

City of Cape Town raises concerns about South Africa's new driving laws

The City of Cape Town (CoCT) has raised concerns about the efficacy of the Administrative Adjudication of Road Traffic Offences Act (Aarto), which is due to become effective from 1 July 2021.



Image source: [Safely Home by Western Cape Government on Facebook](#)

CoCT said Aarto aims to introduce significant changes to driving laws in the country, including a new demerit system. It will also be responsible for the administration, collection and adjudication of fines related to road traffic offences. Aarto has outlined its objective as the reduction in road fatalities.

The City's mayoral committee member for safety and security, JP Smith, said: "The City is considering its options to challenge the implementation of Aarto specifically with regard to its functionality. We believe it is ineffective in reducing road fatalities. The other objection would be related to the powers of law enforcement where Aarto legislation appears to conflict with local government mandate as far as it relates to traffic and parking."

In a comparison of fatal crashes, the Western Cape has a lower number than Gauteng. This is based on data from annual traffic reports provided by the Road Traffic Management Corporation.

"When we look at the numbers, Gauteng generally has double the number of fatal crashes whereas in the Western Cape, fatal crashes appear to be decreasing. In addition, Aarto should include all aspects of unsafe driving, instead of focusing on those infringements, which are already covered by traffic law enforcement," said Smith.

Fatal crashes for the last few years:

Year	WC	GP
2010	1029	1959
2011	1039	2321
2012	1004	2037
2013	928	2009
2014	994	2136
2015	998	2171
2016	1071	2385
2017	1063	2398
2018	885	2267
2019	1013	2180

"The City is continuously engaging the relevant departments such as the Road Traffic Infringement Agency and has raised certain concerns as it relates to the Aarto regulations and its envisaged rollout. While we are considering various options to challenge the regulations, it does not exclude the possibility of legal action," said Smith.

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