
GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. R. 589

27 May 2009

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

AMENDMENT OF THE NATIONAL ROAD TRAFFIC REGULATIONS

I, Jeffrey Thamsanqa Radebe, Minister of Transport, acting in terms of section 75 (6) of the National Road Traffic Act, 1996 (Act No. 93 of 1996) herewith makes the regulations in the Schedule.


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 No's. 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, R. 881 of 23 July 2004, R871 of 2 September 2005, R1066 of 23 November 2005, R1318 of 2 December 2005, R1319 of 2 December 2005, R891 of 4 September 2006, R964 of 29 September 2006, R404 of 4 May 2007 and R865 of 28 September 2007.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the regulations is hereby amended by-

(a) the insertion after the definition of "**driving licence card**" of the following definition:

"driving time" means any period of time that the driver of a motor vehicle contemplated in the regulations occupies the drivers' seat of such motor vehicle, whilst such motor vehicle is being operated on a public road or occupies the drivers' seat of such motor vehicle, whilst the engine is running;"

(b) the substitution for the definition of "**anti-burst stabilizer device**" of the following definition:

"Vehicle directional stability control device" means a device, or system fitted to a motor vehicle for the purposes of minimizing the risk of the driver losing control of the motor vehicle in the event of tyre failure or sudden loss of tyre pressure;"

(c) the insertion after the definition of "**junction**" of the following definition:

"knock-out window or panel" means a window or panel capable of being knocked out in cases of an emergency and complies with the requirements of regulation 252;"

(d) the substitution for the definition of "**midibus**" of the following definition:

"midibus" means a sub-category of a bus, designed or modified solely or principally for the conveyance of more than 16 and not more than 35 persons (including the driver);"

(e) the insertion after the definition of "**registration certificate**" of the following definition:

"resting period" means the period of time that the driver of a motor vehicle contemplated in the regulations is required to rest or taking time off driving, after exceeding the prescribed driving time, within the prescribed maximum driving time in a period of 24 hours;";

- (g) the insertion after the definition of **"special permit"** of the following definition:

"speed detectors or jammers" means any device used for detecting the use, or preventing the effective use, of a speed measuring device;";

Amendment of regulation 5 of the Regulations

3. Regulation 5 of the Regulations is hereby amended by the addition of paragraph (l) after paragraph (k):

"(l) which the steering wheel is on the left hand side, excluding motor vehicles referred to in regulation 200 (2) (b), (d) and (e).".

Amendment of regulation 20 of the Regulations

4. Regulation 20 of the Regulations is hereby amended by the substitution for regulation 20 of the following regulation:

"A motor vehicle which is exempt from registration in terms of regulation 5, and a motor quadrucycle, shall not be required to be licensed in terms of this Part.".

Amendment of regulation 27 of the Regulations

5. Regulation 27 of the Regulations is hereby amended by-

- (a) the substitution for subparagraph (ii) of paragraph (a) of subregulation (2) of the following subparagraph:

“(ii) establish a licence number system for the province concerned which license number system shall consist of:

(aa) a combination of three letters and three figures in any sequence;
or

(bb) a combination of two letters, two figures and two letters in any sequence:

and the licence mark of the province concerned, referred to in sub regulation (1): Provided that vowels and the letter “Q” shall not be used and the first letter shall not be the letter “G”.

(b) the insertion of paragraph (bB) after paragraph (bA):

“(bB) The MEC for the Province of KwaZulu-Natal may, subject to regulation 35, by notice in the *Provincial Gazette* determine a logo or landscape, a letter type, a colour for the letters and figures and the colour of the retro-reflective surface to be displayed on a number plate, denoting licence numbers set aside for use by the King of the Zulu Nation.”.

6. Regulation 28 of the regulations is amended by the insertion of the following subregulation after subregulation (4A):

“(4B) The MEC for the Province of KwaZulu-Natal may, subject to regulation 35, by notice in the *Provincial Gazette* determine a logo or landscape, a letter type, a colour for the letters and figures and the colour of the retro-reflective surface to be displayed on a number plate, denoting personalised licence numbers set aside for use by the King of the Zulu Nation.”.

