

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NS 21.5****Search techniques**

1. To minimise dangers to officers the following search methods may be used:
 - (a) kneeling method;
 - (b) lying on the ground method; or
 - (c) while handcuffed.
2. A suspect must be uncuffed after a search where such suspect is not found to be in violation of the law.
3. While searching an individual, officers must safeguard their weapons and not turn their back on the suspect.
4. An officer must cover his or her partner while he or she searches a suspect.
5. Officers must search systematically by grasping and squeezing and not patting.
6. An officer must inform his or her partner immediately if he or she finds a weapon and inform the partner what and where the weapon is.
7. An officer must maintain control of the suspect's weapon if found.

NS 21.6**Degree of search**

Officers must take into consideration the following factors when selecting the type and degree of search to use:

- (a) degree of influence or control necessary to take a subject safely into custody;
- (b) number of subjects;
- (c) location of contact;
- (d) suspect's criminal record, if known;
- (e) the type of offence suspected to have been committed;
- (f) degree of apprehension; and
- (g) degree of confidence.

NS 21.7**Search of premises**

1. An officer may enter and search any premises which he or she has reason to believe that a motor vehicle of an operator is kept at and inspect such vehicle or documentation.

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2. An officer must first audibly demand entry to premises and notify the purpose for which he or she seeks entry.
3. An officer may break open and enter and search premises for the purpose of effecting an arrest if he or she is denied entry after an audible request mentioned in 2 above.
4. Officers must have due regard to the public's right to privacy upon search of premises.

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CHAPTER 22: USE OF FORCE

Purpose

- (a) Establishes the procedure for the application of force during law enforcement operations.
- (b) Establishes limitations on the application of force by traffic officers.

Policy statement

Section 49 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) authorises peace officers to apply force under specified circumstances and section 49 (2) permits preventing a person from fleeing by means of killing.

NATIONAL STANDARDS

USE OF FORCE

NS 22.1

Use of force

1. Use of force must be in line or accordance with the provisions of section 9 of the Constitution Act, 1996 (Act No. 108 of 1996), which relates to the right to life.
2. When applying the use of force traffic officers must have regard for the value of life.
3. Officers must use the minimum force necessary to resolve potentially dangerous situations.
4. Use of force must only be applicable to justifiable grounds (e.g. in instances where there is imminent threat to society or government, or when acting in self defence).
5. Strict measures must be applied to avoid abuse of the use of force.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NS 22.2****Administrative measures**

1. The following administrative measures must be applied when using force in the line of duty:
 - (a) only road traffic law enforcement authority authorised firearms must be used when applying the use of force in the line of duty;
 - (b) all weapons must be loaded with road traffic law enforcement authority issued ammunition;
 - (c) officers who apply the use of force must have attended proper training on the use of firearms;
 - (d) officers applying the use of force must have successfully completed proper training on the use of force;
 - (e) officers must use a wide range of force options which permit the safe resolution of many types of incidents while at the same time ensuring or maximising public safety;
 - (f) officers must have response action to gain control of a subject which is resistant, assaultative or displaying life threatening measures;
 - (g) use of force must be practised with diligent care and control;
 - (h) use of force must be avoided at places where it could endanger human lives; and
 - (i) use of force must be practised as a last resort after all avenues have been exhausted.
2. The Chief of Traffic must ensure strict adherence to these rules by employees.
3. The Chief of Traffic may designate supervisors to ensure strict adherence to these rules.
4. The supervisors must draft reports on adherence to administrative measures and report to the Chief of Traffic bi-monthly.

NS 22.3**Procedural measures**

1. Officers who apply the use of force must write reports after an incident of use of force occurs.
2. The report contemplated in 1 above must detail the following:

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- (a) date, time and location of the incident;
 - (b) particulars and identification of persons involved in the incident of the use of force;
 - (c) particulars on the mode of transport used (e.g. colour, registration numbers);
 - (d) extent of injuries sustained by persons involved in the incident of use of force;
 - (e) if death occurs also indicate:
 - (i) the extent used to maximise public safety; and
 - (ii) if there are any eyewitnesses involved and their particulars.
3. The report referred to in 1 must be forwarded to the supervisor.
 4. Where use of force results in loss of life the internal affairs division must hold an inquiry.
 5. An inquiry with regard to death or injury relating to use of force by an officer may be handled by the internal affairs division in accordance with this Code.
 6. Internal affairs division must compile a report on their findings and forward it to the Chief of Traffic for a decision.
 7. Reports on the use of force may be used to compile learning guides or video programmes that can be used as aid material.

NS 22.4**Non-compliance**

Failure to comply with the law, administrative measures or procedural rules referred to above is an offence and leads to disciplinary action.

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CHAPTER 23

IMPOUNDMENT

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CHAPTER 23: IMPOUNDMENT

Purpose

- (a) Establishes the procedure for impoundment of articles from owners or possessors.
- (b) Establishes limitation on the authority to impound articles.

Policy statement

Section 11 of Road Traffic Act, 1989 (Act No. 29 of 1989) confers powers on officers to seize documentation from operators or prohibit motorists from continuing with their journey under specified circumstances.

NATIONAL STANDARDS

IMPOUNDMENT

NS 23.1

Authority

An officer must impound only items authorised by road traffic law to be impounded.

