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GENERAL NOTICE

NOTICE 287 OF 2014

DEPARTMENT OF TRANSPORT

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

PUBLICATION OF THE NATIONAL ROAD TRAFFIC REGULATIONS FOR COMMENTS

The Minister of Transport intends to amend the National Road Traffic Regulations, 2000, and acting in terms of section 75 (6) of the National Road Traffic Act, 1996 (Act No. 93 of 1996) herewith publish the regulations in the Schedule for comments; All interested parties who have any objections, inputs or comments to the proposed amendments are called upon to lodge their objections, inputs or comments, within four weeks from the date of publication of this Notice to:

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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, R. 871 of 2 September 2005, R. 1066 of 23 November 2005, R. 1318 of 2 December 2005, R. 1319 of 2 December 2005, R. 891 of 4 September 2006, R. 964 of 29 September

2006, R. 404 of 4 May 2007 and R. 865 of 28 September 2007, R. 589 of 27 May 2009, R. 359 of 12 May 2010, R. 541 of 29 June 2011, R. 209 of 9 March 2012 R. 758 of 9 October 2013 and R. 890 of 19 November 2013.

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 time"** of the following definition:

"embosser" means a manufacturer of number plates who embosses allocated licence number or motor trade number of a motor vehicle on a blank number plate;

(b) the deletion of the word "or" after subparagraph (i) of paragraph (d) in the definition of **"acceptable identification"**;

(c) the substitution of the "." after subparagraph (ii) of paragraph (d) in the definition of **"acceptable identification"** with a ";"; and

(d) the addition of subparagraph (iii) after subparagraph (ii) of paragraph (d) in the definition of **"acceptable identification"**:

"(iii) a close corporation converted in to a company in terms of Schedule 2 of the Companies Act, 2008 (Act No. 71 of 2008) the certificate of incorporation issued to the company in terms of that Schedule;"

Amendment of regulation 27 of the Regulations

3. Regulation 27 of the Regulations is hereby amended by the substitution for regulation 27 of the following regulation:

"27. Licence mark and licence number system

(1) The MEC of each province shall, subject to subregulation (2), by notice in the *Provincial Gazette*, determine a licence mark for the province concerned.

(2) (a) The MEC of a province shall by notice in the *Provincial Gazette*—

- (i) allocate a licence mark to every registering authority in the province concerned, which licence mark shall consist of a combination of letters; or
- (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 subregulation (1): Provided that vowels and the letter "Q" shall not be used and the first letter shall not be the letter "G".

(3) Every motor vehicle licensed in a province shall be allocated with a licence number and such licence number shall, subject to subregulation (5) and regulation 28, consist of the licence mark referred to in subregulation (2)(a)(i) and figures, or the letters and figures allocated from the licence number system referred to in subregulation (2)(a)(ii).

(4) The MEC may, by way of notice in the *Provincial Gazette*, allocate a new licence mark to any registering authority or establish a new licence number system for the province concerned.

(5) The licence number of a motor vehicle—

- (a) the owner of which is a department of State, may consist of—

- (i) the licence number allocated to the vehicle upon licensing thereof;
 - (ii) the letter G followed by two letters, three figures, and the letter G; or
 - (iii) any other licence number determined by the chief executive officer by notice in the *Gazette*;
- (b) the owner of which is the South African Police Service, may consist of three letters, three figures, followed by the letter B;
- (c) set aside for use by the King of the Zulu Nation, shall consist of the letters ZK followed by figures or letters or combination of figures and letters.
- (d) the owner of which is—
 - (i) a foreign government, diplomat representing a foreign government, an international or intergovernmental organisation;
 - (ii) a member of staff or suite of such government or organisation; or
 - (iii) any other person or class of person determined by the Minister of Foreign Affairs, shall consist of such letters and figures as are determined by the Director-General: Department of Foreign Affairs,

shall consist of such letters and figures as are determined by the Director-General: Department of Foreign Affairs but shall end in the letter "D".

Amendment of regulation 28 of the Regulations

4. Regulation 28 of the Regulations is hereby amended by the substitution for regulation 28 of the following regulation:

"28. Personalised licence number system

(1) The MEC may by notice in the *Provincial Gazette* establish a personalised licence number system for the province concerned.

(2) The provisions of the Act which are applicable to licence numbers shall *mutatis mutandis* be applicable to personalised licence numbers.

(3) Personalised licence numbers shall, notwithstanding anything to the contrary contained in these regulations be issued to a person upon application and subject to such conditions and upon payment of such fees or charges as are determined by the MEC of the province concerned.