Amendment of regulation 35 of the Regulations

7. Regulation 35 of the Regulations is hereby amended by the substitution for the proviso clause after subregulation (7), (f) of the following proviso clause:

“Provided that no person shall operate on a public road a motor vehicle first registered on or after 1 January 2009, unless the number plate fixed to such motor vehicle is affixed within 20 millimetres from the edges by means of 4 millimetres rivets or 4 millimetres one-way self tapping screws either directly onto the motor vehicle or onto an integral part thereof or onto an intermediate metal holding bracket approved by the Department of Transport, which is attached to the motor vehicle in such a way that it cannot be removed while the number plate is affixed to it in the aforesaid manner.”.

Amendment of regulation 53 of the Regulations

8. Regulation 53 of the Regulations is amended by-

(a) the substitution for subregulation (3) of the following subregulation:

“(3) If there is a change of title holder of a motor vehicle, except in the case where the current title holder has been authorised access to the register of motor vehicles and to update the register of motor vehicles, the current title holder of such motor vehicle shall-

(b) the addition of the following subregulation after subregulation (6):

“(7) if there is a change of title holder of a motor vehicle, where the current title holder has access to the electronic notice of change of ownership transaction, the current title holder of such motor vehicle shall perform the electronic notice of change of ownership transaction and enter the particulars of the new title holder.”.

Amendment of regulation 104 of the Regulations

9. Regulation 104 of the Regulations is amended by the substitution for subregulation (3) of the following subregulation:

“(3) the procedure to be followed by the examiner for driving licences in complying with subregulation (2) shall include the completion by the applicant of the approved “Theory Test for Learner’s Licence” on form TLL as shown in Schedule 2 or the successful completion of an approved Learner’s Licence Electronic Test.”.

Amendment of regulation 107 of the Regulations

10. Regulation 107 of the Regulations is amended by the substitution for subregulation (5) of the following subregulation:

(5) An examiner for driving licences shall in compliance with the provisions of paragraph (e) of subregulation (2)-

(a) in the case of a code B driving licence, test an applicant according to the manual of the Department “K53 Practical driving test for motor vehicle drivers, Volume 1 - Light Motor Vehicles” published by the Minister by notice in the Gazette;

(b) in the case of a code C1, C, EC1 or EC driving licence, test an applicant according to the manual of the Department “K53 Practical driving test for motor vehicle drivers, Volume 2 - Heavy Motor Vehicles”, published by the Minister by notice in the Gazette;

(c) in the case of a code A1 or A driving licence, test an applicant according to the manual of the Department “K53 Practical driving test for motor vehicle drivers, Volume 3 - Motor Cycles” published by the Minister by notice in the Gazette; and

(d) in the case of a code EB driving licence, test an applicant according to the manual of the Department “K53 Practical driving test for motor vehicle driver, Volume 4 – Light Motor Vehicles Combination” published by the Minister by notice in the Gazette.

Provided that the examiner for driving licences shall use the electronic score sheet to test an applicant, if the driving licence testing centre is equipped with a motor vehicle with an electronic driving licence test surveillance system.”.

Amendment of regulation 128 to regulation 137 of the regulations

11. Regulations 128 to regulation 137 of the Regulations are substituted for the following regulations.

“Manner of application to be approved as suitable person or body of persons to be able to apply for registration of testing station

128. (1) A person or body of persons desiring to operate a testing station as contemplated in section 38, shall declare such intention in writing in an affidavit or an affirmation and submit such affidavit or affirmation and the fee as determined by the MEC concerned, to the MEC concerned.

