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THE PRESIDENCY

No. 5648 10 December 2024

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No.08 of 2024: National Road Traffic Amendment Act, 2024

DIE PRESIDENSIE

No. 5648 10 Desember 2024

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 08 van 2024: Nasionale Padverkeerswysigingswet, 2024



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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

Act No.08 of 2024

National Road Traffic Amendment Act, 2024

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GENERAL EXPLANATORY NOTE:

[]	Words in bold type in square brackets indicate omissions from existing enactments.						
	-	Words underlined with a solid line indicate insertions in existing enactments.						

(English text signed by the President) (Assented to 2 December 2024)

ACT

To amend the National Road Traffic Act, 1996, so as to insert new definitions and to amend others; to provide for the suspension and cancellation of the registration of an examiner for driving licences or an examiner of vehicles, if such person has been convicted of an offence listed in the Criminal Procedure Act, 1977 (Act No. 51 of 1977), or has a direct or indirect conflict of interest; to provide for the registration and grading of training centres; to further provide for the registration of manufacturers, builders, body builders, importers and manufacturers of number plates, including manufacturers of reflective sheeting for number plates, suppliers of blank number plates, suppliers of reflective sheeting for number plates, embossers of number plates, weighbridge facilities, manufacturers of microdots, suppliers of microdots and microdot fitment centres; to extend the right to appeal to a manufacturer of blank number plates, manufacturer of reflective sheeting for number plates, supplier of blank number plates, supplier of reflective sheeting for number plates, embosser of number plates, weighbridge facility, manufacturer of microdots, supplier of microdots and microdot fitment centres; to require a provincial department responsible for transport or local authority to register a driving licence testing centre before operating as a driving licence testing centre; to further provide for the appointment of inspectorate of manufacturers, builders, body builders, importers, including inspectorates of number plates, microdots and weighbridge facilities; to prohibit the wilful or negligent issuing of a learner's licence or authorising the issue of a learner's licence, endorsing or failure to endorse a learner's licence, or to produce, print or manufacture any document similar to a learner's licence, contrary to Chapter IV of the National Road Traffic Act, 1996; to prohibit the use of unauthorised aid during a test for a learner's licence or a driving licence test, and the disqualification thereof; to provide for the registration and grading of driving school instructors; to provide for the registration and grading of driving schools; to regulate further on international driving permits and foreign driving licence and permits; and to provide for matters connected therewith.

Nasionale Padverkeerswysigingswet, 2024

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ALGEMENE VERDUIDELIKENDE NOTA:

[]	Woorde in vetdruk in vierkantige hakies dui weglatings uit bestaande verordeninge aan.
		Woorde met 'n volstreep daaronder dui invoegings in bestaande verordeninge aan.

(Engelse teks deur die President geteken) (Goedgekeur op 2 December 2024)

WET

Tot wysiging van die Nasionale Padverkeerswet, 1996, ten einde nuwe woordomskrywings in te voeg en ander te wysig; voorsiening te maak vir die opskorting en intrekking van die registrasie van 'n ondersoeker vir bestuurslisensies of 'n ondersoeker van voertuie, indien sodanige persoon skuldig bevind is aan 'n misdryf in die Strafproseswet, 1977 (Wet No. 51 van 1977), vermeld, of 'n regstreekse of onregstreekse botsing van belange het; voorsiening te maak vir die registrasie en gradering van opleidingsentrums; verder voorsiening te maak vir die registrasie van vervaardigers, bouers, bakwerkbouers, invoerders en vervaardigers van nommerplate, met inbegrip van weerkaatsende beplating vir nommerplate, verskaffers van skoon nommerplate, verskaffers van weerkaatsende beplating vir nommerplate, bosseleerders van nommerplate, weegbrugfasiliteite, vervaardigers van mikrostippels, verskaffers van mikrostippels en mikrostippelsentrums; die reg op appèl uit te brei na 'n vervaardiger van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van skoon nommerplate, verskaffer van weerkaatsende beplating vir nommerplate, bosseleerder van nommerplate, weegbrugfasiliteit, vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrums; te vereis dat 'n provinsiale departement verantwoordelik vir vervoer of plaaslike owerheid 'n bestuurslisensie-toetssentrum registreer voordat dit as 'n bestuurslisensie-toetssentrum bedryf word; verder voorsiening te maak vir die aanstelling van vervaardigers, bouers, bakwerkbouers, invoerders, met inbegrip van inspektorate van nommerplate, mikrostippels en weegbrugfasiliteite; 'n verbod te plaas op die opsetlike of nalatige uitreiking van 'n leerlinglisensie of magtiging van 'n leerlinglisensie, endossering of versuim om 'n leerlinglisensie te endosseer, of om enige dokument soortgelyk aan 'n leerlinglisensie te verstrek, te druk of te vervaardig in stryd met Hoofstuk IV van die Nasionale Padverkeerswet, 1996; 'n verbod te plaas op die gebruik van ongemagtigde bystand vir 'n leerlinglisensietoets of bestuurslisensietoets, en die diskwalifikasie daarvan; voorsiening te maak vir die registrasie en gradering van bestuurskoolinstrukteurs; voorsiening te maak vir die registrasie en gradering van bestuurskole; verder te reël oor internasionale bestuurspermitte en buitelandse bestuurslisensies en -permitte; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

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B^E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 93 of 1996, as amended by section 1 of Act 8 of 1998, section 1 of Act 21 of 1999 and section 1 of Act 64 of 2008

- **1.** Section 1 of the National Road Traffic Act, 1996 (hereinafter referred to as the principal Act), is hereby amended—
 - (a) by the substitution for the definition of "ambulance" of the following definition:
 - " 'ambulance' means a motor vehicle that is-
 - (a) appropriately equipped, designed or adapted solely for the purpose of providing emergency care and conveyance of patients;
 - (b) owned by an Emergency Medical Service as contemplated in the Emergency Medical Services Regulations, 2016, as amended; and
 - (c) registered as an ambulance in terms of this Act;";
 - (b) by the insertion after the definition of "authorised officer" of the following 15 definition:
 - "'body builder' means a person who builds new bodies, or modifies existing bodies on chassis and chassis-cabs, and who is registered as a builder of new vehicles or bodies or imports new buses, midibuses or minibuses complete with bodies, and is registered as an importer;"
 - (c) by the substitution for the definition of "builder" of the following definition:

 "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];";
 - (d) by the insertion after the definition of "driving licence testing centre" of the 25 following definitions:
 - "'driving school' means any person who has been registered in terms of this Act to conduct or offer instruction or training in the operation of motor vehicles in preparation of an applicant for examination to obtain a learner's licence, driving licence or professional driving permit in terms of this Act:
 - **'ECE regulations'** means the United Nations Economic Commission for Europe Regulations;";
 - (e) by the insertion after the definition of "edge of the roadway" of the following definitions:
 - "'embosser of number plates' means any person who is registered to emboss an allocated licence number or a motor trade number of a motor vehicle on a blank number plate for the purpose of selling such number plate:
 - **'emergency services'** means emergency medical services provided by an organ of state or private body for private use, disaster management services, fire and emergency services, traffic officers, reserve traffic warden, traffic warden, members of the South African Police Service, municipal police service, members of the South African National Defence force, or the Department responsible for health services;";
 - **'emergency vehicle'** means a fire-fighting vehicle, fire-fighting response vehicle, rescue vehicle, ambulance, medical response vehicle, a vehicle driven by a traffic officer in the execution of his or her duties, a vehicle driven by a member of the South African Police Service in the execution of his or her duties or a vehicle driven by a member of municipal police service in the execution of his or her duties, both defined in the South African Police Service Act, 1995 (Act No. 68 of 1995), and a vehicle driven by a person engaged in civil protection as contemplated in the Disaster Management Act, 2002 (Act No. 57 of 2002);";
 - (f) by the insertion after the definition of "examiner of vehicles" of the following 55 definition:
 - "'fire-fighting response vehicle' means a vehicle operated by a person rendering a 'service' as defined in section 1 of the Fire Brigade Service Act, 1987 (Act No. 99 of 1987);";

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DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 93 van 1996, soos gewysig deur artikel 1 van Wet 8 van 1998, artikel 1 van Wet 21 van 1999 en artikel 1 van Wet 64 van 2008

- 1. Artikel 1 van die Nasionale Padverkeerswet, 1996 (hierna die Hoofwet genoem), word hierby gewysig—
 - (a) deur die omskrywing van "ambulans" deur die volgende omskrywing te vervang:
 - "'ambulans' 'n motorvoertuig-
 - (a) gepas toegerus, ontwerp of aangepas alleenlik met die doel om noodsorg en noodvervoer vir pasiënte te voorsien;
 - (b) wat aan 'n Mediese Nooddiens behoort soos in die 'Emergency Medical Services Regulations', 2016, soos gewysig, beoog; en
 - (c) wat ingevolge hierdie Wet as 'n ambulans geregistreer is;";
 - (b) deur die volgende omskrywing na die omskrywing van "ambulans" in te 15 voeg:
 - "'bakwerkbouer' 'n persoon wat nuwe bakwerk bou, of bestaande bakwerk modifiseer op onderstelle en kajuitonderstelle, en wat as 'n bouer van nuwe voertuie of bakwerke geregistreer is of wat nuwe busse, midibusse of minibusse volledig met bakwerk invoer, en as 'n invoerder 20 geregistreer is;";
 - (c) deur die volgende omskrywing na die omskrywing van "bestuurder" in te voeg::
 - "'bestuurskool' iemand wat ingevolge hierdie Wet geregistreer is om opleiding te doen of aan te bied oor die bedryf van motorvoertuie ter voorbereiding van 'n applikant vir eksamen om 'n leerlinglisensie, bestuurslisensie of professionele bestuurspermit ingevolge hierdie Wet te verkry:
 - **'bestuurskoolinspektoraat'** 'n persoon, owerheid of 'n organisasie wat ingevolge artikel 28H as sodanig aangestel is;";
 - (d) deur die volgende omskrywing na die omskrywing van "bestuurslisensietoetssentrum" in te voeg:
 - "'bosseleerder van nommerplate' enige persoon wat geregistreer is om 'n toegewysde lisensienommer of 'n motorhandelnommer van 'n motorvoertuig op 'n skoon nommerplaat te bosseleer met die doel om sodanige nommerplaat te verkoop;";
 - (e) deur die omskrywing van "bouer" deur die volgende omskrywing te vervang:

 "bouer' iemand wat motorvoertuie geheel of gedeeltelik uit gebruikte
 onderdele vervaardig of monteer[, of motorvoertuie modifiseer deur
 van nuwe of gebruikte onderdele gebruik te maak];";
 - (f) deur die volgende omskrywing na die omskrywing van "bouer" in te voeg:

 "brandbestrydingsreaksievoertuig' 'n voertuig bedryf deur 'n persoon
 wat 'n 'diens' lewer soos omskryf in die Brandweerdienswet, 1987 (Wet
 No. 99 van 1987);";

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(g)	by the insertion after the definition of "importer" of the following definition:
	"'incident' means an extraordinary condition or event which results in
	a reduction in road capacity or creates a hazard for road users for a
	sustained period of time, which includes a minor accident, shoulder or
	lane obstruction, rail or aviation accident, leakage or spilled load;";
(h)	by the insertion after the definition of "inspector of licences" of the following
	definitions:
	"'inspectorate of driving licence testing centres' means a person, an
	authority or an organisation appointed in terms of section 11;
	'inspectorate of driving schools' means a person, authority or an
	organisation appointed as such in terms of section 28H;
	'inspectorate of manufacturers, builders, body builders and import-

ers' means a person, an authority or an organisation appointed as such in terms of section 7;

'inspectorate of testing stations' means any person, authority or 15 organisation appointed in terms of section 41;";

- (i) by the substitution for the definition of "instructor" of the following definition:
 - "'instructor' means any person who for direct or indirect reward—
 - (a) instructs any other person in the driving of a motor vehicle;
 - (b) teaches any other person the rules of the road, road traffic signs or any other teaching in order to obtain a learner's licence, a driving licence or a professional driving permit;";
- (j) by the substitution for the definition of "local authority" of the following definition:
 - "'local authority' means all municipalities conferred with the powers of the local sphere of government as envisaged in Chapter 7 of the Constitution;";
- (k) by the insertion after the definition of "manufacturer" of the following definitions:
 - "'manufacturer of blank number plates' means any person or an organisation who is registered to manufacture blank number plates for purposes of embossing an allocated licence number or a motor trade number of a motor vehicle;
 - **'manufacturer of microdots'** means any person or an organisation | 35 registered in terms of section 5K to manufacture microdots;";
- (1) by the insertion after the definition of "manufacturer of number plates" of the following definition:
 - "'manufacturer of reflective sheeting' means any person or an organisation who is registered to manufacture reflective sheeting for purposes of manufacturing blank number plates;";
- (m) by the insertion after the definition of "medical practitioner" of the following definitions:
 - "'medical rescue vehicle' means a motor vehicle owned by an Emergency Medical Service as contemplated in the Emergency Medical Services Regulations, 2016, as amended and registered as a medical rescue vehicle in terms of this Act;

'medical response vehicle' means a motor vehicle owned by an Emergency Medical Service as contemplated in the Emergency Medical Services Regulations, 2016, as amended and registered as a medical response vehicle in terms of this Act;

'microdot' means a micro-particle with a diameter smaller than 1,8 mm which bears a unique optically readable microdot identifier of which the content and structure complies with the specifications SANS 534-1 and is legible with equipment that magnifies the text 60 times;

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- (g) deur die volgende omskrywing na die omskrywing van "eienaar" in te voeg:

 "EKE-regulasies' die Regulasies oor die Verenigde Nasies
 Ekonomiese Kommissie vir Europa;";
- (h) deur die volgende omskrywing na die omskrywing van "identiteitsdokument" in te voeg:

"'insident' 'n buitengewone toestand of gebeurtenis wat 'n vermindering van padkapasiteit tot gevolg het of 'n brandgevaar vir padgebruikers skep vir 'n volgehoue tydperk, ook 'n geringe ongeluk, skouer- of laanobstruksie, spoor- of lugvaartongeluk, lekkasie of gestorte vrag;";

(i) deur die volgende omskrywing na die omskrywing van "inspekteur van lisensies" in te voeg:

"'inspektoraat van bestuurslisensie-toetssentrums' 'n persoon, 'n owerheid of 'n organisasie wat ingevolge artikel 11 aangestel is;

'inspektoraat van vervaardigers, bouers, bakwerkbouers en invoerders' 'n persoon, 'n owerheid of 'n organisasie wat ingevolge artikel 7 as sodanig aangestel is;

'inspektoraat van toetsstasies' enige persoon, owerheid of organisasie <u>ingevolge artikel 41 aangestel;</u>";

- (j) deur die omskrywing van "instrukteur" deur die volgende omskrywing te 20 vervang:
 - "'instrukteur' iemand wat teen regstreekse of onregstreekse beloning—
 - (a) enige ander persoon leer om 'n motorvoertuig te bestuur;
 - (b) enige ander persoon die padreëls of padverkeerstekens leer ten einde 'n leerlinglisensie, 'n bestuurslisensie of 'n professionele bestuurspermit te kry;";
- (k) deur die volgende omskrywings na die omskrywing van "LUR" in te voeg: "mediesereddingsvoertuig' 'n motorvoertuig wat aan 'n mediese-

nooddiens behoort soos beoog in die 'Emergency Medical Services Regulations', 2016, soos gewysig en wat ingevolge hierdie Wet as 'n mediesereddingsvoertuig geregistreer is;

'mediesereaksievoertuig' 'n motorvoertuig wat aan 'n Mediesenooddiens behoort soos beoog in die 'Emergency Medical Services Regulations', 2016, soos gewysig en wat ingevolge hierdie Wet as 'n mediesereaksievoertuig geregistreer is;

'mikrostippel' 'n mikrodeeltjie met 'n deursnit van minder as 1,8 mm wat 'n unieke, opties leesbare mikrostippel identiteit het waarvan die inhoud en struktuur voldoen aan die spesifikasies van SANS 534-1 en wat leesbaar is met toerusting wat die teks 60 keer vergroot; **'mikrostippelsentrum'** enige persoon of organisasie wat ingevolge artikel 5K geregistreer is om mikrostippels op voertuie aan te bring;";

(1) deur die volgende omskrywing na die omskrywing van "Minister" in te voeg: "modelregulasies' die Verenigde Nasies se Aanbevelings oor die Vervoer van Gevaarlike Goedere, 2015;";

(m) deur die omskrywing van "motorvoertuig" deur die volgende omskrywing te vervang:

" 'motorvoertuig' enige selfgedrewe voertuig en ook-

- (a) 'n sleepwa; en
- (b) 'n kragbygestaande trapfiets, behalwe 'n kragbygestaande trapfiets in subparagraaf (iii) beoog, maar nie ook nie—
 - enige voertuig wat met elektriese krag aangedryf word wat van bergingsbatterye verkry word en wat deur 'n voetganger beheer word;
 - (ii) enige voertuig met 'n massa van nie meer as 230 kilogram nie en wat spesifiek ontwerp en gebou is, maar nie bloot aangepas is nie, vir die gebruik van enige persoon wat aan enige fisiese gebrek of gestremdheid ly en wat alleenlik deur sodanige persoon gebruik word;
 - (iii) 'n kragaangedrewe trapfiets, met pedale en 'n enjin of elektriese motor as 'n integrale deel daarvan, met 'n maksimum massa van 30 kilogram en 'n ontwerpspoed van

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'microdot fitment co	entre' means any person or organisat	tion registered
in terms of section 5	K to fit microdots on vehicles;";	

- (n) by the insertion after the definition of "Minister" of the following definition:
 - "' 'model regulations' means the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations, 2015;";
- (o) by the substitution for the definition of "motor vehicle" of the following definition:
 - "'motor vehicle' means any self-propelled vehicle and includes—
 - (a) a trailer; and
 - (b) a power assisted pedal cycle, except for a power assisted pedal cycle contemplated in subparagraph (iii), but does not include—
 - any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian;
 - (ii) any vehicle with a mass not exceeding 230 kilograms and specifically designed and constructed, but not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person;
 - (iii) a power assisted pedal cycle, having pedals and an engine or electrical motor as an integral part thereof, with a maximum mass of 30 kilograms and a design speed not exceeding 25 kilometres per hour that complies with the prescribed requirements for power assisted pedal cycles; or
 - (iv) a vehicle that has maximum design speed of 45 kilometres per hour that complies with the prescribed requirements for environmentally friendly vehicles;";
- (p) by the insertion after the definition of "motor vehicle" of the following definition:
 - "'NaTIS officer' means a person who has been appointed and registered in terms of sections 3A and 3C, respectively;";
- (q) by the insertion after the definition of "park" of the following definition:

 "'Passenger Rail Agency of South Africa' means the company established in terms of section 22 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989);";
- (r) by the substitution for the definition of "pedal cycle" of the following definition:
 - " 'pedal cycle' means-
 - (a) a bicycle or tricycle designed for propulsion solely by means of human power; or
 - (b) a power assisted pedal cycle, as contemplated in subparagraph (iii) of the definition of motor vehicle;";
- (s) by the insertion after the definition of "province" of the following definition: "**'provincial inspectorate'** means a person or an organisation ap-
- pointed in terms of section 11A;";
 (t) by the substitution for the definition of "public road" of the following definition:
 - "'**'public road'** means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which—
 - (a) is commonly used by the public or any section thereof; or
 - (b) the public or any section thereof has a right of access, and includes—
 - (i) the verge of any such road, street or thoroughfare;
 - (ii) any bridge, ferry or drift traversed by any such roads, street or thoroughfare; and
 - (iii) any other work or object forming part of, or connected with or belonging to such road, street, or thoroughfare, and includes roads inside a residential estate or other area with the prescribed methods of access control;";

