

1.1 REPUBLIC OF BOTSWANA

1.1.1 Legal

1.1.1.1 *International Law*

The international legal position of Botswana is a classic dualist system. The Constitution only determines that the executive power of the country lies with the President. (*Section 47: The executive power of Botswana shall vest in the President and, subject to the provisions of this Constitution, shall be exercised by him either directly or through officers subordinate to him*). In terms of the common law, the executive power of a president includes the negotiation and entering into international agreements. This power can be delegated to line Ministers who in turn may mandate an official to negotiate the agreement.

The common law of Botswana also dictates that an international agreement will not become part of the Botswana law unless it has been ratified by the National Assembly and incorporated into a national law promulgated by the National Assembly. However, according to some Botswana officials, the Attorney general distinguishes between Treaties, Protocols, agreements and memoranda of understanding and does not view a memorandum of understanding to be binding, and therefore it is not necessary to ratify it.

The Baseline requirements contemplated in this report fall within the mandate of the Minister of Transport and Communications. The ministry of transport therefore will have to, after signature of the VLM MOU and the CBRTA, initiate the ratification process as well as the domestication process of the Tripartite agreements.

1.1.1.2 *Domestic Law*

The domestic legislative process followed in Botswana is as follows:

- The line ministry compiles a draft bill which is submitted to the Minister together with an explanatory memorandum.
- The bill is submitted to the Attorney General for scrutiny and the Ministry is responsible to answer/explain any questions raised by the Attorney General.
- If the Attorney General is satisfied with the Bill, it is submitted to the National Assembly. A Bill that impacts on the traditional law needs to be referred to the House of Chiefs.
- The National Assembly discusses the bill and if approved, it is submitted to the President for his assent. The President has the power to refer the Bill back to the National Assembly. If the Assembly, within six months after the President has referred it back to the Assembly, resubmits a bill that Bill to the President, , he has to assent to it unless he resolves the National Assembly.
- No legislation comes into force in Botswana unless it is published in the Government Gazette.
- Botswana is in the process of reviewing its domestic road transport and traffic legislation, taking into account regional agreements and development.

1.1.2 Institutional

The Ministry of Transport and Communications: The Ministry is responsible for Transportation Policy and regulation and houses the following relevant divisions:

- Department of Road Transport and Safety (DRTS)
- Department of Roads
- Department of Central Transport Organisation (government fleet)

These are Transport Departments within the Ministry of Transport and Communications excluding those that resort under the Communications Division.

Parastatals, such as Air Botswana, Botswana Railways, Botswana and the Civil Aviation Authority, report to the Minister of Transport and Communications.

The Ministry of Transport and Communications established a directorate, called the Transportation Hub, to identify and coordinate key projects and policy interventions in the transport sector. Botswana aims to develop into a transport hub within the SADC region, transforming its transport and logistics industry into a major growth area. The strategies of the Transport Hub include:

- Create an “enabling environment” through constant interaction between the Public and Private sectors.
- Develop and collate an understanding of the needs and requirements of the transport/logistics industry.
- Participate in all forms of interaction with potential investors, operators and other key stakeholders within the industry.
- Drive and co-ordinate the various projects that have already been identified and develop new initiatives and projects.
- To create a massive awareness on the competitive advantages of Botswana to investors/operators in transport and logistics in terms of location and incentives.
- Actively promote what the Transport Hub is doing to achieve these goals and market the opportunities for investment that are being created.

The following projects and policies have been initiated by the Transportation Hub Directorate:

- Development of an Integrated Transport Policy and a multi-modal transport master plan;
- Regional Integration of Botswana’s Transport Sector;
- Development of a dry port at Walvis Bay;
- Construction of a bridge over the Zambezi river at Kazungula;
- Feasibility studies for Trans-Kgalagadi railway, Moseitse-Kazungula and Mmamabula-Ellisras rail links;
- Open Skies policy to attract international carriers;
- Development of a Multimodal Air Cargo Hub;
- Heavy Haul Railway Line between Botswana and Mozambique.

1.1.3 Vehicle Load Management

Botswana is in the process of developing an overload control strategy. A consultant was instructed to do so at the time of the visit. The Regional Weighbridge Location Plan (RWBLP) identified a new regional weigh station at Palapye on the North-South Corridor and Kang on the Trans-Kalahari Corridor. Botswana currently has weigh stations at Gaborone, Lobatse, Dibete, Serule, Francistown, and Nata and the RWBLP recommended that the one at Lobatse be upgraded to the required design standard. The number weighbridges may exceed Botswana's need and it is proposed that the locations of the weighbridges be recalculated in accordance with the principles provided in the RWBLP.

According to officials, there are no computerised systems in place at the weigh stations, except for Dibete, but that system is currently not operational. Vehicle load management in Botswana is thus not on standard. The proposed Integrated Transport Policy for Botswana, however proposes the implementation of all the baseline requirements in relation to Vehicle Load Management.

1.1.3.1 Policy Reforms

Botswana is taking the policy reforms agreed on by the Tripartite on board through its Integrated Transport Master Plan.

1.1.3.2 Harmonisation

- Legal load limits: The legal load limits of Botswana are not compliant with that agreed by the Tripartite.
- Legal definitions in relation to vehicles and vehicle load management: Not entirely harmonised with the Tripartite agreed definitions.
- Penalties and demerit points: The penalties charged in terms of the Road Traffic Act are substantially more (approximately 50%) than what was proposed in the Revision of the Botswana Road Traffic Act, Part IX-Loads on Vehicles of March 2009. The methodology for the calculation of penalties proposed in that report is similar to the method agreed on by the Tripartite. Botswana does not have a demerit points system yet, but is in the process of introducing the Demerit Point System as the Regulations are being drafted.

1.1.3.3 Regional VLM Requirements

The establishment of the Vehicle Load Management Working group at the Tripartite level is a function of the Tripartite, as well as the regional network of weighing stations, the regional performance audits, the regional weighbridge operations and procedures manual and the exchange of information. As these are functions of the Tripartite which need to be initiated by the Tripartite, Botswana's function in this regard is to ensure its participation in the regional programme.

1.1.3.4 Weighbridge Certification, Verification and Maintenance

The Bureau of Standards in Botswana is in the process of adopting the OIML 76-1: "Non-automatic weighing instruments Part 1: Metrological and technical requirements – Tests", which is in line with the requirements of the Tripartite.

1.1.3.5 Performance based system

There is no performance based/self-regulatory system in Botswana.

1.1.3.6 Liability for overload offences

The driver is liable for the overload offence in Botswana, which is not in line with the Tripartite VLM MOU.

1.1.3.7 Reciprocal Recognition

Botswana will have to incorporate the provisions on reciprocal recognition of the SADC model regulations, as it was incorporated into the VLM MOU.

