crossing over a public road for which Transnet Limited on or along any person authorised thereto by himor her may cause such sign to be displayed or removed, as the case may be, and the MEC shall recover the cost of such displayed in terms of a repealed ordinance or the Road Traffic Act, 1989 (Act 29 of 1989), shallbe deemed to be displayed in terms of this Chapter. (10) No person shall display any road traffic sign on a public road unless having been authority, that local authority, may by notice in writingdirect the owner or occupier of any land on which any road traffic sign or other object resembling a road traffic sign, to remove suchsign or object is displayed, or on which any object is displayed which obscures or interferes with the effectiveness of any road traffic sign. that MEC or local authority, as the case may be, may cause such sign or other object to be removed. (12) No person shall wilfully or negligently damage any road traffic sign, or any other sign, signal, marking or other device, displayed in terms of this Chapter, or without proper authority remove it or alter the position thereof or the inscription, lettering, colour or marking thereof or thereon. 58. Failure to obey road traffic sign prohibited (1) Subject to subsection (3), no person shall, unless otherwise directed by a traffic officer, fail to comply with any direction conveyed by a road traffic sign displayed in the prescribed manner. (2) In any prosecution for a failure to comply with a provision of subsection (1), it shall be presumed in the absence of evidence to the contrary, that the road traffic sign concerned was displayed by the proper authority under the power conferred by this Act and in accordance with its provisions. (3) The driver of a fire-fighting response vehicle, a rescue vehicle, and in accordance with its provisions. emergency medical response vehicle or an ambulance who drives such vehicle in the performance of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the south African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the south African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the south African Police Service Act, 1995 (Act 68 of 1995), and 1995 (Act 68

driving a vehicle, may disregard the directions of a road trafficsign which is displayed in the prescribed manner: Provided that (a) he or she shall drive the vehicle, rescue vehicle, ambulance or any vehicle driven by a person issued with the necessary authorisation, such vehicle is driven in disregard of the road traffication lamp, as prescribed sound and with an identification lamp, as prescribed sound and with an identification lamp. sign. [S 58(3) subs by s 15(a) of Act 64 of 2008.] 59. Speed limit (1) The general speed limit (1) The general speed limit (2) An a freeway, situated outside an urban area; and (c) every freeway, shall be as prescribed. (2) An appropriate road traffic sign may be displayed on any public road in terms of subsection (1): Provided that such otherspeed limit shall not be higher than the general speed limit other than the general speed limit other than the general speed limit other than the general speed limit shall not be higher than the general speed limit other than the general speed limit shall not be higher than the general speed limit other than the general speed limit other than the general speed limit shall not be higher than the general speed limit other than the general speed limit speed lis speed limit speed limit speed limit s may, after a decision has been taken in the Shareholders Committee, in respect of any particular class of vehicle prescribed in terms of subsection (1)(b) or (c): Provided that the speed limit so prescribed shall not replace a lower speed limit indicated in terms of subsection (2) by an appropriate road traffic sign. [S 59(3) subs by s 30 of Act 21 of 1999 with effect from 20 November 2010.] (4) No person shall drive a vehicle on a public road at a speed limit indicated in terms of subsection (2) by an appropriate road traffic sign in respect of that road; or (c) the speed limit prescribed by the Minister under subsection (3) in respect of the class of vehicle, a fire-fighting response vehicle, a rescuevehicle, are emergency medical response vehicle or an ambulance who drives such vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the South African Police Service Act, 1995 (Act 68 of 1995), who drives a vehicle in the carrying out of his or her duties, a traffic officer or a person appointed in terms of the south African Police Service Act, 1995 (Act 68 of 1995), who drives a traffic officer or a person appointed in te driving a vehicle, may exceed the applicable general speed limit: Provided that (a) he or she shall drive the vehicle concerned with due regard to the safety of other traffic; and (b) in the case of any such fire-fighting response vehicle, fire-fighting response vehicle, fire-fighting response vehicle, ambulance or any vehicle driven by a person issued with the necessary authorisation, such vehicle shall be fitted with a device capable of emitting a prescribed sound and with an identification lamp, as prescribed, and such device shall be in operation while the vehicle is driven in excess of the applicable general speed limit. [S 60 subs by s 16 of Act 64 of 2008.] CHAPTER X ACCIDENTS AND ACCIDENT REPORTS 61. Duty of driver in event of accident (1) The driver of a vehicle is involved in or contributes to any accident in which any personis killed or injured or suffers damage in respect of any property, including a vehicle, or animal shall (a) immediately stop the vehicle and report the accident on the prescribed manner and in the prescribed manner, the officer concerned shall deal with the report in the prescribed manner and within the prescribed manner and extent of any injury sustained by any person; (c) if a person is injured, render such assistance to the injured person as he or she may be capable of rendering; (d) ascertain the nature and address, thename and address of the owner of the vehicle driven by him or her and, in the case of a motor vehicle, the licence number thereof; (f) if he or she has not already reported the accident, and unless he or she is incapable of doing so by reason of injuries sustained by him or her in the accident, as soon as is reasonably practicable, and in the case where a person is killed or injured, within 24 hours after the occurrence of such accident, report the accident to any police officer at a policestation or at any office set aside by a competent authority for use by a traffic officer, and there produce his or her drivinglicence and furnish his or her identity number and such information as is referred to in paragraph (e); and (g) not, except on the instructions of or when administered by a medical practitioner in the case of injury or shock, takeany intoxicating liquor or drug having a narcotic effect unless he or she has complied with the provisions of paragraph (f), where