

Dear South Africa is a network of online platforms designed to facilitate government and encourage the public to participate in unbiased decision-making processes or policy formation at SOE, municipal, provincial and national levels.



## AARTO Regulations

2 October 2020 – 1 December 2020

Originally passed into law in 1998, the AARTO Act have been in force for more than eleven years in the jurisdiction of the Metropolitan Municipalities of Tshwane (from 1 July 2008) and Johannesburg (from 1 November 2008).

It is now scheduled to be implemented nationally.

Included herein are the Explanatory Memorandums – which have no legal effect but are meant to assist the members of the public in understanding the draft AARTO regulations and Schedule 3 on the demerit point and penalties are for information purposes only:

Memorandum 1 – Draft AARTO Regulations and

Memorandum 2 – Draft Schedule 3 – Demerit points and Penalties.

### **Some notable points about the draft regulations are:**

- Removing an alleged infringer's existing right to elect to be tried in court and replacing it with written representations, a Tribunal and eventually, an appeal or review application to the Magistrates Court.
- Increasing the number of demerit points which may be incurred before a driving licence or operation cars may be suspended from 12 to 15 and introducing a demerit points on license discs of vehicles belonging to companies that are not operators.
- Doubling the penalties (fines) which are currently payable.
- Doubling the fines for failing to pay e-toll and regular toll roads while removing the demerit points from them.
- Correcting the previous misinformation regarding the rehabilitation programme which only becomes applicable once a person's driving license has been cancelled.

The above notice of intention for the AARTO Regulations was released on 2 October 2020 where the closing date was set to 1 December 2020



Written submissions and enquiries were directed to ADV. Qacha Moletsane at [AARTO.Comments@rtia.co.za](mailto:AARTO.Comments@rtia.co.za) and ADV. Ngwako Thoka at [AARTO.comments@dot.gov.za](mailto:AARTO.comments@dot.gov.za).

Dear South Africa (DearSA) hosted a participation project through Dear South Africa's mobile and online platform to facilitate, educate and encourage public participation and comment to shape this amendment.

<https://dearsouthafrica.co.za/aartoregs/>

**Included on the web page was:**

- 1 - the published Amendments and related documents as downloadable PDFs
- 2 - published amendments including the memorandums and respective schedules.
- 3 - a live view of public comments (with a counter and breakdown reflecting number of participants)
- 4 - video summaries
- 5 - links to relevant media articles
- 6 - a portal which posed two questions (with the option of three responses per question)
- 7 - a comment facility to provide input on the Amendment




Each public entry was individually delivered to [AARTO.Comments@rtia.co.za](mailto:AARTO.Comments@rtia.co.za) and [AARTO.comments@dot.gov.za](mailto:AARTO.comments@dot.gov.za). DearSA also captured all public entries which have been used to produce this report.

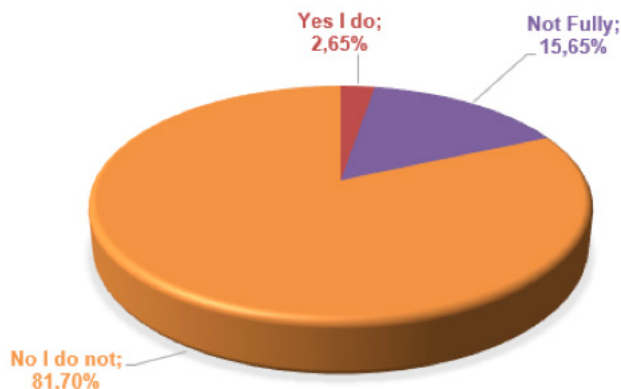
**Note:** In order to accurately reflect public comment, DearSA's projects are unbiased and hold no partisan opinion or agenda. Raw captured data is attached as an Excel file.

A total of **11,396** comments were received by the set closing of 30 November 2020 (included in the Excel file). This report reflects the entries received by the closing date.

