



**RTIA**  
Road Traffic Infringement Agency

Justice in Adjudication



AMIP Update

AMIP Town Halls

Points Demerit System (pds)

Welcome to the season of Service Delivery

4 Phases of AARTO Rollout

NEWSLETTER

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JULY  
2021  
www.rtia.co.za



# Welcome

## to the season of Service Delivery

*The much anticipated national rollout of the Administrative Adjudication of Road Traffic Offences (AARTO) Act was announced by the Minister of Transport, Mr Fikile Mbalula at a virtual press conference on Thursday, 01 July 2021. The Minister announced a 4 phased rollout that would ensure that the Road Traffic Infringement Agency (RTIA) implements an effective system throughout the country.*

### THE SEASON OF SERVICE DELIVERY

Mr Mbalula kicked off his keynote remarks by welcoming those in the transport fraternity to the season of service delivery firmly stating that since the AARTO Act was signed into law by President Cyril Ramaphosa he had seen the AARTO Act as another tool that would strike a blow against lawlessness on South African roads.

The Minister reiterated his support for the national implementation of AARTO saying; 'In my Budget Speech 2021/22 I committed R545 million to the RTIA in the midterm for the national implementation of AARTO, with R215 million being allocated for the current financial year.'

He noted that the phased approach had been chosen due to challenges faced by the Agency including extensions requested by stakeholders for comments on the Amendment Bill, allegations of fraud and mismanagement of funds and the Covid-19 pandemic.

Announcing the 4 phases Mbalula said; 'the AARTO Act which is meant to also inculcate a culture of voluntary compliance with traffic laws has been successfully operational in the Tshwane and Johannesburg Metros with a few teething problems that were ironed out. The phased rollout will culminate in the implementation of the Points Demerit System (PDS).'

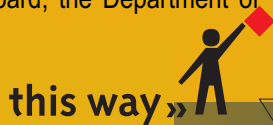
Mr Mbalula thanked the staff of the RTIA for making such a mammoth task that has been a long time coming happen in the end.

### AN EFFICIENT, TRANSPARENT AND ACCOUNTABLE AGENCY

Present at the press briefing was the RTIA Board Chairperson, Ms Bongekile Zulu who mentioned in her opening and welcoming remarks that the Board she stewards was appointed in August 2020 with the marching orders to ensure that the Agency achieves its mandate of the national AARTO rollout on 01 July 2021. This on top of all the governance challenges and allegations of fraud that led to senior staff being placed on suspension. In assuring Agency stakeholders of the RTIA's commitment to being a reliable stakeholder and partner the Chairperson said; 'The board promises the transport law fraternity nothing less than an efficient, transparent and accountable Agency based on the precepts of ethical leadership and equality for all.'

### KEY STAKEHOLDER SUPPORT IS OUR SUCCESS

The Acting Registrar, Ms Dalien Mabula in her acknowledgement remarks thanked all critical stakeholders in their support in putting together the implementation including the RTIA Board, the Department of Transport, the Road Traffic Management Corporation (RTMC) and provincial partners.



# 4 PHASES OF AARTO ROLLOUT

PHASE

1

## 01 JULY 2021 – 30 SEPTEMBER 2021

- RTIA will establish seven (7) service outlets nationally.
- Allow elective options to be processed in Issuing Authorities & AARTO Service Outlets.
- Enable the NaTIS System to collect AARTO payments at collecting agents.
- Communication and education awareness campaigns.
- Readiness assessment.

## 01 OCTOBER 2021 – 31 DECEMBER 2021

- 67 local and metro municipal areas will be proclaimed for AARTO rollout.
- Appeals Tribunal functional.
- Adjudication process effective.
- Establish 18 AARTO Service Outlets.

PHASE  
2

PHASE

3

## 01 JANUARY 2022 – 30 JUNE 2022

- 144 remaining local municipal areas will be proclaimed for the AARTO

## 01 JULY 2022 – 30 JUNE 2023

- Implementation of the Points Demerit System.
- Rehabilitation programme.
- Establish 20 AARTO Service Outlets.

PHASE  
4



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# PHASE 1 UNDERWAY

On Thursday, 01 July 2021 Transport Minister, Mr Fikile Mbalula ushered in the phasal national implementation of the Administrative Adjudication of Road Traffic Offences (AARTO) Act. The activities outlined in the phase one which began on Thursday, 01 July 2021 mean that the Agency must move with speed and ambition.