1.1.3.8 Tolerance

1.1.3.9 Botswana allows a 5% tolerance limit. It was not indicated whether the limit is allowed on axles or on axles and gross vehicle mass. Training

Botswana trains their officials on an *ad hoc* basis.

1.1.3.10 Transitional provisions of the VLM MOU

The VLM MOU has not yet been signed, but Botswana can embark on the process of harmonising its domestic legislation in accordance with the VLM MOU.

1.1.3.11 Implementation Framework

Botswana should consider incorporating the implementation of the VLM MOU into their implementation plan for the Multi-modal Transport Policy.

1.1.4 Baseline requirements for Vehicle Standards

1.1.4.1 Equipment on Vehicles

With regards to equipment on vehicles, Botswana adopted all the agreed SADCstans, barring the standard “Restraining devices for occupants of adult build in motor vehicles” and “Child restraining devices in motor vehicles” and “Rear underrun protection devices”. The standards on tyres and safety glass on motor vehicles, respectively, have been made compulsory.

Botswana has comprehensive regulations on seat belts and vehicle equipment, but the above standards do not seem to have been incorporated into the legislation or made compulsory by the Botswana Bureau of Standards (BOS).

In relation to equipment on vehicles, Botswana almost fully complies with the standards agreed on by the Tripartite. The standards should however be made compulsory by incorporating it into the different sets of Road Traffic Regulations, or else, be made compulsory by BOS.

1.1.4.2 Vehicle Dimensions and Regulations

Maximum Length:

- 22.3m –not in line with Tripartite.

Maximum width of vehicles:

- 2.5m – in line with Tripartite, and
- 2.6m for goods vehicles exceeding 12 000kg and for buses of which the distance between the centre lines of the two front wheels exceeds 1.9m – compliant with Tripartite.

Maximum Height of vehicles:

- 4.3m – the Tripartite allows 4.6m for a double decker bus and 4.3m for all other vehicles.

1.1.4.3 Loads on vehicles

The Loads Regulations of Botswana are very specific, which renders it very difficult to enforce. The current single axle load limits are shown in Table 1 and the maximum permissible load on a vehicle or group of vehicles in Table 2 below. It is problematic that all the weights are determined based on the calculation of the distances between tyres/axles respectively:

No. of tyres on axle	Shortest distance between centre-lines of adjacent tyres	Axle weight-load in kilogrammes
2	Less than 600 mm	4 100
2	Between 600 and 699 mm	5 000
2	Between 700 and 1 199 mm	5 750
2	1 200 mm or more	7 700
4	Less than 600 mm	8 200
4	Between 600 and 699 mm	10 000
4	700 mm or more	11 500

Table 1: Single Axle Load Limits

Distance in metres between centre-lines of extreme axles of any group of consecutive axles	Total axle weight-load of group of consecutive axles in kilogrammes	Distance in metres between centre-lines of extreme axles of any group of consecutive axles	Total axle weight-load of group of consecutive axles in kilogrammes
1.2	18 160	8.0	30 400
1.5	18 700	8.5	31 300
2.0	19 600	9.0	32 200
2.5	20 500	9.5	33 100
3.0	21 400	10.0	34 000
3.5	22 300	11.0	35 800
4.0	23 200	12.0	37 600
4.5	24 100	13.0	39 400
5.0	25 000	14.0	41 200
5.5	25 900	15.0	43 000
6.0	26 800	16.0	44 800
6.5	27 700	17.0	46 600
7.0	28 600	18.0	48 400
7.5	29 500	19.0	50 200

Table 2: Vehicle or Combination of Vehicles Load Limits

The Regulations determine that where the distance between the centre-lines falls between any two distances hereinbefore specified, the total axle weight-load of such group of consecutive axles is determined by direct proportion.

Botswana has indicated that it reviewed the axle limit such that the maximum single axle limit is 9 tonne which is less than the Tripartite and the maximum permissible loads limit has been moved to 56 tonne in line with the Tripartite. However, the source of the legislation has not been provided and could not be traced on the Internet.

1.1.4.4 Transport of Dangerous Goods

Botswana adopted all the standards as agreed on by the Tripartite and incorporated into the Road Traffic (Transportation of Hazardous Goods) Regulations and thus fully complies with the Baseline Requirements in respect of the transport of dangerous goods.

1.1.4.5 Testing of Vehicles for Roadworthiness

Botswana adopted BOS 57:2002 "The Testing of motor vehicles for roadworthiness – Code of Practice". This code of practice was reviewed in 2009. The standard covers the examination and testing of all vehicles for roadworthiness and is used in conjunction with the Road Traffic Act and Regulations. This standard is the same as that agreed on by the Tripartite.

DRTS operates 13 vehicle testing stations in Botswana, of which 4 have been equipped with automated test equipment procured from MAHA and Actia Muller (previously Muller Bem) and at 9 testing stations manual inspections are performed by the vehicle examiners. In addition 3 mobile vehicle test units have been procured to enable testing of vehicles at road blocks. There are no private vehicle testing stations in Botswana.

Although automated vehicle testing equipment assists in maintaining the standard of vehicle testing performed, there is no published standard with regard to the required braking power (the "reading" on the brake tester) that must be met for a brake test to be successful.

There is no formal grading process for vehicle examiners but the vehicle examiners are appointed by the Minister of Transport and Communications and the names of the appointed vehicle examiners are published in the Gazette in accordance with the provision of the Road Traffic Act, together with the vehicle inspection fees.

Vehicle roadworthiness testing is required under the following circumstances:

- Public service passenger vehicles to be tested every 6 months
- Goods vehicles with GVM above 3 500kg to be tested annually
- Vehicles older than 3 years must be tested before being registered for the first time (imported used vehicles)
- Home built vehicles must be tested before being registered for the first time
- Scrapped or deregistered vehicles must be tested before being registered again

No compulsory testing is required at a change in ownership of a vehicle, but if the vehicle is purchased through local financiers, testing is required by the financiers before the approval of the funds.

When a vehicle is found to roadworthy a certificate of roadworthiness is issued in respect of the vehicle – see Figure 1. It is noted that no disc to be displayed in the windshield of the vehicle forms part of the certificate of roadworthiness, which makes policing or verification of compliance difficult.

Although DRTS can verify compliance in respect of goods and passenger vehicles at the time of the annual licensing of the vehicle, it will not be possible for law enforcement agencies in foreign countries. While the absence of a disc in the case of roadworthiness tests performed for purposes of registration of the vehicle is understandable, a disc should be issued in respect of any passenger or goods vehicle participating in cross-border transportation.

