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**CONTENTS • INHOUD**

*No.*

*Page  
No.      Gazette  
            No.*

**GOVERNMENT NOTICE**

**Transport, Department of**

*Government Notice*

R. 891 National Road Traffic Act (93/1996): Rectification of Road Traffic Regulations ..... 3 29195

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# GOVERNMENT NOTICE

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## DEPARTMENT OF TRANSPORT


No. R. 891

4 September 2006

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

### RECTIFICATION OF ROAD TRAFFIC REGULATIONS

I, Jeffrey Thamsanqa Radebe, Minister of Transport, revokes notice R.871 of 2 September 2005 and am replacing it with the following Schedule, in terms of section 75 of the National Road Traffic Act, 1996 (Act No. 93 of 1996).

  
J. P. 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 Nos. 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 and R.871 of 2 September 2005.

#### Amendment of Regulation 1 of the Regulations

2. Regulation 1 is amended -

(a) the insertion after the definition of "air suspension", the following definition :

"anti-burst stabilizer device" means any device fitted for the purposes of ensuring that the tyre does not detach from the rim or preventing the tyre from bursting;"

(b) the insertion after the definition of "axle-unit", the following definition :

"body builder" is a sub-category of builder, and means a person who builds new bodies , or modifies existing bodies on chassis and chassis-cabs , and who is registered as a builder of new vehicles or bodies, or imports new buses, midibuses or minibuses complete with bodies , and is registered as an importer;"

(c) the insertion after the definition of "centre-line of an axle unit", the following definition :

"certificate of compliance" means a certificate issued by the inspectorate of manufacturers, builders and importers, to any motor vehicles to complying with the requirements of this Act.

(d) the insertion after the definition of "emergency brake", the following definition:

""emergency exit" means any doorway, emergency window, escape hatch or other opening designed or constructed solely to be used as an exit in an event of an emergency;"

(e) the insertion after the definition of "emergency vehicle", the following definition:

""emergency window" means a window capable of being opened from inside and outside, and which does not have to be necessarily glazed, and intended to be used as an emergency exit;"

(f) the insertion after the definition of "emergency window" the following definition:

""escape hatch" means an opening in the roof or on the floor intended to be used as an emergency exit;"

(g) the insertion after the definition of "longitudinal centre-line", the following definition:

""midibus" means a sub-category of bus, designed or modified solely or principally for the conveyance of more than 16 and less than 35 seated persons (including the driver);"

(h) the insertion after the definition of "motor vehicle licence", the following definition:

""NLTTA" means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000;" as it relates to public transport with specific reference to "minibus taxi type services" as defined;" and

(i) the insertion after the definition of "occupational health practitioner" the following definition:

""operating licence" means an operating licence issued in terms of the NLTTA;"

(j) the insertion after the definition of "special permit" the following definition;

""speed governor" means any device fitted into a motor vehicle that electronically controls or limit the traveling speed of a motor vehicle;"

### **Amendment of regulation 44 of the Regulations**

3. Regulation 44 of the Regulations is amended by-

(a) inserting the following paragraph after paragraph (dB)), of subregulation (1):

"(dC ) notwithstanding the provisions of paragraph (dB) no new body may be built or modified on a minibus, midibus or bus, operating in terms of an operating licence issued in accordance with the provisions of the NLTTA by an unregistered body builder or importer;"

(b) deleting the word "and" at the end of paragraph (f) of subregulation (1); and

- (c) inserting the following paragraphs after paragraph (f) of subregulation (1):

"(fA) shall, subject to subregulation (a), issue to a registered body builder, a model number for a completely new minibus, midibus or bus provided with a new body on a new chassis or chassis cab, or a modified body on a new chassis or chassis cab, or an imported new minibus, midibus or bus;

"(fB) shall subject to the provisions of this regulation issue a certificate of compliance to any minibus or midibus registered on or before the enactment of this regulations, complying with the provisions of this Act and operating in terms of an operating licence, issued in accordance with the provisions of the NLTTA;

Provided that notwithstanding the exclusion contained in the Compulsory Specification for Motor vehicles of Category M2 and M3, no minibus and midibus first registered on or after 1 January 2006 operating in terms of an operating license issued in accordance with the provisions of the NLTTA shall be issued with a model number and a certificate of compliance, unless it complies with the superstructure requirement contemplated in SANS 1563 " The strength of large passenger vehicle superstructures (roll-over bars)".