## Phase one activities include:

- Establishing seven AARTO Service Outlets throughout the country;
- Allowing elective options to be processed (scanning and uploading) at various IAs in all provinces; and
- Final Readiness Assessments confirmation at identified municipal areas.

To assist with these three outcomes, the Road Traffic Infringement Agency (RTIA) has taken the decision to deploy RTIA officials to all provinces. Initially the deployment will be virtual/online to comply with Adjusted Alert Level 4 of Covid-19 Regulations. These officials will be expected to assist in the areas above and have frequent meetings to address other relevant matters pertaining to rollout.

It is envisaged that once the high number of Covid-19 infections starts reducing and the inter-provincial travel restrictions (from GP) are lifted, the officials will likely be physically deployed temporarily so in provinces for the duration of the first phase.



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# PHASE 1 UNDERWAY

## DEPLOYMENT LIST

Province	Outlet Name	Outlet Operator	Responsible Manager	Contacts
Limpopo	Polokwane	Mr Tebogo Kgopa Mr Joel Mokobotedi	Ms Grace Mogashoa	060 586 0875 <a href="mailto:Tebogo.Kgopa@rtia.co.za">Tebogo.Kgopa@rtia.co.za</a> <a href="mailto:Joel.Mokobotedi@rtia.co.za">Joel.Mokobotedi@rtia.co.za</a> <a href="mailto:Grace.Mogashoa@rtia.co.za">Grace.Mogashoa@rtia.co.za</a>
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## MUNICIPAL ISSUING AUTHORITY AARTO READINESS 19/20.

The Operations Unit is tasked with the important task of facilitation AARTO readiness among the facilitators of AARTO across South Africa. Readiness verification was hampered in the 2020/21 financial year by the COVID-19 global pandemic. As such the Operations Unit recently presented the following 2019/20 readiness stats at a town hall session.

### FREE STATE PROVINCE

no of IAs - 15  
no of accessed IAs - 15  
IT equipment assessed - 53%  
NaTIS connectivity - 53%  
LCMS - 13%

### NORTH WEST PROVINCE

no of IAs - 14  
no of accessed IAs - 13  
IT equipment assessed - 62%  
NaTIS connectivity - 84%  
LCMS - 46%

### NORTHERN CAPE PROVINCE

no of IAs - 18  
no of accessed IAs - 18  
IT equipment assessed - 94%  
NaTIS connectivity - 89%  
LCMS - 22%

### WESTERN CAPE PROVINCE

no of IAs - 25  
no of accessed IAs - 25  
IT equipment assessed - 92%  
NaTIS connectivity - 92%  
LCMS - 84%

### LIMPOPO PROVINCE

no of IAs - 22  
no of accessed IAs - 22  
IT equipment assessed - 64%  
NaTIS connectivity - 77%  
LCMS - 59%

### MPUMALANGA PROVINCE

no of IAs - 17  
no of accessed IAs - 17  
IT equipment assessed - 71%  
NaTIS connectivity - 31%  
LCMS - 59%

### GAUTENG PROVINCE

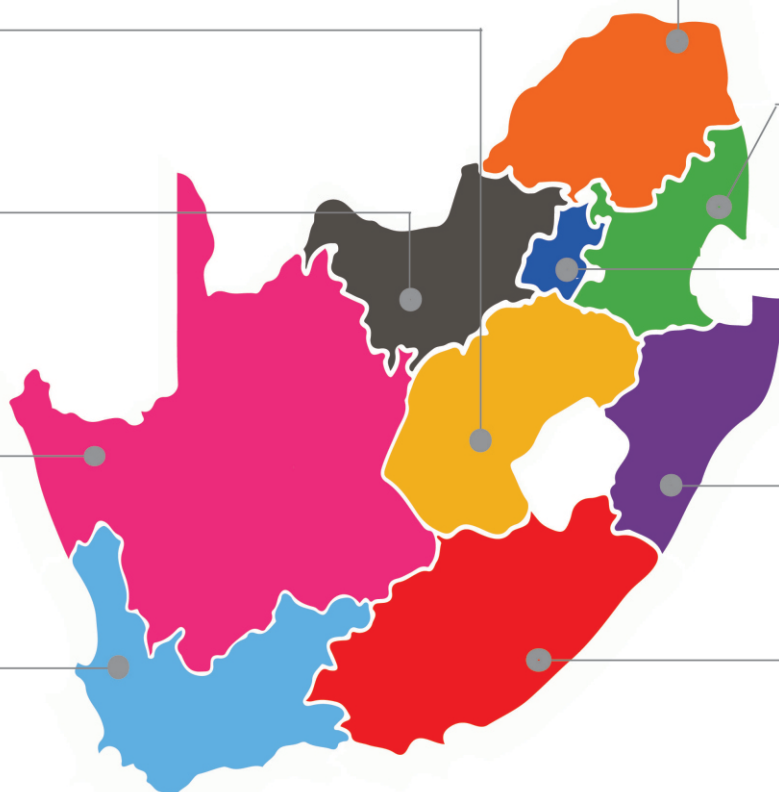
no of IAs - 7  
no of accessed IAs - 5  
IT equipment assessed - 100%  
NaTIS connectivity - 100%  
LCMS - 80%