Ministry of Transport and Communications
 Department of Road Transport and Road Safety
 Private Bag 0054 Gaborone
 Tel: 3688600 , 0800 600 830 Fax: 3900930
 www.transport.gov.bw

CERTIFICATE OF ROADWORTHINESS

RW Certificate No : RWC0539005
 Road Traffic Act CAP 69:01 Section 18 (3)

The motor vehicle of which the particulars are listed here under has been examined and to the best ability found to be complying with the standards and requirements of the Road Traffic Act CAP 69:01.

Expiry Date : 16-AUG-2016
 Testing Date : 16-MAY-2016

Vehicle Details:

Registration Number: B974AAO	Engine No:
Make: KNIGHT BODY	Engine Capacity: Not Specified
Model: 1990	Fuel Used: Not
Body Type: TRAILER	Number of Axles: 4
Colour: YELLOW	Unladen Weight: 8000
Year of Manf: 1990	Gross Weight: 16000
Chassis No: 8164	Seating Capacity: 0
	standing Capacity: 0

Current Owner Details:

ID Number: 880470
 Name: SHARPS CONSTRUCTION(PTY)LTD
 Postal Address: BOX 603 GABORONE

Roadworthiness Details: Transport and Control Division Road Transport (Permit Act) Act 69:03 Section 27

This vehicle has been examined for roadworthiness and was not examined for the purposes of passenger, goods permits or tour operation.

This certificate relates only to the condition of the vehicle at the time of the test. It should not be taken as evidence of its condition at any other time. It should not be taken as evidence that the vehicle is free from defects. It is not evidence of the general mechanical condition of the vehicle. Nor can it be taken to remove the requirement for the road user to ensure that the vehicle is roadworthy at all times when on the road.

Vehicle examined by : TSHEPISO BOCCA JEKENYANE

Issue Date: 16-MAY-2016

Transaction Control No. : 12888191

Official Stamp

Licensing officer's signature

Figure 1: Vehicle Certificate of Roadworthiness

1.1.4.6 Evaluation of Vehicle Test Stations












Botswana Bureau of Standards adopted BOS 85: 2004 “Vehicle Test Station Evaluation – Code of Practice“. The standard covers general provisions for the evaluation of a vehicle testing station (VTS). It also serves as a basis in determining the grading and registration of the VTS on the grounds of its adherence to the provisions of the standard, the suitability of the equipment and the competence of the examiners employed. This standard is the same as that agreed on by the Tripartite.

However, this code of practice is currently under review and has not been introduced in Botswana by reference in the legislation. Hence the inspectorate provided for has not been established and no evaluation of vehicle test stations is being performed in Botswana.

1.1.5 Baseline Requirements for Driver Standards

1.1.5.1 Driving Licence Categories

Botswana implemented the SADC driving licence categories as follow:

Licence Category	Definition	Pictograph
A1	Light motorcycle without a sidecar with a cubic capacity not exceeding 125cm ³ or propelled by electrical power, or vehicle having pedals and engine or electrical motor.	
A	Motorcycle without a sidecar, with a cubic capacity exceeding 125cm ³	
B1	Motor powered tricycles and quadricycles.	
B	Motor vehicles with a maximum authorised mass not exceeding 3 500kg and having not more than 8 seats in addition to the driver's seat; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.	
EB	Combination of motor vehicles consisting of the tractor vehicle in category B above and its trailer(s) a maximum authorised mass exceeding 750kg.	
C1	Motor vehicles whose maximum authorised mass is over 3 500kg but not more than 16 000kg; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.	
EC1	Combination of motor vehicles consisting of the tractor vehicle in category C1 above combined with a trailer having a maximum authorized mass exceeding 750kg.	
C	Motor vehicles whose maximum authorised mass is over 16 000kg; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750kg.	
EC	Combination of motor vehicles consisting of the tractor vehicle in category C above and its trailer(s) a maximum authorised mass exceeding 750kg.	
F	Tractors	
H	Special mechanical equipment	

It is noted that the SADC driving licence categories do not make provision for the passenger vehicle (bus) related categories D1 and D, as well as the corresponding categories D1E and DE for the combination of a passenger vehicle and trailer of which the GVM exceeds 750kg.

These categories will have to be provided for and the notation of the categories for combinations of vehicles, ie EB, EC1 and EC, would have to be changed to read BE, C1E and CE for consistency and international harmonisation in accordance with the Baseline Requirements.

Furthermore, the category F driving licence for tractors should be a vehicle restriction limiting the licence holder to tractors only rather than a separate category in accordance with the Baseline Requirements. In this manner the size of the tractor in respect of which the applicant was tested can be matched to the categories B, C1 and C, instead of passing the driving test on a small tractor and then be allowed to drive a very large tractor.

The category H driving licence is issued in subcategories depending on the size of the equipment with which the test was performed, but no details were provided. Nevertheless, the category H for special mechanical equipment should also be a vehicle restriction "industrial equipment" limiting the licence holder to industrial equipment corresponding to the licence category only rather than a separate category in accordance with the Baseline Requirements. In this manner the size of the equipment in respect of which the applicant was tested can be matched to the categories B, C1 and C, instead of passing the driving test on small equipment and then be allowed to drive/operate very large equipment.

1.1.5.2 Driving Licence Card

The driving licence card complies with the SADC vehicle categories and format. Likewise the driving licence category pictograms and legend on the back of the card comply with the SADC Agreement.

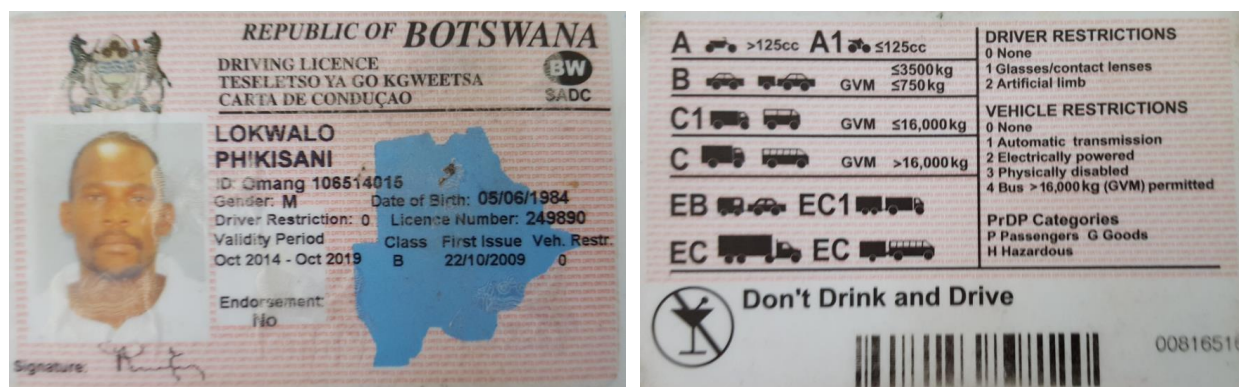


Figure 2: Driving Licence Card issued by DRTS

However, the following is noted to be non-compliant with the Baseline Requirements:

- Number notation of entries on the front of the licence must be added.
- Pictograms for driver and vehicle restrictions should be used instead of numbers.
- Dangerous Goods category of the PrDP is denoted by an "H" instead of a "D".

