

## **Has your Vehicle been Stolen, Recovered, or does your Vehicle Require New Vehicle Identification?**

Vehicle crime [theft/robbery(hijacking)] in South Africa is a market-related crime. Vehicles are stolen on order. The so-called joyride (stealing for a pleasure ride) is not as prominent as in other parts of the world. In accordance with a survey conducted by Business Against Crime, South Africa, vehicles that are stolen find their way to the following markets:

**A. +53%:** Documentation is falsified and the vehicle's numbers ie. registration number (licence number), chassis and engine numbers are changed to fit the documentation. These vehicles are then resold to the public.

**B. +30%:** Exported across our borders, either by driving them across or transporting them in containers.

**C. +17%:** End up in so-called chop shops where they are dismantled and sold as spares.

### **Vehicle crime cost South Africa an estimated R9.3 billion in the year 2005.**

The South African Police Service along with the National Vehicle Crime Forum (NVCF), are serious about combating vehicle crime as effectively as possible. The forum was created for all recognized organizations that have a vested interest in combating vehicle crime.

The SAPS and the NVCF have, therefore, decided to publish the following hints for the public:

#### **1. My vehicle was stolen - what should I know?**

1.1. Other than the fact that theft and robbery (hijacking) are common law offences, the National Road Traffic Act, 1996 (Act No 93 of 1996), states that the theft of a motor vehicle must be reported to the South African Police Service by the vehicle owner within 24 hours after he/she has become aware of such theft or robbery.

1.2. Because of trauma or shock, complainants very often cannot remember the registration (licence) numbers of their vehicles. It is therefore advisable to take your vehicle registration document along or present it to the police as soon as possible. Many of these original documents are kept by the title holder (financial institutions) and a copy of it will be sufficient.

1.3. At the Community Service Centre (police station) of the South African Police Service, a member needs to take down a very comprehensive statement from the complainant in order to register a case and is therefore authorized by the complainant to have the vehicle in question's details circulated on the SAPS's Circulation System (Vehicles). This is a computer system which is available to all SAPS members to enquire whether a vehicle has been reported as stolen. The SAPS's Circulation System (Vehicles) is interfaced with the Department of Transport's National Traffic Information System (NaTIS), the official vehicle registration system of the country. When the information is circulated on the SAPS's system the vehicle's record on NaTIS is automatically marked as stolen and the vehicle in question is marked as "clearance required".

1.4. It is very important to mention distinguishing marks by which your vehicle can be identified later on while your statement is being taken down. The fact that your vehicle was fitted with a tracking

device or things like the microdotting technology, is important to be stated, as these are excellent technologies assisting in the tracing or identification of stolen vehicles. Remember that you also have the responsibility to inform your tracking company of the theft in order to speedily activate the tracing devices fitted to your stolen vehicle.

1.5. The National Road Traffic Act (hereafter referred to as the Act) requires that the owner of the vehicle must notify the appropriate registering authority of a theft within seven days after the date upon which the owner became aware of the theft.

1.6. The Act also requires that the title holder (eg. bank) must notify the appropriate registering authority of a theft within three months after the date on which the title holder was notified of the theft.

## **2. My stolen vehicle was recovered - what should I know?**

2.1. You will be required to recognize the vehicle in the presence of a SAPS member and to submit a statement to this fact.

2.2. The SAPS often identify stolen vehicles by other means if the criminals removed the original identification numbers. The SAPS member may then require that you submit a statement prior to identification in order to ensure that it coincides with the recognition of the vehicle that might follow.

2.3. Report the recovery of your vehicle to the registering authority where the vehicle was registered within 24 hours after such recovery as required by the Act and furthermore to ensure that the stolen mark as indicated on the NaTIS, is removed as soon as possible. (In a lighter vein: Ensure that you are not arrested while driving your own vehicle which is still listed as stolen!) The registering authority could once again require you to complete certain prescribed forms.

2.4. Enquire from the registering authority whether you must obtain the so-called CCL form which must be completed by the SAPS whereby you will be exempted from being liable to pay licence fees for the duration of the theft. According to the Act, exemption from paying licence fees is rendered during the period of theft or during the period a vehicle is impounded by the SAPS.

2.5. Enquire from the SAPS whether your vehicle should be fitted with the so-called SAPVIN number as required by the Act if the criminals have removed the original vehicle identification numbers, ie. chassis and/or engine number(s).

2.6. As all vehicles are marked as "clearance required" when reported as stolen, a Request for Police Clearance (RPC) document must be obtained from the registering authority where the vehicle in question is registered and the vehicle must then be taken to the SAPS Vehicle Clearance Office serving this registering authority. The SAPS will then examine the vehicle and complete the RPC after which the registered owner must return the RPC to the same registering authority. In cases where the vehicle's identification numbers have been removed and replaced with a SAPVIN as stated above, the registered title holder must obtain a new registration certificate and the owner must obtain a new licence disc stating this SAPVIN.