### KWAZULU-NATAL PROVINCE

no of IAs - 38  
no of accessed IAs - 38  
IT equipment assessed - 82%  
NaTIS connectivity - 71%  
LCMS - 67%

### EASTERN CAPE PROVINCE

no of IAs - 32  
no of accessed IAs - 31  
IT equipment assessed - 94%  
NaTIS connectivity - 87%  
LCMS - 57%



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# Introduction of a Demerit Points system in South Africa

## Demerit Points. Who? What? Where? When? Why? How?

The 4 phased AARTO national rollout plan will see the points demerit system implemented between 01 July 2022 and 30 June 2023 as part of phase 4. Described by the Minister of Transport at the press briefing to launch the phased rollout as; 'an objective and fair system of identifying reckless drivers and law-breakers so we can remove them from the driving fold.'

Demerit points can be allocated to any persons with an RSA driving licences, learners licence or no licence as the points are recorded against a person's ID number. The Act does not provide for non-allocation of points meaning even if your licence has been cancelled points can still be added on your record.

This is how the points demerit system will work:

### CALCULATION:

- Points are incurred (start at zero)
- Points are based on level of traffic violations (as per schedule 3)
- Points are added to record of person
- Points diminish over time at one point every three months
- Point also diminish upon successful completion of the Rehabilitation Programme

### INCURRING POINTS:

- All infringements/Offences as per schedule 3
- Only when paid, acceptance of instalment arrangement, issue of enforcement order, guilty in court.
- Added on **actual date** of payment, acceptance of instalment arrangement, date found guilty, authorisation of enforcement order, etc. Not back dated.
- In the case of 2 or more infringements in the same case, points will only be allocated for the infringement with the highest point value
- If court decision has been appealed, keep points in suspense pending finalisation of appeal. New status required: "Appeal"







## Demerit Points. Who? What? Where? When? Why? How?

### REDUCTION OF POINTS:

- One point every three months (Section 28)
- Points diminish over time without suspension of diminishing process (amendment of Section 28 in Act 72 of 2002)
- After cancellation of licence no change to diminishing process (Section 28 does not provide for alteration in diminishing process)
- If person voluntarily surrender licence after suspension - no change to diminishing process
- If court/MEC cancels licence - no change to diminishing process
- Point also reduced upon successful completion of the Rehabilitation Programme (4 points)

### DISQUALIFICATION PERIOD

- Three months for every point above 15, e.g.  $(17 - 15) \times 3 = 6$  months (definitions and section 25(2)(a))
- Start 32 days after date on which points have been incurred above 15 points (Section 25(1))
- End when points are at 15 or lower. Effectively 32 days less than the 6 months example above (Section 25(5))
- Infringer must be notified on AARTO 21 (Section 26(1))
- If EO is revoked, all relevant actions are reversed

### CANCELLATION:

- If disqualified three times, all licences are cancelled on the 32<sup>nd</sup> day after the date on which 15 points have been exceeded for the third time
- Section 27(1) requires person to hand in licences upon which it is cancelled?? I.e. not cancelled automatically
- If licence is cancelled, disqualification period is three continuous months for every point above 15 (as above)
- Person keep points against his/her record
- If EO is revoked, all relevant actions are reversed



Introduction of a

# Demerit Points system

in South Africa

Continued ...