Notwithstanding the fact that the PrDP categories are listed on the back of the driving licence card in Figure 2, DRTS does not endorse the PrDP on the driving licence but issues a separate document in the form of a manually completed PrDP booklet.

1.1.5.3 PrDP

Tripartite members may issue a second document in respect of the PrDP authorisation instead of endorsing same on the driving licence, provided that it is clearly stated that the PrDP is not a driving licence and must be accompanied by a valid driving licence.

An example of a PrDP issued for the Goods category is shown in Figure 3 below. It is in the form of a booklet and the inscriptions of the personal details of the holder are made by hand whilst a photograph of the holder is attached by staples. It has a 2 year validity period and lists a number of PrDP "G" categories, namely Class EB, Class C1, Class C, Class EC1 and Class EC. On the back of the booklet, the holder is advised to always carry his/her driving licence in addition to the card when driving.

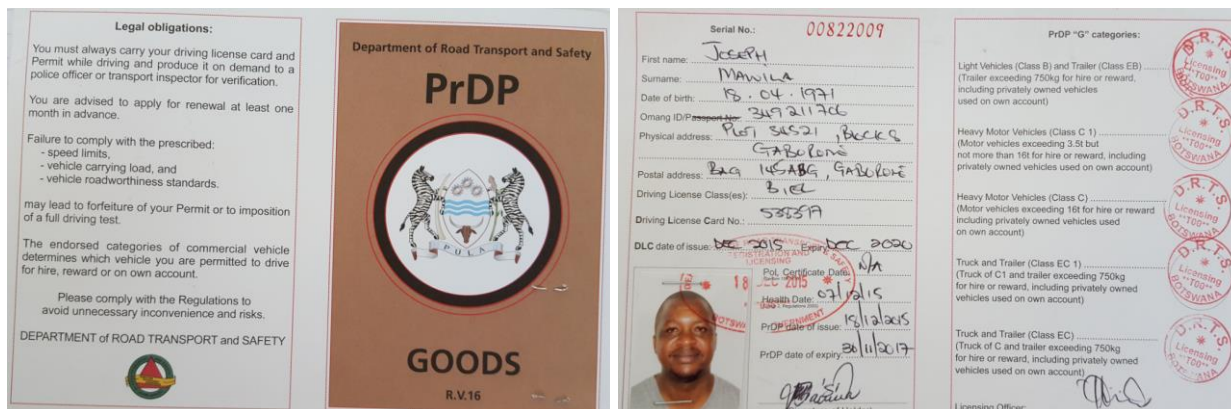


Figure 3: PrDP for Goods issued by DRTS

However, the following is noted to be non-compliant with the Baseline Requirements:

- The security of the booklet is not of an acceptable standard and can easily be reproduced, the photograph can be replaced with that of another person or the handwritten particulars can be removed and/or altered.
- "Hazardous Goods" category should be "Dangerous Goods".
- There are no subcategories of driving authorisations defined by the SADC Agreement within the "Goods" category of PrDP. The actual vehicle configuration(s) that the holder is permitted to drive is stated on the driving licence and should not be repeated on the PrDP as this may create the impression that the driver can simply drive with the PrDP in the absence of a driving licence card. The same applies to the "Passenger" and "Dangerous Goods" categories of PrDP.
- "Special" category of PrDP issued to drivers for the transportation of staff members or students in Government vehicles or Non-Government vehicles should be replaced by a "Passenger" PrDP.
- PrDP issued to conductors should be replaced with another suitable document if Botswana desires to issue a formal document to such fare collectors.

1.1.5.4 Training and Testing of Drivers and Professional Drivers

Driving schools are accredited by Botswana Qualifications Authority and registered by the Department of Road Transport and Safety (DRTS) while driving instructors have to be tested and licensed by DRTS before they are permitted to participate in the training of drivers. A syllabus has been prepared by DRTS for the training of driver instructors and the driver instructors use it to train learner drivers, but no copy

was made available. Driving schools and instructors are also expected to train their students in accordance with the published provisions of the Road Traffic Legislation.

Although it is not a requirement for a person who wishes to obtain a learner licence, to be trained by a driving school, it has become mandatory since 2008 to receive practical tuition from a driving school before applying for a driving licence.

There are 30 driving licence testing centres in Botswana at which theory testing is conducted, 6 of which conduct computerised testing and the rest use multiple choice questionnaires. A provisional licence (equivalent of a learner licence) is issued to applicants who have passed the theory test. No photograph of the holder is displayed on the provisional licence and it has to be presented together with the identity document of the holder for identification purposes.

The following limitations are applicable to provisional licences:

- Holder must be accompanied by a licensed driving instructor or a licensed driver
- No passengers may be in the vehicle
- Maximum speed of 60km/h
- "L" must be displayed on the front and back of the vehicle

The practical driving test is performed at 20 driver testing centres using an adaptation of the K53 test procedure. A card format driving licence is issued to applicants who have passed the practical test. The following requirements will be implemented from January 2017:

- Dual pedal control vehicles to be used for training and testing
- Prescribed number of hours of training
- Accreditation and registration of driving schools and instructors with the Botswana Qualifications Authority.

A medical certificate has to be submitted by all PrDP applicants. Goods PrDPs are issued over the counter without any further test being performed. Before a Passenger PrDP is issued, a police clearance must be submitted and in the case of vehicles with 17 seats or more, the competency of the applicant is tested by way of a theory and practical driving test. For a Dangerous (Hazardous) Goods PrDP a certificate of competence from an accredited institution confirming that the applicant is competent to deal with a situation involving the type of goods to be transported, must be submitted too. However, no details regarding this training/competency are recorded on the driving licence system (DLS).

But for the submission of the medical certificate and an eye test performed by DRTS, no tests or additional documentation are required at the renewal of a PrDP.

The application and issuing of a PrDP is recorded on the driving licence system (DLS) but the details relating to the holder, category and expiry date on the PrDPs issued are completed by hand in preprinted booklets.. A separate PrDP booklet is issued for each category (G, P and H) and thus a driver who applies for all of the categories would be issued with 3 PrDP booklets in addition to the driving licence card.

