

NOTICE 536 OF 2013**DEPARTMENT OF TRANSPORT**

THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT, 1998 (ACT No. 7 OF 1998) (AS AMENDED):

PUBLICATION FOR COMMENTS: DRAFT E-ROAD SPECIFICATION REGULATIONS

The Minister of Transport hereby publishes the draft regulations in the Schedule, *E-Road Specification Regulations*, for comment in terms of section 58(4) of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998) (As amended).

Interested persons are invited to submit written comments on the draft regulations within 30 days from the date of publication hereof to the Director-General, Department of Transport.

Comments may be sent to the following postal or e-mail address, or faxed to the following number:

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SCHEDULE
GOVERNMENT NOTICE
DEPARTMENT OF TRANSPORT

No. R

Date:

**THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL
ROADS ACT, 1998 (ACT No. 7 OF 1998):**
DRAFT E-ROAD SPECIFICATION REGULATIONS

The Minister of Transport hereby, in terms of section 58(1)(dB) of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998) ("the Act") makes the regulations in the Schedule hereto.

Schedule

Definitions

1. In these regulations, a word or expression that has been defined in the Act, the National Road Traffic Act or the e-Road Regulations has the same meaning and, unless the context indicates otherwise—

"e-Road Regulations" means the e-Road Regulations made by the Minister under sections 59(1)(dA) and (dC) of the Act;

"National Road Traffic Act" means the National Road Traffic Act, 1996 (Act No. 93 of 1996; and

"the Act" means the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998).

Camera equipment used to identify a motor vehicle

2. (1) For the purpose of this regulation, type-approved and type-approval means that one example of a specific make and model of camera

equipment has been tested by an accredited test laboratory, accredited in terms of the South African National Accreditation System (SANAS), in terms of SANS 1795: Road Traffic Law Enforcement Systems, Part 5: Data Capturing and Recording Devices for Road Traffic Law Enforcement.

(2) The camera equipment to be used to capture a motor vehicle image shall comply with the requirements of the standard specification, SANS 1795: Road Traffic Law Enforcement Systems, Part 5: Data Capturing and Recording Devices for Road Traffic Law Enforcement and shall be type-approved as contemplated in subregulation (1).

(3) If, in any prosecution for an offence under the Act, an allegation is made in the charge sheet in relation to the camera equipment used to identify a user by means of an image of a motor vehicle, a certified copy of a test report indicating that the specific make and model of equipment complies with SANS 1795: Road Traffic Law Enforcement Systems, Part 5: Data Capturing and Recording Devices for Road Traffic Law Enforcement, issued by an accredited test laboratory shall, by mere production thereof and in the absence of evidence to the contrary, be *prima facie* proof as to the fact that the road-side equipment camera complies with subregulation (2).

(4) A certified copy of a certificate issued by the manufacturer or supplier of the camera equipment, referred to in subregulation (1) that contains the make and model of the camera equipment, shall, by mere production thereof and in the absence of evidence to the contrary, be *prima facie* proof that such camera equipment is of such make and model.

Method of affixing an e-tag to a vehicle

3. (1) When affixing an e-tag to a vehicle in the case of a vehicle with an angled windscreen, the bracket provided for angled windscreens must be used and the e-tag must be affixed to the windscreen as follows:

- (a) The e-tag unit (bracket and e-tag) must be fitted horizontally onto the front windscreen behind the rearview mirror so that when facing the e-tag unit from the inside of the vehicle the bracket is on the left-hand side of the e-tag;

- (b) the e-tag must be fitted so that it does not obstruct the driver's visibility and sufficient room must be left for the e-tag to slide from its bracket once mounted;
- (c) at least seven centimetres of distance must be left between the e-tag and any other objects, such as sun visors;
- (d) the surface cleaner provided with the e-tag must be used to clean the portion of the windscreen thoroughly where the e-tag will be mounted before mounting it, and the windscreen must be dry before the bracket is mounted;
- (e) before mounting the e-tag, the e-tag must be inserted carefully into the bracket until it clicks;
- (f) the adhesive liner must be removed from the back of the bracket before mounting it; and
- (g) when mounting the e-tag unit the bracket must be placed carefully in the correct position and pressed firmly onto the windscreen for at least one minute, and the e-tag must not be removed from the bracket for at least 24 hours after the initial mounting.

(2) In the case of a vertical windscreen, the bracket provided for vertical windscreens must be used and the e-tag must be affixed to the windscreen as follows:

- (a) The e-tag unit must be fitted vertically in the centre of the front windscreen so that when facing the e-tag unit from the inside of the vehicle the bracket is at the bottom of the e-tag unit;
- (b) the e-tag must be mounted higher than the windscreen wipers on the inside of the windscreen for heavy vehicles and behind the rearview mirror for light vehicles; and
- (c) paragraphs (b) to (g) of sub-regulation (1) also apply to the affixing of e-tags on vertical windscreens.

(3) In the case of a motor-cycle the e-tag may be fitted by means of the pouch and clamp provided with the e-tag for motor-cycles to either the handle bar or to a metallised part of the motor-cycle in the manner specified in paragraphs (a) to (g) of subregulation (2).

(4) If the method specified in sub-regulation (3) is not possible, or the user discovers that the e-tag is not working, the user of the motor cycle must carry the e-tag in a suitable pocket on his or her person so that the e-tag reverse side (the side where slots have been provided for insertion of the motor vehicle bracket) faces the

direction of intended travel and the “e” logo on the e-tag faces the user’s body or use a method as specified by the Agency.

Using the e-tag

4. (1) When fitted to the vehicle a functioning e-tag will produce a beeping sound when the vehicle passes under a gantry, as follows:

- (a) one beep indicates that the transaction was successful;
- (b) two beeps indicate that there are insufficient funds on the relevant e-toll account and that the account should be topped up; and
- (c) four beeps indicate that the transaction was not successful and that an e-toll customer service centre should be contacted to remedy the matter.

(2) Except where the person is hearing impaired or the e-tag is fitted to a motor cycle, the e-tag user must ensure that an audible sound is made by the e-tag every time the motor vehicle passes under an e-toll plaza and report an e-tag that does not function as contemplated in sub-regulation (1).

Short title and commencement

5. These regulations are called the E-road Specification Regulations and shall come into operation on a date to be determined by the Minister by notice in the Government Gazette.