#### **Amendment of regulation 115 of the Regulations**

4. Regulation 115 of the Regulations is amended by the substitution paragraph (e) of subregulation (1) of the following paragraph:

(e) a motor vehicle used for the conveyance of persons for reward or is operated in terms of an operating licence issued in accordance with the provisions of the NLTTA

#### **Amendment of regulation 154 of the Regulation**

5. Regulation 154 of the Regulations is amended by adding the following subregulation:

"(3) a minibus, midibus or bus, operating in terms of an operating licence issued in accordance with the provisions of the NLTTA, and registered for the first time after 04 September 2006, shall comply with the requirements of the Type II test contemplated in SANS 1207 "Braking" or SANS 20013 " Uniform provisions concerning the approval of vehicles of categories M, N and O with regard to Braking".

#### **Amendment of Regulation 192A of the Regulations**

6. Regulation 192A of the Regulations is amended by-

(a) deleting the word "and" at the end of paragraph (g) of subregulation (2);

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

"(f) Any midibus or bus operating in terms of an operating license issued in accordance with the provisions of the NLTTA, shall from 04 September 2006, be fitted with side and rear markings as contemplated in paragraph (a)."; and

(c) adding the following paragraph after paragraph (f) of subregulation (2):

"(g) a minibus operating in terms of an operating license issued in accordance with the provisions of the NLTTA, first registered on or after 04 September 2006, and operating in terms of an operating licence, be fitted with side and rear markings as contemplated in paragraph (a)."; and

(d) adding the following paragraph after paragraph (g) of subregulation (2);

"(h) any minibus operating in terms of an operating licence issued in accordance with the provisions of the NLTTA shall from 1 January 2007 be fitted with side and rear marking as contemplated in paragraph (a).".

#### **Amendment of regulation 212 of the Regulations**

7. Regulation 212 of the Regulations is amended by:-

(a) the deletion of the word "or" at the end of paragraph (i);

(b) the addition of the following paragraphs after paragraph (m):

"(n) 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 commercial steel radial tyres," and

"(o) A minibus, midibus or bus, operating in terms of an operating licence issued in accordance with the provisions of the NLTTA unless the steering wheels of such minibus, midibus or bus are fitted with an anti-burst stabilizer device. ".

#### **Amendment of regulation 213 of the Regulations**

8. Regulation 213 of the Regulations is amended by-

(a) the insertion of paragraphs (e) to (f) after paragraph (d) of subregulation (3) of the following paragraphs:

"(e) In addition to the requirements of paragraph (a), no person shall operate a minibus or midibus, first registered after 04 September 2006, operating in terms of an operating licence, unless seatbelts are fitted for every seat in the motor vehicle.

(f) The belt configuration for a seat in the rear of the motor vehicle shall be a 2-point belt, also referred to as a lap-type belt with anchorage 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)".

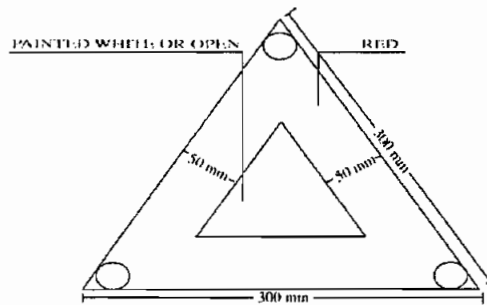
#### **Amendment of regulation 214 of the Regulations**

9. Regulation 214 of the Regulations is amended by the substitution for paragraph (c) of subregulation (1) of the following paragraph:

"(c) the expression "warning triangle " means -

(i) for goods vehicles and minibuses with a gross vehicle mass of 3500 kilograms or less, a double sided sign having the shape, design, minimum dimensions and colours as illustrated hereunder and of which the red portion on each side-

- (aa) shall consist of red reflective material; or
- (bb) shall be painted red and have retro-reflectors in each corner; or".



