Mr Sibusiso Ndebele
Minister of Transport

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February 2010

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Traffic Focus—February 2010
Welcome to yet another informative edition of Traffic Focus. Considering that this is the first issue since the dawn of 2010, let me swiftly reaffirm government’s position that this is a year of action. Towards the end of May going down to June and July, we envisage scores of international guests in our country and I would like to appeal to all of us to be considerate when using the roads. Let us obey the rules of the road that even when tourists go back to their respective countries, they are able to sing praises for South Africans. I am confident that working together we can realize a win in our collective fight against the scourge on the roads.

Traffic Officers worked tirelessly throughout the Festive Season and would like to thank them sincerely. The Emergency Services and SAPS likewise work very hard and I know that without this coherent effort the number of lives saved on the road would not have been possible. True, we have lost lives on our roads this past Festive Season due to a number of factors. I would like to extend my heartfelt condolences to all the families who have lost their loved ones, some of whom are our relatives and friends.

We have recently suffered the loss of many people due to road deaths and the loss of even one person is a big concern to the RTMC. Having lost loved ones to road accidents, to this end, we plead with the public to obey the rules of the road and to be considerate drivers. Ensure that you drive a road worthy vehicle.

The RTMC, together with the Department of Transport, is committed to reducing road deaths. We are heightening the enforcement and the strengthening of our Rolling Enforcement Plan in a quest to reduce road deaths.

Furthermore, the formation of the National Road Safety Council by the Department of Transport and the RTMC will go a long way in assisting us towards realizing this goal. It is my humble plea to all our leaders that we all sing the Road Safety song for it will be by singing this song that we can master its dance. Read the article on the Road Safety Council on Page 36.

This is the year during which we bring the Administrative Adjudication of Road Traffic Offences (AARTO) to the national implementation. Towards the end of last year we heard all sorts of rumours about AARTO being implemented already. AARTO will be implemented nationally during this year. We have learned valuable lessons during the pilot phases in Tshwane and Johannesburg Municipalities and are certain that these lessons have prepared us for the national launch.

I note with interest the responses to the AARTO Quiz published in the previous edition. Some of the responses were testimonial to the fact that intense education is needed on AARTO. And indeed, Communication and Education about AARTO will be executed before and during the national rollout. Traffic Focus is another channel we have adopted in communicating AARTO and I urge all readers to read all the AARTO related articles published in the magazine with full understanding.

The recent inconvenience caused to internet surfers of not being able to access the AARTO website is regretted. We would like to assure all net surfers, motorists and all stakeholders that the official and legitimate AARTO information can now be obtained from www.aartosa.co.za. The same information can also be attained from the RTMC website (www.rtmc.co.za) via the web link.

Easter is upon us... The Easter Traffic Safety Campaign will be launched on March 29, 2010 and the RTMC’s Master Enforcement Plan, of which the Battle Plan is an important element, is in place. The Rolling Enforcement Unit is ready for the battle against traffic offenders, not only during the Easter festive period, but throughout the year on a national basis and offenders will face the full wrath of the law.

The National Traffic Call Centre number on which general public can report bad driver behaviour, incidents and accidents is 0861 400-800.

You are urged to pass on this copy once you have read it, to ensure a rapid spread of the Road Safety word.

Have a pleasant read.
MEET THE MINISTER OF TRANSPORT

Minister of Transport
Mr Joel Sibusiso Ndebele

Minister Sibusiso Ndebele is not a stranger to Government and politics. He was born on 17th October 1948 in the province of KwaZulu-Natal. Among other qualifications he holds a Bachelor of Arts degree in International Politics and African Politics, a Bachelor of Arts Honors degree with a distinction in Development Administration and Politics. He was previously Premier of the KwaZulu-Natal province.

He currently serves in the National Executive Committee of the African National Congress, a member of the Provincial Executive Committee and the Provincial Working Committee of the ANC since 1994. He has been Chairperson of the ANC in KwaZulu-Natal Province since 2002. Mr Ndebele was appointed Minister of Transport on 11 May 2009 and some of his priorities are to transform the country’s road safety challenge and reduce fatal road crashes and injuries through AARTO and tight law traffic law enforcement. He was instrumental in the launch of the Bus Rapid Transit in Johannesburg through negotiations with the taxis industry and he vows to continue with the Taxi Recapitalization Programme. He is also chairperson of the Infrastructure Development Cluster of departments mandated by Cabinet to oversee the implementation of the R846bn infrastructure development in all sectors of the economy. Minister Ndebele has also been elected Chancellor of the University of Zululand (elected in March 2010 and to be installed during May 2010).

PERSONAL
- Date of Birth: 17 October 1948

CURRENT POSITIONS
- Serves in the National Executive Committee (NEC) of the African National Congress (ANC) since 1994.

ACADEMIC QUALIFICATIONS
- Primary school at Makhaseneni near Melmoth.
- Secondary school at Estembeni Secondary School and matriculated from Eshowe Teacher’s Training and High School (1968).
- Bachelor of Arts degree in International Politics and African Politics from University of South Africa (1983).
- Bachelor of Arts Honors degree with distinction in Development Administration and Politics (1985).

CAREER/POSITIONS/MEMBERSHIPS/OTHER ACTIVITIES
- Member of the KwaZulu-Natal Provincial Executive Committee and the Provincial Working Committee of the ANC (1994 - 2008).
- Regional Secretary of the ANC for Southern Natal (1990 - 1996).
- Played a key role in peace initiatives in KwaZulu-Natal since 1987.
- Was actively involved in the University Christian Movement and later with the South African Students Organisation (SASO).
- Worked at the archives at a Lutheran Church Centre at Maphumulo.
- Appointed Publicity Secretary of SASO for the University of Zululand (1972).
- Worked as an Assistant Librarian at the University of the North (1973 - 1974).
- Joined the ANC underground and went into exile in Swaziland (1974 - 1976).
- Worked as Assistant Librarian at University of Swaziland (1974 - 1976).
- Was arrested for ANC activities in May 1976 and was sentenced to ten years on Robben Island in June 1977.
- Research fellow at University of Natal's Department of Town and Regional Planning.
- Director (Office of Residence Administration) - University of Durban-Westville (1991 - 1994).

AWARDS/DECORATIONS/PRESENTATIONS/BURSARIES
- Honorary Doctorate from the University of Zululand in 2005.
INTRODUCTION

According to Arrive Alive (2009), statistics on the number of fatal road accidents in which drivers were suspected to be under the influence of alcohol, increased from 197 in 2004 to 312 in 2006. These drivers were in charge of light motor vehicles, minibus taxis, buses and trucks, although it seems as if the drivers of light motor vehicles are the primary offenders in this regard. Fatal crashes are also caused by pedestrians who are under the influence of alcohol, leading to a shocking number of 5,572 pedestrians killed during the period 2004 to 2006. In summary, it seems that an intoxicated driver or pedestrian is killed in a fatal road accident every 2 to 3 hours on South African roads. This article reports on a focus group discussion with eight traffic officers on their experiences and suggestions regarding driving under the influence.

EXPERIENCES OF A GROUP OF TRAFFIC OFFICERS

A focus group discussion was held with eight traffic officers from the Potchefstroom Provincial Traffic Office with the aim of exploring some of their experiences with intoxicated drivers during the course of their duties. They were asked to respond to the following 4 questions:

- Describe the typical behaviour of an intoxicated driver when he/she is stopped by a traffic official.
- How do you deal with an intoxicated driver?
- What are the typical excuses and stories that intoxicated drivers tell when they are stopped by a traffic official?
- Which approach or strategy for dealing with driving under the influence do you consider the most effective, and who should be the role players in these approaches/strategies?

The data collected from the focus group discussion was analysed using Tesch’s approach of thematic analysis (Poggenpoel, 1998: 343-344) and only the main themes will be reported on in this article.

ABSTRACT

“Drunk driving is one of the biggest threats to road safety in South Africa. Research indicates that 50% of people who die on the roads have a blood alcohol concentration above 0.05 gram per 100 millilitres” (Arrive Alive, 2009). South Africans are quite a social nation and celebrations during the festive season, important cultural days and major sports events are often associated with alcohol use and misuse. Driving under the influence of alcohol or other substances is just one of the socio-economic risks associated with this type of abuse. Drunk driving is a global problem and severe threat to road safety as many intoxicated drivers do not acknowledge the risks. Effective strategies are necessary to deal with this problem.

BEHAVIOUR OF INTOXICATED DRIVERS

The following main themes could be identified from the focus group discussion:

- Behaviour differs from person to person.
- Drivers always say they only had two drinks.
- Drivers are often aggressive.
- Most intoxicated drivers tend to be aggressive.
- Drivers insult traffic officials.
- Intoxicated drivers try to take advantage of female traffic officials.
- Intoxicated drivers try to befriend traffic officials by admitting guilt in the hope that they will not be arrested.

HOW TO DEAL WITH AN INTOXICATED DRIVER

The traffic officials who participated in this focus group said that their training did not always prepare them on how to deal with intoxicated drivers, but...
through practical experience they suggest the following hints when dealing with an intoxicated driver:

- Follow standard procedures according to the National Road Traffic Act, Act 93 of 1996 (as amended).
- Always try to include both male and female officials when doing road patrols.
- Expect the unexpected from intoxicated drivers.
- Always stay calm.
- Do not accept any bribes.
- Search the driver for any weapons.
- Confirm the arrest procedure more than once (reading their rights more than once to limit the risk of civil claims).
- Clearly record everything taken from an intoxicated driver in the report (e.g. cell phones, cash).
- When taking the alleged offender to the nearest police station, try to drive the person as a passenger in his/her own car.

**THE TYPICAL EXCUSES AND STORIES OF INTOXICATED DRIVERS**

- Most intoxicated drivers will tell that they had only two drinks.
- One driver said that he was not drunk, it was only his body that had some alcohol.
- Once an intoxicated driver promised his unborn baby that he will never drink and drive again as he was so sorry that he had embarrassed his child for being caught for drunk driving.
- Another driver promised the traffic official that he would go to church the next day if he could only let him go.
- A driver with a 0.97 gram per 100 millilitres concentration of alcohol in his blood, started off with a R2 800.00 bribe amount when he was stopped by a traffic official. Instead of increasing the amount during the arrest and associated procedures, he offered a R1 000.00 bribe when he was already in the cells.
- Once a driver insisted on going to the toilet before he was taken to the cells. In there, he prayed to his ancestors for a miracle to happen.
- One guy accidentally gave up his name as Jack Daniels when he was in the hospital for a blood-alcohol test.

Most traffic officials will be able to add to this list of excuses and stories. The reality is that, due to the intoxication, the driver will deny the seriousness of the situation and will try almost everything not to be arrested for driving under the influence.

**SUGGESTED APPROACHES OR STRATEGIES**

The participants in this focus group suggested the following approaches or strategies for dealing with driving under the influence:

- A zero tolerance approach towards driving under the influence.
- Specific operations focusing on driving under the influence, for example the OPC DIC 1000.
- The media should become more involved in awareness campaigns.
- Actually programmes on radio and television should supply information on procedures and consequences of driving under the influence.
- Call a friend projects (where a friend is called or a responsible, sober person will escort an intoxicated person home) should be implemented by all pubs.
- Continuous awareness projects focusing on the realities of driving under the influence.
- Better co-operation and co-ordination between government role players, including the Departments of Health and Social Development, Justice and the South African Police Service.

**CONCLUSION**

From the information discussed in this article it is clear that driving under the influence poses a number of challenges and threats to traffic officials and the broader community in general. In the following edition, the suggested strategies will be further explored in terms of the role players that have to take responsibility for driving under the influence of intoxicating liquor or drugs.

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* Traffic officials must drive the intoxicated person’s vehicle to the nearest police station. If the person was not a passenger in his/her own car, this person may later on claim that personal belongings may be lost or that the vehicle was damaged by the traffic official.
* 1 The OPS DIC 1000 is an initiative of the Ngaka Modiri Molema District in the North West Province to arrest 1000 persons drunk in charge of a vehicle during November and December 2009.

********

**REFERENCES**


To be continued...
The balance scorecard is a management approach that addresses these questions. On answering these questions, the Road Traffic Management Corporation (RTMC) has in fact realised that the balance scorecard development is one of the deliverables that should be achieved during 2009/10 financial year. The project is reflected in the RTMC’s Business Plan for 2009/10 as objective 11.1: Output 11.1.3. Our Corporation needs to develop a system that assists us to measure the success of implementing our strategy. Therefore we need to develop the balance scorecard as our performance measurement system, which will be followed by an enterprise wide implementation during the next financial year.

The balance scorecard to the RTMC
The balance scorecard, as a concept, has not cried out loud for definition and parameters. For example, Pearce and Robinson (2007) see it as follows: “a management system that can be used as the central organizing framework for key managerial process, and therefore assist in individual and team goals setting, compensation, resource allocation, budgeting and planning, and strategic feedback and learning.”

