

PRETORIA MUNICIPALITY: BUS BY-LAWS

The Administrator hereby, in term of section 101 of the Local Government Ordinance, 1939, publishes the by-laws set forth hereinafter, which have been approved by him in terms of section 99 of the said Ordinance.

Definitions

- In these by-laws, unless the context otherwise indicates:**

"Bus" means any motor omnibus or other vehicle driven by mechanical or electrical power and used by the Council for the passenger transport service established in terms of the Local Government Ordinance, 1939 (Ordinance 17 of 1939);

"Bus staff member" means any person appointed as a bus inspector, bus driver or bus conductor in the Council's Logistic Services Department and any person duly authorized to act in the said positions, and who is on duty;

"Cash Ticket" means a ticket issued by the bus staff member concerned to a passenger on payment in cash, authorizing the passenger to travel a certain distance on the bus;

"Council" means the City Council of Pretoria and includes the management committee of that Council or any officer employed by the Council, acting by virtue of any power vested in the Council in connection with these by-laws and delegated to him in terms of section 58 of the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance 40 of 1960);

"Coupon" means a ticket offered for sale to the public by the Council at a fixed price and in specific numbers, at certain places, which may be presented by a passenger as payment for a particular bus trip, and includes a scholar's coupon;

"Executive Director: Economical Development" means the person who, for the time being, occupies the position of Executive Director: Economical Development in the Council's service or who acts in that position, and any person who is duly authorized to act on behalf of the Executive Director;

"Fare" means the amount as determined by the Council from time to time, to be paid by a passenger for travelling on a bus for a certain distance;

"Free pass" means a ticket issued by the Council free of charge authorizing the lawful holder to travel on a bus free of charge;

"Lost property" means any article or object found in a bus, at a stop or in or at a bus shelter, which had presumably been lost or left behind by a passenger;

"Luggage" means any suitcase, parcel or other article that is transported by a passenger on a bus;

"Passenger" means any person, excluding a bus staff member, who travels on a bus or intends to travel on a bus;

"Route" means a route as determined by the Council or the Executive Director from time to time along which a bus moves on a particular trip for the purpose of transporting passengers;

"Scholar's coupon" means a coupon which may only be offered by a scholar as payment for a particular bus trip;

"Season ticket" means a ticket which is issued to a person by the Council or the Executive Director, subject to certain conditions and on payment of a particular amount, authorizing such person to travel a particular distance on a route by bus for a specific period;

"Starting point" means a place as determined by the Executive Director from time to time, where a particular route starts;

"Stop" means a place as determined by the Executive Director from time to time, on a particular route where a bus must stop to enable passengers to board or leave the bus;

"Terminus" means a place as determined by the Executive Director from time to time, where a particular route terminates;

"Ticket" means a cash ticket, coupon, scholar's coupon, season ticket or free pass.

Application of By-laws

2. These by-laws shall apply to the passenger transport service maintained by the Council in terms of section 131(5) of the Local Government Ordinance, 1939, inside as well as outside its area of jurisdiction, either through a regular or special service.
3. (1) The official time-tables published by the Council indicate the normal times of departure of buses only, and the Council by no means guarantees:
 - (a) that a bus will leave or arrive at the time prescribed in the time-table; and
 - (b) the connection of buses at any starting point, junction or terminus(2) The Council shall not be liable for any interruption in the bus service or for any failure or delay, through whatever cause, or for any consequences arising from such interruption, failure or delay.

Queuing

4. (1) Passengers who wish to undertake a bus trip, shall queue in single file one behind the other in the order in which they arrived at the bus stop concerned, and shall board the bus in that order.
- (2) No person shall take a place in the queue in front of a passenger who is already queuing, or board the bus before any such passenger.
- (3) Passengers shall queue in such a way that they do not cause an encumbrance or obstruction to pedestrian or vehicular traffic.

Boarding or Leaving a Bus

5. (1) Subject to the provisions of section 8(2) a passenger shall board or leave a bus at a stop only, and no driver may stop at any place other than a stop for the purpose of allowing a passenger to board or leave the bus.
- (2) No person shall board or leave a bus in any manner other than through the door of the bus.
- (3) No person shall board or leave a bus while it is in motion.
- (4) (a) A passenger wishing to leave a bus shall do so at the stop concerned before any passenger waiting at the bus boards the bus.
- (b) A passenger wishing to board a bus shall allow any passenger wishing to leave the bus a reasonable time to do so before boarding the bus.