(5) The person referred to in subregulation (3) may apply to the appropriate registering authority for the allocation of the personalised licence number issued under subregulation (3), to a motor vehicle of which he or she is the owner."

Amendment of regulation 35 of the Regulations

5. Regulation 35 of the Regulations is hereby amended by the substitution for regulation 35 of the following regulation:

"35. Display of licence number

(1) The licence number of a motor vehicle shall be displayed on a plate, to be referred to as a number plate and which complies with standard specification SABS 1116: "Retro-reflective Registration Plates for Motor Vehicles" or Part 2: "Registration plates (metal)".

(2) The number plate referred to in subregulation (1)—

- (a) shall bear a certification mark as shown in the standard specifications referred to in subregulation (1), embosser registration number on a self-adhesive tamperproof plastic label, the unique number of the blank plate that is not transferable from one blank plate to another and the abbreviated name of the manufacturer of the blank plate;
- (b) shall have a yellow or white retro-reflective surface;
- (c) shall have black, dark blue, dark red or dark green letters and figures, but shall display only black letters and figures in the case of a yellow retro-reflective surface;
- (d) shall be clearly legible and visible; and
- (e) shall display—
 - (i) the allocated licence number, South African Flag and the licence mark of the respective province at the end; and
 - (ii) black letters and figures,on a white retro-reflective surface landscape as shown in Schedule 5.

(3) The letters and figures on a number plate shall be arranged—

- (a) with all the letters and figures in one line; or
- (b) with the letters preceding the figures in one line and immediately thereunder, the figures and, if applicable, the last letter in one line;
- (c) with all the letters and figures in one line; or

(d) with the letters or the figures in one line, and immediately thereunder—

(i) the figures and letters;

(ii) the letters and letters; or

(iii) the letters and figures, and, if applicable, immediately thereunder, the letters in one line.

(4) Subject to the standard specification referred to in subregulation (1), a motor vehicle may only display on number plates letters and figures of 60 millimeters on the rear of motor vehicles which has illuminated space at the rear which is too small to permit the attachment of number plates with letters or figures of 75 millimeters: Provided that no person shall display a number plate other than the size of a number plate the illuminated space is provided for.

(5) The owner of a motor vehicle shall cause the number plate of such motor vehicle to be affixed thereto, from the date of licensing of such motor vehicle, in the manner referred to in subregulation (7), whether or not such motor vehicle is operated on a public road: Provided that the provisions of this subregulation shall not apply in respect of a number plate which is removed from such motor vehicle for the purpose of effecting repairs to such motor vehicle or number plate, and while such motor vehicle is not operated on a public road.

(6) No person shall operate on a public road a motor vehicle—

(a) on which a licence number or anything purporting to be a licence number, which is not applicable to such vehicle, is displayed;

(b) of which the licence number is in any way obscured or has become illegible, except if such licence number is temporarily obscured or illegible

by reason of a cause beyond the control of the driver of such motor vehicle;

(c) while, subject to subregulation (2)—

(i) any design appears on the number plate or if such plate is fitted to a number plate holder, on such holder; and

(ii) there appears within 150 millimetres of the licence number applicable to such motor vehicle, a design, ornamentation, figure or letter which is not a component part of the standard equipment or construction of that motor vehicle:

Provided that the provisions of this paragraph shall not apply to a distinguishing sign of the country of registration affixed in terms of the Convention;

(d) which, if such motor vehicle is deemed to be registered and licensed by reason of it being registered or licensed in a prescribed territory, does not comply with the legislation of that prescribed territory relating to the registration and licensing of motor vehicles and matters in connection therewith;

(e) which is registered in a prescribed territory, other than the Republic of Namibia, without displaying the distinguishing sign of the country of registration allocated in terms of the Convention;

(f) if such vehicle is registered in the Republic and displays thereon a distinguishing sign other than the distinguishing sign allocated to the Republic in terms of the Convention;

(g) in or on which a number plate is carried on which a licence number appears which is not applicable to such motor vehicle or anything

purporting to be a licence number, unless he or she provides evidence that such plate was not carried with criminal intent;

- (h) registered in the Republic, if each number plate, which complies with subregulations (1), (2) and (3), displayed on the motor vehicle does not display the same licence number, letter type and colours; or
 - (i) on which a number plate is displayed that does not comply with standard specification SABS 1116: "Retro-reflective Registration Plates for Motor Vehicles", Part 2: or "Registration plates (metal)".
- (7) A number plate shall be affixed—
- (a) in such a manner that it is not easily detachable;
 - (b) in an upright position or within 30 degrees of such position;
 - (c) in such a manner that each letter and figure thereon is clearly legible;
 - (d) in such a manner that the whole number plate is clearly visible;
 - (e) to the back of a motor cycle, motor tricycle, motor quadrucycle or trailer; and
 - (f) one to the back and one to the front of all other motor vehicles.

