

## RANKING SPACE ALLOCATION POLICY

ITEM B-RT (01-2014) MC 14/05/2014	TRANSPORT PLANNING AND PROVISION DEPARTMENT: RANK SPACE ALLOCCATION POLICY
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### RESOLVED:

1. **That** the report of the Department: Transport Planning and Provision regarding the Management Agreement on Ranking Facilities, Policy on the Ranking Space allocation within the Public Transport Facilities and Public Passenger Road Transport Municipal by-laws **BE NOTED**.
2. **That** permission **BE GRANTED** to enter into a Management Agreement on Ranking Facilities.
3. **That** the Policy on the Ranking Space allocation within the Public Transport Facilities **BE ADOPTED** as a Council Policy.



**Ekurhuleni**

METROPOLITAN MUNICIPALITY

**Policy on the Ranking Space allocation  
within the Public Transport Facilities**

**March 2014**

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## 1. DEFINITIONS

**“ACSA”** means the Airport Company of South Africa;

**“bus”** means a motor vehicle designed or modified to carry more than 35 persons, including the driver;

**“authorised officer”** means— a member of the South African Police Service, including a member of a municipal police service as defined in [section 1](#) of the South African Police Service Act, 1995 ([Act No. 68 of 1995](#));

**“by-law”** means legislation passed by the council of a municipality binding in the municipality on the persons to whom it applies;

**“charter service”** means a public transport service operated by road involving the hire of a vehicle and a driver for a journey at a charge arranged beforehand with the operator, where—

- (a) neither the operator nor the driver charges the passengers individual fares;
- (b) the person hiring the service has the right to decide the route, date and time of travel; and
- (c) the passengers are conveyed to a common destination, and includes vehicles hired with drivers contemplated in [section 67](#) of the National Land Transport Act;

**“CITP”** means Comprehensive Integrated Transport Plans by the council as per the NLTA;

**“continuous offences”** means being convicted for the contravention of this By-law on more than three occasions within a period of 12 months;

**“Council”** means the Municipal Council of the Ekurhuleni Metropolitan Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) read with section 155 of the Constitution or its successor in title and any committee or person to which or to whom an instruction has been given or any power, function or duty has been delegated or sub-delegated in terms of, or as contemplated in, section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

**“commercial service contract”** means an agreement concluded between a contracting authority and an operator in terms of [section 43 of the NLTA](#), and in terms of which the operator—

- (a) is to operate a public transport service provided for in an integrated transport plan; and
- (b) does not receive any subsidy or other financial support from any organ of state except, where applicable, a subsidy in respect of concessionary fares;

**“commuting”** means travelling daily between home and work by means of a public transport service, and “commuter” has a corresponding meaning;

**“Constitution”** means [the Constitution](#) of the Republic of South Africa, 1996;

**“contract”** means a subsidised service contract, negotiated contract or commercial service contract;

**“contracting authority”** means—

- (a) the Department;
- (b) a province, subject to [section 11 \(6\) of the NLTA](#); and
- (c) a municipality, subject to [section 11 \(2\)](#) and [\(5\)](#) of the NLTA;

**“council”** means the Ekurhuleni Metropolitan Municipality (EMM);

**“courtesy service”** means a service provided by or on behalf of an organization such as an hotel, which is not an operator, for its customers or clients, either by means of its own vehicle or the vehicle of an operator in terms of an agreement with that organisation, with no direct charge to the passengers;

**“Cross-Border Act”** means the Cross-Border Road Transport Act, 1998 ([Act No. 4 of 1998](#));

**“cross-border road transport”** means cross-border road transport as defined in [section 1](#) of the Cross-Border Act;