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- hoogstens 25 kilometer per uur wat voldoen aan die voorgeskrewe vereistes vir kragbygestaande trapfietse; of
- (iv) 'n voertuig wat 'n maksimum ontwerpspoed van 45 kilometer per uur het, wat voldoen aan die voorgeskrewe vereistes vir omgewingsvriendelike voertuie;";
- (n) deur die volgende omskrywings na die omskrywing van "motorvoertuig" in te voeg:

"'NaVIS-beampte' 'n persoon wat ingevolge artikels 3A en 3C, onderskeidelik, aangestel en geregistreer is;

'nooddienste' enige mediese nooddienste wat deur 'n staatsorgaan of private liggaam vir private gebruik voorsien word, rampbestuurdienste, brand- en nooddienste, verkeersbeamptes, reserwe-verkeersopsigter, verkeersopsigter, lede van die Suid-Afrikaanse Polisiediens, munisipale polisiediens, lede van die Suid-Afrikaanse Nasionale Weermag, of die departement verantwoordelik vir gesondheidsdienste;

'noodvoertuig' 'n brandweervoertuig, brandweerreaksievoertuig, reddingsvoertuig, ambulans, mediese noodreaksievoertuig, 'n voertuig wat deur 'n verkeersbeampte bestuur word in die uitvoering van sy of haar pligte, 'n voertuig wat deur 'n lid van die Suid-Afrikaanse Polisiediens bestuur word in die uitvoering van sy of haar pligte of 'n voertuig wat deur 'n lid van 'n metropolitaanse polisiedepartement of munisipale polisiediens bestuur word in die uitvoering van sy of haar pligte, beide in die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995), omskryf, en 'n voertuig wat bestuur word deur 'n persoon wat besig is met burgerlike beskerming soos beoog in die Wet op Rampbestuur, 2002 (Wet No. 57 van 2002);";

- (o) deur die omskrywing van "openbare pad" deur die volgende omskrywing te vervang:
 - "' 'openbare pad' enige pad, straat of deurgang of enige ander plek (hetsy 'n deurgang of nie) wat—

 (a) gewoonlik deur die publiek of 'n deel van die publiek gebruik word;
 - of
 - (b) waartoe die publiek of 'n deel van die publiek die reg van toegang het, en ook—
 - (i) die rand van enige sodanige pad, straat of deurgang;
 - (ii) enige brug, pont of drif waaroor of waardeur enige sodanige pad, straat of deurgang loop; en
 - (iii) enige ander werk of voorwerp wat 'n deel uitmaak van of verbind is met of behoort tot daardie pad, straat of deurgang, en ook paaie binne 'n residensiële landgoed of ander gebied met die voorgeskrewe metodes van toegangsbeheer;";
- (p) deur die volgende omskrywing na die omskrywing van "parkeer" in te voeg:

 "'Passasierspooragentskap van Suid-Afrika' die maatskappy ingestel
 ingevolge artikel 22 van die Wet op die Regsopvolging van die
 Suid-Afrikaanse Vervoerdienste, 1989 (Wet No. 9 van 1989);";
- (q) deur die omskrywing van "plaaslike owerheid" deur die volgende omskrywing te vervang:
 - "'plaaslike owerheid' alle munisipaliteite waaraan die bevoegdhede van die plaaslike regeringsfeer verleen is soos beoog in Hoofstuk 7 van die Grondwet;";
- (r) deur die volgende omskrywing na die omskrywing van "professionele bestuurspermit" in te voeg:
 - "'provinsiale inspektoraat' 'n persoon of 'n organisasie wat ingevolge artikel 11A aangestel is;";
- artikel 11A aangestel is;";

 (s) deur die omskrywing van "reserwe-verkeersopsigter" deur die volgende 55 omskrywing te vervang:
 - "reserwe-verkeersopsigter" in [persoon] verkeersopsigter wat deur die Minister van Justisie tot 'n vredesbeampte verklaar is ingevolge artikel 334 van die Strafproseswet, 1977 (Wet 51 van 1977), en as 'n reserwe-verkeersopsigter aangestel is deur die hoof- uitvoerende 60 beampte of die LUR, na gelang van die geval, op 'n tydelike basis vir 'n bepaalde tydperk;";

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- (u) by the substitution for the definition of "reserve traffic warden" of the following definition:
 - "'reserve traffic warden' means a [person] traffic warden who has been declared a peace officer by the Minister of Justice in terms of section 334 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), and has been appointed as a reserve traffic [officer] warden by the chief executive officer or the MEC, as the case may be, on a temporary basis for a specific period;";
- (v) by the insertion after the definition of "South African Bureau of Standards" of the following definition:
 - "**'standard'** means any code of practice, compulsory specification, specification, standard or standard method adopted by the South African Bureau of Standards, as defined in section 1 of the Standards Act, 2008 (Act No. 8 of 2008), or adopted by the International Standard Organisation;";
- (w) by the insertion after the definition of "stop" of the following definitions:
 - "'supplier of blank number plates' means a person, an authority or an organisation registered to supply blank number plates for purposes of embossing an allocated licence number of a motor vehicle or a motor trade number of a motor vehicle;
 - **'supplier of microdots'** means a person, an authority or an organisation registered in terms of section 5K for the purpose of supplying microdots; **'supplier of reflective sheeting'** means a person, an authority or an organisation registered to supply reflective sheeting for blank number plates for purposes of embossing an allocated licence number or a motor trade number of a motor vehicle;";
- (x) by the substitution for the definition of "testing station" of the following definition:
 - "**'testing station'** means a testing station registered in terms of section 39 to examine and test a motor vehicle;"; and
- (y) by the insertion after the definition of "verge" of the following definition: "weighbridge facility' means a facility with a mass measuring apparatus and is registered in terms of section 5E to determine the tare of a motor vehicle;".

Amendment of section 3A of Act 93 of 1996, as inserted by section 2 of Act 21 of 35 1999 and amended by section 2 of Act 64 of 2008

- 2. Section 3A of the principal Act is hereby amended—
 - (a) by the deletion in subsection (1)(a) of the word "and" at the end of subparagraph (iv);
 - (b) by the substitution in subsection (1)(a) for the comma at the end of 40 subparagraph (v) of a semi-colon;
 - (c) by the addition in subsection (1)(a) of the following subparagraph:"(vi) NaTIS officer,";
 - (d) by the deletion in subsection (1)(b) of the word "and" at the end of subparagraph (iv);
 - (e) by the substitution in subsection (1)(b) for the comma at the end of subparagraph (v) of a semi-colon;

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- (t) deur die volgende omskrywing na die omskrywing van "staatsdepartement" in te voeg:
 - "'standaard' enige praktykkode, verpligte spesifikasie, spesifikasie, standaard, of standaardmetode deurgevoer deur die Suid-Afrikaanse Buro van Standaarde, soos omskryf in artikel 1 van die 'Standards Act, 2008' (Wet No. 8 van 2008), of deurgevoer deur die Internasionale Standaarde-organisasie;";
- (u) deur die omskrywing van "toetsstasie" deur die volgende omskrywing te vervang:
 - "**'toetsstasie'** 'n toetsstasie geregistreer ingevolge artikel 39 om 'n voertuig te ondersoek en te toets;";
- (v) deur die omskrywing van "trapfiets" deur die volgende omskrywing te vervang:
 - " 'trapfiets'—
 - (a) 'n fiets of driewiel wat ontwerp is om uitsluitlik deur middel van mensekrag aangedryf te word; of
 - (b) 'n kragbygestaande trapfiets, soos beoog in subparagraaf (iii) van die omskrywing van motorvoertuig;";
- (w) deur die volgende omskrywings na die omskrywing van "verordening" in te voeg:
 - voeg:

 "verskaffer van mikrostippels' 'n persoon, 'n owerheid of 'n organisasie wat ingevolge artikel 5K geregistreer is met die doel om mikrostippels te verskaf;
 - **'verskaffer van skoon nommerplate'** 'n persoon, 'n owerheid of 'n organisasie wat geregistreer is om skoon nommerplate te verskaf met die doel om 'n toegewysde lisensienommer van 'n motorvoertuig of 'n motorhandelnommer van 'n motorvoertuig daarop te bosseleer;
 - 'verskaffer van weerkaatsende beplating' 'n persoon, 'n owerheid of 'n organisasie wat geregistreer is om weerkaatsende beplating vir skoon nommerplate te verskaf om 'n toegewese lisensienommer of 'n motorhandelnommer van 'n motorvoertuig daarop te bosseleer;";
- (x) deur die volgende omskrywings na die omskrywing van "vervaardiger van nommerplate" in te voeg:
 - "'vervaardiger van mikrostippels' enige persoon of 'n organisasie wat ingevolge artikel 5K geregistreer is om mikrostippels te vervaardig; 'vervaardiger van skoon nommerplate' enige persoon of 'n organisasie wat geregistreer is om skoon nommerplate te vervaardig met die doel om 'n toegewysde lisensienommer of 'n handelsnommer van 'n motorvoertuig te bosseleer;
 - 'vervaardiger van weerkaatsende beplating' enige persoon of 'n organisasie wat geregistreer is om weerkaatsende beplating te vervaardig met die doel om skoon nommerplate te vervaardig;"; en
- (y) deur die volgende omskrywing na die omskrywing van "vredesbeampte" in te voeg:
 - " 'weegbrugfasiliteit' 'n fasiliteit met 'n apparaat vir massameting wat ingevolge artikel 5E geregistreer is om die tarra van 'n motorvoertuig vas te stel;".

Wysiging van artikel 3A van Wet 93 van 1996, soos ingevoeg deur artikel 2 van Wet 21 van 1999 en gewysig deur artikel 2 van Wet 64 van 2008

- 2. Artikel 3A van die Hoofwet word hierby gewysig—

 (a) deur in subartikel (1)(a) die woord "en" aan die einde van subparagraaf (iv)
 - (a) deur in subartikel (1)(a) die woord "en" aan die einde van subparagraaf (iv) te skrap;
 - (b) deur in subartikel (1)(a) die komma aan die einde van subparagraaf (v) deur 'n kommapunt te vervang;

 - (d) deur in subartikel (1)(b) die woord "en" aan die einde van subparagraaf (iv) te skrap;
 - (e) deur in subartikel (1)(b) die komma aan die einde van subparagraaf (v) deur 'n kommapunt te vervang;

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- by the addition in subsection (1)(b) of the following subparagraph:
 - "(iv) NaTIS officer; and
 - (v) reserve traffic warden,";
- (g) by the deletion in subsection (1)(c) of the word "and" at the end of subparagraph (ii);
- (h) by the substitution in subsection (1)(c) for the comma at the end of subparagraph (iii) of a semi-colon;
- by the addition in subsection (1)(c) of the following subparagraphs:
 - "(iv) traffic warden;
 - (v) reserve traffic warden; or

(vi) NaTIS officer,"; and

(j) by the substitution in subsection (3) for paragraph (a) of the following paragraph:

> "(a) No person shall be appointed under subsection (1) as an authorised officer or a NaTIS officer unless he or she has been graded and 15 registered in the prescribed manner.".

Amendment of section 3B of Act 93 of 1996, as inserted by section 2 of Act 21 of 1999

- 3. Section 3B of the principal Act is hereby amended—
 - (a) by the substitution for the heading of the following heading:

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"Application for registration as inspector of licences, examiner of vehicles, examiner for driving licences [or], traffic officer, reserve traffic warden, traffic warden or NaTIS officer";

- (b) by the deletion in subsection (1) of the word "or" at the end of paragraph (c);
- (c) by the substitution in subsection (1) for the comma at the end of paragraph (d) 25 of a semi-colon; and
- (d) by the addition in subsection (1) of the following paragraphs:
 - "(e) a reserve traffic warden;
 - (f) a traffic warden; or
 - (g) a NaTIS officer,".

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Amendment of section 3C of Act 93 of 1996, as inserted by section 2 of Act 21 of 1999

- **4.** Section 3C of the principal Act is hereby amended—
 - (a) by the substitution in subsection (2) for paragraph (a) of the following paragraph:

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- "(a) an examiner of vehicles if he or she, or through his or her spouse or partner, has or acquires a direct or indirect financial interest in the manufacturing, selling, rebuilding, repairing or modifying of motor vehicles; [or]";
- (b) by the substitution in subsection (2) for the colon at the end of paragraph (b) 40 of a semi-colon; and
- (c) by the addition in subsection (2) of the following paragraph:
 - '(c) a traffic officer, reserve traffic warden, traffic warden or NaTIS officer, if he or she, or through his or her spouse or partner, has or acquires a direct or indirect financial interest in a road transport 45 services business:".

Amendment of section 3D of Act 93 of 1996, as inserted by section 2 of Act 21 of 1999

- **5.** Section 3D of the principal Act is hereby amended—
 - (a) by the substitution for the heading of the following heading:

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"Minimum requirements for registration as inspector of licences, examiner of vehicles, examiner for driving licences [and], traffic officer, reserve traffic warden and NaTIS officer";

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- (f) deur in subartikel (1)(b) die volgende subparagraaf by te voeg:

 "(iv) NaVIS-beampte; en
 (v) reserwe-verkeersopsigter,";

 (g) deur in subartikel (1)(c) die woord "en" aan die einde van subparagraaf (ii) te skrap;

 (h) deur in subartikel (1)(c) die komma aan die einde van subparagraaf (iii) deur 'n kommapunt te vervang;

 (i) deur in subartikel (1)(c) die volgende subparagrawe by te voeg:

 "(iv) verkeersopsigter;
 (v) reserwe-verkeersopsigter; of
 (vi) NaVIS-beampte,"; en

 (j) deur in subartikel (3) paragraaf (a) deur die volgende paragraaf te vervang:
- (j) deur in subartikel (3) paragraaf (a) deur die volgende paragraaf te vervang:

 "(a) Niemand mag kragtens subartikel (1) as 'n gemagtigde beampte

 of 'n NaVIS-beampte aangestel word nie, tensy hy of sy op die

 voorgeskrewe wyse gegradeer en geregistreer is.".

Wysiging van artikel 3B van Wet 93 van 1996, soos ingevoeg deur artikel 2 van Wet 21 van 1999

- 3. Artikel 3B van die Hoofwet word hierby gewysig—
 - (a) deur die opskrif deur die volgende opskrif te vervang:
 - "Aansoek om registrasie as inspekteur van lisensies, ondersoeker 20 van voertuie, toetsbeampte vir bestuurslisensies [of], verkeersbeampte, reserwe-verkeersopsigter, verkeersopsigter of NaVISbeampte";
 - (b) deur in subartikel (1) die woord "of" aan die einde van paragraaf (c) te verwyder;
 - (c) deur in subartikel (1) die komma aan die einde van paragraaf (d) deur 'n kommapunt te vervang; en
 - (e) deur in subartikel (1) die volgende paragrawe in te voeg:
 - "(e) 'n reserwe-verkeersopsigter;
 - (f) 'n verkeersopsigter; of
 - (g) 'n NaVIS-beampte,".

Wysiging van artikel 3C van Wet 93 van 1996, soos ingevoeg deur artikel 2 van Wet 21 van 1999

- 4. Artikel 3C van die Hoofwet word hierby gewysig-
 - (a) deur in subartikel (2) paragraaf (a) deur die volgende paragraaf te vervang:

 "(a) 'n ondersoeker van voertuie nie indien hy of sy, of deur sy of haar
 gade of lewensmaat of regstreeks of onregstreeks 'n geldelike
 belang het of verkry by die vervaardiging, verkoop, herbou, herstel
 of vernuwing van motorvoertuie; [of]";
 - (b) deur in subartikel (2) die dubbelpunt aan die einde van paragraaf (b) deur 'n 40 kommapunt te vervang; en
 - (c) deur in subartikel (2) die volgende paragraaf by te voeg:
 - "(c) 'n verkeersbeampte, reserwe-verkeersopsigter, verkeersopsigter of

 NaVIS-beampte, indien hy of sy, of deur sy of haar gade of
 lewensmaat, 'n direkte of indirekte finansiële belang in 'n padverkeerdienstebesigheid het of verkry:".

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Wysiging van artikel 3D van Wet 93 van 1996, soos ingevoeg deur artikel 2 van Wet 21 van 1999

- **5.** Artikel 3D van die Hoofwet word hierby vervang—
 - (a) deur die opskrif deur die volgende opskrif te vervang:

"Minimum vereistes vir registrasie as inspekteur van lisensies, ondersoeker van voertuie, toetsbeampte vir bestuurslisensies [en], verkeersbeampte, reserwe-verkeersopsigter en NaVIS-beampte;";

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

"The minimum requirements for registration as an inspector of licences, an examiner of vehicles, an examiner for driving licences [or], a traffic officer, a reserve traffic warden, a traffic warden or NaTIS officer, as the case may be, shall be that the applicant—;";

- (c) by the substitution in subsection (1) for paragraph (a) of the following paragraph:
 - "(a) has obtained an appropriate [diploma] qualification at a training centre approved by the Shareholders Committee;"; and
- (d) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:
 - "The [diploma] qualification referred to in subsection (1)(a) shall—".

Amendment of section 3E of Act 93 of 1996, as inserted by section 2 of Act 21 of 1999

- 6. Section 3E of the principal Act is hereby amended—
 - (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

"The inspectorate of driving licence testing centres or the inspectorate of testing stations, respectively, may for the period that it deems fit and in 20 the manner prescribed, suspend or cancel the registration of an examiner for driving licences [,] or an examiner of vehicles, if—";

- (b) by the deletion in subsection (1) of the word "or" at the end of subparagraph (c):
- (c) by the substitution in subsection (1) for the fullstop at the end of paragraph (d) 25 of a semi-colon;
- (d) by the addition in subsection (1) of the following paragraphs:
 - "(e) such person has been convicted of an offence listed in Schedule 1,
 Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6 or
 Schedule 7 to the Criminal Procedure Act, 1977 (Act No. 51 of
 1977):
 - (f) such person holds or acquires a direct or indirect financial interest in a road transport services business, the nature and extent of which may be prescribed by the Minister;
 - (g) an examiner of vehicles holds or acquires a direct or indirect financial interest in the manufacturing, selling, rebuilding, repairing or modifying of motor vehicles, the nature and extent of which may be prescribed by the Minister; or
 - (h) the examiner for driving licences holds or acquires a direct or indirect financial or other related interest in any driving school or in the training, instruction or supervision of learner drivers, the nature and extent of which may be prescribed by the Minister."; and
- (e) by the substitution for subsection (2) of the following subsection:
 - "(2) The chief executive officer may for the period that he or she deems fit and in the manner prescribed, suspend or cancel the registration of a traffic officer or inspector of licences if—
 - (a) any of the circumstances referred to in subsection (1)(a) to (h) exist; or
 - (b) the inspector of licences or traffic officer, as the case may be, holds or acquires a direct or indirect financial or other related interest in any testing station, driving school or in the training, instruction or supervision of learner drivers, the nature and extent of which may be prescribed by the Minister.".