**Amendment of regulation 215 of the Regulations**

10. Regulation 215 of the Regulations is amended by inserting the following regulation (1):

"(1A) No person shall operate 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 speed governor;"

**Amendment of regulation 233 of the Regulations**

11. Regulation 233 (2) of the Regulations is amended by the substitution for subregulation (2) of the following regulation -

(2) Subject to the provisions of regulation 231, no person shall operate on a public road, a minibus, midibus or bus operating in terms of an operating license issued in accordance with the provisions of the NLTTA, first registered after 04 September 2006, if the number of persons on any seat exceeds the number of persons for whom seating accommodation is provided for, on such a seat at a rate of 400 millimetres per person, measured at the widest part of the seat with the doors closed;

**Amendment of regulation 245A of the Regulations**

12. Regulation 245A of the Regulations is amended by -

(a) the substitution for subparagraph ii) of paragraph (b) of subregulation (1) of the following:

"(ii) which is designed or modified for the conveyance of more than 9 persons, including the driver;"

(b) the substitution for paragraph (c) of subregulation (1) of the following paragraph:

"(c) a minibus, midibus or bus operating in terms of an operating licence issued in accordance with the provisions of the NLTTA, unless it is conspicuously displayed inside such vehicle in numerals of at least 75 millimetres high, a notice stating the load that may be carried on such vehicle in the terms set out in subregulation 2).";

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

"(2) The notice shall-

(a) in the case of a bus referred to in subregulation (1) that is permitted to convey persons, including wheelchair users and goods, be worded as follows ;

CERTIFIED TO CARRY .....PASSENGERS SEATED AND ....PASSENGERS  
STANDING..... KG GOODS AND.....WHEELCHAIR USERS. - (the latter only in  
vehicles with provision for wheelchairs).

(b) in the case of a midibus referred to in subregulation (1) that is operating in terms of an operating licence issued in accordance with the NLTTA and is permitted to convey persons only including wheelchair users, be worded as follows :



CERTIFIED TO CARRY.....PASSENGERS SEATED AND ..... PASSENGERS  
STANDING 0 KG GOODS AND.....WHEELCHAIR USERS (the latter only in vehicles  
with provision for wheelchairs)"; and

"(d) The insertion of the following subregulation after subregulation (2):

"(3) The requirements for wheelchairs and anchorage shall comply with SANS 10370 "Road vehicles designed or adapted for use by or transporting persons with disabilities".

#### **Amendment of regulation 251 of the Regulations**

13. Regulation 251 of the Regulations is substituted by the following regulation:

##### **"Sides and roof**

251. "(1) No person shall operate, on a public road, a minibus, midibus or bus unless -

a) the sides of the passenger compartment of a minibus, midibus or bus are enclosed to the height of at least 600 millimetres from the floor with material which is durable and weatherproof;

(b) such minibus, midibus or bus is provided with a weatherproof roof.

(2) No person shall operate a midibus or bus operating in terms of an operating licence issued in accordance with the provisions of the NLTAA registered for the first time after 5 October 2001 on a public road, unless the height, along the longitudinal centre-line, between the floor and the lowest part of the roof structure of such a midibus or bus, between the floor and the ceiling of the lower deck of a double deck bus, as the case may be, is- in the case of a bus conveying standing persons, at least 1,75 metres in the areas where persons may stand in terms of regulation 263; in the case of a minibus not conveying standing persons, at least 1,5 metres; and in the case of a midibus, at least 1,75 metres.

(3) A minibus or midibus operating in terms of an operating licence issued in accordance with the provisions of the NLTAA shall not carry standing persons."