it is his or her duty to do so, and has been examined by a medical practitioner if such examination is required by a traffic officer. [S 61(1) subs by s 17 of Act 64 of 2008.] (2) No person shall remove any vehicle involved in an accident in which another person is killed or injured from the position which it came to rest, until such removal has been authorised by a traffic officer, except when such accident causes completeobstruction of the roadway of a public road, in which event the vehicle involved may, without such authority and after its positionhas been clearly marked on the surface of the roadway by the person moving it, be moved sufficiently to allow the passage of traffic. (3) Subject to subsection (2), no person shall remove a vehicle involved in an accident from the scene of such vehicle. (4) In any prosecution for a contravention of any provision of this section it shall be presumed, in the absence of evidenceto the contrary, that the accident had occurred, and that he or she did not report the accidentor furnish the information as required by subsection (1)(f). (5) In this section the word animal means any bovine animal, horse, ass, mule, sheep, goat, pig, ostrich or dog. 62. Garage to keep record of motor vehicle involved in accident (1) Any person in charge of a garage or other place where motor vehicle showing signs or marks of having been involved in an accident is brought, for the purpose of the repair of such signs or marks, shall, as soon as possible before the registration or similar mark and number, and if known, the name and address of the owner and driver, of such vehicle. (2) A person required to keep a record in terms of subsection (1) shall retain such record for a period of three years from the date on which it was made, and any such record shall, on request, be produced to a traffic officer. CHAPTER XI RECKLESS OR NEGLIGENT DRIVING, INCONSIDERATE DRIV HAVING A NARCOTIC EFFECT, AND MISCELLANEOUS OFFENCES 63. Reckless or negligent driving (1) No person shall drive a vehicle on a public road recklessly any person who drives a vehicle in wilful or wantondisregard for the safety of persons or property shall be deemed to drive that vehicle recklessly. (3) In considering whether subsection (1) has been contravened, the court shall have regard to all the circumstances of thecase, including, but without derogating from the generality of subsection (1) or (2), the nature, condition and use of the publicroad upon which the contravention is alleged to have been committed, the amount of traffic which at the relevant time was or whichcould reasonably have been expected to be upon that road, and the speed at and manner in which the vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate driving No person shall drive a vehicle on a public road without reasonable considerate drive drite drive drive drive drive drive drive drive drive drive d while under the influence of intoxicating liquor or drug having narcotic effect, or with excessive amount of a motor vehicle the engine of which is running, while under the influence of intoxicating liquor or a drug having a narcotic effect. (2) No person shall on a public road (a) drive a vehicle; or (b) occupy the drivers seat of a motor vehicle the engine of which is running, while the concentration of alcohol in any specimen of blood taken from any part of his or her body is not less than 0,02 gram per 100 millilitres. (3) If, in any prosecution for an alleged contravention of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of subsection (2), it is proved that the concentration of a provision of a prov contravention, it shall be presumed, in the absence of evidence to thecontrary, that such concentration was not less than 0,05 gram per 100 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,02 gram per 100 millilitres at the timeof the analysis of a specimen of the blood of any person, it shall be presumed, in the absence of evidence to the contrary, that any syringe used for obtaining such specimen and the receptaclein which such specimen was placed for despatch to an analyst, were free from any substance or contamination which could have affected the result of such analysis. (5) No person shall on a public road (a) drive a vehicle; or (b) occupy the drivers seat of a motor vehicle the engine of which is running, while the concentration of alcohol in any specimen of breath exhaled by such person is not less than 0,24 milligrams per 1 000 millilitres, or in the case of a professional driver referred to in section 32, not less than 0,10 milligrams per 1 000 millilitres. of alcoholin any specimen of breath of the person concerned was not less than 0,24 milligrams per 1 000 millilitres at the time of the alleged contravention, or in the case of a professional driver referred to in section 32, not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary, that such concentration was not less than 0,10 milligrams per 1 000 millilitres, it shall be presumed, in the absence of evidence to the contrary of the absence to the absence of evidence to the absence to the absence to the absence to the absence t subsection (5) the concentration of alcohol in any breath specimen shall be ascertained by using the prescribed equipment. (8) Any person detained for an alleged contravention of any notice, except on the instruction of orwhen administered by a medical practitioner; (b) during his or her detention smoke until the specimen of blood, or a specimen of bl cause or without the consent of the owner, operator or person in lawful charge of a vehicle (a) set the machinery, accessories or parts of such vehicle; or (d) enter or climb upon such vehicle. (2) No person shall ride in or drive a vehicle without the consent of the owner, operator or person in lawful charge thereof. (3) No person shall without lawful excuse tamper with a vehicle or wilfully damage it, or throw any object at any such vehicle. (4) No person shall without the written consent of a registering authority remove, alter, obliterate or the mutilate the engine number or chassis number, of a motor vehicle or allow it to be removed, altered, obliterated or mutilated. 67. Furnishing false information prohibited Without derogating from any other provision of this Act, no person shall (a) in connection with any application under this Act; or (b) in connection with the furnishing of any information which, to his or her knowledge, is to be or may be used for anypurpose in terms of this Act, make a declaration or furnish information which to his or her knowledge is false or in any material respect misleading. 