

No. 871

2 September 2005

**NATIONAL ROAD TRAFFIC ACT, 1996 (ACT NO. 93 OF 1996.)****AMENDMENT OF NATIONAL ROAD TRAFFIC REGULATIONS**

I Jeffrey Thamsanqa Radebe, Minister of Transport, makes the regulations in the Schedule in terms of section 75 of the National Road Traffic Act, 1996 (Act No. 93 of 1996).



**J.T. Radebe**  
MINISTER OF TRANSPORT

**SCHEDULE****Definition**

1. In this Schedule "the Regulations" means the National Road Traffic Regulations published in Government Notice No. R. 225 of 17 March 2000, as amended by Government Notice Nos. R. 761 of 31 July 2000, R. 941 of 22 September 2000, R. 726 of 3 August 2001, R. 2116 of 5 October 2001, R. 779 of 4 June 2002, R. 1341 of 25 September 2003 and R. 881 of 23 July 2004.

**Amendment of Regulation 1 of the Regulations****2 Regulation 1 is amended –**

(a) ~~the~~ insertion after the definition of "**axle-unit**", the following definition :

"body builder" is a subcategory of builder, and 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 or minibuses complete with bodies , and is registered as an importer ;";

(b) inserting after the definition of "**emergency brake**", the following definition:



### Amendment of regulation 115 of the Regulations

4. Regulation 115 of the Regulations is amended by the substitution for paragraphs (e) of subregulation (1) of the following paragraphs:

- (e) a motor vehicle used for the conveyance of persons for reward or is operated in terms of a operating licence issued in accordance with the **NLTTA**.
- (i)

### Amendment of regulation 154 of the Regulation

5. Regulation 154 of the Regulations is amended by adding the following subregulation:

“(3) a bus or midibus, operating in terms of an operating licence issued in accordance with the **NLTTA**, and registered for the first time on or after 1 January 2006, shall comply with the requirements of the Type 11 test contemplated in **SANS 1207 or SANS 20013**.”

### Amendment of Regulation 192A of the Regulations

6. Regulation 192A of the Regulations is amended by -

- (a) by deleting the word 'and' at the end of paragraph (e) of submgulation **(2)**;
- (b) the substitution for paragraph **(9)** of subregulation **(2)** of the following paragraph

“(f) Any midibus or bus shall from 01 January 2006, be fitted with side and rear markings as contemplated in paragraph **(a)**”; and

- (c) by adding the following paragraph after paragraph **(9)** of subregulation **(2)**:

“(g) a minibus first registered from 1 January 2006, and operating in terms of an operating licence issued in accordance with the provisions of the **NLTTA**.”

### Amendment of regulation 212 of the Regulations

7. Regulation 212 of the Regulations is amended by:-

- (a) by the deletion of the word " of at the end of paragraph **(l)**;
- (b) the addition of the following after paragraphs (m):

(n) All minibuses, midibuses and buses, operating in terms of an operating licence issued in accordance with the **NLTTA** shall on or after the 1



**10.** Regulation 245A of the Regulations is amended by -

(a) the substitution for item (ii) of paragraph (b) of subregulation (1) of the following:

“(ii) which is designed or modified for the conveyance of more than 9 persons, including the driver;”;

(b) the substitution for paragraph (c) of subregulation (1) of the following paragraph:

(c) a minibus, midibus or bus operating in terms of an operating licence issued in accordance with the NLTTA, unless there is conspicuously displayed inside such vehicle in numerals of at least 75 millimetres high, a notice stating the load that may be carried on such vehicle in the terms set out in subregulation (2);

(c) the substitution for subregulation (2) of the following subregulation:

(2) The notice must -

(a) in the case of a bus referred to in subregulation (1) that is permitted to convey persons including wheelchair users, and goods, be worded as follows ;

CERTIFIED TO CARRY .....PASSENGERS SEATED AND ...PASSENGERS STANDING .....KG GOODS AND .....WHEELCHAIR USERS. - (the latter only in vehicles with provision for wheelchairs).

(b) in the case of a minibus or midibus referred to in subregulation (1) that is operating in terms of an operating licence issued in accordance with the NLTTA and is permitted to convey persons including wheelchair users, be worded as follows :

CERTIFIED TO CARRY .....PASSENGERS SEATED AND ...0. .PASSENGERS STANDING .....KG GOODS AND ..... WHEELCHAIR USERS (the latter only in vehicles with provision for wheelchairs).

(c) Details for wheelchair requirements and anchorage shall be in terms of SANS 10370.

**Amendment of regulation 251 of the Regulations**

**11.** Regulation 251 of the Regulations is amended by -

(a) the substitution for subregulation (1) of the following subregulation;

“(1) No person shall operate on a public road a minibus, midibus or bus vehicle unless -

(a) the sides of the passenger compartment of a minibus or bus are enclosed to the height of at least 600 millimetres from the floor with material which is durable and weatherproof; and

(b) such minibus, midibus or bus is provided with a weatherproof roof.

(b) by inserting the following paragraph (c) after paragraph (b) of subregulation (2) :

(c) standing passengers are not permitted in minibuses and midibuses operating in terms of an operating licence issued in accordance with the NLTTA, and for a midibus the ceiling height must be at least 1,75 metres.