Two question presented;







1. Do you support the proposed AARTO Regulations?

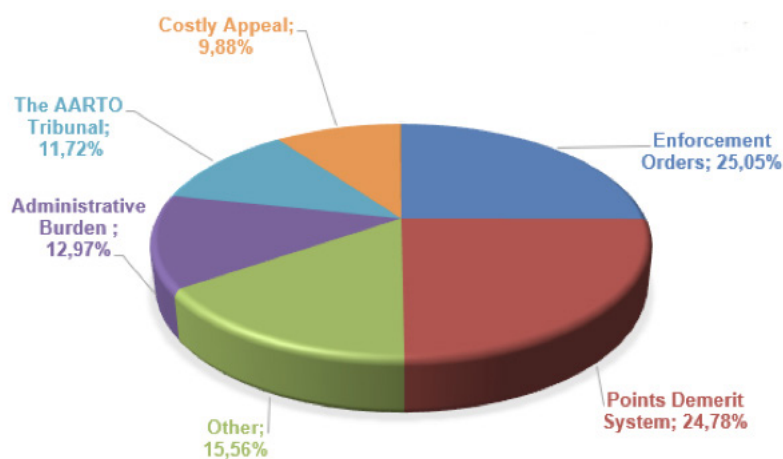
	Yes, I do	[302 selected]	2.65%
	No, I do not	[9,311 selected]	81.70%
	Not fully	[1,783 selected]	15.65%





## 2. What is your top concern?

	Enforcement orders	[2,855 selected]	25.05%
	Points demerit system	[2,824 selected]	24.78%
	Other	[1,773 selected]	15.56%
	Administrative burden	[1,478 selected]	12.97%
	The AARTO Tribunal	[1,336 selected]	11.72%
	Costly Appeal	[1,126 selected]	9.88%



## Comments

The participants are encouraged to provide comment to justify their selection in order to help shape the policy amendment.

**Of the “Yes, I do” comments**, the participants support these proposed amendments but have some conditions attached. Some of these conditions include the fair and ethical implementation applied to all drivers on the roads of South Africa (public transport included). A proactive approach to reducing corruption and bribery by means of the suggestions outlined below. The demerit system has also been positively received but that this requires some refining especially in scenarios where companies own a fleet of vehicles.



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## Suggestions from the “Yes I do” comments, include;

### Concern; Enforcement

1. “Similar systems are being used all over the world, the concern is we are unfortunately living in a country which is rife with bribes. This could lead to unfair entrapment.”
2. “Fully agree with the system. Only concerned about the bribing that will take place.”
3. “The concern is that those who persist in breaking the laws of the road, such as minibus taxis, will continue doing so with impunity or if caught the taxi owners will pay bribes. If it was enforced across the board with no fear or favour, it will reduce the carnage on SA roads as people will think twice before disobeying the rules of the road. If it is applied equally to everyone and enforced, we will rid the roads of the minibus taxis that are a law unto themselves and endanger everyone's lives.”
4. “I am for it, it works in Germany too, am worried about enforcement and getting corruption eliminated, what about the Taxi industry - will they adhere?”
5. “As long as it can be correctly policed and with NO underhanded specials for certain offenders or road users”.
6. “This is a good idea but then it must be implemented on all South Africans and the department must get rid of all the corrupt officials. Can guarantee that more than 90% of the taxis will still get away with it and don't forget the motorist's bribery will still thrive.”
7. “How do we know these laws will be properly enforced when so many Metro Police Officers take bribes from law-breakers? Will the Government enforce the wearing of body-cams for their police officers to ensure that this does not happen?”
8. “Firstly, get unroadworthy vehicles off the road, double all fines, double demerit points and appoint and train and educate law officers with decent salaries to enforce the law without bribery and corruption.”
9. “Get the cars tested like in England being tested for MOT, which is the test to check if the car is worth driving, if not, destroy it. Hope the number of accidents will go down.”

