



**Chemical and Allied Industries' Association
Road Transportation Workshop
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Municipal Transport Permits Background, Developments and Progress

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Municipal Transport Permits

Municipal By-Law requirements often call for a **Municipal Transport Permits**.

Commonly known as “Fire Permits” on vehicles



Problem Statement

Most major Metropolises require that in terms of Municipal By-laws that:-

- Transport of dangerous goods will be prohibited without permits
- The owner of any vehicle used for transporting dangerous goods, must -
 - (a) be in possession of a valid transport permit issued by the Chief Fire Officer
 - (b) ensure that the transport permit is available in the vehicle for inspection at all times.

Problem Statement

- **Every person who designs, constructs, maintains or repairs any road tanker for the transportation of dangerous goods must -**
 - (a) comply with the provisions of SABS 0189, SABS 1398, SABS 0233, SABS 087-Part 6, SABS 089-Part 1, SABS 0230, and SABS 1518, as the case may be; and (b) ensure that the road tanker in operation is labeled in a manner that complies with the provisions of SABS 0232 and any applicable law.

Problem Statement

- **A transport permit -**
 - (a) may not be issued by the Chief Fire Officer for a period longer than **12 months**;
 - no certificate shall be issued until such **Vehicle** has been **made available for examination** at such place as the **Chief Fire Officer** may direct

Problem Statement

Sounds reasonable?

Actually very problematic due to:-

- **Inconstancies**
- **Outdated By Laws**
- **In conflict with National Road Traffic Act**

Inconstancies

Reference in various By Laws are:

- Road **tanker**....transportation of **hazardous** substances (Tshwane)
- Any **vehicle**.... transporting **flammable** substances (Ekurhuleni)
- Any **vehicle** transporting **dangerous goods** (Johannesburg)
- transport or convey any **Flammable Liquid, substance** or **Liquefied Petroleum Gas** or vapours by means of any **Vehicle** within the **City**. (Durban Interim Code)

Outdated Legislation & Standards

As referenced in most By Laws

- **SABS 0189** – Withdrawn and replaced by SANS 10231
- **SABS 1398** – Withdrawn and replaced by SANS 1518
- **SABS 0233** – Refers to Intermediate Bulk Containers
- **SABS 089**, Part 1 – Petroleum Industry - Not referenced in National Road Traffic Act
- **SABS 0230** – Withdrawn replaced by SANS 10231

Outdated Legislation & Standards

Most troublesome reference is

- **SABS 1398** was replaced by **SANS 1518** in March 2004
- Two standards still being referred in National Road Traffic Act and in most By-Laws
- In conflict with each one another. SABS 1398 applicable to Petroleum-based flammable liquids and SANS 1518 being applicable to all dangerous goods (including so-called petroleum-based flammable liquids).
- Confusion reigns!

Concerns

- Inconsistency of application – does it apply to a tanker or a vehicle?
- Inconsistency of application – does it apply to flammable, hazardous or dangerous?
- Inconsistency in the requirements of the various Fire Departments e.g. Isolator switches, sides on vehicles, fire extinguishers.
- Most Metropole Fire Departments do not all accept each other's "Fire Permits" – therefore must have multiple examinations and permits on a vehicle

Concerns /2

- Long distance deliveries by road could mean two or three firepermits on one vehicle?
- Fleet operators moving fleets between depots, in different centres, must re-certify their vehicles before being put into operation
- Annual Certificate of Roadworthiness (COR) and Fire Permit, separate inspections required – time consuming and costly

Actions - NEDLAC

- Through the Trade & Industry Chamber Business Convenor of NEDLAC: Dr Lorraine Lotter a meeting was arranged at NEDLAC
- NEDLAC – A institution where **Government** comes together with organised **Business**, organised **Labour** and organised **Community** groupings on a national level to discuss and try to reach consensus on issues of social and economic policy. This is called "social dialogue".

Actions - NEDLAC

Meeting at NEDLAC on 1 June 2009 attended by:-

1. Department of Cooperative Governance & Traditional Affairs (Ex DPLG)
2. Department of Transport
3. Department of Trade and Industry
4. Organised Labour
5. Organised Business (BUSA, CAIA, RFA, SAPIA and others)

Actions - NEDLAC

- The problem/s were put to the meeting by Dr Lotter and Richard Durrant
- Department of Cooperative Governance & Traditional Affairs (Ex DPLG) responded positively with a commitment to addressing the problem
- Department of Transport responded that they required three months to consider and respond!

Actions – DoCG&TA

- Department of Cooperative Governance & Traditional Affairs undertook to hold a workshop with all Municipal Fire Departments in July 2009.
- This meeting took place on 15 and 16 July with Business attending on 16 July.
- Durban Fire Department did NOT attend!

Actions – DoCG&TA

It was reiterated that the main concerns around fire permits were:-

- Lack of consistency in application
- Standardized inspection requirements
- Mutual acceptance of fire permits
- Annual renewal inspections

Actions – DoCG&TA

- During the Fire Services deliberations had been concluded that:-
 - The Draft Fire Service Regulations that had been circulated were too wide (and too flawed) and were to be withdrawn and an alternate document issued.
 - It was not feasible to have a generic By Law for all Municipalities. The Constitution gave the Municipalities rights and power to make by laws.

Decisions & Actions – DoCG&TA

- A generic Vehicle Checklist would be created for use by all fire services across the country.
- Fire Permits issued would be accepted by all Municipalities across the country.
- The checklist and requirement for acceptance would be promulgated under the Fire Brigade Services Act, as a regulation and this would give it legal status for implementation by all.

Suggestions – Business

- Business questioned the requirement for a fire permit or a fire service inspection at all.
- Suggested inspections, if required should be done during the annual CoR test at the vehicle testing stations.
- The fire services were reluctant to relinquish this responsibility due to risk posed by dangerous goods vehicles?

Agreed Actions

- Fire permits to remain - short term?
- Inspections to follow generic checklist
- Permits to be accepted by all fire services across the country (incl Durban)
- Committed to having a checklist drafted and circulated to business for comment and input.
- Once agreement had been reached on the contents of the checklist it would go out for public comment and then gazetting.

Conclusion

- There are mixed opinions as to the requirement for Fire Permits?
- Checklist draft is not available as yet and has not been circulated
- Municipal By Laws are to be re written over time to bring them on line with National legislation?
- Not first prize but a reasonable compromise?
- Keep industry posted as to developments!

Thank You / Questions?

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