The President and CEO of Balance Scorecard Institute, (2008) thought of it as: “…a robust organisation-wide strategic planning, management and communications system. These are strategy-based systems that align the work people do with organisation vision and strategy, communicate strategic intent throughout the organization and to external stakeholders, and provide a basis for better aligning strategic objectives with resources. In strategy-based scorecard systems, strategic and operational performance measures (outcomes, outputs, process and inputs) are only some of several important components, and the measures are used to better inform decision making at all levels in the organization. In strategy-based systems, accomplishments and results are the main focus, based on good strategy executed well. A planning and management scorecard system uses strategic and operational performance information to measure and evaluate how well the organization is performing with financial and customer results, operational efficiency, and organization capacity.”

On the basis of the above, it should be safe to conceive the balance scorecard as a strategic planning and management system that can help everyone in an organisation to understand and pull towards the same shared vision. It is strategy-based system that aligns different work people do within the organisation to the strategy of that organisation. (Basically balance scorecard helps the organisation to translate and integrate strategy for everyone in an organisation.

The White Paper on balance scorecard (1998) ‘state that over 90% of organisations have not effectively aligned their strategy at all their levels’. In the context of organisations such as our Corporation, the development of the balance scorecard, as a strategy-based system, will assist all our Functional Units and everyone therein to understand the key performance indicators for which they have control and responsibility over and also their relationship to the overall success of our organisation.

The balance scorecard will provide the Chief Executive Officer (CEO) with visibility into operations and issues of all business units and enable him to easily monitor and understand how the Corporation is progressing towards stated plans. This will also be in line with the provisions of the Road Traffic Management
Corporation Act, 1999 (Act No. 20 of 1999) which state that the CEO is the only person who is duly mandated to manage the day to day operation of the Corporation or his delegate.

The balance scorecard will take this further by identifying, monitoring and documenting key performance measures that are ongoing, and is an interactive process. By providing the balance scorecard, the Corporation will expand credence, and the balance scorecard will also serve as an evaluation tool that is consistent in measuring performance. It is a simple method of articulating strategy to employees and then monitors the progress towards achieving the Corporation’s goals and objectives. Balance scorecards have proved to be an important catalyst to be used by most private sector and government institutions.

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A Balance scorecard can help overcome such difficulties by providing a focus that unifies all parts of the business. It provides a methodology that turns the eyes of all employees towards a single direction. The balance scorecard can therefore be a very effective tool for changing the organisational culture, breaking down the barriers between teams, creating an overall team culture and thereby improving organisational performance.

Conclusion
In a nutshell, the business strategy cannot be implemented by the senior leadership team alone. The RTMC’s motto “all hands on deck” must find practical expression through the involvement of all RTMC’s people at all levels. Hence, it is argued that successful implementation of the balance scorecard is dependent also on the contribution from everyone in the Corporation. This transition will be managed as the change project for the Corporation. The requirement or even the thought of bringing change, or redesigning processes at the organisation, no matter how minor it is, often creates ‘frowning faces’. However, equally true is the fact that changes keep occurring every now and then in various sectors. This is to say that change can neither be escaped nor denied. The only thing that remains in such cases is to willingly accept the bitter reality of changes and embrace those with all affection.

The Corporate Strategy and Reporting Unit submits that successful handling of changes in the workplace is all about making clear and complete communications to all stakeholders and/or role players of the Corporation.

References
Synovate, a market research firm, recently released consumer survey data of relevance to the green car/brute power car debate (The Mercury Motoring, 10 July 2009, p. 11). The survey encompassed 13 500 people in 18 different markets including South Africa, the United Kingdom, the USA, Australia, Canada, France, Germany, Greece, Japan, Korea, Malaysia, Brazil, India, Turkey, China, Egypt, Thailand and the United Arab Emirates. The primary objective of the survey was to establish what car consumers would buy, if money was not an issue.

The survey revealed that the purchase of a car in South Africa was an emotional event, reflecting image and social status. Cars, in South Africa, were also viewed as a passport to freedom or mobility. Given these findings, it is not surprising that the extent to which a car was environmentally friendly, was of limited significance to many potential South African car buyers. An additional factor is that numerous vehicle buyers in this country are the first family members to be able to afford a car (reflecting a rising black middle class). The performance characteristics of the vehicle was thus of major importance.

The survey showed that over half of South African consumers would choose their dream car instead of an environmentally friendly model. This finding was in contrast to almost 60% of people in the overall survey who would rather go green. Somewhat surprising was the fact that the greatest popularity of green cars was apparent in Thailand, Korea, China and Brazil, where more than 70% of survey respondents voted for green cars.

There is always a but …

The Minister of Finance has announced that South Africa, as of 1 March 2010, will introduce a ‘green tax’ duty on cars which emit
high amounts of carbon dioxide (The Mercury Motoring, 10 July 2009, p. 10). This measure forms part of the national treasury’s Environmental Fiscal Reform, which in effect, is an amendment to the ad valorem ‘luxury’ excise duty, applicable to all new locally manufactured and imported cars. This excise duty has been based on the retail price only, since 1977. In a significant departure, excise duty will henceforth incorporate an emissions component with a reduction, on a sliding scale, of the present ‘base rate’ on retail price. South Africa, in this regard, is following the worldwide trend of targeting high emission vehicles. The use of ad valorem excise duties is generally viewed as a ‘clever move’ because no changes to any administrative mechanisms are required. The overall purpose of the changes is not to generate additional revenue, but to encourage South African drivers to rather buy vehicles which are less harmful to the environment, and also to encourage commuters to use public transport.

The South African green option is based on a strong positive correlation between engine capacity and vehicle carbon efficiency, in contrast to fuel consumption only in the USA, or engine capacity as well as other factors in the United Kingdom. New cars with a carbon dioxide output of less than 140 g/km will not be environmentally taxed in South Africa. There will thus be some savings in the new scheme, depending on the retail price of specific vehicles meeting emission standards. At the other end of the scale, all vehicles with a retail price in excess of R1.3 million will be taxed at the 20% base rate, as is currently the case, but will in addition be taxed on emissions, namely, 12% for emissions exceeding 300 g/km.

The new green taxes will likewise benefit diesel powered vehicles. Concern has been expressed, nevertheless, regarding the quality of fuel in South Africa, particularly the consistency of fuel quality and the availability of low-sulphur diesel. Some motor industry experts have expressed surprise that no reductions are planned for taxation on low-sulphur diesel. A number of new ultra low-emission diesel car models, which are now being tested for South African conditions, require high quality fuel for optimum performance. It is likely that these models will attract undue emissions taxes because the diesel needed for the vehicles is not readily available. This will probably result in a loss of sales of such models due to the new form of tax. The green tax, unfortunately, will not have an impact on the price of South Africa’s most popular entry level or ‘bread and butter’ vehicles, since the new measures are aimed at the high performance (and expensive) vehicle market.
According to the latest United Nations Report on road safety, Africa has the most dangerous roads in the world! Unless we do something about it soon, by 2020 we will find that road crashes will kill more people than those who die from HIV and Malaria put together. In the world, some 3 400 men, women and children are killed every single day on the roads, while walking, cycling or driving.

As part of cracking down on reckless driving, traffic authorities throughout the country took a no nonsense approach during December 2009 and January 2010. Since the 1st of December, more than 700 public transport vehicles, including 400 buses and 250 taxis were removed from the country’s roads.

On 21st December 2009, on along the N2 near Sezela in KwaZulu-Natal, the driver of a minibus taxi was arrested for traveling at 155 kilometers per hour. He was detained at the Scottburgh SAPS. He appeared in the Scottburgh Magistrates Court where his case was remanded until February 2010 and was released on R3 000 bail.

Transport Minister Sibusiso Ndebele has warned public transport operators that dedicated law enforcement operations targeting specifically public transport vehicles, would be intensified.

"An extra number of long-distance bus and taxi trips are undertaken during this time of the year. Law enforcement officers will be intensifying operations on public transport vehicles, particularly buses and taxis. Those vehicles found to be un-roadworthy will be taken off the roads. Public transport and drivers have a responsibility to protect the lives of commuters and should not put profits before safety," the Minister warned.

Traffic authorities impound more than 600 public transport vehicles

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Transport Minister Sibusiso Ndebele is optimistic that the Administrative Adjudication of Road Traffic Offences (AARTO) will significantly reduce road crashes and deaths.

“The implementation of AARTO and the Points Demerit System throughout South Africa later this year will certainly reduce lawlessness on our roads and contribute significantly to a reduction in road crashes and deaths”. He added that AARTO will also improve the overall safety of road users and encourage responsible road behaviour. “The objectives of AARTO include penalizing drivers and operators who are guilty of infringements or offences through the imposition of the demerit points, leading to the suspension and cancellation of driving licenses, professional driving permits or operator cards”, said the Minister.

Alerting all road users during the December to January festive season, Minister Ndebele called upon organizations and individuals to actively partner with government in addressing the carnage on our roads, 24 hours a day, 7 days a week and 365 days a year. Road Safety Forums will soon be part of every municipality in the country and many stakeholders are urged to actively participate in these forums.

“If we work in harmony, side by side, we will achieve our common goal of safer roads and responsible road use. There is no room for self-interest. It does not matter if you are a driver, passenger, pedestrian, vehicle owner or traffic law enforcer – accountability, consideration and vigilance save lives. We must win this battle against road deaths”, the Minister said.

From the 1st of December 2009 to 6 January 2010, as part of the Festive Season Arrive Alive Road Safety Campaign traffic officials achieved the following:

- At least 720 000 vehicles and drivers were stopped and checked across the country
- More than 290 000 motorists were fined for speeding
- 3 596 drunken drivers were arrested
- 262 motorists were arrested for reckless and negligent driving
- 2 849 un-roadworthy vehicles were removed from the roads, including 1 503 buses and taxis.

The Department of Transport and the Road Traffic Management Corporation (RTMC) will continue to work jointly to reduce road traffic crashes.
I wonder how many people could still remember the fuel crisis motorists experienced worldwide during the nineties. Speed limits were extremely low and the selling hours of fuel were reduced. I could recall that at one stage we had a speed limit of 70 km/h on rural roads—luckily for a very short period. From accident data that were analyzed at that stage, there was definitely a decline in the number of fatal accidents and serious casualties on our roads. The question is: “Was that owing to the lower speed limits or owing to a decline in traffic volumes?” In my view it was a combination of more than these factors. Owing to the fact that drivers had to drive slowly, they could not cover too long distances at one time. Filling stations were closed during specific hours and drivers had to sleep over when driving long distances.

Reports from various organizations worldwide indicate that speed, as a variable, is a causative or contributing factor to accidents. Originally I shared that view however, from a scientific point of view there was not a causative or contributory factor to accidents, it is still a factor and it will never be a factor. The problem is not the speed per se but factors that have an influence on speed. For example:

- Impairment of drivers of vehicles owing to alcohol and substance abuse as well as tiredness of excessive working hours;
- Fatigue owing to a lack of enough rest during long journeys;
- The condition of some of our main roads;
- Traffic congestion;
- The roadworthiness of vehicles;
- The overloading of sedan and
light delivery vans;

- The inability and inexperience of drivers to adjust their speed in specific traffic circumstances, like bad weather, bad roads, road works and in areas where there are a clustering of pedestrians such as school children, shoppers, sport events and the presence of cyclists,

- The negative attitude of road users (drivers) towards the promotion of road traffic safety by road traffic authorities,

- Speed differentiation among types of vehicles, and

- Emotional conditions.

It seems that road users in general do not have a problem with the imposition of speed limits nor do they have problems with speed law enforcement. However, the main problem is a perception among road users namely that they experience that speed limits at various places in the country, whether it is in built up areas or rural areas are not realistic. In this regard the reason may be that speed per se is not managed in accordance with the requirements of a speed management system. A speed management system does not only take speed limits into consideration but also elements such as:

- Geometric design speed;
- Sight distance;
- Percentile speed such as the 50th and 85th percentile speed;
- The average speed, speed variation patterns;
- Accident numbers and rates;
- Traffic volumes;
- Pedestrians;
- Cyclists;
- Parking and loading zones;
- Admission to adjacent property;
- Intersections;
- Width of road without a median;
- Clean road side area;
- Minimum speed limits;
- Curve stones;
- Day time speed versus night time; and
- Schools.

It is not possible to discuss all the elements in an article like this one. Although speed limits and speed law enforcement are important to manage speed, the abovementioned elements should also be taken into consideration when speed is managed. I have no doubt in my mind that in areas where there are schools and high pedestrians volumes the recommended speed limits should not exceed 30km/h. In central business districts and business areas, the operational speed should not be higher than 50km/h. Speed limits during night-times needs also to be addressed scientifically. However, authorities should also be realistic when speed limits are set in open rural areas.