### Concern; Points demerit system

1. “This demerit system must be implemented as soon as possible, there must also be active policing of the roads especially to stop cell phone usage while driving and the behaviour of public transport and their neglect and reckless driving.”
2. “Keep the points at 12.”
3. “Maybe if there is a way you can register the fleet manager (or proxy) from a company onto the system. It will then be his duty to make sure he links the correct driver to the correct vehicle, so that the driver gets points deducted and not the proxy. If everything goes onto the proxy, we will sit yet again with a system not managed.”
4. “The demerit system will hold the taxi owners and drivers to account for lawlessness on the roads, which will in a way regulate them. This is provided that they cannot corrupt the system.”
5. “I am in favour of the AARTO regulations, they are here to protect the safety of law-abiding motorists and citizens. The act was carefully crafted based on overseas legislation and experience s HOWEVER I have the following concerns:
  - 1) I see no reason to increase the allowable demerit points from 12 to 15, it only allows one to be more lawless
  - 2) There is no point in doubling the fines & penalties, this only penalizes those that do pay. There should be stricter controls over those that do NOT pay
  - 3) Whist I do not support the collection and disbursement fees of e-tolls the need is still there given the road network upgrades and support services provided. Do not confuse the payment of e-toll fees with driving and vehicle infringements of the law. They are different subjects.”



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6. "The proposed demerit system cannot work because there is corrupt policing , the traffic police are not visible and the unlawful citizens simply wont support this system. In a first world country it could work but certainly not in SA in its present state of unlawfulness."

#### Concern; Other

1. "This can only work if it is enforced on every person. The same law whether you are an individual, a taxi driver, a law enforcement officer or a government official. No person can be excluded as this will bring back law and order on our roads."
2. "Does the capacity to manage this system exist? Making more laws and more stringent laws if the current state is not well managed does not improve anything."
3. "Indeed, something must be done to enhance our road usage. Innocent people lose life because of recklessness. I suggest that an electronic way of monitoring compliance be introduced. Get a device that will work like a navigator. Let transgression be detected electronically to avoid this 'jojo' thing. Let the bill be approved."
4. "This is high time that South Africa introduces these laws to try and reduce or curb negligent driving. My concern is how this law going to deal with foreigner licences."

#### Concern; Administrative burden

1. "I feel the implementation of AARTO is a good idea, however, see no reason why fines should be increased. The management of traffic offences should be improved. There are too many law breakers out there on the roads. As for E-tolls, these should be abolished, particularly those around Johannesburg. These roads were built with no tolls and government added an extra lane and now want to charge us for the use thereof."
2. "Yes! We need this so badly...my top concern is getting this legislation passed), but also because people are perceiving the possible impact it will have on them as individuals if they're caught speeding, but they're not thinking about the bigger system and aren't imagining how this overhaul could improve safety for everyone."
3. "These regulations are in accordance with global best practice and, if enforced, will help to promote road safety."
4. "The regulations are great. The problem, as always, will be implementation. As long as drivers can buy driver's licences and bribe or shoot traffic officials with impunity, it doesn't matter how good the regulations are. I don't know how they will manage to keep track of the penalty points. Other countries run these systems, but then they appoint competent companies to produce the software".
5. "Agree with:
  1. Removing an alleged infringer's existing right to elect to be tried in court and replacing it with written representations, a Tribunal and eventually, an appeal or review application to the Magistrates Court.
  2. Recommend decreasing the number of demerit points from 12 to 10 and introducing demerit points on the licence discs of vehicles belonging to companies that are not operators.
  3. Doubling the penalties (fines) which are currently payable.
  4. Doubling the fines for failing to pay e-toll and regular toll roads while keeping the demerit points.
  5. Making it a criminal offence to drive if a driver does not possess a driving licence.
  6. Correcting the previous misinformation regarding the rehabilitation programme which only becomes applicable once a person's driving licence has been cancelled".
6. "I agree fully with the new regulations. My main concern is how they are going to be administered. All police vehicles should have number plate recognition technology in order for them to be able to stop non-compliant drivers on the road. The only thing that is missing from this legislation is compulsory insurance for all vehicles with a minimum of third party, fire and theft to protect other drivers on the road."



