



## Negligent Driving as a Causative Factor Towards Road Traffic Accidents in South Africa

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### **Abstract**

Every year the lives of approximately 1.3 million people are cut short because of a road traffic crash and this is according to World Health Organisation in 2022, between 20 and 50 million more people suffer non-fatal injuries, with many incurring a disability as a result of their injuries. Negligent driving is a global problem even in South Africa. The inability of motorists to adhere to the rules of the road is a major problem in South Africa and more should be done to counteract this problem as road users are losing their lives on the road due to negligent driving. This article focuses on negligent driving as a causative factor towards road traffic accidents in South Africa. This qualitative article adopts a systematic review under the non-empirical research design. This study is completely based on the secondary data. A systematic review was done in detail for the collected literature. The key findings indicated that motorists do not adhere to the rules of the road, speeding and driving while intoxicated have major consequences on road. The findings further indicated that corruption within law enforcement agencies compromise road safety. Based on the findings, the authors provided, possible recommendations such as strengthening road safety campaigns nationwide, increase visibility of law enforcement officials on the road and capacitate law enforcement agencies with resources to counteract corruption and contribute to road safety.

**Keywords:** *Reckless and Negligent Driving; Road Traffic Accidents; Law Enforcement; Motorists; Road Safety and South Africa*

### **Introduction**

The United Nations General Assembly has set an ambitious target of halving the global number of deaths and injuries from road traffic crashes by 2030 (A/RES/74/299) and road traffic injuries are the leading cause of death for children and young adults aged 5-29 years (World Health Organisation, 2022). Furthermore, more than half of all road traffic deaths are among vulnerable road users: pedestrians, cyclists, and motorcyclists and about 93% of the world's fatalities on the roads occur in low- and middle-

income countries, even though these countries have approximately 60% of the world's vehicles. A traditional approach taken in road safety research has been to view accidents as a failure to cope with the perceptual motor skills required for a safe journey and the task was therefore to increase driver's skills and to modify the environment (Forward, 2013). Furthermore, in recent years, it has been found that the problem does not always lie in what the driver can or cannot do but what he/she actually decides to do and the crucial issue is therefore to understand what motivates drivers to commit an act, which puts both themselves and others at risk. Road traffic accidents in South Africa is a major problem for road traffic authorities as they are mandated to ensure road safety but they are faced with mammoth task of ensuring that road users comply with the rules of the road. Road traffic fatalities happen as a result of negligent driving because road users do not pay attention when they are on the road and this contributed to high rate of fatalities on the road. Negligent driving can include distracted driving, speeding, driving or walking while impaired and fatigue. The young are particularly vulnerable on the world's roads and road traffic injuries are the leading cause of death for children and young adults aged 5–29 (World Health Organisation (2023). Furthermore, young males under 25 years are more likely to be involved in road traffic crashes than females, with 73% of all road traffic deaths occurring among young males in that age and developing economies record higher rates of road traffic injuries, with 93% of fatalities coming from low- and middle-income countries. In addition to the human suffering caused by road traffic injuries, they also incur a heavy economic burden on victims and their families, both through treatment costs for the injured and through loss of productivity of those killed or disabled. In order to effect a lasting change in the current road safety situation, all of these issues should be vigorously addressed and improved however, also affect an improvement in the overall situation such as ensuring a meaningful reduction in the unacceptably high percentage of drivers exceeding the speed limit, distracted driving, driving while impaired and those driving at excessive speeds (Arrive Alive, 2023). This paper is aimed to explore negligent driving as a causative factor towards road traffic accidents in South Africa.

## ***Problem Statement***

On 17 January 2023, Transport Minister Fikile Mbalula released the latest festive season road traffic statistics for the period between 1 December 2022 and 11 January this year and during this period 1,451 people lost their lives on South African roads, 40% of those deaths were pedestrians and most are as a result of being distracted on the road (SupaQuick, 2023). Road safety is a complex phenomenon depending on lots of different factors and interactions. The inability of road users to understand and interpret the rules of the road is a major problem for road traffic authorities as it contributes to high rate of fatalities on the road. Compliance to the rules of the road by the road users should be prioritised by road traffic authorities and ensure that road users are safe whenever they are on the road. It is a fact that road traffic fatalities in South Africa are unacceptably high and they place an enormous burden on families, society and the economy in terms of lost productivity capacity, lost skills, as well as pain and suffering of survivors, the next of kin and loved ones who are left without breadwinners. Statistics from the Road Traffic Management Corporation (RTMC) show that in 2017, 5339 pedestrians died on South African roads (Automobile Association, 2020). Over the last decade (2008 – 2017) 48 350 pedestrians have died on the country's roads-an incalculable number of families and lives which have been shattered and annually it amounts to 40 percent of pedestrian fatalities (Automobile Association, 2020). Road traffic crashes should be viewed as preventable incidents and that could be systematically eliminated (Bicycle Transportation Alliance, 2015).

