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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT

NO. 1019

8 October 2021

**ROAD TRAFFIC MANAGEMENT CORPORATION ACT, 1999 (ACT NO. 20 OF
1999)****ROAD TRAFFIC MANAGEMENT CORPORATION REGULATIONS, 2021**

The draft Amendment of Road Traffic Management Corporation Regulation, 2007 was published in Government Gazette 45085, Notice No. 797 of 3 September 2021 for public comments. The draft Amendment of Road Traffic Management Corporation, 2007 was subsequently revised. The revised Regulations are hereby published for further public comments.

Any interested persons are requested to submit written comments on the Road Traffic Management Corporation Regulations, 2021 within 30 days from the date of publication of this Notice in the Government Gazette.

All comments should be directed to the Director-General, Department of Transport for attention of:

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1. Definition

In this Schedule "the Road Traffic Management Corporation Regulations" means the Regulations published by GN. No. R. 386 of 30 April 2007, as amended by GN. No. R. 758 of 24 July 2009, GN. No. R 930 of 23 September 2009, GN. No. R. 1603 of 28 December 2016 and GN. No. R. 1070 of 6 October 2017.

Interpretation of Regulations

2. For the purpose of these regulations, unless the context indicates otherwise -

“**Act**” means the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999);

“**AARTO**” means the Administrative Adjudication of Road Traffic Offences Act, 1998 (Act No. 46 of 1998);

“AARTO penalties” means a penalty as defined and prescribed in the AARTO;

“Administrative Fee” means any administrative fee as prescribed in the AARTO, NRTA, National Road Traffic Regulations, NLTA or CBRTA and payable to the Corporation;

“approved end user” means a recipient of NaTIS information as approved by the Access to NaTIS Information workgroup;

“baseline fees” means the fees charged by the various provinces for the licensing of a motor vehicle;

“CBRTA” means the Cross Border Road Transport Act, 1998 (Act No. 4 of 1998);

“CPA” means the Criminal Procedure Act, 1977 (Act No. 51 of 1977);

“driving licence card” means a driving licence card defined in terms of the National Road Traffic Regulations;

“data access fees” means fees charged for the supply of NaTIS information;

“Department” means a provincial department as defined in the Public Finance Management Act, 1999 (Act No. 1 of 1999);

“entity” means a National Public Entity as defined in the Public Finance Management Act, 1999 (Act No. 1 of 1999);

“Fees” means the monies charged by the Corporation for the rendering of Services in terms of section 24(1)(a) of the Act, which includes Fines and if applicable, any fees as determined by the MEC concerned in terms of section 92(1) or prescribed in terms of section 92(2) of the NRTA;

“Fine” means any fine or penalty issued by means of a section 341 or 56 notice in terms of the CPA, form AARTO 01, 02, 03, 3A, 3B or 31 issued in terms of AARTO, where the offender was arrested or summonsed by means of a section 54 summons issued in terms of the CPA, and where the Corporation was the issuing authority or arresting authority in terms of the CPA or AARTO;

“Issuing Authority” means an issuing authority as defined in AARTO;

“Motor Vehicle” means a motor vehicle as defined in the NRTA;

“**NRTA**” means the National Road Traffic Act, 1996 (Act No. 93 of 1996);

“**NaTIS**” means the National Traffic Information System as defined in the National Road Traffic Regulations;

“**National Road Traffic Regulations**” means the National Road Traffic Regulations, 2000 published by notice 225 of 17 March 2000, as amended;

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

“**province**” means a province as defined in the NRTA;

“**Services**” means the services rendered by the Corporation which includes road traffic services as defined in the Act, and any such other services prescribed in these Regulations;

“**transaction fees**” means the fees charged per online NaTIS service in terms of section 24(1)(a) of the Act; and

“**user**” means a user that accesses services rendered through the electronic platform provided by the Corporation.