68. Unlawful acts in relation to number, registration number, registration mark or certain documents [Scetion heading subs by s 18(a) of Act 64 of 2008.] (1) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply with the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply used to the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display or manufacture any number plate which does not comply used to the prescribed specifications. [S 68(1) subs by s 12(a) of Act 8 of 1998.] (2) No person shall use, display of 1998.] (3) No person shall use and the prescribed specifications.] (3) No person specifications and the prescribed spec or add anything to a licence number or mark issued by a competent authority outside the Republic; or [S 68(2)(a) subs by s 12(b) of Act 8 of 1998.] (b) be in possession of such number or mark which has been falsified or counterfeited or so replaced, altered, defaced ormutilated or to which anything has been so added. (3) No person shall (a) falsify or counterfeited or so replace, alter, deface or mutilate or add anything to a certificate, licence or other document which has been falsified or counterfeited or so replaced, altered, defaced or mutilated or to which anything has been so added; or (c) produce any document to be used for the purposes of this Act. [S 68(3) subs by s 18(b) of Act 64 of 2008.] (4) No person shall (a) use a certificate, licence or other document issued or recognised in terms of this Act and of which he or she is notthe holder; or (b) permit such certificate, licence or other document of subsection (2)(b) or (3)(b) it is proved that a person was found in possession of a licence mark or a similar number or a licence mark or a similar number of a licence mark or a licence mark or a similar number of a licence mark or mark or a document which has been falsified or counterfeited or replaced, altered, defaced or mutilated or to which anything has been added, it shall, in the absence of evidence to the contrary, be presumed that such person knew that [Words preceding s 68(5)(a) subs by s 12(c) of Act 8 of 1998.] (a) such number, mark or document was (i) falsified or counterfeited; or (ii) replaced, altered, defaced or mutilated with intent to deceive; or (b) whatever was added to such number, mark or document was added to such number, mark or document was added to such number, mark or document was added to such number. engine or chassis number of a motor vehicle; or (b) without lawful cause be in possession of a motor vehicle of which anything has been added, or from which anything has been removed, or has been tampered with in any other way. (7) Where in a prosecution for a contravention of any provision of subsection (6) it is proved that a person was found inpossession of a motor vehicle, the engine or chassis number of which has been falsified, replaced, altered, defaced, mutilated, or to which anything has been falsified or removed or has in any way been tampered with, it shall, in the absence of evidence to the contrary, be presumed that such person knew that any such act has been committed in respect of such a number with intent to deceive. CHAPTER XII PRESUMPTIONS AND LEGAL PROCEDURE 69. Presumptions regarding public road, freeway and public road, freeway and public road in urban area (1) Where in any prosecution in terms of this Act it is alleged that an offence was committed on a public road, the roadconcerned shall, in the absence of evidence to the contrary, be deemed to be a public road. (2) Where in any prosecution in terms of this Act it is alleged that an offence was committed on a freeway, the road concerned shall, in the absence of evidence to the contrary, be deemed to be a freeway. (3) Where in any prosecution in terms of this Act it is alleged that an offence was committed on a public road in an urbanarea, the road concerned shall, in the absence of evidence to the contrary, be presumed to be a public road in an urbanarea, the road concerned shall, in the absence of evidence to the contrary bridge or other mass-measuring bridge or other measuring instrument Where in any prosecution for an alleged contravention of this Act, evidence to prove such contravention is tendered by means of a mass-measuring instrument, such mass shall be deemed tobe correct in the absence of evidence to the contrary. 71. Presumption regarding gross vehicle mass of motor vehicle. the mass so alleged shall, in the absence of evidence to the contrary, to be the gross vehicle mass of such vehicle. 72. Proof of gross vehicle mass of any particular model of motor vehicle mass of any particular model. 73. Presumption that owner drove or parked vehicle (1) Where in any prosecution in terms of the common law relating to the driving of a vehicle on a public road, or in terms of this Act, it is necessary to prove who was the driven of such vehicle, it shall be presumed, in the absence of evidence to the contrary, that such vehicle was driven by the owner thereof. (2) Whenever a vehicle is parked in contravention of any provision of this Act, it shall be presumed, in the absence of evidence to the contrary, that, where the owner of the owner of the contrary, that such vehicle was parked by the contrary of the cont vehicle concerned is a corporate body, such vehicle was driven or parked, as contemplated in thosesubsections, or used as contemplated in the exercise of his or her duties as such director or servant or in furthering to further the interests of the corporate body. 74. Presumption regarding officers In any prosecution in terms of this Act, the fact that any person purports to act or has purported to act as a traffic officer, an inspector of licences, an examiner of vehicles or an examiner for driving licences, shall be prima facie proof of his or her appointment and authority so to act: Provided that this section shall not apply to a prosecution on a chargefor impersonation. 74A. Act or omission of manager, agent or employee of a consigner and consigner and consigner and consigner or consigner and consigne do it, would have constituted an offence in terms of this Act, the consigneror consignee, as the case may be, shall be regarded to have committed the act or omission; (b) that he or she took all reasonable measures to prevent such act or omission; and (c) that such act or omission did not fall within the scope of the authority of or in the consigner or consignee shall not absolve themanager, agent or employee in question from liability or criminal prosecution. [S 74A ins by s 19 of Act 64 of 2008.] 