

900 millimetres to the rear of the axle centre of the rear wheel or more than 450 millimetres on either side of the wheels of such cycle, or more than 300 millimetres to the outside of the wheel of any side-car: Provided that the provisions of this regulation shall not apply in respect of any side mirror or crash bar.”.

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

**19.** Regulation 256 of the Regulations is amended by-

(a) the substitution for subregulation (7) of the following subregulation:

“(7) No fold-up or jockey seat, shall be permitted in any minibus or midibus first registered on or after 4 September 2006 and operating in terms of an operating licence issued in accordance with the provisions of the NLTTA.”. and

(b) the substitution for subregulation (8) of the following subregulation:

“(8) One front seat for a passenger shall be provided in a minibus or midibus first registered on or after 4 September 2006 and operating in terms of an operating licence issued in accordance with the provisions of the NLTTA.”.

#### **Amendment for regulation 273 of the Regulations**

**20.** Regulation 273 is amended by-

(a) the substitution for the definition of "**tremcard**" of the following definition:

**“Transport emergency card”** means a card can either be generated from the European Council of Chemical Manufactures’ Federation system, or in accordance with SANS 10232-4, listing the hazards and emergency information for a material being

transported for use by the driver during an incident, or by the emergency services, if required.”.

### **Amendment of regulation 290 of the Regulations**

**21.** Regulation 290 of the Regulations is amended by the substitution for the regulation of the following regulation:

#### **“Prohibition on advertising on public roads**

**“290 (1)** No person shall display or allow to be displayed any advertising material on or attached to a road traffic sign, except -

(a) that a single advertisement may be displayed on each side of a street name sign GL1 or a suburb name sign GL2 in combination with such signs;

(b) where the manufacturer of such sign displays his or her name at the back of that sign; or

(c) in the circumstances referred to in section 57(6) of the Act: Provided that it shall be displayed substantially in conformity with the Southern African Development Community Road Traffic Signs Manual.

(2) No person shall use or portray a road traffic sign in an advertisement where such advertisement is visible for a road user while travelling on a public road.

(3) No person may-

- (a) display or cause to be displayed any liquor product advertisement or any advertisement depicting a liquor product visible on a public road, or permit it to be so displayed;
  - (b) display any liquor product advertisement or any advertisement depicting a liquor product visible from a public road, on any land adjacent a public road or land separated from the public road by a street, or permit it to be so displayed.”.
- (4) No person may-
- (a) operate on a public road a motor vehicle on which it appears or is displayed any electronic or lights emitting advertisement; or
  - (b) display on a stationary motor vehicle any electronic device or lights emitting advertisement visible from a public road or land adjacent to such public road, or cause it to be so displayed:

Provided that the provision of subregulation (4) shall not apply to lamp illuminating notice, identification lamps as referred to in regulation 173 (1), (2), and 176 (1).”.

#### **Amendment of regulation 292 of the Regulations**

**22.** Regulation 292 of the Regulations is hereby amended by the insertion of the following regulations after regulation 292

#### **"Prohibition on speed detectors, jammers and similar devices**

**292A.** (1) No person may operate on a public road a motor vehicle in which is fitted or affixed to such motor vehicle any device that interferes or detect the use of a speed monitoring or measuring device;

- (2) No person may have in his possession whilst travelling in a motor vehicle a device that interferes or detect the use of a speed monitoring or measuring device.”.

### **Amendment of regulation 308 of the Regulations**

**23.** Regulation 308 of the Regulations is hereby amended by the insertion of regulation 308B after regulation 308A:

#### **“Prohibition on use of television receivers and visual display units in motor vehicles**

- “308B.** (1) No person may operate on a public road a motor vehicle that has a television receiver or visual display unit in or on the vehicle operated while the vehicle is moving, or is stationary but not parked, if any part or portion of the image on the screen:-
- (a) is visible to the driver from the normal driving position; or
  - (b) is likely to distract the driver or other road users;
- (2) The provisions of subregulation (1) do not apply to the driver if:
- (a) driving a bus and the visual display unit is, or displays, a destination sign or other bus sign; or
  - (b) the visual display unit is, or is part of, a driver’s navigational or intelligent driving aid.”.