(2) The affidavit or affirmation contemplated in subregulation (1) shall contain-

(a) the particulars of every person, or the members or directors of every juristic person in whose name such testing station shall be registered in the event that such application is approved;

(b) the exact location of the proposed testing station;

(c) the grade of testing station to be operated; and

(d) all matters relevant to the consideration of the suitability of such application, addressed in the agreement to be concluded between the MEC and a testing station proprietor as proposed in Schedule 3.”.

“Consideration of suitability of testing station and person or body of persons to operate testing station

129. (1) The MEC shall consider the application referred to in regulation 128 and shall, without limiting the factors to be considered, take the following into account-

- (a) the suitability of the applicant;
- (b) the rejection of the applicant to register a testing station, by any other MEC;
- (c) the rejection of any spouse or partner of the applicant to operate a testing station;
- (d) the recommendations from the inspectorate of testing stations; and
- (e) all matters relevant to the application as contained in the agreement to operate a testing station as proposed in Schedule 3.”.

(2) The MEC may require or obtain any additional information to decide on the application.

(3) The MEC may require that any applicant or the spouse or partner of the applicant obtain a record of previous convictions from the South African Police Services.

(4) If the MEC is satisfied as to the suitability of the testing station he or she shall notify the applicant in writing of his or her decision to approve the application.

(5) If the MEC is not satisfied as to the suitability of the testing station he or she shall refuse to register such testing station, and shall notify the applicant accordingly and shall provide the applicant with the reasons of such refusal in writing.

(6) A person or body of persons whose application to operate a testing station has been refused by an MEC due to the unsuitability of such person or body of persons, may not apply in any other Province for the operation of a testing station as contemplated in regulation 128.”.

“Manner of application of approved person or body of persons to register testing station

130. (1) An application by an approved person or body of persons as contemplated in regulation 129 (4) for the registration of a testing station, shall be made on form TS1 as shown in Schedule 2, and a management representative and alternative management representative shall be identified in respect of the testing station concerned.

(2) An application as referred to in subregulation (1) shall be accompanied by acceptable identification of the applicant and of the management representatives identified under subregulation (1), and such other documentation as required to complete the agreement as proposed in Schedule 3.”.

“Requirements to be met for registration of testing station

131. The requirements for registration of a testing station, are-

(a) compliance with "The minimum requirements for testing stations" as shown in Schedule 4;

- (b) the ability to test and examine a motor vehicle in terms of "The testing and examination of motor vehicles" as shown in SANS 10047: Testing of motor vehicles for roadworthiness, as contemplated in regulation 140;
- (c) a signed agreement between the MEC and the testing station proprietor reflecting the information of the agreement as proposed in Schedule 3; and
- (d) the payment of the fees as determined by the MEC of the province concerned."

"Manner of registration of a testing station

132. (1) The MEC shall, upon receipt of an application for registration of a testing station made in terms of regulation 130 with due regard to the evaluation and recommendations of the inspectorate of testing stations, satisfy himself or herself that the testing station concerned complies with the requirements referred to in regulation 131.
- (2) If the MEC is satisfied as to the suitability of the testing station in terms of regulations 128 and 130, he or she shall-
- (a) subject to the conditions he or she may deem fit, register and, in terms of regulation 135, grade such testing station;
 - (b) record the particulars of such testing station on the register of testing stations;
 - (c) issue a certificate of registration on form CR as shown in Schedule 2, to such testing station;
 - (d) provide, upon payment of the fees as determined by the MEC of the province concerned, as many forms necessary for the certification of roadworthiness of motor vehicles as requested by a testing station, if

such testing station is not under the control of a registering authority;
and

(e) give notice of the registration of the testing station in the provincial gazette concerned.

(3) A certificate of registration issued in terms of subregulation (2)(c) shall be displayed in a conspicuous place where members of the public who make use of the testing station can see such certificate.

(4) A testing station shall only be registered for the premises reflected on form CR and may only be operated by the testing station proprietor in whose name the testing station is registered.”.