**“delegating authority”**—

- (a) in relation to a delegation of a power or duty by a municipal council, means the municipal council; or
- (b) in relation to a sub-delegation of a power or duty by another political structure, or by a political office bearer, councilor or staff member
- “eNaTIS”** means the Electronic National Traffic Information System controlled by the national Department of Transport, or any similar replacing system;
- “framework”** means an outline for the structure within and the form according to which a plan, policy or strategy is determined and developed;
- “facility”** means a rank, terminal, parking space and a similar facility provided by the Council for use for public transport purposes;
- “GPRE”** means Gauteng Provincial Regulatory Entity;
- “holder”** means the holder of an Operating License or permit;
- “inspector”** means an inspector appointed under [section 86](#) of the NLTA;
- “integrated development plan”** means the integrated development plan which, in terms of [Chapter 5](#) of the Systems Act, must be prepared by a municipality;
- “interprovincial service”** means a public transport service operating between two or more provinces;
- “intraprovincial service”** means a public transport service operating within the boundaries of a province;
- “land transport”** means the movement of persons and goods on or across land by means of any conveyance and through the use of any infrastructure and facility in connection therewith;
- “Joint-venture”** means two or more associations entering into a mutual written agreement regarding the sharing of a common route or facility; which is endorsed by the Gauteng Regulation Entity (GPRE) as well as the council;
- “long-distance service”** means a scheduled or unscheduled public transport service, other than a service for commuting, that is provided beyond the boundary of the area covered by an integrated transport plan, where passengers are charged fares individually, as contemplated in [section 65](#) of the NLTA;
- “metered taxi service”** means a public transport service operated by means of a motor vehicle contemplated in [section 66](#) of the NLTA which—
- (a) is available for hire by hailing while roaming, by telephone or otherwise;
- (b) may stand for hire at a rank; and
- (c) is equipped with a sealed meter, in good working order, for the purpose of determining the fare payable, that is calibrated for such fare or complies with any other requirements applicable to such meters;
- “midibus”** means a motor vehicle designed or modified solely or principally for conveying more than 16 but not more than 35 persons, including the driver, and for the purposes of the National Road Traffic Act is a type of sub-category of bus;
- “minibus”** means a motor vehicle designed or modified solely or principally for conveying more than nine but not more than 16 seated persons, including the driver;
- “minibus taxi-type service”** means an unscheduled public transport service operated on a specific route or routes, or where applicable, within a particular area, by means of a motor car, minibus or midibus;
- “Minister”** means the Minister responsible for transport in the national sphere of government;
- “municipal entity”** means a municipal entity as defined in [section 1](#) of the Systems Act;
- “municipality”** includes all types of municipalities contemplated in [section 155](#) of [the Constitution](#);
- “municipal operator”** means a municipality or municipal entity which operates a public transport service;
- “municipal public transport”** means public transport contemplated in [section 11 \(1\) \(c\)](#) and any other function assigned to the municipality under [section 11 \(2\)](#) or [\(3\)](#);

**“National Land Transport Strategic Framework”** means the National Land Transport Strategic Framework contemplated in [section 34](#) of the NLTA;

**“NLTA”** means the National Land Transport Act (Act no. 5 of 2009);

**“National Road Traffic Act”** means the National Road Traffic Act, 1996 ([Act No. 93 of 1996](#)), and includes regulations made under that Act;

**“negotiated contract”** means a contract contemplated in [section 41 \(1\)](#) of the NLTA;

**“non-contracted service”** means a public transport service other than one operated in terms of a commercial service contract, subsidised service contract or negotiated contract;

**“operating license”** means a license required by [section 50](#) of the NLTA and granted and issued in accordance with that Act or the Transition Act;

**“operator”** means a person carrying on the business of operating a public transport service in possession of Operating License and a vehicle authorised to ferry passengers for reward;

**“permit”** means a public road carrier permit issued in terms of the Road Transportation Act, 1977 ([Act No. 74 of 1977](#)), or another law predating the Transition Act and recognised as valid by the Transition Act, and which is in force and has not yet been converted to an operating license on the date of commencement of this Act;

**“planning authority”** means a municipality in relation to its planning functions;

**“provincial department”** means the department within the administration of a province that is charged with public transport matters;

**“Provincial Land Transport Framework”** means a provincial land transport framework contemplated in [section 35](#) of the NLTA;

**“provincial law”** includes a provincial act or regulations made by the MEC under this Act;

**“Provincial Regulatory Entity”** means a provincial regulatory entity contemplated in [section 23](#) of the NLTA;

**“public transport”—**

(i) in relation to the national sphere of government, means the functions mentioned in [section 11 \(1\) \(a\)](#) of the NLTA;

(ii) in relation to the provincial sphere of government, means the functions mentioned in [section 11 \(1\) \(b\)](#) of the NLTA and any other function assigned to the province under [section 11 \(2\)](#) of the NLTA;