## ***Methodology***

The methodology utilised in this study was qualitative in nature. The collected data was sourced from relevant sources and also analysed contextually without necessarily involving any quantitative techniques. The researchers read an overview of the literature on this subject from September to May (nine months' projection), this was done to examine the following facets; to analyse negligent driving as a causative factor towards road traffic accidents. Predicated on the nature of data required in this study; the presented discourse relied mainly on secondary data sources in the process of gathering relevant information. In this process, documented and archival data were extracted from sources. Data generated from these sources were condensed and critically analysed through content and context analysis where germane and concrete information were distilled from the collections. The deductive synthesis was consequently applied in this process. Synthesised outputs from the analysis are presented as different sections in this study in accordance with the set-out objectives of the discourse.

## ***Literature***

### **Factors Contributing to Negligent Driving**

#### **Disregarding Traffic Laws**

Road traffic accidents accounted for 1 617 fatalities during the 2019/2020 festive season in South Africa and this is as a result of not following the rules of the road other factors such as the environment and vehicle which contribute less percentage to RTA (Mitchley, 2020). The above statement is supported by the 2019/2020 road traffic accidents in which the majority of road users, who died on the roads consisted of pedestrians (40%), passengers (34%), drivers (25%) and cyclists (1%) (Arrive Alive, 2020). The problem in this country is that the streets were historically designed for speed, to help cars go as fast as possible in terms of delivering goods and fighting crime (Arrive Alive, 2014). Motorists are taking advantage of that and putting other road users, such as pedestrians, at risk of being involved in road traffic accidents, causing the streets to enable the vehicles to become death machines. This is why many cities around the world are lowering their speed limits in their most densely populated areas (Walker, 2018). South Africa should follow in their footsteps, as many pedestrians are killed on the road by motorists who are driving at a high speed, even in their own communities. Some even drive at a high speed and some take part in racing in unprotected environments. Speeding is one of the major contributory factors, as many motorists drive at high speed in residential areas. They do not even follow the rules of the road. In cases where road signs indicate to motorists which speed is suitable in residential areas they do not follow the road traffic rules. In most cases road traffic accidents involving pedestrians; speeding and alcohol are the main contributory factor according to Arrive Alive (2014). Pedestrians are the ones who suffer a lot because of this behaviour, and it can be changed if relevant strategies are put in place, as this problem includes all road users. Road safety is a shared responsibility. Achieving lasting change in road safety will require the government, industry, and the broader community to work together. It will also require significant improvements in the way the government and other organisations manage the safety of the road transport system (Australian Transport Council, 2011: 32). Safety on the road is very important for every road user to pay attention and there are various kinds of traffic signs that are installed either on markings or on the road, all of which are intended to discipline road users, and are directly aimed at maintaining the safety of road users but in most cases these traffic signs are ignored by those who are not respecting the laws of the road (Tampubolon, 2021).

#### **Driving and Walking Under the Influence of Alcohol**

Globally, alcohol intoxication has been shown to be significantly associated with increased risk for road traffic crash morbidity and mortality for all road users (drivers, passengers and pedestrians) and this association relates to the diminished capacity of drivers while intoxicated to operate motor vehicles

and the increased propensity for risk-taking behaviours (Govender, Sukhai, Roux and Van Niekerk, 2021). Furthermore, the overall prevalence of alcohol-related fatal crashes contributes significantly to the burden of disease in many countries. The Automobile Association Foundation (2013), stated that drunken pedestrians may be as much of a danger on South African roads as drunken drivers. Patek and Thoma (2013), stated that there are several measures available for specifically preventing intoxicated pedestrian accidents. None of them, however, would be likely to have a large effect on the total number of pedestrian casualties. (A possible exception is a statutory limit on the blood alcohol level in public places, accompanied by enforcement.) Instead, in most respects, the improved safety of intoxicated pedestrians will come about by making the environment safer for all pedestrians, drunk or sober. The substantially higher risk found for pedestrians in fatal crashes may relate to the complexity inherent in drivers and pedestrians needing to negotiate use of common road space but at significantly different speeds, along with the greater injury severity for pedestrians from such crashes (World Health Organization, FIA Foundation for the Automobile and Society, Global Road Safety Partnership and World Bank, 2013). Additionally, it may reflect the added complexity for drivers to negotiate the unpredictability of pedestrian behaviour, especially in suboptimal settings such as those with inadequate pedestrian infrastructure for walking and crossing and conditions where lighting is poor (DiMaggio, Mooney, Frangos and Wall, 2016). Impairment due to use of alcohol or drugs was often a contributing factor among bicyclists, pedestrians and motor vehicle drivers who died in RTCs (Pasnin and Gjerde, 2020). Furthermore, driving under the influence of alcohol or drugs was more often a contributing factor in cases where the motor vehicle driver was killed than in cases where the driver survived.