## Demerit Points. Who? What? Where? When? Why? How?

### It is important to note:

- If you have been disqualified and are caught driving: Offence, court process & demerit points are added.
- Payment of fines on behalf of drivers must be with their consent.
- Driver's permission must be sought to access their demerit status.
- All business owners and vehicle owners should keep accurate record.



this way»



# the AMIP town hall

## WHO ARE THE ROLES PLAYERS AND WHAT IS THEIR ROLE?

Taking us behind the scenes of the intricate AARTO value chain and the roles of the critical stakeholders, Ms Venda Mamabolo started off her presentation with the role of Issuing Authorities, Driving Licence Testing Centres, Registering Authorities and Collecting Agents. 'The roles of these stakeholders include entering into an SLA's with Post Office, Issuing AARTO notices, transfers of penalties and fees collected on behalf of other Issuing Authorities (IA) into the national AARTO account, processing of elective options, capture and upload AARTO notices as prescribed in the law.' Said Ms Mamabolo. Another critical stakeholder to the AARTO value chain is the South African Police Service (SAPS). The role SAPS plays in the AARTO process has been colourful to say the least however the role has been distilled in Schedule 4 and will see SAPS linked to their nearest provincial or municipal issuing authority. This means that the IAs will issue SAPS AARTO books linked to them (IAs) and they will also capture and process notices issued by the SAPS officers.

*If you have heard anything about the national implementation of the Administrative Adjudication of Road Traffic Offences (AARTO) you will know that interdependencies are a major theme. The risks they pose. The advantages they mean. The disconnect they may spell for Agency employees and their functions. One of the key dependencies required for a successful AARTO implementation is the readiness of Issuing Authorities. The Operations Unit recently held an IA Readiness Town Hall.*

The Government Printing Works (GPW) has been identified to print AARTO books and all IAs will order AARTO books from GPW. 'The fact that GPW will supply the AARTO stationery to IAs and IAs will be expected to order their own stationery does not mean that we will stand idly by as the RTIA. We have created a system that ensures we keep track of orders and that we unlock any blockages that IAs may face from the GPW.' Said Ms Mamabolo.

Although the AARTO Act seeks to resolve traffic infringements in an administrative process no person in South Africa can be denied their right to take their case or grievance to the court of law. Currently the 'tried in court' elective option is open to motorists until such time that the Appeals Tribunal has been established and comes into effect. This means that the RTIA currently has a relationship with the courts and the National Prosecuting Authority (NPA). Describing the role of the courts in the AARTO process, Mr Joel Mokobotedi said: 'The responsibilities of the courts include recording matters on the court roll, prosecutors must record their reasons for declining to prosecute matters on the National Contraventions Register (NCR) and court clerks must inform appropriate Issuing Authorities of the outcome of traffic matters.'

The relationship between the RTIA and the South African Post Office (SAPO) is stepped in time as the primary postal agent for various AARTO documents. 'The RTIA has entered into an SLA with SAPO to mail the documents such as courtesy letters, enforcement orders and outcomes of applications for revocations and representations,' explained Mr Mokobotedi.

## ISSUING AUTHORITY READINESS

The COVID-19 pandemic has affected all business units adversely and the Operations Unit was not different. Explaining the impact of the pandemic to the operations of the business unit Mr Mankga Mamabolo noted that the readiness verifications has stalled during the 2020 calendar year. 'Our presentation will show the readiness of IAs based on the 2019/20 year which is not ideal but it is the only indication we have of where we are in terms of readiness.'





# the AMIP town hall

## Equipment rollout update

RTMC is currently busy with rolling out equipment in provinces. A progress report will be available mid-July.

## Training rollout update

Back Office Training - The RTMC has trained trainers from 5 provinces (NW, EC, LP, MP and KZN). The RTMC will provide training manuals to the provincial trainers and tutorials will address system updates to update users.

The training rollout has been put on hold due to the COVID-19 restrictions to curb the virus infection rate during the 3<sup>rd</sup> wave.

Law enforcement training – The RTIA is expected to provide the RTMC with a letter giving them the go ahead to resume training to law enforcement officers. The letter will be signed and sent in the next few days.





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**STAY**  
  
**SAFE**

PROTECT SOUTH AFRICA

TOGETHER WE CAN BEAT THE CORONAVIRUS