**“public transport service”** means a scheduled or unscheduled service for the carriage of passengers by road or rail, whether subject to a contract or not, and where the service is provided for a fare or any other consideration or reward, including cabotage in respect of passenger transport as defined in the Cross-Border Act, and except where clearly inappropriate, the term “public transport” must be interpreted accordingly;

**“public transport modes”** means minibus/midibus/metered-taxis, bus, tuk-tuk, etc.;

**“regulatory entity”** means the National Public Transport Regulator, a Provincial Regulatory Entity, or a municipality to which the operating license function has been assigned;

**“roadworthy certificate”** means a certificate certifying the roadworthiness of a motor vehicle in accordance with the requirements of the National Road Traffic Act;

**“route”** means a route as stipulated in the Integrated Transport Plan of the Council and on which operators may provide a public passenger transport service for reward;

**“scheduled service”** means a public transport service operated by road on a particular route or routes in accordance with a timetable;

**“service”** means a public transport service;

**“special categories of passengers”** means persons with disabilities, the aged, pregnant women and those who are limited in their movements by children;

**“special event”** means a one-off cultural, religious, sporting or recreational event, or any entertainment, conference, exhibition or show;

**“stand licence/rank permit”** means a licence issued in accordance with section 48 of chapter III of Police Services By-Laws and section 2 of part 1 of EMM: Public Transport By-Law.;

**“staff service”** means a public transport service by road provided by means of a vehicle owned by an employer or a vehicle provided by an operator in terms of a contract with the employer, used exclusively for conveying the employer’s employees;

**“Structures Act”** means the Local Government: Municipal Structures Act, 1998 ([Act No. 117 of 1998](#));

**“subsidised”** in relation to services, means a situation where passengers are provided with financial assistance to be able to afford services that they could not otherwise afford or where services are subsidised for other reasons, for example to encourage public transport usage, relieve traffic congestion, or to support land use and transport integration;

**“subsidised service contract”** means an agreement between a contracting authority and an operator to operate a service provided for in an integrated transport plan and in terms of which the operator receives direct or indirect financial support in terms of a tendered contract;

**“systems act”** means the Local Government: Municipal Systems Act, 2000 ([Act No. 32 of 2000](#));

**“taxi association”** means group of people regarded as members with the sole purpose of operating minibus/midibus/metered taxis and/or learner transport operators without looking into making a profit as a group, despite operating transportation for reward.

**“time-table”** means a published document informing passengers of headways (intervals between departures or the passing of vehicles), or times when and places where public transport services are available, indicating at least origin and destination points and significant intermediate locations along the route;

**“transfer”** in relation to an operating license, means a transfer from the holder of the operating license to another person;

**“transport plan”** includes the National Land Transport Strategic Framework, the Provincial Land Transport Framework and an Integrated Transport Plan;

**“travel demand management”** means a system of actions to maximize the capacity of the transport system for the movement of people and goods rather than vehicles, among others, through increasing vehicle occupancy, developing priority measures for public transport, encouraging travel during off-peak periods, shifting demand between modes, restricting the space available for parking, adjusting the price of parking, and other appropriate measures;

**“tuk-tuk”** means a three-wheeled motor vehicle designed or modified solely or principally for conveying not more than three seated persons, including the driver;

**“unscheduled service”** means a public transport service operated by road on a particular route or routes, or, where applicable, within a particular area, without a timetable;

**“user charges”** means municipality may impose user charges, for parking places, or use of rank, stops and terminals by taxis and/or buses;

## 2. INTRODUCTION

This Policy sets out the procedure that should be followed in the council when ranking space is allocated to public transport operators. The Policy is intended to cover all public transport modes, collectively referred to in the policy as public transport operators. However, much of the emphasis of this Policy is on taxis and buses operations since, because of their multiplicity. They tend to have more conflicting interests with regard to ranking/loading space.

The Policy extends to allocation in existing facilities where allocation of space still needs to happen, as well as the new facilities to be provided in future. It also covers, broadly, the regulation approach that should be followed before and after allocation of space has been done, and where the public transport facilities are fully functional.

