

What is AARTO?

The Administrative Adjudication of Road Traffic Offenses Act 1998 is currently in its pilot phase in Tshwane and in the Johannesburg municipal area. It is envisaged that it will be rolled out nationally during 2010.

Why AARTO?

AARTO is being introduced to improve law abiding and safer driving behaviour in order to reduce road accidents.

How does it work?

In addition to the amount of the fine, demerit points are recorded against offending drivers and it may lead to the suspension of the drivers licence of habitual offenders.

Log on to www.aarto.co.za for more information.

Although shown in the notices, demerit points will not be awarded during the pilot phase.

How is demerits awarded?

Every person starts with 0 points and the maximum permissible number of demerit points is 12.

The driver's licence will be suspended for three months for every demerit point exceeding the 12 points threshold

Law abiding road users are rewarded by seeing the demerit points reduced by one point every three months down to zero if no contraventions occur.

A licence is cancelled when it has been suspended for the third time.

Demerit points are recorded separately for vehicle operators even if they arise out of the same incident.

- when penalties and fines are paid
- when you apply to pay by instalments
- when you are convicted in Court
- when an Enforcement Order is issued

safe driving



the demerit point system

AARTO
Administrative
Adjudication of
Road
Traffic
Offenses

This complimentary leaflet's purpose is to increase the public's awareness of the new legislation and hopefully it will lead to better and safer driving and a reduction in road accidents.

Please feel free copy and to distribute among your staff and family. We shall not be claiming any copyrights provided that you cite the source of the material.

Steering Industry Standards



SAVRALA

The South African Vehicle Rental & Leasing Association

www.savrala.co.za

www.aarto.co.za

The AARTO process

On receiving an Infringement Notice, a Courtesy Letter or an Enforcement Order, you have certain options under AARTO:

Infringement Notice

On receiving an Infringement Notice via registered mail or served in person, you have the following options which you must attend to within the first 32 days period;

- **Pay a discounted penalty (50%)**
- **Make a representation to the RTIA**
- **Arrange to pay in instalments**
- **Nominate the driver of the vehicle**
- **Elect to be tried in court**

Courtesy letter

Should the matter not be settled per above within 32 days from the date of the Infringement Notice, you will be served with a Courtesy Letter, requesting you to take action within 32 days from date thereof. You no longer have the option of a discounted penalty and you will have to pay a Courtesy Letter fee. On receipt of the Courtesy Letter you may;

- **Make a representation to the RTIA**
- **Arrange to pay in installments**
- **Nominate the driver of the vehicle**
- **Elect to be tried in court**

Enforcement Order

Should you not respond to the Courtesy Letter, you will be served with an Enforcement Order. The order will demand that you pay the penalty, plus the Courtesy Letter fee plus an additional enforcement fee within 32 days from the date of the Letter of Enforcement. Demerit points will be allocated and recorded against your name. Once the Enforcement Order has been served, the previous options are no longer available to you. Your only option is to apply for;

- **the Revocation of an Enforcement Order**

Warrant of Execution

Should you not respond to the Enforcement Order in a satisfactory manner, a Warrant will be issued and handed to the Sheriff for immediate execution.

The Warrant may allow the Sheriff to;

- Seize and sell your movable property to defray the penalty, fees and costs applicable
- Seize and deface your drivers licence and/or professional driving permit
- Remove and deface the licence disks of all your vehicles
- If applicable, seize and deface the operator cards of all the vehicles for which you are the registered operator
- Immobilize all your vehicles

Go to Court

When you receive an Infringement Notice, a Courtesy Letter or when your representation for an infringement fails, you may elect to go to Court. To elect to be tried in Court you have to give notice by completing form AARTO 10 and submit to the RTIA in the prescribed manner indicated on the form. Upon receipt of your notification, the Agency will cancel the Infringement Notice and issue and serve on you a Summons to appear in Court. You will also receive a form AARTO 05 acknowledging receipt of your notification.

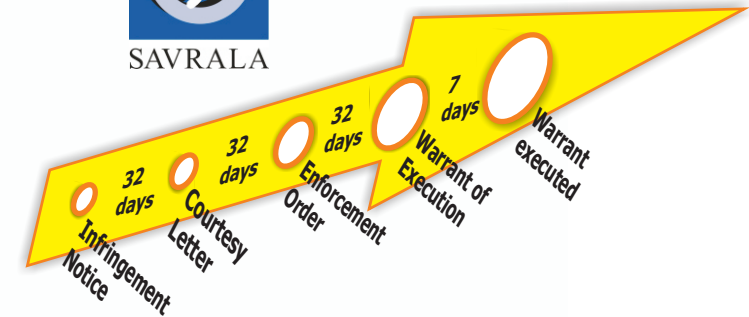
What if I don't sign for my infringement at the Post Office?

In terms of the AARTO Act, a document that is sent by registered mail is deemed to have been served on the infringer on the tenth day after the date of postage that appears on the registered slip.

It is therefore assumed that you **have received** the infringement and if you fail to collect same from the Post Office, the process will continue and you will be sent a Courtesy Letter.



SAVRALA



FLEET OPERATOR'S OPTION: Nominate the driver of the vehicle

Upon receipt of an infringement notice, the fleet operator may re-direct the fine to the person that was in possession of the vehicle at the time the offense was committed.

The fleet operator must complete the form AARTO 07 within the first 32 days period and provide the following information;

- **Full names**
- **Residential Address**
- **Postal Address**
- **Telephone numbers**
- **Legible copy of the driver's acceptable identification e.g. ID document and driver licence**

Should the vehicle operator / fleet owner be unable to supply the required information, severe penalties will apply.

It is a legal obligation to keep appropriate records of the drivers of the vehicles and accordingly, you are kindly requested to supply to your service provider the required information at the time of ordering and/or taking possession of the vehicle/s.