74B. Proof of certain facts (1) In any prosecution under this Act, a goods declaration or any other document relating to the load of a vehicle and confiscatedfrom such vehicle shall be proof of the matters stated in such document unless credible evidence to the contrary is adduced. (2) A copy of or extract from any document referred to in subsection (1), and certified as a true copy or extract by theofficer in whose custody the original document is, shall, unless credible evidence to the contrary is adduced. in such document without the requirement of having to produce the originaldocument from or of which such extract or copy was made. [S 74B ins by s 19 of Act 64 of 2008.] CHAPTER XIII REGULATIONS 75. Power of Minister to make regulations (1) The Minister may after a decision has been taken in the Shareholders Committee make regulations not inconsistent with this Act, in respect of any matter contemplated, required or permitted to be prescribed in terms of this Act and generally regarding the construction and equipment of such vehicle and the conditions on which it maybe operated, and in any other respect for the better carrying out of the provisions or the achievement of the objects of this Act, and in particular, but without derogating from the generality of this subsection, regarding (a) the safety of the users of any such road; (b) the identification of vehicles or parts of vehicles and, in relation to a motor vehicle, the size and shape of the licencemark or number to be displayed in terms of this Act and the means to be applied to validate such mark or number any such vehicle is operated on a public road; [S 75(1)] (b) subs by s 20(a) of Act 64 of 2008.] (c) the width, height and length of any vehicle, the height and vehicle, the manner in which any vehicle, the height and length of any vehicle, the manner in which any vehicle, the manner in vehicle may be loaded, the extent to which any load may project in any direction and the maximum mass ofany vehicle or any part thereof supported by the road or any specified area thereof, when any vehicle operated on a publicroad; (e) the emission of exhaust gas, smoke, fuel, oil, visible vapours, sparks, ash or grit from any vehicle operated on a public road; (f) excessive noise owing to the design or condition of any vehicle or the loading thereof, or to the design, conditionor misuse of a silencer, or of a hooter, bell or other warning device, when any such vehicle is operated on a public road; (g) the particulars to be marked on any vehicle; (h) dangerous goods (i) the classification of dangerous goods; (ii) the powers and duties of traffic officers in respect of the transported; [S 75(1)(h)(iii) am by s 13(a) of Act 8 of 1998.] (iv) the dangerous goods which may not be transported; and [S 75(1)(h)(iv) am by s 13(b) of Act 8 of 1998.] (v) the training of persons performing any task in relation to the transportation of dangerous goods on public roads; [S 75(1)(h)(v) ins by s 13(c) of Act 8 of 1998.] (i) the towing, pushing or drawing of any vehicle by another vehicle on a public road; (j) the conditions on which any motor vehicle fitted with steering apparatus on the left side may be imported into the Republic or operated on a public road, including the power to prohibit the operation of such vehicle on a public road, the position in which they shall be, the manner, conditions and times of their use and the use of any lamp or lighting devicewhich may endanger public safety and, for the purposes of this paragraph, retro-reflector means a reflector which bears any other prescribed identificationmark; (l) the number and nature of brakes and for ensuring that brakes, silencers and steering apparatus shall be efficientand in proper working order, in respect of any vehicle operated on a public road; (m) the regulation of the operation and control of any vehicle operated on a public road; (m) the regulation of the operation and control of any vehicle operated on a public road; (m) the regulation of the operated on a public road; (m) the regulat body and load and the conditions on which it may beused; (n) in relation to a vehicle operated on a public road, the devices to be fitted for (i) signalling the approach of another vehicle from the rear; and (iii) indicating any intended movement thereof, and the use of any such devices and for ensuring that they shall be efficient and kept in proper working order; (o) the protection of any public road, the mass, tyres and load of any vehicle of a specified bridge or ferry, the time when and speed at which any vehicle of a specified bridge or ferry, the time when and speed at which any vehicle of a specified bridge or ferry, the time when and speed at which any vehicle of a specified bridge or ferry, and the furnishing of security by any person against damage to any public roads; (p) the stopping with and parking of vehicles on public roads; (r) an accident reports and statistics of any nature; [S] 75(1)(r) subs by s 20(b) of Act 64 of 2008.] (s) the determination of the number of passengers for the transport of which a certain class of motor vehicle is adapted and the number which may be transported, the general safety, comfort and convenience of passengers for the transport of which a certain class of motor vehicle is adapted.] (s) the determination of the number of passengers for the transport of which a certain class of motor vehicle is adapted.] (s) the determination of the number of passengers for the transport of which a certain class of motor vehicle is adapted.] (s) the determination of the number of passengers for the transport of which a certain class of motor vehicle is adapted.] passengers on such a vehicle; (t) the specifications for the examination of any vehicle; (u) any light which may interfere with the proper view of any road traffic sign or may be confused with any such sign; (v) the method of determining any fact which is required for the purposes of this Act; (w) any form, process or token which the Minister may expedient for the purposes of this Act and the nature and extentof any information to be furnished for the purpose of any such form; (x) the issue of any such form; (x) the issue of any duplicate certificate, licence or other documentation or token issued in terms of this Act if theoriginal has been lost, destroyed or defaced or any particulars thereon have become illegible; (y) the carriage of persons as passengers on any vehicle which has been constructed or designed solely or mainly for the carriage of goods and not for the carriage of goods and not for the carriage of passengers and their effects; [S 75(1)(y) am by s 31(b)(i) of Act 21 of 1999 with effect from 1 August 1999.] (z) the additional duties for operators of specified classes of motor vehicles or operators engaged in activities which require additional safety measures for the protection of the public; [S 75(1)(z) am by s 31(b)(ii) of Act 21 of 1999.] (zA) any matter for which (i) it is necessary or convenient to assist the transition from the operation of this Act; and (ii) this Act does not, in the Ministers opinion, make provision or enough provision; [S 75(1)(zA) ins by s 31(b)(iii) of Act 21 of 1999 with effect from 1 August 1999.] (zB) the regulation of any person who offers goods for transportation, in relation to the mass of such goods, the documentation relating to such goods, the agreements that have to be concluded for suchtransportation, insurance in respect of the transportation of such goods and any other matter relating to the offering of goods for transportation of such goods.] (S 75(1)(zB) ins by s 20(c) of Act 64 of 2008.] (zC) the criteria in terms of which a person is classified as an habitual overloader, the offences to which such classification applies, the criteria for rehabilitation, if necessary and the sanctions for classification applies, the certification of such equipment and requirements in respect of records obtained from the equipment; [S 75(1)(zD) ins by s 20(c) of Act 64 of 2008.] (zF) those vehicles which shall be classified as an emergency medical response vehicle. [S 75(1)(zE) ins by s 20(c) of Act 64 of 2008.] (zF) those vehicles which shall be classified as an emergency medical response vehicle. [S 75(1)(zE) ins by s 20(c) of Act 64 of 2008.] (zF) those vehicles which shall be classified as an emergency medical response vehicle. [S 75(1)(zE) ins by s 20(c) of Act 64 of 2008.] (zF) those vehicles which shall be classified as an emergency medical response vehicle. [S 75(1)(zE) ins by s 20(c) of Act 64 of 2008.] (zF) those vehicles which shall be classified as an emergency medical response vehicle. 