



**NAMIBIA UNIVERSITY  
OF SCIENCE AND TECHNOLOGY**

**FACULTY OF HUMAN SCIENCES  
DEPARTMENT OF SOCIAL SCIENCES**

<b>QUALIFICATION:</b> BACHELOR OF TRANSPORTATION MANAGEMENT	
<b>QUALIFICATION CODE:</b> 07BTMM	<b>LEVEL:</b> 6
<b>COURSE CODE:</b> TTL621S	<b>COURSE NAME:</b> TRAFFIC AND TRANSPORTATION LEGISLATION
<b>SESSION:</b> NOVEMBER 2022	<b>PAPER:</b> THEORY AND CASE STUDIES
<b>DURATION:</b> 3 HOURS	<b>MARKS:</b> 100

<b>FIRST OPPORTUNITY EXAMINATION</b>	
<b>EXAMINER(S)</b>	Mariette Hanekom Charles Mbeha
<b>MODERATOR:</b>	Ester Kuugongelwa

<b>INSTRUCTIONS</b>
<ol style="list-style-type: none"><li>1. The paper has 7 main questions.</li><li>2. ALL the questions are compulsory.</li><li>3. Read carefully before answering.</li><li>4. Write clearly and neatly.</li><li>5. Number the answers clearly and according to the structure in the examination question paper.</li><li>6. Write full sentences. Candidates will be penalised for incorrect spelling and illegible handwriting, as well as for the inappropriate use of "bullet points".</li></ol>

**ANNEXURE**

None

**PERMISSIBLE MATERIAL**

The Namibian Constitution

**THIS EXAMINATION PAPER CONSISTS OF 7 PAGES** (Including this front page)

### QUESTION 1

Write a short note (approximately 250 words) on the concept of Human Rights and why the study of Human Rights is relevant to the transportation industry.

[10]

### QUESTION 2

Catherine Beckford is a 25-year-old white Namibian woman who was born and raised in Otjiwarongo. She recently graduated with a degree in Transportation Management from the Namibian University of Science and Technology. After seeing a vacant post advertised in a local daily, she applies for a position at the Windhoek Municipality. However, the Head of Human Resources at the Municipality summarily rejects her application on the basis that Local Authorities do not employ white people. Catherine is very upset and posts a TikTok video detailing her experience. Shortly afterwards she receives an irate phone call from the Head of Human Resources demanding that she remove the TikTok “because you may not post about Local Authorities on Social Media”.

**Discuss the above case study with reference to the Namibian Constitution. Refer to the exact Articles that have been infringed.**

*Note: Marks will be deducted for irrelevant references to the Namibian Constitution.*

[10]

### QUESTION 3

Superfuel is a Namibian company that undertakes the distribution of petrol and similar substances across the SADC-region. They offer you employment as driver. You will be tasked with delivering fuel by road from their depot in Walvis Bay to various filling stations belonging to Fuel’A in Namibia and Botswana.

**Answer the following questions:**

- 3.1 Why is fuel classified as “dangerous goods”? (4)
- 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)
- 3.3 Certain categories of dangerous goods may be transported without complying to the regulations regarding the transportation of dangerous goods. List these categories. (4)
- 3.4 What is the minimum age that you must be in order to be appointed as a driver for Fuel’A? (1)

- 3.5 One of the documents that you must have in your vehicle at all times is a Tremcard. What is this? (4)
- 3.6 You are charged with driving a tanker that contains both petrol and diesel. What is this type of load called? (1)
- 3.7 On route from Walvis Bay to Windhoek an incident occurs and you are stopped by a dangerous goods inspector. What is an "incident"? (3)
- 3.8 What are the requirements for somebody to be appointed as a dangerous goods inspector? (2)
- [20]**

#### **QUESTION 4**

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

**[10]**

#### **QUESTION 5**

**Choose a correct answer from the options given in each of the following statements. Only write down the letter with a correct answer for each statement. Use BLOCK CAPITAL LETTERS.**

- 5.1 Pepe is arrested for drunken driving by a Traffic Officer. Pepe requests to see the Traffic Officer's Certificate of Appointment, which the Traffic Officer is unable to produce. **Choose the MOST CORRECT statement.**
- A. The arrest will be valid if the Traffic Officer was never issued with a Certificate of Appointment.
  - B. The arrest will be invalid.
  - C. The arrest will be valid provided the traffic officer is in uniform.
  - D. The arrest will be valid because the Road Traffic and Transportation Act was amended.
- 5.2 May a traffic officer dismantle a vehicle?
- A. Only if he is a qualified motor mechanic or also holds an appointment as a vehicle examiner.
  - B. Only if he is a qualified motor mechanic and also holds an appointment as a vehicle examiner.
  - C. Only if he is in uniform.
  - D. No, never.

