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GENERAL NOTICE

NOTICE 946 OF 2014

NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 of 2009)

DRAFT REGULATIONS ON DISTINGUISHING MARKS FOR MINIBUSES AND MIDIBUSES USED FOR MINIBUS TAXI-TYPE SERVICES

NOTICE OF CORRECTION

The Department of Transport hereby withdraws **Notice No. 847** in Government Gazette **No. 38054** that was published on the 3rd October 2014. The English version does not correspond with the correct isiZulu version; therefore the Department withdraws the English version by replacing it with the corrected English version below.

No. R....

Date:

NOTICE OF 2014

DEPARTMENT OF TRANSPORT

The following draft regulations are hereby published for public comment in terms of section 8(2) of the National Land Transport Act, 2009 (Act No. 5 of 2009). All interested persons are invited to submit comments relating to them within 30 days from the date of publication hereof to:

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GOVERNMENT NOTICE**DEPARTMENT OF TRANSPORT**

No. R

Date:

THE NATIONAL LAND TRANSPORT ACT, 2009**(ACT No. 5 OF 2009)****REGULATIONS ON DISTINGUISHING MARKS FOR MINIBUSES AND MIDIBUSES USED FOR MINIBUS TAXI-TYPE SERVICES**

I, Elizabeth Dipuo Peters, the Minister of Transport, after consultation with the MECs hereby, in terms of section 8(1)(h) of the National Land Transport Act, 2009 (Act No. 5 of 2009) (“the Act”) make the regulations in the Schedule hereto.

Elizabeth Dipuo Peters**Minister of Transport****Schedule****1. Definitions**

In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act has the same meaning and–

“**Act**” means the National Land Transport Act, 2009 (Act No. 5 of 2009);

“**midibus**” means a motor vehicle designed or modified solely or principally for conveying more than 16 but not more than 35 persons, including the driver, and for the purposes of the National Road Traffic Act is a type of sub-category of bus;

“**minibus**” means a motor vehicle designed or modified solely or principally for conveying more than nine but not more than 16 seated persons, including the driver;

“minibus taxi-type service” means an unscheduled public transport service operated on a specific route or routes, or where applicable, within a particular area, by means of a motor car, minibus or midibus;

“National Road Traffic Regulations” means the National Road Traffic Regulations, 2000 made under the National Road Traffic Act; and

“public transport service” means a scheduled or unscheduled service for the carriage of passengers by road or rail, whether subject to a contract or not, and where the fare is provided for a fare or any other consideration or reward, including cabotage in respect of passenger transport as defined in the Cross-Border Act, and except where clearly inappropriate the term “public transport” must be interpreted accordingly.

2. Application of these Regulations

These Regulations apply only to minibuses and midibuses used for minibus-taxi-type services, and not to vehicles used for any other type of public transport service, but where the relevant operating licence or permit allows for more than one authority as contemplated in section 50(2) of the Act, of which one of those authorities authorises minibus taxi-type services, these Regulations will apply.

3. Colour of and distinguishing marks for minibuses and midibuses used for minibus taxi-type services

No person shall operate a minibus or midibus manufactured after 4 September 2006 on a public road for a minibus taxi-type service unless—

- (a) the standard colour of the vehicle is white and no advertising, logo or livery may be painted or displayed on the vehicle unless permitted by these Regulations or another law;
- (b) a sticker depicting the South African national flag 200 millimetres deep on the sides below the window level of the vehicle, except the front and rear of the vehicle, as described in Schedule A, is displayed and kept affixed to the vehicle subject to the following:
 - (i) The imaginary flagpole of the flag is the nose of the vehicle, with the “v” formation and the lines directed towards the rear of the vehicle;

- (ii) The sticker shall be produced on distinctive marking material that complies with SABS ECE R104: 1998 and have distinctive marking, which means additional coloured markings intended to be placed within the contour marking, whose coefficient of retro-reflection is essentially lower than the coefficient of retro-reflective materials of markings and contour markings;
- (c) a sticker produced from material for distinctive markings according to paragraph (b)(ii) 200 millimetres deep and 430 millimetres wide depicting the provincial coat of arms of the relevant province, or where the relevant regulatory entity is a municipality, the coat of arms of that municipality, and the route number, shall be attached to the front of the vehicle below windscreen level, as described in Schedule A;
- (d) the vehicle registration number shall be painted on the roof of the vehicle 360 millimetres deep across the length of the roof, as described in Schedule A; and
- (e) no other sticker, identification or distinguishing mark other than the ones prescribed in these Regulations shall be displayed or affixed on or to the body of the vehicle.

