



WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

National Road Traffic ACT, 1996

Regulation 115 - Certain drivers of certain vehicles to hold professional driving permit


- (1) Subject to the provisions of subregulation (2), a professional driving permit shall be held by the driver of—
- (a) a goods vehicle, the gross vehicle mass of which exceeds 3 500 kilograms;
 - (b) a breakdown vehicle;
 - (c) a bus;
 - (d) a minibus—
 - (i) the gross vehicle mass of which exceeds 3 500 kilograms; or
 - (ii) which is designed or adapted for the conveyance of 12 or more persons, including the driver;
 - (e) a motor vehicle used for the conveyance of persons for reward;
 - (f) a motor vehicle the gross vehicle mass of which exceeds 3 500 kilograms to which regulations 273 to 283 apply as contemplated in regulation 274;
 - (g) a motor vehicle conveying 12 or more persons including the driver.
- (2) The provisions of subregulation (1) does not apply—
- (a) to a traffic officer or examiner of vehicles in the performance of his or her duties as contemplated in sections 3I and 3G of the Act, respectively;
 - (b) to a person driving a hearse;
 - (c) to a person driving a motor vehicle referred to in regulation 21 (1) or 21 (5);
- [Para. (c) substituted by r. 32, GNR.2116 w.e.f. 1 January 2002.]

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

- (d) subject to regulation 99 (2), to a person driving a motor vehicle for which he or she holds a valid learner's licence with the code prescribed for that vehicle in terms of regulation 99 (1), while being accompanied by a person holding a valid professional driving permit which authorises him or her to drive that vehicle; and
- (e) to a person driving a tractor.

Regulation 115. Certain drivers of certain vehicles to hold professional driving permit


- (1) Subject to the provisions of subregulation (2), a professional driving permit shall be held by the driver of—
 - (a) a goods vehicle, the gross vehicle mass of which exceeds 3 500 kilograms;
 - (b) a breakdown vehicle;
 - (c) a bus;
 - (d) a minibus—
 - (i) the gross vehicle mass of which exceeds 3 500 kilograms; or
 - (ii) which is designed or adapted for the conveyance of 12 or more persons, including the driver;
 - (e) a motor vehicle used for the conveyance of persons for reward;
 - (f) a goods vehicle carrying dangerous goods the gross vehicle mass of which exceeds 3 500 kilograms or a vehicle to which standard specification SABS 1398 "Road tank vehicles for petroleum-based flammable liquids" or standard specification SABS 1518: "Transportation of dangerous goods – design requirements for road tankers" apply; and
(Date of commencement of reg. 115 (1) (f): 3 August 2001.)
 - (g) a motor vehicle conveying 12 or more persons including the driver.

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

- (2) The provisions of subregulation (1) does not apply—
- (a) to a traffic officer or examiner of vehicles in the performance of his or her duties as contemplated in sections 3I and 3G of the Act, respectively;
 - (b) to a person driving a hearse;
 - (c) to a person driving a motor vehicle referred to in regulation 21 (1) or 21 (5);
 - (d) subject to regulation 99 (2), to a person driving a motor vehicle for which he or she holds a valid learner’s licence with the code prescribed for that vehicle in terms of regulation 99 (1), while being accompanied by a person holding a valid professional driving permit which authorises him or her to drive that vehicle; and
 - (e) to a person driving a tractor.

Regulation 116 - Categories of, and authority conveyed by, professional driving permit


- (1) Professional driving permits are divided in the following categories:
- (a) Category “G”, which authorises the driving of a motor vehicle as referred to in regulation 115 (1) (a) and (b);
 - (b) category “P”, which authorises the driving of a motor vehicle referred to in regulation 115 (1) (a), (b), (c), (d), (e) and (g); and
 - (c) category “D”, which authorises the driving of a motor vehicle referred to in regulation 115 (1).
- (Date of commencement of reg. 116 (1) (c): 3 August 2001.)
- (2) For the purpose of subregulation (1), the term “driving” shall include the driving of a motor vehicle drawing another motor vehicle the last named of which is a motor vehicle as contemplated in regulation 115 (1).
- (3) The authority provided by a professional driving permit only applies in respect of a vehicle for which the holder holds a valid driving licence.

