

## **Andhra Pradesh Motor Vehicles Rules, 1989**

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## **Andhra Pradesh Motor Vehicles Rules, 1989**

### **CHAPTER 1 Preliminary**

#### **1. Short title, application and commencement :-**

(1) These rules may be called the Andhra Pradesh Motor Vehicles Rules, 1989.

\* They extend to the whole of the State of Andhra Pradesh .

\* They shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

## **2. Definitions :-**

(1) In these rules, unless the context otherwise requires,-

- \* Act means the Motor Vehicles Act, 1988 (Central Act 59 of 1988)  
;
- \* Express State Carriage means:-
  - \* a carriage plying on city and town routes non-stop or with limited halts as may be prescribed by the transport authority; or
  - \* a carriage plying non-stop on muffasil routes of short distances as may be prescribed by the transport authority; or
  - \* a carriage plying on muffasil routes with limited halts, as may be prescribed by the transport authority.
- \* Claims Tribunal; means a Motor Accidents Claims Tribunal constituted under Section 165 of the Act;
- \* Form means a Form prescribed under the Act or Central Rules or appended to these rules;
- \* Government means the Government of Andhra Pradesh;
- \* Inspector of Motor Vehicles means an officer appointed by the Government to perform the functions and discharge the duties of an Inspector of Motor Vehicles and includes an Assistant Inspector of Motor Vehicles;
- \* Legal Representative shall have the meaning assigned to it under Clause (11) of Section 2 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908);
- \* Magistrate means a salaried Magistrate;
- \* Passenger means any person traveling in a public service vehicle other than the driver or the conductor or any employee of the permit holder while on duty;
- \* Regional Transport Authority means the Regional Transport Authority constituted for the region concerned under sub-section (1) of Section 68;
- \* Road length means the actual distance of any road as a physical track;
- \* Section means the section of the Act;
- \* State means the State of Andhra Pradesh ;
- \* State Transport Authority means the State Transport Authority constituted for the State of Andhra Pradesh under sub-section (I) of Section 68;
- \* taxi meter means any approved mechanical device attached to a motor vehicle for the calculation and legible exhibition of fares and other charges due from passengers therein;
- (i) trip or single trip means a journey from one terminus to the

other of a route;

(ii) double trip, round trip or return trip means one to and from journey from terminus of a route;

(iii) shuttle trip or cut trip means a single journey on a portion of route;

(iv) shuttle double trip or shuttle round trip or shuttle return trip means one to and fro journey on a part of a route;

(v) trip distance means:-

\* in relation to the service performed by a vehicle on a route the total distance in all its trips, including shuttle trips if any, performed by the vehicle in a day;

\* in relation to several vehicles on a route, the total distance performed in a day by all the vehicles in all their trips including shuttle trips, in any, on a route;

\* in relation to vehicles on different routes, the total distance performed in a day by all the vehicles on all routes in all the trips including shuttle trips, if any;

\* trunk road means a road notified as such in the Andhra Pradesh Gazette.

(Ia) "Sleeper Bus" means a stage carriage constructed or adapted to carry more than six passengers (excluding driver) with facility of comfortable sleep on a berth, for hire or reward at a separate fare paid by or for individual passenger either for whole journey or the stages of the journey.

(Ib) "Sleeper Coach" means a contract carriage constructed or adapted to carry more than six passengers (excluding driver) with facility of comfortable sleep on berth for hire or reward and is engaged under a contract whether expressed or implied for the use of such vehicle as a whole for the carriage of passengers mentioned therein and entered into by an owner/organization whose fleet exceeds 2000, and with a holder of a permit in relation to such vehicle or any person authorized by him/them in this behalf on a fixed or an agreed rate of sum,

(i) on a time basis whether or not with reference to any route or distance, or

(ii) from one point to another and in either case without stopping to pick-up or get down passengers not included in the contract anywhere during the journey.

\* The General Clauses Act, 1897 (Central Act 10 of 1987) shall apply to the interpretation of these rules as it applies to the interpretation of the Act.

Any appeal or revision under the Act may be admitted after the

prescribed period if the appellant or revision petitioner satisfies the Appellate or Revisional Authority that he had sufficient cause for not preferring the appeal or making the revision within such period.

## **CHAPTER 2** Licensing of Drivers of Motor Vehicles

### **3. Licensing Authority :-**

(1) The Licensing Authority shall be the Secretary of the respective Regional Transport Authority.

\* The following shall be the Additional Licensing Authorities, namely;

(i) Additional Secretaries of the respective Regional Transport Authorities as specified in the Fourth Schedule to these rules;

(ii) The Principal (in the cadre of Regional Transport Officer and Senior Instructors (in the cadre of Motor Vehicles Inspectors) attached to the Government Driving Schools in the State;

(iii) Executive staff of Transport Department not below the rank of Asst. Motor Vehicles Inspectors in the district and Superintendents in the office Regional Transport Authorities;

(iv) The Deputy Commissioners of Police, the Assistant Commissioners of Police and the Inspectors of Police-in-charge of traffic in the twin-cities of Hyderabad and Secunderabad.

Provided that the Additional Licensing Authorities in items (i), (ii), (iii) and (iv) shall exercise their powers subject to the general control and guidance of the Licensing Authorities concerned.

### **4. Intimation of Authorisation or Additions :-**

The licensing authority granting an authorisation or additions to driving Licence shall send intimation to the authority by which the Licence was issued.

### **5. Rejection of Authorization- Procedure :-**

If the Licensing Authority intends to reject an application for authorization, it shall inform the reasons thereof in writing and give the applicant an opportunity to submit his reply within 10 days from the date of receipt of the Memo and then dispose of the application duly returning the driving Licence.

### **6. Licensing authority may make enquiries :-**

Upon the receipt of an application for a driving Licence or for an

authorization to drive a transport vehicle, the licensing authority may make such enquiries as may reasonably be necessary to establish the identity of the applicant and to ascertain that the applicant is not disqualified or liable to be disqualified for holding a Licence.

## **7. Conduct of driving test :-**

The test of competence to drive or the test for the issue of learners Licence shall be conducted by the licensing authority or by a person authority in that behalf.

## **8. Presenting for driving test :-**

The applicant for a driving test shall present himself for the test at such time and place as may be specified by the licensing authority or the person authorized by the licensing authority in that behalf.

Explanation :- The fee paid shall be forfeited to Government if the applicant does not produce serviceable vehicle of the class to which the application refers and does not present himself for the test at such time and place as may be specified by the licensing authority or the person authorized by the licensing authority in that behalf.

## **9. Appellate Authority :-**

The authority empowered to hear appeals under sub-section (8) of Section 9 or sub-section (2) of Section 17 and sub-section (3) of Section 19 shall be the Deputy Transport Commissioner concerned.

Provided that the appellate authority against the orders of the Secretary, Regional Transport Authority of the rank of Joint Transport Commissioner or Deputy Transport Commissioner shall be the Transport Commissioner;

Provided further that the appellate authority against the orders passed by officers of Police Department shall be the Transport Commissioner.

## **10. Appeal against refusal of authorization :-**

Any person aggrieved by an order of the licensing authority, refusing to grant an authorization to drive a transport vehicle may, within thirty days of the receipt of the order of refusal, appeal to the Deputy Transport Commissioner concerned.

