



Province of the
EASTERN CAPE
TRANSPORT

LAND-BASED PASSENGER TRANSPORT

Date: 14 August 2018

By: SM: Operating Licence & Permits – Mr BN Melane

An efficient, safe, sustainable, affordable and accessible transport system



TABLE OF CONTENTS

- Background
- B.1 Challenges – Implementation of IRPTNS and ITPS
- B.2 Measures – Successful implementation of IRTPNS and development of ITPs
- B.3 Section 59 Objections
- B.4 Objections – Large bus Operators
- B.5 Objections – PRE decisions
- B.6 PRE – Dealing with Objections
- B.7 Legal Provisions of the NLTA
- B.8 Impediments to the Competitive Bidding Process by Government

An efficient, safe, sustainable, affordable and accessible transport system



TABLE OF CONTENTS CONT.

- C.1 New Routes
- C.2 New Route Allocation
- C.3 PRE issuing a Moratorium
- C.4 Enforcing Moratoria
- C.5 PRE Backlogs
- D.1 NLTA Amendments – Meter taxis vs e-hailing

An efficient, safe, sustainable, affordable and accessible transport system



BACKGROUND

- Regulation of Public Transport in the Province has become an integral part of managing, monitoring and overseeing Public Transport.
- Partnership and capacitation of Law Enforcement agencies, Municipalities is quite critical in dealing with the prevailing taxi violence and oversaturated routes.

An efficient, safe, sustainable, affordable and accessible transport system



BUSES



B.1 CHALLENGES – IMPLEMENTATION OF IRPTNS AND ITPS

- There is no adequate and sustainable funding
- The capacity of the municipalities
- Institutional arrangements from all spheres of government and properly defined responsibilities and terms of reference for the implementation of IRPTNS and ITPS
- Exclusion of key stakeholders and proper consultation

An efficient, safe, sustainable, affordable and accessible transport system



B.2 MEASURES – SUCCESSFUL IMPLEMENTATION OF IRPTNS AND DEVELOPMENT OF ITPs

- Adequate funding must be provided.
- Proper training must be provided to the municipalities to ensure that they are fully capacitated to undertake the implementation thereof
- Seminars and workshops must be conducted on the ACT
- Benchmarking must be conducted to learn experience from other countries who implemented the same

An efficient, safe, sustainable, affordable and accessible transport system



B.3 SECTION 59 OBJECTIONS

- Section 59 of the National Land Transport Act stipulates the steps to follow when dealing with publications for application of Operating Licences.
- Applications must be advertised on the Government Gazette to allow interested parties to comment or object.
- Reasons raised by Operators are as follows:-
 - Routes are saturated
 - Operators that are operating using fraudulent bus registration papers
 - Operators that do not have clearly defined routes
 - Operators that do not consult their associations when applying
 - Operators wanting to operate a starting point in a place that is not of origin

An efficient, safe, sustainable, affordable and accessible transport system



B.4 OBJECTIONS – LARGE BUS OPERATORS

- The Eastern Cape Provincial Regulatory Entity (PRE) received only four (4) objections from bus operators, two (2) by large bus operators and two by small bus operators
- The objections are mainly received in Sarah Baartman District (Port Elizabeth Office) than any other Districts in the Province.

An efficient, safe, sustainable, affordable and accessible transport system



B.5 OBJECTIONS – PRE DECISIONS

- Out of the four (4) objections received, three (3) were approved and issued, and one (1) the PRE upheld the decision.
- It took thirty (30) working days to dispose these applications, which includes the twenty one (21) days notice to affected parties

An efficient, safe, sustainable, affordable and accessible transport system



B.6 PRE DEALING WITH OBJECTIONS

- The PRE has secretariat in every district of the six Districts in the Province.
- The Secretariat facilitates the Adjudication hearings in terms of applications that has been gazetted and ready for decision by the Panel of Adjudicators.
- Operators are advised well in advanced including their associations if it's for minibus taxi type application.
- All interested parties including objectors are given reasonable time to express their views.

An efficient, safe, sustainable, affordable and accessible transport system



B.7 LEGAL PROVISIONS OF NLTA

- The Provincial Regulatory Entities members are independent, autonomous and unbiased adjudication Panel Members.
- Each and every application is handled on it's own merit and a proper decision is taken by the Panel Members

An efficient, safe, sustainable, affordable and accessible transport system



B.8 IMPEDIMENTS TO THE COMPETITIVE BIDDING PROCESS BY GOVERNMENT

- Lack of knowledge for bidding process from the previously disadvantaged groups
- Lack of expertise (experience and competence) from previously groups
- Lack of certainty on funding

An efficient, safe, sustainable, affordable and accessible transport system



MINIBUS TAXIS



C.1 NEW ROUTES

- Section 55 of the NLTA, makes provision for the new routes
- It mandates the PRE to refer intra/interprovincial bus, minibus, meter taxi and other services to relevant municipalities/planning authorities for comment.
- It also mandates municipalities to make determination on the availability of routes, rank facilities (Public Transport Infrastructure) and other facilities as provided for in their Integrated Transport Plans .
- PRE takes a decision based on the comments made by Municipalities or Planning Authorities
- Failure for Municipalities to comment within the prescribed period forces the PRE to finalise and take a decision for such an application {55(6)}
- The PRE takes necessary precautionary measures when taking decision on new applications to avoid saturation and violence.

An efficient, safe, sustainable, affordable and accessible transport system



C.2 NEW ROUTE ALLOCATION

- Every Municipality is supposed to have Transport Forums to engage on issues of Public Transport and all relevant Stakeholders to form part of the forum.
- Engage and get support and approval from all taxi structures in the Province, the primary association to define the new route, the Regional Taxi Council of that association to approve that route and Lastly the Provincial Taxi Council to also approve that route.
- When all the steps above are completed, the association will apply for route amendment of its association routes.
- When the amendment has been effected on the NTR, association members can apply for amendments of their operating licences.

An efficient, safe, sustainable, affordable and accessible transport system



C.3 PRE ISSUING A MORATORIUM

- Section 39 of the NLTA gives powers to the Minister and Planning Authorities (Municipalities) only to declare a moratorium.
- The PRE or the MEC does not have powers to declare a moratorium.
- In most cases Municipalities are reluctant to declare Moratorium in areas where there is evident saturation of routes.
- As a province, we have agreed to close the registration of new members and to control the new entries to control the overtrading taxi industry across the Province

An efficient, safe, sustainable, affordable and accessible transport system



C.4 ENFORCING MORATORIA

- There is no mechanism in place as there is no Moratorium in place
- It is necessary for the National Minister to declare such Moratorium as it evident that the routes are saturated.

An efficient, safe, sustainable, affordable and accessible transport system



C.5 PRE BACKLOGS

- The Eastern Cape Department of Transport has no backlog in the processing of Operating Licences.

An efficient, safe, sustainable, affordable and accessible transport system



METERED TAXIS



An efficient, safe, sustainable, affordable and accessible transport system



D.1 NLTA AMENDMENTS- METER TAXI VS E-HAILING

- The National Land Transport Act Amendment Bill makes provision for the regulation of e-hailing services and that will provide a clear distinction between the two types of services.
- The Eastern Cape PRE has not issued any operating licence for e-hailing services but only for Meter Taxis in particular in East London and Port Elizabeth.

An efficient, safe, sustainable, affordable and accessible transport system



THANK YOU!



ARRIVE ALIVE



EXPANDED PUBLIC WORKS PROGRAMME

Customer Care: 0800 644 644

An efficient, safe, sustainable, affordable and accessible transport system