20(c) of Act 64 of 2008.] (2) Regulations made by the Minister under subsection (1) regarding (a) specific categories (i) of road transport; (iii) of persons by whom any undertakings; (ii) of industries or trades or occupations concerned with road transport; (iii) of persons by whom any undertaking or occupation referred to in subparagraphs (i) and (ii) is carried on or exercised; or (iv) of operators of vehicles concerned with, or new entrants to, any undertaking or occupation referred to in subparagraph(iii); (b) specific circumstances in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation referred to in paragraph (a)(iii) is carried on or exercised; or (c) specific areas in which any undertaking or occupation refer carried on or exercised, shall be so made by the Minister with due regard to the particular requirements of the category, circumstance or area concerned. (2A) (a) A regulation made under subsection (1)(zA) may be given retrospective effect from a date earlier than the day this Actcomes into force. (b) To the extent to which a regulation under subsection (1)(zA) takes effect from a date earlier than the date of its publication does not operate so as (i) to affect in a prejudicial manner the rights of any person existing before that date of publication. (c) This subsection and subsection (1)(zA) expire one year after they come into force. [S 75(2A) ins by s 31(c) of Act 21 of 1999.] (2B) A regulation made under subsection (1)(zF) shall be so made after consultation with the Minister of Health. [S 75(2B) ins by s 20(d) of Act 64 of 2008.] (3) (a) The power to make regulations for any purpose referred to in subsection (1), shall include the power to restrict or prohibit any matter or thing in relation to that purpose either absolutely or conditionally. (b) Any regulation may be made to apply generally throughout the Republic or within any specified area thereof or to any specified class or category of vehicle or penalties in the case of successiveor continuous contraventions, but no penalty shall (a) in the case of a contravention of a regulation made under subsection (1)(d), (l) or (n), exceed a fine or imprisonment for a period of six years; or (b) in the case of a contravention, exceed a fine or imprisonment for a period of six years; or (b) in the case of a contravention of any other regulation, exceed a fine or imprisonment for a period of six years; or (b) in the case of a contravention of any other regulation, exceed a fine or imprisonment for a period of six years; or (b) in the case of a contravention of a contravention of any other regulation. to be referred to Parliament for comment; and (b) at the same time, to be published in the Gazette together with a notice, butnot less than four weeks as from the date of publication of the notice, any objections or representations which they would liketo raise or make, with the Director-General for submission to the Minister: Provided that, if the Minister thereafter decides to alter the draft regulations. [S 75(6) subs by s 20(e) of Act 64 of 2008.] 76. Incorporation of standards by reference (1) The Minister may by notice in the Gazette incorporate in the regulations any standard or to any particulars by which that standard is sufficiently identified. (2) Any standard incorporated in the regulations under subsection (1) shall for the purposes of this Act, in so far as it is not inconsistent with it, be deemed to be a regulation. (3) A notice under subsection (1) shall come into operation on a date specified in the notice. (4) If any standard incorporated in the notice. regulations is amended or replaced, such standard shall remain in force until suchtime that the Minister by notice in the Gazette re-incorporate the amended or replaced standard means any code of practice, compulsory specification, standard methods. [S 76(4) subs by s 21 of Act 64 of 2008.] (5) In this section standard means any code of practice, compulsory specification, standard means any code of practice in the Gazette re-incorporate the amended or replaced standard means any code of practice. adopted by the SABS, as defined in section 1 of the Standards Act, 1993 (Act 29 of 1993). CHAPTER XIV REGISTERS AND RECORDS 77. Registers or records to be kept (1) The prescribed registers or records to be kept (2) a registers or records to be kept (3) a register or records shall be kept by (a) a driving licence testing centre; (b) a testing station; (c) manufacturers, builders and importers; (d) a registering authority (e) any clerk or registrar of a court convicting a person of an offence in terms of this Act; (f) any provincial administration or local authority; (g) the chief executive officer; [S 77(1)(g) subs by s 32(a) of Act 21 of 1999 with effect from 20 November 2010.] (h) a department of State; and (i) any person determined by the Minister by notice in the Gazette (2) The prescribed particulars shall be recorded in the prescribed manner and at the prescribed intervalsfurnish the Shareholders Committee, or any person or body designated by the Shareholders Committee, with the prescribed information record of such institution or person, and the chief executive officer shall from the information so furnished compile or cause to be compiled such register as he or she may deem fit. [S 77(3) subs by s 32(b) of Act 21 of 1999 with effect from 20 November 2010.] (4) The Minister may prescribe that any institution or person referred to in subsection (1) shall keep such additional registersor records as he or she may deem expedient. 