Provided that the appellate authority against the orders of the Secretary, Regional Transport Authority of the rank of Joint



Transport Commissioner concerned.

**11. Form of appeal :-**

(1) An appeal under Rule 10 or an appeal under sub-section (8) of Section 9 or under sub-section 92) of Section 17 or sub-section (3) of Section 19 shall be in the form of memorandum in duplicate setting forth concisely the grounds of objection to the order appealed against and shall be accompanied by the original or certified copy of that order together with treasury receipt for rupees twenty five being the fee for appeal.

(2) The Secretary, State Transport Authority, Deputy Transport Commissioner or the Secretary, Regional Transport Authority may in his discretion, give any person interested in an appeal referred to in sub-rule (1) copies of relevant documents connected with the appeal on payment of a fee of two rupees, such payment being made by means of court fee stamps affixed to the applications for such copy of the document.

(3) The appellate authority after giving an opportunity to the parties of being heard setting a time limit of (3) months and after such further enquiries, if any, as it may deem necessary, may confirm, modify or set aside the order appealed against and shall make an order accordingly.

**12. Sealing of photograph :-**

The photograph of the holder when affixed to a Licence shall be sealed or stamped with the seal of the licensing authority in such a manner that part of the impression of the seal or stamp is upon the photograph and part on the margin.

**13. Demand for recent photograph :-**

If, at any time, it appears to a licensing authority that the photograph affixed to the Licence has ceased to be a clear likeness of the holder, the licensing authority may require the holder to appear in person with the driving Licence and two clear copies of a recent photograph of himself and the holder of the driving Licence shall within such period as the licensing authority may specify comply with the requisition.

**14. Duplicate Licence with new photograph :-**

upon receipt of the copies of the photograph as provided in rule 13,

the licensing authority shall return the driving Licence with the new photograph affixed thereto, duly attested after satisfying itself about the likeness of the new photograph to the holder of the Licence within one week.

**15. Intimation when Licence lost or destroyed and application for duplicate :-**

If, at any time, a Licence is lost or destroyed, the holder of such Licence shall forthwith intimate the fact in writing to the licensing authority having jurisdiction over the area in which he has his place of residence at the time in Form LLD setting out the particulars required by that Form.

**16. Issue of Duplicate Licence :-**

Upon receipt of intimation and application specified in Rule 15 the licensing authority shall, if satisfied after making such enquiries as it thinks fit, that a duplicate Licence may properly be issued, issue a duplicate Licence.

**17. Photograph for duplicate Licence :-**

Where a photograph is required to be affixed to a duplicate Licence issued under the provisions of these rules, the holder of the Licence shall furnish the licensing authority with three clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate Licence and the other shall be transmitted by the authority issuing the duplicate Licence to the authority by which the Licence was issued.

**18. Fee for duplicate Licence :-**

The fee for a duplicate Licence issued under Rules 16, shall be rupees fifteen.

**19. Delivery of lost Licence :-**

When a duplicate Licence has been issued upon representation that a Licence has been lost and the original Licence is afterwards found by the holder it shall be delivered to the licensing authority. Any other person finding a driving Licence shall deliver it to the holder of the Licence or to the nearest Police Station.

**20. Impounding of defaced or torn Licence and issue of**

## **duplicate Licence and its fee :-**

(i) If at any time, it appears to a licensing authority that Licence held by any person is so torn or defaced in any way as to cease to be reasonably legible or if the Licence is completely written up and there is no space for making fresh endorsements, the licensing authority may impound the Licence and issue a photograph of the holder affixed thereto the holder of the Licence shall, on demand by the licensing authority, furnish three clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate Licence and sealed, and the other shall be recorded by the authority by which the Licence was issued.

(ii) The fee for a duplicate Licence issued under this rule shall be rupees fifteen.

## **21. Stamping of duplicate Licence :-**

When a duplicate Licence is issued under these rules, it shall be clearly stamped DUPLICATE, in red and shall be marked with the date of issued of duplicate and the seal of the licensing authority.

## **22. Intimation to issuing authority :-**

(i) If the licensing authority which issues a duplicate Licence is not the authority by which the Licence was issued it shall intimate the fact to that authority.

(ii) If the licensing authority which affixed a new photograph to a duplicate Licence is not the authority by which the Licence was issued, it shall forward the second copy to that authority for record.

## **23. Temporary authorization in lieu of Licence :-**

(1) When the holder of a Licence has submitted the Licence to the licensing authority for renewal or for obtaining an authorization to drive a transport vehicle and has deposited the prescribed fee, or when a police officer or any Court or other competent authority has taken temporary possession of a Licence for any purpose and the Licence has not been suspended, or cancelled, the licensing authority or the police officer or the Court or other competent authority, as the case may be, shall furnish him with a receipt for the Licence and a temporary authorisation to drive in Form L Tem., and the provision of sub-section (3) of Section 206 shall apply as if the Licence had been seized under sub-section (2) of the said

section.

Provided that no such temporary authorisation shall be granted if the Licence is renewed and returned or returned with an authorisation to drive a transport vehicle on the date on which the application is received by the licensing authority. During such period as may be specified in the temporary authorisation in Form L Tem., the production thereof on demand shall be deemed to be production of the Licence. No fee shall be payable in respect of such temporary authorisation.

(2) Until the Licence has been returned to the holder he shall not be entitled to drive a motor vehicle (without being in possession of his Licence) beyond the period specified in the temporary authorisation as aforesaid.

Provided that the police officer, Court or competent authority by whom or which the temporary authorisation aforesaid was granted may in his or its discretion by order in writing endorsed thereon, extend the period for which the temporary authorisation is valid.

Provided further that the aggregate period of validity of the temporary authorisation (L. Team) issued pending a decision on the renewal application shall not exceed six months.

#### **24. Issue of duplicate Learners Licence and its fee :-**

If, at any time, a learners Licence is lost or destroyed the holder shall intimate the fact to the licensing authority by which the Licence was granted. On receipt of the intimation, the licensing authority shall proceed as if the learners Licence was driving Licence.

Provided that the fee for a duplicate Licence shall be rupees fifteen.

#### **25. Intimation of surrender of driving Licence :-**

A licensing authority keeping a driving Licence under Clause (a) of sub-section (2) of Section 19, shall, if the Licence was issued by another licensing authority intimate the fact to that authority

#### **26. Intimation of endorsement by Court or authority :-**

The Court or authority making or causing to be made an endorsement upon a driving Licence under Section 24 of the Act shall send intimation in Form LE to the licensing authority by which the Licence was issued and to the licensing authority by which it was last renewed.

## **27. Intimation of renewal :-**

A licensing authority renewing a driving Licence under the provisions of sub-section (6) of Section 15 shall intimate the fact to the licensing authority by which the Licence was issued in Form LRAD.

## **28. Intimation of addition to Licence :-**

A licensing authority adding another class of motor vehicle to a Licence under Section 15 shall, if it is not the authority by which the Licence was issued, intimate the addition to that authority in Form LRAD.

## **29. Certificate of automobile associations :-**

For the purposes of the second proviso to sub-section (3) of Section 9 of the recognized automobile associations shall be those which shall be notified by the Government from time to time.

## **30. Report of change of permanent address :-**

(1) The holder of a Licence entitling him to drive a transport vehicle shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report any change of his temporary or permanent address as notified on the Licence at any police station and produce the Licence at the police station in order that the new address may be entered therein.