“Notification of change of particulars of testing station

133. (1) Subject to the provisions of subregulation (3), the testing station proprietor in whose name the testing station is registered, shall, upon the change of any of the particulars submitted in terms of regulations 128 and 130, notify the MEC and the inspectorate of testing stations of such change on form TS1 as shown in Schedule 2, within 14 days after such change.

(2) The MEC shall, upon receipt of a notification referred to in subregulation (1), update the register of testing stations accordingly.

(3) In the event that the testing station proprietor sell or alienate the testing station, it shall be considered as a new application and the procedure referred to in regulations 128 shall apply.”.

"Approval of appointment of examiner of vehicles prior to appointment"

134. (1) A testing station proprietor who desires to appoint an examiner of vehicles at a testing station, shall submit the particulars of such examiner of vehicles to the MEC concerned, for approval.

(2) The MEC shall evaluate the record, registration and grading of the examiner of vehicles referred to in subregulation (1) for his or her suitability to be appointed at the testing station concerned and shall notify the testing station proprietor of his or her decision.

(3) A testing station proprietor shall not appoint an examiner of vehicles, unless the appointment of such examiner has been approved by the MEC."

"Grades of testing stations"

135. (1) The MEC shall grade a testing station as a grade A or B, as the case may be, if such testing station complies with the appropriate grading requirements when it is evaluated, according to "The minimum requirements for testing stations" as shown in Schedule 4.

(2) (a) A grade A testing station is authorised to examine and test a motor vehicle of any class in terms of regulation 140 for roadworthiness; and

(b) A grade B testing station is authorised to examine and test a motor vehicle of any class, excluding -

(i) a bus, minibus or goods vehicle the gross vehicle mass of which exceeds 3 500 kilograms; or

(ii) any other motor vehicle the tare of which exceeds 3 500 kilograms.

(3) The MEC may restrict a testing station registered and graded before the date of implementation of this amendment to examine and test only -

- (a) vehicles owned and operated by certain persons;
- (b) vehicles of certain makes;
- (c) vehicles of certain models,
- (d) vehicles of certain classes;
- (e) vehicles with certain dimensions; or
- (f) vehicles as may be determined by the MEC concerned.

(4) The MEC may amend the grading of a testing station registered before the implementation of this regulation, if such testing station does not fully comply with the requirements in Schedule 4 and shall do so in terms of the provisions of such schedule.

“Manner of suspension or cancellation of registration of a testing station

136. (1) Subject to subregulation (3), the MEC shall, upon being notified that a registered testing station does not comply with the provisions of this Act, or upon a recommendation of the inspectorate of testing stations that a testing station does not comply satisfy himself or herself of the non-compliance of such testing station.

(2) The MEC shall, in considering the suspension or cancellation of the registration of a testing station on any matter, other than an alleged criminal offence-

- (a) notify the testing station proprietor of the failure of such testing station to comply with the requirements of this Act; and

(b) demand from such testing station proprietor to indicate in writing within three days from the date of the said notification-

- (i) the reason for such failure; and
- (ii) the details of the measures that have been taken to rectify and prevent such failure.

(3) If the MEC has an affidavit or an affirmation on any alleged criminal offence committed by any testing station proprietor or an employee, agent or manager of such testing station, he or she may immediately suspend the registration of such testing station and seize any records and unused documents of such testing station.

(4) If the MEC is not satisfied with the reason or measures referred to in subregulation (2)(b), he or she shall inform the proprietor referred to in paragraph (2)(a) and may-

- (a) suspend, or
- (b) cancel, the registration of such testing station.

(5) If the MEC suspends or cancels the registration of a testing station, he or she shall-

- (a) notify such testing station proprietor of such suspension or cancellation and the reason therefor and, in the case of suspension, the period thereof; and
- (b) give notice in the Provincial Gazette of the cancellation referred to in paragraph (a).

