

- Seize and deface the offender's driving license and /or professional driving permit
- Remove and deface the license disks of all vehicles owned by the offender and/or fleet owner
- If applicable, seize and deface the operator cards of all the vehicles for which the offender is the registered operator
- Immobilize all vehicles owned by the offender and /or fleet owner

Elect to be tried in Court:

An offender may elect to be heard in a Court of Law when issued with an infringement notice, or when received a Courtesy Letter, or when his/her representation for an infringement was unsuccessful.

However, if an offender has committed a categorized offence which warrants an arrest, he/she will be heard in a Court of Law by default.

Consequences of failing to collect the infringement from the Post Office:

A document sent by registered mail in terms of the AARTO Act, is regarded as served upon the offender on the 10th day after the date of postage which appears on the Registered Mail copy.

Failing to collect the Infringement Notice at the Post Office, it is assumed that the offender received such infringement and the process of issuing a Courtesy Letter and following processes will continue accordingly.

Upon renewal of a driving license or vehicle license, the offender will not be able to renew unless all outstanding fines, penalties and fees are paid.

Important:

1. Take immediate action of an Infringement Notice!
2. Only 32 days are available to take action
3. Ignoring the 32 day period will result in additional cost to be added to the penalty.
4. Vehicle Owners and Fleet Owners are compelled by law to nominate the driver of the vehicle who committed the infringement if the vehicle was driven by some one else.
5. Each person starts with 0 points to a maximum of 12 permissible points in any given period.
6. A driving license is cancelled when it is suspended for the 3rd time.

7. Unpaid fines may result in seizure and selling of movable property of the offender in order to defray the penalty, applicable fees and additional cost.

8. Unpaid fines may result in immobilizing the vehicle/s.

Facility	Credit Card	Debit Card	Cash	Cheque
Municipal Court, Rudi Kloppe, Building, Vanderbijlpark	✓	✓	✓	✓
Municipal Court Pay Point, Duncanville, Vereeniging	✓	✓	✓	✓
ABSA Bank	✓	✓	✓	✓
FNB	✓	✓		
Standard Bank	✓	✓		
EFT Payment	✓	✓		
ATM	✓	✓		
Easy Pay	✓	✓	✓	✓
View fines Website	✓	✓		
Post Office	✓	✓	✓	
Road Blocks	✓	✓	✓	✓

Please Note:

1. Always quote the fine number when a direct payment is made at ABSA Bank and start the fine number by inserting a numeric 1 before the fine number.
2. Always quote the fine number as reference during an EFT payment.
3. Always fax proof of direct payment made to ABSA Bank to any one of the following fax numbers: 016 931 3621 or 016 933 2667
4. Proof of payment could also be scanned and e-mailed to helpdeskourt@emfuleni.gov.za

AARTO

(ADMINISTRATIVE ADJUDICATION
OF ROAD TRAFFIC OFFENCES)

and the

Demerit Points System



Enquiries Help Desk Tel: 086 034 6371

Municipal Courts Website: www.emfuleni.gov.za

E-mail Address: helpdeskourt@emfuleni.gov.za

Fine Enquiries: www.viewfines.net

ABSA Bank Account Number: 0530 000 087
Branch Code: 638 156

Introduction:

South Africa has ventured into a new dispensation regarding the adjudication of road traffic offences. The majority of road traffic offences will no longer be dealt with in a Court of Law, but administratively adjudicated in terms of the AARTO Act.

The AARTO will have serious impact on people's lives, on businesses, company's vehicles and their human resources. It will change the way individuals behave when driving on public roads and how companies will manage their vehicle fleet and drivers.

Undisciplined and/or bad road behaviour will deprive people of the convenience of driving a motor vehicle which will result in becoming dependant on others. It will force people with suspended driving licenses to utilize lift clubs and/or public transport.

The demerit points system will result in people forfeiting driving licenses, professional driving permits and could cost some their livelihood & others their freedom.