4. Maintenance of body paint and distinguishing marks, and removal of distinguishing marks

The operator to whom a distinguishing mark has been issued must—

- (a) maintain the body paint and distinguishing marks in such a condition that the letters and figures on the vehicle and distinguishing marks are clearly legible;
- (b) remove the mark from the vehicle immediately after it expires or after the operating licence or permit of the vehicle to which it relates has lapsed or been suspended or cancelled, or on an authorised officer issuing an order that it be removed; and
- (c) replace the distinguishing mark every time the operating licence or permit is renewed.

5. Repainting the vehicle or replacing the distinguishing mark

Should the body paint or distinguishing marks become defaced, illegible or otherwise damaged to make them unclear, the operator of the vehicle must repaint the vehicle or replace the mark, as the case may be, forthwith on payment of a fee, if any, determined by the Department.

6. Cost of issuing distinguishing marks

The cost of issuing the distinguishing marks contemplated in these Regulations shall be for the Department.

7. Validity period of distinguishing marks

The distinguishing marks contemplated in these Regulations shall be valid for the same period as the operating licence or permit that relates to the vehicle in question, and must reflect the expiry date of such licence or permit.

8. Advertising on vehicles

No translucent advertising shall be applied to the rear window of a minibus or midibus operating minibus taxi-type services, unless the material or film of the advertisement complies with the provisions of regulation 202(3) of the National Road Traffic Regulations.

9. Failure to comply with these Regulations is an offence

An operator who fails to comply with these Regulations shall be guilty of an offence and on conviction liable to a term of imprisonment not exceeding three months or a fine not exceeding R5 000, and the relevant regulatory entity may suspend, or withdraw the relevant operating licence or permit of the operator in terms of section 79(2)(a) of the Act.

10. Description and graphic depiction of distinguishing marks

The distinguishing marks contemplated in these Regulations are described and graphically depicted in Schedule A.

11. Repeal of regulations

The Distinguishing Marks for Mini-Bus and Midi-Bus Regulations published by Government Notice R.35 of 19 January 2007 are hereby repealed.

12. Short title and commencement

These regulations are called the Regulations on Distinguishing Marks for Minibuses and Midibuses used for Minibus Taxi-type Services, 2014 and come into operation on the date of their publication in the *Gazette*.