**Amendment of regulation 309 of the Regulations**

**24.** Regulation 309 of the Regulations is amended by the substitution for regulation 309 of the following regulation:

**“Duties relating to motor cycle or motor tricycle”**

“309. (1) No person shall drive a motor cycle or motor tricycle on a public road unless his or her feet are resting on the front foot-rests suitable for the purpose and, where the design of such motor cycle or motor tricycle makes it possible to do so, he or she is seated astride on the saddle of such motor cycle or motor tricycle.”.

(2) No person shall on a public road carry a passenger on a motor cycle unless such cycle has an engine with a cylinder capacity exceeding 50 cubic centimetres and unless such passenger is seated in a side-car or astride on a pillion attached to such cycle and, in such latter event, the feet of the passenger are resting on foot-rests suitable for that purpose.

(3) Subject to the provisions of subregulation (2), not more than two persons shall ride upon a motor cycle on a public road, excluding a person riding in a side-car attached to such motor cycle.

(4) Not more than two adult persons shall be carried in a side-car attached to a motor cycle on a public road.

(5) No person or animal or object shall be carried on a motor cycle or motor tricycle on a public road in front of the driver thereof: Provided that an object of a non-bulky nature may be so carried if securely attached to the motor cycle or motor tricycle or placed in a suitable carrier fitted thereon for that purpose and carried in such a way as not to obstruct the driver's view or prevent his or her exercising complete control over such motor cycle or motor tricycle;

- (6) (a) Persons, other than traffic officers in the performance of their duties, driving motor cycles on a public road, shall drive in single file except in the course of overtaking another motor cycle, and two or more persons driving motor cycles shall not overtake another vehicle at the same time: Provided that where a public road is divided into traffic lanes, each such lane shall, for the purposes of this paragraph, be regarded as a public road.
- (b) For the purposes of paragraph (a), a motor cycle shall include a motor tricycle
- (7) No person driving a motor cycle or motor tricycle on a public road or seated on such motor cycle or motor tricycle shall take hold of any other vehicle in motion.
- (8) Any person driving a motor cycle or motor tricycle on a public road shall do so with at least one hand on the handlebars of such motor cycle or motor tricycle.
- (9) Any person driving a motor cycle or motor tricycle on a public road shall do so in such manner that all the wheels of such motor cycle or motor tricycle are in contact with the surface of the road at all times.

#### **Amendment of regulation 320 of the Regulations**

**25.** Regulation 320 of the Regulations is hereby amended by-

- (a) the addition after item (iii) of subregulation (2) (b) the following item:
- “(iv) 21 days on the premises of any traffic authority.”
- (b) the addition of the following proviso clause after subregulation (8):

“Provided that any motor vehicle which has been impounded by a traffic authority and the owner or titleholder having been traced as contemplated in subregulation 2 fails to collect the motor vehicle within 12 months, such vehicle may be sold to defray any costs incurred by the relevant authority.”.

- 26.** By the insertion of the following schedules

## SCHEDULE 3

## AGREEMENT

ENTERED INTO BY AND BETWEEN  
THE MEC RESPONSIBLE FOR ROAD TRAFFIC

as represented by \_\_\_\_\_ (Official)

in the Province of \_\_\_\_\_  
and\_\_\_\_\_  
(testing station proprietor),\_\_\_\_\_  
(type of legal entity),

Registration Number \_\_\_\_\_

This Agreement is entered into on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ at  
\_\_\_\_\_ by the \_\_\_\_\_ (Province).**1.0 Parties to the Agreement.**

The parties to this Agreement are:

1.1 the \_\_\_\_\_ ("the Department"), acting for and on behalf of the \_\_\_\_\_ Provincial Government, represented herein by \_\_\_\_\_, Head of Department for the \_\_\_\_\_ Department of Transport; and

1.2 \_\_\_\_\_ (name of testing station proprietor),  
(type of legal entity), registered in terms of the \_\_\_\_\_ (name of Act) under registration number \_\_\_\_\_ ("Testing Station"), represented herein by \_\_\_\_\_ (name of signatory), in his or her capacity as a \_\_\_\_\_ (legal capacity) of \_\_\_\_\_ (name of legal entity).