Amendment of section 3I of Act 93 of 1996, as inserted by section 2 of Act 21 of 1999

- **7.** Section 3I of the principal Act is hereby amended—
 - (a) by the deletion of "and" at the end of paragraph (o);
 - (b) by the substitution for the full stop at the end of paragraph (p) of "; and"; and
 - (c) by the addition of the following paragraph:

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- (b) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
 - "Die minimum vereistes vir registrasie as 'n inspekteur van lisensies, 'n ondersoeker van voertuie, 'n toetsbeampte vir bestuurslisensies [of], 'n verkeersbeampte, 'n reserwe-verkeersopsigter, 'n verkeersopsigter of 'n NaVIS-beampte, na gelang van die geval, is dat die aansoeker—;";
- (c) deur in subartikel (1) paragraaf (a) deur die volgende paragraaf te vervang: "(a) 'n toepaslike [diploma] kwalifikasie by 'n opleidingsentrum wat deur die Aandeelhouerskomitee goedgekeur is, verwerf het;"; en
- (d) deur in subartikel (2) die woorde wat paragraaf (a) voorafgaan deur die 10 volgende woorde te vervang:
 - "Die [diploma] <u>kwalifikasie</u> in subartikel (1)(a) bedoel, moet—".

Wysiging van artikel 3E van Wet 93 van 1996, soos ingevoeg deur artikel 2 van Wet 21 van 1999

- **6.** Artikel 3E van die Hoofwet word hierby gewysig—
 - (a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
 - "Die inspektoraat van bestuurslisensie-toetssentrums of die inspektoraat van toetsstasies kan op die voorgeskrewe wyse die registrasie van onderskeidelik 'n toetsbeampte vir bestuurslisensies of ondersoeker van 20 voertuie, vir die tydperk wat [hy] hulle goedvind, opskort of dit intrek indien—":
 - (b) deur in subartikel (1) die woord "of" aan die einde van subparagraaf (c) te skrap;
 - (c) deur in subartikel (1) die punt aan die einde van paragraaf (d) deur 'n 25 kommapunt te vervang;
 - (d) deur in subartikel (1) die volgende paragrawe in te voeg:
 - "(e) daardie persoon skuldig bevind is aan 'n misdryf in Bylae 1, Bylae 2, Bylae 3, Bylae 4, Bylae 5, Bylae 6 of Bylae 7 van die Strafproseswet, 1977, (Wet No. 51 van 1977), vermeld;
 - (f) daardie persoon 'n regstreekse of onregstreekse finansiële belang in 'n padvervoerdienstebesigheid het, waarvan die aard en omvang deur die Minister voorgeskryf kan word;
 - (g) 'n ondersoeker van voertuie 'n regstreekse of onregstreekse finansiële belang in die vervaardiging, verkoop, herbou, herstel of modifikasie van motorvoertuie hou of verkry, waarvan die aard en omvang deur die Minister voorgeskryf kan word; of
 - (h) die toetsbeampte vir bestuurslisensies 'n regstreekse of onregstreekse finansiële of ander verwante belang in enige bestuurskool of by die opleiding, onderrig of toesig oor leerlingbestuurders hou of verkry, waarvan die aard en omvang deur die Minister voorgeskryf kan word."; en
 - (e) deur subartikel (2) deur die volgende subartikel te vervang:
 - "(2) Die hoof- uitvoerende beampte kan op die voorgeskrewe wyse die registrasie van 'n verkeersbeampte of inspekteur van lisensies, vir die tydperk wat hy of sy goedvind, opskort, of dit intrek, indien—
 - (a) enige van die omstandighede bedoel in subartikel (1)(a) tot (h) bestaan; of
 - (b) die inspekteur van lisensies of verkeersbeampte, na gelang van die geval, 'n regstreekse of onregstreekse finansiële of ander verwante belang in enige toetsstasie, bestuurskool of in die opleiding, instruksie of toesig oor leerderbestuurders hou, waarvan die Minister die aard en omvang kan beskryf.".

Wysiging van artikel 3I van Wet 93 van 1996, soos ingevoeg deur artikel 2 van Wet 21 van 1999

- 7. Artikel 3I van die Hoofwet word hierby gewysig—
 - (a) deur "en" aan die einde van paragraaf (o) te skrap;
 - (b) deur die punt aan die einde van paragraaf (p) te vervang deur "; en"; en
 - (c) deur die volgende paragraaf by te voeg:

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- " $\frac{(q)}{(q)}$ if he or she is satisfied, on reasonable grounds and subject to verification by the traffic officer, that a motor vehicle—
 - (i) was in the past issued with a notice to discontinue operation in terms of section 44(1) and such notice was not complied with;
 - (ii) is being operated on a public road by a driver who is not a holder of a valid driving licence;
 - (iii) is being operated on a public road by a driver who is not a holder of a valid professional driving permit; or
 - (iv) is being operated by a person without the necessary operating licence or permit or contrary to the conditions thereof, may impound the vehicle pending the investigation and prosecution of that person for an offence in terms of any applicable law and the officer must deal with the impounded vehicle as determined in terms of the relevant sections of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).".

Substitution of section 3L of Act 93 of 1996, as inserted by section 2 of Act 21 of 1999

8. The following section is hereby substituted for section 3L of the principal Act:

"Registration of training centre

<u>3L.</u> A provincial department responsible for transport or a local authority shall not offer authorised officer qualifications unless it has been approved, registered and graded as a training centre in terms this Act.".

Insertion of sections 3M, 3N and 3O in Act 93 of 1996

9. The following sections are hereby inserted in the principal Act after section 3L: 23

"Application for registration of training centre

- **3M.** (1) A provincial department responsible for transport or a local authority desiring to offer qualifications for authorised officers shall apply in the prescribed manner to the Shareholders Committee for registration as a training centre.
- (2) A training centre may, on the prescribed conditions, be approved, registered and graded to offer qualifications for traffic officers, examiners for driving licences, examiners of vehicles or traffic wardens or a combination thereof.
- (3) A provincial department responsible for transport or a local authority shall not offer qualifications for authorised officers unless it has been approved, registered and graded as a training centre.

Registration and grading of training centre

3N. On receipt of an application referred to in section 3M the Shareholders Committee shall, if satisfied that, in relation to the training centre concerned, the prescribed requirements have been met, register and grade such training centre in the prescribed manner, and give notice of such registration in the *Gazette*.

- "(q) indien hy of sy, op redelike gronde en onderhewig aan bevestiging deur die verkeersbeampte, oortuig is dat—
 - (i) 'n kennisgewing in die verlede uitgereik is dat opgehou moet word om 'n motorvoertuig te gebruik ingevolge artikel 44(1) en sodanige kennisgewing nie aan voldoen is nie;
 - (ii) 'n motorvoertuig op 'n openbare pad bedryf word deur 'n bestuurder wat nie 'n houer van 'n geldige bestuurslisensie is nie:
 - (iii) 'n motorvoertuig op 'n openbare pad bedryf word deur 'n bestuurder wat nie 'n houer van 'n geldige professionele bestuurspermit is nie; of
 - (iv) 'n motorvoertuig deur iemand bedryf word sonder die nodige bedryfslisensie of permit of in stryd met die voorwaardes daarvan,

kan die voertuig skut hangende die ondersoek en vervolging van daardie persoon vir 'n misdryf ingevolge enige toepaslike wetsbepaling en die beampte moet die geskutte voertuig hanteer soos ingevolge tersaaklike artikels van die Strafproseswet, 1977, (Wet No. 51 van 1977), bepaal.".

Vervanging van artikel 3L van Wet 93 van 1996, soos ingevoeg deur artikel 2 van 20 Wet 21 van 1999

8. Artikel 3L van die Hoofwet word hierby deur die volgende artikel vervang:

"Registrasie van opleidingsentrum

3L. 'n Provinsiale departement verantwoordelik vir vervoer of 'n plaaslike owerheid moet nie kwalifikasies vir gemagtigde beamptes 25 aanbied tensy dit ingevolge hierdie Wet as 'n opleidingsentrum goedgekeur, geregistreer en gegradeer is nie.".

Invoeging van artikels 3M, 3N en 3O in Wet 93 van 1996

8. Die volgende artikels word hierby na artikel 3L in die Hoofwet ingevoeg:

"Aansoek om registrasie van opleidingsentrum

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- **3M.** (1) 'n Provinsiale departement verantwoordelik vir vervoer of 'n plaaslike owerheid wat kwalifikasies vir gemagtigde beamptes wil aanbied, moet op die voorgeskrewe wyse by die Aandeelhouerskomitee aansoek doen om registrasie as 'n opleidingsentrum.
- (2) 'n Opleidingsentrum kan, op die voorgeskrewe voorwaardes, goedgekeur, geregistreer en gegradeer word om kwalifikasies aan verkeersbeamptes, toetsbeamptes vir bestuurslisensie, voertuigondersoekers of verkeersopsigters of 'n kombinasie daarvan aan te bied.
- (3) 'n Provinsiale departement verantwoordelik vir vervoer of 'n plaaslike owerheid, moet nie kwalifikasies vir gemagtigde beamptes aanbied tensy dit as 'n opleidingsentrum goedgekeur, geregistreer en gegradeer is nie.

Registrasie en gradering van opleidingsentrum

3N. By ontvangs van 'n aansoek in artikel 3M bedoel, moet die Aandeelhouerskomitee, indien oortuig dat, die betrokke opleidingsentrum aan voorgeskrewe vereistes voldoen het, sodanige opleidingsentrum op die voorgeskrewe wyse registreer en gradeer, en in die *Staatskoerant* kennis gee van sodanige registrasie.

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Suspension or cancellation of registration of training centre

30. The Shareholders Committee may, if a registered training centre no longer complies with the requirements referred to in section 3L, suspend the registration of that training centre for such period as it deems fit or regrade or cancel the registration, in the prescribed manner, and subject to due process of law."

Amendment of section 5 of Act 93 of 1996, as substituted by section 3 of Act 8 of 1998 and amended by section 4 of Act 21 of 1999

- 10. Section 5 of the principal Act is hereby amended—
 - (a) by the substitution for the heading of the following heading:

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- "Registration of manufacturers, builders, body builders and importers [and manufactures of number plates]";
- (b) by the substitution for subsection (1) of the following subsection:
 - "(1) Every manufacturer, builder, body builder or importer must apply in the prescribed manner to the chief executive officer for registration as a manufacturer, builder, body builder or importer, as the case may be."; and
- (c) by the substitution for subsections (4), (5) and (6) of the following subsections, respectively:
 - "(4) The chief executive officer may, in the prescribed manner, 20 suspend for such period as he or she may deem fit, or cancel, the registration of a manufacturer, builder, body builder or importer [or manufacturer of number plates].
 - (5) The [manufacturers, builders or importers] manufacturer, builder, body builder or importer referred to in subsection (1) shall, in the prescribed manner, register every motor vehicle manufactured, modified, built or imported by him or her, subject to compliance with the applicable traffic laws before he or she distributes or sells such vehicle.
 - (6) [Manufacturers, builders and importers] A manufacturer, builder, body builder or importer shall not manufacture, build, modify, import, sell or distribute motor vehicles [except] unless registered in accordance with the prescribed conditions."

Insertion of section 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K and 5L in Act 93 of 1996

- 11. The following sections are hereby inserted in the principal Act after section 5: 35
 - "Manufacturing of blank number plates, supplying of blank number plates, manufacturing of reflective sheeting for number plates, supplying of reflective sheeting for number plates and embossing of number plates
 - **5A.** No person, authority or organisation shall—
 - (a) manufacture blank number plates;
 - (b) manufacture reflective sheeting for number plates;
 - (c) supply blank number plates;
 - (d) supply reflective sheeting for number plates; or
 - (e) emboss or sell number plates,

unless such person, authority or organisation is registered as such manufacturer, supplier or embosser in terms of this Act.

Application for registration as manufacturer of blank number plates, supplier of blank number plates, manufacturer of reflective sheeting for number plates, supplier of reflective sheeting for 50 number plates and embosser of number plates

5B. Any person, authority or organisation desiring to manufacture or supply blank number plates, desiring to manufacture or supply reflective sheeting for number plates, or desiring to emboss number plates, shall

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Opskorting of intrekking van registrasie van opleidingsentrum

30. Die Aandeelhouerskomitee kan, indien 'n geregistreerde opleidingsentrum nie meer aan die vereistes bedoel in artikel 3L voldoen nie, die registrasie van daardie opleidingsentrum vir sodanige tydperk wat dit gepas ag, opskort of hergradeer of die registrasie intrek, op die 5 voorgeskrewe wyse, en behoudens behoorlike regsproses.".

Wysiging van artikel 5 van Wet 93 van 1996, soos vervang deur artikel 3 van Wet 8 van 1998 en gewysig deur artikel 4 van Wet 21 van 1999

- **10.** Artikel 5 van die Hoofwet word hierby gewysig—
 - (a) deur die opskrif deur die volgende opskrif te vervang:

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'Registrasie van vervaardigers, bouers, bakwerkbouers en invoerders [en vervaardigers van nommerplate]";

- (b) deur subartikel (1) deur die volgende subartikel te vervang:
 - "(1) Elke vervaardiger, bouer, bakwerkbouer of invoerder doen op die voorgeskrewe wyse by die hoof- uitvoerende beampte aansoek om registrasie as 'n vervaardiger, bouer, bakwerkbouer of invoerder, na gelang van die geval."; en
- (c) deur subartikels (4), (5) en (6) onderskeidelik deur die volgende subartikels te vervang:
 - "(4) Die hoof- uitvoerende beampte kan op die voorgeskrewe wyse die registrasie van 'n vervaardiger, bouer, bakwerkbouer of invoerder [of vervaardiger van nommerplate] opskort vir die tydperk wat hy of sy goedvind, of dit intrek.
 - (5) Die [vervaardigers, bouers of invoerders] vervaardiger, bouer, bakwerkbouer of invoerder in subartikel (1) bedoel, moet elke 25 motorvoertuig deur hom of haar vervaardig, gemodifiseer, gebou of ingevoer, op die voorgeskrewe wyse registreer, behoudens die toepaslike verkeerswette, voordat hy of sy so 'n voertuig versprei of verkoop.
 - (6) [Vervaardigers, bouers en invoerders] 'n Vervaardiger, bouer, bakwerkbouer of invoerder mag nie motorvoertuie vervaardig, bou, 30 modifiseer, invoer, verkoop of versprei nie, [behalwe] tensy hulle ooreenkomstig die voorgeskrewe voorwaardes geregistreer is.".

Invoeging van artikel 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K en 5L in Wet 93 van 1996

11. Die volgende artikels word hierby na artikel 5 in die Hoofwet ingevoeg:

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"Vervaardiging van skoon nommerplate, verskaffing van skoon nommerplate, vervaardiging van weerkaatsende beplating vir nommerplate, verskaffing van weerkaatsende beplating vir nommerplate en bosselering van nommerplate

- 5A. Geen persoon, owerheid of organisasie— 40
- (a) vervaardig skoon nommerplate;
- (b) vervaardig weerkaatsende beplating vir nommerplate;
- (c) verskaf skoon nommerplate;
- (d) verskaf weerkaatsende beplating vir nommerplate; of
- (e) bosseleer of verkoop nommerplate,

tensy sodanige persoon, owerheid of organisasie ingevolge hierdie Wet as sodanige vervaardiger, verskaffer of bosseleerder geregistreer is nie.

Aansoek om registrasie as vervaardiger van skoon nommerplate, verskaffer van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van weerkaatsende 50 beplating vir nommerplate en bosseleerder van nommerplate

5B. Enige persoon, owerheid of organisasie wat skoon nommerplate wil vervaardig of verskaf, weerkaatsende beplating vir nommerplate wil vervaardig of verskaf, of wat nommerplate wil bosseleer, moet op die

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apply in the prescribed manner to the MEC concerned for registration as—	
 (a) a manufacturer of blank number plates; (b) a manufacturer of reflective sheeting for number plates; (c) a supplier of blank number plates; (d) a supplier of reflective sheeting for number plates; or (e) an embosser of number plates. 	5
Registration of manufacturer of blank number plates, supplier of blank number plates, manufacturer of reflective sheeting for number plates, supplier of reflective sheeting for number plates and embosser of number plates	10
5C. On receipt of the application referred to in section 5B, the MEC concerned shall, if satisfied that, in relation to the— (a) manufacturer of blank number plates; (b) manufacturer of reflective sheeting for number plates; (c) supplier of blank number plates; (d) supplier of reflective sheeting for number plates; or	15
(e) embosser of number plates, the prescribed requirements have been met, register such manufacturer, supplier or embosser in the prescribed manner, and give notice of such registration in the provincial <i>Gazette</i> .	20
Suspension or cancellation of registration as manufacturer of blank number plates, supplier of blank number plates, manufacturer of reflective sheeting for number plates, supplier of reflective sheeting for number plates and embosser of number plates 5D. Subject to due process of law, the MEC concerned may, if a registered—	25
 (a) manufacturer of blank number plates; (b) manufacturer of reflective sheeting for number plates; (c) supplier of blank number plates; (d) supplier of reflective sheeting for number plates; or (e) embosser of number plates, no longer complies with the requirements of this Act, suspend the registration of that manufacturer, supplier or embosser for such period as he or she may deem fit or cancel the registration in the prescribed 	30
manner.	1 2 -
Weighbridge facility to be registered	

5E. No person, authority or organisation shall operate a weighbridge facility unless such person, authority or body is registered as a weighbridge facility in terms of this Act.

Application for registration as weighbridge facility

5F. Any person, authority or organisation desiring to operate a weighbridge facility shall apply in the prescribed manner to the MEC concerned for registration as a weighbridge facility.

Registration of weighbridge facility

5G. On receipt of the application referred to in section 5F, the MEC concerned shall, if satisfied that, in relation to the weighbridge facility, the prescribed requirements have been met, register such weighbridge facility in the prescribed manner, and give notice of such registration in the provincial Gazette.

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voorgeskrewe	wyse by	die	betrokke	LUR	aansoek	doen	om	registras	ie
as—									

- (a) 'n vervaardiger van skoon nommerplate;
- (b) 'n vervaardiger van weerkaatsende beplating vir nommerplate;
- (c) 'n verskaffer van skoon nommerplate;
- (d) 'n verskaffer van weerkaatsende beplating vir nommerplate; of
- (e) 'n bosseleerder van nommerplate.

Registrasie van vervaardiger van skoon nommerplate, verskaffer van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van weerkaatsende beplating vir 10

nommerplate en bosseleerder van nommerplate

- 5C. By ontvangs van die aansoek in artikel 5B bedoel, moet die betrokke LUR, indien hy of sy oortuig is dat, in verband met die-
- (a) vervaardiger van skoon nommerplate;
- (b) vervaardiger van weerkaatsende beplating vir nommerplate;
- (c) verskaffer van skoon nommerplate;
- (d) verskaffer van weerkaatsende beplating vir nommerplate; of
- (e) bosseleerder van nommerplate,

aan die voorgeskrewe vereistes voldoen is, sodanige vervaardiger, verskaffer of bosseleerder op die voorgeskrewe wyse registreer, en 20 kennis van sodanige registrasie in die provinsiale Staatskoerant gee.

Opskorting of intrekking van registrasie as vervaardiger van skoon nommerplate, verskaffer van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van weerkaatsende beplating vir nommerplate en bosseleerder van nommer- 25 plate

5D. Behoudens behoorlike regsproses, kan die betrokke LUR, indien

- 'n geregistreerde-(a) vervaardiger van skoon nommerplate;
- (b) vervaardiger van weerkaatsende beplating vir nommerplate;
- (c) verskaffer van skoon nommerplate;
- (d) verskaffer van weerkaatsende beplating vir nommerplate; of
- (e) bosseleerder van nommerplate,

nie meer aan die vereistes van hierdie Wet voldoen nie, die registrasie van daardie vervaardiger, verskaffer of bosseleerder opskort vir 'n tydperk wat | 35 hy of sy gepas ag of die registrasie op die voorgeskrewe wyse intrek.