NS 23.2

Impoundment without a warrant

Officers may impound, without a warrant, property required or allowed to be impounded in terms of road traffic law, except:

- (a) where limitation is set by national law; or
- (b) where grounds of diplomatic immunity exist.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NS 23.3 Impounded property**

1. The road traffic law enforcement authority must have a proper recording system and storing of impounded articles with the record listing the following:
 - (a) identification of the property;
 - (b) ground for impoundment;
 - (c) particulars of the owner or the person in whose possession the article was found;
 - (d) time frames for keeping impounded properties; and
 - (e) control officer.
2. An officer must, after impounding property, compile an inventory in accordance with this Code, complete a recording in terms of 1 above and attach a name tag to the article.
3. Impounded property must be turned over to the evidence custodian and treated as evidence.

NS 23.4 Exceptions to impounding property

Officers must not impound privileged documents (e.g. legally privileged documents, medical reports).

NS 23.5 Treatment of impounded property

Impounded property must be treated as evidence and be handled, stored and released in the same manner as evidence.

NS 23.6 Fees on impounded vehicles

1. Vehicles impounded by officers under any law must be stored at the road traffic law enforcement authority facility.
2. The authority may charge tow fees as applicable to recover the costs of paying private contractors for the towing of vehicles.

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3. The authority may charge fees for towing and storing of a vehicle as may be required to recover the costs of executing these tasks.
4. Differentiation may be made for the fees charged for light and heavy motor vehicles.

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CHAPTER 24: ARREST

Purpose

- (a) Establishes the procedure for arrest of offenders.
- (b) Establishes limitations on the authority of traffic officers to make arrests.

Policy statement

Section 39 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) confers powers on peace officers to arrest individuals upon violation of the law.

NATIONAL STANDARDS

ARREST

NS 24.1 Arresting an offender

- 1. An officer must ensure that an arrest is lawful under the circumstances.
- 2. An officer must evaluate a suspect before making an arrest.
- 3. Reasonable force may be used by the officer in order to make a lawful arrest.
- 4. An officer should handcuff a person immediately after an arrest.

NS 24.2 Transporting detainees

- 1. An officer must search each detainee prior to transporting them.
- 2. A female detainee must be searched by a female officer and male detainees by male officers.
- 3. An officer must confiscate any article that can be used as a weapon.
- 4. Any detainee should be handcuffed when transported.
- 5. Officers must take care and observe a detainee constantly during transportation.

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6. Officers should have gender and other considerations prior to transporting detainees and:
- (a) separate males from females unless they were involved in the same incident;
 - (b) detainees violent to each other should be handcuffed and transported separately;
 - (c) not transport juveniles in the back of a van; and
 - (d) not transport an adult and a juvenile together.

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CHAPTER 25

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CHAPTER 25: ACCIDENT RESPONSE

Purpose

- (a) Establishes the procedure for management of traffic incidents.
- (a) Improves on-scene safety for emergency personnel.
- (b) Establishes efficient use of limited resources.

Policy statement:

Existing guidelines on the content of an incident management plan should be used by road traffic authorities. Government will implement an incident management system on all national roads.

NATIONAL STANDARDS

ACCIDENT RESPONSES

NS 25.1

Preparation and reporting

1. Officers must report all accidents that meet or exceed the state--specified requirements for reporting.
2. The supervisor must notify the appropriate jurisdiction of an accident reported erroneously to a road traffic law enforcement authority while having occurred outside that road traffic law enforcement authority's jurisdiction.
3. If an accident is reported to an authority by a party involved in the accident, they must be assisted to complete the AR form properly.
4. Only adequately trained police/traffic officers shall be used to respond to, attend, record and conduct the on-site crime scene investigation of a road accident.
5. The country's official AR form comprises 6 pages. Pages 1a and 1b are General information, Instructions for completion of the form, and Operational procedures for police/traffic officers, and these shall be complied with.

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6. The patrol/response vehicle to be used to respond to a road accident shall be clearly visible and audible to all road-users.
7. Colours, markings, flashing lights and sirens on response vehicles shall be in the best interests of road safety for the police/traffic officers and other road users.
8. The patrol/response vehicle shall be equipped with relevant road safety equipment, and accident attendance and on-site crime scene investigation equipment.

NS 25.2**Officer response**

1. Officers must follow the provisions of the incident management plan or system in place at the road traffic law enforcement authority when responding to traffic accidents.
2. Traffic accidents requiring officer response are those involving:
 - (a) death;
 - (b) injury;
 - (c) hit and run;
 - (d) damage to public vehicles or property;
 - (e) driver impairment due to alcohol or drugs;
 - (f) hazardous materials;
 - (g) disturbance between principals;
 - (h) major traffic congestion as a result of the accident; and
 - (i) damage to vehicles to the extent that towing is necessary.
3. In response to a serious or complex investigation officers must:
 - (a) provide required emergency services;
 - (b) investigate the accident;
 - (c) record short-lived evidence, including marking off relevant points on the road surface and sketch plan; and
 - (d) restore normal traffic flow.
4. In less serious cases, officer involvement may be influenced by the availability of officers and the immediate workload and:
 - (a) at the discretion of the field supervisor, property damage only reports may be taken by directing the principals to road traffic law enforcement authority headquarters where a report must be made; and

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- (b) the field supervisor may implement the process due to severe weather, manpower shortage, or extenuating circumstances.

