

4 February 2022

Dear valued Member,

NATIONAL ROAD TRAFFIC UPDATE

The Minister of Transport has published a notice for the commencement date of Regulations 13B and Regulation 53(8) of the National Road Traffic Regulations, 2000 in Government Gazette 45847 of 31 January 2022.

For your information Regulation 13B, effective date 14 February 2022 states the following:

13B. Manner of electronic registration of motor vehicle

(1) Application for electronic registration and updating of the register of motor vehicles may be made by a title holder who has authorised access to the register of motor vehicles.

(2) The title holder as contemplated in subregulation (1) shall

- (a) register the motor vehicle concerned;*
- (b) record in the register of motor vehicles, using the electronic registration transaction, the particulars in relation to the—*
 - (i) motor vehicle concerned; and*
 - (ii) title holder and owner of such motor vehicle;*
- (c) pay the appropriate registration fees as determined by the MEC of the province concerned; and*
- (d) issue a certificate on form RC2 as shown in Schedule 2 or on a form similar to form RC2 on the official documentation of such financial institution, indicating the particulars of the motor vehicle and new title holder, upon disposal of the motor vehicle concerned.*

Sub regulation (8) of regulation 53, effective date 14 February 2022, is also copied for context.

53. Duty of title holder and owner of motor vehicle where such title holder or owner changes

(7) if there is a change of title holder of a motor vehicle, where the current title holder has access to the electronic notice of change of ownership transaction, the current title holder of such motor vehicle shall perform the electronic notice of change of ownership transaction and enter the particulars of the new title holder.

(8) if the current owner is identified as a new title holder as contemplated in subregulation (7) then no liability to register such motor vehicle shall arise and the current owner will become the new title holder of the motor vehicle.

The gazette is available on : www.gpwonline.co.za

AARTO UPDATE

The AARTO case where the constitutionality of the AARTO Act is to be considered has not been finalised yet. The AARTO Act remains in force in Johannesburg and Tshwane until the judgement by the Constitutional Court is finalised.

We will inform you if there are any developments.