78. Copy of entry in register or record to be prima facie proof (1) A document purporting to be an extract from, or a copy of, any register or record kept in terms of this Act and purporting to be certified as such, shall in any court and upon all occasions be admissible as evidence and shall be prima facie proof of the truth of the matters stated in such document, microfiche, microfilm or computerised record from or of which such extract or copy was made. (2) The information contained in a register or record kept for the purposes of this Act shall be furnished to (a) a traffic officer or inspector of licences who requires it for the carrying out of his or her duties; (b) any person authorised thereto by the Minister, the MEC concerned, the Shareholders Committee or the chief executive officer to demand such furnishing; [S 78(2)(b) subs by s 33(a) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority; and [S 78(2)(e) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority; and [S 78(2)(e) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999 with effect from 1 August 1999.] (e) a local authority in a prescribed territory; [S 78(2)(d) am by s 33(c) of Act 21 of 1999.] (e August 1999.] (f) an inspectorate appointed under this Act: [S 78(2)(f) ins by s 33(d) of Act 21 of 1999 with effect from 1 August 1999.] Provided that the consent of the Minister or any person authorised thereto by him or her shall be obtained before such informationis furnished to an authority referred to in paragraph (d). (3) Any institution or person keeping a register or record in terms of section 77 shall at the request of any person confirm whether or not certain information corresponds to the information of such information. (4) Any provincial administration keeping a register or record in terms of section 77 shall at the request of any personfurnish the information be furnished to him or her. (5) Subject to the Promotion of Access to Information Act, 2000 (Act 2 of 2000), the Minister may for the purposes of thisAct, determine (a) information that may be provided to any person; and (b) the fees payable for the provision of such information. [S 78(5) ins by s 22 of Act 64 of 2008.] 79. Cognisance may be taken of information contained in register or record The Minister, the MEC concerned, the Shareholders Committee or the chief executive officer may, in exercising a discretion or takinga decision in terms of this Act, take cognisance of the information contained in a register or record contemplated in section 77. [S 79 subs by s 34 of Act 21 of 1999 with effect from 20 November 2010.] CHAPTER XV GENERAL PROVISIONS 80. Parking for disabled persons Any to parking in accordance with the laws of any province, and towhom proof of such exempted from the laws applicable in the areas of jurisdiction has been issued, shall be deemed to be so exempted from the laws applicable in the area of jurisdiction of all local authorities in the Republic, but only to the extent to which that disabled person is exempted from the laws applicable in the area of jurisdiction of all local authorities in the Republic, but only to the extent to which that disabled person is exempted from the laws applicable in the area of jurisdiction of all local authorities in the area of jurisdiction of all local authorities in the Republic, but only to the extent to which that disabled person is exempted from the laws applicable in the area of jurisdiction of all local authorities in the area of jurisd of the local authority concerned. 80A. Power of local authority to make by-laws (1) Subject to the provisions of any law in relation to the provisions of any local authority, any local authority, any local authority to make by-laws not inconsistent with the provisions of this Act or the laws of the province, in respect of (a) the safety of traffic on any public road, the duty of any user of such road and the use of any such road and the use of the provisions of the Business Act, 1991 (Act 71 of 1991), and any regulation or control of the carrying on of the business of street vendor, pedlar or hawker, the stoppingand parking of any vehicle on any public road or portion, maintenance and control of parking meters and parking places; (c) the appointment and licensing of parking attendants and the withdrawal of any such licence; (d) the driver or conductor of, or other person providing a service involving, a vehicle plying for hire or a vehicle plying for hire plying fo regulation or control of the carrying on of the business of street vendor, pedlar or hawker, any publicroad which is not to be used by any vehicle, either generally or at specific times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite times; (f) the relative position of traffic of differing speeds and classes on the public road; (g) the place where and time when a vehicle may not turn so as to face in the opposite time speeds and classes on the public road; (g) the place where and time speeds and tin the place where and direction to that in which it wasproceeding or where it may only so turn under specified conditions; (h) the loading and off-loading of any vehicles into a main thoroughfare; (j) the use of a hooter, bell or other warning device and the conditions under which any such warning device may be used within any specified area, whether at all times or during specified periods; (k) the appointment of an advisory traffic control board consisting of no fewer than three members to advise the local authority on all questions of traffic control; (l) the use of any public road by traffic in general; (m) the limitation of age of drivers of vehicles drawn by animals; (n) any form or token which a local authority may deem expedient for the purposes of any by-law, and the nature and extentof any information to be furnished for the purposes of any by-law to do such act and to recover the expenses thereof from the person in default; (p) the mass of any goods which or the number of passengers who or animals which may be conveyed on a pedal cycle; (q) the regulation, restriction, prohibition or control of the parking upon public roads of vehicles owned, kept or usedby dealers or which have been placed in their custody or under their control in the course of any dealers business carried onby them; and (r) any other matter in regard to which a local authority may make by-laws under this Act. (2) The power to restrict or prohibitany matter or thing in relation to that purpose either absolutely or conditionally. (3) Any by-law under subsection (1) may be made to apply generally throughout the area of the local authority, irrespective of whether it has been made under this Act or any other law, is incompatible with any regulation made under this Act, the regulation is in force. (5) Any by-law made under this section may provide for penalties in case of successive or continuous breaches, but no penalty may exceed a fine or imprisonment for a period of six months. [S 80A ins by s 35 of Act 21 of 1999 with effect from 1 August 1999.] 81. Vehicle and load may be exempted from provisions of Act (1) The Minister may, after the applicant has paid the fees or charges referred to in section 7(3) and subject to such conditionsas he or she may determine, authorise in writing, either generally or specifically, the operation on a public road of a vehiclewhich, due to such vehicles original design cannot comply with this Act. (2) The MEC may, after the applicant has paid the fees or charges referred to in section 7(3) and subject to such conditionsas he or she may determine, authorise in writing, either generally or specifically, the conveyance in a safe manner on a publicroad of passengers or any load otherwise than in accordance with this Act. (3) An MEC shall determine the fees or charges payable for a vehicle or load that does not comply with this Act. [S 81 subs by s 23 of Act 64 of 2008.] 