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

Regulation 117 - Disqualification from obtaining professional driving permit

A professional driving permit shall not be issued by a driving licence testing centre—


- (a) unless the applicant is in possession of a valid driving licence for a motor vehicle in respect of which the permit is applied for;
- (aA) unless, in the case of an application for a category “P” and “D” professional driving permit, the applicant is of the age of 21 years and 25 years, respectively, or over;
- (b) unless a registered medical practitioner or occupational health practitioner has examined the applicant to determine whether or not he or she is disqualified from driving a motor vehicle as contemplated in section 15 (1) (f) of the Act, and has certified the applicant to be medically fit on form MC as shown in Schedule 2 not more than 2 months prior to the date of the application;
- (c) if the applicant has, within a period of five years prior to the date of application, been convicted of or has paid an admission of guilt on—
 - (i) driving a motor vehicle while under the influence of intoxicating liquor or a drug having a narcotic effect;
 - (ii) driving a motor vehicle while the concentration of alcohol in his or her blood or breath exceeded a statutory limitation;
 - (iii) reckless driving; or
 - (iv) in the case of an application for a category “P” and “D” permit, an offence of which violence was an element;
- (d) during any period for which a professional driving permit or driving licence held by the applicant has been suspended or if such permit or licence has been cancelled; or

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

- (e) unless, from a date to be determined by the Minister by notice in the Gazette, the applicant for a category “D” permit holds a certificate obtained from an approved training body as contemplated in regulation 280, not more than 6 months prior to the date of application.

Regulation 118 - Application for professional driving permit

- (1) The driver of a vehicle contemplated in regulation 115 (1) shall apply at a driving licence testing centre for a professional driving permit on form PD1 as shown in Schedule 2.
- (2) An application referred to in subregulation (1) shall be accompanied by—
- (a) the fee for an application for a professional driving permit as prescribed by the MEC of the province concerned;
 - (b) acceptable identification of the applicant;
 - (c) two photographs of the applicant that comply with regulation 103 (1);
 - (d) the original driving licence which authorises the applicant to drive a motor vehicle to which his or her application for a professional driving permit relates;
 - (dA) from the date referred to in regulation 117 (e), the training certificate referred to in the said regulation, if applicable;
(Date of commencement of reg. 118 (2) (dA): 3 August 2001.)
 - (e) the medical certificate on form MC as shown in Schedule 2; and
 - (f) any other professional driving permit or public driving permit already held by the applicant.
- (3) Upon receipt of an application made in terms of this regulation, the testing centre shall—
- (a) ensure that the application is in order with reference to regulation 117 and subregulation (2);
 - (aA) ensure that the applicant is not disqualified as contemplated in section 15 of the Act read with regulation 102;

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		


- (b) verify that the photographs submitted are those of the applicant;
and
- (c) record the application on the register of professional driving permits and verify from such register that the applicant is not subject to a suspension or cancellation of any driving licence or professional driving permit held by him or her.

(4) If the driving licence testing centre is satisfied that the application is in order, it shall request the officer in charge of the nearest South African Police Service station for a report of the convictions identified in regulation 117 (c), if any, recorded against the applicant and for the purpose of such report, any member of the South African Police Service may take the finger and palm prints of the applicant.

Regulation 119 - Manner of issue of professional driving permit

(1) If the examiner for driving licences is satisfied that the applicant complies with the requirements for the issue of a professional driving permit, the examiner shall, upon payment of the fee which shall be the same as the fee prescribed for the issue of a driving licence as determined by the MEC of the province concerned, except if such fee was already paid in terms of regulation 108 for the simultaneous issue of a driving licence—

- (a) take an imprint of the left thumb and right thumb of the applicant on the image scanning sheet (form ISS) and the duplicate of it, and should the applicant not have a left or right thumb, an imprint of such fingers as specified on the ISS form, the identification of which shall be noted on the image scanning sheet;
- (b) ensure that the applicant signs the image scanning sheet (form ISS) and the duplicate thereof;