- 5.3 What is the difference between the “tare” and the “gross vehicle mass” of a vehicle?
- A. The tare is the mass of the unladen vehicle and the GVM is the maximum permissible mass of the vehicle plus the load.
  - B. The tare is the mass of the unladen vehicle and the GVM is the mass of a fully loaded vehicle.
  - C. The GVM is the mass of the unladen vehicle, and the tare is the maximum permissible mass of the vehicle plus the load.
  - D. The tare excludes the load.
- 5.4 Human Rights are said to be inalienable. This means that ...
- A. They arrived on earth in a spaceship from a planet in a distant galaxy far far away.
  - B. They were created in the Namibian Constitution.
  - C. If we do not use our Rights they will fall away.
  - D. We cannot agree that certain Human Rights will not apply.
- 5.5 One of the strategic goals of the SADC Protocol on Transportation, Communication and Meteorology is:
- A. The management of road transport to ensure that it is undertaken in the most efficient and economic manner to the satisfaction of the users thereof.
  - B. To promote economic and social development in the SADC region.
  - C. The elimination or reduction of hindrances and impediments to the movement of persons, goods, equipment and services between the member states.
  - D. All of these statements.
- 5.6 The SADC Protocol on Transportation is based on two principles. Name these principles.
- A. Sovereignty and cooperation.
  - B. Development and prosperity.
  - C. Independence and partnerships.
  - D. Regional and global character.
  - E. Economic growth and development.
- 5.7 The following are the main transportation corridors that transverse Namibia:
- A. Trans-Oranje Corridor, Trans-Kalahari Highway, Walvis Bay-Ndola-Lubumbashi Development Corridor, Trans-Cunene Corridor.
  - B. South African Corridor, Walvis Bay-Ndola-Lubumbashi Development Corridor, Trans-Cunene Corridor, Trans-Kalahari Corridor
  - C. Trans-Oranje Corridor, Trans-Caprivi Corridor, Walvis Bay-Ndola-Lubumbashi Development Corridor, Trans-Cunene Corridor, Trans-Kalahari Corridor
  - D. None of these answers.

- 5.8 In terms of the Roads Ordinance 17 of 1972, there are certain things that may not be done without prior approval. **Choose the INCORRECT statement:**
- A. Infringe any proclaimed road by erecting any building or structure on such road.
  - B. Wilfully or negligently cause water to run over a proclaimed road.
  - C. Offer or solicit transportation, irrespective of whether such transportation is for reward or not.
  - D. Wilfully or unnecessarily obstruct or endanger the free flow of traffic on a proclaimed road.
- 5.9 Certain pieces of pre-Independence legislation contained provisions that were contrary to the Human Rights guaranteed by the Namibian Constitution. **Choose the CORRECT statement:**
- A. These laws lapsed when Namibia became independent.
  - B. They are still binding today, because all laws that applied to the then Territory of South West Africa before Independence have remained in force.
  - C. Legislation which conflicts with fundamental rights and freedoms protected in the Constitution must be declared invalid and replaced by a competent Court.
  - D. None of these statements.
- 5.10 SADC is the abbreviation for ....
- A. Southern African Development Conference
  - B. Southern African Development Community
  - C. South African Development Community
  - D. Southern African Developing Countries
- 5.11 The purpose of the Geneva Convention on Road Traffic of 1949 is to:
- A. Ensure that all the countries that are part of the Convention have the same transport and traffic laws.
  - B. Promote the development of transportation systems in Namibia.
  - C. Implement standardised traffic and transportation laws worldwide.
  - D. Create international transport law.
- 5.12 **Choose the MOST CORRECT statement:** Major characteristics of a sovereign state are:
- A. A defined territory; a President; independence from other states and powers; and the capacity to enter into relations with other sovereign states.
  - B. A defined territory; the authority to govern itself; a permanent population and the capacity to enter into relations with other sovereign states.
  - C. A defined territory on which the state exercises internal and external sovereignty; a permanent population; a government under the control of a foreign power; independence from other states and powers; and the capacity to enter into relations with other sovereign states.
  - D. A defined territory on which the state exercises internal and external sovereignty; a President; a permanent population; a government, not under the control of a foreign power; independence from other states and powers; and the capacity to enter into relations with other sovereign states.