#### **Amendment of regulation 252 of the regulations**

14. Regulation 252 of the Regulations is amended by-

(a) the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) A minibus, midibus or bus operating in terms of an operating licence issued in accordance with the provisions of the NLTAA shall be equipped with at least one passenger entrance leading from the left front side of such vehicle, Provided that: the provisions of this subregulation shall not apply to double deck bus which has a passenger entrance at the rear leading to the passenger compartment";

(b) the substitution for paragraph (b) of subregulation (1) of the following paragraph:

"(b) A, minibus, midibus or bus shall have at least one emergency exit for every 12 persons, on the right or left hand side or the rear thereof:

Provided that, a door fitted for the use of the driver of such minibus, midibus or bus which is accessible to passengers, may be deemed to be such emergency exit.";

(c) the substitution for paragraph (c) of subregulation (1) of the following paragraph:

- "(c) A bus or the lower deck of a double deck bus, shall have an emergency exit-
- (i) on both sides in the floor; or
  - (ii) on both sides towards the front or rear:

Provided that, in the case of a single deck bus an emergency exit may be fitted in the roof of such bus in place of the emergency exits required on both side.";

(d) the substitution for paragraph (d) of subregulation (1) of the following paragraph:

- "(d) The upper deck of a double deck bus shall have emergency exits-
- (i) in the rear; or
  - (ii) on both sides and in the roof, of such upper deck,";
  - (iii) and the number of emergency exits shall be evenly distributed throughout the vehicle."; and

(e) the substitution for paragraph (e) of subregulation (1) of the following paragraph:

"(e) An emergency exit shall have dimensions of at least 800 by 400 millimetres or 700 by 500 millimetres and shall be capable of being opened from the inside and outside and shall not open inwards.".

#### **Amendment of regulation 253 of the Regulations**

14. Regulation 253 is amended by the substitution for the regulation of the following regulation:

#### **"Entrances and exits to be fitted with doors**

"253. No person shall operate a minibus, midibus or bus on a public road, unless-

- (a) every entrance to or exit from the minibus, midibus or bus is fitted with a door or other effective barrier; and
- (b) such door or barrier is properly closed when the minibus midibus, or bus is in motion with persons thereon."

**Amendment of regulation 255 of the Regulations.**

16. Regulation 255 of the Regulations is amended by the substitution for the regulation of the following regulation:

**"Passageways**

255. (1) No person shall operate on a public road –

(a) a minibus operating in terms of an operating license issued in accordance with the provisions of the NLTTA, first registered after 04 September 2006 unless the passageway of such minibus as an unimpeded longitudinal passageway which is at least-

- (i) 300 millimetres wide from floor to seat level; and
- (ii) 350 millimetres wide above any armrests."

(2) No person shall operate on a public road a midibus or bus operating in terms of an operating license issued in accordance with the provisions of the NLTTA, first registered after 04 September 2006, unless the passenger compartment of such midibus or bus has an unimpeded longitudinal passageway with a cross passageway, which passageways are at least-

- (i) 300 millimetres wide from floor to seat level; and
- (ii) 350 millimetres wide above any armrests."

**Amendment of regulation 256 of the Regulations**

17. Regulation 256 of the Regulations is amended by-

(a) the substitution for subregulation (1) of the following subregulation:

"(1) No person shall operate on a public road a minibus, midibus or bus operating in terms of an operating license issued in accordance with the provision of the NLTTA unless the driving seat of such minibus, midibus or bus is adjustable and has a partition immediately behind it and is so placed as to afford the driver ample space for controlling the minibus, midibus or bus."

(b) the substitution for subregulation (2) of the following subregulation:

"(2) Subject to subregulation (3), no person shall operate on a public road a minibus first registered after 04 September 2006, operating in terms of an operating licence issued in accordance with the provision of the NLTTA, unless a seat provided for a passenger in such minibus has -

(a) a backrest of which the -

- (i) top shall be at least 350 millimetres from seat level;
- (ii) bottom shall be not more than 200 millimetres from seat level; the

width, including the frame, shall be at least 340 millimetres, for every passenger for whom seating accommodation is provided on the seat;

(b) a seat height from the floor or footrest of such seat at seat level of at least 250 millimetres, except where a seat is positioned over the wheel arch where no limit shall apply;

(c) a seat depth from the front of the seat to the front of the backrest of at least 340 millimetres;

(d) a seat width in accordance with regulation 233 (2);

(e) in the case of a seat facing a partition or similar obstruction, a horizontal distance between the front of the backrest of such seat at seat level to such partition or obstruction of at least 570 millimetres;

(f) in the case where seats face each other, a horizontal distance between the fronts of the backrests of such seats at seat level of at least 1 200 millimetres;

(g) in the case where seats face in the same direction, a horizontal distance between the front of the backrest of any such seat, at seat level, and the back of the backrest of the seat in front, of at least 570 millimetres.”.