**2.0 Statement of Purpose of Agreement between the Department and Testing Station.**

- 2.1 The Department is responsible for the overall administration and management of road traffic matters, including but not limited to the registration and grading of testing stations within the Province.
- 2.2 The Department is responsible for ensuring that public safety is not compromised or jeopardized by the operation of unroadworthy vehicles on roads within the Province.



- 2.3 The Department is required to ensure that all vehicle testing stations comply with applicable national and provincial laws.
- 2.4 Section 37 of the National Road Traffic Act, 1996 specifies that no person may operate a testing station unless the testing station is registered and graded and that Testing Station must comply with this law.
- 2.5 Section 38 of the National Road Traffic Act, 1996 requires that any person desiring to operate a testing station must apply in the prescribed manner to the MEC for the registration of the testing station and that Testing Station must comply with this law.
- 2.6. Section 39 of the National Road Traffic Act, 1996 provides for the registration and grading of testing stations and that Testing Station must comply with this law.
- 2.7 Section 40 of the National Road Traffic Act, 1996 provides for the MEC to suspend or cancel the registration of a testing station where it no longer complies with the requirements of section 39 of the National Road Traffic Act, 1996 and that Testing Station must comply with this law.
- 2.8 The MEC is responsible for developing objective criteria based on the estimated vehicle population and registered testing stations within a geographical service area to determine whether a testing station is necessary and Testing Station must comply with the objective criteria.
- 2.9 The purpose of this Agreement is to formalise the relationship by and between the Department and the Testing Station and to establish the terms and conditions, including any restriction, in terms of which the Testing Station is registered and may operate.
- 3.0 Definitions.** For the purpose of this Agreement, unless the context indicates otherwise, the following definitions are set out for the terms indicated:
- “Agreement”** means this Agreement.
- “Applicant”** means a person who requires the examination and testing of a motor vehicle by Testing Station.
- “Change of ownership”** means any change in the ownership or structure of the legal entity which owns the Testing Station and includes any change occasioned by the sale, exchange, alienation, cession, hypothecation or disposal of Testing Station.
- “Constitution”** means the Constitution of Republic of South Africa Act, 1996 (Act 108 of 1996).
- “Department”** means the \_\_\_\_\_;
- “Examiner of vehicles”** means a person:
- (i) who has successfully completed the prescribed course for examiners of vehicles;

- (ii) who is registered in terms of applicable road traffic legislation as an examiner of vehicles;
- (iii) who is employed by the Testing Station as an examiner of vehicles;
- (iv) who does not have a criminal conviction in terms of Schedule 1 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) or any offence related to the issue of roadworthy certificates, roadworthiness certification or the testing of vehicles; and
- (v) whose registration as a vehicle examiner has not been suspended or canceled by a competent authority, except that in the case of a suspension, the MEC may, at its sole discretion, permit the vehicle examiner to be employed after the expiration of the suspension where the Testing Station has made a written request to the MEC, which has given written approval.

**“Face value documents”** means documents for the testing and certification of roadworthiness of motor vehicles, as prescribed in road traffic legislation.

**“Head of Department”** means the public servant, who is the accounting officer and head of the \_\_\_\_\_ as defined in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

**“\_\_\_\_\_ Road Traffic Act, \_\_\_\_\_”** means the Provincial Road Traffic Act, \_\_\_\_\_ (Act No. \_\_\_\_ of \_\_\_\_\_).

**“Management representative”** means an examiner of vehicles appointed in writing by the Testing Station Proprietor and who:

- (i) has the necessary authority for and responsibility to ensure that the levels of technical and managerial competence required for the successful evaluation of the Testing Station are maintained in terms of the relevant Schedules of the National Road Traffic Regulations;
- (ii) is responsible for the day-to-day management of the Testing Station and supervision of staff of the Testing Station; and
- (iii) and from a date to be determined by the Minister, has at least two years proven experience as an examiner of vehicles at a registered vehicle testing station.