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.

(8) A number plate shall, in the case of—

- (a) a double-deck bus of which the engine is at the rear, be affixed not higher than one comma nine metres from ground level; or
- (b) any other motor vehicle, be affixed not higher than one comma five metres from ground level.

(9) The provisions of subregulation (7) in relation to legibility and visibility of a number plate which is affixed to the back of a motor vehicle, shall not apply to a motor vehicle which is towing another vehicle.

(10) Any person in possession of a number plate which is not applicable to any motor vehicle of which he or she is the title holder or owner, shall destroy such number plate, unless such possession is within his or her cause and scope of employment.

Provided that notwithstanding the provisions of this regulation, no person shall operate on a public road a motor vehicle first registered on or after 1 January 2010, unless such motor vehicle is fitted with a 520 -113 or 250 - 205 or 250 -165 size number plate.”

Amendment of regulation 48 of the Regulations

6. Regulation 48 of the Regulations is hereby amended by the substitution for regulation 48 of the following regulation:

“48. Manufacturers of number plates and embossers to register

No person shall manufacture or sell number plates unless, such person is registered as a manufacturer of number plates or embosser in terms of these regulations.”.

Amendment of regulation 49 of the Regulations

7. Regulation 49 of the Regulations is hereby amended by the substitution for regulation 49 of the following regulation:

"49. Manner of application by and registration of manufacturers of number plates and embossers

(1) An application for registration as a manufacturer of number plates in terms of section 5 of the Act shall be made on form MNP as shown in Schedule 2.

(1A) An application for registration as an embosser shall be made on form ENP as shown in Schedule 2

(2) An application referred to in subregulation (1) and (1A) shall be accompanied by—

- (a) the acceptable identification of the applicant and, if such applicant is a body of persons, that of its proxy and representative and a letter of proxy;
- (b) the appropriate fees as determined by the Minister;
- (c) any other additional information or documents as may be required by the chief executive officer.

(3) On receipt of an application for registration as a manufacturer of number plates, the chief executive officer shall ensure that such application is in order.

(4) If the chief executive officer is satisfied that the applicant may be registered as a manufacturer of number plates he or she shall—

- (a) register the applicant subject to the conditions prescribed in regulation 50, and if he or she deems fit, such conditions as are determined by him or her;
- (b) record the particulars pertaining to such applicant in the register of manufacturers of number plates; and
- (c) issue to such applicant a certificate of registration, on form CRNPM as shown in Schedule 2, which shall reflect the conditions referred to in paragraph (a).

(5) If the chief executive officer is not satisfied that the applicant may be registered as a manufacturer of number plates or embosser, he or she shall notify such applicant accordingly.”.

Amendment of regulation 50 of the Regulations

8. Regulation 50 of the Regulations is hereby amended by the substitution for regulation 50 of the following regulation:

“50. Conditions for registration as manufacturer of number plates

(1) Number plates manufactured by a manufacturer of number plates or number plates embossed by an embosser shall comply with the requirements of—

- (a) standard specification SABS 1116: “Retro-reflective Registration Plates for Motor Vehicles”, Part 2: “Registration plates (metal)” and Part 4: “Registration, plates (plastics)”; and
- (b) regulation 35(2) and (3).

(2) Manufacturers of number plates and embossers shall keep a register of number plates manufactured and embossed, which register shall contain—

- (a) the licence number brought onto the number plate concerned;
- (b) the date of manufacture of the number plate;
- (c) the chassis number of the vehicle to which the number plate concerned is fitted;
- (d) the acceptable identification of the person to whom the number plate concerned is sold; and
- (e) such additional information as required by the chief executive officer.

(3) The register of number plates must be put at the disposal of any traffic officer, member of the South African Police Service or any other local or provincial authority, upon request.

(4) Manufacturers of number plates and embossers shall only use such materials and processes in the manufacture of number plates as are approved by the South African Bureau of Standards and for which test reports are held on the premises of such manufacturer of number plates.

(5) The registration certificate of a manufacturer of number plates and embossers shall be displayed in a conspicuous position on the premises of such manufacturer of number plates in such a manner that it is visible to members of the public.”.