During the early nineties I was the Chair Person of the National Task Team who had to develop a speed management system for South Africa. At one stage it was suggested to the Task Team that we should sincerely look to the speed limit between Bloemfontein and Colesberg as well the speed limit between Kimberley and Three Sisters. The view of some of the members was that the Task Team should recommend to the Government that the speed limit should be set at 140km/h for a trial run. The condition should be that effective law enforcement should have been done on these roads to ensure that drivers adhere to such speed limits. Such speed limits should only apply during day-times and normal weather conditions. When I retired from the CSIR a decision on that was not taken.

Another issue which needs attention is the perception by road users that speed law enforcement done by cameras is a money making business. I am not aware whether any research has recently been done by someone in this regard. However, personally I think that speed law enforcement by using cameras alone does not have the same effect when a driver who is speeding is stopped and fined on the spot. Such a situation might be ideal but on some road sections, especially on through ways near cities, it is not possible. A second point I want to make is that a driver who is speeding and caught by camera, just continue to drive on at the same speed even knowing that he was photographed, while it is the aim of the specific authority to ensure that drivers are driving slower to reduce the risk of being involved in an accident at the time he uses a specific road section.

The “new” Intelligent Transport System (ITS) might somewhere in future be used to regulate the speed of vehicles in these areas. Such an idea was already suggested by researchers of the CSIR in the early nineteen eighties but was not considered by the road authorities at that time. This idea might be reconsidered by the Road Authorities. I am aware that cameras have limitations, namely it cannot determine whether a:

- Driver is under the influence of or fatigue,
- Vehicelcohol or drugs,
- Driver is suffering from impairment hicle is roadworthy or not.
- Driver is has a legal drivers li-cense
- Occupants wear seat belts, etc.

An issue that is mentioned regularly by
road users seems to be a shortcoming with cameras is that the violator has no choice but to pay the fine. He or she can go to court but it might be time wasting because he or she has not been afforded the opportunity to see for themselves that the speed camera has been installed correctly at the time he or she was violating the speed limit. He or she don’t know whether the speed limit is realistic and determined scientifically and whether it meant to promote traffic safety at that specific point. To manage the administration of speed fines seems also to be a problem. For example, if the fine is not paid the owner of the vehicle is summonsed. If the owner is not the driver, time is wasted to find the driver if the driver was a professional driver. It seems that this problem is experiencing mostly by taxi owners with taxi drivers they appointed. If it is possible to stop and fine a driver who is violating the speed limit on the spot, a lot of time can be saved. Errors are made by sending notices to owners of vehicles who have never violated the speed limit at the day and time stipulated and even does not have the type of vehicle described. Another problem is that it seems that many vehicles have false number plates.

By using cameras alone work opportunities for road traffic professionals are also lost. Research shows that traffic law enforcement is most effective when it is done by visible traffic policing. It cost a lot of money to train traffic policemen professionally and academically. The role visible policemen is playing is under estimated. The value they added to promote road traffic safety and prevent other crimes are also under valued. It is well known that when drivers see policemen they tend to drive slower! We cannot afford to replace them by cameras alone. However, cameras can be used by them to optimize their actions but not replace them. In my view the problem with speed management is that decision makers, who ever they are, do not know how to analyze speed and accident data and how to manage speed effectively. In the example below, methodology to analyze speed scientifically and statistically is explained. Although I assume that all decision makers and law enforcers know how to use the method, those concerned with the speed management activities could also benefit from the example below.

The first step in the process is to design a sampling plan to gather data in a scientific manner. Road Traffic Managers at the Tshwane University of Technology are trained to design research projects and sampling plans. Learners are trained to design sampling plans in such a way that the data that are gathered are objective and not bias. Once the data are collected correctly, the next step is to design a frequency table. There are various ways to do that. In this example speed intervals of 5km/h are chosen. The speed data of 200 drivers are displayed in table 1.

Table 1: Frequency and cumulative frequency distribution of the speed of 200 vehicles in a 60 km/h speed limit zone

<table>
<thead>
<tr>
<th>Speed intervals (Speed, km/h)</th>
<th>Class mark</th>
<th>Class boundary</th>
<th>Frequency</th>
<th>Cumulative frequency</th>
<th>Cumulative percentages (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>40</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(40-45)</td>
<td>42.5</td>
<td>40</td>
<td>5</td>
<td>5</td>
<td>2.5</td>
</tr>
<tr>
<td>(45-50)</td>
<td>47.5</td>
<td>45</td>
<td>13</td>
<td>18</td>
<td>6.5</td>
</tr>
<tr>
<td>(50-55)</td>
<td>52.5</td>
<td>50</td>
<td>40</td>
<td>58</td>
<td>20.0</td>
</tr>
<tr>
<td>(55-60)</td>
<td>57.5</td>
<td>55</td>
<td>60</td>
<td>118</td>
<td>50.0</td>
</tr>
<tr>
<td>(60-65)</td>
<td>62.5</td>
<td>60</td>
<td>65</td>
<td>183</td>
<td>70.0</td>
</tr>
<tr>
<td>(65-70)</td>
<td>67.5</td>
<td>65</td>
<td>70</td>
<td>253</td>
<td>85.5</td>
</tr>
<tr>
<td>(70-75)</td>
<td>72.5</td>
<td>70</td>
<td>75</td>
<td>328</td>
<td>94.0</td>
</tr>
<tr>
<td>(75-80)</td>
<td>77.5</td>
<td>75</td>
<td>70</td>
<td>398</td>
<td>97.5</td>
</tr>
<tr>
<td>(80-85)</td>
<td>82.5</td>
<td>80</td>
<td>85</td>
<td>483</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Table 1 is divided into a number of columns, namely class intervals, class marks, class boundaries, frequency, cumulative frequency and cumulative percentages. After the calculations had been made, the official responsible for speed research in a road traffic department or a road traffic authority should display the results on a graph. We call such a graph a histogram. A histogram of the frequency of the speed data is displayed in Figure 1.

In stead of using the intervals on the X-axes we use the class marks. In the first class mark of 42.5km/h, the speed is distributed from 40 to 45km/h. From table 1 we observe that there are 5 drivers who’s speed was between 40 and 45km/h. The next group is the 47.5km/h group. From the graph we immediately notice that the majority of drivers falls in the 57.5 group, namely 60. This reflects speed between 55 and 60km/h. We concluded that these drivers drove equal to and less than the speed limit of 60km/h. If we add all the drivers in the sample of 200 together we notice that those who drove below 60km/h add up to 100. When we analyse the data further, we immediately notice that there are still 100 drivers that do not fall in the intervals lower than 60km/h. The question is where do they fall? When we analyse the table and graph further, we notice that 40 falls in the 62.5km/h interval, 31 in the 67.5km/h interval, 17 in the 72.5km/h interval, 7 in the 77.5km/h interval and 5 in the 82.5km/h interval. Normally we work with relative figures like percentages. The percentages of every category is displayed in the last column of table 1. To make the data more visual, we draw two further graphs. We call these graphs cumulative graphs.

In Figure 2, we display the speed data by using the class boundaries on the X-axes and the cumulative frequencies on the Y-axes. As we normally work with relative figures such as percentages to compare groups, we convert the cumulative speed data into cumulative percentages. The results of the cumulative percentages are displayed in Figure 3.

From Figure 3 it is clear that the speed driven by 50% of the drivers is equal to 60km/h. In many road traffic and transportation handbooks, it is suggested that the 85th percentile should be used when speed limits are set. However, many researchers are against the use of the 85th percentile speed parameter as a criteria. Nevertheless, the 85th percentile speed parameter is a useful indicator as one of many parameters that can be used. From Figure 3, it can be concluded that the 85th percentile speed is equal to 70km/h. We can also look to the mean or a road traffic authority should display the results on a graph. We call such a graph a histogram. A histogram of the frequency of the speed data is displayed in Figure 1.

The median speed divides the speed distribution in exactly two equal parts. This means that in our example 100 drivers (50%) drove equal or below the speed limit. In the 85th percentile case, it means that 85% of the drivers drove at 70km/h or lower. In this case it is equal to 170 drivers of the 200. In addition to the percentile parameters, we can also use the mean speed and standard deviation for the normal distribution. In our example we work with grouped data and we therefore use the formulas suitable to do the calculations.

The arithmetic mean speed equals 63.7km/h and the standard deviation is 8.3km/h and the standard error is 1.7km/h. In this case the average speed can be rounded to 64km/k and the standard deviation to 8. In statistical terms we can regard the speed distribution as normal. When we work with the normal distribution we know that about 68% of the observations are between the mean speed and one plus/minus one standard deviation. Therefore we concluded that approximately 136 drivers drove at a speed between 56km/h and 72km/h. If we calculate the total number that drove slower than 72km/h, we found an answer of 168. That is
more or less the same as the 170 of the 85th percentile. The question now is: "Is the speed limit of 60km/h realistic?" To answer this question, the parameters mentioned above have to be taken into consideration, namely traffic composition, road layout, geometric design speed, etc. For example, if the geometric design speed is 60km/h and all other issues are taken into account the speed limit could be set at 70km/h or even 80km/h. However, if the geometric design speed is 60km/h the recommended speed limit should not be higher than 60km/h.

I would like to conclude that there are a number of other issues that have to be taken into consideration, stopping distance. Stopping distance is based on a number of parameters, namely reaction time of the driver, the skid resistance of the road, the gradient of the road, whether conditions, etc. Another issue that is critical is what we call the critical zone at an intersection where traffic are controlled by traffic lights. All these aspects have to be taken into consideration when speed limits are set.

By this time I hope that readers realize how complex the speed question is. We all know that speed is defined as the distance covered over a period of time and expressed as km/h. It is interesting that when the speed of a vehicle is measured it is done over a very short distance, some time. It meter sometimes 1,5 meter in length sometimes a little bit longer. The time is taken to cover the short distance is converted to km/h. When the converted km/h is higher than the speed limit, the driver of that vehicle is prosecuted as he or she has been traveling for one hour at the speed on his ticket while it took only a fraction of a second to cover the short distance which is measured. This is just an indication how accurate the existing speed measurement apparatus are. You only need a short distance and a fraction of a second time to measure the speed a driver is traveling in an hour. How fair such measures are is debatable. A better idea might be to take the speed of vehicles over 'n longer distance.

We all know that speed means movement. To make movement possible we need some sort of energy. Scientifically spoken all energy comes from the sun. We need to convert the source of energy in a usable format to do work. And as we all know not all explo- 

ations are controllable!!

When a vehicle is moving and the driver has to stop by applying the brakes, there are two issues that are important, namely the reaction time of the driver and the breaking distance. The stopping distance is equal to the sum total of the reaction time and the breaking distance. For example, if the speed of a vehicle is 100 km/h and the reaction time of the driver is 0,8 seconds, the distance traveled is 17 meters. If the reaction time is 3 seconds, the distance traveled is 83 meters. The breaking distance in normal circumstances at a speed of 100km/h with a zero gradient and a skid resistance coefficient of 0,04 is equal to: 91m. Add to that the reaction time of 17m the total stopping distance is equal to 116m. If the speed is 140km/h a stopping distance of about 210m is required to stop a vehicle**.

An issue that also needs attention is speed limits during night times. According to information I have is that the night sight distances varies between 95m to 105m. That means that when an object is observed at a speed of 100km/h, it might be too late to stop in time.

What I tried to say in this article is that road users should not abuse speed and that road authorities should take special steps when speed limits are set. Speed only "kills" when the factors that increase accident risks are ignored. Until such time that speed is managed scientifically by road traffic managers and traffic law enforcers, I am of the opinion road users will continue to make a fuss of it.

* This idea gives the opportunity to a learner to submit a research proposal for a Magister degree in Road Traffic Safety Management.
* The formulas that were used to do the calculations are not included. If someone is interested to do so, he or she could contact the writer of this article, Dr H B Pretorius at 012- 382 4815.
LETCOM does it again, and what is so surprising again, it involves officials from the Eastern Cape.

27 years is equivalent to a lifetime and has often been associated with the prison term of the former freedom fighter, Nelson Mandela. But for Charles Bramwell, Kevin Heckrath and Berny Martin, it was the number of years it took for them to reunite after their years in traffic college.

The above photo of Mr Wayne le Roux, Berny Martin and Charles Bramwell was taken on 19 February 2010 at the LETCOM meeting in East London where the three of them met again... 27 years after they last wished each other good bye in December 1982... That was when they all graduated as fully-fledged Traffic Officers from the Ottery Traffic Training College in Cape Town.

Mr Wayne Le Roux is still attached to the City of Cape Town Municipal Traffic Services and so is Mr Charles Bramwell still attached to the Provincial Traffic Services in the Eastern Cape, stationed at Port Elizabeth as a Deputy Director of the Provincial Traffic Special Operations Unit.