**“MEC”** means the member of the Executive Council in the Province responsible for road traffic, road safety and public transport matters.

**“National Road Traffic Act, 1996”** means the National Road Traffic Act, 1996 (Act No. 93 of 1996), including any regulations thereunder.

**“NaTIS or eNaTIS”** means the National Traffic Information System developed by and in conjunction with the National Department of Transport.

**“Official”** means the Departmental staff member appointed to this position and who reports to the Head of Department or such other person as may be appointed by the Head of Department in terms of this Agreement.

**“Party”** means the parties to this Agreement.

**“Province”** means the \_\_\_\_\_ Province.

**“Road Traffic Act, 1989”** means the Road Traffic Act, 1989 (Act No. 29 of 1989), including any regulations thereunder.

**“Road traffic legislation”** means:

- (i) the Road Traffic Act, 1989;
- (ii) the National Road Traffic Act, 1996;
- (iii) the Provincial Road Traffic Act, \_\_\_\_; and
- (iv) any other relevant national and provincial legislation.

**“Roadworthy”** in relation to a vehicle means a vehicle which complies with the relevant provisions of the Act is otherwise in a fit condition to be operated on a public road.

**“Roadworthy Certificate”** means, in relation to a motor vehicle, a certificate issued in terms of section 42 of the Act.

**“Roadworthy Test Sheet”** means a form completed in terms of Regulation 141 as shown in Schedule 2 by the examiner of vehicles at the Testing Station.

**“SABS”** means the South African Bureau of Standards.

**"Testing Station"** means \_\_\_\_\_ (name of testing station),  
owned by the testing station proprietor at \_\_\_\_\_ (physical  
address).

**"Testing Station Proprietor"** means a legal entity and in the event of the proprietor not being a natural person, for the purpose of any offence in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996) or the Agreement, proprietor shall include any director, partner or member of such legal entity.

**4.0 Interpretation of Agreement.** In this Agreement, unless the context otherwise indicates:

- 4.1 All words and expressions referring to any one gender shall be capable of being construed as a reference to the other gender.
- 4.2 The words signifying the singular shall include the plural and vice versa.
- 4.3 A reference to a natural person shall be capable of being construed as a reference to a juristic person and vice versa.
- 4.4 Words and phrases defined in this Agreement shall bear the meaning assigned to them throughout this Agreement.
- 4.5 Words and phrases used in this Agreement which are defined or used in any statute which applies to the subject matter, professional person, goods or services provided for in this Agreement shall be construed in accordance with the applicable statute or regulations.
- 4.6 Headings of clauses are for convenience only and shall not aid in the interpretation or modification of clauses within the Agreement.
- 4.7 The parties are bound by applicable provisions of the Constitution and shall act in conformance with relevant sections of the Constitution and national and provincial legislation.
- 4.8 This Agreement shall be subject to and interpreted in terms of applicable provisions of the Constitution and in conformance with the Constitution, national and provincial legislation and the common law.

**5.0 Duration of Agreement.**

- 5.1 This Agreement shall commence on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ and shall remain in full force and effect until –
  - 5.1.1 the testing station proprietor notifies the MEC that he or she no longer wishes to operate the testing station; or
  - 5.1.2 the testing station's registration is suspended or cancelled.

**6.0 Duties of testing station proprietor**

- 6.1 A testing station proprietor shall comply with and fulfill all the duties of a testing station proprietor as prescribed in regulation 137.
- 6.2 The testing station proprietor shall provide a -