### Concern; The AARTO Tribunal

1. "Hopefully, the Tribunal will not be bogged down in red tape & will operate & streamline its decisions without fear or favouritism - there must be quick, clear & fair convictions handed out !!!!"
2. "I think its excellent. And about time they got stricter with the law. But they shouldn't take away our rights to appeal the fines in court."
3. "Why is it that only SAPO is allowed to do electronic serving? There are many institutions who can do it better. SAPO is unreliable"
4. "Not having a guaranteed way of knowing that a fine/notice has been issued/delivered is a problem. Not having legal recourse could be problematic."

### Concern; Costly Appeal

1. "They are trying to force us to pay etolls, people don't have money for that."
2. "My fear is that this proposal will put a hugely unfair burden on a select few tax paying members of public and not all infringement perpetrators fairly."
3. "Make tribunal cost low."
4. "I'm all for making our roads safer. I would like to see unroadworthy cars towed away and crushed."
5. "I believe it is necessary. Not too sure that it can be implemented effectively however."
6. "Who will police this new bill because at the moment there is NO law and order on the roads"
7. "E-toll should have nothing to do with the points system. This system too, which we have seen often with other State bodies, will be open to fraud and bribes. You cannot arbitrarily double fines."
8. "Cannot remove your constitutional right for an alleged infringement to be appealed /tested in court."

**Of the "Not Fully" comments**, the public have submitted mixed views in response to the proposed amendments to AARTO. These include concerns toward the additional billing of R100 to receive a fine, addressing the current levels of corruption and the dispute process in the event that a driver should receive a fine – the system has not proven to be effective and accurate enough in the past and will not be reliable enough to immediately deem a citizen as guilty. The economic state of South Africa has been severely impaired by COVID-19 which these proposed regulations are not considering and requires a re-evaluation.

### Suggestions from the "Not fully" comments, include;

#### Concern; Enforcement

1. "Postal service is non-existent and cannot be used as an excuse for AARTO to fine us extra."
2. "The theory of these laws seems thorough; however, I can't see it working in South Africa with our high-levels of corruption and bribery. The law-breakers will continue to get away with things!"
3. "WE are not a law abiding country - so some of the proposed system is good but we are a long way from being like Australia - we need to get rid of e-tolls , abide by the current rules of the road, enforce these rules without corruption, then the system will work."
4. "I strongly believe that all the disputes must be resolved at the court of law to eliminate subjectivity."
5. "I believe the demerit system will work to regulate enforce the traffic laws. But the demerits should be refreshed after a specified time. The demerits should fall away and then start all over again. The person should not lose their licence."
6. "Not in favour of:
  - Doubling the penalties (fines) which are currently payable.
  - Doubling the fines for failing to pay e-toll and regular toll roads while removing the demerit points from them."
7. "I am not happy about the fines being doubled. This is because we are not timeously notified, and the postal system is non-existent."



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8. "I am against e-tolls which were imposed on the public without consultation."
  9. "Increasing demerit points seems ok. Doubling the fines is a definite not as only the responsible citizens end up paying these fines. There should be a trial done with bus operators, taxi operators/drivers and truck drivers first to see if the system works."
  10. "0% alcohol can be applied to learner drivers and drivers 18 - 20 years of age.. Otherwise one single standard drink like they employ in Australia should be good enough."
  11. "Fines are too high they should be reduced charged accordingly."