Mr Berny Martin left the Provincial Traffic Service, and is now Commanding Officer of the Buffalo City Municipality Traffic Services, which includes East London and King William's Town.
ARREST FOR RECKLESS DRIVING?

By Dirk Lambrechts

The following are the experiences of two unrelated motorists as conveyed in NON-legal language to the author of this discussion.

Experience No 1:
A motorist drove through an amber (not red) traffic light at a pedestrian crossing in Johannesburg whereupon he was stopped by metro police officials. According to the motorist the metro police officials “were not interested in giving me a fine and arrested me and confiscated my car based on a charge of reckless driving”. The metro police officials then, according to the motorist, impounded his car whereupon he was charged and locked up at the Johannesburg police station.

The motorist then phoned a friend who “got my car out (R650.00)” after which the friend came to the Johannesburg police station and paid his (the motorist) admission of guilt fine of R1000.00.

According to the motorist he was locked up with approximately thirty (30) other people who were apparently all arrested for traffic offences. During his ordeal the metro police officials told the motorist that “there has been a change in law” and that they now arrest people for being reckless, but not for a traffic violation. As the metro police officials understand it (according to the motorist), “being reckless is apparently a criminal offence whereas the traffic violation is not”.

Experience No. 2:
A 49-year-old female motorist accidently and unintentionally (in other words negligently not recklessly) drove into a no-entry street. She was likewise forthwith arrested by metro police officials. Likewise she was told that “it was a new law” and that they now arrest people for being reckless, but not for a traffic violation. As the metro police officials understand it (according to the motorist), “being reckless is apparently a criminal offence whereas the traffic violation is not”.

What does all this mean in LEGAL language?

What apparently happened here is the coming into operation of the Administrative Adjudication of Road Traffic Offences Act 46 of 1998 (hereinafter referred to as AARTO) in the City of Tshwane on 1 July 2008, and in the City of Johannesburg on 1 November 2008.

In brief, according to section 29 of AARTO the Minister of Transport may, for the purpose of AARTO-
(a) prescribe offences, [Afrikaans: “misdrywe”], and categorise them into minor infringements [Afrikaans: “oortredings”], major infringements and other offences;
(b) prescribe the penalty, expressed as a single unit or multiple units accorded a monetary value, which must be imposed for each infringement, as contemplated in section 31;
(c) prescribe the demerit points which are incurred for each offence or infringement, as contemplated in section 24; and
(d) prescribe the total number of demerit points which, if exceeded, disqualifies a person from driving or operating any motor vehicle as contemplated in section 25.

This the said Minister in fact did by publishing the Administrative Adjudication of Road Traffic Regulations, 2008 (hereinafter referred to as the AARTO Regulations, 2008) in Government Gazette No. 31242 dated 16 July 2008.

The AARTO Regulations, 2008 have three (3) Schedules. The heading of Schedule 3 (on p94 of GG NO.31242) is “categories of offences and infringements, penalty units, penalty and discount amounts and demerit points [Afrikaans: ’strafpunte’] in terms of regulation 10, 11, and 24 [of the AARTO Regulations, 2008]”. (Particulars in square brackets inserted).

Regulations 10,11, and 24 of the AARTO Regulations, 2008 to which reference is made in the heading of Schedule 3 supra are about penalties, discount and fees (regulation 10); discount [on penalty] (regulation11); and demerit points (regulation 24).

Schedule 3 is divided into eleven (11) columns which provide for:
As a matter of interest. This Schedule refer to a massive 205 possible traffic offences (but yet, some of us still don’t Arrive Alive!)

Be that as it may. In Schedule 3 use is made of abbreviations like for instance “I” = infringements; “MI” = major infringements; “O” = offences; and “C” = court – no penalty allowed.

Note that in terms of section 1 of AARTO, “penalty” is defined as meaning – “the administrative penalty payable for an infringement as contemplated in section 31 [of AARTO]”.

Note further that AARTO as well as the AARTO Regulations, 2008 are silent about arrest. This means that (as always) the general, legal principles relating to an arrest, applies.

Returning now to the test(2) experiences supra. In Schedule 3 on p206 of GG.NO.31242 appear the following under items 2020, 2021 and 2022, namely:

| Column 1 | Item number |
| Column 2 | Charge code |
| Column 3 | Short statutory reference to National Road Traffic Act 93 of 1996 |
| Column 4 | Short charge wording – reference to National Road Traffic Act 93 of 1996 |
| Column 5 | Classification of offence, major infringement and minor infringement |
| Column 6 | Penalty |
| Column 7 | Demerit Points |
| Column 8 | Penalty amount (Rand) |
| Column 9 | Discount amount (Rand) |
| Column 10 | Discounted amount (Rand) |
| Column 11 | Operator charge in terms of section 49 of the National Road Traffic Act 93 of 1996. Indication of charge against operator simultaneously to charge against driver |

The second question is whether an arrest is necessary under the circumstances? In this regard see the Proposed* National Policing Standards for Municipal Police Services as published on p42 and further of Government Gazette No. 20142 dated 11 June 1999. In para 3 (on p44) under the heading “Securing the attendance of an accused at the trial by other means than arrest”, appear the following:

“3. Securing the attendance of an accused at the trial by other means than arrest
(a) There are various methods by which an accused’s attendance at a trial may be secured. Although arrest is one of these methods, it constitutes one of the most drastic infringements of the rights of an individual and a member [of a municipal police service] should therefore regard it as a last resort.
(b) It is impossible to lay down hard and fast rules regarding the manner in which the attendance of an accused at a trial should be secured. Each case must be dealt with according to its own merits. A member must always exercise his or her discretion in a proper manner when deciding whether a suspect must be arrested or rather be dealt with as provided for in subparagraph (3) below.
(c) A member, even though authorised by law, should normally refrain from making an arrest if –
(a) the attendance of an accused may be secured by means of a summons as provided for in section 54 of the Criminal Procedure Act, 1977; or
(b) the member, on reasonable grounds, believes that a magistrate’s court, on convicting such an accused of that offence, will not impose a fine exceeding the amount determined by the Minister [of Justice and Constitutional Development] from time to time by notice in the Government Gazette, in which event such member may hand to the accused a written notice [J534] as a method of securing the attendance of the accused in the magistrate’s court in accordance with section 56 of the Criminal Procedure Act, 1977”.

(Emphasis added and particulars in square brackets inserted)
And in para 4(1) (on p44) under the heading “The object of an arrest” appear the following: 

“4. The object of an arrest

(1) General rule
As a general rule, the object of an arrest must be to secure the attendance of such person at his or her trial. A member may not arrest a person in order to punish, scare, or harass such person”.

(Emphasis added)

Remember that the motorist in Experience No. 2 supra where to be “taught a lesson” (and apparently not to secure her attendance at court!), which is of course nothing else than “punish, scare and harass”!

The contents of para’s 3 and 4(1) of the National Policing Standards supra, are based on court decisions. Virtually all of it have recently (by implication) been reaffirmed by our Constitutional Court in Minister for Safety and Security v Van Niekerk 2008 (1) SACR 56 (CC) where the court, in para [19] read together with footnote 13 of the judgment, refers with approval to the SAPS Standing Order (G) 341 which is identical as para’s 3 and 4(1) of the National Policing Standards supra, as well as in Louw v Minister for Safety and Security 2006 (2) SACR 178 (TPD) and Geldman v Minister for Safety and Security 2008 (1) SACR 446 (WLD).

Also see S v More 1993 (2) SACR 606 (WLD) where the accused was convicted on a charge of negligent driving. During the course of its judgment the High Court in Johannesburg found it extremely unusual (Afrikaans: “uitsers ongewoon”), that a person is arrested for negligent or reckless driving, especially where (as in the case of More) no accident took place.

See further in this regard (whether arrest is necessary), sections 4(4)(a), 22(1)(b) and (2) (and to a lesser extent) also section 23 of AARTO which gives one the impression that the question of “arrest” was far removed from the legislature’s mind when it en-acted AARTO, except for the following which have always, traditionally been arrestable offences namely —

Item 2023 – contravening section 65 (1)(a) of Act 93 of 1996 – drunken driving – where time is to be allowed for a medical examination and taking of blood samples and where the accused concerned must dry out before he/she can be released;

Item 2037 – c/s 66(2) of Act 93 of 1996 – driving a vehicle without the owner’s consent – which in fact amounts to statutory theft; and

Item 2038 – c/s 66(3) of Act 93 of 1996 – unlawful tampering with a vehicle – which in fact amounts to statutory attempted theft and/or statutory malicious injury to property.

And then there is of course section 12(1)(a) of our Constitution which provide that

(1) Everyone has the right to freedom and security of the person, which includes the right –

(2) not to be deprived of freedom arbitrarily or without just cause”.

This brings us to the third question namely the “confiscation” (Afrikaans: “verbouwerverklaring”) of the car. Apparently it must, legally speaking, be “seizure” or “impoundment” (Afrikaans: “beslaglegging of skat”). Under the circumstances, as illustrated in Experience No. 1 supra, impoundment and having to pay (R650.00) for the removal and impoundment of such vehicle, is unheard of. Section 61 (2) and (3) of Act 93 of 1996, as well as regulations 305(6) and 320 of the National Road traffic Regulations, 2000 made in terms of Act 93 of 1996 and published in Government Gazette No. 20963 dated 17 March 2000 (as amended), make provision for the lawful towing away and impoundment of vehicles. It is, however, suggested that the said provisions do not, whatsoever, apply to the circumstances described in Experience No. 1 supra.

On the assumption that Experiences No 1 and No 2 supra are true and correct (though in NON-legal language), it is both frightening and scary and that in a country that boasts with a Bill of Rights. Furthermore it is mind-boggling how the metro police (and its legal advisers?) can interpret – Offence + court no penalty allowed = arrest!

With the coming into operation of AARTO, the age-old legal principles regarding arrest remained intact and untouched. And as illustrated in Experience No.2 supra, the prosecutor can (as always) alter a charge of reckless driving to inconsiderate driving and then (as always, despite AARTO) accept an admission of guilty fine as provided for in the Criminal Procedure Act 51 of 1977. Likewise in respect of Experience No. 1 supra where the SAPS accepted (as always) admission of guilt of R1000 for reckless driving. Accordingly, if admission of guilt is so “easily” payable (and available), why arrest?!

Note that in both Experiences No. 1 and No. 2 the metro police officials concerned told the two, unrelated motorists that “there has been a change in law” and that (arrest for reckless driving) “was a new law”. Did the metro police officials in fact set eyes on AARTO and the AARTO Regulations’ 2008? Was it explained to them? Did they receive orders or instructions to arrest? If so, by whom? Accordingly the question that must be asked is what kind of problem presents itself here? Is it a training, attitude (“must be taught a lesson!”), management, or discipline problem or a combination of all or some of them?

It is possible that if people are going to take on the metro police in a court of law in connection with the issues under discussion, the metro police is going to come second – just like in S v Van Heerden and Other Cases 2002 (1) SACR 409 (TPD) where the court held that a mobile magistrate’s court which was set up along the road side as part of the “Arrive Alive” campaign, and where speeding offenders were arrested and brought straight before such mobile court and summarily required to plead and to be tried, was unconstitutional. According to the court ordered that the total amount of R175 950.00 in fines, be paid back to the respective accused concerned in those cases where the fine was in fact paid. And likewise (”came second”) in Van Rensburg v City of Johannesburg 2009 (1) SACR 32 (WLD) where the High Court in Johannesburg ordered the City of Johannesburg to cough up R75 000.00 in damages (Afrikaans: “skadevergoeding”) for an unlawful arrest by members of the Johannesburg Metro Police Department (and where the facts of the case were rather scary).

As a matter of interest. Note that in Van Rensburg supra, the court concluded by expressing its distaste for the behaviour of the metro police concerned, and their indifference to the lot of a respectable citizen. According to the court, public officials must be made aware that our courts will not tolerate...
high handed (not just neglectful) behaviour which result in the people that they serve, suffering injury at their hand.

In the light of the preceding it may just be that we (as all South Africans and inhabitants of South Africa) have now reached the stage (because remember AARTO will in due course be operational in the entire RSA) where the public are more scared for the law enforcement agencies than for the criminals (or is that how it should be, despite the fact that in our current constitutional dispensation they are “services” and not “forces”?).

Lastly (one may ask), what is the difference between an onion and the metro police? The answer! Nobody cries or sheds a tear when the metro police is chopped up!!

What a sad day!

* Proposed National Policing Standards for Municipal Police Services – the word “proposed” is misleading. It is in fact the National Policing Standards – see section 64E(2) of the SAPS Act 68 of 1995.