- 6.2.1 copy of the title deed, offer to purchase or agreement of the premises on which the Testing Station is located, which is attached hereto as Annexure G;
- 6.2.2 copy of the written resolution from the Municipal Council of the municipality in which the Testing Station is located, supporting the application of the Testing Station, which is attached hereto as Annexure H, provided that the Department shall identify the official empowered to issue such resolution and that the official does not unreasonably delay;
- 6.2.3 copy of the initial and amended founding statement, partnership agreement, close corporation registration or company registration reflecting the sole proprietor, all partners, all members or all directors, respectively, of the Testing Station, which is attached hereto as Annexure I;
- 6.2.4 written consent for the Department to obtain a current South African Police Services clearance, reflecting any criminal record and the details and nature of any offence or offences, for:
  - 6.2.4.1 the sole proprietor, all partners, all members or all directors, as is relevant;
  - 6.2.4.2 the Management Representative of the Testing Station; and
  - 6.2.4.3 all vehicle examiners employed by or otherwise contracted to the Testing Station,with the Testing Station to pay all costs for the South African Police Services clearance certificate;
- 6.2.5 South African Revenue Service income tax number in the name of the testing station proprietor for the Testing Station, attached hereto as Annexure J;
- 6.2.6 South African Revenue Service value added tax number in the name of the testing station proprietor for the Testing Station, which is attached hereto as Annexure K;
- 6.2.7 municipal levy number in the name of the testing station proprietor for the Testing Station, which is attached hereto as Annexure L;
- 6.2.8 current tax clearance certificate in the name of the testing station proprietor, issued no more than 30 (thirty) days prior to entering into this Agreement, from the South African Revenue Service, which is attached hereto as Annexure M, except that in the event of a delay by the South African Revenue Service in issuing the current tax clearance certificate the Testing Station shall provide written proof of its application for a current tax clearance certificate;
- 6.2.9 certified copy of the South African identity documents of:
  - 6.2.9.1 the Testing Station Management Representative;

6.2.9.2 the sole proprietor, all partners, all members or all directors, as is relevant; and

6.2.9.3 any examiner of vehicles employed or otherwise contracted by Testing Station,

which is attached hereto as Annexure O, with Testing Station acknowledging that it must provide updated certified copies of South African identity documents within 10 (ten) working days in the event of any change in information reflected in this section 6.2.9;

6.2.10 statement identifying any:

6.2.10.1 prior entity providing the same or similar services in which the Testing Station proprietor have had an interest in the 10 (ten) year period prior to entering into this Agreement; and

6.2.10.2 prior activities of a same or similar nature to the Testing Station in which the Testing Station proprietor, have been engaged in the 10 (ten) year period prior to entering into this Agreement,

which statement shall be attached hereto as Annexure S.

## **7.0 Copyright and Ownership of Documents and Materials.**

7.1 All Roadworthy Test Sheets and Roadworthy Certificates purchased from the Department by the Testing Station, including its employees, agent, in the fulfillment of the terms of this Agreement shall be and remain the sole property of the Department.

7.2 The Testing Station proprietor, including its employees, agent and subcontractors, shall, on oral or written request of the Department, submit any requested documents and materials to the Department within 24 (twenty-four) hours of such request.

## **8.0 MEC and Departmental Obligations under this Agreement.**

8.1 The MEC hereby acknowledges that he is responsible for receiving the application of the Testing Station proprietor and determining whether the Testing Station complies with registration requirements and, if it complies with registration requirements, how it should be graded in terms of Regulation 135 to the National Road Traffic Act, 1996.

8.2 The MEC or his or her designee shall review monthly reports submitted and advise the Testing Station if he has any queries and the time period within which the Testing Station must respond to a query.

8.3 The MEC or his designee may review any and all activities of the Testing Station to ensure compliance with national and provincial legislation and may instruct Departmental staff to conduct an evaluation of the Testing Station at any time.

8.4 The MEC or his designee may, in terms of Regulation 136 to the National Road Traffic Act, 1996:

8.4.1 consider the suspension or cancellation of the registration of the Testing Station; and

8.4.2 suspend or cancel the registration of the Testing Station where it has not complied with the National Road Traffic Act, 1996 and give written reasons for the suspension or cancellation in terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

8.5 In the event the MEC suspends or cancels the registration of the Testing Station in terms of section 8.4, the MEC shall terminate this Agreement with immediate effect.