SCHEDULE A

Free State Province

Coat of Arms used for demonstration purposes only

Figure 1 – Front View of the Vehicle

Free State Province
Coat of Arms
used for demonstration
purposes only

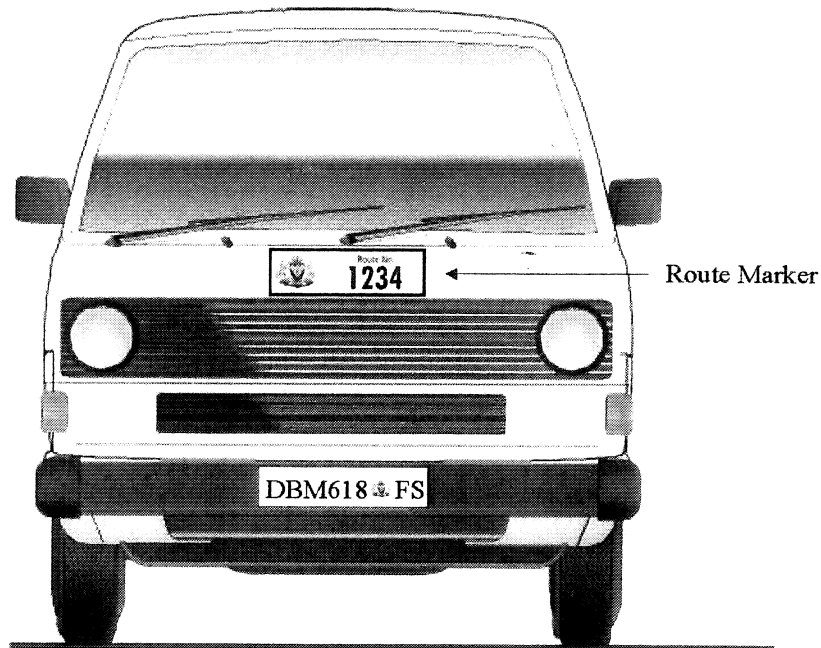


Figure 2 – Rear View of the vehicle

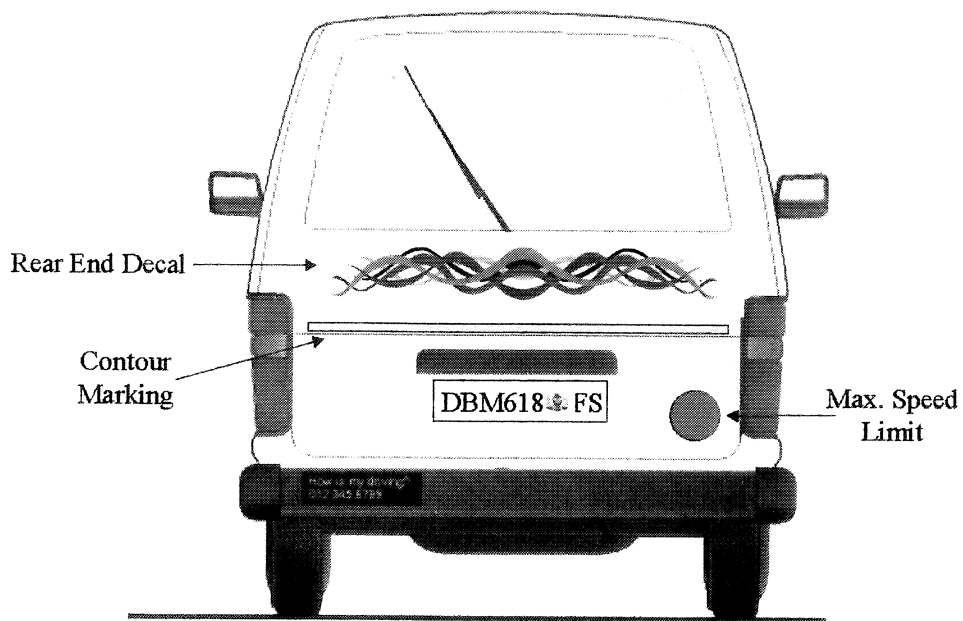


Figure 3 – Side View of the Vehicle

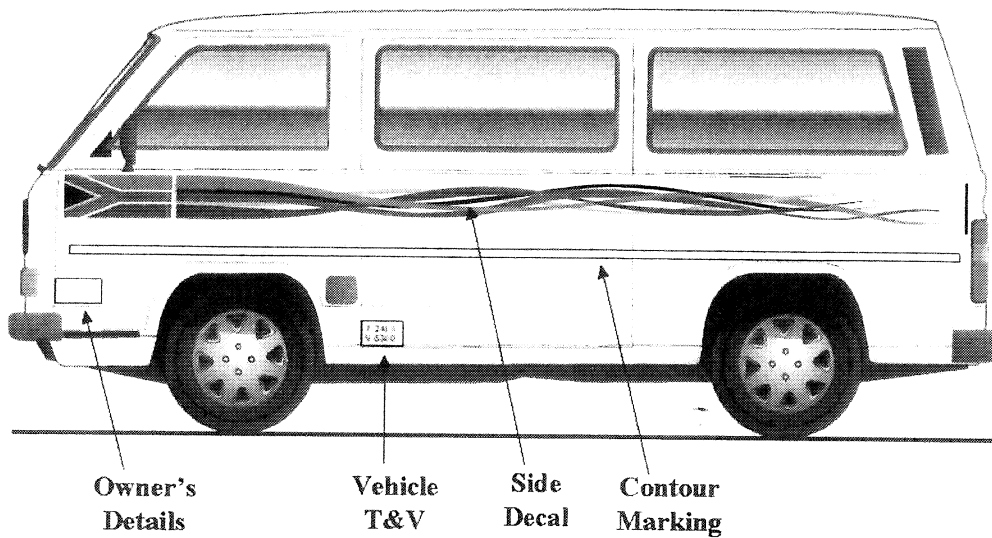


Figure 4 – Side View of the vehicle

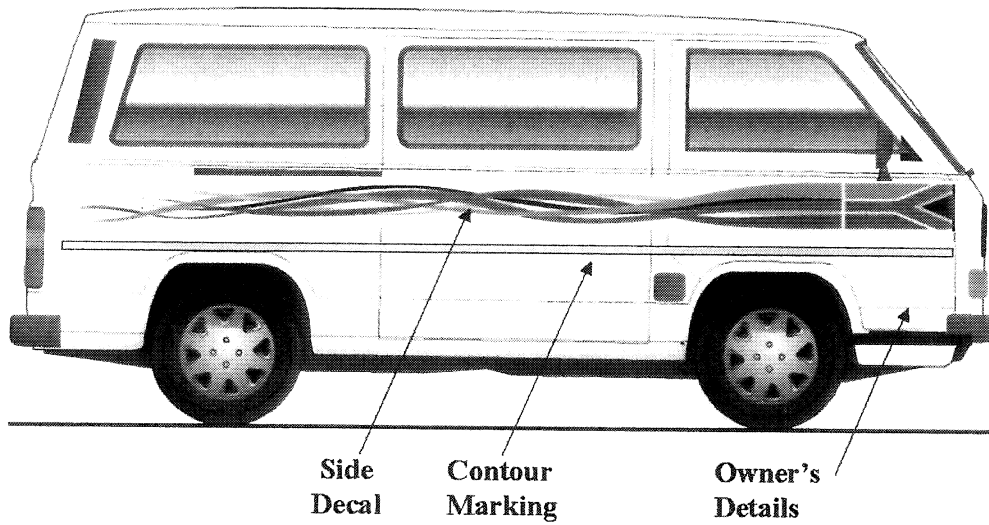
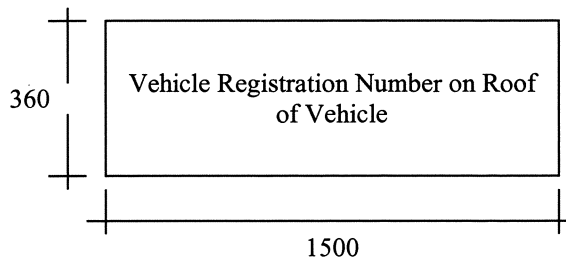


Figure 5 – Design Specification of the Marker on the roof of the Vehicle



Decal on Roof of the Vehicle	
<u>Dimension</u>	360mm X 1500mm
<u>Material Specification</u>	Comply with SABS ECE R104: 1998 with 5-year warranty
<u>Ink Specification:</u>	Transparent ink, compatible with sheet material, and 5-year warranty.

Decal Specification

Table 1 – South African National Flag Colour Specifications to be applied for the decals

Colour	Pantone		CMYK				CKS (SABS)
	Coated Std	Uncoated Std	cya	mag	yel	black	
Black	3c 2xc	6u 2xu	00c	00m	00y	100k	2201c/96

Blue	288c	87u	69c	65m	00y	31k	2202c/96
Red	485c	195u 2x	00c	00m	91y	00k	2203c/96
Yellow	1235c	116u	00c	28m	76y	00k	2204c/96
Green	349c	355u	53c	00m	53y	47k	2205c/96
White							