(6) The person referred to in paragraph (2)(a) whose testing station registration has been cancelled, shall within three days after having been notified of such cancellation, submit to the MEC-

(a) the certificate of registration referred to in regulation 132(2)(c) issued in respect of such testing station; and

(b) a reconciliation of forms held and issued, and blank forms.”.

“Duties of a testing station proprietor

137. A testing station proprietor shall-

(a) notify the MEC of the province concerned within seven days of any change in particulars or circumstances in relation to any information provided to the MEC on the testing station;

(b) exercise proper control over the management representative, examiner of vehicles or officer employed at such testing station;

(c) ensure that motor vehicles tested at such testing station are tested and examined in accordance with the provisions of this Act and prescribed standards;

(d) ensure that all records are kept as required by the Act;

(e) ensure that all records, tax clearance certificates and calibration tables are submitted to the relevant MEC; and

(f) ensure that all documents required in terms of the Act and SABS specifications are kept up to date and all amendments recorded.”.

“Duties of a management representative

137A. A management representative shall-

- (a) ensure that every vehicle tested at the testing station, is tested in accordance with the provisions of the Act; and
- (b) if he or she is not the testing station proprietor, report possible deviations from the Act, by any examiner employed at such Station to the testing station proprietor.”.

“Act or omission of management representative, examiner of Vehicles or employee employed by testing station proprietor

137B. (1) Whenever any management representative, examiner of vehicles or employee of a testing station commits or omits an act which would have constituted an offence in terms of this Act if the testing station proprietor had committed or omitted such act, that testing station proprietor shall, in the absence of evidence-

- (a) that he or she did not connive at or permit such act or omission;
- (b) that he or she took all reasonable measures to prevent an act or omission of the nature concerned; and
- (c) that an act or omission of the nature of the act or omission charged, did not fall within the scope of the authority of or the course of the employment as such manager, agent or employee, be deemed himself or herself to have committed or omitted that act and be liable to be convicted and sentenced in respect thereof.

(2) Whenever any management representative, examiner of vehicles or employee of a testing station, commits or omits any act which would have constituted an offence in terms of this Act if the testing station proprietor had committed or omitted it, such manager, agent or employee shall be liable to be convicted and sentenced in respect thereof as if he or she were such testing station proprietor.”.

“Transitional provision for registering testing station operating without agreement

137C. A testing station that was registered prior to the implementation of this provision, shall comply with the provisions of regulation 131(c) from a date, 12 months after implementation of this regulation.”.

“Fee to defray expenditure incurred by inspectorate of testing stations

137D (1) A registered testing station shall pay to the inspectorate of testing stations a fee amounting to three per cent of the fee provided for in Schedule 1 to be paid to a registering authority for an application for a roadworthy certificate or certificate of fitness, as the case may be, in respect of each application for which an examination and test was done in terms of the Act by such testing station.

(2) The fee collected in terms of subregulation (1) shall be retained at such testing station and paid to the inspectorate of testing stations on 1 January and 1 July of each year in respect of the examinations and tests performed during the preceding six months.

(3) The inspectorate of testing stations shall submit to the Director-General not later than 1 March of each year a statement of fees received and costs incurred by or on behalf of such inspectorate for the period 1 January to 31 December of the preceding year.”.

“Powers and duties of the inspectorate of testing stations

137E (1) The inspectorate of testing stations—

(a) shall, evaluate a testing station in accordance with the requirements referred to in Schedule 4 and recommend to the MEC—

(i) the suitability of such testing station for registration; and

(ii) the grading of such testing station;

(b) shall, in respect of every testing station, conduct at least one inspection per year to monitor the standards applied at every testing station;

(c) may advise any testing station on the improvement and maintenance of testing facilities and procedures; and

(d) shall, when necessary, recommend to the MEC the suspension or cancellation of the registration of a testing station.

(2) A person employed by, or who acts on behalf of, the inspectorate of testing stations, may at any reasonable time—

(a) inspect, examine or test any motor vehicle; and

(b) without prior notice -

(i) enter the premises of any testing station;

(ii) inspect any records of the testing station referred to in subregulation 1 (a)(i); and

- (iii) question any person with regard to any matter relating to the operation of the testing station referred to in subregulation (1).”.