Companies and fleet owners will have their operator cards seized and defaced and vehicles could be immobilized.

Offenders and vehicle owners must take action within 32 days upon receiving an Infringement Notice, (traffic ticket).

Unattended Infringement Notices will have serious consequences for the offender and/or owner of the vehicle used.

What exactly is AARTO?

AARTO is the abbreviation for Administrative Adjudication of Road Traffic Offences.

Road traffic offences will no longer be dealt with via the criminal justice system, but will be finalized by means of an administrative process governed in terms of the AARTO Act.

What is the Demerit Points System?

The Demerit Points System is penalty system, introduced to penalize drivers and operators who are continuously disregarding traffic laws.

Each person **starts with 0 points** and accrues points to a **maximum of 12 permissible points** in any given period when transgressing traffic laws.

Every point **exceeding 12 points**, results in a **3 month suspension** of such person's driving license.

A driving license is **cancelled** when it is **suspended for the 3rd time**.

However, the system rewards law abiding road users as it reduces 1 point from such person's name/ID number every 3 months if no further transgressions occur within the 3 month period.

In respect of vehicle operators and their drivers, the demerit points are recorded separately even if the points arise out of the same transgression.

Demerit Points are recorded against a person's name/ID number in the following instances:

- When penalties and fees are paid
- When the offender applies to pay in installments
- When the offender is convicted in Court
- When an Enforcement Order is issued

It should be noted that the **Demerit Points System has not being implemented yet**. It will only be implemented when the AARTO System is nationally implemented.

When will AARTO be implemented?

There are currently two pilot projects running in South Africa (the Tshwane Metropolitan Area and the Johannesburg Metropolitan Area).

It is uncertain when exactly the system will be implemented nationally. The Department of Transport (DoT) and the Road Traffic Management Corporation (RTMC) endeavor to implement it not later than 2012.

How will the AARTO work?

The Road Traffic Infringement Agency (RTIA) appointed by the RTMC will be responsible for the administration of the AARTO System and updating of the Demerit Points System. This will be done in conjunction with Local Authorities and Provincial Authorities

Traffic offences are categorized into 3 different categories, namely:

- Minor Infringements
- Major Infringements
- Offences

Infringement Notices:

Upon receiving an Infringement Notice, (traffic fine), in person, or via registered mail, the offender has **only 32 days to:**

- **Pay a discounted penalty**
- **Submit a Representation** (to RTIA)
- **Arrange to pay installments**
- **Nominate the driver** of the vehicle (If applicable)
- **Elect** to be heard in a Magistrates' Court (Criminal Justice System)

Offences:

An offence is regarded a serious traffic violation which result in an arrest or a summons to appear in a Court of Law.

Courtesy Letter:

If an offender fails to exercise any of the above options within the first 32 day period, a Courtesy Letter will be served upon such offender and the discounted penalty is not applicable any more.

An additional fee will be charged for the issuing of such Courtesy Letter and added to the penalty charge.

Upon receiving a Courtesy Letter, the offender will have to execute the following within 32 days from date of issue of such Courtesy Letter:

- Pay the penalty including the Courtesy Letter's fee
- Submit a Representation to the RTIA
- Arrange to pay in installments
- Elect to be heard in a Magistrates' Court (Criminal Justice System)

Enforcement Order:

If the offender neglects not respond to a Courtesy Letter, an Enforcement Order will be served.

The Enforcement Order will demand payment of the full penalty amount, plus the fees applicable to the Courtesy Letter, plus any additional fees applicable to the Enforcement Order within 32 days from the date of such Enforcement Order.

Once the Enforcement Order is served, the offender will have none of the previous options to select. The only option available is to apply to the RTIA for revocation of such Enforcement Order.

Warrant of Execution:

If the offender does not respond in a satisfactory manner to the Enforcement Order, a Warrant will be issued and handed to a Sheriff for execution thereof.

The Warrant allows the Sheriff to:

- Seize and sell the movable property of the offender in order to defray the penalty, applicable fees and additional cost