TRAFFIC ACCIDENT SCENE RESPONSIBILITIES

NS 25.3 Dispatch of officers to the scene of accident

1. When directed to respond to a traffic accident, the officer must be informed of (if available):
 - (a) the exact location;
 - (b) the severity of the accident;
 - (c) whether traffic is blocked; and
 - (d) other assigned units, such as:
 - (i) officers;
 - (ii) ambulances;
 - (iii) fire apparatus;
 - (iv) air rescue; and
 - (v) public works or utility.
2. Officers directed to a scene of an accident must choose the best possible approach route, considering traffic flow and congestion problems, based on their knowledge of the conditions normally existing in the vicinity.
3. Officers must drive safely to the scene, consistent with the need for a prompt response.
4. While on the route to the scene, officers must be alert for vehicles, which exhibit indications of involvement in a crash, leaving the vicinity.
5. It is essential for the response vehicle to arrive at the scene of a road accident as quickly as possible. Reasons for this include the following:
 - (a) vehicles and accident victims are invariably in abnormal positions, and the risk of a secondary road accident with death or injury is high;
 - (b) the lives of accident victims may be in danger, and help is urgently needed. An accurate situation report has to be given in order for other emergency services to be activated;
 - (c) accident victims can be raped or robbed;

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- (d) vital evidence can be destroyed, damaged, moved or removed; and
 - (e) accident victims can be exploited by unethical towing services, third-party 'touts', private ambulance services, private accident investigators, etc.
6. When a police/traffic officer responds to a scene, it is essential that he or she drives with due regard for the safety of other road-users.
 7. He or she shall be calm and collected at all times.
 8. The speaker of a siren should not be mounted on the roof of the patrol/response vehicle.
 9. The officer shall be aware that not all road-users can hear a siren clearly, and shall always be ready to take sudden measures to prevent being involved in a road accident or causing a road accident.
 10. A driver of a vehicle who fails to give way to an emergency vehicle emitting a prescribed sound can be criminally charged (police docket, issued with a Section 56 Notice, or a J534 Written Notice to Appear in Court).
 11. When responding to a scene, all police/traffic officer occupants of a vehicle shall be on full alert for suspect vehicles or pedestrians fleeing the scene.

NS 25.4 Notification by officers upon accidents encountered

1. As soon as possible upon encountering unreported traffic accidents, officers must notify the communication centre of the following:
 - (a) the exact location;
 - (b) registration number(s);
 - (c) the severity of the crash;
 - (d) the need for other emergency or support units;
 - (e) whether traffic is blocked; and
 - (f) any other pertinent information.

NS 25.5 Approach to and arrival at accident scenes

1. When approaching an accident, officers must be alert for, and avoid obliterating or destroying, evidence.

2. During the approach to the scene, and upon arrival, officers must be cognisant of any specific conditions or factors that may have contributed to the accident, which may include, but are not limited to:
 - (a) visibility or view obstructions;
 - (b) inoperative or missing traffic control devices; and
 - (c) other hazards.
3. Upon arrival at the scene, officers must park their vehicle(s) in such a manner as to provide maximum protection to the scene.
4. In order to safeguard the scene of an accident, the officer must:
 - (a) use the blue, blue and amber, blue and red, or blue, amber and red flashing emergency lights;
 - (b) wear high-visibility road safety clothing;
 - (c) assess the scene;
 - (d) identifying any threats, hazards or dangers;
 - (e) use hand signals to direct traffic;
 - (f) place road safety equipment (like traffic cones, portable road signs, etc) on the road to safeguard the scene and warn approaching vehicles;
 - (g) move traffic cones, portable road signs, etc, further back to warn approaching vehicles (if the traffic is congested);
 - (h) circulate information via police/traffic radio channels and radio channels of other emergency services and towing services about any wanted 'hit and run' vehicles which failed to stop at the scene;
 - (i) comply with the principles of accident incident management;
 - (j) arrange for the area to be evacuated if there is the danger of a dangerous goods spillage;
 - (k) cordon off the immediate vicinity with barrier tape, traffic cones, etc.;
 - (l) prevent any potential crime at the scene;
 - (m) control crowds and bystanders; and
 - (n) prevent people from smoking.
5. Officers must assess the scene to determine the need to summon assistance for:
 - (a) emergency medical services;
 - (b) fire-fighting vehicles;
 - (c) protection of the scene;

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- (d) control of traffic; and
- (e) additional investigative skills.

NS 25.6**Dangerous Goods**

1. Officers must resist rushing in at accidents involving hazardous material and must approach the incident from upwind and stay clear of spills, vapours, fumes and smoke.
2. Officers must identify the material by finding any one of the following:
 - (a) the identity UN number on a placard or orange panel; or
 - (b) the identity number on a shipping document or package.
3. Officers must immediately notify the hazardous response team.
4. The officer may offer aid to a victim by:
 - (a) moving the victim to fresh air;
 - (b) calling emergency medical care; and
 - (c) applying artificial respiration if the victim is not breathing. Refrain from using mouth-to-mouth method if the victim ingested or inhaled the substance. Rather use the aid of a pocket mask or other proper respiratory medical device.
5. Officers must deviate traffic should potential danger prevail.