Postscript: Note section 199(6) of our Constitution which, provide that “no member of any Security Service may obey a manifestly illegal order” (if there is in fact an instruction or order to arrest for reckless driving). See further section 206 (7) of our Constitution which likewise falls within Chapter 11 (sections 198 to 210) of our Constitution under the heading “Security Services” and which leaves one with the impression that municipal police services are part of the Security Services as defined in section 199(1) of our Constitution. Note further that section 47 of the South African Police Service Act 68 of 1995 under the heading “Obedience” is not applicable to municipal police service. See regulation 9 of the Regulations for Municipal Police Services as published in Government Gazette No. 20142 dated 11 June 1999.

MINIMUM SENTENCE OF IMPRISONMENT FOR LIFE FOR PLANNED OR PREMEDITATED MURDER, AS WELL AS MURDER OF A LAW ENFORCEMENT OFFICER – S V KHATHI 2008 (2) SACR 589 (WLD)

According to section 51, read together with Part I of Schedule 2 of the Criminal Law Amendment Act 105 of 1997 (which provide for minimum sentences), a person convicted of an offence referred to in the said Part I of Schedule 2 shall be sentenced to imprisonment for life, unless there are of course substantial and compelling circumstances present to impose a lesser sentence, the accused was sentenced to imprisonment for life on the murder count.

What the author find confusing is that, according to para [6] of the judgment by the trial court, “section 51 of the Criminal Law Amendment Act 105 of 1997, does not define ‘law enforcement officer’ referred to under Part I of Schedule 2 thereto”. See, however, subsection (8) of section 51 of Act 105 of 1997 in this regard.

Furthermore: According to para [2] of the judgment the victim (deceased) “was undisputedly a traffic officer performing his duties of manning a traffic trap, enforcing law under the South African Police Service Act 68 of 1995” (the SAPS Act). And in para [6] of the judgment, the trial court quotes the definition of a “member” of the South African Police Service. It further quotes section 64E of the SAPS Act – functions of municipal police service – and section 64F of the SAPS Act – powers of member of municipal police service. In the light of the above quotations the trial court (still in para [6]) concludes that “from the above it is more than evident that there could be no valid justification for differentiating between a member of the South African Police Service and a traffic officer, as in the present matter, for purposes of ‘law enforcement officer’, under Part I of Schedule 2 to section 51 of the Act [105 of 1997].”

Accordingly it appears that the victim (deceased) was apparently a traffic officer (and thus in fact a law enforcement officer for purposes of Act 105 of 1997). However, the author was always (and still is) under the impression that a traffic officer is appointed under the provisions of the Road Traffic Act 29 of 1989 (or is it under the National Road Traffic Act 93 of 1996?), and that a municipal police official is appointed under the provisions of the SAPS Act. Then the author was likewise always (and still is) under the impression that according to regulation 11 (1)(a) of the Regulations for Municipal Police Services made under the SAPS Act and as published in Government Gazette No. 20142 dated 11 June 1999, it is a requirement for appointment as a member of a municipal police service that such applicant “is registered as a traffic officer in terms of the Road Traffic Act 29 of 1989” (or is it under the National Road Traffic Act 93 of 1996?) (but apparently not vice versa). However, according to regulation 11(2) of the Regulations supra, the National Commissioner of the South African Police Service may waive (Afrikaans: “afstand doen”) the said requirement.

If the impressions held by the author are wrong, any help from our readers? And what about the Road Traffic Act 29 of 1989 and/or the National Road Traffic Act 93 of 1996? Further help please!
It has been revealed that distracted driving in the US has claimed thousands of lives and injured a half-million people during 2008. In the past there has been debate whether communicating from a vehicle might be a manageable risk – today, with the dramatic increase in the use of hand-held devices it is accepted that one method of communicating – texting – has the potential of creating a true crash epidemic!

Vehicle manufacturers have joined the call to ban drivers from text messaging with cell phones and other hand-held devices. The wireless industry including cellphone manufacturers, carriers, and some Internet companies have expressed the belief that texting is incompatible with safe driving.* It is estimated that there were more than 1 trillion text messages sent and received on wireless devices last year, including cell phones and smart phones.

At Government level in the US the Obama Administration and Congress have addressed texting and distracted driving and all government employees are now banned from texting while driving whenever they are on the job, driving a federal vehicle, or using a government-supplied cell phone. This executive order affects nearly 4.5 million employees across the US, including postal workers and military personnel.

The simple truth is that roads are already dangerous enough with many existing threats to road safety! When we add cell phones and text messages to existing road risks, we are taking this beyond anything we should be dealing with on the roads. A study recently released by the Michigan State Medical Society claims that texting while driving makes driving six times more dangerous.

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The National Highway Traffic Administration puts cell phone use at the top of the list of driver distractions. The Medical Society believes that texting while driving as part of cell phone use makes this act the most dangerous of all distractions. It's incredibly dangerous, and it's incredibly poor judgment to text while driving!

Distracted driving is described as an epidemic sweeping our roads. This topic is receiving much attention internationally and we would like to discuss in this section of the Arrive Alive website the global impact and the risks of texting and driving!

Distracted driving is a broad term that includes a wide variety of driving behaviors. You can be distracted behind the wheel by talking on a mobile phone held in your hand, talking on a phone using an earpiece, or talking on a phone using a hands-free system embedded in your car. Research in the US showed that every day last year more than 750,000 vehicles were driven by someone using a hand-held cellphone. Distracted driving however wasn't limited to that… Distractions include eating or drinking a cup of coffee or adjusting the channel on your radio. You can be distracted by an iPod that's not playing what you want, or a passenger, or a map or paper with directions on it. You can be distracted by a sports game on the radio, roadside distractions etc.

It is difficult to accurately document vehicle crashes caused by driver distractions, especially those distractions caused by texting. The last thing an accident victim might confess is that his texting caused the accident...
Most of the research on texting and driving is done in vehicle simulated driving conditions. Drivers are tested with motion sensors and computer graphics creating realistic motorway routes.

Some tests done in simulators suggest that talking on a phone, no matter how it's done, sharply elevates the risk of an accident. Researchers studying brain imaging documented that listening alone reduces the amount of brain activity associated with driving by 37%.

According to the US Department of Transportation, there were at least 515,000 injuries and 5,870 fatalities in the US in 2008 as a result of distracted driving—these numbers are taken from police reports, so the actual numbers could be quite a bit higher.

Even though there might not be sufficient statistics on how many people are driving and texting, there is enough information to say that texting shouldn't be permitted while driving! Why is texting such a threat to road safety?

Drivers generally understand that drink-driving is a serious risk, but have less of an understanding about the dangers of texting. Those who are aware of the impairment to their driving are not aware how great this impairment is. The Transport Research Laboratory found that motorists who use their mobile phone to send text messages while on the road dramatically increase the likelihood of collision.

Studies have suggested that texting while driving is riskier than driving under the influence of alcohol or drugs. A combination of factors leads to impairments of reaction time and vehicle control which places the driver at greater risk than having consumed alcohol and getting behind the steering wheel.

But what are these risks?

Some safety advocates argue that the mere act of talking to someone not in the car—whether the phone is up against your head, or in a cup holder while wearing an earpiece—is a risky overload of a driver's cognitive functions. When texting, drivers are distracted by taking their hand off the wheel to use their phone, by trying to read small text on the phone display and by thinking about how to write their message.

According to the National Roads and Motorists Association, text messaging drivers spent up to 400 percent more time with their eyes on the phone instead of on the road.

Texting reduces reaction times of drivers

The reaction times of texting driver deteriorated by 35 per cent, much worse than those who drank alcohol at the legal limit, who were 12 per cent slower, or those who had taken cannabis, who were 21 per cent slower.

When texting, you tend to wander across the lane. Research found that drivers who sent or read text messages were more prone to drift out of their lane, with steering control by texting drivers 91 per cent poorer than that of drivers devoting their full concentration to the road.

The Transport Research Laboratory concluded that text messages took on average 63 seconds to compose while the phone owner is driving—compared with 22 seconds when sent from a desk.

In one minute, a car travels half a mile at town centre speeds and more than a mile on the motorway. Texting reduces the ability to maintain a safe following distance from the vehicle in front.

It is important to consider the effect of texting as a driver distraction especially with a focus to our younger drivers. Teenage drivers are a particular risk group considering that, according to research surveys the average U.S. mobile teen now sends and receives an average of 4,799 text-messages per month, with many of these texts sent and read from behind the wheel!

Research on texting as part of Distracted Driving

Most of the research on texting as driver distraction is from the US, and we would like to share some of these findings:

A recent Virginia Tech Transportation Institute study found that manual text messaging elevated the risk of a crash or near crash to more than 23 times higher than "non distracted" driving.

Researchers compiled real-world driving data from truck drivers over 18 months. The VTTI found in a study that covered a combined 6 million miles of driving that texting while driving is by far the most risky cellphone activity in a car.

The risk for a texting driver to cause a crash or near-crash event (in heavy vehicles or trucks) was found to be 23.2 times as high as non-
distracted driving, while dialling was found to be 5.9 times as high, talking and listening 1.0 times as high, and reaching for or using any electronics device was estimated to be 6.7 times as high.

This study found that text messaging while driving is significantly more distracting than talking or listening on a cell phone or reaching for an object. There was a limited data set made available for use of cell phones in light vehicles. The risk of a crash or near-crash was found to be 2.8 times higher when dialing, 1.3 times higher when talking or listening and 1.4 times higher when reaching for an object compared to non-distracted driving. The study also found that “texting took a driver’s focus away from the road for an average of 4.6 seconds—enough time to travel the length of a football field at 55 mph.”

**Measures to prevent Texting and Driving**

There is little doubt that texting is the most risky of driver distractions. But how do we prevent this risk from escalating?

**Advertising / Educational Campaigns**

- No responsible motorist would drink and drive. We need to ensure that drivers understand that texting is one of the most hazardous things that can be done while in control of a motor car.
- Public service announcements can drive home the message to the public.
- Companies need to launch campaigns to warn cell-phone users, especially teens, about the dangers of texting while driving.
- Cellular operators can place warnings about texting on phones—Most wireless carriers have campaigns opposing texting while driving.
- Information about the dangers of texting while driving can be included in defensive driving classes.
- One of the best ways to curb texting while driving is to make it socially unacceptable, particularly among teens. A dramatic Web-based video depicting four deaths caused by a young driver who was texting at the wheel has provoked a debate over the best ways to curb distracted driving.
- The four-minute video, produced by local police in Gwent, Wales, has gone viral, attracting more than 1.5 million views on YouTube alone. YouTube has restricted viewings to those over 18 because of the bloody, graphic nature of the video. It has also required that the video has been posted at the Gwent police Web site and elsewhere without restrictions.

In a statement on its site, the Gwent police department said it is hop ing the video can be used in schools across the U.K. to deter texting while driving. The Gwent police helped facilitate the filming of the video, including the auditions of 300 teenagers from Wales, “because we want to stop ALL drivers, but particularly young and new ones, from causing accidents,” the statement said.

Despite the criticism, some psychologists see a valuable place for dramatic presentations like this graphic video produced by police in Wales, arguing that such tools can have an impact in educational settings, especially on young drivers. Parents who choose not to expose their kids to the video should find ways to deliver the message some other way—and hope that popular figures whom kids take more seriously deliver it as well.

**Enforcement/Legislation and Distracted Driving**

Texting while driving is a difficult offence to enforce and prosecute. Despite it being illegal for a motorist to use a handheld phone behind the wheel, the RAC Foundation said that nearly half of British drivers aged between 18 and 24 admitted to texting on the roads. Yet only 144,000 people were prosecuted for using their mobile while driving last year.

Lawmakers have been reacting to research over the past few years and are increasingly banning cellphone activity while driving. In the US about a dozen states have passed laws banning texting while driving. The AA in the US [AAA] has declared war on texting. Declaring that texting while driving is a “dangerous distraction,” the automobile club has announced a campaign to get it banned in all 50 states. The AAA says texting while driving should be illegal everywhere...

In the UK the Department for Transport said: “Driving and mobile phones don’t mix. That is why we increased the penalty for illegally using a mobile when driving to three penalty points and a £60 fine and have run hard-hitting campaigns to remind drivers of the dangers of using a phone in any way by encouraging them to ‘Switch off before you drive off.’”

Legislation has been changed so that motorists who cause a fatal accident while using a mobile phone can be jailed for up to five years. Previously the maximum punishment for similar crimes was a £5,000 fine and points on the driver’s licence. It is expected that other countries will follow the example of stricter enforcement and law changes to address the risks of texting and driver distraction.

**Technology**

Can more technology assist in addressing these risks? Some road safety experts favour more laws banning texting while driving, while others tend to favour technology that disables wireless service in a moving vehicle.

Auto makers and their suppliers are working on systems that will allow drivers to send and receive text messages using voice-activated systems. There is a strong view that since the laws are hard to enforce, new and advanced hands-free technology will be all that more important.

