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OF THE

REPUBLIC OF NAMIBIA

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CONTENTS

Page

GOVERNMENT NOTICE

No. 156 Road Traffic and Transport Amendment Regulations: Road Traffic and Transport Act, 1999 1

Government Notice

MINISTRY OF WORKS AND TRANSPORT

No. 156

2015

ROAD TRAFFIC AND TRANSPORT AMENDMENT REGULATIONS: ROAD TRAFFIC AND TRANSPORT ACT, 1999

Under section 91 of the Road Traffic and Transport Act, 1999 (Act No. 22 of 1999) I have amended the regulations as set out in the Schedule.

A.G. !NARUSEB
MINISTER OF WORKS AND TRANSPORT

Windhoek, 9 June 2015

SCHEDULE

Definitions

1. In these regulations “the Regulations” means the Road Traffic and Transport Regulations published under Government Notice No. 53 of 30 March 2001 as amended by Government Notices Nos. 97 of 29 May 2001, 222 of 8 November 2001, 103 of 01 July 2002, 161 of 26 September 2002, 163 of 26 September 2002, 205 of 28 September 2004, 206 of 28 September 2004, 32 of 01 April 2005, 45 of 09 May 2005, 183 of 20 December 2005, 188 of 01 November 2006, 104 of 04 June 2007, 172 of 17 September 2007, 2 of 2 January 2008, 73 of 1 April 2008, 290 of 19 December 2008 and 81 of 30 April 2010.

Amendment of regulation 16 of Regulations

2. Regulation 16 of the Regulations is amended by -
- (a) the addition of the following subregulation after subregulation (5):
- “(6) A roadworthy certificate must accompany the application for registration of a motor quadrucycle.”; and
- (b) the addition of the following regulation after subregulation (6):

“Application for duplicate document

16A. An application for a duplicate registration or deregistration certificate must be accompanied by -

- (a) a completed and signed declaration form stating the loss or destruction of the document;
- (b) positive identification of the owner;
- (c) in the case of a representative, his or her identity document and a letter of authorisation to act on behalf of the owner; and
- (d) the fee in terms of section 18 of the Road Fund Administration Act, 1999 (Act No. 18 of 1999).”.

Amendment of regulation 121 of Regulations

3. Regulation 121 of the Regulations is amended by the addition after subregulation (8) of the following subregulation:

- “(9) A person converting a licence in terms of subregulation (8) must be a holder of the following:
- (a) permanent residence permit;
- (b) temporary residence permit; or
- (c) work permit and must have stayed in Namibia for not less than 12 months.”.

Amendment of regulation 129 of Regulations

4. Regulation 129 of the Regulations is amended by the substitution -
- (a) for subregulation (b) of the following subregulation:
- “(b) the applicant, in the case of an application for an endorsement for the conveyance of passengers for reward must be at least 25 years of age;”; and
- (b) for paragraph (d) of subregulation (1) of the following paragraph:
- “(d) the applicant is declared medically fit by a medical practitioner defined in section 1 of the Medical and Dental Act, 2004 (Act No. 10 of 2004) for the purposes of obtaining a professional authorisation in terms of these Regulations;”;

Amendment of regulation 178 of Regulations

5. Regulation 178 of the Regulations is amended by the addition after subregulation (3) of the following subregulation:

“(4) A person driving a motor vehicle during the day on a trunk road, main road and district road must switch on the head lamps on dipped beam or daytime running lights as contemplated in regulation 178”.

Amendment of regulation 232 of Regulations

6. Regulation 232 is amended by the substitution for subregulation (8) of the following subregulation:

“(8) A seatbelt fixed to a motor vehicle must be -

- (a) installed in accordance with SANS 10168:2002, Ed. 1.01: “The installation of restraining devices, safety belts, in motor vehicles incorporating part of EEC Directive 77/541 ‘Safety belts and restraint systems of motor vehicles’, and the amending EEC Directives 81/576 and 82/319, with modifications”; and
- (b) comply with South African National Standard 1080:2002, Ed. 1.01: “Restraining devices, safety belts, for occupants of adult build in motor vehicles”.

Substitution of regulation 266 of Regulations

7. The Regulations are amended by the substitution for regulation 266 of the following regulation:

“Carrying of persons on goods vehicle

266 (1) A person may not -

- (a) operate a goods vehicle conveying passengers on or in the goods compartment of that vehicle on a public road; or
- (b) convey passengers on a public road in the goods compartment of a goods vehicle,

in excess of a maximum of 6 passengers.

(2) A person conveying passengers in terms of subregulation (1) must convey passengers in a motor vehicle -

- (a) not exceeding a GVM of 3 500 kilogram; and
- (b) provided that the goods compartment of that goods vehicle in which such persons are conveyed is enclosed -
 - (i) with a running board to a height of 350 millimeters above the surface upon which such person is seated; or
 - (ii) 900 millimeters above the surface on which such person is standing, in a manner and with a material of sufficient strength to prevent such person from falling from the vehicle when it is in motion.”.

Insertion of regulation 326A in Regulations

8. The Regulations are amended by the insertion of regulation 326A after regulation 326:

“Standard for speed measurement instrument

326A A speed measurement instrument referred in regulation 324(2A) must comply with the following standards:

- (a) South African National Standard 1795-0:2007: “Road traffic law enforcement systems Part 0: General requirements”;
 - (b) South African National Standard 1795-2:2007: “Road traffic law enforcement systems Part 2: Radar speed measuring equipment”;
 - (c) South African National Standard 1795-3:2007: “Road traffic law enforcement systems Part 3: Distance-over-time speed measuring equipment (fixed distance or variable time)”; and
 - (d) South African National Standard 1795-4:2007: “Road traffic law enforcement systems Part 4: Distance-over-time speed measuring equipment, variable distance or variable time”.”
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