(2) The officer in charge of the police station at which the Licence is produced shall enter therein the new address and communicate the new address to the licensing authority by which the Licence was issued and to the licensing authority by which it was last renewed.

## **31. Conduct and duties of drivers of public service vehicles :-**

The driver of a public service vehicle on duty,-

- (i) shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for the drivers seat in accordance with Rule 337 or otherwise in such a way as to impede him in having a clear vision of the road or proper control of the vehicle.
- (ii) shall not shout in order to attract a passenger;
- (iii) shall, subject to any rules or regulations in force prohibiting the

taking up or setting down of passengers at, or except at certain specified places, bring the vehicle rest for a sufficient period of time in safe and convenient position (a) upon the demand or signal of the conductor or of any passenger desiring to alight from the vehicle, and (b) unless there is no room in the vehicle upon the demand or signal of any person desiring to become a passenger.

(iv) shall not, when brining his vehicle to rest for the purpose of picking up or setting down any passenger at or near the place where another public service vehicle is at rest for the same purpose, drive the vehicle so as to endanger, inconvenience or interfere with the driver or the conductor of the other vehicle or any person mounting or preparing to mount thereon or alighting there from, and shall bring his vehicle to rest in front or behind the other vehicle and on the left hand side of the road or place;

(v) shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not drive the vehicle when any break, tyre or lamp thereof is in a defective condition likely to endanger any passenger or other person or when there is not sufficient fuel in the vehicle to enable him to reach the next fueling station on the route;

(vi) shall, as far as may be reasonably possible having regard to his duties, be responsible for the observance of the provisions of the Act and of these rules;

(vii) shall not smoke;

(viii) shall behave in a civil and orderly manner;

(ix) shall wear as uniform a closed coat with brass buttons and trousers of white or khaki or navy blue colour and also forge cap of the same colour as head gear.

(x) shall maintain the vehicle in a clean and sanitary condition;

(xi) shall not interfere with persons mounting or preparing to mount upon any other vehicle; and

(xii) shall not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time table pertaining to the vehicle or where there is no such time - table, with all reasonable dispatch

### **32. Additional duties of drivers of motor cabs:- No driver of motor cab shall :-**

(i) terminate the hiring of a motor cab before he has been discharged by the hirer;

(ii) demand or extract any fare in excess of that to which he is

legally entitled;

(iii) allow any person to be carried in any motor cab in excess of the seating capacity specified in the permit of the vehicle; and  
(iv) cover or obscure the face of a taxi meter under any circumstances or at any time.

**33. Responsibility of driver of vehicle on which there is no conductor :-**

The driver of a public service vehicle on which there is no conductor due to certain unavoidable circumstances mentioned in Rule 72 shall be responsible for the observance of the provisions of rule 73 and Clauses (vii) to (xi) of Rule 74.

**34. Driver of motor cab to proceed by shortest route :-**

The driver of a motor cab shall proceed to the destination named by the hirer by the shortest and quickest route.

**35. Rules for drivers in respect of motor cab stands :-**

The drivers at motor cab stands shall observe the following rules:-

(i) the drivers of the first two motor cabs on the stand shall stay beside their cabs and ready to be hired at once by any person provided that a hirer wishing to hire any particular cab on the stand may do so;

(ii) all motor cabs on the stand shall move up as vacancies occur

(iii) no motor cab engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered;

(iv) no disabled motor cab shall remain on the stand unless such disablement is temporary and can be and is remedied at once;

(v) every motor cab other than motor cab referred to in Clause (iv) which is on the stand shall be ready to be hired and when its turn comes the driver shall accept the first offer of hire which may be made to him irrespective of the length of the journey for which such offer is made;

(vi) every driver shall keep his motor cab with front wheels straight at a distance of not less than one foot from the motor cab immediately in front of it and where the stand is by the side of a kerb paralalled to and not more than one foot from the kerb; and

(vii) no driver shall keep a flag fitted to the taxi meter down or shall set it in motion, before the motor cab is hired in its turn.

### **36. Duties of drivers of goods carriages :-**

The driver of goods carrier while on duty

- (i) Shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for the drivers seat in accordance with Rule 337 or otherwise in such a way as to impede him in having a clear vision of the road or proper control of the vehicle.
- (ii) shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not drive the vehicle when any brake, tyre or lamp thereof is in a defective condition likely to endanger any passenger or other person or when there is no sufficient fuel in the vehicle to enable him to reach the next fueling station on the route;
- (iii) shall, as far as may be reasonably possible, having regard to his duties, be responsible for the due observance of the provisions of the Act and of these rules;
- (iv) shall behave in a civil and orderly manner;
- (v) shall not be under the influence of drink or of a drug;
- (vi) shall wear as uniform a shirt and trousers or a slack and a knicker made of khaki or navy blue coloured cloth.
- (vii) shall not carry more persons in the cabin than the number noted in the registration certificate of the vehicle;
- (viii) shall not allow any person to be carried in the vehicle upon the goods or otherwise in such a manner that such a person is in danger of falling from vehicle and in no case shall any person be carried in the vehicle in such a manner that any part of his person when he is in a sitting position is at a height exceeding 3 meters from the surface upon which the vehicle rests;
- (ix) shall not carry more than six person excluding himself, unless the permission of the transport authority concerned has been obtained for carriage of more number of persons.

### **37. Drivers badge :-**

(1) The driver of a public service vehicle shall while on duty, display on his left breast a metal badge in the form illustrated in the Second Scheduled to these rules issued by and inscribed with the name of the district of the authority by which an authorization to drive a transport vehicle has been granted and the word DRIVER together with an identification number. A badge granted under this rule shall be valid throughout the State.

Provided that this sub-rule shall not apply to a person holding an



effective driving Licence authorizing him to drive a motor car and is driving a motor car hired by him for his own use.

(2) A driver of a public service vehicle shall not hold more than one such badge issued by an authority in the State;

(3) A drivers badge which was valid immediately before coming into force of these rules shall be valid for the purpose of these rules;

(4) The driver of a public service vehicle shall, while on duty, in addition to the badge display on his right breast a plate in white plastic size 8 cm. x 2 cm. inscribed with his name in bold black letters of size (0.5 cm.) both in English and Telugu one below the other respectively. The cost of the name plate shall be born by the wearer himself.

**38. Fee for issue of badge and issue of new badge in case it is lost or destroyed :-**

(1) The fee payable for issue of badge under Rule 37, shall be fifty rupees. If at any time the badge is lost or destroyed, its holder shall forthwith give intimation thereof in writing to the licensing authority which issued the badge and may apply for a new badge. Such application shall be accompanied by a fee of fifty rupees;

(2) Upon receipt of the application and the fee therefore the licensing authority shall issue a new badge;

(3) If the badge, which has been lost or destroyed, is subsequently found, it shall be surrendered to the said licensing authority.

**39. Surrender of badge :-**

If at any time, the authorization on a drivers Licence entitling him to drive transport vehicle is suspended or revoked by any authority or by any Court or ceases to be valid by the efflux of time, the driver shall forthwith surrender the badge to the authority by which it was issued.