Amendment of regulation 150 of the Regulations

12. Regulation 150 of the Regulations is amended by the substitution for the regulation of the following regulation:

“Brakes on motor cycle or motor tricycle

150. No person shall operate on a public road a motor cycle or motor tricycle which is not equipped with two independent braking systems, one of which shall act on the front wheel or wheels and the other which shall act on the rear wheel or wheels and each such system shall have an efficiency at least equivalent to that specified for an emergency brake and when the two systems are applied simultaneously, the combined efficiency shall be at least equivalent to that specified for a service brake.”.

Amendment of regulation 181 of the Regulations

13. Regulation 181 of the Regulations is amended by the addition of the following proviso clause after subregulation 181(2):

“Provided that no person shall operate on a public road a motor vehicle fitted with any colour of lights other than the colour of lights prescribed in terms of these regulations.”.

Amendment of regulation 200 of the Regulations

14. Regulation 200 of the Regulations is amended by:

- (a) the substitution for paragraph (b) of subregulation (2) of the following paragraph:

(b) Paragraph (a) does not apply in respect of a motor vehicle which was registered or licenced in the Republic into any persons name before 23 July 2004;

(b) the addition of paragraph (e) after paragraph (d);

(e) the owner of a motor vehicle referred to in subregulation (2)(b) may dispose of or transfer ownership of such motor vehicle.”.

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

(c) paragraph (a) does not apply in respect of:

(i) a vehicle built or imported by a registered builder or importer for the purpose of export, testing, assessment or development, if such vehicle is operated on a public road under an exemption in terms of section 81 of the Act;

(ii) a vehicle manufactured by a registered manufacturer for the purpose of export;

(iii) a vehicle manufactured by a registered manufacturer for the purpose of testing, assessment or development; or

(iv) a vehicle which is a specialised fire fighting vehicle or heavy duty crane with a GVM over 24 000 kg and having 3 or more axles.

Amendment of regulation 212 of the Regulations

15. Regulation 212 of the Regulations is amended by the substitution in paragraph (o) of the following paragraph:

“(o) A minibus, midibus or bus operating in terms of an operating licence issued in accordance with the provisions of the NLTTA unless such minibus, midibus or bus is fitted with a vehicle directional stability control device.”.

Amendment of regulation 213 of the Regulations

16. Regulation 213 of the Regulations is amended by the substitution of paragraph (f) of subregulation (3) for the following paragraph:

“(f) the belt configuration for a seat in the rear of a motor vehicle shall be a 2-point belt or a 3-point belt, with anchorages in accordance with SANS 1430 : Anchorages for restraining devices in motor vehicles”, and installed in accordance with SANS “ 10168: Installation of safety devices (Safety belts in motor vehicles).”.

Amendment of regulation 227 of the Regulations

17. Regulation 227 of the Regulations is hereby amended by the substitution for the regulation of the following regulation:

“Projections in case of vehicle other than motor cycle, motor tricycle or pedal cycle

227. (1) No person shall operate on a public road a vehicle, other than a motor cycle, motor tricycle or pedal cycle--
- (a) carrying any goods which project--
 - (i) either side of the longitudinal centre-line of the vehicle by more than--
 - (aa) in the case of a bus contemplated in regulation 223(a) or a goods vehicle contemplated in regulation 223(b), one comma three metres; or
 - (bb) in the case of any other vehicle, one comma two five metres;

Provided that any side mirror or direction indicator on the vehicle shall not be taken into account;

- (ii) more than 300 millimetres beyond the front end of the vehicle; or
- (iii) more than one comma eight metres beyond the rear end of the vehicle; or
- (b) of which-
 - (i) the front overhang, together with any projection, exceeds the front overhang as provided in regulation 226(1)(b); or
 - (ii) any bracket projects more than 150 millimetres beyond the widest part of the vehicle.