The Corporation provides the following Services for which Fees may be charged –

Services –

3. (1) Development, maintenance and operation of the NaTIS;
- (2) Law enforcement Services rendered by the Corporation as an Issuing Authority for the purposes of the NRTA, NLTA, CBRTA and AARTO;
- (3) NaTIS online convenience Services, which include –
 - (a) the online licensing of a motor vehicle and the issuing and delivery of a motor vehicle licence and disc;
 - (b) the online registration of a motor vehicle by the title holder;

- (c) the online notification of change of ownership of a motor vehicle by the current title holder;
 - (d) the online renewal of driving licence card;
 - (e) the delivery of a driving licence card, and
 - (f) the provision of an electronic copy of an Accident Report.
- (4) Collecting agency services by the provision of Services to collect any revenue on behalf of a Department or Local government body.

Fees chargeable by Corporation for Services rendered –

Fees -

4. (1) Transaction fees to be paid to the Corporation by a registering authority appointed in terms of section 3 of the NRTA, shall, subject to the provisions of sub-regulation 4(2), comprise of an amount, set out in Column C of Schedule 1, on the baseline fees as determined by the MEC of each province in terms of regulations 24(2)(b), 25(1), 25A(2)(a) or 30(3)(a) of the National Road Traffic Regulations in respect of every licence application for –
- (a) a motor cycle, motor cycle with a side-car; motor tricycle and a tractor which is operated on a public road;
 - (b) a caravan, other than a motor home;
 - (c) a trailer, other than a semi-trailer, used by the owner thereof solely for his or her own farming activities;
 - (d) a trailer or semi-trailer;
 - (e) a breakdown vehicle;
 - (f) a motor home; and
 - (g) any other motor vehicle other than the motor vehicles referred to in paragraphs (a) to (f), including any other motor vehicle.

- (2) The application for the licence of the following categories of motor vehicles is exempt from the transaction fee referred to in sub-regulation (1) –
 - (a) a motor vehicle that is specially classified, as contemplated in regulation 21 of the National Road Traffic Regulations; and
 - (b) a motor vehicle that is exempt from licensing, as contemplated in regulation 58 of the National Road Traffic Regulations.
- (3) All Fines payable to the Corporation as an Issuing Authority for the purposes of the NRTA, NLTA, CBRTA and AARTO;
- (4) All administrative fees payable to the Corporation for Services rendered in any capacity, as prescribed by any other legislation.
- (5) Fees which may be charged for any of the services rendered by the Corporation as set out in regulation 3(3) and Column C of Schedule 1.
- (6) The Fees referred to in sub-regulation (1) shall, where applicable, be collected and paid over to the Corporation by a Department within 30 (thirty) days following the month in which the fees referred to in sub-regulation (1) was collected by the Department concerned.

Annual Increase –

5. (1) The Minister may, subject to the provisions of sub-regulation (2) and with the concurrence of the Minister of Finance and subject to the provisions of section 12(j) of the Act, increase the transaction fees and other fees set out in Schedule 1 on an annual basis.
- (2) The increase or adjustment of any administrative fees, Fines or administrative penalties as prescribed in any other legislation, shall be determined in the manner as prescribed by such other legislation.

Repeal of Regulations

6. The Road Traffic Management Corporation Regulations, 2007, as amended, are hereby repealed.

Short title and Commencement -

7. These regulations are called the Road Traffic Management Corporation Regulations, 2021 and are published for public comments.

ROAD TRAFFIC MANAGEMENT CORPORATION REGULATIONS 2021

SCHEDULE 1

Monetary Value of Fees

1. Transaction Fees and Fees for Services rendered by the Corporation: -

Column A Regulation	Column B Service	Column C Fee Payable
3(1)	Transaction fees	R72.00
Regulation	Service	Fee Payable
		(The fee payable includes, if applicable, fees as determined by the MEC, concerned in terms of section 92(1) or prescribed in terms of section 92(2) of the NRTA)
3(3)(a)	Issuing and delivery of a motor vehicle licence and disc via ordinary mail	R28.00
	Issuing and delivery of a motor vehicle licence and disc via registered mail	R72.00
	Issuing and delivery of a motor vehicle licence and disc via courier service	R99.00
3(3)(b)	Online registration of a motor vehicle by the title holder	R700.00
3(3)(c)	Online notification of change of ownership of motor vehicle by the current title holder	R700.00
3(3)(d)	Online renewal of driving licence card	R250.00
3(3)(e)	Delivery of a driving licence card	R99.00
3(3)(f)	Request for an electronic copy of the Accident Report	R60.00

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