## 3. OBJECTIVES

The key objectives of this Policy are as follows:

- To ensure fairness, transparency and consistency in the allocation of ranking space to public transport operators within the EMM area;
- To provide clear guidelines that should be followed when space is allocated to operators;
- To minimize and proactively avoid conflicts over ranking facilities;
- To ensure that operators do not illegally use ranking space not allocated to them during and after the allocation process;
- To ensure convenience for commuters;
- To improve the accuracy of the EMM's database on available capacity at the ranks and public transport operators operating within the public transport facilities; and
- to ensure that, no public transport operation should be conducted outside of the public transport facilities, except in the case where, there is no formal public transport facilities.

## 4. BACKGROUND

The Ekurhuleni Metropolitan Municipality is a large municipality which, due to its strategic location, is a major origin and destination that plays a critical role in meeting the socio-economic needs of its local residents, commuters from neighboring municipalities, commuters from other provinces throughout the country, and those from neighboring SADC State Countries. Commuters use all the various public transport modes (i.e. trains, buses and taxis) to travel to and from the EMM area. However, buses and taxis are the modes which are largely used.

This significant utilization of these two modes presents major challenges to the EMM in terms of providing public transport infrastructure, in the form of both roads and proper ranking facilities (holding and loading) for operators. Over the years there has been an increasing demand, especially for ranking (buses and taxis) facilities, and the EMM, with its limited resources, has been unable to meet this demand. The result has been the growth in informal ranks and the subsequent attempt to optimally utilize the current available resources that the Council has, so that as many operators as possible are allocated space in newly developed formal public transport facilities.

However, since there was no Policy to guide this process, the approach used has tended to be flawed and this has caused conflicts between operators and .Thus, being the custodian of ranking facilities, the EMM has a responsibility to ensure that these facilities are not abused and over-subscribed. It has a duty to ensure that operators using these facilities have been allocated



space following proper and fair procedures. It is for this reason that this policy has been developed to ensure that there is openness in the allocation of ranking space and that due process is followed.

## 5. PRIORITISATION OF OPERATIONS AND ALLOCATION OF RANKING SPACE

### 5.1 Critical for consideration

Before an operator is considered for prioritization on ranking space allocation within the EMM public transport facilities, he/she must satisfy the following criteria:

With regard to taxi operators:

- Taxi Associations should be provincially registered with the Gauteng Province Regulatory Entity (GPREG) and/or the Cross-Border Road Transport Agency (CBRTA) and must have been allocated a registration number;
- The members of the Taxi Association must have valid Operating Licenses or permits to conduct taxi operation on a specified routes operating from public transport facilities as recommended by the council, or proof of application while the application for the Operating License is being processed;
- Before an Operator can be allocated a ranking space by the Council, the Association should in writing recommend such members per vehicle; and
- A driver of a vehicle/taxi, to be allocated ranking space, must be in possession certified copies of Driver's License; Professional Driver's Permit (PDP); copy of the Identity Document to conduct taxi operations, in addition to being recommended by the Association in writing.

With regard to non-members:

- Individual operator's, who are not affiliated to any Taxi Association (non-members), should:
  - Be registered with the Gauteng Province Regulatory Entity and appear on the Provincial Register;
  - Have a valid Operating License to conduct taxi operations on a specified routes and public transport facilities as recommended by the council, or proof of application while the application for the Operating License is being processed; and
  - A driver be in possession of a valid certified Professional Drivers Permit (PDP), copy of a valid Driver's License and copy of Identity Document to conduct a public transport operation.

In the event that a Taxi Association has not been registered with the Gauteng Province Regulatory Entity:

- ✧ It must have been registered in another province and its members must have an Operating License to conduct taxi operations on specified routes in the public transport facilities as recommended by the council or proof of application while the application for the Operating License is being processed. They must possess a registration number issued by the Regulatory Entity/Registration Office of that Province;

- ✘ The members of a Taxi Association must be in possession of a valid certified driver's license, copy of identity document and a Professional Drivers Permit to conduct taxi operations;
- ✘ The Taxi Association must have been registered specifically for inter-provincial operations into the Gauteng Province and to a specified destination;
- ✘ A Taxi Association must apply in writing to the EMM for permission to utilize a specific route and public transport facilities; and
- ✘ In case of the concurrencies, the Council will comment accordingly, based on the availability of the ranking space within its public transport facilities.