(2) No person shall operate on a public road a vehicle or combination of vehicles where the combined length of such vehicle or combination of vehicles and any projection exceeds the overall length prescribed in regulation 221 for such vehicle or combination of vehicles.”.

Amendment of regulation 228 of the Regulations

18. Regulation 228 of the Regulations is hereby amended by the substitution for the regulation of the following regulation:

“Projections in case of motor cycle, motor tricycle or pedal cycle

“228. No person shall operate on a public road a motor cycle, motor tricycle, or pedal cycle if any goods carried thereon, or on any portion or side-car of such cycle, project more than 600 millimetres to the front of the axle centre of the front wheel or more than 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.”.

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

“(8) Not more than one front seat for a passenger shall be provided for 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 the insertion after the definition of “**Tremcard**” of the following definition:

“**Transport emergency card**” means a card which 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 of 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) operate on a public road a motor vehicle on which it appears or is displayed any electronic device 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 (3) shall not apply to lamp illuminating notice, or identification lamps as referred to in regulation 173 (1), (2), 176 (1) and taxi tops bearing an advertisement or information on top of metered taxis operating in terms of an operating licence issued in accordance with the provisions of the NLTTA."

(4) No person shall display or cause to be displayed any directional sign displaying or depicting the sale of liquor products visible on a public road, or permit it to be so displayed."

Insertion of regulation 292A of the Regulations

22. Regulation 292A of the Regulations is hereby inserted 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 or her possession whilst travelling in a motor vehicle a device that interferes or detects the use of a speed monitoring or measuring device."

Amendment of regulation 305 of the Regulations

23. Regulation 305 of the Regulations is hereby amended by the addition of subregulation (7) after subregulation (6):

"(7) No person other than the disabled person shall park a motor vehicle on a parking bay reserved for disabled persons."

Amendment of regulation 308B of the Regulations

24. Regulation 308B of the Regulations is hereby insertion 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;
- (b) the visual display unit is, or is part of, a driver's navigational or intelligent driving aid; or
- (c) driving a double deck bus having a TV monitor.”.

Amendment of regulation 309 of the Regulations

25. 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

26. 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.”.

27. 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 such Testing Station comply with this requirement.
- 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 such Testing Station must comply with this requirement.
- 2.6. Section 39 of the National Road Traffic Act, 1996 provides for the registration and grading of testing stations and that such Testing Station must comply with this requirement.
- 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, such Testing Station registration shall be suspended or cancelled in terms of this provision.
- 2.8 The MEC is responsible for developing 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 the registration of a Testing Station will be based on this 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 be operated.
- 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 as defined in the National Road Traffic Act, 1996.

“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 and 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: _____

14.0 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. _____

(print name)

By _____
(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 eNATIS OFFICER

A person employed by the testing station proprietor shall be registered by the MEC as a eNaTIS officer, and such person shall sign the NaTIS User Undertaking required to obtain 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 PERIOD :/...../.....
/...../.....

TO

STATION NAME :

INFRASTRUCTURE NUMBER :

		1	2	3	4	5
		STOCK SERIAL NO. START	STOCK SERIAL NO. END	NO. ISSUED ON NaTIS	NO. ISSUED 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- ISSUES					
7	TOTAL NO. OF CERTIFICATES USED (4+5+6)					
8	STOCK AT END OF MONTH (3-7)					

CHECKED BY :

APPROVED BY :

DESIGNATION :

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	Height gauge			
6	<i>Tapes (5 & 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	Height gauge	12 MONTHS
7	<i>Tapes (5 & 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

- 28.** These Regulations are called the Fifteenth Amendment to the National Road Traffic Regulations, and shall come into operation on the date of publication in the Gazette, except for -
- (a) Paragraph (o) of regulation 15 which will come into operation on a date as determined by the Minister by notice in the *Gazette*.
-