Weegbrugfasiliteit moet geregistreer word

5E. Geen persoon, owerheid of organisasie bedryf 'n weegbrugfasiliteit tensy sodanige persoon, owerheid of liggaam ingevolge hierdie Wet as 'n weegbrugfasiliteit geregistreer is nie.

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Aansoek om registrasie as weegbrugfasiliteit

5F. Enige persoon, owerheid of organisasie wat 'n weegbrugfasiliteit wil bedryf, moet op die voorgeskrewe wyse by die betrokke LUR aansoek doen om registrasie as 'n weegbrugfasiliteit.

Registrasie van weegbrugfasiliteit

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5G. By ontvangs van die aansoek in artikel 5F bedoel, moet die betrokke LUR, indien oortuig dat, in verband met die weegbrugfasiliteit, aan die voorgeskrewe vereistes voldoen is, sodanige weegbrugfasiliteit op die voorgeskrewe wyse registreer, en kennis van sodanige registrasie in die provinsiale Staatskoerant gee.

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Suspension or cancellation of registration of weighbridge facility

5H. Subject to due process of law, the MEC concerned may, if a registered weighbridge facility no longer complies with the requirements of this Act, suspend the registration of that weighbridge facility for such period as he or she may deem fit or cancel the registration in the prescribed manner, and give notice of such cancellation in the provincial *Gazette*.

Manufacturer of microdots, supplier of microdots and microdot fitment centres

- **5I.** No person, authority or organisation shall—
- (a) manufacture microdots;
- (b) supply microdots; or
- (c) operate a microdot fitment centre, unless such person, authority or organisation is registered as such.

Application for registration as manufacturer, supplier or operator of 15 microdots, supplier of microdots and microdot fitment centre

5J. Any person, authority or organisation desiring to manufacture microdots, supply microdots, or operate a microdot fitment centre shall apply in the prescribed manner to the MEC concerned for registration as such.

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Registration of manufacturer of microdots, supplier of microdots and microdot fitment centre

- **5K.** On receipt of the application referred to in section 5J, the MEC concerned shall, if satisfied that, in relation to the—
- (a) manufacturer of microdots;
- (b) supplier of microdots; or
- (c) microdot fitment centre,

and section 5 of Act 21 of 1999

the prescribed requirements have been met, register such manufacturer, supplier of microdots or microdot fitment centre in the prescribed manner.

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Suspension or cancellation of registration of manufacturer of microdots, supplier of microdots and microdot fitment centre

5L. Subject to due process of law, the MEC concerned may, if a registered manufacturer of microdots, supplier of microdots or microdot fitment centre no longer complies with the requirements of this Act, suspend the registration of that manufacturer of microdots, supplier of microdots or microdot fitment centre for such period as the MEC deems fit, or cancel the registration, in the prescribed manner.".

Amendment of section 6 of Act 93 of 1996, as amended by section 4 of Act 8 of 1998

12. Section 6 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(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 blank number plates, manufacturer of reflective sheeting for number plates, supplier of blank number plates, supplier of reflective sheeting for number plates, embosser of number plates, weighbridge facility, manufacturer of microdots, supplier of microdots and microdot fitment centre, or at the refusal of the MEC to issue an exemption permit in terms of section 81(3), or at the suspension or cancellation of his or her registration as manufacturer, builder, importer [or], manufacturer of blank number plates, manufacturer of reflective sheeting for number plates, supplier of blank number plates, supplier of reflective sheeting for number plates,

is nie.

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Opskorting of intrekking van registrasie van weegbrugfasiliteit

5H. Behoudens behoorlike regsproses, kan die betrokke LUR, indien 'n geregistreerde weegbrugfasiliteit nie meer aan die vereistes van hierdie Wet voldoen nie, die registrasie van daardie weegbrugfasiliteit opskort vir sodanige tydperk wat hy of sy gepas ag of die registrasie op die voorgeskrewe wyse intrek, en kennis van sodanige intrekking in die provinsiale Staatskoerant gee.

Vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrums

- 51. Geen persoon, owerheid of organisasie mag-10 (a) mikrostippels vervaardig; (b) mikrostippels voorsien; of (c) 'n mikrostippelsentrum bedryf, tensy sodanige persoon, owerheid of organisasie as sodanig geregistreer
- Aansoek om registrasie as vervaardiger van mikrostippels, verskaffer of operateur van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum

5J. Enige persoon, owerheid of organisasie wat mikrostippels wil vervaardig, moet op die voorgeskrewe wyse by die betrokke LUR 20 aansoek doen om registrasie as sodanig.

Registrasie van vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum

5K. By ontvangs van die aansoek in artikel 5J bedoel, moet die betrokke LUR, indien oortuig dat, in verband met die-25 (a) vervaardiger van mikrostippels; (b) voorsiener van mikrostippels; of (c) mikrostippelsentrum, aan die voorgeskrewe vereistes voldoen is, sodanige vervaardiger, verskaffer van mikrostippels of mikrostippelsentrum op die voorge- 30 skrewe wyse registreer.

Opskorting of intrekking van registrasie van vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum

5L. Behoudens behoorlike regsproses, kan die betrokke LUR, indien 'n geregistreerde vervaardiger van mikrostippels, verskaffer van mikrostippels of mikrostippelsentrum nie meer aan die vereistes van hierdie Wet voldoen nie, die registrasie van daardie vervaardiger van mikrostippels, verskaffer van mikrostippels of mikrostippelsentrum opskort vir sodanige tydperk wat die LUR gepas ag, of die registrasie intrek, op die voorgeskrewe wyse.".

Wysiging van artikel 6 van Wet 93 van 1996, soos gewysig deur artikel 4 van Wet 8 van 1998 en artikel 5 van Wet 21 van 1999

- 12. A rtikel 6 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:
 - "(1) Iemand wat veronreg voel oor die weiering van die hoof- uitvoerende 45 beampte om hom of haar as 'n vervaardiger, bouer, invoerder [of], vervaardiger van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van skoon nommerplate, verskaffer van weerkaatsende beplating vir nommerplate, bosseleerder van nommerplate, weegbrugfasiliteit, vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum, of by die 50 weiering van die LUR om 'n vrystellingspermit uit te reik ingevolge artikel 81(3) te registreer of oor die opskorting of intrekking van sy of haar registrasie as 'n

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embosser of number plates, weighbridge facility, manufacturer of microdots, supplier of microdots, microdot fitment centre or permit holder in terms of section 81(3), or at the conditions on which or she is so registered may, within 21 days after such refusal, suspension or cancellation, or notification of 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 time serve a copy of the appeal on the chief executive officer."

Amendment of section 7 of Act 93 of 1996

- 13. Section 7 of the principal Act is hereby amended—
 - (a) by the substitution for the heading of the following heading:
 "Appointment of [inspectorate] inspectorates of manufacturers, builders [and], body builders, importers, number plates, microdots and weighbridge facilities"; and
 - (b) by the substitution for subsections (1) and (2) of the following subsections, respectively:
 - "(1) The Minister may appoint a person [,] or an authority [or a body] as an inspectorate of—
 - (a) manufacturers, builders [and], body builders and importers;
 - $\overline{(b)}$ number plates;
 - (c) microdots; or
 - (d) weighbridge facilities.
 - (2) The powers and duties of the inspectorates contemplated in subsection (1) in relation to the registration and inspection of—
 - (a) manufacturers, builders [and], body builders and importers;
 - (b) number plates;
 - (c) microdots; and
 - (d) weighbridge facilities,

shall be as prescribed.".

Repeal of section 8 of Act 93 of 1996, as substituted by section 6 of Act 21 of 1999

14. Section 8 of the principal Act is hereby repealed.

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Amendment of section 8A of Act 93 of 1996, as inserted by section 6 of Act 21 of 1999 and amended by section 5 of Act 64 of 2008

- **15.** Section 8A of the principal Act is hereby amended—
 - (a) by the substitution for subsection (1) of the following subsection:
 - "(1) [Any department of State or registering authority] Any local authority 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 approval and the registration of such testing centre.";
 - (b) by the substitution for subsection (3) of the following subsection: 40
 - "(3) [No department of State] A local authority or a registering authority shall <u>not</u> operate a driving licence testing centre unless such testing centre is registered and graded in accordance with this Act."; and
 - (c) by the addition of the following subsection:
 - "(4) A driving licence testing centre may, on the prescribed 45 conditions, apply to the inspectorate of driving licence testing centres to be registered and graded to operate a mobile facility that may test applicants for learner's licences—
 - (a) in case of a provincial department, within the province concerned;and

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vervaardiger, bouer, invoerder [of], vervaardiger van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van skoon nommerplate, verskaffer van weerkaatsende beplating vir nommerplate, bosseleerder van nommerplate, weegbrugfasiliteit, vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum, of by die weiering van die LUR om 'n vrystellingspermit ingevolge artikel 81(3) uit te reik oor die voorwaardes waarop hy of sy aldus geregistreer is, kan, binne 21 dae na sodanige weiering, opskorting of intrekking, of kennisgewing van die voorwaardes waarop hy of sy aldus geregistreer is, skriftelik teen daardie weiering, opskorting, intrekking of voorwaardes na die Aandeelhouerskomitee appèlleer, en sodanige 10 persoon moet terselfdertyd 'n afskrif van die appèl aan die hoof- uitvoerende beampte beteken.".

Wysiging van artikel 7 van Wet 93 van 1996

13. Artikel 7 van die Hoofwet word hierby gewysig—

(a) deur die opskrif deur die volgende opskrif te vervang:

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"Aanstelling van [inspektoraat] inspektorate van vervaardigers, bouers [en], bakwerkbouers, invoerders, nommerplate, mikrostippels en weegbrugfasiliteite"; en

(b) deur subartikels (1) en (2) onderskeidelik deur die volgende subartikels te vervang:

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"(1) Die Minister kan 'n persoon[,] of 'n gesag [of 'n liggaam] as 'n inspektoraat van-

(a) vervaardigers, bouers [en], bakwerkbouers en invoerders;

 $\overline{(b)}$ nommerplate;

(c) mikrostippels; of

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(d) weegbrugfasiliteite, aanstel.

(2) Die bevoegdhede en pligte van die inspektoraat in subartikel [1] (1) beoog met betrekking tot die registrasie en inspeksie van-

(a) vervaardigers, bouers [en], bakwerkbouers en invoerders;

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(b) nommerplate;

(c) mikrostippels; en

(d) weegbrugfasiliteite,

is soos voorgeskryf.".

Herroeping van artikel 8 van Wet 93 van 1996, soos vervang deur artikel 6 van Wet 35 21 van 1999

14. Artikel 8 van die Hoofwet word hierby herroep.

Wysiging van artikel 8A van Wet 93 van 1996, soos ingevoeg deur artikel 6 van Wet 21 van Wet 1999 en gewysig deur artikel 5 van Wet 64 van 2008

15. Artikel 8A van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

"(1) [Enige staatsdepartement of registrasie-owerheid] Enige plaaslike owerheid of registrasie-owerheid wat 'n bestuurslisensietoetssentrum wil bedryf, moet op die voorgeskrewe wyse by die inspektoraat van bestuurslisensie-toetssentrums aansoek doen om 45 goedkeuring en vir die registrasie van sodanige toetssentrum.";

(b) deur subartikel (3) deur die volgende subartikel te vervang:

"(3) [Geen staatsdepartement] 'n Plaaslike owerheid of 'n registrasie-owerheid mag nie 'n bestuurslisensie-toetssentrum bedryf nie totdat sodanige toetssentrum ooreenkomstig hierdie Wet geregistreer en 50 gegradeer is."; en

(c) deur die volgende subartikel by te voeg:

"(4) 'n Bestuurslisensie-toetssentrum kan, op die voorgeskrewe voorwaardes, by die inspektoraat van bestuurslisensie-toetssentrums aansoek doen om geregistreer en gegradeer te word om 'n mobiele fasiliteit te bedryf wat aansoekers vir leerlinglisensies kan toets-

(a) in die geval van 'n provinsiale departement, binne die betrokke provinsie; en

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(b) in case of a registering authority or a local authority, within the area of jurisdiction of the registering authority or the local authority concerned.".

Substitution of section 9 of Act 93 of 1996, as substituted by section 7 of Act 21 of 1999

16. The following section is hereby substituted for section 9 of the principal Act:

"Registration and grading of driving licence testing centres

9. On receipt of an application referred to in section 8A, the inspectorate of driving licence testing centres shall, if satisfied that, in relation to the driving licence testing centre concerned, the prescribed 10 requirements for the registration of such a testing centre have been met, register and grade such testing centre in the prescribed manner, and give notice of such registration and grading in the Gazette.".

Amendment of section 11 of Act 93 of 1996, as substituted by section 9 of Act 21 of 1999 and amended by section 6 of Act 64 of 2008

17. Section 11 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The Minister shall [, after a decision has been taken by the Shareholders **Committee,**] appoint a suitably qualified person[,] or an authority [or a body] as an inspectorate of driving licence testing centres.".

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Insertion of section 11A in Act 93 of 1996

18. The following section is hereby inserted in the principal Act after section 11:

"Provincial inspectorates

11A. (1) An MEC shall appoint a suitably qualified person as a provincial inspectorate to conduct inspections and evaluations to ensure 25 compliance with this Act.

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(2) The Minister shall, in consultation with the relevant MEC, prescribe the powers and duties of the provincial inspectorate.".

Amendment of section 15 of Act 93 of 1996, as amended by section 10 of Act 21 of 1999

19. Section 15 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

"Disqualification from obtaining or holding learner's licence, [or] driving licence or driving permit";

- (b) by the substitution in subsection (1)(f) for subparagraph (vii) of the following 35 subparagraph:
 - "(vii) any other disease [or physical defect] which is likely to render him or her incapable of effectively driving and controlling a motor vehicle of the class to which such licence relates without endangering the safety of the public[:Provided that deafness 40 shall not of itself be deemed to be such a defect];";

(c) by the addition in subsection (1)(f) of the following subparagraph:

physical defect which is likely to render him or her incapable of effectively driving and controlling a motor vehicle of the class to which such licence relates without endangering the 45 safety of the public: Provided that deafness shall not of itself be deemed to be such a defect;";

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(b) in die geval van 'n registrasie-owerheid of 'n plaaslike owerheid, binne die regsgebied van die registrasie-owerheid of die betrokke plaaslike owerheid.".

Vervanging van artikel 9 van Wet 93 van 1996, soos ingevoeg deur artikel 7 van Wet 21 van 1999

16. Artikel 9 van die Hoofwet word hierby deur die volgende artikel vervang:

"Registrasie en gradering van bestuurslisensie-toetssentrums

9. By ontvangs van 'n aansoek in artikel 8A bedoel, registreer en hy of sy gradeer die inspektoraat van bestuurslisensie-toetssentrums, indien oortuig dat daar met betrekking tot die betrokke bestuurslisensie-toetssentrum aan die voorgeskrewe vereistes vir die registrasie van so 'n toetssentrum voldoen is, so 'n toetssentrum op die voorgeskrewe wyse, en gee in die *Staatskoerant* kennis van die registrasie en gradering.".

Wysiging van artikel 11 van Wet 93 van 1996, soos vervang deur artikel 9 van Wet 21 van 1999 en gewysig deur artikel 6 van Wet 64 van 2008

17. Artikel 11 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Die Minister stel [, nadat 'n beslissing deur die Aandeelhouerskomitee geneem is,] 'n persoon[,] met gepaste kwalifikasies of 'n gesag [of 'n liggaam] as 'n inspektoraat van bestuurslisensie-toetssentrums aan.".

Invoeging van artikel 11A in Wet 93 van 1996

18. Die volgende artikel word hierby na artikel 11 in die Hoofwet ingevoeg:

"Provinsiale inspektorate

11A. (1) 'n LUR stel 'n persoon met gepaste kwalifikasies as 'n provinsiale inspektoraat aan om inspeksies en evaluasies te doen ten einde voldoening aan hierdie Wet te verseker.

(2) Die Minister moet, in oorleg met die tersaaklike LUR, die bevoegdhede en pligte van die provinsiale inspektoraat voorskryf.".

Wysiging van artikel 15 van Wet 93 van 1996, soos gewysig deur artikel 10 van Wet 21 van 1999

19. Artikel 15 van die Hoofwet word hierby gewysig-

(a) deur die opskrif deur die volgende opskrif te vervang:

"Onbevoegdheid om [leerling-, of] <u>leerlinglisensie</u>, bestuurslisensie of bestuurspermit te verkry of te hou";

- (b) deur in subartikel (1)(f) subparagraaf (vii) deur die volgende subparagraaf te 35 vervang:
 - "(vii) enige ander siekte [of liggaamsgebrek] wat hom of haar waarskynlik onbekwaam maak om 'n motorvoertuig van die klas waarop sodanige lisensie betrekking het, doeltreffend te bestuur en te beheer sonder om vir die publiek 'n gevaar in te hou[: Met 40 dien verstande dat doofheid op sigself nie geag word so 'n gebrek te wees nie];";
- (c) deur in subartikel (1)(b) die volgende subparagraaf by te voeg:
 - "(viii) liggaamsgebrek wat hom of haar waarskynlik onbekwaam maak om 'n motorvoertuig in die klas waarop sodanige lisensie betrekking het, doeltreffend te bestuur en te beheer sonder om vir die publiek 'n gevaar in te hou: Met dien verstande dat doofheid op sigself nie geag word so 'n gebrek te wees nie;";

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- (d) by the substitution in subsection (1) for paragraph (g) of the following paragraph:
 - "(g) if he or she is addicted to the use of any drug having a narcotic effect or the excessive use of intoxicating liquor and is certified as such by a medical practitioner; or";
- (e) by the substitution for subsection (2) of the following subsection:
 - "(2) The chief executive officer may, if he or she deems it expedient and on such conditions as he or she may deem fit, declare that 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 declaration shall be subject to section 25(9);"; and
- by the addition of the following subsections:
 - "(3) The chief executive officer shall, if satisfied that the holder of the licence is competent to drive the class of motor vehicle concerned with 15 the aid of glasses, an artificial limb or any other physical aid, issue or authorise the issuing of a new licence in the prescribed manner reflecting the conditions under which it is issued.
 - (4) For purposes of this section read with sections 23 and 32 of this Act, driving permit includes all driving permits as defined in section 1 | 20 and required in terms of this Act.".

Amendment of section 16 of Act 93 of 1996, as amended by section 11 of Act 21 of

- **20.** Section 16 of the principal Act is hereby amended—
 - (a) by the substitution in subsection (2) for the words following paragraph (b) of 25 the following words:
 - "shall, within a period of 21 days after having so become aware of the disqualification, submit the licence or, in the case where it is contained in an identity document as contemplated in section 18(6), that document to the chief executive officer."; and
 - (b) by the substitution for subsection (3) of the following subsection:
 - "(3) When a licence is submitted in terms of subsection (2), the chief executive officer shall cancel it and if the licence was issued in a prescribed territory he or she shall notify the authority which issued it of the cancellation.'