#### **Concern; Points demerit system**

1. "The demerit system should be applicable only to those who are caught while driving under the influence of alcohol or drugs, and not for every minor traffic offence. As for other traffic offences, a reasonable fine should suffice."
2. "We need drivers licences for work. If points are finished it means I must be fired without work how am I to feed my family. We are a third world country and currently cannot afford to enforce such systems."
3. "DE merit is fine. E toll payments are a no no. Person has right to go to court if he wants too. No doubling of fines as it is just another way of getting more money. Administration needs a drastic overhaul."
4. "Number of demerits should be rather decreased from 12 to 10 than to be increased from 12 to 15 as this will give perpetrators more chances."
5. "The demerit system along with costly appeals will increase corruption within law enforcement as they could now hold a motorists livelihood hostage with false charges. Dashcam/bodycam footage would need to be mandatory for this system to ever be viable."
6. "As in other countries points should be given according to the amount of km's driven per year, meaning that some one that drives 10 000 km per year gets 12 points and someone that drives 20 000 km's per year should get 15 points per year and so on."
7. "I think the demerit point system is a good idea to make people accountable for dangerous driving. However, I think the time period of 3months to deduct 1 point is too long. It will take too long to get a clean slate after a couple of speeding tickets or other offences. Also, it should be free to check how many demerit points you have accrued at any time (not the R60 fee as proposed in the regulations)."
8. "Speed related demerit too excessive, too many relate to speeding. Hidden cameras for speeding unfair and unlawful, one should be cited for an offence on the spot when an offence has been committed"
9. "E toll should not be mentioned in or be applicable at all, that's why we have fuel levies!"

#### **Concern; Other**

1. "My problem is with the assumption that you have received a fine or notification of a fine, this can't be legal."
2. "I do not agree with the below:  
"Doubling the fines for failing to pay e-toll and regular toll roads while removing the demerit points from them." Government should first adequately explain the need for the tolls and the reason for the exorbitant cost, before expecting the public to pay for this."
3. "Unnecessary fines will be issued. I will not pay to receive a fine - that is unconstitutional."
4. "NO TO ETOLL AND REGULAR ROAD FINES DOUBLING!! Scrap etolls altogether! We don't have money to pay regular road funds as is, doubling that amount will decrease the amount of road users to a fraction. Yes to everything else."



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5. "In a country hindered by corruption and misallocation of funds, I do not believe that a number of issues outlined in the proposed regulations are either fair or enforceable:
    - \* the continuing debacle regarding e-tolls both in terms of recovering costs and justifying the expense of administering this system - which has been dismissed in other provinces:
    - \* an automatic "surcharge" on traffic fines - assuming guilt in contravention of our legal system, and then not allowing representation to defend oneself/cross-question in accordance with our Constitution.
    - \* the equitable allocation of demerit points - both in terms of administration and giving those issuing fines with yet another avenue for securing bribes (which is the sad reality)
    - \* doubling of fines - this is not going to improve the level of driving on our roads."
  6. "E-toll and toll roads should not fall under AARTO."
  7. "I do not agree with the removal of an alleged infringer's right to take the matter to court. It will definitely clash with the bill of rights. The rest I agree with."

#### **Concern; Administrative burden**

1. "The proposal to re-introduce a double fine or any fine for that matter for the non payment of e-tolls after so many years is ridiculous. Civil society has objected very strongly over the years to these payments and the admin costs involved. I fully support the approaches of OUTA and Cosatu. A better way needs to be found to fund road maintenance. I suggest a possible increase in levies via the fuel price."
2. "The double fines are plain cruel and fail to take into account the economic stress everyone is under. We can't allow over-regulation as citizens as it does not translate into compliance."
3. "The law will only be a success so far as it is able to be enforced. All parts of the process should be easy, efficient and as digital as possible to allow any law enforcement to function to its maximum potential, and in this case, make the roads a safe place to be."
4. "E-tolls have to be scrapped. Discrimination because only applicable to Gauteng. No problem with payments at toll-gates."
5. "I do not support the proposed AARTO regulations due to the fact that the government, like so many other systems, has FAILED to provide citizens with an enforcement system that is staffed and operated COMPETENTLY, CONSISTENTLY and with INTEGRITY. The administrative burden is onerous and assumes guilt by presenting the fine basically as an invoice which a citizen is then expected to undertake an onerous, time-consuming and costly exercise to dispute."
6. "In terms of section 35 (3) (h) of the Constitution of the Republic of South Africa, Act No. 108 of 1996, an accused person is to be presumed innocent;
  - In terms of section 35 (3)(c) of the Constitution, an accused person has the right to a public trial before an ordinary court;
  - An accused person remains innocent until proved guilty in a court of law, this is his/her constitutional right!!"
7. "The e-toll system needs to be done away with. No public participation in process, over capitalised and money will not remain in SA for use on our roads."