#### **9.0 Breach of Agreement.**

Each party shall be entitled to utilise any remedy at law in the event of a breach of this Agreement, provided that written notice, providing for an opportunity to rectify the breach within a reasonable period of time, must be timeously submitted by the aggrieved party to the defaulting party.

#### **10.0 Termination of Agreement.**

This Agreement shall terminate in terms of clause 5.0.

#### **11.0 Indemnity.**

11.1 The Testing Station proprietor, including any person acting for or on behalf of the Testing Station proprietor, shall exercise due care and diligence in the performance of its duties in terms of this Agreement and Testing Station shall be liable where it has failed to exercise such due care and diligence.

11.2 The Testing Station proprietor has no authority or right to bind the Department and the Testing Station proprietor, including any person acting for or on behalf of the Testing Station proprietor, shall be liable for any action where it seeks to bind the Department.

#### **12.0 General.**

12.1 This Agreement replaces any previous written or verbal agreement or contracts entered into by the Department or the Testing Station.

12.2 This Agreement constitutes the entire contract between the parties and may only be altered or varied in writing.

12.3 No party may be bound by any express or implied term, representation, warranty, promise or the like not recorded herein or otherwise created by operation of law.

12.4 No alteration of, variation of or amendment to this Agreement shall be of any force and effect unless it is reduced to writing and signed by the parties.

12.5 No indulgence or leniency which either party may grant or show the other shall in any way prejudice the granting party or preclude the granting party from exercising any of its rights in the future.

**13.0 Domicilium Citandi et Executandi.**

- 13.1 Any notice in terms of this Agreement may be hand delivered to the physical addresses of the parties, in which event proof of acknowledgment shall be endorsed upon a copy of the notice together with the name of the recipient and date of receipt, or may be sent by registered post to the nominated postal addresses of the parties, in which event a proof of postage issued by the relevant postal authority will serve as proof.
- 13.2 The Testing Station chooses for the purpose of this Agreement its domicilium citandi et executandi as follows:

Street Address:

Postal Address:

Telephone Number:

Fax Number:

- 13.3 The Department chooses for the purpose of this Agreement its domicilium citandi et executandi as follows:

Street Address: \_\_\_\_\_ Department of Transport

Postal Address: \_\_\_\_\_ Department of Transport

Telephone Number:

Fax Number:

**.0 Costs**



Each party shall bear its own costs in the negotiation, preparation and finalisation of this Agreement.

SIGNED AT \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20

AS WITNESSES:

DEPARTMENT OF TRANSPORT

1. \_\_\_\_\_  
\_\_\_\_\_  
(print name)

2. \_\_\_\_\_  
\_\_\_\_\_  
(print name)

SIGNED AT \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 200 .

AS WITNESSES:

\_\_\_\_\_  
(Testing station  
proprietor)

1. \_\_\_\_\_ By \_\_\_\_\_  
\_\_\_\_\_  
(print name) \_\_\_\_\_  
(print name of  
signatory),  
\_\_\_\_\_  
(title of  
signatory)

2. \_\_\_\_\_  
\_\_\_\_\_  
(print name)

## SCHEDULE 4

### MINIMUM REQUIREMENTS FOR REGISTRATION AND GRADING OF TESTING STATIONS

#### CONTENTS

#### 1. SCOPE

Matters pertaining to the minimum physical facilities of a vehicle testing station, the personnel, control, testing requirements and operational requirements are prescribed herein.

The grades of vehicle testing stations to which these minimum requirements apply are –

- 1.1 Grade A – authorized and equipped to test and examine any motor vehicle.
- 1.2 Grade B – authorized and equipped to test buses, minibuses and goods vehicles with a gross vehicle mass not exceeding 3 500 kg GVM and any other motor vehicle with a tare not exceeding 3 500 kg:

Provided that an existing testing station may be graded as a –

- (a) Grade C – authorized and equipped to test all motor vehicles, a grade A testing station is authorized to test, excluding vehicles indicated on the registration certificate of the testing station; or
- (b) Grade D – authorized and equipped to test all motor vehicles a grade B testing station is authorized to test, excluding vehicles indicated on the registration certificate of the testing station,