**40. Custody and production of badge :-**

No driver shall lend or transfer the badge prescribed in these rules to any person. The badge shall be produced for inspection, when demanded by Police Officer or any officer or any Officer of Transport Department not below the rank of an Assistant Motor Vehicles Inspector

**41. Person finding badge to surrender :-**

Any person finding a drivers badge shall unless he returns the same to the person whom he knows to be the holder, forthwith surrender it to any licensing authority or to any police officer.

**42. Exemption from payment of fee :-**

The exemption from the payment of fee prescribed in Clause (f) of sub-section (2) of Section 28 shall be as notified by the State Government from time to time.

**43. Issuing Authority of Medical Certificate :-**

The Authority to issue a medical certificate under sub-section (3) of Section 8 shall be a State Government Doctor of and above the rank of Assistant Civil Surgeon or as may be authorized by the Government.

**44. Fee for issue of Medical Certificate :-**

The fee chargeable by the authority for issuing a medical certificate shall not exceed rupees fifteen.

**45. State Register of Driving Licences :-**

(1) Each Licensing Authority in the State shall maintain a register in respect of driving Licences issued and renewed by it in Form 10 as prescribed under sub-rule (1) of the Rule 23 of the Central Motor Vehicles Rules, 1989.

(2) Each Licensing authority shall supply to the Central Government a printed copy of the Register referred to in sub-rule (1) so as to reach the Director (Transport Research), Ministry of Surface Transport, New Delhi on or before 15 th April, 15 th July, 15 th October and 15 th January of every year covering the details for the preceding period of three months and simultaneously supply a copy of the register to Transport Commissioner.

**CHAPTER 3 Licensing of conductors of stage carriages**

**46. Licensing authority :-**

(1) The Licensing Authority shall be the Secretary of the respective Regional Transport Authority.

(2) The Additional licensing authorities shall be the Additional Secretaries of the Regional Transport Authorities as specified in the Fourth Schedule to these rules and also the executive staff of

Transport Department not below the rank of Assistant Motor Vehicles Inspector in the Districts and the Superintendents in the office of the Regional Transport Authorities.

(3) The additional licensing authorities shall exercise their powers subject to the general control and guidance of licensing authorities concerned.

**47. Form of application for Conductors Licence :-**

An application for conductors Licence shall be made in writing in Form CLA and shall be accompanied by two clear copies of a recent photograph of the applicant, the medical certificate of fitness in Form MCC and the fee prescribed.

**48. Photograph to be affixed to medical certificate :-**

The medical certificate referred to in Rule 47 shall be affixed with a photograph in addition to the two copies of photographs required in Rule 47. The photograph to be affixed to the medical certificate of fitness in Form MCC shall be firmly affixed and not merely pinned to the Form and the prescribed registered medical practitioner shall affix his signature or seal to the photograph in addition to signing the Form.

**49. Rejection of old certificate :-**

The Licensing Authority may decline to accept a medical certificate of fitness granted more than one month prior to the date of application for the grant of Licence.

**50. Photograph size :-**

The copies of the photograph required by sub-section (3) of Section 30 shall be of a size not more than 51 millimeters by 64 millimeters.

**51. Sealing of photograph :-**

The photograph, of the holder when affixed to a Licence shall be sealed or stamped with the seal of the licensing authority in such a manner that part of the impression of the seal or stamp is upon the photograph and part on the margin.

**52. Licensing Authority to make enquiry :-**

Upon receipt of an application for a conductors Licence, the licensing authority may make such enquiries as may be necessary to establish the identity of the applicant and to ascertain that the applicant is not disqualified for holding a Licence.

**53. Form of Licence :-**

A conductors Licence shall be granted in Form CL.

**54. Educational Qualifications :-**

No person shall be granted a conductors Licence unless he has studied upto and inclusive of III Form or VIII standard.

Provided that this rule shall not apply to any person who immediately before these rules came into force was in possession of conductors Licence issued by a competent authority.

**55. Training in First-Aid :-**

No person shall be granted a conductors Licence unless he has undergone training in First-Aid and is in possession of a certificate issued by the St. John Ambulance Association (India), a Civil Surgeon or an Assistant Civil Surgeon or by such other authority as the Government may by notification in the Andhra Pradesh Gazette, declare to be competent to issue such certificates.

**56. Summoning of the Applicant for a Test :-**

The licensing authority to which application is made for a conductors Licence may, summon the application to appear before it at such time and place as the authority may appoint and conduct a test to satisfy itself whether he has adequate knowledge of the provisions of these rules relating to the duties and functions of a conductor. No person shall be granted a conductors Licence unless he satisfies the licensing authority in this behalf.

**57. Application for renewal :-**

An application for the renewal of a conductors Licence shall be made in Form CLRA and shall contain the declaration required by that Form. It shall be accompanied by the fee prescribed.

**58. Intimation to original licensing authority :-**

When the authority renewing the Licence is not the authority which issued the Licence, it shall intimate the fact of renewal to the authority which issued the Licence in Form LRAD.

**59. Duplicate Licence :-**

The provisions of rules as applicable shall so far as may be, apply in relation to driving Licence.

Provided that the fee for the issue of duplicate conductors Licence shall be ten rupees only.

**60. Cancellation of Suspension by Court :-**

The Court making of causing to be made an endorsement on a conductors Licence under sub-sections (1) and (2) of Section 24 read with Section 36 shall send information in Form LE to the licensing authority by which the Licence was issued and to the licensing authority by which it was last renewed.

**61. Production of Licence on Demand :-**

A conductor of a stage carriage shall on demand by any Police Officer in uniform or any officer of Transport Department of and above the rank of Assistant Motor Vehicles Inspector or any Magistrate produce his conductors Licence for inspection:

Provided that if at the time his Licence is demanded, he is displaying the badge prescribed in Rule 66 it shall be sufficient compliance with this rule if he produces the Licence within ten days at any police station in the State which he specifies to the authority making the demand.

**62. Only one Licence to be effective :-**

No person shall hold more than one conductors Licence.

**63. Appellate Authority :-**

(1) The authority empowered under sub-section (2) of Section 33 to hear appeals against the orders of a licensing authority shall be the Deputy Transport Commissioner concerned.

Provided that the appellate authority against the orders of the Secretary, Regional Transport Authority of the rank of the Joint Transport Commissioner or the Deputy Transport Commissioner shall be the Transport Commissioner.

#### **64. Form of Appeal :-**

(1) An appeal under Rule 63 shall be in the form of a memorandum in duplicate setting forth concisely the grounds of objections to the order appealed against and shall be accompanied by the original or a certified copy of that order. A fee of twenty rupees shall be paid in respect of each appeal.

(2) The Secretary, State Transport Authority, the Deputy Transport Commissioner and the Secretary, Regional Transport Authority, may, in this discretion, give any person interested in an appeals in sub-rule (1) copies of relevant documents connected with the appeal on payment of a fee of two rupees, such payment being made by means of court fee stamps affixed to the application for each such copy of the document.

(3) The appellate authority after giving an opportunity to the parties of being heard and after such further enquiries, if any, as it may deem necessary may confirm, modify or set aside the order appealed against and shall make an order accordingly.

#### **65. Report of change of permanent address :-**

(1) The holder of a Licence shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report any change of his temporary or temporary address as notified on the Licence at any police station and produce the Licence at the police station in order that the new address may be entered therein.

(2) The officer-in-charge of the police station at which the Licence is produced shall enter therein the new address and communicate the new address to licensing authority by which the Licence was issued and to the licensing authority by which it was last renewed.