### **3. My vehicle requires a SAPVIN - what should I know?**

3.1. The South African Police Vehicle Identification Number (SAPVIN) is required in accordance with the Act under the following circumstances:

3.1.1. If a motor vehicle has no chassis and/or engine number(s)

3.1.2. If the chassis number of a motor vehicle is a duplicate of the chassis number of another motor vehicle

3.1.3. If the chassis and/or engine number(s) of a motor vehicle has been tampered with.

3.2. The motor vehicle must be taken to the SAPS Vehicle Identification Section (VIS).

3.3. If a SAPVIN is required after the vehicle was investigated by the SAPS VIS, they will issue a SAPVIN chassis and/or engine number to be affixed to the motor vehicle in question.

3.4. The SAPS VIS will also seek the permission of the vehicle owner to have the motor vehicle stamped with a unique number, which is nothing other than the case number which preceded the investigation prior to the issuing of a SAPVIN. This unique number will protect the vehicle's owner from having the vehicle seized for re-investigations in future and is issued free of charge.

3.5. The vehicle's owner is then requested to have the SAPVIN chassis and/or engine number(s) affixed by a service provider of his/her choice. Several engineering works or other service providers are equipped to cut, stamp or permanently affix the chassis and/or engine SAPVIN number(s) as required in terms of the Act. The price to be paid for the affixing of the SAPVIN is determined by each individual service provider. The height of the SAPVIN chassis number on motor vehicles and trailers must at least be 7mm. This does not apply to motorcycles and mopeds. In all other cases a height of at least 4mm applies.

3.6. The vehicle's owner must then return the vehicle to the SAPS VIS to have it inspected to ensure that the SAPVIN chassis and/or engine number(s) were affixed correctly and to take photographs of these numbers.

3.7. The SAPS VIS will then hand over a document to the vehicle's owner which must be handed in at the registering authority where the vehicle is registered in order for a registration certificate to be issued, indicating the new SAPVIN chassis and/or engine number(s).

### **4. My vehicle requires a SAPS vehicle clearance - what should I know?**

4.1. The general perception is that a SAPS vehicle clearance is available to the public to ensure that they do not purchase a stolen vehicle. This is not the case.

4.2. There is, however, such a facility available to the public which is rendered at certain SAPS offices that have access to the SAPS Circulation System (Vehicles). This facility is also known as the "private vehicle verification process" on function 1.1.23 on this computer system. Persons making an enquiry must first identify themselves, be in possession of an vehicle licence (registration) certificate and state what direct interest they have in this enquiry. The SAPS renders this service free of charge. The system gives a print-out stating only that the vehicle in question has not been reported to the SAPS

as being wanted for a crime. It must be emphasized that this service does not entail an examination of the vehicle in question and the print-out is not a SAPS vehicle clearance as issued in accordance with the Act.

4.3. As stated above, a SAPS vehicle clearance is issued in terms of the Act and only the registering authority where a vehicle is registered, can refer the vehicle owner to the SAPS by means of a Request for Police Clearance (RPC) form.

4.4. In accordance with the regulations promulgated in terms of this Act, the NaTIS will generate a RPC. The following are then the different regulations and the circumstances under which a SAPS vehicle clearance should be issued:

4.4.1. Regulation [8(20)(d)(i)(ii)+(iii)] Transfer of ownership (Repossessed, registration certificate lost/owner or title holder not traceable)

4.4.2. Regulation [9(c)] Motor vehicle built up from parts

4.4.3. Regulation [9A(c)] Registration or deregistration of motor vehicle

4.4.4. Regulation [9B(c)] Registration of a motor vehicle deregistered due to not being licenced

4.4.5. Regulation [12(c)] Motor vehicle acquired outside borders of the Republic

4.4.6. Regulation [12A(b)] and Regulation [54(6)(c)] Registration of a motor vehicle previously deregistered as stolen

4.4.7. Regulation [24(2)(h) and Regulation [24(7)(d)] If applicable, application for licencing of motor vehicle

4.4.8. Regulation [31(2)(c)] Motor vehicle or re-constructed (including replacement of engine)

4.4.9. Regulation [43(3)] Condition of registration of vehicles by MIB/Registration of MIB exempted from registration

4.4.10. Regulation [56(2)(a)] Format of Chassis number incorrect/Chassis number is lacking

4.4.11. Regulation [65(3)(d)] Duplicate Chassis number

4.4.12. Regulation [56(3)(e)] Chassis/Engine number altered, defaced or obliterated

4.4.13. Regulation [65] Export of motor vehicle (Police clearance required by other countries)

4.4.14. Regulation [141(3)] Motor vehicle referred during roadworthiness examination

4.4.15. Regulation [8(2)(k)] Required by MEC for purpose of registration (e.g. TBVC motor vehicles not on NaTIS, Motor Vehicle archived).

4.5. The SAPS vehicle clearance process entails the examination of a vehicle at a recognized SAPS Vehicle Clearance Office. The licence (registration), chassis and/or engine number(s) is taken down and cross-checked against the SAPS computer system.

4.6. The vehicle's owner must then return the RPC to the same registering authority in order to conclude the process and the registering authority is to ensure that the correct chassis and/or engine number(s) appear on the record of the vehicle in question.

4.7. Criminals are renowned for their cunning and professional ways in changing vehicle identification numbers. The SAPS vehicle clearance therefore should not be regarded as a guarantee. Legally, any police service has the right to seize a vehicle irrespective of whether a SAPS Vehicle Clearance was issued.

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