1.1.6 Baseline Requirements for Compliance and Law Enforcement

1.1.6.1 Road Transport Management System (RTMS)

There are no Road Transport Management Systems (self-regulatory/ performance-based) systems in Botswana.

1.1.6.2 Enforcement Procedures for Foreign Operators and Drivers

Botswana does not distinguish in its enforcement processes between foreign operators/drivers and local operators and drivers. Road traffic offences had not been decriminalised. However, according to officials, overload offenders have to pay their fines before they are allowed to proceed onto the road. This process could not be substantiated by perusing the legislation.

Road traffic enforcement is performed by the Botswana Police Service. In addition, transport inspectors of DRTS perform enforcement in respect of transportation permits.

An offender has to pay the fine in respect of notices issued by both the Botswana Police Service and the DRTS transport inspectors at a Botswana Police Service station. If an offender is not in a position to pay immediately, he/she is afforded a period of 14 days grace within which to pay the fine amount. Should an offender fail to pay within 14 days, the vehicle involved in the offence is flagged on the Vehicle Registration and Licensing System (VRLS). Should a person wish to appear in court to defend the case, the process is managed by the Botswana Police Service. Serious cases such as drunken driving are taken directly to court by the Botswana Police Service.

Transport Inspectors of DRTS do not issue notices in respect of traffic offences. Municipalities do not perform traffic law enforcement either. However, the Head of the transport inspectors may make a recommendation to the Director of DRTS to revoke a PrDP in cases where serious offences have been committed. The decision to revoke the PrDP resides with the Director of DRTS.

1.1.7 Exchange of Information

1.1.7.1 System

DRTS operates several stand-alone systems that collectively provide the functionality of the functions that DRTS performs. The systems are as follow:

VRLS – Vehicle Registration & Licensing System

The VRLS is used to perform the following functions:

- Vehicle registration
- Change in ownership
- Calculation of fees and annual Licensing
- Duplicate documents

It is a web based system employing Oracle Forms and has approximately 1 000 users including the DRTS staff, Botswana Police Service, Director of Corruption & Economic Crime, Ministry of Foreign Affairs, Botswana Post and Botswana Unified Revenue Services.

DLS – Driver Licensing System

The DLS is used to perform the following functions:

- Records provisional driving licences, but does not print the manually completed licence
- Driving licences, and prints the driving licence card
- Records PrDPs, but does not print the manually completed permit

It is a client based system employing Visual Basic 6.0 and was adapted from an "off the shelf" package sourced from the USA. It has approximately 600 users, including the DRTS staff and Botswana Police Service.

TP System

The TP System is used to perform the following functions:

- Road transport permits
- Roadworthiness certificates

It is a proprietary web based system running on Oracle with approximately 500 DRTS users.

DTTS – Driver theory testing system

The DTTS is used for theory testing prior to the issuing of a provisional driving licence at 6 of the DRTS driver testing centres.

It is a web based system employing ASPX.net and Visual Studio and has approximately 200 DRTS users.

Interfaces

Several interfaces are in use or envisaged and it is not clear whether from which of the above systems these interfaces have been or will be established:

- GABS – Government Account and Budget System
- National Registration System (Botswana ID)
- Asycuda (customs system)
- Criminal Case Register (Botswana Police Service)
- Mobile Query (Botswana Police Service) and Transport Inspectors

1.1.7.2 Registration of vehicles

Similar to the practice followed by most of the SADC members, a single vehicle registration document (registration book) is issued in Botswana which records both the owner and vehicle details. Vehicle registration is performed on the VRLS by DRTS at any of its 30 offices.

Before an imported vehicle can be registered in Botswana,

- customs clearance has to be issued by Botswana Unified Revenue Authority (BURS), which is recorded electronically on the VRLS, and

- Police clearance has to be issued by the Botswana Police Service, which is a manually completed document.

When the VIN number of the imported vehicle is captured on the VRLS, the customs clearance is validated online with BURS and the vehicle particulars already captured by BURS are populated on the VRLS. The application form in Figure 4 is only used for the first registration or in the case of a built-up vehicle. Upon payment of the registration fees, a registration book is printed from the VRLS.

A number plate is assigned and linked to the VIN of the vehicle for the life of the vehicle. No personalised plates are issued in Botswana. Number plate manufacturers are licensed by DRTS and the vehicle owner has to submit his registration book and ID document to such licence manufacturer to obtain a number plate.

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REPUBLIC OF BOTSWANA, Department of Road Transport and Road Safety

MOTOR VEHICLE REGISTRATION BOOK No. 42368866 R.V.10

Registration Number: [REDACTED]

Vehicle Details:

Make: TOYOTA
 Model: FXI DA 110
 Body Type: TRUCK
 Colour: WHITE
 Year of Manf: 1988
 Chassis No: DA110117263E
 Engine No: MB01012SA049907T
 Engine Capacity: 5675
 Fuel Used: PETROL
 Number of Axles: 2
 Unladen Weight: 4330
 Gross Weight: 12000
 First Registered: 05-MAY-1989
 Prev.Reg.No.: BD2669C

Current Owner Details:

Owner Date: 03-NOV-2016
 ID Number: 479510600 Botswana Citizen
 Name: [REDACTED]
 Postal Add: BOX 1224 MOGODITSHANE
 Physical Add: Plot No 8639 MOGODITSHANE
 Fin. Interest:
 Loan Date:

Previous Owner Details:

Name: KINGPIN TRAILER SPARES (PTY) LTD
 Postal Add: BAG 10149 GABORONE
 Prev Owners: 10

CHANGE OF OWNERSHIP R.V.2

New Owner (See Instructions)

Category and Owner ID (Tick where applicable, Remark: Other includes minors, diplomats, missions, foreign companies and societies):

Citizen of Botswana ID (Oman) No: _____

Expatriate Residence Permit Number: _____ Exemption Certificate Number: _____
 Passport Issuing Country: _____ Passport Number: _____

Company No: _____ **Government** No: _____ **Parastatal** No: _____

Other Specify: _____ Number: _____ Country: _____

Financial Institution: _____ Date of Loan: _____

Full Name (Surname Underlined): _____

Physical Address: _____

Postal Address: _____

Date of Transfer of Ownership: _____

Current Owner's Declaration and Signature: _____
 I have now transferred ownership to the above.

New Owner's declaration and signature: _____
 I am the lawful owner of the above vehicle and the information I have given above is true to the best of my knowledge and belief.

