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24 August 2011

MKSA Weskaap
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LANGEBAAN

083 627 1720
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Attention: Mr Johan Conradie

RE: Legislation on motor homes

Your email concerning the legislation regarding motor homes dated 24 August 2011 refers.

The response will be supplied in English to assist with possible future enquiries in this regard from traffic departments.

The legislation concerning motor homes is contained in the National Road Traffic Act, 1996 (Act No. 93 of 1996) and the regulations (NRTR) promulgated in terms of the Act.

1. Definitions

A motor home is defined in regulation 1 of the NRTR as:

"motor home" means an enclosed motor vehicle which is designed or adapted solely to live in and which is self-propelled;

Most motor homes in South Africa are converted from a minibus or a goods vehicle. They need to be homologated with the National Regulator of Compulsory Standards (SABS) once they have been modified. The licence disc must reflect that the vehicle is a motor home. Such a vehicle is neither a passenger vehicle nor a goods vehicle and the specific requirements for goods vehicles and passenger vehicles do not apply to them.

2. Driving licences

Regulation 99 of the NRTR regulates the class of driving licence required. It was amended on 1 February 2010 to add motor homes to the class B licence to avoid confusion. A motor home is not classified as a goods vehicle or minibus and the tare of the vehicle must be used to determine the licence class and not the GVM.

Professional driving permits are only required for drivers of goods vehicles, buses and minibuses and not for motor home drivers. See regulation 115 of the NRTR.

CODE	CLASS OF MOTOR VEHICLE	AUTHORISATION
B	<p>A motor vehicle, excluding a motor cycle, motor tricycle, tractor and a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, being—</p> <p>(i) a motor vehicle, <u>including a motor home, the tare of which does not exceed 3 500 kilograms; or</u></p> <p>(ii) a minibus, a bus or a goods vehicle, the gross vehicle mass of which does not exceed 3 500 kilograms,</p> <p>with or without a trailer, the gross vehicle mass of which does not exceed 750 kilograms, but does not include an articulated motor vehicle.</p>	<p>Includes authorisation to drive—</p> <p>(i) a tractor; and</p> <p>(ii) a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, with or without a trailer.</p>

Reg 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 or is operated in terms of an operating licence issued in accordance with the provisions of the NLTTA.

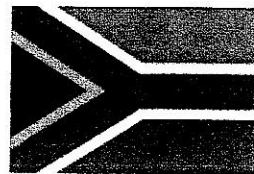


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Professional driving permit

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About a professional driving permit

To drive on a public road in South Africa transporting goods, dangerous goods or passengers for an income you must have a professional driving permit (PrDP).

The permit is issued in addition to an ordinary driving licence. A PrDP applies to the following motor vehicle categories:

- a goods vehicle with a gross vehicle mass exceeding 3 500kg
- a breakdown vehicle or a bus
- a minibus weighing more than 3 500kg or designed to carry 12 or more people (the driver included)
- light motor vehicles, indicated in the economic sector for carrying passengers for reward (taxi-cab)
- a motor vehicle designed to carry 12 or more people
- any vehicle for which an operating licence is issued
- dangerous goods vehicle (e.g. fuel tanker).

Age restrictions for the motor vehicle categories are as follows:

- you should be 18 years or older to hold a PrDP for a goods vehicle
- you should be 21 years or older to hold a PrDP for a passenger vehicle
- you should be 25 years or older to hold a PrDP for a dangerous goods vehicle.

You can only obtain a PrDP if you:

- have a valid driving licence for the type of vehicle in question
- have been certified as medically fit by a doctor
- have been certified by an approved training body [only required for category D (dangerous goods) vehicles]
- do not have a criminal record for (in the past five years):
 - driving a motor vehicle while under the influence of intoxicating liquor or a drug having a narcotic effect
 - driving a motor vehicle while the concentration of alcohol in your blood or breath exceeded a statutory limitation
 - in the case of an application for a category P and D permit, an offence of which violence was an element.
- have never had your driving licence suspended
- have never been convicted of a criminal offence or paid an admission-of-guilt fine.