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		


- (bA) ensure, from the date referred to in regulation 117 (e), that the applicant holds a training certificate referred to in the said regulation, if applicable;
- (c) affix one photograph of the applicant to the image scanning sheet (form ISS) and one photograph to the duplicate thereof;
- (d) record the barcode number of the image scanning sheet on the application form and the register of professional driving permits;
- (e) after receiving the police report referred to in regulation 118 (4) and verifying that the applicant is medically fit as required in regulation 117 (b), complete the authorisation to issue the professional driving permit on the application form and record the authorisation on the register of professional driving permits;
- (f) retain the duplicate of form ISS for record purposes; and
- (g) order the driving licence card on which the professional driving permit will appear from the Card Production Facility and send the image scanning sheet (form ISS) to that facility not later than two working days after the date of the authorisation referred to in paragraph (e).

(1A) The driving licence testing centre shall pay over to the Card Production Facility such part of the fee, referred to in subregulation (1), payable in accordance with the agreement between that Facility and the Corporation, the amount of which shall be published in the notice contemplated in regulation 108 (1A).

(2) On receipt of form ISS as shown in Schedule 2 and the order for the driving licence card, the Card Production Facility shall—

- (a) personalise and produce the driving licence card on form DL3 as shown in Schedule 2; and
- (b) forward the driving licence card and notice NCD as shown in Schedule 2 to the driving licence testing centre concerned.

(3) On receipt of the driving licence card referred to in subregulation (2), the driving licence testing centre shall—


WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

- (a) record the receipt of the driving licence card on which the professional driving permit appears, on the register of professional driving permits;
- (b) notify the applicant on form NCD as shown in Schedule 2, to collect such driving licence card at such centre;
- (c) after presentation of the applicant's acceptable identification and the submission of every licence and professional driving permit held by such applicant, issue such driving licence card to the applicant;
- (d) ensure that the applicant acknowledges receipt of the driving licence card on the application form; and
- (e) update the register of professional driving permits accordingly to reflect the issue of the driving licence card.

(4) An examiner for driving licences or a person authorised thereto shall deface an unclaimed driving licence card on which a professional driving permit appears 120 days after the notice referred to in subregulation (3) (b) was posted, except previously otherwise agreed with the applicant, and record the defacement of such driving licence card on the register of professional driving permits.

Regulation 120 - Professional driving permit remains in force after application

- (1) Notwithstanding the provisions of regulation 122 (1), where the holder of a professional driving permit has applied for a new professional driving permit in the manner contemplated in regulation 122 (2) on or before the expiry date of the professional driving permit held by such person and the professional driving permit or a driving licence of the person concerned has not been suspended or cancelled, that permit shall remain valid until the new professional driving permit has been issued in terms of regulation 119 (3) or until such holder is notified that his or her application for a new professional driving permit has been refused in terms of regulation


WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

125 (4) but not for more than four months after the expiry date of such professional driving permit.

- (2) The provisions of subregulation (1) shall only apply if the holder of the professional driving permit is in possession of the professional driving permit previously issued to him or her and proof of the fees paid in terms of regulation 118 (2) (a) for a new professional driving permit as contemplated in regulation 122 (2).

Regulation 121 - Application for duplicate driving licence card on which professional driving permit appears

- (1) An application for a duplicate driving licence card on which a professional driving permit appears, shall be made on form PD1 as shown in Schedule 2 to the driving licence testing centre, and shall be accompanied by—
- (a) the fee which shall be the same as the fee referred to in regulation 108 (1);
 - (b) the acceptable identification of the applicant;
 - (c) two photographs of the applicant, referred to in regulation 103 (1); and
 - (d) the driving licence card on which the professional driving permit appears, or where the card has been lost or stolen, a declaration on form DCT as shown in Schedule 2.
- (2) If the permit in question would have expired within a period of three months from the date of the application referred to in subregulation (1), the person concerned shall apply for, and be issued with, a new permit in accordance with regulation 118 and 119, respectively.
- (3) Upon receipt of an application for a duplicate driving licence card on which a professional driving permit appears, the driving licence testing centre shall—
- (a) ensure that the application is in order;

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		


- (b) verify that the applicant is not subject to a suspension or cancellation of any driving licence or professional driving permit held by him or her; and
- (c) issue the duplicate of a driving licence card on which a professional driving permit appears in accordance with regulation 119: Provided that a training certificate, police report and medical certificate as referred to in regulation 119 (1) (bA) and (1) (e) are not required.