#### **66. Conductors Badge :-**

(1) The conductor of a stage carriage shall, while on duty, display on his left breast a metal badge of prescribed dimensions as illustrated in the Second Schedule to these rules issued by and inscribed with the name of the district of the authority by which the conductors Licence is granted and the word "CONDUCTOR" together with the identification number. A badge granted under this rule shall be valid throughout the State.

(2) A conductor shall not hold more than one such badge issued by an authority in the State.

(3) The conductor of a stage carriage shall while on duty, in addition to the badge display on his right breast a plate in white plastic of size 8 cm x 2 cm inscribed, with his name in bold black letters of size 0.5 cm. both in English and Telugu one below the other respectively. The cost of the name plate shall be borne by wearer himself.

**67. Badge issued under old rules :-**

A conductors badge which valid immediately before coming into force of these rules shall be valid for purposes of these rules.

**68. Fee for issue of badge and issue of new badge, in case it is lost or destroyed :-**

(1) The fee payable for the issue of badge under rule 66 shall be [fifty rupees]. If at any time the badge is lost or destroyed, its holder shall forthwith give intimation thereof in writing to the licensing authority which issued the badge and may apply for new badge. Such application shall be accompanied by a fee of fifty rupees.

(2) Upon receipt of the application and the fee therefore, the licensing authority shall issue a new badge within one week.

(3) If the badge which has been lost or destroyed, is subsequently found it shall be surrendered to the said licensing authority.

**69. Surrender of badge :-**

If, at any time, a licensing authority revokes or refuses to renew a conductors Licence, or if a conductor is disqualified from holding a Licence by any Court or licensing authority or if the Licence ceases to be valid by efflux of time, the conductor shall forthwith surrender the badge to the authority by which it was issued.

**70. Custody of badge :-**

No conductor shall lend or transfer the badge prescribed in these rules to any other person. The badge shall be produced for inspection when demanded by a police officer in uniform or any other person empowered to stop a stage carriage under Rule 288.

**71. Person finding badge to surrender :-**

Any person finding a conductors badge shall unless he returns the

same to a person whom he knows to be the holder, forthwith surrender it to any licensing authority or to any police officer.

## **72. Stage carriage to carry conductors :-**

No stage carriage shall be used in a public place unless it carries in addition to the driver a conductor.

Provided that a stage carriage may be driven to its destination without a conductor if, on account of sudden illness or for any other valid reason, the conductor is unable to carry on his duties.

Provided further that transport authority may allow a stage carriage to be driven without a conductor subject to the condition that tickets are issued before the start of the journey by a person who is not the conductor and who is not traveling in the vehicle and subject to such other conditions as the transport authority may deem fit.

Provided also that a transport authority may permit the driver of a stage carriage to perform the functions of a conductor subject to the condition that he is qualified to hold the post of a conductor and subject to such other conditions as the transport authority may deem fit.

(Provided also that a Transport Authority may permit the driver of a stage carriage to perform the functions of a conductor by issuing tickets through Ticket Issuing Machines subject to such other conditions as the Transport Authority may deem fit.)

Explanation :- In this rule, transport authority shall means the authority by which the stage carriage permit of the vehicle was granted or last renewed under the Act.

## **73. Refusal to issue tickets :-**

No conductor or other person authorized to accept fares, when a stage carriage is waiting or plying for hire shall :-

- \* without reasonable excuse, refuse to accept a fare from any person tendering it, provided that the conductor or such other person shall stop the issue of tickets when the maximum number of passengers or the maximum load or luggage or goods, as the case may be, which the vehicle is permitted to carry has been reached; or

- \* demand more than the proper fare.

## **74. Duties of Conductors :-**



Every conductor of a stage carriage on duty,

(i) shall as far as may reasonably be possible having regard to his duties, be responsible for the due observance of the provisions of Act and of these rules;

(ii) shall not smoke;

(iii) shall behave in a civil and orderly manner to passengers and intending passengers;

(iv) shall wear a uniform a closed coat with brass buttons and trousers of khaki or navy blue colour and also a forage cap of the same colour as head gear.

Provided that in the case of employees of Andhra Pradesh State Road Transport Corporation the uniform fixed by the Corporation shall be worn;

- \* shall maintain the vehicle in a clean and sanitary condition;

- \* shall not interfere with persons mounting or preparing to mount upon any other vehicle.

- \* shall not solicit custom save in a civil and quiet manner;

- \* shall not allow any person to be carried in any stage carriage in excess of the capacity specified in the permit of the vehicle;

- \* shall not, save for good and sufficient reason, refuse to carry any person tendering the legal fare;

- \* shall, where luggage and personal effects of passengers are carried on the vehicle in addition to passengers, take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of the luggage and personal effects;

- \* shall not, save for good and sufficient reason, require any person who has paid the legal fare to alight from the vehicle before the conclusion of the journey;

- \* shall not loiter or unduly delay on any journey;

- \* shall, in the event of the stage carriage being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver or the conductor, arrange to convey the passengers to their destination in some other similar vehicle or, if unable to do so arrange within two hours after the failure of the vehicle, shall on demand refund to each passenger a proper proportion of the fare relating to the completion of the journey for which the passenger has paid the fare;

- \* shall not, in the case of a stage carriage, cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers;

- \* shall take all reasonable precautions to prevent luggage being

miscarried or lost or damaged on the way and shall be reasonable for the safe custody and delivery of the luggage kept on the luggage carrier on the roof of the vehicle;

\* shall not be under the influence of drink or of a drug;

\* shall call upon every passenger to declare the journey he intends to perform and demand from him the fare chargeable therefore and shall not allow any passenger to alight or attempt to alight without collecting the fare payable and without issuing a ticket therefore.

But nothing herein shall apply to passenger who holds a pass or who need not pay the fare on account of bus warrants issued under and in accordance with the rules in force.

### **75. Issue of tickets, productions of counterfoils :-**

The conductors shall,

(a) on receipt of the fare charged issue to every passenger traveling or intending to travel in a stage carriage including every child over three years of age and to every person from whom freight charges have been collected for conveying goods or luggage or personal effects a separate ticket of the requisite denomination with stage and fare printed thereon:

(b) carry at all times when the stage carriage is in use the counterfoils of the tickets so issued, and produce the counter foil on demand by any police officer in uniform or any other person empowered to stop a stage carriage under Rule 288.

Provided that Clause (b) shall not apply to cases where tickets are issued by means of bell-punch machine or other device approved by the State Transport Authority and the conductor keeps a record of the number and values of the tickets issued. Such records shall be produced on demand by any police officer in uniform or any other person empowered to stop a stage carriage under Rule 288.

Provided further that notwithstanding the provisions of this rule, the licensing authority may in its discretion, and subject to such conditions as it may deem fit authorize the issue of tickets by a person who is not the conductor and who is not traveling in the vehicle.

### **76. Exemption :-**

(1) A person who is qualified for the post of a conductor but who does not hold a conductors Licence may be permitted by the Secretary of a Regional Transport Authority to act as conductor of a stage carriage for a period not exceeding one month at a time,

provided that no Licenced conductor is available or that non of those who are available is willing to act as conductor of the stage carriage concerned.