As the operator or owner of the motor vehicle for which a PrDP is required, you may not let another person drive the vehicle

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To Whom It May Concern:

Legal position: Motorhomes
National Road Traffic Act, 1996 (Act No 93 of 1996)

A motorhome is a self-propelled motor vehicle that is adapted for living purposes.

A motorhome is built on a chassis and cab that was originally intended to be a goods vehicle or minibus.

Due to this, the manufacturer allocates a GVM and GA front and rear to the motor vehicle.

As the vehicle is adapted and is neither a minibus or a goods vehicle, the GVM of the vehicle is not relevant.

Regulation 239 and 245 of the National Road Traffic Regulations, 2000 (see Annexure A) only require a GVM for a minibus, bus, goods vehicle and tractor.

A motorhome is therefor classified in terms of tare mass for driving licence purposes. If the tare mass of the motorhome is less than 3500 kilograms and is not drawing a trailer exceeding 750kg GVM, a code B driving licence is required and as it is not a goods vehicle or 12 seater minibus, a professional driving permit in terms of regulation 115(1) is not required (see Annexure A)

As it is not a goods vehicle, an annual roadworthy certificate and all other legislative requirements for minibus or goods vehicles are also not required.

As from 1 July 2007 all newly registered motorhomes must be fitted with yellow contour markings on the sides and rear.

Please contact Alta Swanepoel at 012-332 2186 or 083 601 8562 if further clarity is required.

Regards

Alta Swanepoel (B. Proc)
Road Traffic Consultant
Alta Swanepoel & Associates cc

Taken from an e-mail sent to Gert for the Web Site by Richard Clark dated 10.05.2012

For the FAQ list on the Professional Driving Permit

QUESTION; Do I need a Professional Driver's Permit (PrDP) to drive a motorhome

ANSWER; No.

WHY: Because a motorhome (provided that the windscreen licence disc identifies the vehicle type as caravan) does not fall into any of the listed vehicle categories that require a PrDP

REFERENCE; [http://www.services.gov.za/services/content/home/servicesfor people/driving/drivingand learningtodrive/professionaldriverspermit/en_ZA](http://www.services.gov.za/services/content/home/servicesfor%20people/driving/drivingandlearningtodrive/professionaldriverspermit/en_ZA)

ADVICE; Put this information on your lap-top or tablet to show the speedy if he does not believe You.....or print it and leave it in your motorhome.

Taken from Alta Swanepoel & Associates CC letter dated 24.8.2011

Legislation on motorhomes

The legislation concerning motorhomes is contained in the National Road Traffic Act, 1996 (Act No 93 of 1996) and the regulations (NRTR) promulgated in terms of the Act.

1. Definitions

A motorhome is defined in regulation 1 of the NRTR as:

"motorhome" means an enclosed motor vehicle which is designed or adapted solely to live in and which is self-propelled:

Most motorhomes in South Africa are converted from a minibus or a goods vehicle. They need to be homologated with the National Regulator of Compulsory Standards (SABS) once they have been modified. The licence disc must reflect that the vehicle is a Motorhome. Such a vehicle is neither a passenger vehicle nor a goods vehicle and the Specific requirements for goods vehicles and passenger vehicles do not apply to them.

Regulation 99 of the NRTR regulates the class of driving licence required. It was amended on 1.2.2010 to add motorhomes to the class B licence to avoid confusion. A motorhome is not classified as a goods vehicle or minibus and the tare of the vehicle must be used to determine the licence class and not the GVM.

PROFESSIONAL DRIVING PERMITS ARE ONLY REQUIRED FOR DRIVERS OF GOODS VEHICLES, BUSES AND MINIBUSES AND NOT FOR MOTORHOME DRIVERS. SEE REGULATION 115 OF THE NRTR.