CHANGE OF PARTICULARS (See Instructions)

Specify Particulars: _____ Changed To: _____

REPUBLIC OF BOTSWANA, Department of Road Transport and Road Safety

Received From: KULUBE RAYMOND

As owner of vehicle: B510AAL the sum of : P0 for: AMEND VEH. DETAILS FEE

Registration Book No: 42368866 Registration Office: ROAD TRANSPORT & SAFETY (HQ) Date: 04-NOV-2016
 (V6.001 RV10.rdf) (Revision 1)

Figure 4: Vehicle Registration Book

Change of ownership is performed using the registration book as application as the name of the buyer is recorded in the registration book and both the seller and the buyer signs the registration book before submitting same to DRTS. Upon recording the change in ownership on the VRLS, a new registration book is printed in the name of the buyer.

1.1.7.3 Licensing of vehicles

The licensing of vehicles is performed on the VRLS by DRTS at any of its 30 offices. A limited service of annual vehicle licence renewal is offered at a further 14 post offices.

The annual vehicle licence fees are based on the tare (unladen mass) of the vehicle and the licence expires on an annual basis. Penalties are charged in the event of late renewal (after the licence already expired). A Road Safety Levy is collected with every licence renewal. Examples of such discs are shown in Figure 5 below.

13599617 4	13599617 4
REPUBLIC OF BOTSWANA, Department of Road Transport and Road Safety	
MOTOR VEHICLE LICENCE	
No. 42368867	R.V.6
Registration Number: [Redacted]	
Date of Issue: 04 [Redacted]	Issuing Office: ROAD TRANSPORT & SAFETY (HQ)
Date of Expiry: 31 JAN 2013	
Vehicle Details:	
Make: TOYOTA	Owner Details:
Model: FXI DA 110	Number: 479510600 Botswana Citizen
Body Type: TRUCK	Name: [Redacted]
Unladen Weight: 4330	Postal Address: BOX 1224
Colour: WHITE	MOGODITSHANE
Chassis Number: DA110117263E	Physical Address: Plot No8639
Engine Number: MB01012SA049907T	MOGODITSHANE
Prev. Regn. No.: BD2669C	

INSTRUCTIONS
This vehicle has been allocated with the new format of registration number. A motor vehicle or trailer shall not be used on a road unless there is fixed onto the vehicle in the prescribed manner, the prescribed number of identification plates of the prescribed design and colour on which is inscribed the registration number of the vehicle

RECEIPT	
REPUBLIC OF BOTSWANA Department of Road Transport and Road Safety	
Received From	KULUBE RAYMOND
As Owner of Vehicle B510AAL	
the sum of	P 0
Being:	AMEND VEH. DETAIL FEE P 0
Licence 42368867	
Office: ROAD TRANSPORT & SAFETY (HQ)	
Date: 04 NOV 2016	
(V8.013 RV6.rdf)	(Revision 1.4)

This licence disk must be attached to the inside of the windscreen in a position where it is clearly visible to a person standing in front and to the left of the vehicle
Cut along the circumference of the circle

<p>Republic of Botswana ROAD TRANSPORT & SAFETY</p> <p>Licence No. 42368867</p> <p>Reg. No. [Redacted]</p> <p>Chassis No: DA110117263E Engine No: MB01012SA049907T Make: TOYOTA Model: FXI DA 110 Colour: WHITE</p> <p>Valid until end of JAN 2013</p>
--

Figure 5: Vehicle licence disc issued by DRTS

The licence of a vehicle above 3 500kg cannot be renewed if a valid Certificate of Roadworthiness cannot be shown to the licensing officer. DRTS intends to establish an interface between the VRLS and TP System on which the Certificate of Roadworthiness is reorded and printed to enable online verification without having to trust the document presented by the applicant (see Figure 1 for an example of the Certificate of Roadworthiness) which could be easily falsified, but it is not clear when such interface will be established.

1.1.7.4 Registration of Operators

DRTS performs the issuance of domestic operator permits at 13 offices. On advice of the Transport Advisory Boards which have been appointed to adjudicate on permit application in their respective identified geographical areas of Botswana, DRTS can either approve or disapprove the application. A wide range of permits are issued for the transportation of goods and passengers, amongst others the following:

- BA permit - permit used to convey goods, it is an annual permit
- BS permit - permit used to convey goods, it is a single trip permit used by operators who convey goods for a single trip on a commercial motor vehicles.
- TA permit - Transit annual permit, used to convey goods and it is usually awarded to foreign registered vehicles which will be operating on transit through the country for a period exceeding 90 days.
- TS permit - transit single trip also used to convey goods on a single trip on transit through the country.
- P Permit - a permit that is used to convey passengers that includes:
 - Own account permit: issued to operators who are to convey passengers for their own institutions i.e. churches, societies, organizations as staff transport
 - Scheduled operation permit issued to bus operators who will convey passengers for hire or reward
 - Local operation permit issued to taxi and minibus operators who will convey passengers for hire or reward
 - Tour operator issued to operators who provide services for tours, for hire or reward
 - School bus issued to operators to transport students

The goods permits are not route based but the passenger permits but for local taxis (small cars) are route based.

DRTS also performs the registration of cross border operators and issues SACU and bi-lateral permits to such operators.

All operator permit applications, domestic and cross border, are gazetted for public comment in Botswana.

The operator registration process in Botswana is not in compliance with the proposed provisions of the MCBRTA and will require considerable change when the MCBRTA is signed and is implemented in Botswana.

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Ministry of Transport and Communications
 Department of Road Transport and Road Safety
 Private Bag 0054 Gaborone
 Tel: 3688600 , 0800 600 830 Fax: 3900930
 www.transport.gov.bw

Passenger Transport Permit

Permit No: **P000004542TXA**

Transport Operator Details:
 P. Holder Name: [REDACTED]
 P. Holder ID: NBW/311711609 Holder Type: Individual
 Postal Address: P.O. Box 1988, Mochudi
 Physical Address:
 Phone Number:

Transport Permit Details :
 Permit Type: **Passenger Transport Permit**
 Permit Sub Type: (TXA)M
 Valid From: 13-AUG-2016 Valid To: 12-AUG-2017
 Route/ Zone: **Mochudi**

Transaction Control No. : 10229235

Vehicle Details: [REDACTED]
 Vehicle No. : [REDACTED]
 Country Of Reg.: BOTSWANA
 Make: TOYOTA
 Model: COROLLA
 Body Type: SEDAN
 Unladen Weight: 1000 Kg
 GVM: 1500 Kg
 Seating Capacity: 5
 Standing Capacity: 0

DEPARTMENT OF ROAD TRANSPORT AND ROAD SAFETY
 REGISTRATION AND LICENSING
 Official Stamp
 Date of Issue: 13-AUG-2016 11:46:41
 12 AUG 2016
 SIGNATURE OF CONTROLLER

This receipt forms part of the permit and needs to be produced on demand to the authorised office and submitted in original at the time of renewal

RECEIPT

Department of Road Transport and Safety
 Transport Operator: MAKETE RABOBO

The sum of: BWP	200
TP Appl. Fee - P	100
P-Permit: Domestic Operations	100

Permit No. : P000004542TXA
 Permit Sub Type: M

Office : DRTS-OLD SUPPLIES
 Issuing Officer : Annah Modise

Signature of Issuing Officer

Date of Issue: 13-AUG-2016 11:46:41 AM
 Transaction Control No. : 10229235

This token must be attached to the inside of the windscreen in a Position where it is clearly visible to a person standing in Front and to the left of the vehicle. Cut along the Triangle Circumference.