With regard to non-members:

- Individual operators from other provinces who are non-members of any Taxi Association should:
  - Be registered with the Registration Office of that Province and must appear on that province Register;
  - Have an operating license to conduct taxi operations at the specified ranking facilities as recommended by the council, or a temporary permit while the application for the Operating License is being processed;
  - Driver be in possession of a valid driver's license, a Professional Drivers Permit to conduct taxi operations and with recommendation letter from his/her Association/Company;
  - Be registered specifically for inter-provincial operations into the Gauteng Province and to a specific destination; and
  - An individual operator must apply in writing and attach all relevant documents to the EMM for permission to utilize the public transport facility/taxi rank.

With regard to bus Operators:

- The bus Operator's must be in a possession of an Operating License to conduct bus operations at the public transport facilities as recommended by the council, or proof of application while the application for the Operating License is being processed;
- The bus drivers must have a valid and certified Driver's License, copy of the identity document, a Professional Drivers Permit and a recommendation letter by the Company/Association/Organization to conduct bus operations; and
- The bus Operators must have been registered specifically for inter-provincial operations into the Gauteng Province and to a specified destination as recommended by the council.

In the event that bus operators have not been registered in Gauteng Province:

- They must have been registered in another province and must an Operating License to conduct bus operations at the public transport facilities as recommended by the council, or proof of application while the application for operating license is being processed.
- They must possess a registration number issued by the registration Office / PRE of that Province and should be appearing in the Register;
- The bus drivers must be in the possession of a valid Drivers License, copy of identity document and have a Professional Drivers Permit and a recommendation letter by the Company/Association/Organization to conduct bus operations;

- The bus operators must have been registered specifically for inter-provincial operations into the Gauteng Province and to a specified destination.

All the bus operators must operate in line with the time-table as approved by their Operating Licensing Board as recommended by the council. The recommendation by the council is done during the referral stage before the permit is issued to an operator.

## 5.2 Prioritizing taxi and bus operations

There is a large number of informal public transport facilities/ranks within the EMM area of jurisdiction. Some of these ranks have to be upgraded into proper ranks, whilst others, particularly on-street operations and vacant municipal lands, have to be completely shut-down and operators moved to formal public transport facilities/ranks. However, where operators have to be moved from the streets to formal public transport facilities/ranks, not all of them will be accommodated at the same time in the new ranks and/or existing ranks. Some form of prioritization which will satisfy all the affected operators is therefore required.

With regard to both taxis and buses, the following four-step approach to the prioritization of operators should be followed. This approach is guided mainly by the number of commuters, their travel patterns, frequency of travel and the general impact on traffic flows within the municipality, hence the preferences given in these four steps. For instance, local operators will tend to have more commuters than long distance operators, which means that if left on the streets, local operators could have a very negative impact on the general traffic flow and movement within the municipality. Below are the four-steps:

- 1) The first step is to give preference to local (intra-metropolitan), as opposed to long distance operators;
- 2) The second step is to split the long distance operators into two and priorities as follows:
  - a. Give first preference to operators travelling to neighboring municipalities (inter-metropolitan);
  - b. Give second preference to operators travelling to other provinces and neighboring countries (national and cross-border).
- 3) After categorizing the operators by the distance they travel, the third step is to establish within a particular category the period for which the operators have been operating in an identified area. This essentially gives preference to the operators who have operated in an area for much longer period, based on the reliable proof such as the date in which the permit was issued.
- 4) To ensure that the system is not abused, local operators who have just entered the system will not automatically qualify for ranking space allocation. The Municipality's discretion in which the commencement of the operation and the date of the permit issued should be used to determine whether or not they should be allocated space or whether preference should be given to long distance operators who may have been on the queue for a longer period of time.

### 5.3 Allocating space in existing facilities

After the targeted operators have been identified and prioritized, the next stage is to start a process of allocating space into the public transport facilities in consultation with the relevant Taxi Association/Company/Organization/individual. Taxi Association/Company/ Organization should submit written commence to council for consideration.

