

FISH HOEK VALLEY RATEPAYERS & RESIDENTS ASSOCIATION

(Incorporating Fish Hoek, Clovelly and Sun Valley)

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Heritage Western Cape: Conservation Body

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VIA: <https://www.capetown.gov.za/layouts/15/WebFeedback.SharePoint/webfeedback.aspx?id=%2065541049-f2d6-425d-8446-509d37e58834>

SUBJECT: COMMENTS ON CITY OF CAPE TOWN'S DRAFT TRAFFIC BY-LAW¹

DUE DATE: 30 OCTOBER 2019

We note that the City has good intentions with this draft proposal for making our streets safer, but this by-law introduces many points that need clarity before enacting.

We would like to know how Section 2. (1) (b)² will play out if the traffic officer does not have the appropriate vehicle code licence for the vehicle being pulled over and then demanding to drive the owner's vehicle. Challenging the traffic officer could be problematic. Is the City prepared to rather tow the vehicle? Please amend this to reflect your response.

Please tell us that for Section 2. (1) (c) there is a defined procedure for determining when a driver "appears to be incapable of driving". Also, what does "safe disposal" include - selling of said vehicle or parts thereof?

Section 2. (1) (f) implies that certain documents need to be carried in the vehicle, but this is unclear. This is especially important as these documents can be impounded.

In Section 21 please note that motorcycles are motor vehicles (in terms of Section 1) that do not have many of the lights mentioned in this section, such as parking lights on all four corners and head lights on either side.

Was there meant to be an "or" between (a) and (b)? Similar to the lights mentioned above, motorcycles do not have attachments for the reflectors mentioned in Section 25, but this section refers to driven vehicles whereas motorcycles are ridden.

So, Section 22 will stop construction vehicles from having flashing amber (red or orange) lights then?

It is unclear if Section 23 means that bicycles can no longer have flashing red or white lights.

In Section 28. (k) can an "opened container of intoxicating liquor" be stored in a boot that is inaccessible from the cabin? To us, it would be better to store rather than drink the remainder of a bottle of wine at a restaurant and go over the blood alcohol limit.

If Section 49.(6) (a) that lane sharing by a motorcycle and another vehicle is no longer permissible, then this makes no sense. Other motor vehicles have to follow each other single file behind the

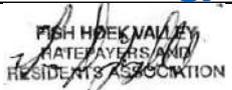
¹ <http://www.capetown.gov.za/City-Connect/Have-your-say/Issues-open-for-public-comment/draft-traffic-by-law>

² http://resource.capetown.gov.za/documentcentre/Documents/Bylaws%20and%20policies/Draft_Traffic_By-Law.pdf

slowest vehicle. A motorcycle can share a lane with another vehicle and not speed. Surely this improves traffic flow.

Section 49.(9) may not be possible when a motorcycle makes a panic stop especially when the front wheel has two disc brakes clamping the rotor causing the rear tyre to lift. This is not a desired effect, just the law of physics as the front shocks get compress loaded due to the transfer of weight forward, as in all vehicles.

For the intended purposes of Chapter 11 and specifically Section 72 and Section 72.(1) you may want to change "vehicle" to "motor vehicle" as defined in Chapter 1. Vehicle, as defined, appears to be a device used in towing. A motor vehicle is self-propelled.

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DATE	4 October 2019