RTS 6
 BOTSWANA
 P No.: P000004542TXA
 Valid until: 12-AUG-2017
 Make: TOYOTA
 Reg. No.: [REDACTED]
 Model: COROLLA
 Engine No.: 5AH568533
 Chassis No. AE1105333368
 Date Issued: 13-AUG-2016 11:46:41 AM
 Endorsement: Mochudi

Transaction Control No. : 10229235
Issuing Officer: [Signature]

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13355874 9

Figure 6: Operator Permit issued by DRTS

1.1.7.5 Offence and Accident Register

Although the Botswana Police Service has a Crime and Criminal Recording computerised system, no real time computerised system dedicated to road traffic law enforcement and capable of administering demerit points, is currently used in Botswana. Both officers of the Botswana Police Service and the DRTS

transport inspectors issue handwritten notices to drivers, the copies of which are submitted to the office for record keeping.

Accidents are reported to the Botswana Police Service who attend to the scene of an accident and maintain statistical information of the number of accidents and fatalities that have occurred. Accident statistics are published on the police website, but these are not up to date and the most recent statistics published from the Traffic Headquarters Registers relate to 2013.

1.1.7.6 Summary

The status quo in respect of the computerised systems and registers currently operational can be summarised as follows:

No	Register	Computerised System
1	Vehicles	VRLS system in use for registration and licensing, registration book and licence disc printed by the system, but vehicle roadworthiness is performed on a separate system without any integration.
2	Vehicle fitness	TP system in use, but not integrated with automated test equipment and test results together with manual inspections performed by examiners are captured by the users. Prints A4 sized Roadworthiness Certificate but no disc to be displayed on vehicle.
3	Drivers and professional drivers	DLS system in use for over the counter printing of DL cards, but manually completed provisional driving (learner) licences without photograph of holder and PrDP booklets without any security features.
4	Driving Codes	SADC codes are not compliant with the baseline requirements.
5	Driver Training	Formal driver training by driving school for practical driving is required, but not for theory training.
6	Operators	TP system in use for domestic and cross border permits, but not compliant with baseline requirements.
7	Overloading	Only one weighbridge is computerised, but not compliant with baseline requirements.
8	Law Enforcement	No real time computerised system dedicated to the administration of road traffic offences is used. Statistics published by Botswana Police Service are dated.
9	Online Processing from all Offices	Only vehicle registration and driver licensing are performed online. Only one weighbridge is computerised. PrDP is handwritten. Operator permits are issued at central office. Offence notices are handwritten at roadside and subsequently captured on the criminal case register by the Botswana Police Service.
10	Online System Integration	No integration between vehicle register and system for roadworthiness. No integration between driver register and driver theory testing system. No integration from operator register to vehicle or driver registers

1.1.8 Cross-Border Transportation

1.1.8.1 Corridor Management

The major trade corridors traversing Botswana are the following (see Figure 7):

- North South Corridor
- Trans Kalahari Corridor

Apart from the work performed by the Walvis Bay Corridor group, the Trans Kalahari Corridor has a well-established Secretariat for managing the corridor operations while work is on-going to establish the same for the North South Corridor. The MOU for the North South Corridor is being finalised for the Ministers to sign..



Figure 7: Major trade corridors traversing Botswana

1.1.8.2 Cross-Border Permits & Customs Procedures

Since all foreign goods and passenger vehicles participating in cross border transportation are required to have permits in terms of SACU or bilateral agreements, no operator registration or "temporary importation permits" in respect of such vehicles are required by Customs Services of the Botswana Revenue Authority.

The information in respect of foreign vehicles, drivers and operators will be accessible on TRIPS to law enforcement officers and DRTS. It is therefore suggested that Customs Services may also access and verify particulars relating to foreign operators, vehicles and drivers (if the need arises) on TRIPS.

1.1.9 Regional Weighbridges

1.1.9.1 Location

The RWBLP identified a new regional weighbridge where currently there is no weighbridge at:

- Palapye on the North-South Corridor – see Figure 8, and
- Kang on the Trans Kalahari Corridor – see Figure 9.