#### **Concern; The AARTO Tribunal**

1. "I believe the first right of a citizen is to be able to get a decision of a competent court and this makes it very difficult. Also I do not support the Criminal Record against an unlicensed driver."
2. "E-tolls to be abolished. The public has always paid enough towards the upkeep of our roads, including at least 33% from fuel purchases."
3. "I am concerned for the honest and ethical application against citizens. I do not trust the fairness of the system."





4. "Toll fees has nothing to do with one's driving abilities and it ought to be removed from AARTO. Access to Court is a constitutional right and should not be infringed."
5. "This AARTO system is dysfunctional compared to the previous system utilized (Sec56). On that old system you are given an opportunity to present your case before the court of law if you feel unfairly penalized."
6. "The AARTO Tribunal should not be allowed to take the place of the courts and people are innocent until proven guilty and the AARTO act seems to do away with this basic right."

#### Concern; Costly Appeal

1. "By doubling fines, of any nature, will ultimately, overload the already overloaded courts, financially strapped South Africans would rather go to court to see if they can get a reduced fine. This wastes time and money from every sector and drags out important court cases throughout the country. Make it simpler not more complicated."
2. "Current system has merit but is not being enforced, officials take bribes and do not appreciate the consequences of their actions especially unroadworthy vehicles, incompetent and unlicensed drivers and vehicles".
3. "Limits the democratic right to appeal."
4. "Points No 4 and 5 should be taken out, People should be given chance to listen to side of their story."
5. "While I agree with most of the fines, I disagree with the high cost of appeal."
6. "In a fair and democratic society, I must be allowed to freely make an appeal if I feel I have been wrongfully penalised."

**Of the "No I do not" comments**, the participants have rejected the proposed regulations on the basis of unsuccessful and unequal traffic management, particularly between private and public transport. The E-Toll infrastructure has also been mentioned repetitively as a failed project which has not been of any value to the residents of Gauteng - despite its high cost on top of fuel levies and toll gate fees.

The corruption and broken-down trust with South African traffic officers is also prevalent and needs to be acknowledged upon the implementation of any changes to AARTO. The amendments also include a process which immediately relinquishes the right to retain innocence until proven guilty which has been raised as "unconstitutional".

#### Suggestions from the "No I do not" comments, include;

##### Concern; Enforcement

1. "My top concern is the enforcement orders. Currently you find out that an enforcement was loaded against your license disc without ever getting a summons/fine. This process is not managed correctly or leave space for fraud, because of the enforcement loaded without prove that the member received the fine and then force to pay the higher price. You cannot rely on an appeal because you will not a disc without the fine being finalized."
2. "Draconian laws will not make any difference as long as bribery of police officers remains unchecked. These laws could turn a law abiding South African citizen into a criminal through the slightest oversight. They are harsh and punitive and work on the presumption that all drivers are guilty until proven innocent, which is blatantly unconstitutional."
3. "The fact that a government wants to isolate an individual province to be fined excessively for e-toll which the mayor populace does not consent to and will contest is problematic. E-toll infringes on our constitutional right to freedom of movement. They want us to pay but nothing is being delivered."



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4. "I don't believe that the demerit system will deter traffic offenders from breaking the law due to corruption because bribes are rife in the security cluster."
  5. "E-Tolls cannot be linked to the demerit system."
  6. "I do not understand how you can enforce a Double fine for a not paying E-toll if the E-toll system itself has never been official approved via public debate ."
  7. "AARTO cannot even run the current system, so how are they going to run the suggested system. They are only looking for more money, for corruption and to feed inefficient departments who is not performing their work. Definitely No. No. No. They are infringing on our democratic rights."