Fares

6. (1) Every passenger shall, at the first possible opportunity after boarding the bus, pay the fare determined for the distance he intends to travel or has travelled or shall give proof that he is entitled to travel such a distance on the route concerned by:
 - (a) offering the amount of such fare in cash, whereupon a cash ticket shall be issued to him; or
 - (b) offering a coupon authorizing him to travel the distance concerned; or
 - (c) offering a coupon authorizing him to travel a shorter distance, and by offering cash for the remaining part of the trip; or
 - (d) producing a season ticket of which he is the lawful holder and which authorizes him to travel the distance concerned on the particular route; or
 - (e) producing a free pass of which he is the lawful holder.(2) A passenger travelling further than the distance for which he has paid a fare or than the distance in respect of which he is authorized by a season ticket of which he is the lawful holder shall, before he reaches the stop up to where his paid fare or season ticket authorizes him to travel, pay a fare for the further distance as if he has started a new trip at such stop.

- (3) A passenger shall, upon requested by a bus staff member, produce his ticket and if he is unable to produce, he shall pay the full fare for the trip concerned as envisaged in subsection (1);
- (4)
 - (a) If a passenger offers money in payment of his fare for which the bus staff member concerned has no change, he shall accept an acknowledgement of debt for the change from the bus staff member and shall furnish his full name and residential address to the bus staff member.
 - (b) Such acknowledgement of debt shall be paid out to the passenger on request and on delivery thereof to the official concerned at the Lost Property office as contemplated in section 13(1)(B).
- (5) No person, excluding a scholar, shall offer a scholar's coupon in payment for a bus trip.

Transferability of Tickets

7. No person shall transfer a cash ticket or coupon slipped by a bus staff member, or a season ticket or free pass to another person, and no person shall use such ticket or coupon transferred to him, to travel on a bus.

Defective Buses

8.
 - (1) If a bus has at any time been involved in an accident, has become defective or for any other reason is unable to complete its trip, all the passengers shall leave the bus on request of the bus staff member.
 - (2) A passenger who has already paid for the trip shall not be entitled to claim back his fare, but may complete his trip on the following bus, provided he boards the following bus at the defective bus, and can provide satisfactory proof that he has paid his fare or that he is authorized to complete the trip.

Seating & Standing Room

9.
 - (1) No passenger shall travel in any place in a bus other than on a seat intended for passengers, provided that, subject to the number of standing passengers which may be carried in terms of a bus's certificate of fitness, a passenger may stand in the passage between such seats as envisaged in regulation 140 of the Road Traffic Regulation, published under Administrator's Notice 1052, dated 28 December 1966.
 - (2) Any bus staff member has the right to instruct a passenger where he shall sit or stand in the bus.

Coupons

10.
 - (1) No coupon may be offered as payment for a bus trip in terms of section 6 (1) unless the counterfoil is attached thereto.
 - (2) If the Council at any time revokes or changes the system of payment by coupons or does anything else as a result of which any person who has bought coupons cannot any longer offer them as payment for bus trips, such person may, within three months after they have become invalid, hand them to the Executive Director for a refund, and an amount equal to the amount which the person concerned has paid for the coupons, shall be refunded to him.

Luggage

11.
 - (1) Subject to the provisions of section 98(7) of the Road Traffic Ordinance, 1966 (Ordinance 21 of 1966) and the following provisions of this section, a passenger may take his luggage with him on a bus.

- (2) No person shall place luggage in a bus in such a manner or position as to obstruct or impede any entrance or exit of such bus, or as to impede the reasonable comfort or convenience of any person in such bus or constitute a source of danger to such person.
- (3) A passenger transporting luggage in a bus in respect of which the Council has laid down a transport tariff, shall pay such tariff to the bus staff member concerned, who shall issue proof of payment to the passenger.
- (4) Luggage is transported at the sole risk of the passenger concerned, and the Council shall not be liable for any loss of or damage to such luggage.