(2) The provisions of sub-section (1) of Section 29 shall not apply to employees of the Andhra Pradesh State Road Transport Corporation, who belong to any of the following classes and who are deputed to act as conductors for period not exceeding one month at a time.

- \* Depot Clerks
- \* Assistant Depot Clerks
- \* Travelling Ticket Inspectors
- \* Controllers
- \* Traffic Inspectors
- \* Traffic Clerks
- \* Drivers

### **77. Issuing Authority of Medical Certificate :-**

(1) The Authority to issue a medical certificate under sub-section (3) of Section 30 shall be of and above the rank of Assistant Civil Surgeon or as may be authorized by Government.

### **78. Fee for issue of Medical Certificate :-**

The fee chargeable by the authority issuing a medical certificate shall not exceed

## **CHAPTER 4 Registration of Motor Vehicles**

### **79. Registering Authority :-**

(1) The registering authority shall be the secretary of the respective Regional Transport Authorities.

(2) The Additional Registering Authorities shall be the Additional Secretaries of the Regional Transport Authorities as specified in the Fourth Schedule to the Rules, and also the executive staff of Transport Department not below the rank of Assistant Motor Vehicles Inspector in the districts and the Superintendents in the Office of the Regional Transport Authorities.

(3) The additional registering authorities should exercise the powers subject to the general control and guidance of the registering authorities concerned.

### **80. Registration Mark :-**

The registration mark to be assigned under sub-section (6) of Section 41 by the registering authority specified in the first column of the First Schedule to these rules shall be as set forth in the corresponding entry in the second column thereof.

**80A. Exhibition of Registration mark :-**

The letters and numerals shall be exhibited as follows:

(i) in the case of transport vehicle other than a motor cab, registration mark shall be exhibited in two separate horizontal lines with letters and code numbers of the Registering Authority in one horizontal line; and numerals in another horizontal line below it.

\* in all other cases, the registration mark may be exhibited with letters and numerals within two horizontal lines as aforesaid or in one horizontal line:

Provided that when the registration mark is exhibited in one horizontal line, there shall be hyphen between the letters (including code number of Registering Authority) and the numerals. The length and thickness of the hyphen shall be not less than three-fourth and one-fourth of a centimeter respectively.

**81. Assignment of Registration Number :-**

(1) On receipt of applications for registration, the Registering Authority shall arrange them alphabetically every day and sign the numbers serially after the last registration mark assigned subject to the provisions of the following sub-rules.

(2) The Transport Commissioner may reserve any registration number/numbers as are considered necessary to be assigned to any vehicle.

(3) The Registering Authority may on an application in Form RRMA made to it by owner of the Vehicle reserve the special numbers within thousand from the last number assigned in serial order on the date of application.

(i) On payment of fee of Rs.50,000 (Rupees fifty thousand only) for any one of the numbers 1, 9, 999, 9999.

(ii) On payment of fee of Rs.30,000 (Rupees thirty thousand only) for any one of the numbers 99, 333, 555, 666, 777, 888, 2222, 3333, 4444, 5555, 6666, 7777, 8888.

(iii) On payment of fee of Rs.20,000 (Rupees twenty thousand only) for any one of the numbers 123, 222, 369, 444, 567, 786, 1111, 1116, 3366, 3456, 4455.

(iv) On payment of fee of Rs.10,000 (Rupees ten thousand only) for any one of the numbers 3, 5, 6, 7, 111, 234, 306, 405, 789, 818, 909, 1188, 1234, 1314, 1818, 1899, 2277, 2772, 2345, 2727, 2799, 3636, 3663, 3699, 4545, 4554, 4567, 4599, 5678, 6336, 6633, 6789, 7227, 7722, 8118, 8811, 9009, 9099.

(v) On payment of fee of Rs.5,000/- (Rupees five thousand only) for any one of the numbers other than those mentioned against the clauses (i) (ii) (iii) and (iv) above in respect of all vehicles except two wheelers for which a fee of Rs.2,000/- shall be charged. When there is application for allotment for four wheelers and two wheelers for the same number, priority shall be given to four wheeler applicants.

"Provided that any current number can be reserved on payment of Rs.1000/-" (Rupees Thousand Only)

(vi) The applications for reservation of numbers shall be dropped in a drop box (sealed box) along with the required fee up to 1.00 P.M. No application would be allowed to be dropped in the drop box after 1.00 P.M. On any working day no application shall be received personally under any circumstances.

(4) All the payments shall be made in the shape of a Demand Draft drawn in favour of Secretary or Regional Transport Authority of that District from, any reputed bank.

(5) If there is more than one application in a day for a particular registration number the reservation shall be made by way of receiving tenders in closed envelopes along with the RRMTA. All applicants shall enclose the offered amount by way of a Demand Draft in favour of Secretary, Regional Transport Authority of the District to the tender form at 3 p.m. on the same day before the registering authority. The number shall be allotted to the highest offer from those who have filed application. If any applicant is not present at 3 p.m. for bidding, his application along with fee shall be forfeited. The bid amount offered shall not be less than the fees referred to in sub-rules (3) (i), (ii) and (iii), as the case may be.

(6) The number reserved under sub-rules (3) (i), (ii) and (iii) shall be allotted on production of the vehicle and registered as per the procedure prescribed in the Motor Vehicles Act, 1988 and rules made there under. The reservation shall be cancelled if the vehicle is not produced within (15) days from the date of reserving the number. The number served shall be re-notified immediately and the procedure as per sub-rules (3) (i), (ii), (iii) and (5), shall be followed after cancellation of the reservation. If no applicant applies for the number or numbers, the said number or numbers shall be

referred to the Transport Commissioner at intervals decided by him for re-notification or further action.

## **82. Particulars to be pointed on transport vehicle :-**

(1) Save in the cases of motor cabs, the following particulars in respect of the every transport vehicle shall be exhibited on the left hand side of the vehicle in the manner prescribed that is to say :

- \* the name of the owner of the vehicle;
- \* the unladen weight denoted by U.W..... Kilograms;
- \* the gross vehicle weight denoted by GVW.....Kilograms;
- \* engine number;
- \* Chassis number;
- \* in the case of public service vehicle or an educational institution bus or a private service vehicle the number of passengers excluding the driver and the conductor specified in the permit of the vehicle denoted by Pass;
- \* the registered front axle weight denoted by R.A. W.....Kilograms;
- \* the registered rear axle weight denoted by R.A. W.....Kilograms;
- \* the registered axle weight each intermediate axle, if any denoted by M.A. W.....Kilograms;
- \* the number and size of tyres:
  - (a) front axle denoted by ..... Nos .....
  - (b) rear axle denoted by .....Nos .....
  - (c) intermediate axle denoted by .....Nos .....
- \* the validity of permit denoted by Per. Val .....
- \* the registration mark of the vehicle denoted by registration mark;
- \* the validity of the certificate of fitness denoted by C or F, Val.....

(2) The weights shall be stated in Kilograms and the particulars shall be set forth in English letters and numerals, each not less than 25 mm high and 25 mm wide legibly painted on a plane surface or a plate or plates affixed to the vehicle.

## **83. Vehicles of Central Government exempted :-**

Vehicles registered under Section 60 need not exhibit the particulars specified in Clauses (vi) and (xi) of sub-rule (1) of Rule 82.