#### **Concern; Points demerit system**

1. "Schedule 3 to the AARTO Act contains a list of penalties and demerit points associated with the various charge codes. Some of them can only be said to be shocking, such as someone who forgets to notify the authorities of their address change within 14 days receives a R3000 fine, while someone who endangers oncoming traffic at night by blinding them with their headlights is fined just R1500. A technical committee should be convened to review this schedule fully and correct the severe deficiencies in this schedule."
2. "The Traffic departments are well understaffed and unable to fulfil their duties. This AARTO regulation should be used to uphold the existing traffic laws not creating new ones."
3. System integrity, security and transparency is required for the proposed demerit system.
4. "We don't need new oppressive laws directed at law-abiding citizens - we need existing laws to be applied to all citizens; then the problem will be solved."
5. "Stop criminalizing everything, this is just another means of overburdening taxpayer, more fruitful solutions should be found to regulate traffic crimes."
6. "Everyone should be treated the same by the law enforcement officer s as this is not the case with the taxis on our roads."
7. "The point system is not practical for my company, which operates 30 vehicle and 35 items of plant, and the plant and vehicle proxy will end up in jail, as the system cannot be implemented."

#### **Concern; Other**

1. "When a fine is paid in instalments, only six instalments are allowed, down from ten. This will be very burdensome on poor drivers, especially with the large increases in fine values, and the existing 10 instalments should be retained."
2. "I am strongly opposed to the RTIA's proposed new ability to serve documents at an "address obtainable from any other credible and lawful source". Official documents, especially initiating documents like infringement notices, should be served to the address designated by the driver or vehicle owner, and nowhere else."
3. "I wholly oppose the imposition of fines for the non-payment of E-Toll bills. The Government of South Africa has delayed finding a political solution for the E-Tolls situation, and until this happens the status quo should remain. The AARTO regulations cannot pre-empt any proposed political solution."
4. "We use around 579 000 barrels of raw oil per day in South Africa ( Department of Statistics)... thus  $15\,200\,000\,000 \times R2.50$  "road levy" per litre = around R38 Billion per year of funds that must be used towards roads. (maintenance and new). Let us say R38 Billion per year times 26 years already contributed towards road funds in SA = around R988 Billion gathered for roads in SA over 26 years. It takes 1 million Rand to build 1 Km of new road. They could have done a total of 988 000 Km so far already. I wonder where all the roads went that they have built so far?"
5. "The regulations are dictatorial and do not comply with the Constitution. E-toll collection does not belong in road traffic law enforcement. The inability of authorities to enforce current regulations does not justify draconian regulations."



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6. "I am vehemently opposed to a R100 levy on every fine issued, and being compelled to pay that, whether I am guilty or innocent. The "appeal" system does not sound like it will give motorists a fair chance to be proven innocent."
  7. "The bill essentially assumes guilt until proven innocent. It is unconstitutional at its core."
  8. "No control and too many loopholes that makes it impossible to enforce fairly to all road users and open up more opportunities for corruptions."

#### **Concern; Administrative burden**

1. "We do not need new road laws, we need to focus on enforcing the laws we already have, and building on those to accommodate the safety demands of a modern country"
2. "As a taxpayer, I am already contributing to upkeep of infrastructure, including roads. Not prepared to pay for services the government should provide."
3. "Different drivers use vehicles registered to someone else. The demerit system is not practical, and admin will be impossible."
4. "It is already nearly impossible to enforce existing traffic regulations and while the demerit system seems like a good idea it will only increase the burden on the traffic enforcement system."
5. "The regulations seem burdensome and administrative. I agree with the AA summary that we have more than enough regulation already poorly enforced and this will just burden the law-abiding motorists."
6. "It's going to cost more to administer this system than what our Country can Afford."
7. "The criminalization of driving without a valid driver's Licence will unnecessarily over burden the legal justice system."
8. "I know we need a new system for our roads, but this is not it. We need ethical law enforcement on the ground - bribes will nullify all attempts to set this system up and undermine its effectively."