(c) the substitution for subregulation (5) of the following subregulation:

“(5) Every seat in a minibus, midibus or bus shall be securely fixed to such minibus, midibus or bus.”.

(d) by the insertion of the following subregulations after subregulation (5);

“(6) Subject to subregulation (3), no person shall operate any minibus, midibus or bus, first registered after 04 September 2006, operating in terms of an operating licence and issued in accordance with the provision of the NLTTA, unless a seat provided for a passenger in such minibus, midibus or bus has -

(a) a backrest of which the -

(i) top shall be at least 600 millimetres from seat level; the width, including the frame, shall be at least 400 millimetres at seat level, and the top may be tapered to a width of more than 250 millimetres; or if the seat design incorporates an integral headrest, top may be tapered to a width of 200 millimetres, for every passenger for whom seating accommodation is provided on the seat;

(b) a seat height from the floor or footrest of such seat to seat level of at least 400 millimetres, except where a seat is positioned over a wheel arch where no such limit shall apply ;

(c) a seat depth from the front of the seat to the front of the backrest of at least 400 millimetres ;

(d) a seat width in accordance with regulation 233(2);

(e) in the case where a seat faces a partition or similar obstruction, a horizontal distance between the front of the backrest of such seat at seat level to such partition or obstruction of at least 600 millimetres ;

(f) in the case where seats face each other , a horizontal distance between the fronts of the backrests of such seats at seat level of at least 1 300 millimetres;

(g) in the case where seats face in the same direction , a horizontal distance between the front of the backrest of any such seat, at seat level, and the back of the seat in front, of at least 600 millimetres;

(h) seats and anchorages that meet the requirements of SANS 1429 "Strength of seats and their anchorages " or SANS 1564 "The strength of seats (and their anchorages ) of large passenger buses.

(7) No fold-up or jockey seat, shall be permitted in any minibus or midibus operating in terms of an operating licence issued in accordance with the provisions of the NLTTA, after 04 September 2006.

(8) One front seat for a passenger shall be provided in a minibus or midibus operating in terms of an operating licence issued in accordance with the provisions of the NLTTA.

(9) Where, in subregulation (6), a reference is made to a maximum or minimum dimension, a tolerance of 10 millimetres above any such maximum and below any such minimum shall be permissible."

#### **Amendment of regulation 262 of the Regulations.**

18. Regulation 262 of the Regulations is amended by the insertion of the following subregulation after subregulation (1):

"(1A) No person shall operate a minibus, midibus or single deck bus on a public road after 04 September 2006, unless such minibus, midibus or single-deck bus is capable of being tilted sideways at an angle of at least 28 degrees in either direction from the upright position without overturning while each seat is loaded with a mass of 68 kilograms and tested as such."

(1B) For the purposes of issuing a certification of roadworthiness in respect of a double-deck or single- deck bus, which includes a midibus, an examiner may demand the production of a manufacturer's certificate or other like certificate which certifies that such minibus, midibus or bus complies with the provisions of subregulation (1)."

#### **Amendment of regulation 263 of the Regulations**

19. Regulation 263 of the Regulations is amended by-

(a) the substitution for paragraph (c) of subregulation (1) of the following paragraph :

"(c) in any area of a bus first registered after 04 September 2006 with a ceiling height of less than one comma seven five metres except when entering or leaving such bus;" and

of an operating licence in which a person is permitted to stand.”.

### **Amendment of regulation 293 of the Regulations**

20. Regulation 293 of the Regulations is amended by-

(a) 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; and
- (ii) a minibus or a midibus operating in terms of an operating licence;”.

### **Short title and commencement**

21. These Regulations shall be called the Eighth Amendment to the National Road Traffic Regulations, and come into operation upon publication in the *Gazette*.

(a) Except paragraph (o) of regulation 7 and Regulation 10 which shall come into operation on the dates published by the Minister by Notice in the *Gazette*.

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