### **Amendment of regulation 252 of the regulations**

12. Regulation 252 of the Regulations is amended by-

(a) the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) A midibus operating in terms of an operating licence issued in accordance with the NLTTA, and a bus, shall be equipped with at least one passenger entrance from the left front side of such vehicle, leading to the passenger compartment past the ticket collection or swiping equipment.";

(b) the substitution for paragraph (b) of subregulation (1) of the following paragraph:

"(b) A minibus or midibus shall have at least one emergency exit for every twelve passengers, on the right or left hand side or the rear thereof: Provided that a door fitted for the use of the driver of such minibus or midibus which is accessible to passengers, may be deemed to be such emergency exit.";

(c) the substitution for paragraph (c) of subregulation (1) of the following paragraph:

"(c) A bus or lower deck of a double deck bus, shall have an emergency exit-

(i) on both sides on the floor; or

(ii) on both sides towards the front or rear:

Provided that in the case of a single deck bus emergency exits may be fitted in the roof of such bus in place of the emergency exits required on both side.";

(d) the substitution for paragraph (d) of subregulation (1) of the following paragraph:

"(d) The upper deck of a double deck bus shall have emergency exits-

(i) at the rear; or

(ii) on both side and in the roof, of such upper deck,";

(iii) the number of emergency exits shall be evenly distributed throughout the vehicle.";

(a) the sides of the passenger compartment of a minibus or bus are enclosed to the height of at least 600 millimetres from the floor with material which is durable and weatherproof; and

(b) such minibus, midibus or bus is provided with a weatherproof roof.

(b) by inserting the following paragraph (c) after paragraph (b) of subregulation (2) :

(c) standing passengers are not permitted in minibuses and midibuses operating in terms of an operating licence issued in accordance with the **NLTTA**, and for a midibus the ceiling height must be at least 1,75 metres.

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(b) the substitution for paragraph (b) of subregulation (1) of the following paragraph:

"(b) A minibus or midibus shall have at least one emergency exit for every twelve passengers, on the right or left hand side or the rear thereof: Provided that a door fitted for the use of the driver of such minibus or midibus which is accessible to passengers, may be deemed to be such emergency exit.';

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(i) on both sides on the floor; or

(ii) on both sides towards the front or rear:

Provided that in the case of a single deck bus emergency exits may be fitted in the roof of such bus in place of the emergency exits required on both side.';

(d) the substitution for paragraph (d) of subregulation (1) of the following paragraph:

'(d) The upper deck of a double deck bus shall have emergency exits-

(i) at the rear; or

(ii) on both side and in the roof, of such upper deck,';

(iii) the number of emergency exits shall be evenly distributed throughout the vehicle.';

(e) the substitution for paragraph (e) of subregulation (1) of the following paragraph:

"(e) An emergency exit shall have the dimensions of at least 800 by 400 millimetres or 700 by 500 millimetres and shall be capable of being opened from the inside and outside and shall not open inwards."

#### **Amendment of regulation 253 of the Regulations**

13. Regulation 253 of the Regulations is amended by the insertion of the following paragraph after paragraph (b) of the regulation :

(c) Doors of midibuses operating in terms of an operating licence issued in accordance with the NLTTA (Act No.22 of 2000) must be controlled from the driver's seat, and must be operated hydraulically, electrically or pneumatically.

#### **Amendment of regulation 255 of the Regulations.**

14. Regulation 255 of the Regulations is amended by the substitution for the regulation of the following regulation:

"(1) No person shall operate on a public road a midibus or bus, first registered after 1 January 2006 unless the passenger compartment of such bus has an unimpeded longitudinal passageway with a cross passageway, from each entrance of the bus to the longitudinal passageway, which passageways are at least

(a) 300 millimetres wide from floor to seat level; and

(b) 350 millimetres wide above any armrests , or at a height of at least 900 millimetres above floor level.

#### **Amendment of regulation 256 of the Regulations**

15. Regulation 256 of the Regulations is amended by-

(a) the substitution for subregulation (1) of the following subregulation:

"(1) No person shall operate on a public road a minibus, or midibus, or bus unless the driving seat of such minibus or midibus or bus is adjustable and has a partition immediately behind it and is so placed as to afford the driver ample space for controlling the minibus or bus -

(b) the substitution of subregulation (2) of the following subregulation:

(2) Subject to subregulation (3) no person shall operate on a public road a minibus first registered on or after 1 July 2006 unless a seat provided for a passenger in such minibus has -