Animals & Guide Dogs

12. (1) No person shall bring any animal or bird onto, or transport it in, a bus, provided that a guide dog accompanying a blind person may be so transported if:
 - (a) the bus staff member concerned is satisfied that the dog will not hamper the comfort and convenience of the passengers; and
 - (b) the person wishing to transport the dog has previously obtained a permit from the Council permitting him to transport the dog on the bus on the particular route.
- (2) The Council may at any time cancel such permit after 24 hours' notice in writing of its intentions to do so.
- (3) A guide dog shall, whilst being on a bus, at all times be kept under control with a suitable harness.
- (4) The holder of a permit issued in terms of subsection (1)(b) shall indemnify the Council beforehand in writing against:
 - (a) any legal action which may be brought against the Council, including any costs arising from such action; and
 - (b) any loss or damage that the Council may suffer as a result of the presence of the guide dog on a bus.

Lost Property

13. (1) Any person finding lost property shall, without delay:
 - (a) hand it over to a bus staff member; or
 - (b) hand it over to the lost property office at the head office of the Council's Economical Development Department.
- (2) Any bus staff member who finds lost property or to whom lost property is handed over, shall hold it in safe custody and hand it in at the lost property office as soon as possible.
- (3) Any bus staff member to whom lost property is handed over, shall make a note of the full name and residential address of the finder, and of the date, time and place where the lost property has been found.
- (4) The official in charge of the lost property office (hereinafter referred to as the responsible official) shall, on receipt of lost property, note all the details mentioned in subsection (3) and shall hold such property in safe custody in the lost property office, provided that any cash handed in shall be deposited into a bank account within seven days of receipt thereof. Provided further that any perishable goods may be destroyed by the responsible official as soon as he is of the opinion that it cannot be kept any longer on account of the perished condition thereof.
- (5) Any person wishing to claim lost property shall do so at the lost property office, and no such property shall be handed over or paid out unless the person concerned:
 - (a) by describing the property and by stating date and time when, and the place where the goods have presumably been lost, convinces the responsible official that he is entitled to the property;
 - (b) signs the receipt in the register of lost property and, if the value of the property exceeds R20, completes and signs the indemnity as set out in the Schedule hereto; and
 - (c) pays the amount as determined by the Council for the safe keeping and administration of the lost property.

- (6) (a) The Council may from time to time sell lost property handed in at the lost property office, by public auction after the expiry of at least three months from the date on which the property has so been handed in.
- (b) The proceeds of such auction shall be kept as part of the Council's revenue.
- (7) Any cash handed in at the lost property office shall, if it is not paid out to the person who is entitled thereto within three months after it has been handed in, become the property of the Council.
- (8) The Council shall by no means be liable for any loss of, or damage to lost property or for any loss or damage on account of the fact that the lost property has been handed over to a person who is not entitled thereto.

Prohibition

14. No person in a bus or at a bus stop shall:

- (1) In terms of by-laws for prohibiting smoking in theatres, bioscopes, municipal buses and lifts (AN 1081 of 11 June 1986) smoke in a bus.
- (2) (a) transport a loaded firearm or a firearm with a cartridge in the barrel or magazine on a bus; or
- (b) so transport a firearm unless it is in a proper firearm pouch or is completely covered in some other way.
- (3) damage or destroy any bus or part thereof, or any building, machinery, installation, pole, wire or other property of the Council used for or in connection with the Council's passenger transport service, or interfere, tamper or fiddle therewith.
- (4) hold onto a moving bus whilst riding on a bicycle or other vehicle.
- (5) affix or display any advertisement or other document without the Council's consent.
- (6) collect, beg, advertise, offer goods for sale, canvass customers or attempt to do business in any other way.
- (7) except a passenger, make use of any bus shelter or any other facility at a stop.

Obstructing Officials

15. No person shall willfully obstruct or hinder a bus staff member in the execution of his duties and powers or willfully interfere with such bus staff member.

Instructions to Infringers

16. A bus staff member may instruct any person contravening any provision of these by-laws or attempting to do so, to:

- (a) stop the contravention or the attempt thereof, or
- (b) to furnish his full name and residential address.

Offences & Penalties

17. Any person who:

- (a) contravenes or fails to comply with any provision of these by-laws; or
- (b) fails or refuses to comply with any lawful instruction from a bus staff member, shall be guilty of an offence and liable on conviction of a fine not exceeding R100 or, in default of payment, to imprisonment for a period not exceeding six months.