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30 January 2025

To Whom It May Concern

Legal position: Motor homes
National Road Traffic Act, 1996 (Act No 93 of 1996)

A motor home is a self-propelled motor vehicle that is adapted for living purposes. It is built on a chassis and cab that was originally intended to be a goods vehicle or minibus.

Due to this, the manufacturer allocates a GVM and GA front and rear to the motor vehicle.

As the vehicle is adapted and is neither a minibus nor a goods vehicle, the GVM of the vehicle is not relevant.

Regulations 239 and 245 of the National Road Traffic Regulations, 2000 (see Annexure A) only require a GVM for a minibus, bus, goods vehicle and tractor.

A motor home is classified in terms of tare for driving licence purposes. In terms of Regulation 99 a motor home may be driven with a code B driving licence.

If the **tare** of the motor home is **less than 3 500 kilograms** and is not drawing a trailer exceeding 750 kilograms GVM, a **code B** driving licence is required, and as it is not a goods vehicle or 12-seater+ minibus, a professional driving permit in terms of Regulation 115(1) **is not required** (see Annexure A).

As it is not a minibus or a goods vehicle, an annual roadworthy certificate, operator card and all other legislative requirements relating to overloading on manufacturer specifications for minibuses or goods vehicles are also not relevant.

If the tare of the motor home is more than 3 500 kilograms, a code C1 licence is required.

As from 1 July 2007 all newly registered motor homes must be fitted with yellow contour markings on the sides and rear.

Please contact Alta Swanepoel if further clarity is required (altaswanepoel@mweb.co.za).

Regards

Alta Swanepoel (B. Proc) Road
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ANNEXURE A

NATIONAL ROAD TRAFFIC ACT, 1996 (ACT NO 93 OF 1996)

Reg 1. Definitions

"motor home" *means an enclosed motor vehicle which is designed or adapted solely to live in and which is self-propelled;*

Sec 1. Definitions

"gross vehicle mass", in relation to a motor vehicle, means the maximum mass of such vehicle and its load as specified by the manufacturer thereof or, in the absence of such specification, as determined by the registering authority;

"tare", in relation to a motor vehicle, means the mass of such vehicle ready to travel on a road and includes the mass of—

(*a*) any spare wheel and of all other accessories and equipment supplied by the manufacturer as standard for the particular model of motor vehicle concerned;

(*b*) anything which is a permanent part of the structure of such vehicle;

(*c*) anything attached to such vehicle so as to form a structural alteration of a permanent nature; and

(*d*) the accumulators, if such vehicle is self-propelled by electrical power, but does not include the mass of—

(i) fuel; and

(ii) anything attached to such vehicle which is not of the nature referred to in paragraph (*b*) or (*c*);

Reg 99(4)(a)

Reg 99. Categories of learner's and driving licences, classes of motor vehicles relating to each category of such licences and the authority conveyed by such licences

CODE	CLASS OF MOTOR VEHICLE	AUTHORISATION
B	A motor vehicle, excluding a motor cycle, motor tricycle, tractor, haulage tractor and a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, being— (i) a motor vehicle, including a **motor home**, the tare of which **does not exceed 3 500** kilograms; or (ii) a minibus, as midibus a bus or a goods vehicle, the gross vehicle mass of which does not exceed 3 500 kilograms, with or without a trailer, the gross vehicle mass of which does not exceed 750 kilograms, but does not include an articulated motor vehicle.	Includes authorisation to drive— (i) a tractor; haulage tractor and (ii) a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, with or without a trailer.

C1	A motor vehicle, excluding a motor cycle, motor tricycle, tractor, haulage tractor and a motor vehicle which is a type of mobile agricultural or industrial equipment or machinery not designed principally for the conveyance of persons or goods, being - (i) a motor vehicle, the tare of which **exceeds 3 500 kilograms** but does not exceed 16 000 kilograms; or (ii) a minibus, a midibus, a bus or a goods vehicle, the gross vehicle mass of which exceeds 3 500 kilograms but does not exceed 16 000 kilograms, with or without a trailer, the gross vehicle mass of which does not exceed 750 kilograms, but does not include an articulated motor vehicle.	Includes authorization to drive any motor vehicle for which a code B driving licence is required.

