FEEDBACK TUTORIAL LETTER

2nd SEMESTER 2019

ASSIGNMENT 2

TRAFFIC AND TRANSPORTATION LAW

TTL621S
ASSIGNMENT 02

Learning Outcomes:
At the completion of this assignment the following outcomes shall be attained:

- Apply legislation pertaining to the controlling of operators.
- Discuss the regulatory framework governing the transportation of abnormal and dangerous goods by road, air, rail and sea.
- Identify offences related to the transportation of abnormal and dangerous goods.

PLEASE NOTE: A student should answer in his/her own words. IF A STUDENT’S ANSWER CORRESPONDS WORD FOR WORD OR MOSTLY WITH THE MEMORANDUM AND/OR STUDY MATERIAL AND/OR ANY OTHER SOURCE, IT MEANS THAT THE STUDENT HAS COPIED FROM A SOURCE. IT IS REGARDED AS PLAGIARISM AND A MARK OF ZERO WILL BE GIVEN.

QUESTION 1

Briefly answer the following questions USING YOUR OWN WORDS:

NOTE: Answers copied directly from any source will not be marked. Please watch the mark allocation: for two marks you need not write more than two lines!

1.1 When will a vehicle / load be classified as “abnormal”?
- When its dimensions do not comply
- With the maximum dimensions as detailed in the RTTA

1.2 Which procedures must an operator follow before transporting an abnormal load on a public road?
- Apply to the Roads Authority
- for an exemption permit
- The application must be accompanied by a sketch
- Pay the required fee

1.3 Why it is important to establish the identity of the operator?
- Operators must comply with their duties.
- in certain instances an operator can be held vicariously liable for acts or omissions of their employees
1.4 Identify the symbol below and briefly describe its properties.

![Radiation symbol]

1.5 List the categories for which operator cards can be issued.

- Goods vehicle category - marked with the letter "G";
- Passenger vehicle category - marked with the letter "P"; and
- Dangerous goods vehicle category - marked with the letter "D".

1.6 With regard to the transportation of dangerous goods, distinguish between the consignor and the consignee.

- The consignor offers dangerous goods for transport
- The consignee receives such dangerous goods

QUESTION 2

Discuss 5 (five) duties of the operator as contained in the Road Traffic and Transportation Act 22 / 1999.

- No model answer. The duties of the operator are contained in Section 64 of the RTTA. Students must explain the content of the duty AND indicate why the operator has this particular duty. No marks are to be allocated for answers copied directly from the RTTA.
QUESTION 3

Answer the following questions:

3.1 Why is fuel classified as “dangerous goods”? (4)
   - Fuel is a flammable liquid / can catch fire easily
   - It poses a substantial risk of significant harm
   - to people, the environment and infrastructure
   - if not handled properly.

3.2 A “competent authority” is charged with the enforcement of the regulations governing the transportation of dangerous goods. Who is the “competent authority” in Namibia? (1)
   - Roads Authority

3.3 One of the documents that you must have in your vehicle at all times is a Tremcard. What is this? (4)
   - A tremcard is a Transport Emergency Card.
   - A document that contains information regarding the hazards of the transported material,
   - and emergency information on the material
   - which is essential for the driver or emergency services in the safe management of an incident.

3.4 You are charged with driving a tanker that contains both petrol and diesel. What is this type of load called? (1)
   - Multiload

3.5 On route from Walvis Bay to Windhoek an incident occurs and you are stopped by a dangerous goods inspector. What is an “incident”? (3)
   - An unplanned event
   - during transportation or storage
   - that causes leakage or spillage.

3.6 What are the requirements for somebody to be appointed as a dangerous goods inspector? (2)
   - He/she must be a traffic inspector
   - who must be trained in the transportation of dangerous goods
QUESTION 4

In each of the following instances, indicate whether the vehicle / load will be considered an abnormal vehicle / load. Motivate your answers in full with reference to the applicable regulations.

4.1 An empty motor vehicle carrier (which is not an articulated motor vehicle) that is 12 metres long and 4 metres high.
   - Length: Regulation 240(f) – Maximum 12.5 metres
   - Height: Regulation 243 (b) – Maximum 4.3 metres
   - Not abnormal

4.2 The same motor vehicle carrier referred to in Question 4.1 above; fully loaded. The total height is 6 metres.
   - Height: Regulation 243 (b) – Maximum 4.3 metres
   - It exceeds the maximum height
   - Abnormal

4.3 A breakdown vehicle that is 10 metres long, towing a SUV that is 4.5 metres long and a caravan that is 10 metres long.
   - Length: Regulation 240(g) – Maximum 22 metres (Total length = 24.5 metres)
   - Combination of vehicles: Regulation 241(1)(b) – Maximum one motor vehicle drawing one other vehicle
   - Neither of the above regulations apply to breakdown vehicles
   - Not abnormal

TOTAL FOR ASSIGNMENT: 50 MARKS

END OF ASSIGNMENT 02