If such testing station does not comply with all the requirements of this Schedule, the MEC may place such conditions on the registration certificate as he or she deems necessary and may change the grading of a testing station to a grade A or B, as applicable, if such testing station complies with all the requirements

#### 2. DEFINITIONS

**“inspection pit”** means a pit with safe access for the examiner of vehicles that allows unimpeded longitudinal floor working space and has a motor vehicle entrance and exit;

**“play detector”** means a device that tests wear on components of the chassis;

### 3. PHYSICAL REQUIREMENTS

- 3.1 A vehicle testing station must have the equipment and facilities indicated in the table below and must use such equipment to evaluate the roadworthiness of a motor vehicle.

|   | GRADE A   | GRADE B                                  |
|---|---|--|
| 1. Brake roller tester                        | 10 000 kg capacity  | 2 000 kg capacity                        |
| 2. Examination pit                            | At least 18 metres, unless such station was registered before 1 February 2000, at least five metres | At least five metres                     |
| 3. Area for checking rearview field of vision | ✓   | ✓  |
| 4. Safe or strong room                        | ✓   | ✓  |
| 5. Hydraulic jack or play detector            | 10 000 kg capacity  | 2 000 kg capacity                        |
| 6. Wheel alignment equipment                  | 10 000 kg capacity  | 2000 kg capacity                         |
| 7. Kingpin and fifth wheel gauges             | ✓   |  |
| 8. Tyre tread depth gauge                     | ✓   | ✓  |
| 9.. Vehicle height gauge                      | ✓   | ✓  |
| 10. Measuring tape                            | 30 m  | 5 m                                      |
| 11. Crow-bar                                  | ✓   | ✓  |
| 12. Plumb line                                | ✓   | ✓  |
| 13. Inspection lamp                           | ✓   | ✓  |
| 14. Straight edge                             | ✓   | ✓  |
| 15. Head lamp aim checking device/screen      | ✓   | ✓  |
| 16. Wheel mass meter                          | ✓   | ✓  |
| 17. Suitable road test area                   | Turning area for 13.1 metre turning radius  | Turning area for 10 metre turning radius |
| 18. Vernier gage                              |   | ✓  |

Provided that a testing station registered prior to the implementation of this Schedule, shall comply with the requirements for a play detector after one year from the date of implementation of this Schedule.

Provided further that a wheel mass meter shall be capable of being linked to a brake tester and to calculate the brake requirements and provide a printed brake report within a period of two years after the implementation of this Schedule.

### 4. PERSONNEL REQUIREMENTS

#### 4.1 MANAGEMENT REPRESENTATIVE

The testing station proprietor shall appoint a management representative who shall be a qualified examiner of vehicles registered as such by the MEC in terms of Section 3 of the Road Traffic Act, 1989, (Act No. 29 of 1989) or section 3A of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and who has the necessary authority for and responsibility to ensure that the levels of technical and managerial competence required for the successful evaluation of the Testing Station are maintained in terms of the relevant Schedules of the National Road Traffic Regulations.

The management representative shall be responsible for the day-to-day management of the Testing Station and supervision of staff of the Testing Station and from a date

to be determined by the Minister, has at least two years proven experience as an examiner of vehicles at a registered vehicle testing station.

#### **4.2 EXAMINER OF VEHICLES**

The testing station proprietor shall appoint at least one examiner of vehicles other than the management representative who shall be registered and graded in terms of section 3 of the Road Traffic Act, 1989 (Act No. 29 of 1989).

#### **4.3 NATIS OR eNATIS OFFICER**

A person employed by the testing station proprietor shall be registered by the MEC as a NaTIS or eNaTIS officer, and such person shall sign the confidentiality agreement required to obtain NaTIS or eNaTIS access.

### **5. QUALITY SYSTEM REQUIREMENTS**

- 5.1 Testing stations shall keep all records as required by regulation 331 and shall submit monthly statements to the MEC who registered such testing station and the inspectorate of testing stations in the format as shown in the table below:

**RECONCILIATION OF CERTIFICATES**

RECONCILIATION PERIOD : ...../...../..... TO  
 ...../...../.....