Regulation 115

Reg 115. Certain drivers of certain vehicles to hold professional driving permit

(1) Subject to the provisions of subregulation (2), a professional driving permit shall be held by the driver of—

(a) a goods vehicle, the gross vehicle mass of which exceeds 3 500 kilograms;

(b) a breakdown vehicle;

(c) a bus;

(d) a minibus—

(i) the gross vehicle mass of which exceeds 3 500 kilograms; or

(ii) which is designed or adapted for the conveyance of 12 or more persons, including the driver;

(e) a motor vehicle used for the conveyance of persons for reward or is operated in terms of an operating licence issued in accordance with the provisions of the NLTTA.

(f) a motor vehicle the gross vehicle mass of which exceeds 3 500 kilograms to which regulations 273 to 283 apply as contemplated in regulation 274;

(g) a motor vehicle conveying 12 or more persons including the driver.

(2) The provisions of subregulation (1) does not apply—

(a) to a traffic officer, examiner of vehicles or examiner for driving licences in the performance of his or her duties as contemplated in section 3I, 3G and 3H of the Act, respectively;

(b) to a person driving a hearse;

(c) to a person driving a motor vehicle referred to in regulation 21(1) or 21(5);

(d) subject to regulation 99(2), to a person driving a motor vehicle for which he or she holds a valid learner's licence with the code prescribed for that vehicle in terms of regulation 99(1), while being accompanied by a person holding a valid professional driving permit which authorises him or her to drive that vehicle;

(e) to a person driving a tractor.

Regulation 239

Reg 239. Gross vehicle mass, gross axle massload, gross axle unit massload, gross combination mass, power to mass ratio and axle massload of driving axle to total mass ratio not to be exceeded

(1) No person shall operate on a public road a mini-bus, bus, tractor or goods vehicle—

(a) if—

(i) the gross vehicle mass;

(ii) any gross axle massload; or

(iii) any gross axle unit massload,

is exceeded;

(b) drawing any other motor vehicle if the gross combination mass is exceeded.

(2) No person shall operate on a public road a vehicle which is a minibus, midibus, bus, tractor, haulage tractor or goods vehicle if the mass in kilograms of such vehicle or of a combination of vehicles of which such first-mentioned vehicle forms a part, whether laden or unladen, exceeds a figure arrived at by multiplying the net power in kilowatts of the engine of such vehicle as determined in accordance with or calculated with due regard to SANS 10013 "The determination of performance (at net power) of internal combustion engines Part 1:Road vehicle internal combustion engines at sea level", "The determination of performance (at net power) of internal combustion engines Part 2: Compression ignition engines at altitudes" and "The determination of performance (at net power) of internal combustion engines Part 3: Agricultural vehicle internal combustion engines at sea level"—

(a) in the case of the drawing vehicle being a tractor or a haulage tractor by 400; or

(b) in the case of any other vehicle by 240.

(3) No person shall operate on a public road a vehicle which is a minibus, midibus, bus, tractor or goods vehicle if the mass in kilograms of such vehicle or of a combination of vehicles of which such first-mentioned vehicle forms a part, whether laden or unladen, exceeds five times the total axle massload of the driving axle or axles of such vehicle: Provided that where the drawing vehicle in a combination of vehicles is a haulage tractor, the mass in kilograms of such combination of vehicles may not exceed six times the total axle mass load of the driving axle or axles of such vehicle, whether the combination is laden or unladen.