NS 25.7**Victim support**

1. Officers must identify those most seriously injured if there are injuries at a scene of an accident and administer appropriate medical aid to injured persons should it be within their capabilities.
2. Officers must summon appropriate medical assistance to the scene and assist getting injured persons removed to medical facilities as soon as possible.
3. Officers must not transport injured persons in road traffic law enforcement authority vehicles.
4. At accident scenes where there is personal injury or the imminent threat of injury, actions to deal with the injury must take precedence over investigative or reporting activities.

5. Persons obviously deceased must be kept at the scene until their removal is authorised by a medical examiner.
6. Victims directly involved in the accident should be treated with understanding and empathy.
7. People related to the victim (relatives, friends or colleagues) should also be treated with understanding and empathy of indirect victims.
8. Victims should not be interviewed unnecessarily by other disciplines/services/persons, since this is traumatising.
9. Seriously and slightly injured victims must be located and identified, and the injuries must be categorised.
10. If an officer is adequately trained, first aid should be given to victims.
11. All injured victims must be interviewed to determine whether they were a driver, passenger or pedestrian, and all their particulars must be taken down.
12. Injured victims should be asked about the of ambulance service to be used.
13. The vehicle and personal belongings of injured victims should be checked for any sticker/card, etc, stating which ambulance service should be used.
14. Ambulance services should be called.
15. Particulars of private persons who gave first-aid support to injured victims and/or moved them must be taken down of.
16. The next-of-kin of seriously injured victims must be determined.
17. The property of victims must be located, identified and safeguarded.
18. The particulars of ambulance service companies and drivers, case reference numbers and names of hospitals to where injured will be taken must be recorded.
19. Deceased victim(s) must be located.
20. Deceased victim(s) must be covered with a blanket, body-bag, etc.
21. The identity of deceased victim(s) must be determined.
22. The deceased must be declared 'dead' (not certified), at scene by a suitably trained medical person.
23. The next-of-kin of deceased must be determined.
24. The victims must be guarding to prevent further injuries.
25. The deceased must be handed over to relevant officials, and signatures must be obtained for receipt.

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26. The names of the hospital/mortuary where deceased is to be conveyed must be taken down.
27. The vehicles involved must be located, identified and their details taken down.
28. The driver or owner of vehicles involved must be determined and their particulars taken down.
29. The drivers or owners of vehicles must be asked about the choice of towing service to be used.
30. Vehicles must be checked for any sticker/card, etc, stating which towing service should be used.
31. The use of a towing service, which is member of a recognised towing association, must be authorised and it must be in the best interests of the drivers or owners of the involved vehicles (only if the above two conditions cannot be complied with).
32. A towing service must be arranged.
33. The particulars of the towing service and driver must be taken down.
34. The towing service driver or other service provider must clear up accident debris.
35. Officers at the scene must ensure that property belonging to victims is protected from theft or pilferage, and is removed to a place of safekeeping if the owner is unable to care for it.
36. The property of injured/deceased victims must be handed over to families/friends at scene.
37. Items of significant value that could easily be stolen must not be left with the vehicle.
38. In situations where officers find it necessary to handle a victim's personal property, whenever possible, it must be done in the presence of witnesses.
39. The officer must conduct an inventory search when a vehicle must be towed.
40. Property belonging to the victim taken into custody must be turned over to the evidence custodian after completion of proper forms.
41. Transport must be arranged for accident victims (who are not transported by ambulance, towing service, families/ friends, etc.) to leave the scene.
42. The 'death message/message of serious injury' must be delivered to the next-of-kin or other authorised person. The message must not be delivered over the telephone.

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43. The officer must proceed to the hospital where injured victims were conveyed before police/traffic officer arrival at the accident scene.
44. The injured victims must be located at hospital, where their injuries must be identified and categorised, the victims must be interviewed, it must be determined whether they were a driver, passenger or pedestrian, and their particulars must be taken down.
45. Police/traffic officers who attended a traumatic road accident must be debriefed.

NS 25.8 Serious road accidents (road-related crime)**Determining if an accident is serious or minor**

1. It must be determined if the accident is part of a murder, attempted murder, suicide, attempted suicide, fraud, road-related crime, or is a minor road traffic criminal offence accident.
2. Criteria must be complied with to conduct an on-site crime scene investigation to register a case docket (CAS/CR) for a road-related crime, if a person is killed or seriously injured, if a serious road traffic criminal offence has been committed, if a government vehicle is involved, and/or if there is a written complaint.
3. It must be determined if the vehicles and/or persons had been involved with crime or just before or during the accident.
4. Suspects must be identified and lawfully arrested for crime and/or road-related crime (CAS/CR).
5. Forensic and other evidence must be located, identified and protected (CAS/CR).
6. Important and relevant information must be obtained from emergency services personnel, towing services, etc, who were on the scene before police/traffic officer arrival. The information must be written down.
7. The particulars of emergency services personnel, towing services, etc, who were on the scene before police/traffic officer arrival must be recorded.
8. The Road Accident Fund (RAF) must be liaised with on scene.
9. The media on scene must be liaised with (in conjunction with police/traffic department communication officials).

