



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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## Government Notice

### MINISTRY OF WORKS AND TRANSPORT

No. 98

2016

#### AMENDMENT OF ROAD TRAFFIC AND TRANSPORT REGULATIONS: ROAD TRAFFIC AND TRANSPORT ACT, 1999

Under section 91 of the Road Traffic and Transport Act, 1999 (Act No. 22 of 1999), I have amended the regulations set out in the Schedule.

**A. G. !NARUSEB**  
**MINISTER OF WORKS AND TRANSPORT**

Windhoek, 28 April 2016

### SCHEDULE

#### Definitions

1. In these regulations “the Regulations” means the Road Traffic and Transport Regulations published under Government Notice No. 53 of 30 March 2001 as amended by Government Notices Nos. 97 of 29 May 2001, 222 of 8 November 2001, 103 of 01 July 2002, 161 of 26 September 2002, 163 of 26 September 2002, 205 of 28 September 2004, 206 of 28 September 2004, 32 of 01 April 2005, 45 of 09 May 2005, 183 of 20 December 2005, 188 of 01 November 2006, 104 of 04 June 2007, 172 of 17 September 2007, 2 of 02 January 2008, 73 of 01 April 2008, 290 of 19 December 2008, 81 of 30 April 2010 and 156 of 28 July 2015.

**Amendment of regulation 1 of Regulations**

2. Regulation 1 of the Regulations is amended by the substitution for the definition of “axle unit” of the following definition:

“axle unit”, in relation to a vehicle, means -

- (a) a set of two or more parallel axles of such vehicle which are so interconnected as to form a unit; or
- (b) for the purpose of the definition “wheelbase” and Parts 3 and 4 of Chapter 5, in the case of a trailer, two or more axles, whether interconnected or not, where the distance between adjacent axles is less than one comma two meters.

**Amendment of regulation 4 of Regulations**

3. Regulation 4 of the Regulations is amended by the deletion of the phrase “and the appropriate fees”.

**Amendment of regulation 16 of Regulations**

4. Regulation 16 of the Regulations is amended by the substitution for subregulation (6) of the following subregulation:

“(6) A roadworthy certificate must accompany the application for registration of a motor quadrucycle or tricycle.”.

**Amendment of regulation 121 of Regulations**

5. Regulation 121 of the Regulations is amended -

(a) by the substitution for subregulation (3) of the following subregulation:

“(3) The period contemplated in section 41(2) of the Act for which a licence referred to in subregulation (1) must be deemed to be a licence for the purpose of Chapter 4 of the Act, is 12 months, calculated from -

- (a) the date of entry into Namibia if such a person is a Namibian citizen; or
- (b) the date of issue of permanent residence if such a person is a permanent resident.”.

(b) by the substitution for subregulation (9) of the following subregulation:

“(9) A person exchanging a driving licence in terms of subregulation (8) must be a holder of -

- (a) a permanent residence permit;
- (b) a temporary residence permit; or
- (c) a work permit and must have stayed in Namibia for not less than 12 months.”.

**Amendment of Regulation 171 of Regulations**

6. Regulation 171 of the regulations is amended by the substitution for the heading “m/s<sub>2</sub>” in Column 4 of Table A, Table B, Table C and Table D, respectively, of the heading “m/s<sup>2</sup>”.

**Amendment of Regulation 178 of Regulations**

7. Regulation 178 is amended by the substitution for subregulation (4) of the following subregulation:

“(4) A person driving a motor vehicle during the day on the public road outside urban area must switch on the head lamps on dipped beam or daytime running lamps.”.

**Amendment of Regulation 194 of Regulations**

8. Regulation 194 of the regulations is amended by the substitution for subregulation (3) of the following subregulation:

“(3) Only a motor vehicle operated by a member of the Namibian Police, a traffic officer, road transport inspector, a member of the Military Police referred to in the Defence Act, 2002 (Act No.1 of 2002) or a member of the Correctional Service, in the execution of his or her duties, may be fitted with or display a lamp or lamps emitting a blue light.”.

**Amendment of Regulation 266 of Regulations**

9. Regulation 266 of the regulations is amended by the substitution for paragraph (b) of subregulation (2) of the following paragraph:

“(b) to a height of at least 900 millimeters from the floor surface upon which such person is seated.”.

**Amendment of Regulation 267 of Regulations**

10. Regulation 267 of the regulations is amended -

(a) by the substitution for subregulation (1A) of the following subregulation:

“(1A) The mass load of a motor vehicle must be determined as contemplated in section 87 of the Act by a weighbridge consisting of one or more weighing instruments (also referred to as mass measuring equipment) that is verified in terms of NAMS R-76:2014:“Non-Automatic Weighing Instruments; Part 1 – Metrological and Technical Requirements–Tests.”; and

(b) by the insertion of the following subregulation after subregulation (1A):

“(1B) Despite anything to the contrary contained in the standards referred to in subregulation (1), the person who verifies the operation of the weighbridge, must -

(a) be in possession of at least a recognised national diploma in an engineering or any technical related qualification approved by the Namibian Standards Institution; and

(b) be certified to be competent to verify a weighbridge as contemplated in subregulation (1) by the Namibia Standards Institution (NSI) or any organisation approved by the Minister.

(1C) Where the person referred to in subregulation (1B) is required to verify a weighbridge in terms of the standards referred to in subregulation (1A), the person must verify each weighing instrument of a combination of weighing instruments.”.

#### **Amendment of regulation 376 of Regulations**

**11.** Regulation 376 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

“(1) The standards publications incorporated into these regulations in terms of section 94 of the Act are available for free inspection during office hours at the offices of the Deputy Permanent Secretary of Transport or at the Namibia Standards Institution (NSI).”.

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