## **83A. Communication of certificates of Central Government**

## **agencies of Motor Vehicles for registration :-**

(1) Every manufacturer should file an application to the Transport Commissioner enclosing the certificate obtained from the Central Government agencies under Rule 126 of Central Motor Vehicles Rules, 1989 for communicating the same to all the Registering Authorities in the State for registration of a new model or its variant:

(2) Every application under sub-rule (1) above shall be accompanied with a fee of Rs. 2000/- (Rupees two thousand) for each model or its variant.

## **84. Application and authority for temporary registration :-**

(1) An application for temporary registration shall be made in the Form 20 of the Central Motor Vehicles Rules, 1989 prescribed for registration, under the Act marked Temporary to the registering authority or to the dealer dealing in the sale of new motor vehicles recognized by the Transport commissioner. It shall not be necessary to fill in Items 23 to 32 of that Form, notwithstanding that the vehicle may be a transport vehicle:

Provided that the dealer shall exercise the power of temporary registration only in cases where the vehicles released are new and are sold by him.

(2) The dealer exercising the power under sub-rule (1) shall abide by the orders of the Transport Commissioner issued, from time to time, on this behalf.

## **85. Extension of temporary registration :-**

An application for extension of the period of temporary registration under the proviso to Section 43 (2) of the Act shall be made to the registering authority specifying the period upto which such extension is necessary and shall be accompanied by the temporary registration Form C.R. Tem.

## **86. Form of Temporary Registrations :-**

A temporary certificate of registration shall be in Form C.R. Tem.

## **87. Intimation to the registering authority concerned :-**

The authority granting a temporary certificate of registration shall, in all cases forward a copy of Form CR Tem to the registering

authority in whose area the vehicle is to be ordinarily kept.

**88. Assignment and allocation of temporary registration marks to dealers :-**

(1) The authority granting a temporary certificate of registration shall assign a temporary registration mark to the vehicle and the owner shall cause the said mark to be affixed to the front and rear of the motor vehicle in the manner prescribed for registration marks in these rules..

(2) To enable the dealer to assign temporary registration marks to vehicles the registering authority concerned shall allocate to each dealer a block of temporary registration marks.

**89. Temporary Registration Fee :-**

Unless exempted, the fee payable for temporary registration or for its extension shall be rupees fifteen.

**90. Registration fee for articulated vehicle :-**

In case of an articulated vehicle which is provided with more than one trailer but is so constructed that only one such trailer can be used at a time, it shall be registered as single vehicle with alternative bodies and all such trailers shall be entered in the registration certificate without any additional fee.

**91. Exemption from payment of registration fee :-**

The exemption from the payment of fee of registration shall be as notified by the State Government from time

**92. Communication to original authority :-**

Communication of transfer to the original registering authority under sub-section(7) of Section 50 shall be in Form CRT I.

**93. Change of category of vehicles registered in Hyderabad or other districts :-**

(1) When a motor vehicle of a particular category, registered in Hyderabad City ceases to remain in that category the owner of the vehicle shall apply immediately to the registering authority within whose jurisdiction the vehicle then is for the assignment of a new registration mark and shall present the registration certificate to



that registering authority.

(2) The registering authority to which application is made under sub-section (4) of Section 47 shall assign the vehicle an appropriate registration mark in accordance with the First Schedule to these rules to be carried thenceforth on the vehicle and shall enter the mark upon the certificate of registration before returning to the applicant.

(3) An authority, other than the original registering authority making any such entry shall intimate the assignment of new registration mark to the original registering authority.

(4) The above sub-rule shall apply to all vehicles registered in other districts also where special series are earmarked for particular category of vehicles.

#### **94. Amount payable for belated applications :-**

The amounts payable as referred to under sub-section (13) of Section 41 or sub-section (7) of Section 47 or sub-section (4) of Section 49 or sub-section (5) of Section 50 of the Act shall be as follows :

	<b>Period</b>	<b>Amount in rupees</b>
»	In case the period of delay does not exceed three months	25/-
»	In case the period of delay does not exceed six months	50/-
»	In case the period of delay does not exceed nine months	75/-
»	In case the period of delay exceeds nine months	100/-

#### **95. Intimation to parties :-**

The registering authority assigning a new registration mark to a motor vehicle shall intimate the fact to the owner and the other party, if any, to an agreement of hire-purchase specified on the certificate of registration and shall apply to the original registering authority for transfer of the records of the vehicle in Form RMI.

#### **96. Intimation in respect of vehicles not registered within the State :-**

Further to the provisions of sub-section (4) of Sec.47, when any motor vehicle which is not registered in this State has been kept within the State for a period exceeding thirty days, the owner or other person in charge of the vehicle shall send intimation to the registering authority of the area in which the motor vehicle is at the time of making the report and shall intimate:-

- \* his name and permanent address, and his address for the time being;
- \* the registration mark of vehicle;
- \* the make and description of the vehicle; and
- \* in the case of a transport vehicle, the name of the authority within the State by whom the permit has been issued or countersigned.

### **97. Inspection of vehicles registered in other State and brought into the State :-**

The registering authority shall before assigning new registration mark under Sec.47 or before entering the particulars of change of address or change of ownership of a motor vehicle in the certificate of registration require the owner or as the case may be, the transferee to produce the motor vehicle either before itself or before the Inspector of Motor Vehicles, in order that the registering authority may satisfy itself that the chassis and engine numbers noted in the registration certificate are correct.

### **97A. Exemption of Road Rollers form Physical Inspection :-**

The Road Rollers used for repairs of roads, need not be produced before the registering authority for physical inspection of the Vehicle at the time of registration as required under Section 44 of the Act.

### **98. Exemption of vehicles with trade certificate :-**

Nothing in Rule 96 shall apply to motor vehicle which is exempted from registration exhibiting a trade certificate issued under the Act.

### **99. Issue of duplicate :-**

(1) On receipt of an application under Rule 53 of the Central Motor Vehicle Rules, 1989 with prescribed fee the registering authority shall cause necessary enquiries to be made as to the reasons for loss, genuineness of the application, verification of signatures of the

applicant with reference to the records maintained in his office and after satisfying itself that the application can be complied with, shall issue a duplicate certificate of registration clearly stamped "DUPLICATE" in red.

(2) If the registering authority referred to in sub-rule (1) is not the authority which registered the vehicle originally or had assigned a registration mark under Section 47 the registering authority on production of a no objection letter filed by the owner of the vehicle from the original registering authority and after making necessary verification as to the genuineness of the application shall issue the duplicate.

Explanation:

Explanation for the purpose of this rule that the registering authority on whose rolls the vehicle has been entered after following the due procedure shall be deemed to be the original registering authority

(3) When a certificate of registration is completely written up or becomes soiled, the owner shall apply to the registering authority under Rule 53 of Central Motor Vehicles Rules, 1989 with prescribed fee with the old registration certificate and the registering authority shall issue a duplicate certificate of registration clearly marked Duplicate in red, noting the particulars of the vehicle available in the surrendered registration certificate.

(4) Any person coming into possession in any way of the registration certificate of a vehicle not owned by himself, shall surrender the same to the Registering Authority which registered the vehicle or the Registering Authority in which jurisdiction he resides:

Provided that the other party to a hire purchase agreement or hypothecation noted in the registration certificate may retain the registration certificate for valid reasons to be reported to the Registering Authority.