#### **Concern; The AARTO Tribunal**

1. "The AARTO regulations are nonsensical. We paid for those roads with our taxes e.g. petrol etc. We are not going to pay additional tax for roads we have already paid for. Please refer to OUTA for further information."
2. "The AARTO tribunal and the power the regulations give to traffic police is unacceptably dangerous and seems to either bypass or block the consumers' rights to a court of law. The bribe power of traffic police will be ten times as high as today."
3. "I do not support any of these regulations. None should be implemented"
4. "The Appeals Tribunal is unacceptable. My belief is that it would not add value to the adjudication process and its impartiality would always be in question. I am recommending that it be discarded."
5. "Negating one's right to defend oneself in a court infringes on one's rights."
6. "The Aarto Tribunal cannot be trusted to make sound decisions based with the history of grand scale corruption in all government departments in the past 25 years."
7. "Just the mere fact that they want to take away your right to defend yourself in Court shows a dictatorship. E-toll was introduced without consulting the public and it is a failed system worldwide. The fact that you have to pay double for road infrastructure is illegal."
8. "Tribunals are open to corruption. I would rather have my day in court in front of a judge."
9. "Never a good idea to undermine the Rule of Courts, tribunals are open to abuse."

#### **Concern; Costly Appeal**

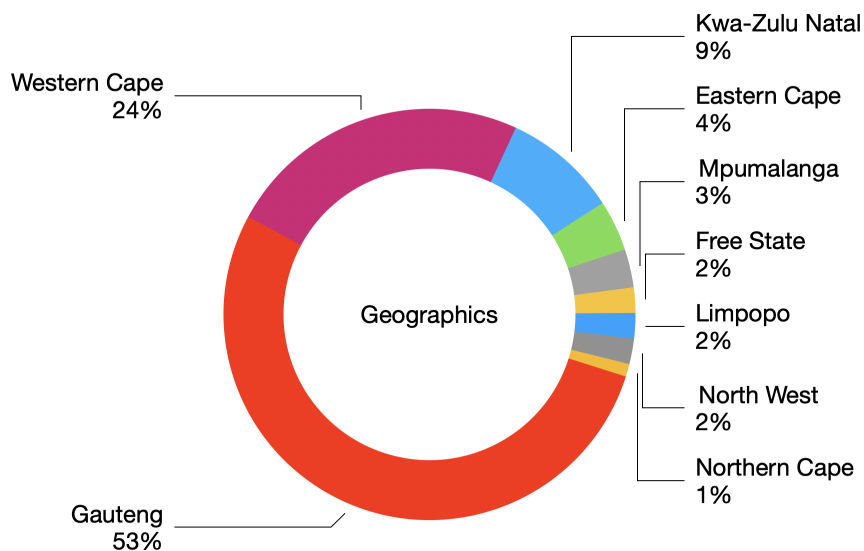
1. "A new update to exploit the law-abiding citizens. This is all about making money. Why not improve road safety and in driver education?"
2. "E-tolls never really suitable for this economy and its implementation seems to have been done without consultations / engagements. Also, much is being taxed already elsewhere such as fuel levies etc which were already in place prior to e-tolls' implementation."



3. "Stop the corruption at the top. Which will save money. Then you won't have to force innocent south Africans to pay money we already can't afford too."
4. "This is absolute non-sense, we as citizens are already taxed heavily so that we can keep the corrupt government institutions afloat. This is just another way to make more money out of the people of South Africa, to fund corruption and mismanaged government institutions. This R100 might mean the difference for someone that can have a meal or electricity tonight, or nothing. YOU are making South Africans more and more poor every day."
5. "This will not work as it will be admin burden and the entire cost of the appeals process will be higher and hence impractical."
6. "These new regulations are not designed to improve road safety."
7. "These regulations reduce South African citizens liberties and must not be passed."
8. "I do not support it as the system is biased against some South Africans and Taxi drivers as an example will not comply and I cannot see how it will be enforced fairly and just."

## Demographics

Comments originated from all provinces with the greatest input arising from Gauteng, followed by Western Cape and KZN. Demographics can be further broken down into comment options (yes, no, not fully) and by top concern per region upon request, or view the Excel spreadsheet attached.



### Thank you

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