**Conclusion**

At a recent Distracted Driving Summit held in Washington, it was em phasized that there is a need for a greater understanding about the dangers of distracted driving. Considering all the possible dangers associated with technology (inappropriate material, online and game addiction, online fraud etc) nothing is more risky than texting while driving. Perhaps the important truth confronting us all is that texting while driving is not only a risk to the perpetrator, but to all innocent road users! Driving while typing out text messages on a mobile phone is dumb, potentially deadly and should be against the law – everywhere!
Transporting some 64% of all public transport users in South Africa and providing jobs for an estimated 400,000 workers, the minibus sector continues to be the back-bone of mobility and access for a majority of South Africans. However, it is no secret that the sector is confronted with many challenges.

Over the past 15 years, government has introduced several important initiatives to help transform the sector - including formalisation, legalisation and democratisation. We are also seeking to transform, where feasible, minibus services into active components of integrated public transport networks in our towns and cities. Important, but uneven, progress has been made on all of these fronts.

It is also notable that, despite the inherent volatility and fragmentation of the sector, and despite major challenges of over-trading on many key routes, the levels of endemic violence have also subsided considerably over the past several years.

In addition to all of the above measures, government has been involved in an ambitious multi-year taxi recapitalisation programme (TRP). This involves scrapping older vehicles and subsidising the acquisition of a new fleet, with enhanced safety specifications.

Some 136,000 minibus vehicles qualify for eventual recapitalisation. To date, nearly a quarter, a total of 32,000 of these taxis have been scrapped and replaced with newer vehicles.

In the course of last year, however, the Department of Transport became aware that supposedly as part of the TRP process some 2,353 panel vans had been illegally converted into passenger-carrying minibuses and their compliance with the new, enhanced safety standards of the TRP was uncertain.

In terms of the National Road Traffic Act, Act 93 of 1996, the conversion of commercial vehicles to passenger vehicles is indeed permissible. However, there is a homologation process to be followed in order to render such conversions legal. In the case of the 2,353 converted panel vans in question these processes were by-passed.

On 4 August 2009, Transport Minister Sibusiso Ndebele announced that the Department had initiated an investigation into these illegally converted panel vans. We have since handed over information to the Special Investigation Unit requesting them to pursue the possibility of serious fraudulent and other criminal activity in this regard. We
have good reason to believe that some dealerships, some Manufacturer-Importer Builders (MIBs) - those doing conversions - and some officials in traffic licensing departments knowingly bypassed legal requirements and also fraudulently changed documentation.

The SIU investigations are still underway and we trust that they will be pursued vigorously. In the meanwhile the DoT has introduced remedial measures, including a drastic restriction of access to inputting and/or changing data on the eNatis system.

However, while the investigations must be vigorously pursued, it is obvious that we are also dealing with a major socio-economic challenge out there on the roads, with the livelihoods and mobility of tens if not hundreds of thousands of people potentially affected. Institutions that have financed many of these vehicles are also at risk. In most cases we are dealing with operators who have poured their life-savings into what they believed, in good faith, was a legitimate TRP compliant vehicle.

To address these concerns the DOT established a technical team to establish facts and make recommendations on a way forward. The team comprised of representatives from the Department of Transport, the taxi industry, financial institutions, NAAMSA, the South African Bureau of Standards (SABS) and the National Regulator for Compulsory Standards (NRCS). Based on the outcome of the investigation, the technical team has recommended a process whereby these illegal panel van conversions can be legalised so that we have vehicles that are indeed compliant TRP standards.

SAFETY TESTING

In the first place, we needed to establish the extent to which the illegal conversions complied, if at all, with the new, additional safety requirements of the TRP process. These requirements are:

- Type II Brake testing;
- Tilt testing;
- Roll-over protection; and
- Seat and seatbelt anchorage.

Extensive tests were carried out on these converted panel vans by the SABS in relation to the required TRP safety requirements. These vehicles passed the Type II brake testing, the tilt testing and the roll-over protection tests.

However, the tests established that the seat and seatbelt anchorages failed to meet the strength requirements of the TRP. After testing various seat and seatbelt combinations, an appropriate combination was found which exceeded the minimum requirements of the TRP.

The compliance test phase of this project has been successfully concluded. From the results of the tests, it is permissible to upgrade the existing panel van conversions by strengthening the seat and seatbelt anchorage, in order to ensure compliance with the safety requirements of the TRP.

MODIFICATION PROCESS

The industrialisation of the rework package, including the seats and seat mounting rails, has now also been completed. The seats and the mounting rails have been tested and approved by the SABS. A sample vehicle was prepared and presented to the National Regulator for Compulsory Standards for approval of TRP compliance. This process was successful.

The manual that documents this process as well as the compliance requirements has also been completed. We will now need to ensure that the re-fit process is transparent and does not open other doors for any further illegal activities. An approved builder has been granted an eNatis number and all the modified vehicles will be re-registered onto the new eNatis number.

This process will also allow for proper record keeping which will ensure that, at the end of the six-month grace period, all the identified vehicles are legally compliant. If not, they will be impounded.

TFM is the company that has been appointed to conduct the modifications nationally. They have branches throughout the country and will also utilise approved sub-contractors. Other builders are not precluded from this process but would have to undergo vigorous testing to obtain the necessary SABS and NRCS approvals to provide the service. This process will be closely monitored and coordinated by the Department of Transport.

OPERATIONAL PLAN

A call centre is already available and will be the starting point for any operator who has an illegally converted panel van. It is at this point where it will be established if the vehicle is financed or privately-owned. The relevant financial institution will be contacted to establish the liability of the costs and the requisition of an order number. The order number will be forwarded to TFM and a booking date and venue will be secured for the necessary retrofitments to take place. The owner will then be contacted and informed of the arrangements. In the case of a privately-owned vehicle, the owner will be expected to cover the costs of the retrofitments and then follow the necessary processes to claim back.

TFM will maintain its own database and feed back to the centralised call centre on a weekly basis. It is expected that the service provided by TFM will be an all-inclusive process of conducting the approved retrofitment as well as the necessary administration to ensure that the vehicles are all registered onto eNatis with the correct information.

CONCLUSION

We want to thank all the stakeholders who have been part of this process.

With less than 100 days to go to the 2010 FIFA World Cup, the inevitable question will arise: will there be illegally converted panel vans transporting South African fans and visitors? We need to point out that we have gazetted regulations for the event that transport providers must comply with. Illegally converted panel vans that have still not been retro-fitted will not meet these requirements.

In any case, we have also been assured, and this applies to the general South African commuting public, that it should be possible to complete the great majority of conversions long before mid-June. As the Department of Transport we remain committed to ensuring the provision of safe, efficient, reliable and affordable public transport.
Transport Minister Sibusiso Ndebele has called on public transport drivers to refuse to undertake long-distance trips without a relief driver.

The Minister’s call follows yet another horrific road crash involving a bus and a taxi on the N2 between Umtata and Kokstad in the Eastern Cape earlier today (24 December), where 12 people were reported killed after the bus and taxi collided head-on. According to preliminary reports, fatigue may have been a contributory factor to this crash.

Last Saturday (19 December), 10 people were killed in a bus crash near Umtata in the Eastern Cape after the driver of the bus lost control and crashed into a tavern. According to officials, fatigue may have also been a contributory factor to this crash.

“We wish to convey our condolences to the families of all those killed in the crash earlier today (24 December), involving yet another public transport vehicle in less than a week in the Eastern Cape. We also want to convey condolences to the families of all those killed in road crashes since the start of the December holidays and we wish those injured a speedy recovery.

According to preliminary reports, fatigue may have yet again been a contributory factor this crash in the Eastern Cape earlier today (24 December), where 11 people were killed. We are therefore calling on public transport drivers to refuse to undertake long-distance trips without a relief driver. Drivers of public transport vehicles, especially buses and taxis, cannot be expected to drive hundreds of kilometers for several hours without a relief driver on board, when fatigue is a major contributory factor to road crashes. Public transport employers have a duty to ensure the safety of their workers and their customers.

“The Department of Transport is engaging with the Labor Federation in order to ensure that the eight working hours per day rule, as per the Basic Conditions of Employment Act, is strictly enforced for drivers of public transport vehicles, particularly buses and taxis,” said the Minister.

Meanwhile, another taxi driver was arrested in KwaZulu-Natal earlier today (24 December) for travelling at a speed of 140 kilometers per hour. Another two taxi drivers were arrested and detained yesterday (23 December) evening for travelling at a speed of 159 kilometers per hour and for drinking and driving respectively.

“Traffic law enforcement will be intensified over the next few days. Law enforcement officers will be on duty on Christmas Day. No mercy will be shown to motorists who break the law,” the Minister said.

Since December 1, as part of the Festive Season Arrive Alive Road Safety Campaign, more than 700 public transport vehicles, including 400 buses and 250 taxis, have been removed from the country’s roads. More than 450 000 vehicles and drivers have been stopped and checked. No less than one million vehicles and drivers will be stopped between December and January. More than 250 000 motorists were fined for speeding and more than 2 500 drunk drivers arrested. More than 150 motorists have been arrested for reckless and negligent driving. Thousands of drivers were also fined for non-wearing of seatbelts and other offences.
Just like almost every activity of government, Arrive Alive launch was not going to be divorced from an upcoming FIFA World Cup to kick start in June 2010. The department used the launch to unveil plans for the World Cup and one of the thrilling ideas highlighted was that the department would provide spectator transport to fan parks where millions of South Africans will be watching games from.

The national implementation of the Administrative Adjudication of Road Traffic Offences (AARTO) was again confirmed for the year 2010. The AARTO, which is currently on pilot phase in Tshwane and Johannesburg Cities, is envisaged to improve road traffic lawfulness among drivers. “In 2010 we are going to roll out AARTO nationally and drivers who do not obey the rules of the road may get their licenses suspended,” said Ndebele.

The Arrive Alive launch in Orange Farm was followed by provincial launches and actual law enforcement operations and road safety campaigns.

Traffic Focus Magazine would like to appeal to all road users to join in a fight against road carnage because road crashes are preventable.

**The 2009 Festive Season Arrive Alive Campaign**

**By Tshino Mavhusa**

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Traffic Focus Magazine would like to appeal to all road users to join in a fight against road carnage because road crashes are preventable.
Infringers may comply with an Infringement Notice by paying the penalty, as reduced by the discount amount shown on the Infringement Notice, to the Issuing Authority within a period of 32 days. Regardless of the place of issue, payments can also be made in the following manner:

- At the traffic or licensing departments under whose jurisdiction the Infringement Notice was issued;
- any Post Office in the country;
- By direct deposit into the AARTO account provided at the back of the Infringement Notices;
- At any ATM of a bank with which an agreement for this purpose has been concluded by the Agency; or
- By credit card or electronic funds transfer into the AARTO accounts provided on the Infringement Notices. Arrangements to pay in instalments may also be made with the Agency as described in the procedure under 4.2 below. Upon approval of such arrangements by the Agency, the same payment options described above, will be applicable.

On receipt of such payments the Agency will:

- Record the payment received and allocate the applicable demerit points for the specific infringement against the name of the Infringer in the National Contraventions Register on eNaTIS;
- Notify the Infringer by registered mail of:
  - the number of demerit points allocated for the specific infringement;
  - the total number of demerit points accumulated to date; and
  - the number of points left before his or her driving licence, professional driving permit or operator card will be suspended or cancelled.

3. COMPLYING WITH AN INFRINGEMENT NOTICE BY SUBMITTING A REPRESENTATION OR APPLICATION, PROVIDING INFORMATION OR NOTIFICATION

Infringers may further comply with an Infringement Notice by submitting a representation or application, or notifying the Agency, in the prescribed manner, within a period of 32 days after being issued in person or receiving the Infringement Notice by registered mail, on the following:

4.1 Representations

Submit a Representation, only in the case of a minor infringement, to the Agency. Such Representations are made by submitting a sworn statement or affirmation indicating the existence of reasonable grounds why the Infringer should not be held liable for the penalty payable in terms of the Infringement Notice. The Agency will forward such Representations to an independent Representations Officer for consideration. In turn the Representations Officer:

- will duly consider the Representation;
- may conduct an independent investigation to verify facts;
- may allow the Representation, if there are reasonable grounds indicating why the infringer should not be held liable for the penalty; or
- may reject the Representation if no reasonable grounds for allowance could be found. In this regard it should be noted that a penalty cannot be reduced, a Representation is either allowed or rejected.

The Road Traffic Management Corporation’s AARTO system was launched in a regional pilot project in Tshwane in July 2008 and in Johannesburg in February 2009. The national roll-out will take off in 2010. This means a more manageable and efficient process for the administration and adjudication of road traffic offences and infringements. It offers drivers the opportunity for discounts on early payment of fines, but also imposes more serious consequences on those who don’t comply with the law.
If the Representation is allowed, then on such notification by the Representations Officer, the Agency will cancel the Infringement Notice and inform the Infringer accordingly of the decision.