82. Inspections for ensuring that provisions of Act are given effect to (1) The Minister may authorise any person to carry out any comply with this Act. inspection which the Minister deems necessary in order to ensure that the provisions of this Act are being complied with. (2) If the Minister delegates the power conferred upon him or her by subsection (1) to the MEC concerned, that MEC may authorise of this and the subsection (1) to the MEC concerned. person in the carrying out of any inspection contemplated in subsection (1). 83. Doubt regarding use or classification of any vehicle, suchmatter shall be submitted to the chief executive officer for decision. [S 83 am by s 36 of Act 21 of 1999 with effect from 20 November 2010.] 84. Variation of prescribed form The Minister may, in any such circumstances as he or she may deem expedient, authority to use, in place of a form prescribed form, and in respect of such authority such varied form shall be deemed to be the prescribed form for that purpose. 85. Issue of document as proof of driving licence in special circumstances (1) Notwithstanding anything to the contrary in this Act contained, the Director-General of Home Affairs or any person authorised thereto by him or her may, upon receipt of an application in the prescribed form and upon payment of such fee as that Director-Generalmay determine, issue to any person who is the holder of a driving licence and that there is no objection against the issuing of a driving licence to such person in a prescribec territory: Provided (a) the said identity document ceased to be of force and effect in respect of the applicant for the reason that he or shehas ceased to be a South African citizen; or (b) that Director-General or any person authorised to act on his or her behalf, satisfies himself or herself that the saididentity document has been lost or, in so far as it relates to the driving licence, that it has been destroyed or defaced or thefigures or particulars thereon have become illegible. (2) An application referred to in subsection (1), shall be made as prescribed manner. 86. Signature upon documents Any person who is unable to sign his or her name shall, whenever his or her signature is required upon any document in terms of his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within which he or she would otherwise have been equired to sign his or her left thumb print upon the space within the s print is not available, he or she shall in place thereof press another of his or her fingerprints, and in such latter event the document so marked shall be endorsed by the officer in whose presence the print was made, identifying the finger used. 87. Service of notices (1) Whenever in terms of this Act any notice is authorised or required to be served upon or issued to any person, such notice shall either be served personally upon the person to whom it is addressed or be sent to him or her by registered post to his or her application for such licence or recorded against his or her name in a register of driving licences, or the address recorded against the registration for all purposes arising from or for the purposes arising from or for the purposes arising from or for the purposes of this Act, for the service of notices, post or processon that person. (2) Service by registered post in terms of subsection (1) shall be deemed to have been effected on the tenth day after thedate stamped upon the receipt for registration issued the notice. (3) A certificate by the officer who issued the notice referred to in subsection (1), or by a person subordinate to suchofficer, stating the time, place and manner of issuing such notice, shall be prima facie proof that such notice was duly issued. 88. State bound This Act, subject to such conditions as the Minister may determine. 89. Offences and penalties (1) Any person who contravenes or fails to comply with any provision of this Act or with any provision of this Act or with any direction, condition, determination, requirement, term or request thereunder, shall be read with section 3K(1) or (2), 42(1) or (2), 44(1), 45(2), 46(1), 49 or 65(1), (2), (5) or (9) shall be liable to a fine or to imprisonment for a period not exceeding six years. [S 89(2) subs by s 24(a) of Act 64 of 2008.] (3) Any person convicted of an offence in terms of subsection (1) read with section 3A(3), 17(4), 17(5), 18(5), 59(4), 61(2), 66(3) or 68(1). (2), (3), (4) or (6) shall be liable to a fine or to imprisonment for a period not exceeding three years. [S 89(3) subs by s 24(b) of Act 64 of 2008.] (4) Any person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (a) in the case of the death of or serious injury to a person where it is proved that the person convicted of an offence in terms of subsection (1) read with section 61(1) shall be liable (1) shall be liable (1) shall be liable (2) shall be liable (2) shall be liable (2) shall be liab has failed to comply with paragraph (a), (b), (c) or (f) of section 61(1), to a fine or to imprisonment for a period not exceeding nine years; (b) in the case of damage in respect of any property or animal of another person where it is proved that the person convicted has failed to comply with paragraph (a), (d) or (f) of section 61(1), to a fine or to imprisonment for a period not exceeding nine years; (b) in the case of damage in respect of any property or animal of another person where it is proved that the person convicted has failed to comply with paragraph (a), (d) or (f) of section 61(1), to a fine or to imprisonment for a period not exceeding nine years; (b) in the case of damage in respect of any property or animal of another person where it is proved that the person convicted has failed to comply with paragraph (a), (d) or (f) of section 61(1), to a fine or to imprisonment for a period not exceeding nine years; (b) in the case of damage in respect of any property or animal of another person where it is proved that the person convicted has failed to comply with paragraph (a), (d) or (f) of section 61(1), to a fine or to imprisonment for a period not exceeding nine years; (b) in the case of damage in respect of any property or animal of another person where it is proved that the person convicted has failed to comply with paragraph (a), (d) or (f) of section 61(1), to a fine or to imprisonment for a period not exceeding nine years; (b) in the case of damage in respect of any property or animal of another person where it is proved that the person convicted has failed to comply with paragraph (a), (d) or (f) of section 61(1), to a fine or to imprison exceeding nine