- Individual operators from other provinces who are not affiliated to any Taxi Association (non-members) should:
  - Be registered with the Registration Office of that Province and must appear on that province Register;
  - Have an Operating License to conduct taxi operations at the public transport facilities, or a temporary permit while the application for the Operating License is being processed;
  - The driver must be in possession of a certified copy of a valid Driver's License, copy of the identity document and the Professional Drivers Permit to conduct taxi operations and with recommendation letter from his/her Association/Company;
  - Be registered specifically for inter-provincial operations into the Gauteng Province and to a specified destination; and
  - An individual operator must apply in writing and attach all relevant documents to the council for permission to utilize the public transport facility/taxi rank.

With regard to bus operators:

- The bus operator must be in a possession of an Operating License to conduct bus operations at the public transport facilities as recommended by the council, or proof of application while the application for the Operating License is being processed;
- The bus drivers must be in possession of a valid certified Driver's License, copy of the identity document and a Professional Drivers Permit and a recommendation letter by the Company/Association/Organization to conduct bus operations; and
- The bus operators must have been registered specifically for inter-provincial operations into the Gauteng Province and to a specified destination.

In all facilities, the allocation of ranking space to different associations operating the same routes does not mean that the associations should merge. They will be free to continue to operate as separate associations should they wish to. However, where possible, they will be encouraged to merge since they will be sharing the same loading platform and holding for their operations.

The allocation of ranking space should be destination-based to avoid mixing local and long distance operators, i.e. as far as possible, local operators should be allocated their own rank and/or space within a rank and long distance operators should be allocated separately, since these different operations tend to have different needs.

Mentioned below are steps to be followed. These should not necessarily be undertaken in linear fashion but it should be ensured that they are all followed:

- i) Check if all the criteria for considerations in Section 5.1 have been met;
- ii) Verify all the routes and destinations that the operators are registered for;

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- iii) Identify other operators operating the same routes as the operators under consideration. Full assistance and co-operation of these operators under consideration should be sought;
- iv) If the current CIP is up-to-date, use it to check the number of vehicles operating those routes to avoid an over- or under-supply of vehicles, otherwise undertake a survey (preferably on two different days), keeping record of registration numbers;
- v) Verify if the vehicles have a valid Certificate of fitness (CoF);
- vi) Publish the stated intention to allocate ranking space to the targeted operators for possible objections. This will include communicating in writing to the affected taxi structures the intention to allocate space. The objection period will be ten (10) working days;
- vii) If no objection is received, finalize allocation of space in line with [chapter III](#) of the EMM: Police Services By-Laws will be conducted by the council;
- viii) Prepare rank permits (identify stickers) and distribute to the operators in line with [chapter III](#) of the EMM: Police Services By-Laws, and
- ix) Hand-over to an operator for the finalization of the ranking space allocation.

With regard to tuk-tuk operators:

- The tuk-tuk operator/s must be in a possession of an Operating License to conduct tuk-tuk operations at the public transport facilities as recommended by the council, or proof of application while the application for the Operating License is being processed; and
- The tuk-tuk drivers must be in possession of a valid certified Driver's License, copy of the identity document and a Professional Drivers Permit and a recommendation letter by the Company/Association/Organization to conduct tuk-tuk operations.

In all facilities, the allocation of ranking space to different associations operating the same routes does not mean that the associations should merge. They will be free to continue to operate as separate associations should they wish to. However, where possible, they will be encouraged to merge since they will be sharing the same loading platform and holding for their operations.

#### 5.4 Allocating space in new facilities

The process of allocating space in new facilities should be built into the early planning stages for the facility. There should be extensive consultation with operators during the planning and design of the facility so that the users of the facility can be identified.

Some or all of the steps in Section 5.2 above should be followed so that prior to detailed design, an agreement can be reached and signed by the operators that will be eligible to use the facility once it is built.

The detailed design should then proceed based on a clear understanding of the number of vehicles that will be using the facility. In some instances, the municipality may have budgetary constraints that may not allow it to provide a facility with the capacity required at any given time to accommodate all the identified users. Thus the facility may have to be built over a number of years, which will mean accommodating fewer taxis.

With regard to the use of the limited space when the facility is completed, the prioritization exercise mentioned in Section 5.2 must be followed. Alternatively, if all parties agree, the limited space should be shared by all users until the extra capacity required is provided at the public transport facility/rank during future construction. This means that loading of all operators will be moved into the public transport facility/ranks and if there is space for holding, each operator will be allocated 50% of their fleet/taxis/buses so that there is space available for other operators in the loading area.

