



**TRAFFIC RULES:
STUDENTS**

TRAFFIC RULES

Traffic rules for students Definitions

- T1 In these rules, unless the context indicates otherwise:
- T1.1 *Traffic Court* means a court consisting of a presiding officer appointed by the University Council;
- T1.2 *University Campus* means all immovable property owned by or under the control of the University;
- T1.3 A *vehicle* includes a motor car, motor cycle, motor scooter or motorised bicycle.
- T1.4 *Student* means any person registered at the University for any course of study who is not a member of staff.
- T1.5 A *visitor* means any person who is not a registered student or a staff member of the University of Cape Town, who is visiting the University Campus.

Traffic Court

- T2.1 The Traffic Court is empowered to hear all cases involving traffic offences committed on the University campus, to hear evidence and make a finding, and impose a sentence prescribed by the rules. The Traffic Court may suspend any such sentence or part thereof or may simply give a warning to a convicted student. *powers of Traffic Court*
- T2.2 The Traffic Court must direct by what date a fine shall be paid. *payment of fines*
- T2.3 If the Traffic Court considers that the offence is of sufficient gravity, it may refer the matter to the Vice-Chancellor to be dealt with in terms of the Rules on Disciplinary Jurisdiction and Procedures. *reference by Traffic Court to Vice-Chancellor*

Permission to park on campus

- T3.1 Every student, wishing to bring a vehicle on to the University campus or park it thereon, must apply for a valid parking registration disc issued by the University under Rule T4 below and if such application is successful must affix such disc to the front right hand side of the windscreen of a vehicle which is a motor car, or to some clearly visible part of any vehicle which is not a motor car. *display of discs*
- T3.2 Any student who, having been refused a parking registration disc, considers that valid reasons exist why such disc should be granted may appeal to the Executive Director: Properties and Services. The student must state in his or her notice of appeal what the grounds of his or her appeal are. *appeal against refusal of disc*

Parking registration discs

- T4.1 Application for parking registration discs must be made to the Traffic Administration or at such other venues and at such times as may be notified from time to time. No assurance is given that parking space will be available to the holder of a disc at any time. *application for disc*
- T4.2 Parking registration discs will be issued for a calendar year. The charges for discs will be as approved by the University Council from time to time and shall be payable before or against issue of the disc. Student discs issued for one calendar year will remain valid until 1 March of the next calendar year. *validity and charges*
- T4.3 Parking registration discs remain the property of the University at all times. *expired discs*
- T4.4 A student parking registration disc will only be issued to a student for a vehicle registered in the name of the student, or the name of a member of his or her immediate family (father, mother, brother or sister) unless the Traffic Administration, on being shown good cause in writing, agrees otherwise. *types of disc*
- T5.1 Each parking registration disc issued by the University will be a distinctive disc entitling the holder to park the car(s) for which it is issued in spaces marked out or otherwise indicated for holders of such discs.
- T5.2 Vehicles other than motor cars will be entitled to park only in spaces specifically marked out for such vehicles. *vehicles other than cars*

Parking without a disc

- T6.1 Except as may otherwise be permitted by the Traffic Administration no vehicle required under these rules to have a parking registration disc affixed to it may, in the absence of the affixation of such disc as provided for under the rules, be parked on any part of the University campus. Access of such vehicle to the University Campus may be refused if the required registration disc is not affixed thereto. *affixation of disc*

First-year students

- T6.2 Whilst registered for the first undergraduate year of study, a student must not bring, cause to be brought, or park on University property, any vehicle other than a motor cycle. *motor cycle*

Parking areas

- T7 All the parking rules made by the University authorities in regard to the reservation of red bays and staff bays apply throughout the year. Red bays are reserved at all times throughout the year; staff yellow-marked bays between the hours of 07h00 and 18h00 from Mondays to Fridays inclusive, and from 07h00 to 13h00 on Saturdays, and for such other periods as may be determined. Bays for people with disabilities are reserved for them at all times. *red, disabled and staff bays*

Rules and prohibitions

- T8.1 A student must not drive a vehicle on the University campuses: *dangerous driving*
- (a) in excess of the indicated speed limit;
 - (b) in a reckless or negligent manner or without due care and attention;
 - (c) while under the influence of intoxicating liquor or drugs to such an extent as to be incapable of exercising proper control of such vehicle.
- T8.2 A student must not park a vehicle: *illegal parking*
- (a) so as to cause an obstruction;
 - (b) in any area which is not marked out or otherwise indicated as a parking space for students, and without prejudice to the generality of the foregoing, shall, in particular, not park in any parking space reserved for University staff, for any University department or for any other purpose or where parking is prohibited by yellow lines or by other means.
- T8.3 A student must at all times, except as provided for in Rule T8.4 observe all traffic rules, signs and notices. *traffic signs*
- T8.4 A student must obey a lawful order given by a University Traffic or Campus Protection Officer or other authorised person to regulate traffic on the University campus, and shall give his or her name and address to such officer or person when requested. *orders by a Traffic Officer*
- T8.5 A student must carry his or her student identity card with him or her at all times and must show this to any Traffic Officer or other authorised person when requested to do so. *identification*
- T8.6 A student who gives a false name or address when requested to give his or her name and address shall be guilty of an offence. *false name and address*
- T8.7 No student shall damage or interfere with a wheel clamp or similar device. The vehicle may only be released on production of a valid student registration card and on payment of a R100.00 release fee. *wheel clamp*
- T8.8 A student may not park in University Avenue at any time. *University Ave*
- T8.9 A student may not swear at or abuse a Traffic Officer. *abuse*
- T8.10 A student may not interfere with or damage any traffic boom, sign or equipment. *interference with signs*