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1. Detailed observations must be made regarding human factors of drivers/pedestrians/passengers to determine and prove the elements of the crime.
2. Screening observations and tests of/on suspected intoxicated/drugged drivers, pedestrians, and passengers must be conducted to determine and prove the elements of crime.
3. Suspects must be medically examined, blood-tested for intoxicated liquor and/or breath-sampled with an evidential breathalyser to determine and prove the elements of the crime.
4. The suspect must be conveyed for medical examination, blood and/or evidential breathalyser testing.
5. Detailed observations of vehicle factors at a scene must be made, preferably by a trained mechanical vehicle examiner/investigator, to determine and prove the elements of the crime.
6. Vehicles must be arranged to be further examined/investigated away from the scene.
7. Detailed observations must be made of the following to determine and prove the elements of the crime:
 - (a) road factors;
 - (b) environmental and weather conditions; and
 - (c) physical evidence and exhibits.
8. Forensic and other evidence must be located, identified and protected.
9. Various alleged point(s) of impact must be determined on the road surface according to the parties involved, the officer's own observations, etc.
10. All forensic and physical evidence, and indicated accident-related points (corners of vehicles, points of impact, tyre marks, etc.) must be marked on the road surface with dark blue spray-paint/yellow road-marking crayon.
11. Exhibits must be seized.
12. Possible legal defences to refute allegations must be identified and investigated.
13. Photographs and/or video recordings must be taken at the scene and elsewhere, like from on top of a vehicle, from a building, aircraft, etc.
14. An accurate rough sketch of the crime scene must be drawn.

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15. Measurements must be taken using an accurate measuring device.
16. The scenes of accidents which occurred at night must be revisited during the daytime for further observations and taking measurements.
17. A case docket must be opened at the police station in whose jurisdiction the accident occurred immediately after the accident is attended or before the on-site crime scene investigator goes off duty.
18. The correct criminal charges and alternative charges must be entered on the front page of the case docket.
19. Information recorded at the scene must be transferred to an AR form, and correctly the form must be completed correctly and signed.
20. The CAS/CR number must be written on the completed AR form.
21. The completed AR form must be inspected and signed.
22. A comprehensive A1 statement containing particulars of the parties involved, elements of the crime, etc. must be compiled.
23. An accurate sketch plan must be drawn and a key must be compiled for it.
24. Relevant documents must be filed in 'A' and 'B' clips of the case docket.
25. The Investigation Diary (SAPS 5) must be completed.
26. A key must be compiled for the photographs, and both must be submitted to the SAPS investigating officer.
27. Any video-recording must be submitted to the SAPS investigating officer.
28. The need for specialised investigation and/or accident reconstruction must be identified, and these should be conducted, if necessary.
29. Subject knowledge expertise advice and assistance in high-profile inter-departmental accident investigations (SAPS Accident Units) must be provided.
30. Evidence must be presented in criminal and civil court proceedings, and at inquests.
31. Inquiries from victims, the Road Accident Fund (RAF), insurance companies, etc. must be dealt with.

NS 25.9 Independent eye witnesses and passenger witnesses

1. Enquiries must be made to involved drivers, passengers and pedestrians to locate independent eye-witnesses and passenger witnesses.

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2. Enquiries must be made to other emergency services, towing services, etc. on scene.
3. Enquiries must be made of bystanders on the scene by walking around, using public address system on the vehicle, etc.
4. Independent eye witnesses and passenger witnesses must be identified.
5. Independent eye witnesses and passenger witnesses must be interviewed briefly and their particulars must be taken down.
6. The time of accident must be determined.
7. The relevant indicated points on the road surface must be marked according to independent eye witnesses, for inclusion in an accurate rough sketch of the scene (CAS/CR). A passenger witness may be in a state of shock and therefore not in their sound senses.
8. A sworn affidavit from independent eye witnesses must be taken down if they live or work in another city or town (CAS/CR case).
9. The media must be requested to ask for eye witnesses to contact the police/traffic department.
10. Witnesses must be located from telephone calls made by the informant to the police/traffic departments, various emergency services call centres, towing services, etc., informing them of the accident.
11. Stake-out operations to observe witnesses must be planned and co-ordinated.

NS 25.10 Protecting the scene and clearing the roadway

1. Officers must use their road traffic law enforcement authority vehicle emergency lighting, flares, and any other warning devices necessary to protect the scene and alert approaching traffic to potential danger.
2. The officer must clear the roadway as rapidly as possible if there are no injuries requiring immediate attention.
3. Officers must direct vehicles at the scene of an emergency or otherwise be parked safely off the roadway as soon as possible, to prevent congestion and to permit emergency vehicles to move freely and safely.

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4. Officers must be alert for actual or potential dangers (flammable fluids, hazardous material) at accident scenes and initiate appropriate preventative actions and summon additional services when such actual or potential dangers are noted.
5. Officers must conduct accident scene traffic direction and control activities as necessary to protect the scene, clear the roadway, promote the safe and efficient movement of traffic in the vicinity, and prevent additional collisions.
6. Officers must use reflective vests or other items to increase their visibility when required to be in the roadway.

NS 25.11 Prohibition regarding towing service

1. Officers shall not call, inform, or instruct a private towing service to:
 - (a) attend the scene of an accident; or
 - (b) tow a vehicle from a scene of accident.
2. Officers must call a supervisor or superior officer or radio the control room who will call a breakdown service if required.