### **Distraction**

Using a mobile phone device, eating or drinking, using a navigation system or interacting with children, if done while operating a vehicle, are all examples of distracted driving (Transport Canada, 2011). Distractions can be classified as visual, manual, and/or cognitive, and their compounding effects on driver error have been well established (Young and Salmon, 2012). A driver/ pedestrian is distracted when they pay attention to something else while on the road and in many instances they are distracted by technology which is not allowed while driving as it may impact on their attention. For example, it may cause the road users to become less observant and it could contribute to fatalities on the road. Smartphones have made it easy for us to stay connected at all times but that can pose serious safety risks if someone decides to check his or her text messages, emails, phone calls, or any other mobile applications while driving and cell phone distraction rates are alarmingly high (Edgar Snyder & Associates, 2022). The result is that drivers or pedestrians using a phone to talk, text, or browse the internet are less able to stay in the appropriate lane, detect any changes around them and respond in time and drivers talking on the phone are also more likely to exceed the speed limit and not maintain a consistent speed (Youth for Road Safety, 2022). Doing multiple tasks at the same time, like driving or walking while talking on the phone, can impair the ability to process key information about road safety (Road Safety at Work, 2022). Road users are prone to using their cell phones when they are on the road and this put them at risk of being involved in road traffic accidents as they will be distracted and take wrong decisions. Texting while driving is not allowed according to road traffic act but most of the road users use mobile phones while on the road and more should be done to counteract this problem as it distract them while on the road. The research found that drivers who sent or read text messages were more prone to drift out of their lane, with steering control by texting drivers 91% poorer than that of drivers devoting their full concentration to the road and distracted drivers are eight times more likely to have a crash (Timeslive, 2023). Furthermore, the brain handles tasks sequentially, but when you multitask by using your phone while driving it is impossible for your brain to adequately refocus on driving quickly enough and therefore safely respond to road hazards. Arrive Alive (2017), stated that Road Safety Authorities often create awareness of the dangers of distractions to drivers and neglect to focus on the distractions facing pedestrians as well. Furthermore, they are now finding more and more accidents

because of pedestrian inattentiveness and these are not merely resulting from pedestrians who were not paying attention as they climbed up or down stairs, but also from motor vehicle accidents. According to Edgar Sniders and Associates, 2021 stated that mobile phones contribute to the following:

- The National Safety Council reports that cell phone use while driving leads to 1.6 million crashes each year.
- Nearly 390,000 injuries occur each year from accidents caused by texting while driving.
- 1 out of every 4 car accidents in the United States is caused by texting and driving.
- Texting while driving is 6x more likely to cause an accident than driving drunk.
- Answering a text takes away your attention for about five seconds. Traveling at 55 mph, that's enough time to travel the length of a football field.
- Texting while driving causes a 400 percent increase in time spent with eyes off the road.
- Of all cell phone related tasks, texting is by far the most dangerous activity.
- 94 percent of drivers support a ban on texting while driving.
  
- 74 percent of drivers support a ban on hand-held cell phone use

The above results show that the use of the road while distracted can put road users at risk of being involved in road traffic accidents. Cell phone use also affects how drivers scan and process information from the roadway and drivers generally take their eyes off the roadway to dial or manipulate a hand-held phone (In contrast, drivers engaged in cell phone conversations and other forms of cognitive distraction tend to concentrate their gaze toward the centre of the roadway), but their attention still may be diverted from driving and this may make it difficult for drivers to process what they are looking at (Insurance Institute for Highway Safety, 2021). The popularity of wireless devices has had some unintended and sometimes deadly consequences and an alarming number of road traffic accidents are linked to driving while distracted, including the use of cell phones while driving, resulting in injury and loss of life (Federal Communications Commission, 2021).