Should there still be insufficient space to accommodate all operators, the percentage split must be decreased by a percentage to be agreed to by all affected parties. Should there be space capacity after 50% split, then operators should add more vehicles on a percentage breakdown to be negotiated depending on the capacity available.

If all the available holding space has been utilized, the remaining taxis/buses will be allowed to hold temporarily on the streets and/or municipal open land (subject to approval by relevant Council Departments) until more holding space becomes available at the rank. The taxis holding on-street and/or council open land will not be allowed to load and the Ekurhuleni Metro Police Department will ensure through enforcement of this Policy, that taxis found loading are penalized. In line with the above, [section 61](#) of the EMM: Police Services By-Laws should be implemented to penalize the illegal operation.

[section 50](#) of the EMM: Police Services By-Laws, gives the municipality leverage to exercise its rights for the refusal to grant a ranking permit in terms of allocating a ranking space within the public transport facility.

In these facilities, the allocation of ranking space to different associations / companies / organizations operating the same routes does not mean that the associations / companies / organizations should merge. They will be free to continue to operate as separate associations should they wish to. However, where possible, they will be encouraged to merge since they will be sharing the same loading platform and holding area for their operations.

#### 5.5 Allocating space to additional taxis/buses/tuk-tuks (vehicles)

With regard to adding new vehicles and the operation of new routes from the public transport facilities/ranks, the following rules shall apply.

- Only the number of vehicles submitted to council at the time of allocation will be allowed to use the facility. No additional vehicles will be allowed to use the facility after the rank allocation process is done, without prior written permission of the council based on the CITP;
- Only the registered routes submitted to the council at the time of allocation will be operating from the rank. No new routes shall be operated from the facility without prior written permission of the council based on the CITP;
- Operators wishing to operate new routes and introduce additional vehicles into the ranking facilities should apply first in writing to the council for approval;
- Joint-ventures should be communicated in writing to the council and management structures of the public transport facility/rank prior to actual operation;
- Joint-venture operations will still be subject to the final approval of by the council; and

- The formalization and/or approval of joint-venture/s will only be done on registered routes by either party/Association/Company.

## **6 ACCOMMODATING NEWLY REGISTERED ROUTES**

As Ekurhuleni grows, both in existing settlements and with new settlements being developed and declared as townships, there will be an increasing demand for new routes to cater for commuters in these settlements. Similarly, there will be demand for more ranking facilities within the EMM area of jurisdiction.

Where formal ranking facilities and space is not available, the council must identify vacant and available sites where operators of these new routes should be temporarily located until proper facilities are provided. The identification of such sites will be undertaken within the broader context of the CIP and the IDP of the council and subject to approval and support by relevant Departments.

For the council to be able to keep track of new operators entering the public transport system, these operators of new routes must apply in writing to the council for public transport facilities. They will then be placed on a waiting list and be allocated space as and when it becomes available, provided they satisfy all the conditions of allocation as outlined above.

## **7 RANKING SPACE AT OR TAMBO INTERNATIONAL AIRPORT**

The ranking space at OR Tambo International Airport for any mode of transport will be done in collaboration with the Airports Company of South Africa (ACSA), based on the fact that, the said area of jurisdiction is privately owned by ACSA. These also include any application for ranking space at Hotels, Malls/Shops, Casino, Clinics/Hospitals, Civic Centers, etc.

## **8 COMPLIANCE WITH THE POLICY**

To ensure that vehicles (taxis/buses/tuk-tuk) operating in the ranking facilities are vehicles which have been procedurally and legally allocated space, they should always display a rank permit (identity sticker) issued by the Ekurhuleni Metro Police Department in line with [chapter III](#) of the EMM: Police Services By-Laws. This permit should be placed on the bottom right corner of the windscreen. This position will be the position seen from the perspective of the driver's seat.

Vehicles without such a facility permit will not be allowed into the public transport facilities/ranks. In the event of unavailability of such permits from the council at the time of operation, the operators should be in possession of a written letter from the council indicating that the permit will be displayed as soon as it is available. Otherwise operators will not be allowed into the ranks.