Regulation 245

Reg 245. Information plates on certain vehicles

(1) No person shall operate on a public road a mini-bus, bus, goods vehicle or mobile crane which, according to the registration certificate thereof—

(a) was registered for the first time prior to 1 January 1989 and of which the gross vehicle mass exceeds 3 500 kilograms; or

(b) was registered for the first time on or after 1 January 1989,

unless the following particulars in respect of such mini-bus, bus, goods vehicle or mobile crane are clearly imprinted or stamped on a metal plate or plates affixed in an accessible place on a door post, under the bonnet or on the dash board of the vehicle concerned or, in the case of a trailer, on the left side thereof in any conspicuous place:

(i) The tare in kilograms (denoted as T);

(ii) the gross vehicle mass in kilograms (denoted as GVM/BVM);

(iii) the gross axle massload or gross axle unit massload of each axle or axle unit in kilograms (denoted as GA/BA and GAU/BAE, respectively);

(iv) in the case of a semi-trailer the gross kingpin massload as specified by the manufacturer

(denoted as GKM/BSM);

(v) the gross combination mass in kilograms (denoted as GCM/BKM) —

(aa) in the case of a vehicle that is used to draw any other vehicle; and

(bb) in the case of a breakdown vehicle registered for the first time from the date of commencement of this item; and

(vi) where applicable, the net power in kilowatts as determined in accordance with or calculated with due regard to code of practice SABS 013 "The determination of performance (at net power) of internal combustion engines;

(vii) the permissible maximum vehicle mass referred to in regulation 236 in kilograms (denoted as V): Provided that this item is not applicable in respect of a semi-trailer;

(viii) the permissible maximum axle massload referred to in regulation 234 or axle unit massload referred to in regulation 235 of each axle or axle unit in kilograms (denoted as A and AU/AE, respectively); and

(ix) the permissible maximum drawing vehicle mass referred to in regulation 244(c) (denoted as D/T).

Provided that the provisions of this subregulation shall not apply to a goods vehicle the gross vehicle mass of which does not exceed 3 500 kilograms and which was registered for the first time on or after 1 January 1989, and that has fitted;

(a) a metal data plate or plates affixed by rivets, or by welding, or by any other method that will achieve permanency of attachment during the life of the vehicle, in a conspicuous and readily accessible position on a part not subject to replacement, or

(b) a self-adhesive tamperproof metal or plastics label that is not transferable from one vehicle to another, is clearly legible, and undergoes permanent and obvious damage on removal. The self-adhesive tamperproof label shall be resistant to engine oils, to engine coolants, to normal engine temperatures and to humidity,

in a conspicuous and readily accessible position on a part not subject to replacement, with the following particulars of such goods vehicle, legibly and indelibly printed or stamped, with the following details:

(i) the gross vehicle mass, in kilograms, for the model type, denoted and prefixed by the letters GVM/BVM;

(ii) the gross combination mass, in kilograms, for the model type, denoted and prefixed by the letters GCM/BKM; and

(iii) the gross axle mass-load of each axle, or the gross axle unit mass-load of each axle unit, in kilograms, for the model type, denoted and prefixed by the letters GA/BA or GAU/BAE, as applicable.

Provided further that if the information is supplied in the following order, the abbreviations given in i), ii) and iii) above are not required:

a) gross vehicle mass;

b) gross combination mass; and

c) gross axle masses in the order front to rear.

(2) No person shall operate on a public road a tractor unless it is fitted with a metal plate on which is imprinted—

(a) the net power of the engine in kilowatts as determined in terms of code of practice SABS 013 "The determination of performance (at net power) of internal combustion engines", Part 1: "Road vehicle

internal combustion engines at sea level", Part 2: "Compression ignition engines and altitude", Part 3: "Agricultural vehicle internal combustion engines at sea level" (denoted as P/D);

(aA) within six months from the date of commencement of this paragraph, the tare in kilograms (denoted as T);

(b) the gross combination mass in kilograms (denoted as GCM/BKM); and

(c) the permissible maximum drawing vehicle mass referred to in regulation 244(c) (denoted as D/T):

Provided that the provisions of this subregulation shall apply—

(i) from 1 January 1993 in respect of a tractor which according to the registration certificate thereof was registered for the first time on or after 1 January 1993; and

(ii) from 1 January 1995 in respect of a tractor which according to the registration certificate thereof was registered for the first time before 1 January 1993.