I WILL MAKE COPIES OF ALL THE DOCUMENTS, ANGELA MUST PHONE ME WHEN BACK AND I ARRANGE TO MEET HER (083-307-8670)

Lesley

1.15 Title holder"

in relation to a vehicle, means -

- (a) the person who has to give permission for the alienation of that vehicle in terms of a contractual agreement with the owner of such vehicle; or
- (b) the person who has the right to alienate that vehicle in terms of the common law,

and who is registered as such in accordance with the regulations under section 4.

1.16 "Builder"

means any person who manufactures or assembles motor vehicles in whole or in part from used components, or modifies motor vehicles using new or used components

1.17 "Manufacturer"

means a person who manufactures or assembles new motor vehicles.

What is a motorhome then?

A motorhome can be seen either as a motor vehicle the tare of which does not exceed 3 500 kilograms (the smaller motorhomes) or as a motor vehicle, the tare of which exceeds 3 500 kilograms but does not exceed 16 000 kilograms.

The above is especially applicable in terms of determining the applicable drivers licence. Remember a motorhome is not a goods vehicle, a bus or a mini-bus.

<p>C1</p>	<p>A motor vehicle, excluding a motor cycle, motor tricycle, motor quadrucycle, tractor and a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, being-</p> <p>(i) a motor vehicle, the tare of which exceeds 3 500 kilograms but does not exceed 16 000 kilograms; or</p> <p>(ii) a mini-bus, a bus or goods vehicle, the gross vehicle mass of which exceeds 3 500 kilograms but does not exceed 16 000 kilograms.</p> <p>with or without a trailer, the gross vehicle mass of which does not exceed 750 kilograms, but does not include an articulated motor vehicle</p>	<p>Includes authorisation to drive any motor vehicle for which a Code B driving licence is required.</p>
<p><u>EB</u></p>	<p>A motor vehicle, excluding a motor cycle, motor tricycle, motor quadrucycle, tractor and a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, being-</p> <p>(i) an articulated motor vehicle, of which the gross combination mass of the truck-tractor does not exceed 3 500 kilograms;</p> <p>(ii) a combination of-</p> <p>(aa) <u>a motor vehicle the tare of which does not exceed 3 500 kilograms; or</u></p> <p>(bb) a mini-bus, bus or goods vehicle, the gross vehicle mass of which does not exceed 3 500 kilograms,</p> <p>with a trailer the gross vehicle mass of which exceeds 750 kilograms.</p>	<p>Includes authorisation to drive any motor vehicle for which a Code B driving licence is required.</p>

EC1	<p>A motor vehicle, excluding a motor cycle, motor tricycle, motor quadrucycle, tractor and a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, being-</p> <p>(i) an articulated motor vehicle, of which the gross combination mass of the truck-tractor exceeds 3 500 kilograms but does not exceed 16 000 kilograms;</p> <p>(ii) a combination of-</p> <p>(aa) a motor vehicle the tare of which exceeds 3 500 kilograms but does not exceed 16 000 kilograms; or</p> <p>(bb) a mini-bus, bus or goods vehicle, the gross vehicle mass of which exceeds 3 500 kilograms but does not exceed 16 000 kilograms,</p> <p>with a trailer the gross vehicle mass of which exceeds 750 kilograms.</p>	<p>Includes authorisation to drive any motor vehicle for which a Code B, C1, or EB driving licence is required.</p>
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From the above it is clear a motorhome is either a motor vehicle, the tare of which does not exceed 3 500 kilograms, or a motor vehicle, the tare of which exceeds 3 500 kilograms but does not exceed 16 000 kilograms, as no motorhome can be classified as a mini-bus, bus or a goods vehicle.

Therefore a motorhome with a tare mass which does not exceed 3 500 kilograms can be driven with a Code B licence, however, if you want to tow a trailer of which the gross vehicle mass exceed 750 kilograms you need a Code EB licence. A motorhome with a tare mass exceeding 3 500 kilograms but does not exceed 16 000 kilograms requires a Code C1 licence, however,