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## 21 Days Grace period: Motor vehicles National Road Traffic Regulations, 2000

Regulations 23, 145 and 267 extend the validity of a LICENCE DISC, ROADWORTHY CERTIFICATE AND OPERATOR CARD to 21 days after the expiry date. (calendar days).

This is notwithstanding any other provision in the legislation.

PLEASE NOTE: The roadworthy certificate of a bus (17+ seats) has a 6-month roadworthy limit and there is no grace provided in reg 145 for buses.

### **Reg 23. Date on which motor vehicle to be licensed**

(1) Subject to the provisions of subregulation (3), liability for the licensing of a motor vehicle shall arise on the date—

- (a) on which liability for the registration of such motor vehicle arises in terms of regulation 7;
- (b) on which a new licence number is allocated as referred to in regulation 29;
- (c) on which a personalised licence number is allocated under regulation 28(5);
- (d) referred to in regulation 31(1);
- (e) of expiry of the licence of such motor vehicle in terms of regulation 26;
- (f) of release by the South African Police Service, if it is a motor vehicle which has been stolen and has not been deregistered in terms of regulation 54(4), and has been recovered;
- (fA) of release by the South African Police Service of an impounded vehicle referred to in regulation 55A, if that vehicle is released after the date of expiry of the licence of that vehicle;
- (g) a new operator card is required for such motor vehicle in terms of regulations 267 or 270;
- (h) determined by the MEC concerned in any circumstances not contemplated in the foregoing provisions.

(2) The date of liability referred to in subregulation (1)(e) shall be construed to arise on the first day of the month following the date of expiry of the existing licence.

(3) **Notwithstanding** anything to the contrary contained in this Part, a motor vehicle referred to in subregulation (1), may, during a period of 21 days after the date referred to in that subregulation, be operated on a public road while the licence number allocated to such motor vehicle and the licence disc issued in respect of

such motor vehicle prior to the date on which the motor vehicle licence and licence disc became null and void, are displayed in the manner contemplated in regulations 35 and 36.

(4) If it is in issue in any civil or criminal proceedings whether an alleged date is the date referred to in subregulation (1), the date alleged to be the date referred to in subregulation (1), shall, in the absence of evidence to the contrary, be deemed to be the date referred to in the said subregulation.

**Reg 145. Period of validity of roadworthy certificate**

(1) The roadworthy certificate issued in respect of a motor vehicle contemplated in regulation 142(1), shall be valid from the date of issue thereof until the date on which the licence disc issued in respect of the motor vehicle concerned becomes null and void as referred to in regulation 22.

Provided that in the case of a bus of which the licence expires after 30 November 2010 the period of validity of the roadworthy certificate shall be six months.

(2) **Notwithstanding** anything to the contrary contained in these Regulations, a motor vehicle referred to in subregulation (1), may, during a period of 21 days after the date on which liability for the licensing of such motor vehicle arose in terms of regulation 23(1), be operated on a public road while the licence number allocated to such motor vehicle and the licence disc and roadworthy certificate issued in respect of such motor vehicle prior to the date on which the motor vehicle licence and licence disc and roadworthy certificate became null and void, are displayed in the manner contemplated in regulations 35 and 36.

**Reg 267. Manner of registration of operator, issue of operator card and period of validity of operator card**

(1) Subject to the provisions of section 45(1)(b) of the Act, the registering authority concerned shall register the owner of a motor vehicle contemplated in regulation 265 as the operator of that vehicle upon application for the licensing of the vehicle concerned.

(2) The registering authority effects the registration of an owner as operator of a motor vehicle by licensing the motor vehicle in the manner prescribed in regulation 25, but—

- (a) the motor vehicle licence, licence and operator card shall be issued on form LCO as shown in Schedule 2;
- (b) the owner shall, upon receipt of form LCO, destroy any previous operator cards held by him or her with respect to the motor vehicle concerned.

Provided that in the case of a category “D” operator card, for a motor vehicle first registered 6 months after the date of publication of this proviso clause, the registering authority shall not issue such operator card unless the operator is registered in terms of regulation 266A.

(3) If the registering authority is required to submit the particulars of an operator to the chief executive officer as contemplated in section 45(2) of the Act, such registering authority may, subject to the provisions of regulation 269, issue the operator with a temporary operator card as contemplated in section 45(3) of the Act on form OP2 as shown in Schedule 2, in the case where the operator is not already in possession of an operator card with respect to the motor vehicle concerned.

(4) Upon receipt of the particulars of the operator as contemplated in section 45(2) of the Act, the chief executive officer shall—

- (a) examine the record of the operator referred to in section 50(3) of the Act;
- (b) determine whether his or her operator card is suspended.

(5) If the record of the operator indicates that such operator does not comply with the provisions of the Act, the chief executive officer shall notify the operator in terms of section 50(3)(d) of the Act.

- (6) (a) *The registering authority shall upon receipt of the notification contemplated in section 45(4)(a) of the Act, issue him or her with an operator card on form OP3 as shown in Schedule 2.*
- (b) *The operator shall destroy any other previous operator card or temporary operator card issued in respect of the vehicle concerned upon receipt of the operator card.*
- (c) *The counterfoil of the operator card shall be kept at the business address of the operator.*

*An operator card issued in respect of a motor vehicle shall be valid from the date of issue thereof, until the date on which the licence disc issued in respect of the motor vehicle concerned becomes null and void as referred to in regulation 22, but the motor vehicle may be operated on a public road for a period of 21 days after the said expiry date*

Regards



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