Regulation 122 - Period of validity of professional driving permit, re-application and re-issuing

- (1) A professional driving permit shall be valid for a period of 24 months from the date of authorisation thereof as referred to in regulation 119 (1) (e) unless the permit or a driving licence of the person concerned has been suspended or cancelled: Provided that where a person has applied for a new professional driving permit in the manner contemplated in subregulation (2) on or before the expiry date of the professional driving permit held by such person, the new professional driving permit shall be valid for a period of 24 months from the date after the expiry date of the professional driving permit held by such person.
- (2) Regulations 117, 118 and 119 apply to the re-application and re-issuing of a professional driving permit.

Regulation 123 - Suspension or cancellation of professional driving permit

- (1) If any circumstance arises which would have caused the holder of a professional driving permit to be disqualified from obtaining that permit, the chief executive officer may suspend or cancel the permit held by such person and the holder shall submit the driving licence card on which the permit appears to the chief executive officer, upon which the chief executive officer shall—

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

- (a) remove the professional driving permit from the driving licence card; and
 - (b) record the suspension or cancellation of the permit on the register of professional driving permits.
- (2) The holder of a professional driving permit whose permit has been suspended or cancelled by a court under section 34 of the Act, shall submit the card on which the permit appears to the registrar or clerk of the court who shall ensure that the professional driving permit is removed from the driving licence card by the chief executive officer and that the suspension or cancellation of the permit is recorded on the register of professional driving permits.


Regulation 124 - Prohibition of permitting or assisting person not being holder of professional driving permit to drive vehicle

No person who—

- (a) is the operator, owner or is in charge or control of a motor vehicle referred to in regulation 115 (1) may employ or permit any other person to drive that motor vehicle on a public road, unless that other person is the holder of a professional driving permit of the appropriate category contemplated in regulation 116 (1); or
- (b) is the holder of a professional driving permit under this Part, may allow such permit to be used by any other person.

Regulation 125. Referral of application to MEC

- (1) If an applicant for a professional driving permit complies with all the requirements and conditions specified in the regulations but has—
- (a) not been certified to be medically fit as referred to in regulation 117 (b); or


WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

- (b) within a period of five years prior to the date of the application, been convicted of an offence referred to in regulation 117 (c), he or she may request the driving licence testing centre concerned to refer his or her application to the MEC for a decision whether or not a professional driving permit may be issued.
- (2) An application referred to the MEC for a decision shall be accompanied by the applicant's reasons why the application should be re-considered as well as a recommendation from the testing centre whether the application should be re-considered.
- (3) If the MEC approves that a professional driving permit may be issued, he or she shall—
- (a) ensure that such approval is recorded on the register of professional driving permits; and
 - (b) inform the driving licence testing centre concerned accordingly, and the testing centre shall deal with the application in accordance with regulation 119.
- (4) If the MEC refuses the application, the testing centre concerned and the applicant shall be informed accordingly.

Regulation 126 - Records to be kept by driving licence testing centre of professional driving permits

A driving licence testing centre shall keep records of—

- (a) every application for a professional driving permit made to it in terms of regulation 118 (1) and any documentation accompanying the application;
- (b) every duplicate image scanning sheet of which the original was forwarded to the Card Production Facility as referred to in regulation 119 (1) (g);
- (c) the form NCD received from the Card Production Facility in respect of every permit authorised by the testing centre;

WIETA				
	Code Principle	Safe and Healthy Work Environment	Date	April 2016
	Subject	National Road Traffic Act, 1996	Internal Ref	03.03(f)
	Legal reference	PDP Requirements		

- (d) the card on which a permit appears as referred to in regulation 119 (3) (c);
- (e) any notification it receives; and
- (f) any other documentation in connection with or related to any permit issued, suspended or cancelled by it.

Regulation 127 - Voidness of professional driving permit issued contrary to regulations

A professional driving permit issued contrary to the provisions of these regulations is void and the holder of it shall, on demand by the testing centre which issued the permit or by a traffic officer, forthwith deliver the permit to the testing centre or traffic officer.