Should the Representation be rejected, the Representations Officer will provide reasons for the decision, and may further advise that the Infringer may elect to be tried in court. The Agency will notify the Infringer of the decision(s) of the Representations Officer by registered mail, upon receipt of which the Infringer may elect to be tried in court (only if so recommended by the Representations Officer), and in which case the procedure under 4.4 below must be followed by the Infringer, or the infringer must pay the penalty in full, plus the prescribed fee for the Representation and the Courtesy Letter fee, if any, within 32 days; or apply for payment of the penalty in instalments within 32 days, in which case the procedure under 4.2 below must be followed by the Infringer.

4.2 Payment in Installments

The Infringer may submit an Application to the Agency to make payments in monthly instalments. The Agency will investigate the credibility of the Infringer and inform him/her of the outcome and the monthly instalments to be paid, should the application be granted. The first instalment has to be paid within 32 days after receipt of the approval by the Infringer. Should the application not be granted, the Infringer must pay the full penalty within 32 days after receipt of such notification plus the prescribed fee for the application. The discount is not applicable to payments made in instalments or once an application has been received and recorded.

4.3 Identification of Driver

The Infringer must provide information to the satisfaction of the Agency that he/she was not the driver of the motor vehicle at the time of the alleged infringement, together with the full name, acceptable identification; as well as residential and postal addresses and telephone numbers of the alleged driver or person in control of the vehicle at the time of the infringement. In such cases the Agency will cancel the original Infringement Notice and serve a second Infringement Notice per registered mail to the person so identified. Should such identified Infringer fail to respond within 32 days, the original Infringement Notice will be reinstated and the first Infringer will become liable to pay both the penalty and the prescribed fee of the Courtesy Letter to be issued in such a case.

4.4 Elect to follow Court Procedure

Where the Infringer wishes to challenge the Infringement, he/she must notify the Agency of the intention to follow the court procedure. In such cases the Agency will cancel the Infringement Notice and instruct the Issuing Authority to issue a summons to the alleged Infringer to appear in court, which will be posted by registered mail.

The prescribed forms on which such Representations or Applications, Information on drivers or Notifications is to be provided are obtainable as follows:
- At any Traffic Authority; Vehicle Registration and Licensing Office or Driver Licensing and Testing Centre;
- Downloadable from the Website: www.aartosa.co.za or
- May be faxed or e-mailed on request.

5. COURTESY LETTERS

If an infringer has failed to comply with an Infringement Notice as described under 2 or 3 above, the Agency will issue a Courtesy Letter and serve it on the Infringer by registered mail. Such Courtesy Letter will inform the Infringer that:
- he/she has failed to comply with the requirements of the Infringement Notice; and
- that he/she must, within a period of 32 days after receipt of the Courtesy Letter:

Ø pay the penalty; as well as the prescribed fee for the Courtesy Letter; or
- apply to make payments by instalments in terms of 4.2 above; or
- elect to follow court procedure.

Without following the issuing of an Infringement Notice, Courtesy Letters will be automatically generated by NaTiS and served on Infringers by registered mail for the following infringements after expiry thereof and the prescribed grace period lapses:
- failure to renew a vehicle licence;
- failure to renew a driving licence or professional driving permit; and
- failure to submit a vehicle for a compulsory roadworthiness test within the prescribed time frame.

In addition to the applicable fees payable in the above cases, an administrative fee for the Courtesy Letter will be applicable.

6. NOTICES

Notices will automatically be generated and issued to infringers in the following cases:
- if an Infringer makes an insufficient payment;
- if the cheque used for payment is dishonoured, or
- if an Infringer who has made arrangements to pay a penalty in instalments, fails to pay such instalments or makes an insufficient payment on an instalment or the cheque used for payment of that instalment is dishonoured.

In the case of an insufficient payment or the cheque used for payment is dishonoured, the Infringer will be notified that:
- the full amount owing, including the prescribed fee for the Notice, must be paid within 32 days of service of the Notice; and
- failure to comply with the Notice will lead to a Warrant being issued against him or her.

In the case where the Infringer fails to pay the penalty in instalments as arranged, or makes an insufficient payment on an instalment, or the cheque used for payment of that instalment is dishonoured; the Infringer will be notified that:
- the outstanding balance of the instalment, including the fee for the Notice or that arrangements must be made within that time for the payment thereof; and
- any payment referred to in the sub-bullet above must be made as arranged and that subsequent instalments must be paid as originally arranged; and
- failure to comply with the Notice will lead to an Enforcement Order in respect of the full amount owing being
issued against the Infringer.

7. ENFORCEMENT ORDERS

Enforcement Orders will be issued if an Infringer has failed to comply with:
- the requirements of a Courtesy Letter;
- the requirements of a Notice, or
- the requirement to appear in Court, either following a traffic offence or after specifically electing to be tried in court.

In such cases the following steps will be taken and accordingly recorded in the National Contraventions Register on eNaTIS:
- issue an Enforcement Order and serve it by registered mail on the Infringer;
- automatically allocate the demerit points incurred by the Infringer for the offence or infringement;

The Infringer will simultaneously be notified of the following:
- the number of demerit points that have been allocated and recorded against his/her name;
- the total number of demerit points accumulated to date;
- and
- the number of points left before his/her driving licence, professional driving permit or operator card will be suspended or cancelled.

The Enforcement Order served on the Infringer will:
- require payment of the penalty in full, plus Representation fees and the fee of the Courtesy Letter, if any, as well as the prescribed fee of the Enforcement Order 'within a period of 32 days of the date of service of the Order; and
- state that failure to comply with the requirements of the Enforcement Order within 32 days will result in a Warrant being issued to recover the applicable penalty and fees.

Until such time as an Infringer has paid the penalty and the additional fees as required in terms of an Enforcement Order, the Infringer will not be able to acquire a:
- driving licence;
- professional driving permit (PrDP); or
- vehicle licence disc or operator card/s if applicable, until such Enforcement Order has been complied with or has been revoked by the Registrar.

8. REVOCATION OF AN ENFORCEMENT ORDER

To provide for those circumstances where payment had been made but has not been captured in time, such that this omission leads to the issuance of an Enforcement Order, the Act provides for procedures in terms of the revocation of such Enforcement Order, or in cases where an Infringer provides valid reasons for such revocation.

In such cases, the Infringer applies to the Agency in the prescribed manner and submits valid and satisfactory reasons why an Enforcement Order must be revoked or the Issuing Authority applies in the prescribed manner for a revocation of the Enforcement Order.

If an Enforcement Order is revoked:
- its consequences will be cancelled;
- the National Contraventions Register on eNaTIS will be updated accordingly;
- the Infringer will be informed accordingly; and
- his/her driving licence, professional driving permit or operator’s card will be issued or returned, unless he/she had otherwise been disqualified already.

9. WARRANTS

If an Infringer does not comply with the provisions of an Enforcement Order within 32 days of the date of service thereof, an Enforcement Order within 32 days of the date of service of the Order will result in a Warrant being issued to recover the applicable penalty and fees.

An Infringer may, at any time prior to the execution of a Warrant, comply with an Enforcement Order through the payment of the penalty and all applicable fees, including the prescribed cost of the Warrant, in which case the Warrant will not be executed.

If a Warrant has been executed, the payment of the penalty and fees from the proceeds of the execution will be recorded in the National Contraventions Register.

10. CONCLUSION

The procedures as provided for in the AARTO Act and briefly described above, provide for a transparent, fair, equitable and effective system to manage and adjudicate road traffic offences and infringements, and should contribute to a large extent towards:
- promoting quality, safety and discipline in road traffic by providing for a scheme to discourage road traffic contraventions;
- facilitate the expeditious adjudication of road traffic infringements;
- support the prosecution of offences in terms of National and Provincial laws relating to road traffic, and implement a points demerit system; and
- effect a dramatic reduction in road fatalities and injuries.

In essence, the implementation of the AARTO seeks to change the behaviour of motorists. The critical over-arching goal is road safety. By implementing the AARTO, we will be able to change people’s behaviour from wanton disregard for road traffic laws, effecting zero-tolerance policies to traffic violations and inculcate a new habit of voluntary compliance to road traffic laws. When this is achieved, all road users in the country will be able to fully enjoy the use and benefits of road infrastructure.

Note:
Please see the next AARTO article to be published in the upcoming edition of Traffic Focus, dealing with the operational impact of the Pilot in the Tshwane and Johannesburg Municipalities and the rollout throughout the country.
WHY TOTAL CLIENT SERVICES LIMITED?

Our Passion, Dedication
Application Software - One System Does It All
Digital Camera Technology
Offers An-End-To-End Solution
Payment Channels
National Database Of Outstanding Fines
Our Client Relationships

Years of Experience, Industry Knowledge,
and always striving to deliver a quality
service to our clients is what makes
TCS the Leader in Traffic Law Enforcement Solutions

Ad on flashdisc
The 2009/10 Festive Season started on Tuesday, 1 December 2009 and continued until Monday, 11 January 2010. The Road Traffic Management Corporation obtained the statistics of all fatal accidents that occurred during this period from the South African Police Services.

During this period people engage in long distance travelling to spend holidays with their families. As a result more people are on the road to their different destinations, resulting in an increase in traffic volumes and higher than normal traffic peaks during specific days.

The biggest increase in traffic was experienced on the main routes leading out of Gauteng, with the N1 north and south, the N3 towards KwaZulu-Natal and the N4 towards Mpumalanga recording some of the highest traffic volumes.

As part of its Rolling Enforcement Plan; the Road Traffic Management Corporation embarked on a national Festive Season Operation named the Operation Safer Festive Season Project. The aim of this project was to concentrate on all un-roadworthy, private and public transport motor vehicles; as well as paying special attention on preventing crashes at hazardous locations and thus attempting to curb the fatality rate on our roads. Roadblocks, roadside checkpoints, traffic patrols, speed monitoring, and road safety awareness campaigns were launched. Vehicles were stopped, searched and checked with specific emphasis placed on the following offences: driver and vehicle fitness issues and documentation, overload control management, and moving offences such as following distances and inconsiderate driving.

During periods of peak traffic volumes, over the December/January festive holidays, the issuing of information about fatal road traffic accidents, weather and road conditions and law enforcement actions, serves as a platform in the mass media to get road traffic safety information across to road users. Informing road users about the dangers of unsafe road usage and educating them on correct traffic participation, is of vital importance in changing the perceptions and ultimately the behaviour of road users.

NOTE: The data in this report for the period 1 December 2009 until 11 January 2010 is based on the decision of confirmed and reported data within 7 days after the accident has occurred. Should information or reports be submitted for the same period after 7 days, it will also be included.

Traffic Volumes
Traffic volumes on the main routes over the Festive Season for the years 2007, 2008, 2009 and 2010 are given in the table marked A.

The information in the Table A shows an overall increase in traffic volumes of about 29,915 vehicles (4.7%) from an average of 640,895 vehicles at 7 counting stations in 2008/09 to an average of 670,810 vehicles during 2009/10. On a percentage basis the biggest increase was recorded at Verkeerdewei on the N1 in the Free State where the increase was in the order of 18.10%. On the N1 north the increase was 5.5% at the Kranskop toll plaza.

Number of Fatal Crashes
The number of fatal crashes per Province over the Festive Season 2009/10 is given in the table marked B.

Number of Fatalities
The number of fatalities per Province over Festive Season 2009/10 is given in the table marked C.

Fatalities per Road User Group
The number of fatalities per road user group over the Festive period for 2009/10 per user group (drivers, passengers and pedestrians) are shown in the table marked D.

The information on the number of fatalities per road user group in the table D is also reflected in the graphs marked E.