- 5.13 How does the Roads Authority assist with road safety in Namibia?
- A. By prescribing minimum standards and measures for the management and maintenance of Namibian roads.
  - B. By establishing the National Road Safety Council.
  - C. By way of advertising and awareness campaigns.
  - D. They do not; this is not their job.
- 5.14 Why is it important to establish the identity of the operator?
- A. Non-compliance by an operator with his duties is an offense and the operator can in certain instances be held vicariously liable for offenses committed by his/her employees.
  - B. Non-compliance by an operator with his/her duties is an offense and the operator is vicariously liable for offenses committed by his/her employees.
  - C. An operator has certain duties and is vicariously liable for offenses committed by his/her employees.
  - D. The operator can in certain instances be held vicariously liable for offenses committed by his/her employees.
- 5.15 The following is NOT one of the powers of a traffic officer:
- A. Require the person in charge of a vehicle to provide his name and address.
  - B. Drive any vehicle which is being examined by him or her, provided he or she is licensed to drive a motor vehicle of the particular class.
  - C. Temporarily forbid a person to continue driving and make arrangements for the safe disposal or placement of the vehicle.
  - D. Test an applicant for a learner's licence or driving licence.

*Two marks each. [30]*

## **QUESTION 6**

- 6.1 Distinguish between intermodal transport and multimodal transport. (2)
- 6.2 Identify the following concept as defined in the SADC Protocol on Transport, Communication and Meteorology:  
"The control and management of road transport to ensure that such transport is undertaken in the most efficient and economic manner to the satisfaction of the users thereof." (1)
- 6.3 Distinguish between a driving inspector and a vehicle inspector. (2)
- 6.4 What is the purpose of the Transportation Commission of Namibia? (3)

**[8]**

## QUESTION 7

Study the following picture and answer the questions relating thereto.

7.1

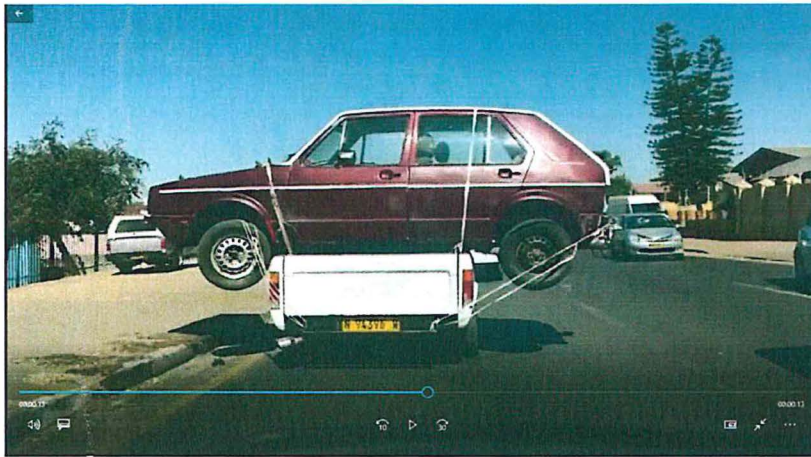


The vehicle above is transporting engine oil (flammable liquids).

List 4 (four) things that are INCORRECT about the placarding.

(4)

7.2



The above photograph was taken on the corner of Independence Avenue and Shaghia Street in Windhoek during or about July 2022.

7.2.1 When will a vehicle / load be classified as “abnormal”?

(4)

7.2.2 List 4 (four) things that INCORRECT about the manner that this motor vehicles is being transported.

(4)

[12]

TOTAL MARKS 100