Amendment of section 17 of Act 93 of 1996, as amended by section 7 of Act 64 of

- **21.** Section 17 of the principal Act is hereby amended—
 - (a) by the substitution for subsections (1) and (2) of the following subsections, respectively:
 - "(1) Subject to section 24, a person desiring to obtain a learner's licence shall [in person] apply therefor in the prescribed manner to an appropriately registered and graded driving licence testing centre.
 - (2) Upon receipt of [an] the application contemplated in [terms of] subsection (1), the driving licence testing centre [concerned shall, if it is 45] satisfied from the information furnished or from such further information as such centre may reasonably request, that the applicant is not disqualified from obtaining a learner's licence, determine a day on and time at which the applicant shall present himself or herself to be evaluated in the manner and in respect of the 50 matters prescribed] shall deal with the application in the prescribed manner."; and
 - (b) by the substitution for subsections (4), (5) and (6) of the following subsections, respectively:
 - "(4) (a) A person shall not fraudulently, wilfully or negligently-
 - (i) issue a learner's licence;
 - (ii) authorise the issue of a learner's licence;

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- (d) deur in subartikel (1) paragraaf (g) deur die volgende paragraaf te vervang: "(g) indien hy of sy verslaaf is aan die gebruik van enige verdowingsmiddel wat 'n narkotiese uitwerking het of aan die oormatige gebruik van sterk drank en deur 'n mediese praktisyn as sodanig geregistreer is; of";
- (e) deur subartikel (2) deur die volgende subartikel te vervang:
 - "(2) Die hoof- uitvoerende beampte kan, indien hy of sy dit dienstig ag en op die voorwaardes wat hy of sy goedvind, verklaar dat 'n persoon nie meer aan 'n onbevoegdheid, opskorting of intrekking deur 'n bevoegde gesag, in onderskeidelik subartikel (1)(b), (c) of (d) bedoel, onderworpe is nie: Met dien verstande dat in die geval van 'n intrekking, sodanige verklaring aan artikel 25(9) onderworpe is;"; en
- (f) deur die volgende subartikels by te voeg:
 - "(3) Die hoof- uitvoerende beampte moet, indien oortuig dat die houer van die lisensie bevoeg is om die betrokke klas motorvoertuig met behulp van 'n bril, 'n kunsmatige ledemaat of enige ander fisieke hulpmiddel, te bestuur, 'n nuwe lisensie uitreik of die uitreiking daarvan magtig op die voorgeskrewe wyse sodat dit die voorwaardes waarmee dit uitgereik is, weerspieël.
 - (4) By die toepassing van hierdie artikel, gelees met artikels 23 en 32 van hierdie Wet, sluit bestuurspermit ook alle bestuurspermitte in soos omskryf in artikel 1 en ingevolge hierdie Wet vereis."

Wysiging van artikel 16 van Wet 93 van 1996, soos gewysig deur artikel 11 van Wet 21 van 1999

- **20.** Artikel 16 van die Hoofwet word hierby gewysig—
 - (a) deur in subartikel (2) die woorde wat op paragraaf (b) volg deur die volgende woorde te vervang:

"moet, binne 'n tydperk van 21 dae nadat hy of sy aldus van die onbevoegdheid bewus geword het, die lisensie of, in die geval waar dit in 'n identiteitsdokument soos beoog in artikel 18(6) vervat is, daardie 30 dokument, aan die hoof- uitvoerende beampte voorlê."; en

- (b) deur subartikel (3) deur die volgende subartikel te vervang:
 - "(3) Wanneer 'n lisensie ingevolge subartikel (2) voorgelê word, trek die hoof- uitvoerende beampte dit in en indien die lisensie in 'n voorgeskrewe gebied uitgereik is, stel hy of sy die gesag wat dit uitgereik het van die intrekking in kennis."

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Wysiging van artikel 17 van Wet 93 van 1996, soos gewysig deur artikel 7 van Wet 64 van 2008

- 21. Artikel 17 van die Hoofwet word hierby gewysig—
 - (a) deur subartikels (1) en (2) onderskeidelik deur die volgende subartikels te 40 vervang:
 - "(1) Behoudens artikel 24 moet iemand wat 'n leerlinglisensie wil verkry [persoonlik] op die voorgeskrewe wyse daarom aansoek doen by 'n toepaslik geregistreerde en gegradeerde bestuurslisensietoetssentrum.
 - (2) By ontvangs van ['n] die aansoek [ingevolge] beoog in subartikel (1), [bepaal die betrokke] hanteer die bestuurslisensie-toetssentrum, [indien hy uit die inligting verstrek of uit die nadere inligting wat bedoelde sentrum redelikerwys mag aanvra, oortuig is dat die aansoeker nie onbevoeg is om 'n leerlinglisensie te verkry nie, 'n 50 datum en tyd waarop die aansoeker hom of haar moet aanmeld om geëvalueer te word] die aansoek op die voorgeskrewe wyse [en ten opsigte van die voorgeskrewe aangeleenthede]; en
 - (b) deur subartikels (4), (5) en (6) onderskeidelik deur die volgende subartikels te vervang:
 - "(4) (a) Niemand mag bedrieglik, opsetlik of nalatig in stryd met die bepalings van hierdie Hoofstuk—
 - (i) 'n leerlinglisensie uitreik nie;
 - (ii) die uitreiking daarvan magtig nie;

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- (iii) endorse or fail to endorse a learner's licence; or
- produce, print or manufacture any document similar to a learner's licence,

contrary to the provisions of this Chapter.

- (b) A person shall not make use of any unauthorised aid during a test for a learner's licence or be in possession of an aid that may assist a person in answering a test for a learner's licence.
- (5) Any applicant for a learner's licence who makes use of any unauthorised aid during a test for a learner's licence or is found in possession of an aid that may assist a person in answering a test for a learner's licence, shall be disqualified, as may be prescribed, from reapplying for a learner's licence for a period not exceeding 24 months from the date of disqualification.
- (6) If a person has been found to have contravened subsection (4)(b)and it is established that such person has obtained a learner's licence 15 during the investigation process in respect of the said contravention, such licence shall be invalid.".

Amendment of section 18 of Act 93 of 1996, as amended by section 12 of Act 21 of 1999, section 1 of Act 20 of 2003 and section 8 of Act 64 of 2008

- 22. Section 18 of the principal Act is hereby amended—
 - (a) by the substitution for subsection (1) of the following subsection:
 - "(1) Subject to section 24, the holder of a learner's licence issued in terms of section 17, who desires to obtain a driving licence shall apply in the prescribed manner to an appropriately registered and graded driving licence testing centre for a licence to drive a motor vehicle of a class the 25 driving of which is authorised by his or her learner's licence.";
 - (b) by the addition in subsection (2) of the following proviso:
 - ": Provided that in a case where the driving licence testing centre can provide an appropriate motor vehicle, such motor vehicle may be used for the test.";

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

> "If an examiner for driving licences has satisfied himself or herself in terms of subsection (3) that an applicant for a driving licence is competent[,] to drive a motor vehicle of the class to which such 35 applicant's application relates, the examiner shall issue [,] or authorise a [person] NaTIS officer employed by the driving licence testing centre concerned to issue [,] a driving licence in the prescribed manner, to such applicant in respect of that class of motor vehicle, and the examiner or the [said authorised person] NaTIS officer shall—";

(d) by the substitution for subsections (5A) and (5B) of the following subsections, respectively:

'(5A) (a) A person shall not make use of an unauthorised aid during a driving licence test.

(b) Any applicant for a driving licence who makes use of any unauthorised aid during a test for a driving licence or is found in possession of an aid that may assist a person in passing a driving licence test, shall be disqualified, as may be prescribed, from reapplying for a driving licence for a period not exceeding 24 months from the date of disqualification.

(5B) If a person is suspected to have contravened subsection (5A), and it is established that such person has obtained a driving licence during the investigation process in respect of the said contravention, such licence shall be invalid.";

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- (iii) die leerlinglisensie endosseer of versuim om dit te endosseer nie; of
- (iv) enige dokument soortgelyk aan 'n leerlinglisensie verstrek, druk of vervaardig nie.
- (b) Niemand mag enige ongemagtigde hulpmiddel tydens 'n toets vir 'n bestuurslisensie gebruik of in besit wees van 'n hulpmiddel wat iemand sal help om 'n toets vir 'n leerlinglisensie te beantwoord nie.
- (5) Iemand wat om 'n leerlinglisensie aansoek doen wat tydens 'n toets vir 'n leerlinglisensie van enige ongemagtigde hulpmiddel gebruik maak of in besit van 'n hulpmiddel betrap word wat 'n persoon kan help om 'n toets vir 'n leerlinglisensie te beantwoord, word daarvan gediskwalifiseer, soos voorgeskryf kan word, om vir 'n tydperk van hoogstens 24 maande vanaf die datum van diskwalifikasie weer om 'n leerlinglisensie aansoek te doen.
- (6) Waar iemand bevind is subartikel (4)(b) te oortree het en vasgestel word dat sodanige persoon 'n leerlinglisensie gekry het tydens die ondersoekproses ten opsigte van die vermelde oortreding, is sodangie lisensie ongeldig.".

Wysiging van artikel 18 van Wet 93 van 1996, soos gewysig deur artikel 12 van Wet 21 van 1999, artikel 1 van Wet 20 van 2003 en artikel 8 van Wet 64 van 2008 20

- 22. Artikel 18 van die Hoofwet word hierby gewysig-
 - (a) deur subartikel (1) deur die volgende subartikel te vervang:
 - "(1) Behoudens artikel 24 doen die houer van 'n leerlinglisensie wat ingevolge artikel 17 uitgereik is, wat 'n bestuurslisensie wil verkry, op die voorgeskrewe wyse aansoek by 'n toepaslik geregistreerde en 25 gegradeerde bestuurslisensie-toetssentrum om 'n lisensie om 'n motorvoertuig te bestuur van 'n klas waarvan die bestuur deur sy of haar leerlinglisensie gemagtig word.";
 - (b) deur die volgende voorbehoudsbepaling by subartikel (2) te voeg:
 - ": Met dien verstande dat in 'n geval waar die bestuurslisensietoetssentrum 'n gepaste motorvoertuig kan voorsien, sodanige motorvoertuig vir die toets gebruik kan word.";
 - (c) deur in subartikel (4) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
 - "Indien 'n toetsbeampte vir bestuurslisensies hom- of haarself ingevolge 35 subartikel (3) daarvan oortuig het dat 'n aansoeker om 'n bestuurslisensie bevoeg is om 'n motorvoertuig van die klas waarop die aansoeker se aansoek betrekking het, te bestuur, reik die toetsbeampte aan die aansoeker 'n bestuurslisensie ten opsigte van daardie klas motorvoertuig op die voorgeskrewe wyse uit, of magtig hy of sy 'n [persoon] 40 NaVIS-beampte in diens van die betrokke bestuurslisensie-toetssentrum om dit aldus uit te reik, aan die aansoeker, en die toetsbeampte of die [genoemde gemagtigde] NaVIS-beampte—";
 - (d) deur subartikels (5A) en (5B) onderskeidelik deur die volgende subartikels te vervang:
 - "(5A) (a) Geen persoon mag tydens 'n toets vir 'n bestuurslisensie van 'n ongemagtigde hulpmiddel gebruik maak nie.
 - (b) Iemand wat om 'n bestuurslisensie aansoek doen wat tydens 'n toets vir 'n bestuurslisensie van enige ongemagtigde hulpmiddel gebruik maak of in besit van 'n hulpmiddel betrap word wat 'n persoon kan help om 'n toets vir 'n bestuurslisensie te slaag, word gediskwalifiseer, soos voorgeskryf kan word, om vir 'n tydperk van hoogstens 24 maande vanaf die datum van diskwalifikasie weer om 'n bestuurslisensie aansoek te doen.
 - (5B) Indien vermoed word dat 'n persoon subartikel (5A) oortree het, en vasgestel word dat sodanige persoon tydens die ondersoekproses ten opsigte van die vermelde oortreding 'n bestuurslisensie gekry het, is sodanige lisensie ongeldig.";

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- (e) by the substitution for subsection (6) of the following subsection:
 - "(6) (a) [A] Subject to paragraph (b), a driving licence which has officially been included in an identity document shall [be deemed to be a driving licence issued under this Act, until a date fixed by the Minister by notice in the Gazette] not be accepted as proof of a driving licence.
 - (b) [In respect of any notice issued in terms of paragraph (a), in the case of] Despite paragraph (a), any person [who was unable to apply for such a driving licence] who is in possession of a driving licence issued in an identity document who was unable to apply before 1 May 2003 for a driving licence card issued in terms of this Act 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 a court of law;
 - (ii) posted by the Government on a foreign mission or assignment or being a spouse or partner who accompanied such a person;
 - [on a contract of employment] employed outside the borders of the Republic or being a spouse or partner who accompanied such a person; or
 - (iv) a full-time student at a foreign academic institution[; or]
 - [(v) a spouse or a partner of a person referred to in subparagraphs (ii) and (iii)],

[the date determined in that notice] before 1 May 2003, shall, upon proof submitted by any such person of the date of his or her discharge 25 from such facility [or], release from such institution or upon his or her return to the Republic, as the case may be, be [deemed to be a date] allowed to exchange such licence within six months after the date of such discharge from such facility, release from such institution or return to the Republic."; and

(f) by the insertion after subsection (6) of the following subsection:

"(6A) A driving licence as contemplated in subsection (6)(a), which was valid before 1 May 2003, shall, subject to subsection (6)(b), no longer be deemed to be a valid driving licence.".

Amendment of section 19 of Act 93 of 1996, as amended by section 13 of Act 21 of 35 1999 and substituted by section 2 of Act 20 of 2003

- 23. Section 19 of the principal Act is hereby amended—
 - (a) by the insertion after subsection (2) of the following subsection:
 - "(2A) Upon receipt of an application under subsection (1), the examiner for driving licences, if he or she is satisfied that the existing 40 licence is a valid driving licence and that the applicant is the holder thereof, shall, subject to section 25, issue or authorise the issue of a driving licence on the prescribed form and in the prescribed manner in respect of the class of motor vehicle to which the existing licence relates."; and
 - (b) by the substitution for subsection (4) of the following subsection:
 - "(4) Any person whose licence has become invalid in terms of subsection (3) and who requires a driving licence must apply anew for the issue of a licence in terms of [section] sections 17 and 18.".

Amendment of section 20 of Act 93 of 1996, as amended by section 9 of Act 64 of 50 2008

- **24.** Section 20 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection:
 - "(1A) The Minister may, by notice in the Gazette, fix a date from which the provisions of subsection (1) shall not be applicable, in respect of the driving 55 licences concerned.".

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- (e) deur subartikel (6) deur die volgende subartikel te vervang:
 - "(6) (a) Behoudens paragraaf (b), word 'n [Bestuurslisensie] bestuurslisensie wat amptelik in 'n identiteitsdokument opgeneem is[, word geag 'n bestuurslisensie te wees wat kragtens hierdie Wet uitgereik is, tot op 'n datum bepaal deur die Minister by kennisgewing in die Staatskoerant] nie as bewys van 'n bestuurslisensie aanvaar nie.
 - (b) [Ten opsigte van enige kennisgewing uitgereik ingevolge paragraaf (a), in die geval van] Ondanks paragraaf (a) kan 'n persoon wat [nie in staat was om aansoek te doen om sodanige bestuurslisensie nie] 'n bestuurslisensie het wat in 'n identiteitsdokument is wat nie voor 1 Mei 2003 om 'n bestuurslisensiekaart wat ingevolge hierdie Wet uitgereik is, kon aansoek doen nie weens—
 - (i) opname in 'n mediese fasiliteit of aanhouding in 'n staatsinstelling ingevolge 'n bevel uitgereik of vonnis opgelê 15 deur 'n geregshof;
 - (ii) uitplasing deur die Regering op 'n buitelandse missie of opdrag of wat sodanige persoon as gade of lewensmaat vergesel het;
 - (iii) ['n dienskontrak] buite die grense van die Republiek in diens is of wat sodanige persoon as gade of lewensmaat vergesel het; 20
 - (iv) voltydse studie aan 'n buitelandse akademiese instelling[; of]
 - (v) die feit dat hy of sy 'n gade is van 'n persoon in subparagrawe(ii) en (iii) bedoel.],

[word die datum in daardie kennisgewing bepaal] voor 1 Mei 2003, by voorlegging van bewys deur enige sodanige persoon van die datum 25 van sy of haar ontslag uit sodanige fasiliteit, vrylating uit sodanige instelling of [van] by sy of haar terugkeer na die Republiek, [geag die datum te wees] na gelang van die geval, toegelaat om sodanige lisensie uit te ruil ses maande na die datum van sodanige ontslag uit sodanige fasiliteit, vrylating uit sodanige instelling of terugkeer na die 30 Republiek."; en

(f) deur die volgende subartikel na subartikel (6) in te voeg:

"(6A) 'n Bestuurslisensie in subartikel (6)(a) beoog, wat voor 1 Mei 2003 geldig was, word, behoudens subartikel (6)(b), nie meer geag 'n geldige bestuurslisensie te wees nie.".

Wysiging van artikel 19 van Wet 93 van 1996, soos gewysig deur artikel 13 van Wet 21 van Wet 1999 en vervang deur artikel 2 van Wet 20 van 2003

- 23. Artikel 19 van die Hoofwet word hierby gewysig—
 - (a) deur die volgende subartikel na subartikel (2) in te voeg:
 - "(2A) By ontvangs van 'n aansoek kragtens subartikel (1), moet die 40 ondersoeker van bestuurslisensies, indien hy of sy oortuig is dat die bestaande lisensie 'n geldige bestuurslisensie is en dat die aansoeker die houer daarvan is, behoudens artikel 25, 'n bestuurslisensie op die voorgeskrewe vorm en wyse uitreik of die uitreiking daarvan magtig ten opsigte van die klas van motorvoertuig waarmee die bestaande lisensie 45 verband hou."; en
 - (b) deur subartikel (4) deur die volgende subartikel te vervang:
 - "(4) 'n Persoon wie se lisensie ongeldig geraak het ingevolge subartikel (3) en wat 'n bestuurslisensie verlang, moet opnuut vir die uitreiking van 'n lisensie ingevolge [artikel] artikels 17 en 18 aansoek 50 doen.".

Wysiging van artikel 20 van Wet 93 van 1996, soos gewysig deur artikel 9 van Wet 64 van 2008

- **24.** Artikel 20 van die Hoofwet word hierby gewysig deur die volgende subartikel na subartikel 1 in te voeg:
 - "(1A) Die Minister kan, by kennisgewing in die *Staatskoerant*, 'n datum vasstel met ingang waarvan die bepalings van subartikel (1) nie van toepassing sal wees nie, ten opsigte van die betrokke bestuurslisensies.".

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Substitution of section 23 of Act 93 of 1996

25. The following section is hereby substituted for section 23 of the principal Act:

"When licence not issued in terms of Act deemed to be driving licence

- **23.** (1) Subject to sections 15, this section, section 32 and the prescribed conditions—
- (a) a licence or driving permit authorising the driving of a motor vehicle and which was issued in a country that is a contracting state to the Convention including Conventions from the Southern African Development Community;
- (b) a licence or driving permit in the prescribed territory or contracting state to the Convention; and
- a licence combined with or without any of the driving permits which were issued while the holder thereof was not permanently or ordinarily resident in the Republic,

shall not, in respect of the class of motor vehicle to which that licence or driving permit relates be deemed as a licence or driving permit, unless subject to prescribed conditions and compliant with this Act.

- (2) The holder of a licence or driving permit referred to in subsection (1) must, subject to the prescribed conditions, apply for a driving licence or driving permit issued in terms of this Act.
- (3) The Minister must prescribe regulations, conditions necessary and required in terms of this section and conditions upon which such licences or driving permits may take the place of licences or driving permits issued in compliance with this Act.
- (4) All applications in terms of section 15, this section and section 32 must be made in the prescribed manner.".