STATION NAME : .....  
 ....

INFRASTRUCTURE NUMBER : .....  
 ....

|   |   | 1         | 2          | 3         | 4          | 5          |
|---|---|-----------|------------|-----------|------------|------------|
|   |   | STOCK NO. | SERIAL NO. | STOCK NO. | SERIAL NO. | NO. ISSUED |
|   |   | START     | END        | ON NaTIS  | MANUALLY   | TOTAL      |
| 1 | STOCK AT BEGINNING OF MONTH               |           |            |           |            |            |
| 2 | ADDITIONAL STOCK RECEIVED                 |           |            |           |            |            |
| 3 | SUB TOTAL (1+2)                           |           |            |           |            |            |
| 4 | NO. OF CERTIFICATES ISSUED                |           |            |           |            |            |
| 5 | NO. OF CANCELLED CERTIFICATES             |           |            |           |            |            |
| 6 | NO. OF RE-<br>ISSUES                      |           |            |           |            |            |
| 7 | TOTAL NO. OF CERTIFICATES USED<br>(4+5+6) |           |            |           |            |            |
| 8 | STOCK AT END OF MONTH (3-7)               |           |            |           |            |            |

CHECKED BY : .....  
 .....

APPROVED BY : .....  
 .....

DESIGNATION :

.....  
.....  
.....

DATE :

.....  
.....

5.2 A testing station shall comply with the Quality Management System as contemplated in SANS 10216: Vehicle test station evaluation.

## 6. OPERATIONAL REQUIREMENTS

- 6.1 A management representative may examine five motor vehicles per day.
- 6.2 The testing station proprietor shall by 30 April every year submit a tax clearance certificate.
- 6.3 The testing station proprietor shall by, ensure that all equipment of the testing station that require calibration, is calibrated and such proof is kept on record at the testing stations and a summary of the calibration of equipment is kept in the format below.

| SUMMARY OF CALIBRATION CERTIFICATES OF EQUIPMENT FOR TESTING STATION |                                     |               |                  |                                |
|--|-------------------------------------|---------------|------------------|--------------------------------|
|  | EQUIPMENT                           | Serial number | Calibration date | Calibration Certificate number |
| 1  | Brake roller tester                 |               |                  |                                |
| 2  | Wheel alignment measuring equipment |               |                  |                                |
| 3  | Kingpin and fifth wheel gauges      |               |                  |                                |
| 4  | Axle mass meter                     |               |                  |                                |
| 5  | <b>Height gauge</b>                 |               |                  |                                |
| 6  | <i>Tapes (5 &amp; 30m)</i>          |               |                  |                                |
| 7  | <i>Tyre tread depth gauge</i>       |               |                  |                                |
| 8  | <i>Headlight aiming device</i>      |               |                  |                                |

- 6.4 Time periods for calibration.

A testing station proprietor shall ensure that the equipment is calibrated at the time intervals as shown in the tables below:

|   | EQUIPMENT                      | TIME INTERVALS FOR CALIBRATION |
|---|--------------------------------|--------------------------------|
| 1 | Brake roller tester            | 12 MONTHS                      |
| 2 | Wheel alignment equipment      | 12 MONTHS                      |
| 3 | Kingpin and fifth wheel gauges | 12 MONTHS                      |
| 4 | Noise meter                    | 3 YEARS                        |
| 5 | Axle mass meter                | 12 MONTHS                      |
| 6 | <b>Height gauge</b>            | 12 MONTHS                      |
| 7 | <i>Tapes (5 &amp; 30m)</i>     | 12 MONTHS                      |
| 8 | <i>Tyre tread depth gauge</i>  | 12 MONTHS                      |
| 9 | <i>Headlight aiming device</i> | 2 YEARS                        |

### Short title and commencement

24. These Regulations are called the Fifteenth Amendment to the National Road Traffic Regulations, and shall come into operation on the date to be determined by the Minister.