NS 25.12 Verifying personal and motor vehicle particulars

1. Number plates, vehicle licence discs, driving licences and relevant permits must be inspected for legal compliance.
2. The number plate on the front of the vehicle must correspond with the number plate on the rear of the vehicle, and on the vehicle licence disc.
3. Counterfeit, forged or false driving licences, vehicle licence discs and permits must be detected.
4. Missing, illegal and/or false number plates must be detected.
5. Vehicles, licences, identity documents, other documents must be checked for possible crime involvement.
6. The relevant criminal charges must be instituted, if necessary.
7. Exhibits (documents, number plates, etc.) must be seized.

NS 25.13 Investigative and reporting services

1. Officers should conduct on-scene accident investigative and reporting activities as necessary and appropriate, given the nature and circumstances of the accident and complete an accident report form.
2. Officers must take enforcement action, as and when appropriate, based on the evidence obtained from their investigation and reporting activities.
3. An officer must not investigate an accident where:
 - (a) he or she is an eye witness; or
 - (b) he or she is involved directly or indirectly.
4. The following elements must be observed and included in the accident report:
 - (a) driver, pedestrian and cyclist;
 - (b) vehicle;
 - (c) road; and
 - (d) environmental and weather conditions.
5. Insecure loads on vehicles must be identified.
6. It must be determined if the vehicle was overloaded at the time of the accident.
7. The vehicle must be suspended, if necessary.
8. Fixed property which is damaged must be located and identified.
9. The owner of fixed property must be determined, and their particulars taken down.
10. The owner of damaged property must be notified.
11. It must be ensured that damages are repaired if danger exists.
12. Deceased, injured and/or uninjured animals must be located.
13. The owner of the animal(s) must be determined, and their particulars taken down.
14. The owner of the animal(s) must be informed.
15. The animals must be arranged to be moved/removed.
16. The relevant road traffic criminal offence charges must be instituted against the owner of the vehicle, fixed property and/or animals.
17. The AR form must be completed.

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1. Information should be marked on the roadway and recorded by an officer after taking the measurements, including:
 - (a) tyre marks;
 - (a) road scars;
 - (b) debris;
 - (c) point of impact or first contact point;
 - (d) final positions of involved vehicles; and
 - (e) road environment and conditions.
2. Officers should take photographs or have photographs of the scene of the accident taken prior to clearing the scene.

NS 25.15 Measures and rough sketch plan

1. Traffic officers should take measurements at the scene of an accident in accordance with the following three phases:
 - (a) marking the positions of the vehicles and any other objects on the road;
 - (b) measuring the road; and
 - (c) measuring the other points at the scene of the accident, such as the point of the accident, the position of vehicles, traffic lights, pavements, and white lines.
2. An officer should sketch a rough plan upon arrival at the scene of an accident where there was an injury or death and must keep with accident report forms.
3. The sketch must indicate any observations made by the officer.
4. A final sketch plan must be prepared at a later stage and filed with the case docket.

NS 25.16 Clearing the scene and terminating on-scene activities

1. Officers must arrange for the prompt removal of vehicles and debris from the scene of a traffic accident consistent with the need to deal with injuries and hazardous conditions, and preserve and collect evidence.
2. Officers must assist drivers, as necessary, in entering the traffic flow when vehicles are to be driven away from the scene.

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3. Officers must arrange for the prompt removal of flares and/or warning devices used to protect the scene once the scene has been cleared of vehicles, debris and other things.

NS 25.17 Traffic accident investigation follow-up

1. The supervisor may assign an officer to undertake follow-up accident investigation services in support of on-going or anticipated criminal prosecution when appropriate.
2. Specially trained officers may be consulted, or assigned to carry out follow-up investigations, when appropriate.
3. Follow-up investigations should include:
 - (a) collecting off-scene data; and
 - (b) obtaining and recording formal statements from witnesses.
4. The investigating officer must prepare formal reports to support criminal charges arising from the accident.

NS 25.18 Traffic control at accident scenes

1. Uniformed officers must undertake traffic control at accident scenes whenever possible.
2. Officers must set up perimeter traffic control points to:
 - (a) allow for the ingress/egress of road traffic law enforcement authority, fire and rescue equipment;
 - (b) halt or divert approaching traffic away from or around the scene; and
 - (c) provide for a system of alternate routes to move traffic around the accident.
3. Flashlights may be used to halt traffic and after the driver has stopped. Arm signals may be given in the usual manner with the vehicle headlights providing illumination.

NS 25.19 Fire scenes

1. Officers must support fire rescue operations at the scene of a fire.
2. The assistance of the officer includes:

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- (a) consulting with the ranking official in charge of the scene to determine their needs;
- (b) providing protection for the fire scene and for fire and rescue equipment; and
- (c) setting up perimeter traffic control points to allow the ingress/egress of fire and rescue equipment and personnel authorised to be at the scene.

NS 25.20**Air rescue operations**

1. Officers directing or assisting air rescue services must be knowledgeable about general guidelines in respect of co-operation with aircraft and helicopter crews.
2. Officers must stop traffic to clear the roadway before landing and take-off of the aircraft or helicopter.
3. The aircraft or helicopter should be cordoned off.
4. Officers must not allow persons near the aircraft or helicopter while the engine is running.
5. Officers must always approach a helicopter from the front and never from the back.
6. Officers must be aware of dust and strong wind which may create hazardous situations.