Owner's risk

- T9 Drivers bring vehicles onto the University campus at their own risk.

Change of vehicle

- T10.1 When a student replaces the vehicle for which a parking disc has been issued with another vehicle, he or she shall apply to the Traffic Administration with the original parking disc for permission to transfer the disc to another vehicle. *original disc*
- T10.2 The vehicle registration number shown on a parking disc shall in no circumstances be altered other than by the Traffic Administration. *registration number*

Fraudulence in respect of discs

- T11.1 A student may not use or display on any vehicle any parking registration disc falsely purporting to have been issued by the Traffic Office of the University. *false discs*
- T11.2 Any student, who knowingly makes a false representation in relation to a parking disc, or in the course of an application for a parking disc, shall be guilty of an offence. *false information*
- T11.3 Any student who permits a parking disc issued to him or her to be used on a vehicle other than the vehicle, in respect of which it was issued, shall be guilty of an offence. *use of disc on another vehicle*
- T11.4 A student may not use or display on any vehicle any parking disc which has been obtained for him or her by any other person in contravention of these Traffic Rules.
- T11.5 No facsimile/scanning of any disc may be displayed on any vehicle. *other discs*

Liability of disc holder

- T12.1 Any contravention of these rules by any person using a vehicle in respect of which a parking registration disc has been issued, shall be deemed to be a contravention of the rules by the student to whom the disc was issued. *use of vehicle by other than disc holder*
- T12.2 A student shall be deemed to have committed an offence if:
- (a) the vehicle is registered in the name of a person whose surname is the same as that of the student or whose address is the same as that on the student's application for admission form unless the said student is able to show to the satisfaction of the Traffic Court that on the occasion when the contravention occurred the vehicle in question was used without his or her consent and that he or she was unable to prevent the said contravention;
 - (b) he or she takes control or drives a vehicle without a disc.
- T12.3 A student to whom a parking disc has been issued, including cases where a single parking disc has been issued for more than one vehicle, shall be responsible for any contravention of these rules by a person using the vehicle(s) for which the disc has been issued, unless he or she establishes to the satisfaction of the Traffic Court that he or she is not culpable for the contravention. *culpability of disc holder*

Breach of rules

- T13.1 Breach of these Traffic Rules is a disciplinary offence and shall be dealt with by the Traffic Court or under the Rules on Disciplinary Jurisdiction and Procedures. Any student who contravenes or fails to comply with any provision of these Rules shall be liable on conviction to any one or more of the following penalties:
- (a) a fine not exceeding R600.00 for each offence; *maximum fine*
 - (b) deprivation of the privilege of bringing a vehicle onto the University Campus for a stated period or indefinitely.
- T13.2 A student appearing before the Traffic Court may be represented, legally or otherwise, and may lead evidence of witnesses. *representation*