Figure 6 – Decal for the Rear End of the Vehicle

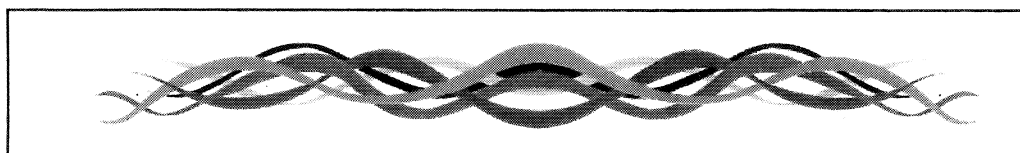


Table 2 – Specification for the Rear end decal

Rear End Decal
<u>Dimension</u> 1500mm X 200mm
<u>Material Specification</u> Comply with SABS ECE R104: 1998 with 5-year warranty
<u>Ink Specification:</u> Transparent ink, compatible with sheet material, and 5-year warranty.

Decal Specification

Figure 7 – Decal for the Side of the Vehicle (flowing to the right)



Table 3 – Specification for the Decal on the side of the Vehicle (flowing to the right)

Side Decal (flowing to the right)
<u>Dimension</u> 2500mm X 200mm
<u>Material Specification</u> Comply with SABS ECE R104: 1998 with 5-year warranty
<u>Ink Specification:</u> Transparent ink, compatible with sheet material, and 5-year warranty.

Figure 8 – Decal for the Side of the Vehicle (flowing to the left)



Table 4 – Specification for the Decal on the side of the Vehicle (flowing to the left)

Side Decal (flowing to the left)

Dimension
2500mm X 200mm

Material Specification
Comply with SABS ECE R104: 1998 with 5-year warranty

Ink Specification:
Transparent ink, compatible with sheet material, and 5-year warranty.

Route Marker Specification

Route Marker

Dimension
430mm X 125mm
Include 5mm bleed – 435mm X 130mm

Material Specification
Comply with SABS ECE R104: 1998 with 5-year warranty

Ink Specification:
Transparent ink, compatible with sheet material, and 5-year warranty.

Font Specification
Futura Bold Condens BT

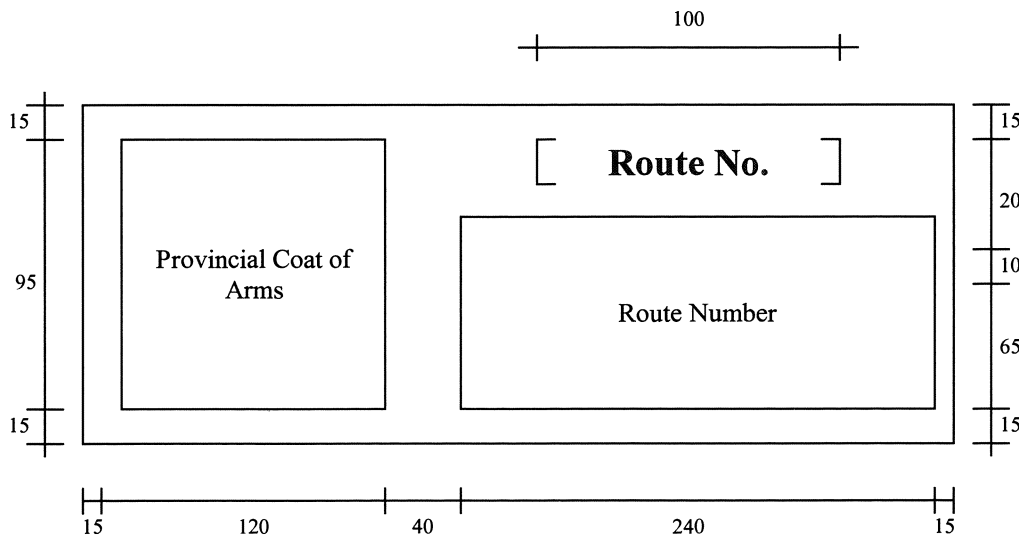




Figure 9 – Sample Route Marker
(Refer to electronic design template for design details)

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- Debtors : 012 748 6060/6056/6064 PublicationsDebtors@gpw.gov.za
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