Amendment of section 25 of Act 93 of 1996, as amended by section 15 of Act 21 of 1999

- **26.** Section 25 of the principal Act is hereby amended—
 - (a) by the substitution for subsection (1) of the following subsection:
 - "(1) If the holder—
 - (a) of a learner's 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] such licence, the chief executive officer 35 [of the province concerned] 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 vehicle on a public road[,] and an affirmation or affidavit in respect of the circumstances relating to such source of danger is submitted to the chief executive officer, the chief executive officer [of the province concerned] may cancel or suspend such licence.";
 - (b) by the substitution for subsection (4) of the following subsection:
 - "(4) If any person, after having been examined and tested in terms of subsection (2)[(a)], is found not to be competent to drive a motor vehicle 45 of the class [provided by him or her] for which he or she holds a licence, the chief executive officer shall forthwith cancel the licence concerned."; and
 - (c) by the substitution for subsection (10) of the following subsection:
 - "(10) Where any circumstance arises in relation to the holder of a 50 licence authorising the driving of a motor vehicle and which is issued in a prescribed territory or a **[foreign state]** country that is a contracting state to the Convention, 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 55 motor vehicle on a public road, the chief executive officer may, in writing, 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

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Vervanging van artikel 23 van Wet 93 van 1996

25. Artikel 23 van die Hoofwet word hierby deur die volgende artikel vervang:

"Wanneer lisensie wat nie ingevolge hierdie Wet uitgereik is nie, geag word bestuurslisensie te wees

- 23. (1) Behoudens artikel 15, hierdie artikel, artikel 32 en die voorgeskrewe voorwaardes moet—
- (a) 'n lisensie of bestuurspermit wat die bestuur van 'n motorvoertuig magtig en wat in 'n land uitgereik is wat tot die Konvensie gekontrakteer is, met inbegrip van Konvensies van die Suider-Afrikaanse Ontwikkelingsgemeenskap;
- (b) 'n lisensie of bestuurspermit in die voorgeskrewe grondgebied of kontrakterende staat tot die Konvensie; en
- (c) 'n lisensie gekombineer met of sonder enige van die bestuurspermitte wat uitgereik is terwyl die houer daarvan nie permanent of normaalweg in die Republiek woon nie,

ten opsigte van die klas motorvoertuig waarmee daardie lisensie of bestuurspermit verband hou, nie geag word 'n lisensie of bestuurspermit te wees nie, tensy onderhewig aan voorgeskrewe voorwaardes en bestaanbaar met hierdie Wet.

- (2) Die houer van 'n lisensie of bestuurspermit in subartikel (1) bedoel, moet, behoudens die voorgeskrewe voorwaardes, om 'n bestuurslisensie of bestuurspermit ingevolge hierdie Wet uitgereik, aansoek doen.
- (3) Die Minister moet regulasies, voorwaardes wat nodig en vereis is ingevolge hierdie artikel en voorwaardes waarop sodanige lisensies of bestuurspermitte die plek kan neem van lisensies of bestuurspermitte wat in voldoening aan hierdie Wet uitgereik is, voorskryf.
- (4) Alle aansoeke ingevolge artikel 15, hierdie artikel en artikel 32 moet op die voorgeskrewe wyse gedoen word.".

Wysiging van artikel 25 van Wet 93 van 1996, soos gewysig deur artikel 15 van Wet 30 21 van 1999

- 26. Artikel 25 van die Hoofwet word hierby gewysig—
 - (a) deur subartikel (1) deur die volgende subartikel te vervang:
 - "(1) Indien die houer—
 - (a) van 'n leerling- of bestuurslisensie wat ingevolge hierdie Hoofstuk, 35 'n herroepe ordonnansie of enige vroeëre wet uitgereik is, ingevolge artikel 15 onbevoeg is om [dit] daardie lisensie te hou, trek die hoof- uitvoerende beampte sodanige lisensie in; of
 - (b) van 'n lisensie bedoel in paragraaf (a) 'n bron van gevaar vir die publiek sou inhou deur 'n motorvoertuig op 'n openbare pad te bestuur[,] en 'n bevestiging of beëdigde verklaring ten opsigte van die omstandighede rondom sodanige bron van gevaar word by die hoof- uitvoerende beampte ingedien, kan die hoof- uitvoerende beampte sodanige lisensie intrek of opskort.";
 - (b) deur subartikel (4) deur die volgende subartikel te vervang:
 - "(4) Indien iemand na ondervraging en toetsing ingevolge subartikel (2) [(a)] onbevoeg bevind word om 'n motorvoertuig van die klas [wat hy of sy voorsien het] waarvoor hy of sy 'n lisensie het, te bestuur, moet die hoof- uitvoerende beampte onverwyld die betrokke lisensie intrek.";
 - (c) deur subartikel (10) deur die volgende subartikel te vervang:
 - "(10) Waar enige omstandigheid ontstaan met betrekking tot die houer van 'n lisensie wat die bestuur van 'n motorvoertuig magtig en wat in 'n voorgeskrewe gebied of 'n [vreemde staat] land wat die Konvensie onderteken het, uitgereik is, wat so 'n persoon onbevoeg sou maak soos in artikel 15 beoog om 'n bestuurslisensie te verkry, of indien so 'n houer 'n bron van gevaar vir die publiek sou inhou deur 'n motorvoertuig op 'n openbare pad te bestuur, kan die hoof- uitvoerende beampte so 'n persoon skriftelik verwittig dat so 'n lisensie nie binne die Republiek

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licence shall cease to be in force within the Republic <u>and the chief</u> executive officer shall retain such licence as prescribed.".

Amendment of section 27 of Act 93 of 1996, as amended by section 16 of Act 21 of 1999 and section 11 of Act 64 of 2008

- **27.** Section 27 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph (b) of the following paragraph:
 - "(b) on which an endorsement <u>made</u> in terms of section 18(4)(b) or a similar endorsement by a competent authority in a prescribed territory has been effected,".

Amendment of section 28 of Act 93 of 1996, as amended by section 17 of Act 21 of 10 1999

- 28. Section 28 of the principal Act is hereby amended—
 - (a) by the substitution for the heading of the following heading:

"Instructor to be registered and graded"; and

- (b) by the substitution for subsection (2) of the following subsection:
 - "(2) [No] A person shall <u>not</u> employ any other person as an instructor, or make use of any other person's services as instructor, unless that other person is registered <u>and graded</u> as an instructor in terms of section 28B.".

Amendment of section 28A of Act 93 of 1996, as inserted by section 17 of Act 21 of 1999

29. The following section is hereby substituted for section 28A of the principal Act:

"Application for registration as instructor

- **28A.** (1) Any person desiring to be registered as an instructor shall apply in the prescribed manner at a driving licence testing centre to the chief executive officer, in respect of one or more of the classes of motor vehicles for which a learner's licence, or driving licence can be obtained.
- (2) Upon receipt of an application for registration as contemplated in subsection (1), the driving licence testing centre shall deal with the application as prescribed.".

Amendment of section 28B of Act 93 of 1996, as inserted by section 17 of Act 21 of 30 1999

- **30.** Section 28B of the principal Act is hereby amended—
 - (a) by the deletion in subsection (1) of the word "and" at the end of paragraph (b);
 - (b) by the substitution in subsection (1) for the fullstop at the end of paragraph (c) of the expression "; and";
 - (c) by the addition in subsection (1) of the following paragraph:
 - "(d) is employed by a registered and graded driving school;";
 - (d) by the insertion after subsection (1) of the following subsection:
 - "(1A) A person shall not be registered to act as an instructor if he or she— 40
 - (a) has been convicted of an offence listed in Schedule 1 or 2 to the Criminal Procedure Act, 1977 (Act No. 51 of 1977); or
 - (b) has been convicted of or has paid an admission of guilt fine for driving a motor vehicle while under the influence of intoxicating liquor or a drug having a narcotic effect.";
 - (e) by the substitution for subsection (2) of the following subsection:
 - "(2) A person referred to in [subsection] subsections (1) and (1A) shall only be registered as instructor in respect of a class of motor vehicle which he or she is licensed to drive."; and

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geldig is nie, en vanaf die datum waarop daardie persoon aldus verwittig word, hou die geldigheid van die lisensie binne die Republiek op <u>en die</u> hoof- uitvoerende beampte behou sodanige lisensie soos voorgeskryf.".

Wysiging van artikel 27 van Wet 93 van 1996, soos gewysig deur artikel 16 van Wet 21 van 1999 en artikel 11 van Wet 64 van 2008

27. Artikel 27 van die Hoofwet word hierby gewysig deur in subartikel (1) paragraaf (b) deur die volgende paragraaf te vervang:

"(b) waarop 'n endossement ingevolge artikel $18(4)(\underline{b})$ of 'n soortgelyke endossement deur 'n bevoegde hof of gesag in 'n voorgeskrewe gebied aangebring is,".

Wysiging van artikel 28 van Wet 93 van 1996, soos gewysig deur artikel 17 van Wet 21 van 1999

28. Artikel 28 van die Hoofwet word hierby gewysig—

(a) deur die opskrif deur die volgende opskrif te vervang:

"Instrukteur moet geregistreer en gegradeer wees"; en

(b) deur subartikel (2) deur die volgende subartikel te vervang:

"(2) [Niemand] Iemand mag nie 'n ander persoon as 'n instrukteur in diens neem of van 'n ander persoon se dienste as instrukteur gebruik maak nie, tensy daardie persoon ingevolge artikel 28B as instrukteur geregistreer en gegradeer is nie.".

Wysiging van artikel 28A van Wet 93 van 1996, soos ingevoeg deur artikel 17 van Wet 21 van 1999

29. Artikel 28A van die Hoofwet word hierby deur die volgende artikel vervang:

"Aansoek om registrasie as instrukteur

28A. (1) Enige persoon wat as 'n instrukteur geregistreer wil word, moet op die voorgeskrewe wyse by 'n bestuurslisensie-toetssentrum aansoek doen by die hoof- uitvoerende beampte, ten opsigte van een of meer van die klasse van motorvoertuie waarvoor 'n leerlinglisensie of bestuurslisensie verkry kan word.

(2) By ontvangs van 'n aansoek om registrasie soos in subartikel (1) beoog, moet die bestuurslisensietoetssentrum die aansoek soos voorgeskryf hanteer.".

Wysiging van artikel 28B van Wet 93 van 1996, soos ingevoeg deur artikel 17 van Wet 21 van 1999

30. Artikel 28B van die Hoofwet word hierby gewysig—
(a) deur in subartikel (1) die woord "en" aan die einde van paragraaf (b) te skrap;

(b) deur in subartikel (1) die punt aan die einde van paragraaf (c) deur die uitdrukking "; en" te vervang;

(c) deur in subartikel (1) die volgende paragraaf by te voeg:

"(d) in diens van 'n geregistreerde en gegradeerde bestuurskool is;"; 40

(d) deur die volgende subartikel na subartikel (1) in te voeg:

"(1A) 'n Persoon word nie as 'n instrukteur geregistreer nie indien hy of sy—

(a) aan 'n misdryf vermeld in Bylae 1 of 2 tot die Strafproseswet, 1977 (Wet No. 51 van 1977), skuldig bevind is; of

(b) skuldig bevind is of 'n skulderkenningsboete betaal het vir die bestuur van 'n motorvoertuig terwyl hy of sy onder die invloed van bedwelmende drank of 'n verdowingsmiddel was.";

(e) deur subartikel (2) deur die volgende subartikel te vervang:

"(2) 'n Persoon bedoel in [subartikel] subartikels (1) en (1A) mag 50 slegs as instrukteur geregistreer word ten opsigte van 'n klas motorvoertuig wat hy of sy gelisensieer is om te bestuur."; en

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(f) by the substitution for subsection (3) of the following subsection:
"(3) The chief executive officer shall, if satisfied that an applicant referred to in section 28A complies with subsections (1), (1A) and (2), register and grade such applicant in the prescribed manner.".

Insertion of sections 28D, 28E, 28F, 28G and 28H in Act 93 of 1996

31. The following sections are hereby inserted in the principal Act after section 28C:

"Driving school to be registered

28D. A person shall not operate a driving school unless such driving school is registered and graded.

Application for registration of driving school

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28E. Any person or organisation desiring to operate a driving school shall, in the prescribed manner, apply to the MEC in whose province such driving school will be operated, for the registration and grading of such driving school.

Registration and grading of driving school

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28F. On receipt of the application referred to in section 28E and on the recommendation of the inspectorate of driving schools, the MEC shall, if satisfied that the driving school concerned has met the prescribed requirements for registration, register and grade such driving school in the prescribed manner, and give notice of such registration and grading in the provincial *Gazette*.

Suspension or cancellation of registration of driving school

28G. The MEC may, in the event that a registered and graded driving school no longer complies with the requirements and conditions for registration, after due process, suspend or cancel the registration of such driving school or regrade the driving school in the prescribed manner.

Appointment of inspectorate of driving schools

- **28H.** (1) The Minister shall appoint a person, an authority or an organisation as an inspectorate of driving schools.
- (2) The powers and duties of the inspectorate of driving schools, in relation to the inspection and control of standards, grading and operation of driving schools shall be as prescribed.
- (3) The Minister may, in order to defray expenditure incurred by, or on behalf of, that inspectorate for the purposes of performance of its functions, prescribe the fees to be paid in respect of inspections carried out in terms of this Act.".

Substitution of section 29 of Act 93 of 1996, as substituted by section 18 of Act 21 of 1999

32. The following section is hereby substituted for section 29 of the principal Act:

"Voidness of licences issued contrary to this Chapter

29. (1) A learner's licence or driving licence or any document purporting to be a learner's licence or driving licence that is issued contrary to this Chapter, shall after an investigation has been conducted and upon recommendation of the inspectorate of driving licence testing centres or the provincial inspectorate, as prescribed, be declared void by the MEC concerned.

(f) deur subartikel (3) deur die volgende subartikel te vervang:

"(3) Indien die hoof- uitvoerende beampte oortuig is dat 'n aansoeker
bedoel in artikel 28A voldoen aan subartikels (1), (1A) en (2), registreer
en gradeer hy of sy die aansoeker op die voorgeskrewe wyse.".

Invoeging van artikels 28D, 28E, 28F, 28G en 28H in Wet 93 van 1996

31. Die volgende artikels word hierby na artikel 28C in die Hoofwet ingevoeg:

"Bestuurskool moet geregistreer word

28D. Niemand mag 'n bestuurskool bedryf tensy sodanige bestuurskool geregistreer en gegradeer is nie.

Aansoek om registrasie van bestuurskool

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28E. Enige persoon of organisasie wat 'n bestuurskool wil bedryf moet, op die voorgeskrewe wyse, by die LUR in wie se provinsie sodanige bestuurskool bedryf gaan word, aansoek doen om die registrasie en gradering van sodanige bestuurskool.

Registrasie en gradering van bestuurskool

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28F. By ontvangs van die aansoek in artikel 28E bedoel en by aanbeveling deur die bestuurskoolinspektoraat, moet die LUR, indien oortuig dat die betrokke bestuurskool aan die voorgeskrewe vereistes vir registrasie voldoen het, sodanige bestuurskool registreer en gradeer op die voorgeskrewe wyse, en in die provinsiale *Staatskoerant* kennis gee van sodanige registrasie en gradering.

Opskorting of intrekking van registrasie van bestuurskool

28G. Die LUR kan, indien 'n geregistreerde en gegradeerde bestuurskool nie meer voldoen aan die vereistes en voorwaardes vir registrasie nie, na behoorlike prosedure, die registrasie van daardie bestuurskool opskort of intrek of die bestuurskool op die voorgeskrewe wyse hergradeer.

Aanstelling van inspektoraat van bestuurskole

- **28H.** (1) Die Minister moet 'n persoon, 'n owerheid of 'n organisasie as die inspektoraat van bestuurskole aanstel.
- (2) Die bevoegdhede en pligte van die inspektoraat van bestuurskole, in verband met die inspeksie en beheer van standaarde, gradering en bedryf van bestuurskole, moet soos voorgeskryf wees.
- (3) Die Minister kan, ten einde onkoste te dek wat deur, of namens, daardie inspektoraat aangegaan is, met die doel om hul werksaamhede te verrig, die gelde voorskryf wat betaal moet word vir inspeksies wat ingevolge hierdie Wet gedoen word.".

Vervanging van artikel 29 van Wet 93 van 1996, soos vervang deur artikel 18 van Wet 21 van 1999

32. Artikel 29 van die Hoofwet word hierby deur die volgende artikel vervang: 40

"Nietigheid van lisensies in stryd met Hoofstuk uitgereik

29. (1) 'n Leerling- of bestuurslisensie of enige dokument wat voorgee om 'n leerling- of bestuurslisensie te wees wat in stryd met hierdie Hoofstuk uitgereik word, moet nadat 'n ondersoek gedoen is en by aanbeveling van die inspektoraat van bestuurslisensie-toetssentrums of die provinsiale inspektoraat, soos voorgeskryf, deur die betrokke LUR nietig verklaar word.

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- (2) The MEC concerned may, after such learner's licence or driving licence has been declared void, request the holder of such learner's licence or driving licence to forthwith submit such document to the provincial inspectorate or inspectorate of driving licence testing centres who shall destroy the document.
- (3) The MEC concerned may, subject to prescribed conditions, declare such learner's licence or driving licence to be a valid licence from the date of issue of such document.".

Substitution of section 30 of Act 93 of 1996

33. The following section is hereby substituted for section 30 of the principal Act:

"Use of somebody's learner's licence, or driving licence by another person prohibited

30. No person shall use any other person's learner's licence or driving licence and present such licence as his or her own.".

Substitution of section 31 of Act 93 of 1996

34. The following section is hereby substituted for section 31 of the principal Act:

"Unlicensed driver not to be employed or permitted to drive motor vehicle

- **31.** (1) A person who is the owner or operator, or is in charge, or control, of a motor vehicle shall not employ or permit any other person to drive that vehicle on a public road unless that other person is licensed and permitted in accordance with this Chapter to drive the vehicle.
- (2) The owner or operator shall, before the person referred to in subsection (1) drives a vehicle as contemplated in subsection (1), verify that such person is licenced and permitted to drive accordingly.". 25

Amendment of section 32 of Act 93 of 1996, as amended by section 5 of Act 8 of 1998

- **35.** Section 32 of the principal Act is hereby amended—
 - (a) by the substitution for subsection (1) of the following subsection:
 - "(1) [No] A person shall not drive a motor vehicle of a prescribed class on a public road except in accordance with the conditions of a 30 professional driving permit issued to him or her in accordance with this Chapter and unless he or she keeps such permit with him or her in the vehicle: Provided that this subsection shall not apply to the holder of a learner's licence who drives such vehicle while he or she is accompanied by a person [registered as a professional driver in respect of that class 35 of vehicle] who is the holder of a professional driving permit in respect of that class of vehicle and who is in possession of such permit: Provided further that if the person accompanying such person is an examiner for driving licences, such examiner does not have to be the holder of a professional driving permit; and
 - (b) by the substitution in subsection (3) for paragraph (a) of the following paragraph:
 - "(3) (a) Any document issued by a competent authority in any prescribed territory or other foreign international territory and serving in that territory a purpose similar to that of a professional driving permit or an international driving permit, is deemed to be a professional driving permit for purposes of subsection (1), once all the necessary conditions and steps prescribed have been taken to ensure its validity as

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- (2) Die betrokke LUR kan, nadat sodanige leerlinglisensie of bestuurslisensie nietig verklaar is, versoek dat die houer van sodanige leerlinglisensie of bestuurslisensie onverwyld sodanige dokument by die provinsiale inspektoraat of inspektoraat van bestuurslisensietoetssentrums indien, wat die dokument sal vernietig.
- (3) Die betrokke LUR kan, behoudens die voorgeskrewe voorwaardes, sodanige leerlinglisensie of bestuurslisensie geldig verklaar met ingang van die datum van uitreiking van sodanige dokument.".