## **Corruption**

Road traffic authorities are faced with a mammoth task of counteracting the issue of corruption within their institutions and their client (road users). Law enforcement agencies play a critical role in ensuring law and order in society and it is of paramount importance to have law enforcement agencies that are free of corruption as this compromise the efforts of government to ensure law and order in the communities. Corruption is a major problem worldwide even in South Africa is prevalent where many agencies are caught in corrupt activities. Inability of law enforcement agencies to root out corruption contribute to lawlessness in the communities. It is the responsibility of law enforcement agencies to ensure that they curb this problem as it contribute to lack of trust in the society and these law enforcement agencies cannot combat crime without the community so it is of utmost importance to root out corruption from top to lower level of management in all the agencies. Corruption manifests in the field of traffic enforcement and road safety (Arrive Alive, 2018):

- Bribes are often demanded in situations where road users have committed an offence such as speeding, overloading, or driving unlicensed or unroadworthy vehicles. Bribery in these instances may be used to ensure that the offender escapes a stiffer penalty (i.e. a R100 bribe is requested when the alternative is to pay a legitimate fine of double that amount).
- The most paid bribe was for traffic fines, driver testing and licensing irregularities.
- Certificates of roadworthiness are issued without the said vehicles undergoing the necessary roadworthy tests.

- Money is received in return for assisting applicants for learner's license tests to cheat in their exams.

## ***Findings and Discussion***

### **Non-Compliance to the Rules of the Road**

Road traffic authorities is faced with a challenge of not adhering to the rules of the road by road users and this contribute to negligence driving which is most common in young drivers. Disobeying the rules of the road is the main contributory factor to road traffic accidents where road users becomes negligence when they are on the road and this practice put vulnerable road users such as pedestrians at risk of being involved in road traffic accidents. According to Rita and Kenea findings in 2022 indicated that driving violations include disobeying/jumping a traffic signal, driving on the wrong side of the road(driving opposite to the direction of the traffic), khat (impaired cognitive skill), lack of giving priority for another driver(vehicle), lack of giving pedestrian priority, lack of giving adequate gap in traffic, overtaking another vehicle at steep grade, overtaking another vehicle at a curve, making unexpected turning after overtaking, overtaking a vehicle from the wrong side, rash driving, speeding, making inappropriate turning, disregard traffic police commands, making unexpected driving of stopped vehicle, inattention driving and overloading.

### **Corruption Compromise Road Safety**

Road users disregard the road traffic laws and when they are caught they attempt to bribe traffic officials who are willing to accept bribes. Studies on crime in South Africa revealed that corruption was most evident in encounters with traffic officials, followed by the police, and then during interactions with officials over employment opportunities (Arrive Alive, 2015). Furthermore, this support the perception that corruption is a problem in local government traffic departments, municipal police services and the SAPS, and highlights the discretionary power of some of these officials. For example, the public largely interacts with traffic officials on the road where the actions of corrupt officials are difficult to monitor and this compromise the project of road safety and promote non-compliance which put road users at risk of being involved in road traffic accidents.

### **Driving and Walking While Intoxicated**

Alcohol is the main contributor to road traffic accidents and this is as a result of motorists and pedestrians being intoxicated on the road. Every drunken pedestrian who is a danger to him/herself, is as much of a danger to vehicular traffic. When motorists hit drunken pedestrians, there are no statistics to show how many vehicles have already managed to avoid the same person. When a motorist is unable to avoid a drunken pedestrian, the lives of everyone in his vehicle and in surrounding vehicles are put at risk. It is realistic to suggest that a single drunken pedestrian on the road could ultimately be liable for the death of an entire minibus taxi or bus full of passengers. Blood alcohol concentration tests on the bodies of people killed in road crashes show that, whether you are a pedestrian, cyclist or driver, your risk of dying in a road crash is higher if you have been drinking (Western Cape Government, 2023). Furthermore, alcohol impairs your ability to see and respond to what is around you on the road and in addition, you are more likely to speed and less likely to wear a seatbelt if you have been drinking.

## ***Recommendations and Conclusion***

Strengthening road safety campaigns nationwide could help in educating road users about adhering to the rules of the road and how to conduct themselves when they are on the road. The more road users are informed about road safety, the less number of fatalities on the road, it is stated above that road users are unable to understand and interpret the rules of the road and these kind of campaigns could assist in empowering road users. Road safety is a collective responsibility and all major stakeholders need to play their role in counteracting road traffic accidents. Non-compliance to the rules of the road should be given attention and traffic officials should enforce the law consistently and those who break the laws of the road should be arrested and this could send a strong message to those who are taking risks on the road by being negligent or not obeying the rules of the road and not respecting other road users. Hotspot areas for road traffic accidents should be prioritised by road traffic authorities by increasing the number of traffic officials in those areas in order to ensure compliance to the rules of the road. It is further recommended that road traffic authorities should be capacitated with resources to counteract road traffic accidents, equipments such as breathalyser testing machines should be made available nationwide to deal with those who are driving while intoxicated as well as speed cameras and these machines should be serviced on regular basis to ensure accurate results.

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