

# Drivers asked to comment on proposed amendment of Aarto Act

JOBURG – During December, The Department of Transport published yet another Gazette (# 39482), in an attempt to amend the Administrative Adjudication of Road Traffic Offences (Aarto) Act.

January 4, 2016



Etolls stock image.

According to NPO, Opposition to Urban Tolling Alliance (Outa), the main purpose of this proposed amendment is to accommodate the inclusion of outstanding e-toll bills into the normal traffic fine and violations process.

Outa believes that by doing so, the entire infringement notification process becomes impractical and almost un-administrable.

They have also reported that authorities seek to have these notices served on you via ordinary mail, e-mail, or even SMS in accordance with an earlier Gazette (# 36613) submitted in June 2013, but not put into place until now, which is a matter that Parliament will consider approving in due course.

Outa regards Gazette (# 39482) as impractical and unconstitutional for the following reasons:

- They do not provide proof that your vehicle was at the scene of the incident noted, in that there is no photograph of your vehicle for each and every infringement listed.
- There is also an absence of a unique reference number per incident, which is required for dispute resolution purposes.
- The magisterial district per incident is also not listed, which is again required for dispute resolution purposes.

These are just a few of opposition's concerns regarding the amendment of the act.

Outa is encouraging the drivers of the 3.4 million vehicles in Gauteng, and the drivers of the 13 million vehicles countrywide, to comment on the proposed amendment of the Aarto Act to classify non-payment of e-tolls as a traffic offence.

A copy of the Government Gazette can be found at [www.ouata.co.za](http://www.ouata.co.za)