NS 25.21**Release of information**

Investigating officers and/or commanders must ensure that proper and complete notification has been made to next of kin prior to releasing information to the media or to any other person or entity.

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PART B: NATIONAL PERFORMANCE TARGETS

PART B1: AUTHORITY ORGANISATION, EQUIPMENT AND FINANCING

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CHAPTER 26: AUTHORITY ORGANISATION

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CHAPTER 26

AUTHORITY ORGANISATION

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CHAPTER 26: AUTHORITY ORGANISATION

Purpose

- (a) Establishes consistency and uniformity for the road traffic law enforcement organisational capacity for municipal, metropolitan and provincial authorities.
- (b) Establishes the alignment of the national road traffic law enforcement organisational capacity, which supports optimal utilisation and the effective/efficient implementation of the Corporation's strategy.
- (c) Establishes consistency in the assignment of human and other resources for the achievement of targets.
- (d) Clarifies and establishes uniformity as far as the officers' ranking, chain of command, control span and functions or duties are concerned.

Policy statement

The Corporation strives to establish a uniform traffic law enforcement structure and levels of command throughout all authorities to promote seamless integration of service delivery within the Corporation.

NATIONAL TARGETS

AUTHORITY ORGANISATION

NT 26.1

Authority structure

1. The success of the road traffic law enforcement authorities in the country will be dependent largely on how work or tasks are organised and allocated. Therefore, the authority structure that has to be implemented must ensure that the co-ordination of the road traffic law enforcement activities and the degree to which these activities are broken up or differentiated within the organisation contribute to effective road traffic law enforcement.

2. The road traffic law enforcement authorities should be flexible around the establishment and implementation of the authority organisational structure at various levels of authority within the organisation.
3. A functional structure model would be used throughout all authority levels to establish uniformity in terms of functions and duties of traffic law enforcement officers within the organisation. A generic organisational structure is included in annexure 9 in part F of the Code.
4. Traffic officers should be scheduled to serve in special units such as Traffic Patrol and Moving Offence Units, Traffic Patrol and Traffic Stop Units, Overload Control Units and Incident and Special Task Units.
5. Officers should be rotated to different units on a regular basis.
6. The establishment of these traffic control units is important for enforcement tasks on a daily basis.
7. These units could be categorised as follows;
 - (a) Traffic Patrol and Moving Offence Units;
 - (b) Traffic Patrol and Traffic Stop (mini roadblock) Units;
 - (c) Overload Control Units;
 - (d) Incident and Special Task Units; and
 - (e) Others as may be required by the authority.
8. The special enforcement units will reside within the authority of the second level of traffic management (mid-management) staff.
9. The main purpose of Traffic Control and Moving Offence Units is to:
 - (a) Patrol roads on which enforcement must be undertaken on reckless, negligent and inconsiderate driver behaviour;
 - (b) When patrol vehicles are stationary during a shift, enforce moving violations such as overtaking, jumping red traffic signals, ignoring traffic signs and speeding at locations with speeding restrictions; and
 - (c) Execute the enforcement tasks in such a way that during an eight hour shift, three to four hours of patrolling and four to five hours of enforcement on moving violations will be undertaken.
10. The main purpose of the Traffic Patrol and Traffic Stop Units is to:

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- (a) Conduct traffic stops during which vehicles are stopped selectively and the fitness of both driver and vehicle are checked, e.g. driving licence, PrDP, alcohol, seatbelts, tyres, lights, brakes, etc.
 - (b) Execute the enforcement tasks on reckless, negligent and inconsiderate driver behaviour; and
 - (c) Execute the enforcement tasks in such a way that during an eight hour shift, three to four hours of patrolling and four to five hours of stopping will be undertaken.
11. The main purpose of the Overload Control Units is to:
- (a) Control overloads at permanent traffic control centres (weighing stations) as well as roving teams doing overload control on escape or alternative routes around the permanent centres.
12. The main purpose of the Incident and Special Task Units is to undertake daily incident management and execute special tasks such as:
- (a) attending to road accidents;
 - (b) clearing-up after accidents;
 - (c) attending to traffic congestion;
 - (d) attending to stranded motorists and abandoned vehicles, animals and debris on the road;
 - (e) escorting VIP's, abnormal loads, funeral and strike processions;
 - (f) point duty at sport events, schools and out-of-order traffic signals; and
 - (g) providing road safety education at schools, etc.
13. It should be noted, however, that the traffic personnel should not be allocated to such units on a permanent basis but, for various reasons, be rotated on a weekly or monthly basis from unit to unit.

NT 26.2**Ranking and support personnel**

1. As discussed under NS 1.2 Rank, only sworn road traffic law enforcement personnel are eligible for ranking, e.g. Chief of Traffic, Deputy Chief of Traffic, Assistant Chief of Traffic, Superintendent, etc.