Traffic Court

- T14.1 The presiding officer of the Traffic Court must record the following information: *records of Traffic Court*
- the plea to the charge;
 - the finding of the Court; and
 - the sentence of the Court.
- T14.2 Where a plea of 'Not Guilty' is entered, the presiding officer must record the evidence submitted on the Court record.
- T15.1 A student charged with a breach of these rules, may, if he or she so prefers, pay an amount as an admission of guilt as laid down by the Traffic Appeal Court under Rule T15.3 below. On payment of such amount the student shall not, unless the Traffic Court decides otherwise, be required to appear before the said court. When a person is required by the Traffic Court to appear before it in terms of this rule, the court may, notwithstanding the payment of an admission of guilt, impose any of the penalties specified in Rule T13.1 *admission of guilt fine*
- T15.2 Where a student admits his or her guilt but considers there are extenuating circumstances, he or she may pay an admission of guilt fine and submit to the Traffic Court, in writing, his or her reasons for requesting mitigation of the fine.
- T15.3 An admission of guilt fine must be determined by the Traffic Appeal Court from time to time in respect of any contravention of the Traffic Rules and may not exceed the amount of R600.00 for each and every contravention of the said Traffic Rules.
- T16.1 A summons or notice shall be deemed to have been effectively served, for the purpose of these Rules, where the summons or notice has been served personally on the student or where it has been sent by mail or e-mail to the student's last known address appearing on the University's records and accepted by an occupant of that address. *servicing of summons*
- T16.2 Any student failing to appear before the Traffic Court when summonsed to do so may, on due production of a return of service of such summons, be found guilty of contempt of court and fined in his or her absence for such contempt. The Traffic Court shall notify such student of its findings and sentence and inform him or her that should he or she not put forward an explanation in person to the Traffic Court justifying his or her absence within fourteen days of the receipt of such notice, the finding and sentence shall stand confirmed. *contempt of court*
- T16.3 Any student shall commit an offence who: *failure to appear*
- fails to appear before the Traffic Court when duly required to do so;
 - commits any act of disrespect to the said court; or
 - fails to comply with any order of the said court. *disrespect failure to comply admission of guilt*
- T17.1 The presiding officer may, at the same time as he or she imposes a fine for contempt of court, certify that the admission of guilt fine invited on the traffic ticket supporting the summons is apparently in accordance with true and substantial justice and thereupon the Traffic Court shall notify the student accordingly and inform him or her also that should he or she not put forward a defence to the charge written in the summons, or a reason for a reduction in the fine, in person to the Traffic Court within 14 days of the receipt of such notice, the fine as certified shall stand confirmed.
- T17.2 The presiding officer may, when exercising his or her discretion in relation to the certification of an admission of guilt fine, reduce the amount of the fine justice. *discretionary powers of presiding officer*
- T17.3 Upon proof that the notices mentioned in Rule T16.1 and Rule T16.2 have been sent to the student at the last known address appearing on the University's records and after the said 14 days have elapsed without due appearance in person before the Traffic Court by the student, the fine, as certified, together with any fine imposed for contempt of court, may be debited to the fees account of the student. *debit to fee account*
- T17.4 When a sworn or other statement is put before the Traffic Court purporting to have been made by a third party, the presiding officer may ignore such statement should the third party fail to appear before the court if requested to do so by the presiding officer. *third party statement*
- T18 In respect of any decision given by the Traffic Court, a student shall have the right of appeal to the Traffic Appeal Court. Any such appeal must be lodged with the Registrar, in writing, within five days of notification to the student of the decision of the Traffic Court. The student must state, in his or her notice of appeal, what the grounds of his or her appeal are. The student shall have the right to argue his or her appeal before the Traffic Appeal Court personally or through a representative. *appeal procedure: general*

Traffic Appeal Court

- T19.1 When an appeal has been lodged in terms of Rule 18 the Court shall submit to the Traffic Appeal Court: *records to be submitted*
- a copy of the Court record;
 - the notice of appeal;
 - the facts found to be proved; and
 - the reasons for judgement.
- T19.2 The student may request the presiding officer of the Traffic Court to provide him or her with a copy of the reasons for judgement.
- T20.1 On appeal the Traffic Appeal Court may: *powers of Traffic Appeal Court*
- confirm or set aside the conviction, or may substitute any competent finding therefor;
 - confirm or set aside the sentence or impose any other competent sentence.
- T20.2 The Traffic Appeal Court may sentence a student to pay an additional fine should that court be of the opinion that the appeal is frivolous or vexatious or has been made for the purpose of delay.
- T20.3 Notice of the finding of the Traffic Appeal Court shall be given to the student. *notice to student*
- T20.4 If the Traffic Appeal Court considers that the offence is of sufficient gravity, the court may refer it to the Vice-Chancellor to be dealt with in terms of the Rules on Disciplinary Jurisdiction and Procedures. *referral to Vice-Chancellor*
- T21 The Traffic Appeal Court must be drawn from the following members of the University: *members of Traffic Appeal Court*
- All permanent staff members of the Law Faculty, one of whom shall be selected by the Chair of the Traffic Appeal Court for each and every sitting of such Court;
 - A senior member of the Administrative Staff to be nominated by the Registrar;
 - One other person nominated from time to time by Council;
 - Two members of the SRC nominated annually by the Vice-Chancellor for the purpose.
- T22.1 In the event of there being a tie in the voting, the person presiding shall have a casting vote.
- T22.2 The Vice-Chancellor must appoint a chair and a deputy chair of the Court. In the absence of both from any session of the Court, the chair shall appoint a presiding officer for that session who shall be a staff member of the Law Faculty. *appointment of chair/deputy chair*
- T22.3 A court shall comprise two members chosen from categories (a) to (d) above by the chair of the court or his or her deputy.
- T23 Nothing in the foregoing rules contained shall be deemed to deprive the Vice-Chancellor or the head of any residence of any jurisdiction or powers with which he or she is vested under the Statute or Rules on Disciplinary Jurisdiction and Procedures.
- T24 The above rules may be suspended in whole or in part by the Vice-Chancellor for special purposes or occasions.

NOTE:

Should an offender elect to appear before the Traffic Court it must be pointed out that, notwithstanding the normal court fine quoted above, any offender who contravenes or fails to comply with any provision of the Traffic Rules: Students may on conviction be fined up to a maximum of R600.00 for each offence. The Traffic Court sits 09h30 to 15h30 from mid March to mid November, vacations excluded..