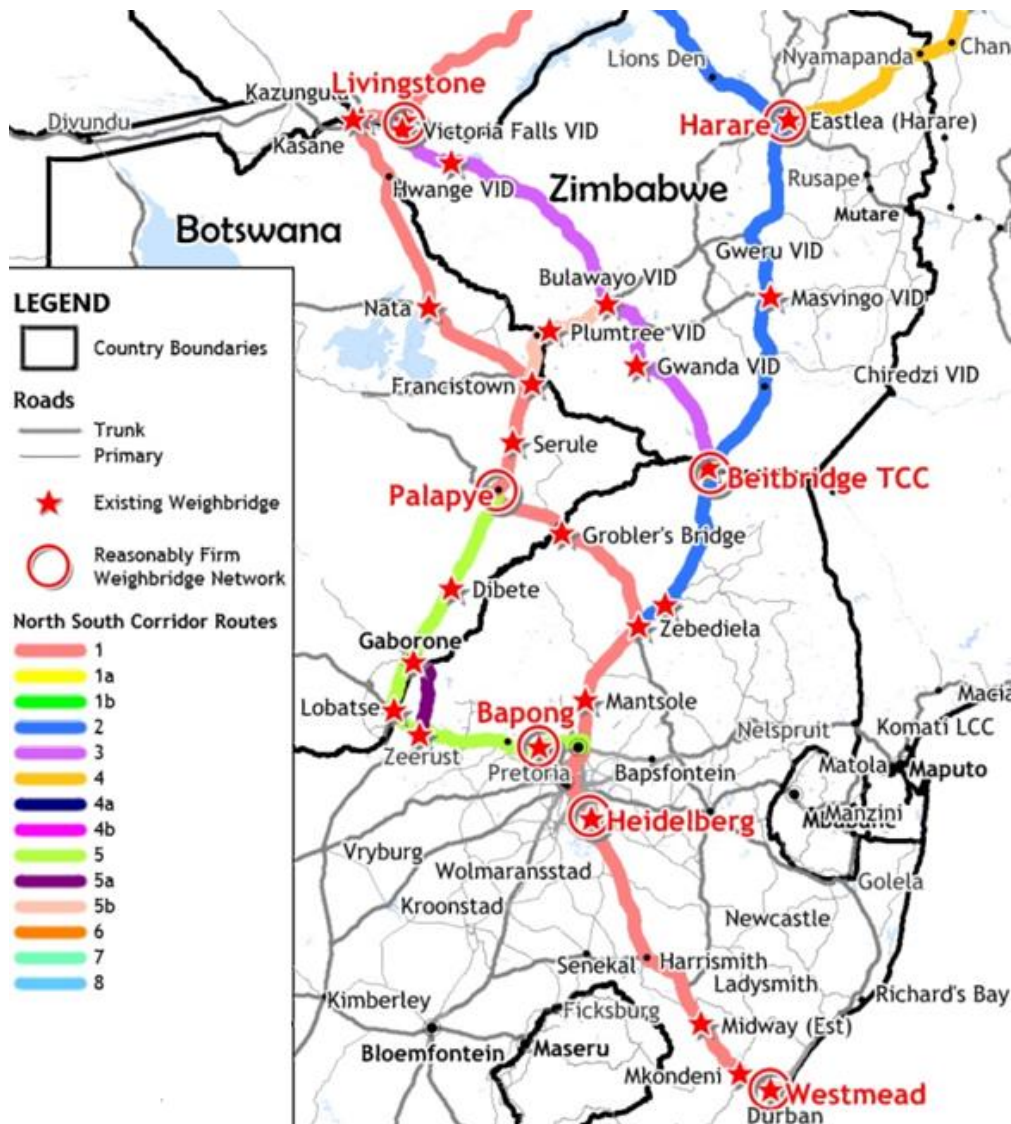


Figure 8: North South Corridor

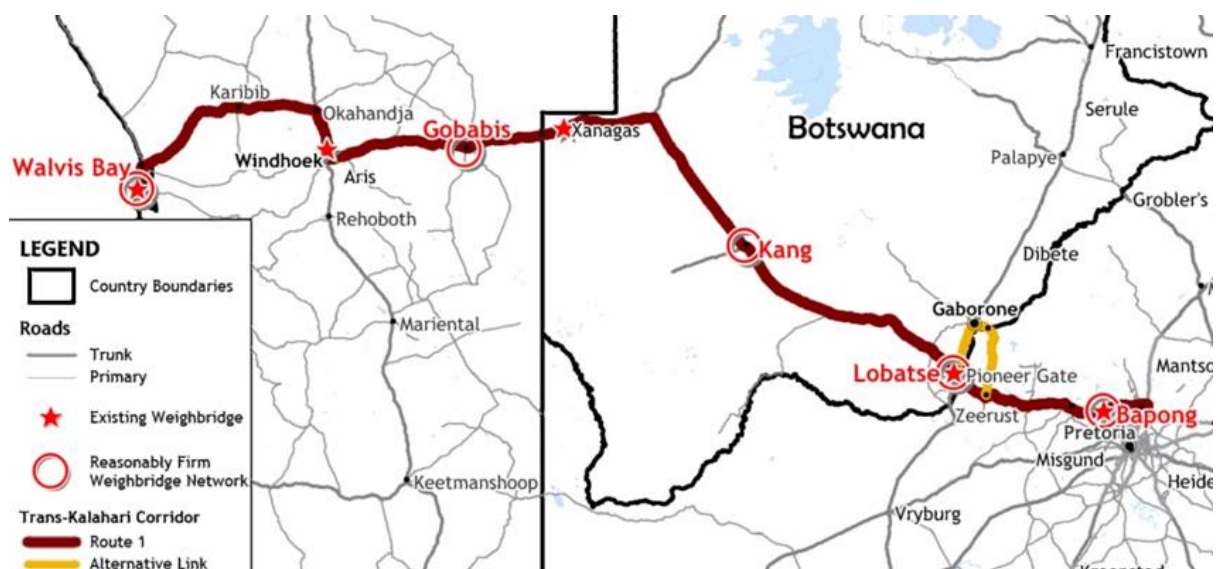


Figure 9: Trans Kalahari Corridor

1.1.9.2 Design

Dibete is the only weighbridge with a computerised system in Botswana. At all the other weighbridges, the axle mass loads and gross mass is simple read from the scale display by the staff operating the weighbridge. Law enforcement is performed by Roads staff members and the fines imposed have to be paid before the vehicle is permitted to leave the weighbridge, failing which the vehicle is impounded.

None of the current weighbridges are compliant with the standards stated in the RWBLP. It is also recommended that the location and number of weighbridges be reviewed in accordance with the principles in the RWBLP (see paragraph 1.1.3) and it is recommended that the design of the weighbridges that continue to be operated, be reviewed accordingly.

The RWBLP identified the upgrading of the existing weighbridge at Lobatse in accordance with the design criteria in the RWBLP.

1.1.10 Third Party Motor Vehicle Insurance Schemes

1.1.10.1 Domestic

The Motor Vehicle Accident Fund in Botswana was established in terms of the Motor Vehicle Accident Fund Act, 1998 and is funded from the fuel levy. Cover in terms of the Act is strictly restricted to injury or death as a result of negligent driving in Botswana.

1.1.10.2 Cross-Border

Botswana has not acceded the Yellow Card Scheme of COMESA as recommended by the Tripartite.

ANNEXURE A: LIST OF PARTICIPANTS

1 REPUBLIC OF BOTSWANA

This report relates to the visit performed by the Legal and IT Experts from 2 to 3 June 2016. Interviews were held with the officials as indicated in the following table.

Name	Institution	Contact Details
Kefalotse Tsalaile Mmese, Chief Economist	Ministry of Transport & Communications	kmmese@gov.bw
Bokhutlo Modukanele Acting Director	Department of Road Transport & Safety (DRTS)	mbokhutlo@gov.bw 3688600
Godwin Tlhogo Acting Deputy Director	Department of Road Transport & Safety (DRTS)	gtlhogo@gov.bw 3688600
Janet Wright Principal Transport Officer	Department of Road Transport & Safety (DRTS)	jwright@gov.bw 3688648
Goaletsa Berman Transport Officer	Department of Road Transport & Safety (DRTS)	gberman@gov.bw
Gaone Kesenye	Department of Road Transport & Safety (DRTS)	gkesenye@gov.bw 3905422
Kgakgamatso Kalasi	Department of Roads	kmatu@gov.bw
Moilwe Setshedi IT Manager	Department of Road Transport & Safety (DRTS)	msetshedi@gov.bw 3901322
Karabo Mogapi IT	Department of Road Transport & Safety (DRTS)	kfmogapi@gov.bw 3688616
Neil P. Fitt	Ministry of Transport & Communication (HQ)	nfitt@gov.bw
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