Forged permits will not be accepted for entry into the ranks. Forging facility permits violates the council's Policy of providing public transport facilities that will ensure a good quality of service to its residents. It also violates public transport operator's right to access to the ranks and fair treatment. It is therefore considered a serious criminal offense for which severe criminal

prosecution will be instituted against offenders. Such operators found with forged permits maybe permanently forbidden from operating within the municipal ranking facilities.

No person may use a vehicle in a facility within the council, unless a stand licence (identity sticker) has been issued to him/her in respect of such vehicle and which stand licence authorises that person to use the vehicle in any facility within the public transport facilities of the council, regardless of whether that person has obtained a similar licence from any authority outside the council. The stand license sticker will be issued in terms of [chapter III](#) of the EMM: Police Services By-Laws.

## **9 MANAGEMENT OF PUBLIC TRANSPORT FACILITIES**

The management of each public transport facility will comprise of the provincial registered Taxi Associations/Bus Organization or Companies and Hawkers representatives accordingly.

Hawkers/Traders that trade within the ranking facilities must be regulated by the EMM: Economic Development Department. Transport Planning and Provision Department is primarily responsible for the public transport operators/operations in and around as well as within the EMM area of jurisdiction.

Negotiations and planning of the management and maintenance of ranking facilities will be headed by Real Estate Department and Transport Planning and Provision Department together with all users of public transport facility.

The management of the public transport facilities will be participating at the EMM: Local Transport Liaison Committee meetings accordingly with all relevant Departments representatives.

## **10. BREACH OF THE POLICY**

Any person/Operator/Company/Association found contravening this Policy, a 1<sup>st</sup> notice in writing will be issued by the council and if there is no cooperation, a 2<sup>nd</sup> notice will be issued and if no corporation and/or mutual agreement is reached, the 3<sup>rd</sup> notice regarded as the final will be issued with the recommendations to the GPRE for the withdrawal of the permits (OL and Stand License) of such operator/s.

## **11. OPERATIONAL**

- Only loading taxis must occupy the demarcated loading area;
- All taxis waiting to load passengers must be parked in the holding area;
- No taxis shall park on the street, verge of the road or pavement;
- No taxi/vehicle mechanics shall be performed at the rank premises;
- All Vendors or Traders trading in the rank must be registered with the Economic Development Department and trade only in the demarcated areas as allocated.



## **APPENDIX A**

### **RULES APPLICABLE WITHIN PUBLIC TRANSPORT FACILITIES**

The general rules and regulations within the Public Transport Facilities are as follows:

- a) No motor-mechanics or motor/taxi repairs within the public transport facilities;
- b) Within the public transport facilities no dumping of waste/rubble/rubbish (e.g. fruits, papers and/or tins) from taxis or elsewhere will be allowed except in the rubbish bins and/or at the designated areas;
- c) No noise, vulgar language or violence will be allowed in the public transport facilities;
- d) No taxis to be parked at places other than the designated holding and/or loading areas, and contrary to the instructions of the rank and queue marshals per Association/Organisation;
- e) Not to use any articles (e.g. bricks, stones) as a support of stopping/balancing taxis/buses, etc. in the public transport facility/rank;
- f) No urinating in and around the facility, except at the designated area being the ablution facilities provided;
- g) Selling of Alcohol is prohibited within the public transport facilities;
- h) No formal shops/shopping centre/ will be allowed except the hawkers/traders within the allocated stalls;
- i) No spare/parts shops will be allowed and/or allocated within the taxi rank;
- j) Taxis/buses/tuk-tuks to be washed at the washing areas/bays and no other places within the taxi rank;
- k) Drivers and vehicles must be clean before loading passengers to promote cleanliness and the customer care principles;
- l) No sleeping of any person, except for the caretaker/security, is allowed within public transport facilities;
- m) Association representatives must attend the monthly Local Transport Liaison Committee (LTLC) meetings;

The EMM/EMPD/SAPS and Gauteng Community Safety can at any given time enter the public transport facilities to conduct ad hoc inspections, and may inspect any register or book used to record incoming and outgoing vehicles.

The management at all the public transport facilities may accordingly note and forward all queries by any person found contravening any of these rules to the EMM: Transport Planning and Provision Department, of which the Department will record the matter and refer to EMPD/SAPS/Gauteng Community Safety Department accordingly.

**RANCKING SPACE ALLOCATION POLICY**