- (a) a backrest of which the -
- (i) top shall be at least 350 millimetres from seat level;
  - (ii) bottom shall be **not** more than 200 millimetres from seat level;
  - (iii) the width, including the frame, shall be at least 340 millimetres, for every passenger for whom seating accommodation is provided on the seat;
- (b) a seat height from the floor or footrest of such seat at seat level of at least 250 millimetres, except where a seat is positioned over the wheel arch where no limit shall apply;
- (c) a seat depth from the front of the seat to the front of the backrest of at least 340 millimeters;
- (d) a seat width in accordance with regulation 233 (2);
- (e) in the case of a seat facing a partition or similar obstruction, a horizontal distance between the front of the backrest of such seat at seat level to such partition or obstruction of at least 570 millimetres;
- (9) in the case where seats face each other, a horizontal distance between the fronts of the backrests of such seats at seat level of at least 1 200 millimetres;
- (g) in the case where seats face in the same direction, a horizontal distance between the front of the backrest of any such seat, at seat level, and the back of the backrest of the seat in front of at least 570 millimeters.
- (c) the substitution for subregulation (5) of the following subregulation:
- “(5) Every seat in a minibus, midibus or bus shall be securely fixed to such minibus, midibus or bus.
- (d) by the insertion of the following subregulations after subregulation (5);
- “(6) Subject to subregulation (3) **no** person shall operate any bus, midibus, or minibus first registered **after** 01 January 2006, operating in terms of an operating licence issued in accordance with the NLTTA on a public road, unless a seat provided for a passenger in such minibus, midibus or bus has -

- (a) a backrest of which the -
- (i) top shall be at least 600 millimetres from seat level;

(ii) the width, including the frame, shall be at least 400 millimetres at seat level, and the top may be tapered to a width of more than 250 millimetres; or if the seat design incorporates an integral headrest, top may be tapered to a width of 200 millimetres, for every passenger for whom seating accommodation is provided on the seat;

(b) a seat height from the floor or footrest of such seat to seat level of at least 400 millimetres, except where a seat is positioned over a wheelarch where no such limit shall apply;

(c) a seat depth from the front of the seat to the front of the backrest of at least 400 millimetres;

(d) a seat width in accordance with regulation 233 (2);

(e) in the case where a seat faces a partition or similar obstruction a horizontal distance between the front of the backrest of such seat at seat level to such partition or obstruction of at least 600 millimetres;

(9) in the case where seats face each other, a horizontal distance between the fronts of the backrests of such seats at seat level of at least 1 300 millimetres; and

(g) in the case where seats face in the same direction, a horizontal distance between the front of the backrest of any such seat, at seat level, and the back of the seat in front, of at least 600 millimetres;

(h) seats and anchorages must meet the requirements of **SANS 1429** "Strength of seats and their anchorages" or **SANS 1564** "The strength of seats (and their anchorages) of large passenger buses."

(i) No fold-up or jockey seat, rear- or sideways-facing seat, shall be permitted in any minibus or midibus operating in terms of an operating licence issued in accordance with the provisions of the **NLTTA** after 01 January 2006;".

(j) one front seat for a passenger may be provided in a minibus and no front seat for a passenger will be provided in a midibus operating in terms of an operating licence issued in accordance with the **NLTTA**."

(7) Where in subregulation (6) a reference is made to a maximum or minimum dimension, a tolerance of 10 millimetres above any such maximum and below any such minimum shall be permissible;

#### **Amendment of regulation 262 of the Regulations.**

16. Regulation 262 of the Regulations is amended by the insertion of the following subregulations after subregulation (1):

"(1) No person shall operate midibus or single deck bus on a public road after 01 January 2006 unless such minibus, midibus or single-deck bus is capable of being tilted sideways to an angle of at least 28 degrees in either direction from the upright position without overturning.

Each seat shall be loaded with a mass of 68 kilograms for this test.

- (1) For the purposes of issuing a certification of roadworthiness in respect of a double-deck or single-deck bus, which includes a midibus, an examiner may demand the production of a manufacturer's certificate or other like certificate which certifies that such bus or minibus complies with the provisions of subregulation (1) .

#### **Amendment of regulation 263 of the Regulations**

17 Regulation 263 of the Regulations is amended by-

(a) the substitution for paragraph (c) of subregulation (1) of the following paragraph :

"(c) in any area of a bus first registered after 01 July 2005 with a ceiling height of less than one comma seven five metres except when entering or leaving such bus;

(b) the substitution for subregulation (4) of the following subregulation :

(4) No person shall on a public road operate a minibus or midibus operated in terms of an operating licence issued in accordance with the NLTTA (Act No.22 of 2000 ) in which a person is permitted to stand.

#### **Amendment of regulation 293 of the Regulations**

18. Regulation 293 of the Regulations is amended by "

(a) the substitution for paragraph (b) of subregulation (1) of the following paragraph :

"(b) 100 kilometres per hour shall, subject to the proviso to the said section, apply in respect of -

(i) a bus ; and

(ii) a minibus or a midibus operating in terms of an operating licence issued in accordance with the NLTTA ;

#### **Short title and commencement**

19. These Regulations shall be called the Eighth Amendment to the National Road Traffic Regulations, and shall come into operation upon publication in the Gazette:

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Provided that these regulations becomes effective on 1 January 2006, **and fully** enforceable on **1 July** 2006 for all new vehicles registered and operated in terms of an operating licence issued **in** accordance with the NLTTA. After **1 July** 2006 no exceptions will be permissible except by the express granting of an exemption **by** the Minister in accordance with the provisions of the National **Road** Traffic Act, 1996 (Act No **93** of 1996).

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