Vervanging van artikel 30 van Wet 93 van 1996

33. Artikel 30 van die Hoofwet word hierby deur die volgende subartikel vervang:

"Gebruik van iemand se leerling- of bestuurslisensie deur ander persoon verbode

30. Niemand mag enige ander persoon se leerling- of bestuurslisensie gebruik en sodanige lisensie as sy of haar eie aanbied nie.".

Vervanging van artikel 31 van Wet 93 van 1996

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34. Artikel 31 van die Hoofwet word hierby deur die volgende artikel vervang:

"Ongelisensieerde bestuurder mag nie in diens geneem of toegelaat word om motorvoertuig te bestuur nie

- **31.** (1) Iemand wat die eienaar of operateur is, of seggenskap het oor, of in beheer is van 'n motorvoertuig mag nie enige ander persoon in diens neem of toelaat om daardie voertuig op 'n openbare pad te bestuur nie, tensy daardie ander persoon ooreenkomstig hierdie Hoofstuk gelisensieer en toegelaat is om die voertuig te bestuur.
- (2) Die eienaar of operateur moet, voordat die persoon bedoel in subartikel (1) 'n voertuig beoog in subartikel (1) bestuur, verifieer dat 25 sodanige persoon gelisensieer en toegelaat is om dienooreenkomstig te

Wysiging van artikel 32 van Wet 93 van 1996, soos gewysig deur artikel 5 van Wet 8 van 1998

- 35. Artikel 32 van die Hoofwet word hierby gewysig—
 - (a) deur subartikel (1) deur die volgende subartikel te vervang:
 - "(1) [Niemand] <u>Iemand</u> mag <u>nie</u> 'n motorvoertuig van 'n voorgeskrewe klas op 'n openbare pad bestuur nie behalwe ooreenkomstig die voorwaardes van 'n professionele bestuurspermit wat ooreenkomstig hierdie Hoofstuk aan hom of haar uitgereik is en tensy hy of sy sodanige permit by hom of haar in die voertuig hou: Met dien verstande dat hierdie subartikel nie van toepassing is nie op die houer van 'n leerlinglisensie wat sodanige voertuig bestuur terwyl hy of sy vergesel word van iemand wat [as 'n professionele bestuurder ten opsigte van daardie klas voertuig geregistreer is] die houer is van 'n professionele 40 bestuurspermit ten opsigte van daardie klas voertuig en wat in besit van sodanige permit is: Met dien verstande dat as die persoon wat sodanige persoon vergesel 'n bestuurslisensietoetsbeampte is, sodanige toetsbeampte nie die houer van 'n professionele bestuurspermit hoef te wees nie;" en
 - (b) deur in subartikel (3) paragraaf (a) deur die volgende paragraaf te vervang:
 - "(3) (a) Enige dokument deur 'n bevoegde owerheid uitgereik in enige voorgeskrewe grondgebied of ander buitelandse internasionale grondgebied en wat in daardie grondgebied 'n soortgelyke doel dien as die van 'n professionele bestuurspermit of 'n internasionale bestuurspermit, word geag 'n professionele bestuurspermit te wees vir die doeleindes van subartikel (1), sodra al die nodige voorgeskrewe

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contemplated in accordance with this Chapter to possess such a document.".

Amendment of section 33 of Act 93 of 1996

- 36. Section 33 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
 - "(1) If any person is charged with any offence in terms of this Act relating to the driving of a motor vehicle or a failure to stop after or report an accident, he or she shall produce every licence and permit of which he or she is the holder, or a duplicate thereof issued in terms of this Act [if he or she is not in possession of the original,] to the court at the time of the hearing of the charge.".

Amendment of section 34 of Act 93 of 1996

- **37.** Section 34 of the principal Act is hereby amended by the addition of the following subsection:
 - "(4) Where a court has issued an order in terms of subsection (1)(c) the registrar or the clerk of the court shall notify the MEC in the prescribed manner of such order 15 and the MEC shall record such order in the register for driving licences.".

Insertion of section 53A in Act 93 of 1996

38. The following section is hereby inserted in the principal Act after section 53:

"Delegation by MEC

- **53A.** (1) The MEC of the province concerned may, subject to such conditions as he or she may deem necessary, delegate power conferred upon him or her in terms of this Act, except the powers in section 75.
- (2) Any delegation or authorisation under subsection (1) shall not prevent the MEC from exercising that power or carrying out that duty 25 himself or herself.".

Amendment of section 57 of Act 93 of 1996, as amended by section 29 of Act 21 of 1999

- **39.** Section 57 of the principal Act is hereby amended by the substitution for subsections (7) and (8) of the following subsections, respectively:
 - "(7) The Passenger Rail Agency of South Africa, Transnet Limited, or a person 30 in [its] their employment, who has either generally or specifically been authorised thereto, may in respect of any railway level crossing on any public road for which the Passenger Rail Agency of South Africa or Transnet Limited is responsible, cause or permit to be displayed, in the prescribed manner, any such road traffic signs as the Passenger Rail Agency of South Africa or Transnet Limited or such 35 person may deem expedient.
 - (8) Notwithstanding the provisions of subsections (3) and (7), the MEC concerned may direct that any road traffic sign be displayed or removed by a local authority on or along any public road in the area of jurisdiction of such local authority, or by Transnet Limited or the Passenger Rail Agency of South Africa on 40 or along any railway level crossing over a public road for which Transnet Limited or the Passenger Rail Agency of South Africa is responsible, and if the local authority concerned [or], Transnet Limited or the Passenger Rail Agency of South Africa fails to comply with the direction, that MEC or any person authorised thereto by him or her may cause such sign to be displayed or removed, as the case 45

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voorwaardes en stappe gedoen is om die geldigheid daarvan te verseker soos beoog ingevolge hierdie Hoofstuk om so 'n dokument te besit.".

Wysiging van artikel 33 van Wet 93 van 1996

- **36.** Artikel 33 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:
 - "(1) Indien iemand aangekla word van 'n misdryf ingevolge hierdie Wet wat betrekking het op die bestuur van 'n motorvoertuig, of versuim om stil te hou na 'n ongeluk of om 'n ongeluk te rapporteer, moet hy of sy elke lisensie en permit waarvan hy of sy die houer is, of 'n duplikaat daarvan uitgereik ingevolge hierdie Wet [indien hy of sy nie in besit van die oorspronklike is nie,] aan die hof voorlê 10 wanneer die aanklag verhoor word."

Wysiging van artikel 34 van Wet 93 van 1996

- **37.** Artikel 34 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg:
 - "(4) Waar 'n hof 'n bevel ingevolge subartikel (1)(c) uitgereik het, moet die griffier of die klerk van die hof die LUR op die voorgeskrewe wyse verwittig van sodanige bevel en die LUR moet sodanige bevel in die register vir bestuurslisensies opneem."

Invoeging van artikel 53A in Wet 93 van 1996

38. Die volgende artikel word hierby na artikel 53 in die Hoofwet ingevoeg:

"Delegering deur LUR

- **53A.** (1) Die LUR van die betrokke provinsie kan, behoudens die voorwaardes wat hy of sy nodig ag, bevoegdheid wat ingevolge hierdie Wet aan hom of haar verleen is, delegeer, behalwe die bevoegdhede in artikel 75.
- (2) Enige delegering of magtiging kragtens subartikel (1) belet die LUR nie daarvan om daardie bevoegdheid self uit te oefen of daardie plig self te verrig nie.".

Wysiging van artikel 57 van Wet 93 van 1996, soos gewysig deur artikel 29 van Wet 21 van 1999

- **39.** Artikel 57 van die Hoofwet word hierby gewysig deur subartikels (7) en (8) onderskeidelik deur die volgende subartikels te vervang:
 - "(7) <u>Die Passasierspooragentskap van Suid-Afrika</u>, Transnet Beperk, of 'n persoon in [sy] <u>hul</u> diens wat, óf in die algemeen óf in die besonder, daartoe gemagtig is, kan ten opsigte van enige spooroorweg op 'n openbare pad waarvoor 35 die Passasierspooragentskap van Suid-Afrika of Transnet Beperk verantwoordelik is, die padverkeerstekens wat <u>die Passasierspooragentskap van Suid-Afrika of</u> Transnet Beperk of daardie persoon dienstig ag, op die voorgeskrewe wyse laat vertoon of toelaat dat dit aldus vertoon word.
 - (8) Ondanks die bepalings van subartikels (3) en (7) kan die betrokke LUR gelas dat enige padverkeersteken vertoon of verwyder word deur 'n plaaslike owerheid op of langs enige openbare pad in die regsgebied van sodanige plaaslike owerheid, of deur Transnet Beperk of die Passasierspooragentskap van Suid-Afrika op of langs enige spooroorweg oor 'n openbare pad waarvoor Transnet Beperk of die Passasierspooragentskap van Suid-Afrika verantwoordelik is, en indien die betrokke plaaslike owerheid [of], Transnet Beperk of die Passasierspooragentskap van Suid-Afrika in gebreke bly om aan die lasgewing te voldoen, kan daardie LUR of iemand deur hom of haar daartoe gemagtig sodanige teken laat vertoon of laat verwyder, na gelang van die geval, en die LUR verhaal die koste van sodanige

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may be, and the MEC shall recover the cost of such display or removal from the local authority concerned or from Transnet Limited <u>or the Passenger Rail Agency of South Africa</u>, as the case may be.".

Amendment of section 58 of Act 93 of 1996, as amended by section 15 of Act 64 of 2008

- **40.** Section 58 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:
 - "(3) The driver of [a fire-fighting vehicle, a fire-fighting response vehicle, a rescue vehicle, an emergency medical response vehicle or an ambulance] an emergency vehicle 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 No. 68 of 1995), who drives a vehicle in the carrying out of his or her duties or any person [issued with the necessary authorisation and] driving a vehicle while responding to a disaster as contemplated in the Disaster Management Act, 2002 (Act No. 57 of 2002), may disregard the directions of a road traffic sign 15 which is displayed in the prescribed manner: 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 vehicle, fire-fighting response vehicle, rescue vehicle, an emergency medical response vehicle, ambulance] 20 emergency vehicle or any vehicle driven by a person [issued with the necessary authorisation] while such person is responding to a disaster as contemplated in the Disaster Management Act, 2002 (Act No. 57 of 2002), 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 25 so sounded and such lamp shall be in operation while the vehicle is driven in disregard of the road traffic sign[.]; and
 - (c) in a case where such vehicle is approaching an intersection, the driver of such vehicle shall stop at the intersection and proceed only when it is safe to do so whilst a traffic signal is displaying a steady or flashing red light or is a stop sign.".

Substitution of section 60 of Act 93 of 1996, as amended by section 16 of Act 64 of 2008

41. The following section is hereby substituted for section 60 of the principal Act:

"Certain drivers may exceed general speed limit

- 60. Notwithstanding the provisions of section 59, the driver of [fire-fighting vehicle, a fire-fighting response vehicle, a rescue vehicle, an emergency medical response vehicle or an ambulance] an emergency vehicle 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 No. 68 of 1995), who drives a vehicle in the carrying out of his or her duties or any person [issued with the necessary authorisation and] driving a vehicle while responding to a disaster as contemplated in the Disaster Management Act, 2002 (Act No. 57 of 2002), may exceed the applicable general speed limit: Provided 45 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 vehicle, fire-fighting response vehicle, rescue vehicle, emergency medical response vehicle, ambulance] an emergency vehicle or any vehicle driven by a person [issued with the necessary authorisation] while such person is responding to a disaster as contemplated in the Disaster

vertoning of verwydering op die betrokke plaaslike owerheid of op Transnet Beperk of die Passasierspooragentskap van Suid-Afrika, na gelang van die geval.".

Wysiging van artikel 58 van Wet 93 van 1996, soos gewysig deur artikel 15 van Wet 64 van 2008

- **40.** Artikel 58 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:
 - "(3) Die bestuurder van 'n [brandbestrydingsvoertuig, 'n brandbestrydingsreaksievoertuig, 'n reddingsvoertuig, 'n nood mediese reaksievoertuig of 'n ambulans] noodvoertuig wat so 'n voertuig in die uitvoering van sy of haar pligte bestuur, 'n verkeersbeampte of 'n persoon aangestel ingevolge die Wet op die 10 Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995), wat 'n voertuig in die uitvoering van sy of haar pligte bestuur, of iemand [aan wie die nodige magtiging verleen is en] wat 'n voertuig bestuur terwyl hulle op 'n ramp reageer soos beoog in die Wet op Rampbestuur, 2002 (Wet No. 57 van 2002), kan die voorskrifte van 'n padverkeersteken wat op die voorgeskrewe wyse vertoon word, verontagsaam: 15 Met dien verstande dat—
 - (a) hy of sy die betrokke voertuig met behoorlike inagneming van die veiligheid van ander verkeer moet bestuur; [en]
 - (b) in die geval van so 'n [brandbestrydingsvoertuig, brandbestrydingsreaksievoertuig, reddingsvoertuig, nood mediese reaksievoertuig, ambulans,] 20 noodvoertuig of 'n voertuig wat deur iemand bestuur word [aan wie die nodige magtiging verleen is,] terwyl sodanige persoon op 'n ramp reageer soos beoog in die Wet op Rampbestuur, 2002 (Wet No. 57 van 2002), sodanige voertuig toegerus is met 'n toestel wat 'n voorgeskrewe klank kan gee en met 'n kenlamp, soos voorgeskryf, en sodanige toestel aldus laat klink word en 25 sodanige kenlamp in werking is terwyl die voertuig in veronagsaming van die padverkeersteken bestuur word[.]; en
 - (c) in 'n geval waar sodanige voertuig 'n kruising nader, moet die bestuurder van sodanige voertuig by die kruising stop en slegs voortgaan wanneer dit veilig is om dit te doen terwyl 'n padteken 'n aanhoudende of flitsende rooi lig 30 vertoon of 'n stopteken is.''.

Vervanging van artikel 60 van Wet 93 van 1996, soos gewysig deur artikel 16 van Wet 64 van Wet 2008

41. Artikel 60 van die Hoofwet word hierby deur die volgende artikel vervang:

"Sekere bestuurders kan algemene snelheidsgrens oorskry

- 60. Ondanks die bepalings van artikel 59 kan die bestuurder van 'n [brandbestrydingsvoertuig, 'n brandbestrydingsreaksievoertuig, 'n reddingsvoertuig, 'n nood mediese reaksievoertuig of 'n ambulans] noodvoertuig wat so 'n voertuig in die uitvoering van sy of haar pligte bestuur, 'n verkeersbeampte of 'n persoon aangestel ingevolge die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995), wat 'n voertuig in die uitvoering van sy of haar pligte bestuur, of iemand [aan wie die nodige magtiging verleen is en] wat 'n voertuig bestuur terwyl reageer word op 'n ramp soos beoog in die Wet op Rampbestuur, 2002 (Wet No. 57 van 2002), die toepaslike algemene snelheidsgrens oorskry: 45 Met dien verstande dat—
- (a) hy of sy die betrokke voertuig met behoorlike inagneming van die veiligheid van ander verkeer moet bestuur; en
- (b) in die geval van so 'n [brandbestrydingsvoertuig, brandbestrydingsreaksievoertuig, reddingsvoertuig, nood mediese 50 reaksievoertuig, ambulans] noodvoertuig of 'n voertuig wat deur iemand bestuur word [aan wie die nodige magtiging verleen is,] terwyl daardie persoon reageer op 'n ramp soos beoog in die Wet op

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Management Act, 2002 (Act No. 57 of 2002), such vehicle shall be fitted with a device capable of emitting a prescribed sound and with [an] a prescribed identification lamp[, as prescribed], and such device shall be so sounded and such lamp shall be in operation while the vehicle is driven in excess of the applicable general speed limit."

Insertion of section 62A in Act 93 of 1996

42. The following section is hereby inserted in the principal Act after section 62:

"Response to road incident

<u>62A.</u> In the event of a road incident, the emergency services shall immediately respond to the incident and render all the necessary services as prescribed.".

Amendment of section 76 of Act 93 of 1996, as amended by section 21 of Act 64 of 2008

43. Section 76 of the principal Act is hereby amended—

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- (a) by the substitution for the heading of the following heading:
 - "Incorporation of standards, <u>ECE regulations or model regulations</u> by reference";
- (b) by the substitution for subsections (1) and (2) of the following subsections, respectively:

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- "(1) The Minister may by notice in the *Gazette* incorporate in the regulations any standard, ECE regulations or model regulations without stating the text thereof, by mere reference to the number, title and year of issue of that standard, ECE regulations or model regulations or to any particulars by which that standard, ECE regulations or model regulations 25 is sufficiently identified.
- (2) Any standard, ECE regulations or model regulations 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.";

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- (c) by the substitution for subsection (4) of the following subsection:
 - "(4) If any standard, ECE regulations or model regulations is at any time after the incorporation thereof in the regulations amended or replaced, such standard, ECE regulations or model regulations shall remain in force until such time that the Minister, by notice in the *Gazette*, re-incorporate the amended or replaced standard, ECE regulations or model regulations.".

Substitution of section 80 of Act 93 of 1996

44. The following section is hereby substituted for section 80 of the principal Act:

"Parking for [disabled] persons with disabilities

80. Any [disabled] person with a disability who has been exempted from the laws relating to parking in accordance with the [laws of any province] prescribed requirements, and to whom proof of such exemption has been issued, shall be deemed to be so exempted from the laws applicable in the areas of jurisdiction of all local authorities in the 45 Republic [, but only to the extent to which that disabled person is exempted from the laws applicable in the area of jurisdiction of the local authority concerned].".

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Rampbestuur, 2002 (Wet No. 57 van 2002), sodanige voertuig toegerus is met 'n toestel wat 'n voorgeskrewe klank kan gee en met 'n voorgeskrewe kenlamp[, soos voorgeskryf], en sodanige toestel aldus laat klink word en sodanige kenlamp in werking is t terwyl die voertuig in oorskryding van die toepaslike algemene snelheidsgrens bestuur word.".

Invoeging van artikel 62A in Wet 93 van 1996

42. Die volgende artikel word hierby na artikel 62 in die Hoofwet ingevoeg:

"Reaksie op pad insident

62A. In die geval van 'n pad insident, moet die nooddienste 10 onmiddellik op die insident reageer en al die nodige dienste lewer soos voorgeskryf.".