2. Their task is to make decisions and take actions that will guide the behaviour of their subordinates towards an effective and efficient implementation of the road traffic law enforcement machinery.
3. A standard ranking structure will be applicable to all traffic officers and is expected to contribute to an improved visibility and image of traffic law enforcement in the country.
4. It is also used to form organisational structures of various authorities and, further, to determine layers of work, unit and span of control, integrate job design variables, complete job profiles and post establishments.
5. Support personnel are the non-sworn road traffic law enforcement group of employees, whose function is to offer an effective and efficient support to the road traffic law enforcement organisation's machinery.
6. The non-sworn personnel include the following functions:
 - (a) Administration
 - (b) Professional Services
 - (c) Finances
 - (d) Human Resources
 - (e) Any other voluntary personnel deemed necessary
7. The prescribed rank structure for sworn and support personnel is included in annexure 10 in part F of the Code.
8. The rank structure is based on the following guiding principles:
 - (a) A completely new designation and insignia scheme should be considered to prevent the perception of demotion that may be experienced with a reassignment of the existing rank insignia.
 - (b) Use of same designation for both a rank and general description of function should be avoided (eg Inspector as a rank vs Traffic Inspector as a general description within all ranks as can currently be found in the provincial ranking structure)
 - (c) If rank designations similar to SAPS and Metro Police are used, such designations should refer to the same levels to avoid confusion. Likewise, if insignia of a similar configuration than that of the SAPS and Metro Police are used, such insignia should depict the same levels to avoid confusion.
 - (d) The criteria that will determine the rank that an officer holds or may be appointed to depend on the following factors:

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- (i) Functions performed, eg specialised, technical, etc
 - (ii) Duties assigned e.g. functional/operational or supervisory/management.
 - (iii) Area of jurisdiction (including kilometres of roads in the network), density of population and vehicle population, Size or Grade of Authority (including number of staff).
 - (iv) Compulsory Qualifications/ Training
 - (v) Supplementary Qualifications/ Training
 - (vi) Experience
 - (vii) Years of service in relevant environment
- (e) Criteria that will determine the promotion from one level to the next must be set for all authorities, particularly at the lower levels in the structure, inter alia based on the qualifications achieved, experience and years of service.
9. The rank structure was shaped by the following constraints:
- (a) The SAPS advised that the use of Commissioner and Captain rank designations should be avoided.
 - (b) Within Municipal Structures, the post of Director is a higher level than that of the Chief Traffic Officer and its incorporation as rank designation within lower structures should be avoided.

NT 26.3**Chain of command and control span**

1. As a link in the chain of command, a senior officer with line authority has the right to direct the work of subordinates and to make certain decisions without consulting others.
2. In the chain of command, every senior officer is also subject to the direction of his or her superior.
3. The purpose of the control span principle in the road traffic law enforcement is to allocate a certain number of traffic officers reporting directly to one senior officer, based on the functional target.
4. The strength of applying both the chain of command and control span principles should not be overlooked, as it delivers a tremendous capacity to manage efficiently the routine and predictable events that the authority may confront.

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5. These principles, if correctly applied, can result in balancing the accountability, responsibility and decision making load across all levels of the corporation.
6. A number of confusing issues, such as lines of communication, responsibility and accountability, may arise in practice if this matter is not dealt with adequately; and
7. As in NS 1.4, chain of command and control span may refer to bringing clarity to the following:
 - (a) The role of the supervisor and functional supervisor;
 - (b) Communication of orders;
 - (c) Unlawful orders;
 - (d) Conflicting orders;
 - (e) By-passing the chain of command;
 - (f) Lateral communication;
 - (g) The number of subordinates that a supervisor may effectively supervise; and
 - (h) Saluting.
8. The chain of command and control span is illustrated in annexure 11 of part F of the Code.

NT 26.4 Functions and duties of ranks and support personnel

1. A job profile must accurately portray job content, environment and conditions of employment. It states the minimum acceptable qualifications needed to perform a given job successfully. It further identifies the knowledge, skills and abilities needed to do the job effectively.
2. To ensure that time and energy is spent on issues that are most important to the Corporation, job profiles will be aligned with the organisation's strategy, uniform rank structure and performance management system to be used by municipal and provincial traffic officers.
3. The job profile format that will be used throughout the organisation (municipal and provincial departments) will comprise the following factors:
 - (a) Job title;
 - (b) Incumbent's name;
 - (c) Job grade;
 - (d) Job code;

- (e) Category/function;
 - (f) Department;
 - (g) Area of jurisdiction;
 - (h) Reporting structure/chain of command;
 - (i) Primary purpose of job;
 - (j) Key outputs;
 - (k) Key competencies;
 - (l) Learning indicators; and
 - (m) Statutory requirements.
4. A separate title, including responsibilities and functions, is awarded to a traffic officer managing a smaller authority. The title Commander is of an independent nature and is used for this purpose.
 5. The commander of a station or Authority will still hold a rank as determined by the factors described in Chapter 9.
 6. Standard job descriptions in the format discussed above are attached under annexure 12 in part F of the Code.

NT 26.5 Determining the required number of traffic officers

1. The required number of traffic officers has to be determined according to the amount of work that has to be completed by the authority.
2. The Corporation must assist authorities in determining the required number of officers using the prescribed model.
3. The Police Allocation Manual that must be used to determine the required number of officers is included in annexure 13 in part F of the Code.
4. A pro forma of the mathematical model is included in annexure 14 in part F of the Code.
5. The data required to complete the model must be collected or determined as accurately as possible by the authority.
6. The completed model has to be submitted to the Corporation for evaluation and any results obtained from the model can be used as a recommendation for the required number of officers.