Contributory Factors to Fatal Crashes
Three main factors (Table F) that are contributing to the occurrence of crashes. These are Human, Vehicle and Road Environment factors. During the festive period 1 Dec 2009 to 11 January 2010 the main factors in this regard are summarised as follows:

Human factors:
- Speed too high for circumstances (36.6%)
- Pedestrian Jay Walking (32.8%)
- Hit & run (10.7%)
- Overtake when unlawful/unsafe (9.3%)
- Turn in front of oncoming traffic (3.9%)
- Followed too closely (2.6%)
- Disregard: red traffic light / stop sign/ yield (2.0%)
- Fatigue (1.8%)
- Intoxicated driver (1.2%)

Vehicle factors:
- Tyre burst prior to crash (49.6%)
- Faulty brakes (21.6%)
- Faulty steering (20.8%)

Road factors:
- Sharp bend (33.3%)
- Poor condition of road surface (20.7%)
- Road surface slippery / wet (14.4%)
- Animals: stray / wild (10.8%)
- Poor visibility (Rain, mist, dust, smoke, dawn, etc) (9.0%)
- Poor street lighting (6.3%)
- Road works (5.4%)
### Traffic Volumes over Festive 2009/2010

<table>
<thead>
<tr>
<th>Route</th>
<th>Site Name</th>
<th>2007/08</th>
<th>2008/09</th>
<th>2009/10</th>
<th>Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>N1</td>
<td>Carousel plaza</td>
<td>807,023</td>
<td>816,430</td>
<td>834,418</td>
<td>17,988</td>
<td>2.2</td>
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<tr>
<td>N1</td>
<td>Kranskop</td>
<td>657,805</td>
<td>692,101</td>
<td>729,906</td>
<td>37,805</td>
<td>5.5</td>
</tr>
<tr>
<td>N1</td>
<td>Huguenot plaza</td>
<td>572,584</td>
<td>543,422</td>
<td>564,022</td>
<td>21,500</td>
<td>4.0</td>
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<tr>
<td>N1</td>
<td>Verkeerdevlei</td>
<td>389,199</td>
<td>375,837</td>
<td>443,833</td>
<td>67,996</td>
<td>18.1</td>
</tr>
<tr>
<td>N2</td>
<td>Groots Brak</td>
<td>684,634</td>
<td>659,312</td>
<td>696,994</td>
<td>-2,318</td>
<td>-0.4</td>
</tr>
<tr>
<td>N3</td>
<td>Egoli plaza</td>
<td>571,584</td>
<td>555,883</td>
<td>579,176</td>
<td>23,294</td>
<td>4.2</td>
</tr>
<tr>
<td>N4</td>
<td>Middelburg</td>
<td>777,864</td>
<td>843,302</td>
<td>896,423</td>
<td>53,121</td>
<td>6.1</td>
</tr>
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Average traffic: 637,244, 640,895, 670,810, 29,910, 4.7%

### Number of Fatal Crashes per Province over Festive Season 2009/2010

<table>
<thead>
<tr>
<th>Year</th>
<th>GA</th>
<th>KZ</th>
<th>WC</th>
<th>EC</th>
<th>FS</th>
<th>MP</th>
<th>NW</th>
<th>LI</th>
<th>NC</th>
<th>RSA</th>
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</thead>
<tbody>
<tr>
<td>2009/10</td>
<td>202</td>
<td>231</td>
<td>128</td>
<td>159</td>
<td>100</td>
<td>119</td>
<td>98</td>
<td>161</td>
<td>49</td>
<td>1,247</td>
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### Number of Fatalities per Province over Festive Season 2009/2010

<table>
<thead>
<tr>
<th>Year</th>
<th>GA</th>
<th>KZ</th>
<th>WC</th>
<th>EC</th>
<th>FS</th>
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<th>NW</th>
<th>LI</th>
<th>NC</th>
<th>RSA</th>
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</thead>
<tbody>
<tr>
<td>2009/10</td>
<td>237</td>
<td>298</td>
<td>153</td>
<td>213</td>
<td>132</td>
<td>159</td>
<td>123</td>
<td>201</td>
<td>66</td>
<td>1,582</td>
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### Number of Fatalities per Road User Group over Festive Season 2009/10

<table>
<thead>
<tr>
<th>Year</th>
<th>User Group</th>
<th>GA</th>
<th>KZ</th>
<th>WC</th>
<th>EC</th>
<th>FS</th>
<th>MP</th>
<th>NW</th>
<th>LI</th>
<th>NC</th>
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</thead>
<tbody>
<tr>
<td>2009/10</td>
<td>Drivers</td>
<td>63</td>
<td>51</td>
<td>34</td>
<td>33</td>
<td>40</td>
<td>55</td>
<td>44</td>
<td>59</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Passengers</td>
<td>68</td>
<td>109</td>
<td>63</td>
<td>95</td>
<td>62</td>
<td>68</td>
<td>44</td>
<td>89</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Pedestrians</td>
<td>106</td>
<td>138</td>
<td>96</td>
<td>85</td>
<td>30</td>
<td>36</td>
<td>35</td>
<td>53</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>237</td>
<td>298</td>
<td>153</td>
<td>213</td>
<td>132</td>
<td>159</td>
<td>123</td>
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### Overall Percentage per factor

<table>
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<tr>
<th>Factor</th>
<th>Overall Percentage per factor</th>
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<tbody>
<tr>
<td>Human</td>
<td>82.8</td>
</tr>
<tr>
<td>Vehicle</td>
<td>9.1</td>
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<tr>
<td>Road</td>
<td>8.1</td>
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<tr>
<td>Total</td>
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In one way or the other, government needs a vigorous participation of community members at grassroots level in order to avoid misdirection of efforts and resources in a quest to improve service delivery. As the nation is battling with a sad reality of alarming rate of accidents, the Department of Transport identified a need for the establishment of Road Safety Council (RSC) at national as well as provincial levels to address road safety challenges.

The formation of the National Road Safety Council is another government’s intervention to work towards the realization of the Millennium Development Goal of halving road fatalities by the year 2015. The National Road Safety Council was formed during the National Road Safety Summit, which took place in Gauteng Province on 26-27 February 2010. RSF came into being as a result of Minister Sibusiso Ndebele’s commitment during the launch of 2009 Festive Season to involve communities in promotion of road safety.

The Road Safety Council carries the mandate of rapidly improving road safety in the country with the main objective of facilitating community participation in the formalization and implementation of Road Safety related policies of the National Department of Transport. This will foster transparency in the Department’s allocation of resources at a local level and enhance facilitation of economic involvement of local communities in the projects of Department.

By the time of going to print, the Department of Transport, in partnership with the Road Traffic Management Corporation (RTMC) and Road Accident Fund (RAF), was yet to launch the Provincial Road Safety Council (PRSC) in all nine provinces of the Republic. Terms of reference for PRSC include working together with the provincial departments to improve road safety practices in respective provinces.

“All key role players in road safety are encouraged to participate in the nomination of members to serve in these prominent structures,” says the project leader Rev T Vundla.

Traffic Focus would like to appeal to readers to look out for more articles about the Road Safety Council in the subsequent editions.
AARTO COLUMN

AARTO AT YOUR DOORSTEP

By Ms Thandi Moya

A AARTO is with us... indeed the hour has now come. The pilot stage is coming to an end and AARTO is here...!

AARTO will be rolled out in three phases. The first phase will be in the current Pilot Areas of JMPD and TMPD. The second roll out phase will include the remaining Metros which are the following: Ethekwini Metro, City of Cape Town, Nelson Mandela Metro and Ekurhuleni Metro. The final phase is rolling out to the provincial traffic authorities in all the provinces.

It must always be borne in mind that the purpose of AARTO is to promote more disciplined road behaviour. Towards this objective AARTO will also make provision for the introduction of the Points Demerit System—which will also reward good behaviour.

The Points Demerit System is a component of AARTO. It entails the penalising of drivers and operators who are guilty of infringements or traffic offences through the imposition of objective AARTO will also make provision for the introduction of merit points, leading to the suspension and cancellation of driving licences.

AARTO is here to stay and you must behave responsibly and considerately, because it will cost you your livelihood and your driving licences.

The Points Demerit System is a component of AARTO. It entails the penalising of drivers and operators who are guilty of infringements or traffic offences through the imposition of demerit points, leading to the suspension and cancellation of driving licences.

AARTO is here to stay and you must behave responsibly and considerately, because it will cost you your livelihood and your driving licences. This calls for all South African citizens to be ready for the implementation and add positively to curbing motorists freedom. This calls for all South African citizens to be ready for the implementation and add positively to curbing motorists freedom. This calls for all South African citizens to be

ATTITUDES

As South Africans await the moment of action during the Soccer World Cup, I find myself questioning the word "attitude". A broader definition includes the consideration of others often maintained by how we view others, and the respect we hold of other people including our own selves.

My take on attitude is that people should be in control of their own behaviours and destinies. This takes into consideration that it is a begin with you then extends to the next person. A culture needs to be cultivated to maintain positive and good attitudes about ourselves and as road users in this context we can convey that to the rest around us. Attitudes also determine our behaviours. Often I find that if I maintain a negative attitude about something or a concept, my behaviour is bound to exhibit negatively too...

In the previous edition we ran a competition in a quiz form about AARTO. We received many entries and we thank all those who took the time to enter the competition.

I read all the entries and it was interesting to note all the different responses. Most importantly, one could determine the need for intensified communication and education about AARTO. I can safely inform you that we have worked out the National Communication Plan to roll out the education aspect of AARTO. It is of fundamental importance that our country gets educated on AARTO and it is our main objective as the RTMC and the Department of Transport.

But back to the subject of attitude: The overall objective of AARTO is to change the behaviour and attitudes of motorists. And we believe that with the right attitude and behaviour road deaths will be reduced. When, as a motorist, your behaviour is positive and your attitude is positive, I see no reason why we won't obey the rules of the road. And obeying the rules of the road will cause us all to arrive safe and alive at our destinations.

The way I see it, negative behaviour and attitude contributes to the increase in road crashes. We have to correct the attitude factor as motorists. Human factor accounts for about 60%-90% of road accidents. And there is the question of attitude that underlines human behaviour. It is accepted that 90% of some of road crashes happens as a direct result of traffic ofences or non-compliance with prescribed road traffic norms and standards.

Back to AARTO...! My question to you in this edition is: “How do you see your behaviour and attitude changing as a result of AARTO? Based on the information Japh Chewe supplied in his AARTO Column, how do you evaluate your own attitude...?"

Write back to Thandi at RTMC, P/Bag X147, Pretoria 0001 sharing your views. Please ponder long enough and then write back to me.

- Enjoy the road!
- Enjoy as you ponder!
- Enjoy obeying the rules of the road!

As we enter the Easter period and winter, it is our appeal as the RTMC that we inculcate a positive attitude as we use the roads. Surely, with the right attitude we can overcome the road carnage.
The Department of Safety and Security Management at Tshwane University of Technology (TUT) is situated in the Faculty of Humanities. TUT is one of the 23 Government recognised tertiary institutions in South Africa and the leading University of Technology in many respects.

**PROPOSED CRIMINAL JUSTICE DEGREE AT TSHWANE UNIVERSITY OF TECHNOLOGY**

Following global trends the TUT is aiming to curriculate towards a four year Criminal Justice Degree. The emphasis will be to integrate courses in policing, correctional services and law into one qualification. This type of qualification will support the idea by Government to enhance a cluster approach between the Departments of Justice, Policing and Correctional Services.

Below is an preliminary proposal of the main subjects of the envisaged degree (The Department of Safety and Security Management – probably to change its name to the Department of Criminal Justice – plans to keep its diploma courses in Policing, Traffic and Correctional Services). The difference between admission to the diploma and the degree is that for a diploma an average Level 4 of the National Certificate is required whilst for the degree an average Level 5 is the minimum requirement.

Readers and prospective students should bear in mind that tertiary (university) training is aimed at opening a student’s mind to effectively adapt to an ever-changing environment. In this process the transfer of knowledge and research takes place. Training, on the other hand, sometimes focus on best practices for a defined environment. Education, however, works from a very broad definition. This broad approach is hope-fully reflected in the subjects of this proposed new qualification (See curriculum on adjacent page).

Readers are invited to comment on this proposed new qualification. Please send your suggestions and comments to Ms Marina Nagel at nagelm@tut.ac.za. Please refer in your subject heading to CJD (Criminal Justice Degree)
# CRIMINAL JUSTICE DEGREE (4 YEARS)

**TUT: Department of Safety and Security Management**  
(Proposed new name: Dept of Criminal Justice)

<table>
<thead>
<tr>
<th>SEMESTER 1</th>
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<td>5. Political Science IA</td>
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<td>2. Proactive and Reactive Policing IA</td>
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<td>Or Corrections Practice IVB</td>
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EVER WONDERED HOW THE BEST MANAGED LOCAL AUTHORITIES MANAGE?

We're the country's largest supplier of road safety management solutions including a range of cameras as well as vision processing systems. Research shows that these systems are highly effective in modifying driver behaviour, helping to reduce fatalities on South African roads. By partnering several municipalities in installing the hardware and managing revenue collection, we're making it possible for these authorities to make dramatic progress in generating additional revenue.

Sycan is the leading supplier of advanced meter reading systems to many municipalities and developers, often as joint venture partners.

Already installed by over 100 municipalities throughout South Africa, Sycan's electricity prepaid system leads the pack. With its graphic user interface and software, online, web enabled capability, the system is responsible for collecting over R100 million of electricity and water revenue per month.

If you think it's time your local authority smoothen out certain processes, think about giving Sycan a call. We will be able to help you to provide a better service to your community and improve your bottom-line in the process.

DO WHAT YOU DO BEST AND WE'LL HELP YOU TO DO THE REST!