Amendment of regulation 51 of the Regulations

9. Regulation 51 of the Regulations is hereby amended by the substitution for regulation 51 of the following regulation:

"51. Manner of suspension or cancellation of registration of manufacturer of number plates or embossers

(1) If the chief executive officer intends to suspend or cancel the registration of a manufacturer of number plates in terms of section 5(4) of the Act or of an embosser he or she shall notify such manufacturer or embosser of such intention and the reason therefor.

(2) The manufacturer of number plates or embosser referred to in subregulation (1), may, within 21 days after receipt of the notification referred to in that subregulation, make a written representation to the chief executive officer.

(3) The chief executive officer shall after due consideration of any representation made in terms of subregulation (2), if any—

- (a) cancel the registration of the manufacturer of number plates or embosser concerned, or suspend such registration for such period as he or she may deem fit; or
- (b) not cancel or suspend the registration of the manufacturer of number plates or embosser concerned, and notify the manufacturer of number plates or embosser accordingly.

(4) The manufacturer of number plates or embosser whose registration has been cancelled, shall within 14 days after having been notified of such cancellation, submit to the chief executive officer the certificate of registration.

Insertion of regulation 53B in the Regulations

10. The following regulation is inserted after regulation 53A of the Regulations:

"53B. Motor dealer of used motor vehicles to register

A person or body of persons shall not carry on business as motor dealer of used motor vehicles unless such person or body of persons is registered as a dealer in terms of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009).”.

Amendment of regulation 293 of the Regulations

11. Regulation 293 of the Regulations is hereby amended by the substitution for paragraph (b) of subregulation (1) of the following paragraph:

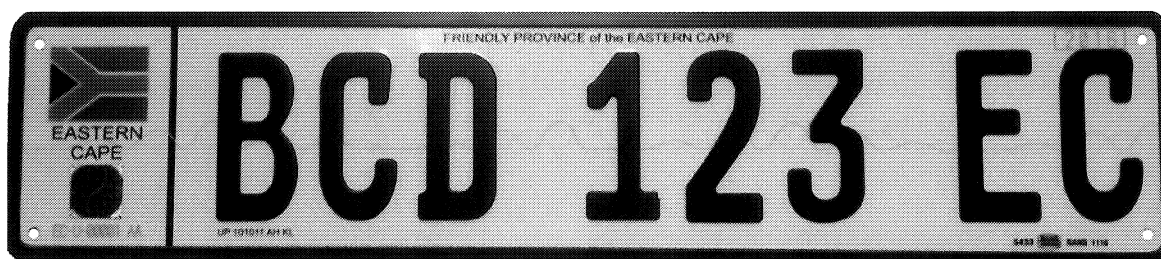
“(b) 100 kilometres per hour shall, subject to the proviso to the said section, apply in respect of—

- (i) a bus;
- (ii) a minibus or a midibus operating in terms of an operating licence;
- (iii) a rapid transport buss and a rapid transport bus-train; and
- (iv) a goods vehicle the gross vehicle mass of which exceeds 3 500 kilograms.”.

SCHEDULE 5**SPECIFICATIONS FOR THE NUMBER PLATES****PART I. GENERAL PLATE**

1. A number plate shall be an embossed aluminum plate which shall comply with SANS 1116.
2. The background shall be printed under the top coat of the retro-reflective surface with translucent ink and shall be—
 - (a) a South African flag as contemplated in section 5 of the Constitution of South Africa, in the colour chilli red, white, green, gold, black and blue, 35 mm high and 45mm wide; and
 - (b) the word "GAUTENG" for the province of Gauteng, "LIMPOPO" for the province of Limpopo, "FREE STATE" for the province of Free State, "NORTH WEST" for the province of North West, "NORTHERN CAPE" for the province of Northern Cape, "EASTERN CAPE" for the province of Eastern Cape, "WESTERN CAPE" for the province of Western Cape, "MPUMALANGA" for the province of Mpumalanga and "KWAZULU NATAL" for the province of KwaZuluNatal under the South African flag, which shall be depicted as follows:







Part II. PLATE FEATURES

1. POSITIVE IDENTIFICATION IMAGES

- (1) The number plate shall incorporate a set of positive identification images that form an integral part of the plate. It shall appear, disappear or change colour at certain angles. The positive identification images shall identify the manufacturer of the reflective sheeting by means of letters or symbols.
- (2) The retro-reflective sheeting shall also have a continuous and unbroken wave-form image that runs either vertically or horizontally through the plates. The continuous and unbroken mark shall form an integral part of the retro-reflective.

Short title and commencement

- 12.** These Regulations are published for comments
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 - Maps : 012 748 6061/6065 BookShop@gpw.gov.za
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