Wysiging van artikel 76 van Wet 93 van 1996, soos Wet gewysig deur artikel 21 van Wet 64 van 2008

- **43.** Artikel 76 van die Hoofwet word hierby gewysig—
 - (a) deur die opskrif deur die volgende opskrif te vervang:

"Inlywing van standaarde, EKE-regulasies of modelregulasies deur verwysing";

- (b) deur subartikels (1) en (2) onderskeidelik deur die volgende subartikels te vervang:
 - "(1) Die Minister kan by kennisgewing in die *Staatskoerant* enige standaard, <u>EKE-regulasies of modelregulasies</u> sonder om die teks daarvan te vermeld, by die regulasies inlyf by wyse van 'n blote verwysing na die nommer, titel en jaar van uitreiking van daardie standaard, <u>EKE-regulasies of modelregulasies</u> of na die ander 25 besonderhede waardeur daardie standaard, <u>EKE-regulasies of modelregulasies of modelregulasies of modelregulasies voldoende geïdentifiseer word.</u>
 - (2) 'n Standaard, EKE-regulasies of modelregulasies kragtens subartikel (1) by die regulasies ingelyf, word by die toepassing van hierdie Wet, vir sover dit nie daarmee strydig is nie, geag 'n regulasie te 30 wees."; en
- (c) deur subartikel (4) deur die volgende subartikel te vervang:
 - "(4) Indien 'n standaard, EKE-regulasies of modelregulasies wat in die regulasies ingesluit is, te eniger tyd na die insluiting daarvan gewysig of vervang word, bly sodanige standaard, EKE-regulasies of modelregulasies van krag tot tyd en wyl die Minister die gewysigde of vervangde standaard, EKE-regulasies of modelregulasies by kennisgewing in die *Staatskoerant* herinsluit."

Vervanging van artikel 80 van Wet 93 van 1996

44. Artikel 80 van die Hoofwet word hierby deur die volgende artikel vervang:

"Parkering vir [gestremde] persone met gestremdhede

80. Enige [gestremde] persoon met 'n gestremdheid wat vrygestel is van die wette wat betrekking het op parkering, ooreenkomstig die [wette van enige provinsie] voorgeskrewe vereistes, en aan wie bewys van sodanige vrystelling uitgereik is, word geag aldus vrygestel te wees van die wette van toepassing in die regsgebiede van alle plaaslike owerhede in die Republiek[, maar slegs in die mate waartoe daardie gestremde persoon vrygestel is van die wette van toepassing in die regsgebied van die betrokke plaaslike owerheid]."

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Substitution of section 81 of Act 93 of 1996, as substituted by section 23 of Act 64 of 2008

45. The following section is hereby substituted for section 81 of the principal Act:

"Exemption of vehicle and load from provisions of Act

81. (1) A person or organisation desiring to—		
(a) manufacture or import a vehicle which, due to such vehicle's		
original design, cannot comply with the provisions of this Act; or		
(b) operate on a public road a vehicle which, due to such vehicle's		
original design, cannot comply with the provisions of this Act,		
must apply to the Minister in the prescribed manner.	10	
(2) If the Minister is satisfied that the application is in order he or she		
may grant the exemption in the prescribed manner.		
(3) A person or organisation desiring to obtain an exemption to—		
(a) operate in a safe manner on a public road, a registered vehicle;		
(b) convey in a safe manner on a public road, passengers or any load;	15	
(c) operate on a public road a combination of motor vehicles; or		
(d) test a vehicle which is not intended for registration in the Republic		
by a manufacturer, builder and importer,		
which does not comply with the provisions of this Act, shall apply in the		
prescribed manner to the MEC of the province concerned.	20	
(4) If the MEC of the province concerned is satisfied that the application		
as contemplated in subsection (3) is in order and the applicant has paid		
the prescribed fees he or she may grant the exemption in the prescribed		

Substitution of section 85 of Act 93 of 1996

manner.".

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46. The following section is hereby substituted for section 85 of the principal Act:

"Issue of document as proof of driving licence in special circumstances

85. (1) An application for the issue of a document as proof of a driving licence shall be made to the Minister or the MEC and such application shall be accompanied by the full names and identity number of the applicant and the appropriate fees, if any.

(2) If the Minister or the MEC is satisfied that the application in terms

(2) If the Minister or the MEC is satisfied that the application in terms of subsection (1) is in order, the Minister or the MEC, as the case may be, shall issue such document as prescribed.".

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Amendment of section 93A of Act 93 of 1996, as inserted by section 27 of Act 64 of 2008

- **47.** Section 93A of the principal Act is hereby amended by the substitution for paragraphs (a) and (b) of the following paragraphs, respectively:
 - "(a) sections 3A to 3E, 5, 6, 8A, 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 testing stations' 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, be regarded to be a reference to the 'MEC concerned' and any reference to the 'Shareholders Committee' or the 'chief executive officer' shall be regarded to be a reference to the 'MEC concerned';".

Vervanging van artikel 81 van Wet 93 van 1996, soos vervang deur artikel 23 van Wet 64 van 2008

45. Artikel 81 van die Hoofwet word hierby deur die volgende artikel vervang:

"Vrystelling van voertuig en vrag van bepalings van Wet

ð	81. (1) Enige persoon of organisasie wat—		
$(a)^{-}$	'n voertuig wil vervaardig of invoer wat, weens die oorspronklike		
	ontwerp van daardie voertuig, nie aan die bepalings van hierdie Wet		
	kan voldoen nie; of		

- (b) op 'n openbare pad 'n voertuig wil bedryf wat, weens daardie voertuig se oorspronklike ontwerp, nie aan die bepalings van hierdie Wet kan voldoen nie,
- moet op die voorgeskrewe wyse by die Minister aansoek doen.
- (2) Indien die Minister oortuig is dat die aansoek in orde is kan hy of sy vrystelling op die voorgeskrewe wyse toestaan.
 - (3) 'n Persoon of organisasie wat 'n vrystelling wil verkry om—
- (a) 'n geregistreerde voertuig op 'n veilige wyse op 'n openbare pad te bedryf;
- (b) passasiers of enige vrag op 'n veilige wyse op 'n openbare pad te vervoer.
- (c) 'n kombinasie van motorvoertuie op 'n openbare pad te bedryf; of 20
- (d) 'n voertuig te toets wat nie vir registrasie in die Republiek bestem is nie deur 'n vervaardiger, bouer en invoerder,

wat nie aan die bepalings van hierdie Wet voldoen nie, moet op die voorgeskrewe wyse by die LUR van die betrokke provinsie aansoek doen.

(4) Indien die LUR van die betrokke provinsie oortuig is dat die aansoek in subartikel (3) beoog, in orde is en die aansoeker die voorgeskrewe gelde betaal het, mag hy of sy die vrystelling op die voorgeskrewe wyse toestaan.".

Vervanging van artikel 85 van Wet 93 van 1996

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46. Artikel 85 van die Hoofwet word hierby deur die volgende artikel vervang:

"Uitreiking van dokument as bewys van bestuurslisensie in besondere omstandighede

- **85.** (1) 'n Aansoek om die uitreiking van 'n dokument as bewys van 'n bestuurslisensie word gedoen by die Minister of die LUR as en sodanige aansoek moet vergesel gaan van die volle name en identiteitsnommer van die aansoeker en die gepaste gelde, indien enige.
- (2) Indien die Minister of die LUR oortuig is dat die aansoek ingevolge subartikel (1) in orde is, moet die Minister of die LUR, na gelang van die geval, sodanige dokument uitreik soos voorgeskryf.".

Wysiging van artikel 93A van Wet 93 van 1996, soos ingevoeg deur artikel 27 van Wet 64 van 2008

- **47.** Artikel 93A van die Hoofwet word hierby gewysig deur paragrawe (a) en (b) onderskeidelik deur die volgende paragrawe te vervang:
 - "(a) artikels 3A tot 3E, 5, 6, 8A, 9, 10, 15, 16, 21, 25, 27, 28A tot 28C, 29, 38, 39, 45 40, 45, 46, 50, 51A en 51B word enige verwysing na die 'hoof- uitvoerende beampte' of die 'inspektoraat van bestuurslisensie-toetssentrums' of 'die inspektoraat van toetsstasies' beskou as verwysings na die 'betrokke LUR';
 - (b) artikel 3[(1) en (2)] word enige verwysing na die 'Aandeelhouerskomitee, in oorleg met die betrokke LUR' beskou as 'n verwysing na die 'betrokke LUR' en enige verwysing na die 'Aandeelhouerskomitee' of die 'hoof- uitvoerende beampte' as 'n verwysing na die 'betrokke LUR';".

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Amendment of arrangement of sections of Act 93 of 1996

- **48.** The arrangement of sections after the long title of the principal Act is hereby amended by—
 - (a) by the substitution for "3B. Application for registration as inspector of licences, examiner of vehicles, examiner for driving licences or traffic officer" of the following:
 - "3B. Application for registration as inspector of licences, examiner of vehicles, examiner for driving licences [or], traffic officer, reserve traffic warden, traffic warden or NaTIS officer";
 - (b) by the substitution for "3D. Minimum requirements for registration as 10 inspector of licences, examiner of vehicles, examiner for driving licences and traffic officer" of the following:
 - "3D. Minimum requirements for registration as inspector of licences, examiner of vehicles, examiner for driving licences [and], traffic officer, reserve traffic warden and traffic warden, and NaTIS officer";
 - (c) by the substitution for "3L. Approval of training centre" of the following:
 - "3L. Registration of training centre";
 - (d) by the insertion after 3L of the following:
 - "3M. Application for registration of training centre
 - **3N.** Registration and grading of training centre
 - **30.** Suspension or cancellation of registration of training centre";
 - (e) by the substitution for "5. Registration of manufacturers, builders, and manufacturers of number plates" of the following
 - "5. Registration of manufacturers, builders, body builders and importers [and manufacturers of number plates]";
 - (f) by the insertion after 5 of the following:
 - "5A. Manufacturing of blank number plates, supplying of blank number plates, manufacturing of reflective sheeting for number plates, supplying of reflective sheeting for number plates and embossing 30 of number plates
 - **5B.** Application for registration as manufacturer of blank number plates, supplier of blank number plates, manufacturer of reflective sheeting for number plates, supplier of reflective sheeting for number plates and embosser of number plates
 - Registration of manufacturer of blank number plates, supplier of blank number plates, manufacturer of reflective sheeting for number plates, supplier of reflective sheeting for number plates and embosser of number plates
 - 5D. Suspension or cancellation of registration as manufacturer of 40 blank number plates, supplier of blank number plates, manufacturer of reflective sheeting for number plates, supplier of reflective sheeting for number plates and embosser of number plates
 - **5E.** Weighbridge facility to be registered
 - **5F.** Application for registration as weighbridge facility
 - **5G.** Registration of weighbridge facility
 - **5H.** Suspension or cancellation of registration of weighbridge facility
 - **5I.** Manufacturer of microdots, supplier of microdots and microdot fitment centre
 - **5J.** Application for registration as manufacturer of microdots, supplier 50 of microdots and microdot fitment centre
 - **5K.** Registration of manufacturer of microdots, supplier of microdots and microdot fitment centre
 - **5L.** Suspension or cancellation of registration of manufacturer of micordots, supplier of microdots and microdot fitment centre";

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Wysiging van indeling van artikels van Wet 93 van 1996

- **48.** Die indeling van artikels na die lang titel van die Hoofwet word hierby gewysig—
 (a) deur "3B. Aansoek om registrasie as inspekteur van lisensies, ondersoeker
 - van voertuie, toetsbeampte vir bestuurderslisensies of verkeersbeampte" deur die volgende te vervang:
 - "3B. Aansoek om registrasie as inspekteur van lisensies, ondersoeker van voertuie, toetsbeampte vir bestuurderslisensies [of], verkeersbeampte, reserweverkeersopsigter, verkeersopsigter of NaVIS-beampte";
 - (b) deur "3D. Minimum vereistes vir registrasie as inspekteur van lisensies, 10 ondersoeker van voertuie, toetsbeampte vir bestuurderslisensies en verkeersbeampte" deur die volgende te vervang:
 - "3D. Minimum vereistes vir registrasie as inspekteur van lisensies, ondersoeker van voertuie, toetsbeampte vir bestuurderslisensies [en], verkeersbeampte, reserwe-verkeersopsigter en verkeersopsigter, 15 en NaVIS-beampte";
 - (c) deur "3L. Goedkeuring van opleidingsentrum" deur die volgende te vervang: "3L. Registrasie van opleidingsentrum";
 - (d) deur die volgende na 3L in te voeg:
 - '3M. Aansoek om registrasie van opleidingsentrum
 - 3N. Registrasie en gradering van opleidingsentrum
 - **30.** Opskorting of kansellasie van registrasie van opleidingsentrum";
 - (e) deur "5. Registrasie van vervaardiging, bouers, en vervaardigers van nommerplate" deur die volgende te vervang :
 - "5. Registrasie van vervaardigers, bouers, <u>bakwerkbouers en</u> invoerders 25 [en vervaardigers van nommerplate]";
 - (f) deur die volgende na 5 in te voeg:
 - "5A. Vervaardiging van skoon nommerplate, verskaffing van skoon nommerplate, vervaardiging van weerkaatsende beplating vir nommerplate, verskaffing van weerkaatsende beplating vir 30 nommerplate en bosselering van nommerplate
 - 5B. Aansoek om registrasie as vervaardiger van skoon nommerplate, verskaffer van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van weerkaatsende beplating vir nommerplate en bosseleerder van nommerplate
 - **5C.** Registrasie van vervaardiger van skoon nommerplate, verskaffer van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van weerkaatsende beplating vir nommerplate en bosseleerder van nommerplate
 - 5D. Opskorting of intrekking van registrasie as vervaardiger van skoon nommerplate, verskaffer van skoon nommerplate, vervaardiger van weerkaatsende beplating vir nommerplate, verskaffer van weerkaatsende beplating vir nommerplate en bosseleerder van nommerplate
 - **5E.** Weegbrugfasiliteit moet geregistreer word
 - **5F.** Aansoek om registrasie as weegbrugfasiliteit
 - **5G.** Registrasie van weegbrugfasiliteit
 - **5H.** Opskorting of intrekking van registrasie van weegbrugfasiliteit
 - **5I.** Vervaardiger van mikrostippels, verskaffer van mikrostippels en 50 mikrostippelsentrums
 - **5J.** Aansoek om registrasie as vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum
 - **5K.** Registrasie van vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum
 - **5L.** Opskorting of intrekking van registrasie van vervaardiger van mikrostippels, verskaffer van mikrostippels en mikrostippelsentrum";

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(g)	by the substitution for "7. Appointment of inspectorate of manufacturers,	
	builders and importers" of the following:	
	"7. Appointment of [inspectorate] inspectorates of manufacturers,	
	builders [and], body builders, importers, number plates, microdots	
	and weighbridge facilities";	5
(h)	by the insertion after 11 of the following:	
	"11A. Provincial inspectorates";	
<i>(i)</i>	by the substitution for "13. Licence to drive, either learner's or driving	
	licence" of the following:	
	"13. [Licence to drive, either learner's] Learner's licence, [or] and	10
	driving licence";	
<i>(j)</i>	by the substitution for "14. Prescribing, classification and extent of learner's	
	or driving licence" of the following:	
	"14. Prescribing, classification and extent of learner's licence or driving	
	licence";	15
(k)	by the substitution for "15. Disqualification from obtaining or holding	
	learner's or driving licence" of the following:	
	"15. Disqualification from obtaining or holding learner's licence, [or]	
	driving licence or driving permit";	
(l)	by the substitution for "28. Instructor to be registered" of the following:	20
	"28. Instructor to be registered and graded";	
(m)	by the insertion after 28C of the following:	
	"28D. Driving school to be registered	
	28E. Application for registration of driving school	
	28F. Registration and grading of driving school	25
	28G. Suspension or cancellation of registration of driving school	
	28H. Appointment of inspectorate of driving schools";	
(n)	by the substitution for "30. Use of somebody's learner's licence or driving	
	licence by another prohibited" of the following:	
	"30. Use of somebody's learner's licence or driving licence by another	30
	person prohibited";	
<i>(o)</i>	by the insertion after 53 of the following:	
	"53A. Delegation by MEC";	
<i>(p)</i>	by the insertion after 62 of the following:	
	"62A. Response to road incident";	35
(q)	by the substitution for "76. Incorporation of standards by reference" of	
	the following:	
	"76. Incorporation of standards, <u>ECE regulations or model regulations</u>	
	by reference";	
<i>(r)</i>	by the substitution for "80. Parking for disabled persons" of the	40
	following:	
	"80. Parking for [disabled] persons with disabilities"; and	
(s)	by the substitution for "81. Vehicle and load may be exempted from	
	provisions of Act" of the following:	
	"81. Exemption of vehicle and load from provisions of Act".	45

Short title and commencement

49. This Act is called the National Road Traffic Amendment Act, 2024, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.

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(g)	deur "7. Aanstelling van inspektoraat van vervaardigers en invoerders" te	
	vervang deur die volgende:	
	"7. Aanstelling van [inspektoraat] inspektorate van vervaardigers,	
	bouers [en], bakwerkbouers, invoerders, nommerplate, mikrostippels	_
(1)	en weegbrugfasiliteite";	5
(h)	deur die volgende na 11 in te voeg:	
· · ·	"11A. Provinsiale inspektorate";	
<i>(i)</i>	deur "13. Lisensie om te bestuur, hetsy leerling- of bestuurslisensie" deur die volgende te vervang:	
	"13. [Lisensie om te bestuur, hetsy leerling- of] Leerlinglisensie en	10
	bestuurslisensie";	10
<i>(j)</i>	deur "14. Voorskryf, indeling en omvang van leerling- of bestuurslisensie"	
(3)	deur die volgende te vervang:	
	"14. Voorskryf, indeling en omvang van [leerling-] leerlinglisensie of	
	bestuurslisensie";	15
(k)	deur "15. Onbevoegdheid om leerling-, of bestuurslisensie te verkry of te	
` ´	hou" deur die volgende te vervang:	
	"15. Onbevoegdheid om [leerling- of] leerlinglisensie, bestuurslisensie	
	of bestuurspermit te verkry of te hou";	
(l)	deur "28. Instrukteur moet geregistreer wees" deur die volgende te vervang:	20
	"28. Instrukteur moet geregistreer en gegradeer wees";	
(m)	deur die volgende na 28C in te voeg:	
	"28D. Bestuurskool moet geregistreer wees	
	28E. Aansoek om registrasie van bestuurskool	
	28F. Registrasie gradering van bestuurskool	25
	28G. Opskorting of intrekking van registrasie van bestuurskool	
	28H. Aanstelling van inspektoraat van bestuurskole";	
<i>(n)</i>	deur "30. Gebruik van iemand se leerling- of bestuurslisensie deur ander	
	verbode" deur die volgende te vervang:	
	"30. Gebruik van iemand se leerling- of bestuurslisensie deur ander	30
	persoon verbode";	
<i>(o)</i>	deur die volgende na 53 in te voeg:	
	"53A. Delegering deur LUR";	
<i>(p)</i>	deur die volgende na 62 in te voeg:	2.5
	"62A. Reaksie op pad insident";	35
(q)	deur "76. Inlywing van standaarde deur verwysing" deur die volgende te	
	vervang:	
	"76. Inlywing van standaarde, EKE-regulasies of modelregulasies deur verwysing";	
(r)	deur "80. Parkering vir gestremde persone" deur die volgende te vervang:	40
(')	"80. Parkering vir [gestremde] persone met gestremdhede"; en	.0
(s)	deur "81. Voertuig en vrag kan van bepalings van Wet vrygestel word" deur	
(~)	die volgende te vervang:	
	"81. Vrystelling van voertuig en vrag van bepalings van Wet".	

Kort titel en inwerkingtreding

49. Hierdie Wet heet die Nasionale Padverkeerswysigingswet, 2024, en tree in werking op 'n datum deur die President by Proklamasie in die *Staatskoerant* vasgestel.

National Road Traffic Amendment Act, 2024

Nasionale Padverkeerswysigingswet, 2024

No. 08 van 2024

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