years; (b) in the case of damage in respect of any property or animal of another person where it is proved that the person convicted has failed to comply and the p imprisonment for a period not exceeding threeyears; or (c) where it is proved that he or she has failed to comply with paragraph (e) or (g) of section 61(1), to a fine or to imprisonment for a period not exceeding one year. (5) Any person convicted of an offence in terms of subsection (1) read with section 63(1) shall be liable (a) in the case where the court finds that the offence was committed by driving recklessly, to a fine or to imprisonmentfor a period not exceeding six years; or (b) in the case where the court finds that the offence in terms of subsection (1) read with any other provision of this Act shall be liableto a fine or to imprisonment for a period not exceeding one year. (7) Notwithstanding anything to the contrary in any law contained, a magistrates court shall be competent to impose anypenalty provided for in this Act. 90. [S 90 rep by s 37 of Act 21 of 1999 with effect from 20 November 2010.] 91. Delegation by Minister and MEC (1) The Minister may (a) delegate to any other person to perform any duty assigned to the Minister by this Act, and may effect such delegation or grant such authorisation subject to such conditions as he or she may deem fit. (2) The MEC concerned may (a) delegate to any other person to perform any duty assigned to the MEC by or under this Act; and may effect such delegation or grant such authorisation subject to such conditions as he or she may deem fit. (3) Any delegation effected or authorisation granted under subsection (1) or (2) may at any time be withdrawn by the MEC concerned, as the case may be. 92. Fees (1) The fees payable in respect of any application or request made, or document issued, or any other matter relating to the registration and licensing system of motor vehicles shall be determined under the laws of the province concerned. (2) The fees payable in respect of any application or request made, or document issued, or any other matter referred to inthis Act, other than the fees which relate to the registration and licensing system of motor vehicles, shall be prescribed. (3) The fees payable by driving licence testing centres to defray the costs incurred by the Corporation with respect to theissuance of driving licences, shall be prescribed. (4) The fees (a) referred to in subsections (2) and (3) shall be administered as prescribed. [S 92 am by s 38 of Act 21 of 1999 with effect from 1 August 1999; subs by s 25 of Act 64 of 2008.] (2), the laws mentioned in the schedule are hereby repealed to the extent indicated in the thirdcolumn thereof. [S 93(1) subs by s 26(a) of Act 64 of 2008.] (2) Any proclamation, regulation, by-law, notice, order, prohibition, authorisation, appointment, permission, informationor document made, issued, imposed, granted, furnished or given and any other action taken in terms of any provision of a law repealedby subsection (1) shall be deemed to have been made, issued, imposed, granted, furnished, given or taken in terms of the corresponding provision of this Act (if any). (3) [S 93(3) rep by s 26(b) of Act 64 of 2008.] 93A. Transitional provisions For the purposes of (a) sections 3A to 3E, 5, 6, 9, 10, 15, 16, 21, 25, 27, 28A to 28C, 29, 38, 39, 40, 45, 46, 50, 51A and 51B, any reference to the chief executive officer or the inspectorate of driving licence testing centres or the inspectorate of testingstations shall be regarded to be a reference to the MEC concerned; (b) section 3(1) and (2), any reference to the Shareholders Committee shall, in consultation with the relevant MEC shallbe regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the MEC concerned and any reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committ a reference to the MEC concerned; (c) section 59, any reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee or the chief executive officer shall be regarded to be a reference to the MECs; (d) section 51A, any reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee or the chief executive officer shall be regarded to be a reference to the MECs; (d) section 51A, any reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to be a reference to the Shareholders Committee shall be regarded to Committee shall be regarded to be a reference to the Minister; (f) sections 52 to 53, any reference to the Chief Executive Officer shall apply from 1 August 2000 until a notice is published by the Minister in the Gazette indicating that the functionary in a section of the Act shall be regulated as stated in the relevant section. [S 93A ins by s 27 of Act 64 of 2008.] 93B. Transitional provision: General Any approval, appointment, grading, permission, authority, order, prohibition, information or document issued, made, given or grantedand any other action taken under any provision of a repealed law, shall be regarded to have been issued, made, given, granted ortaken under the corresponding provisions of this Act. [S 93B ins by s 27 of Act 64 of 2008.] 94. Short title and commencement (1) This Act shall be called the National Road Traffic Act, 1996, and shall come into operation on a date fixed by the Presidentby proclamation in the Gazette. (2) Different dates may be so fixed in respect of different provisions of this Act, and dates so fixed may differ in respectof different (a) persons or goods or categories of persons or goods transported by means of motor vehicle; (b) kinds or classes of motor vehicles used in the transportation of persons or goods; (c) persons or categories of persons; or (d) areas in the Republic (3) More than one of the elements referred to in paragraphs (a) to (d), inclusive, of subsection (2) may be combined for the purposes of that subsection. Schedule No. and year of law Short title Extent of repeal Act 9 of 1972 The National Road Safety Act, 1972 The whole Act 29 of 1989 The Road Traffic Act, 1989 The whole Act 71 of 1991 The Businesses Act, 1991 Schedule 3 in so far as it refers to the Road Traffic Act, 1989 Act 73 of 1991 The Road Traffic Amendment Act, 1992 The whole Act 40 of 1992 The Road Traffic Second Amendment Act, 1992 The whole Act 39 of 1993 The Road Traffic Amendment Act, 1993 The whole Act 66 of 1993 The Road Traffic Second Amendment Act, 1993 The Whole Act 129 of 1993 The General Law Third Amendment Act, 1995 Sections 12 to 26, inclusive [Sch am by s 39 of Act 21 of 1999 with effect from 20 November 2010.] This document is 84.3MB. Do you want to load it?

Road traffic. National traffic act regulations. National road traffic act & regulations 93 of 1996. Purpose of national road traffic act. National road traffic act regulations 2016. National road traffic act. National road traffic act regulations. Traffic rules in netherlands. National road traffic act regulations 2000. National road traffic act and regulations as amended. National road traffic act regulations south africa.