

SCHOLAR TRANSPORT GUIDE

A guide for parents,
schools, operators
and drivers

Approved by the Portfolio Committee:
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CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD



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*The City of Cape Town's Transport
and Urban Development Authority*

What is this about?

The National Department of Transport has legislation and regulations in place to help ensure that children get to school safely, in suitable vehicles that are licenced, roadworthy and driven by drivers with professional driving permits.

Currently, many providers of scholar transport do not meet the requirements for operating legally. Many parents do not have access to scholar transport solutions that are workable or affordable, especially if they are in the low to low/medium income bracket of our population and do not have access to a private car.

The aim of Transport for Cape Town, the City of Cape Town's transport authority, is with this information guide to make everyone involved with scholar transport aware of the requirements in terms of scholar transport services, in an effort to ensure our children get to school and back safely. This Scholar Transport Information Guide is important to parents, schools, all operators and people providing scholar transport.

What is scholar transport?

Any person that transports children to and from school for money is providing a scholar transport service. These services may be operated in terms of a contract with a school, or through a private arrangement with parents, guardians or between parents/guardians.

Scholar transport in the context of this information guide does not include public transport services, such as MyCiTi or Golden Arrow buses or minibus taxis, which some children may use to get to and from school. It also does not include parents or guardians transporting their children to and from school where there is no money exchanged.

Requirements for scholar transport services

Who needs a licence?

1. Anyone who transports children to school and back and is paid to do so on a regular basis needs to comply with the scholar transport regulations. This means, among other things, the owner of the vehicle having an operating licence and the driver having a Professional Driver Permit (PrDP);
2. An operating licence is not necessary when scholars are transported on an occasional basis, such as for outings and sports events. However, in such cases, a letter from the school confirming that the children are learners at the school and that the driver has permission to transport the children needs to be carried in the vehicle; and
3. If anyone is remunerated for both 1 and 2 above, an operating licence and PrDP will be required.

Requirements for operators

Operators – the owners of vehicles – wishing to provide scholar transport services as defined, must apply for an operating licence from the Provincial Regulatory Authority (PRE) offices on the corner of Bosduif and Volstruis streets in Athlone. The application fee is R300.00 per operating licence. Each vehicle needs a separate operating licence, which is only valid for one year.

In order to be able to apply and obtain an operating licence from the PRE applicants need to have the following:

- An agreement with the school, or a letter from principal indicating the need for the service, or a permission letter from the parents/guardians. A copy of this agreement or letter needs to be kept in the vehicle;
- A road-by-road route description of the route to be travelled to pick up or drop scholars; and
- A valid Tax Clearance Certificate from the South African Revenue Services.
- The owner/holder of the operating licence must register the driver or drivers of the vehicle with the Office of the Provincial Transport Registrar offices on the corner of Bosduif and Volstruis streets in Athlone within 30 days of the licence being issued. Only registered drivers may be used to provide scholar transport services.
- In order for a driver to be registered they must have the following:
 - A copy of the driver's Identification document and a PrDP;
 - A drivers licence; and
 - A copy of the operating licence.

Requirements for vehicles

- Vehicles used for scholar transport may not be older than 12 years. For example, to be granted an operating licence in 2016, the vehicle must have been first registered no earlier than 2004, and for 2017 in 2005 and so on;
- Vehicles must also be registered in the Western Cape, licenced and roadworthy and undergo a roadworthy test at an approved vehicle testing centre every six months;
- If a vehicle breaks down the operator must apply for a temporary replacement to continue operating with another vehicle; and
- Vehicles are required to have a certificate of vehicle fitness. They need to be suitable for safely transporting children, and have the necessary seat belts, if transporting children under the age of three they must have car seats. No bakkies, light delivery vehicles, trucks or tractors and trailers may be used to transport children.

Once an operating licence is issued, operators must comply with the following conditions:

- The vehicle must be marked as providing scholar transport;
- There must be a first aid kit and fire extinguisher in the vehicle at all times;
- There also needs to be a passenger list in the vehicle with the addresses of everyone in the vehicle, along with a copy of the identification document or birth certificate of each scholar; and

- When pre-primary, primary school children or children with physical, mental or visual disabilities, are transported under the same operating licence, a responsible adult (other than the driver) must be in the vehicle to manage the children and help ensure their safety.

Requirements for drivers

All drivers of scholar transport vehicles need to have the following:

- A valid driver's licence;
- A valid Professional Driving Permit (PrDP);
- A special tamper-proof identity card with their name and identity number, a colour photograph, the name of the operator and the vehicle type the driver is allowed to drive;
- A qualification in first aid; and
- A qualification for advanced or defensive driving.

Requirements for schools

In terms of the National Land Transport Act, Act 5 of 2009, all schools need to provide an area off busy public roads for scholars to be picked up or dropped off safely. Children may only be picked up or dropped off on public roads when it is safe to do so. This may not be at a stop street, traffic intersections or anywhere where stopping is prohibited.

When children are being loaded or dropped off by a marked (licenced) vehicle, all other vehicles in the vicinity must slow down or stop to ensure scholars are safe.

What are the penalties?

There are heavy penalties for transporting children to and from school as a paid service without a valid scholar transport operating licence. If you are caught, the vehicle will be impounded and only released on payment of the respective release fee.

The following release fees are applicable if an operator provides a public transport service – in this instance scholar transport - without an operating licence:

- R 7,000.00 for first offence;
- R 10,000.00 for second offence; and
- R15,000.00 for third offence

The release fee applicable should an operator provide a public transport service contrary to the operating licence provisions and conditions is as follows:

- R 2,500.00 for first offence;
- R 5,000.00 for second offence; and
- R10,000.00 for third offence

For a fourth offence, the vehicle will be impounded and will not be released. Over and above the release fees, an operator who operates without or contrary to an operating licence, is also liable to pay a fine of R 2,500.00 for each offence.

For any further information please contact: Transport Information Call Centre **0800 65 64 63**