



# STEVE TSHWETE

## LOCAL MUNICIPALITY

Telephone (013) 2497000

Fax (013) 2432550

Your ref. MR08.02.17

Our ref. 6/2/14/ (magutleMP)nd

2017/02/21

P O Box 14

MIDDELBURG, MPUMALANGA

1050

[www.stevetshwetelm.gov.za](http://www.stevetshwetelm.gov.za)

E-Mail : [council@stevetshwetelm.gov.za](mailto:council@stevetshwetelm.gov.za)

---

### Media release

#### ABANDONED VEHICLE ON PUBLIC ROAD REGULATION

Steve Tshwete Local Municipality traffic law enforcement and security would like to advise the public as follows:

- ✓ Any vehicle standing on a public road in a position or in circumstances which in the opinion of a traffic officer, is likely to cause danger or an obstruction to other traffic on such road, may be removed forthwith to a safer place by any such traffic officer or person or authority instructed by such officer to remove such vehicle and in the case where such a vehicle was carrying persons which is left stranded at the scene when the vehicle is removed to a government facility, the traffic officer concerned may arrange and contract with any other person to provide the necessary transport to such persons: Provided that such traffic officer or person or authority shall, in removing such vehicle, use such device or devices as may be necessary, having regard to the public safety.
- ✓ the owner of a vehicle referred to in sub regulation (1) shall be liable for all expenses incurred in the removal and storage of such vehicle and the arrangement and contracting of another vehicle to transport stranded persons.

#### **Any vehicle –**

(a) Parked in a place where -

(i) The stopping of a vehicle is prohibited in terms of regulation 304; or

(ii) A vehicle of a class to which such vehicle belongs may not be parked;

(b) Left for a continuous period of more than -

- (i) 24 hours in the same place on a public road outside an urban area;
- (ii) seven days in the same place on a public road within an urban area; or
- (iii) seven days on the site of any testing station; or
- (iv) 21 days on the premises of any traffic authority.

(Regulation 320(2) (b) (IV) added by regulation 26(a) of Government Notice R589 of 2009)

(c) found on a public road and to which -

(i) no license number is affixed or, in the opinion of a traffic officer, a false license number is affixed; or

(ii) no other number or anything else is affixed which may, in the opinion of a traffic officer, serve to identify the owner,

shall be deemed to have been abandoned by the owner and such vehicle may be removed by or on behalf of the authority having jurisdiction over the place or road concerned and such authority shall take all reasonable steps to trace the owner, and the owner shall, except in the case of a stolen vehicle, be liable to such authority for the expenses incurred -

(aa) in the removal of such vehicle;

(bb) in keeping the vehicle in custody for a period not exceeding four months; and

(cc) in connection with the endeavor to trace him or her,

and such authority may, subject to the provisions of sub regulation (3), retain possession of such vehicle until such expenses have been paid.

(3) If -

(a) such owner is traced by the authority referred to in sub regulation (2) which owner fails to recover the vehicle concerned and pay the expenses referred to in that sub regulation within 14 days after being requested to do so; or

(b) after a lapse of one month from the date of removal contemplated in sub regulation (2), the owner cannot be traced,

such vehicle or anything contained therein may be sold in the manner prescribed by any law governing the sale of movable property by such authority and, whenever possible, the authority which registered such vehicle shall be advised of such sale.

(4) The proceeds of any sale referred to in sub regulation (3) shall be applied firstly to the costs of the removal, custody and sale of the vehicle concerned and all the endeavors made to trace the owner of such vehicle, and any balance

shall be paid to the owner thereof upon his or her establishing his or her claim thereto: Provided that if no claim can be established within one year from the date of such sale, such balance shall be forfeited to the authority concerned.

(5) If an authority referred to in sub regulation (2) is unable to sell any vehicle as contemplated in sub regulation (3), it may dispose of that vehicle in any manner it deems fit, and any moneys received as a result of such disposal shall be forfeited to such authority.

(6) An authority referred to in sub regulation (2) may delegate, either generally or specifically, any power conferred upon it in terms of that sub regulation to any person in its employment.

(7) The reasonable exercise by any person or authority of the powers conferred by this regulation shall not render such person or authority subject to any liability in respect of the loss or theft of or damage to any vehicle or part thereof or of anything therein or thereon.

(8) Subject to the provisions of any other law, no person shall leave a vehicle in the same place on a public road for a continuous period of more than seven days.

Provided that any motor vehicle which has been impounded by a traffic authority and the owner or titleholder having been traced as contemplated in sub regulation 2 fails to collect the motor vehicle within 12 months, such vehicle may be sold to defray any costs incurred by the relevant authority.

(Proviso to regulation 320 added by regulation 26(b) of Government Notice R589 of 2009)

**Enquiries: Prudence Magutle:**

**Tel number: 013 249 7053**

**E-mail: [prudencem@stlm.gov.za](mailto:prudencem@stlm.gov.za)**

Yours sincerely

**ACTING MUNICIPAL MANAGER**