#### **100. Issue of Registration particulars and its fee :-**

The registering authority, upon receipt of an application together with the fee of rupees five may issue particulars of registration of a motor vehicle.

#### **101. Return of original certificate when found :-**

When the original certificate of registration is found after the issue of a duplicate thereof, the owner shall return the original to the

registering authority.

**102. Suspension of registration certificate :-**

The registering authority or any officer authorised by the registering authority or the Transport Commissioner or any officer authorised by the Transport Commissioner may suspend the certificate of registration of a motor vehicle under Section 53.

The Transport Commissioner or an officer authorised by him shall exercise the powers vested in him under this rule throughout the State.

**103. Prescribed Authority :-**

Any Registering Authority or the Additional Registering Authority of the region in whose functional area the vehicle was found plying, irrespective of the fact whether the vehicle has been registered in that region or not, shall be the prescribed authority for purposes of Section 53 of the Act.

**104. Procedure for noting hire-purchase agreement or hypothecation certificate of vehicle already registered :-**

Where the registering authority noting the hire purchase agreement or hypothecation is not the authority by whom a new registration mark has been assigned under Section 47 of the Act, intimation of the noting of hire purchase agreement or the hypothecation shall be sent to such original registering authority or the authority by whom a new registration mark has been assigned, as the case may be, in addition to recording the particulars of the registration of the vehicle and hire-purchase agreement or the hypothecation in the office register to be maintained by him for this purpose.

**105. Cancellation of hire purchase agreement or hypothecation, Intimation :-**

An intimation of the cancellation of the note of hire-purchase agreement / hypothecation shall be sent to the original registering authority or the authority who assigned the new registration mark, as the case may be and to the authority who made the said note in the registration certificate, if the authority canceling the said note is different from the authorities.

**106. Intimation to the financier :-**

The intimation to the financier under sub-sections (10) and (11) of Section 51 shall be sent under registered post to the address noted in the certificate of registration.

**107. Certificate of fitness issuing authority :-**

A certificate of fitness under Section 56 shall be granted or renewed by the Inspector of Motor Vehicles and also by the authorized testing station as approved under sub-section (2) of Section 56 subject to the general control and directions of the registering authority.

**108. Form of application for grant or renewal of certificate of fitness :-**

(1) An application for the grant or renewal of a certificate of fitness in respect of a motor vehicle shall be made in Form C.F.A. to the Inspector of Motor Vehicles or to the authorized testing station in whose jurisdiction the owner of the vehicle resides or carries on his business:

Provided that in the case of a stage carriage such application may be made to the Inspector of Motor Vehicles or to the authorized testing station in whose jurisdiction the owner of the vehicle resides or carries on his business at either end of the route on which the vehicle is permitted to ply or proposed to be plied at the option of the owner of the vehicle which he may exercise by filing a declaration before the Secretary of the Regional Transport Authority which granted or proposes to grant the said permit; and the option once exercised shall not be permitted to be revised unless in the opinion of the Secretary of the said Authority, new circumstances have arisen warranting such revision.

(2) Notwithstanding the provisions of sub-rule (1) an application for renewal of a certificate of fitness can be made to any other Inspector of Motor Vehicles or to any authorized testing station in whose jurisdiction the vehicle is kept for the time being, with the permission of the Secretary of the Regional Transport Authority which has granted the permit to the vehicle.

**109. Date of next inspection - Endorsement on Certificate :-**

The authority by whom a certificate of fitness was issued or, if it has been renewed, the authority, by whom it was last renewed, may endorse thereon the date, time and place appointed for the

next inspection of the vehicle and the owner shall cause the vehicle to be produced accordingly:

Provided that the vehicle need not be so produced if the owner proposes not to renew the certificate or if the vehicle is transferred to and kept in the area of another registering authority or Inspector of Motor Vehicles. In either of these cases the owner shall, before the date fixed for inspection, inform the authority who made the endorsement, in writing, that he does not propose to produce the vehicle, giving the reasons.

**110. Production of vehicle for inspection :-**

If the owner of a vehicle is not required to produce the vehicle under Rule 109 he shall in not less than one month before the date of expiry of the certificate, apply for its renewal and shall cause the vehicle to be produced for inspection on such date and at such time and place as the appropriate authority may thereafter, upon reasonable notice, appoint.

**111. One certificate for one vehicle :-**

There shall not be more than one certificate of fitness in respect of any vehicle.

**112. Use of vehicle upon expiry of certificate :-**

If, owing to mechanical breakdown or other cause, a motor vehicle is, after the expiry of the certificate of fitness, outside functional area of the authority by whom the certificate is to be renewed, any registering authority or Inspector of Motor Vehicles may without prejudice to any penalty to which the owner or driver may have become liable if the vehicle is in his opinion fit for use, by endorsement in Form C.F. Sub and subject to such conditions as he may specify, authorize its continued use for such time as may reasonably be necessary for the vehicle to return to the area of an authority by whom the certificate should be renewed, and vehicle may be driven to such area in accordance with such endorsement but shall not be used after return to that area until the certificate has been renewed.

**113. Inspection of transport vehicles :-**

All transport vehicles shall at reasonable times, be open to inspection by-

- \* any Magistrate;
- \* any police officer not below the rank of a Circle-Inspector of police
- \* any officer of the Transport Department not below the rank of an Asst. Inspector of Motor Vehicle; and
- \* any Minister of the Government.

#### **114. Unsafe vehicle - Restriction of use :-**

If any of the authorities specified in Rule 113 making the inspection, considers that the vehicle is unsafe, for ordinary use on the road, he shall record his reasons in Form CFX and communicate them in writing to the owners if he is in the vehicle and if not, to the driver. Subject to provisions of Rule 115 the vehicle shall not be used thereafter in a public place save for the purpose of being driven for inspection after repair, until the defects have been repaired to the satisfaction of the authority competent to issue or renew a certificate of fitness provided that the inspecting officer may, subject to such conditions as he thinks necessary, authorize the vehicle to be driven to a place of repair. A copy of the notice in Form CFX shall be sent to the registering authority of every district through which the vehicle runs.

#### **115. Fresh fitness certificate to be obtained :-**

If the vehicle is in a public place when it is found to be unsafe, the inspecting officer may permit it to be driven at speed not exceeding 16 Kilometers an hour to its immediate destination or to a specified place for repair and thereafter it shall not be driven in any public place without the special permission of the Inspector of Motor Vehicles of the place to which it has been driven. The Inspector of Motor Vehicles may grant permission subject to such conditions as he thinks fit and may direct that a fresh certificate of fitness shall be obtained before the vehicle can be used in a public place.

#### **116. Certificate of fitness - Cancellation :-**

- (1) Any registering authority and any Inspector of Motor Vehicle may cancel the certificate of fitness of a transport vehicle under sub-section (4) of Section 56 if in his opinion the vehicle does not comply with the provisions of the Act or the rules made thereunder.
- (2) Nothing in sub-rule (1) shall debar the owner or other person in charge of the vehicle, the certificate of fitness of which has been cancelled, from applying at any time for renewal of certificate of

fitness, if the vehicle has been repaired in such manner that the provisions of Chapter V of the Act and of these rules are complied with.

**117. Reasons for cancellation to be given :-**

The authority canceling a certificate of fitness under sub-rule (1) of Rule 116 shall without delay give the owner or other person in charge of the motor vehicle a receipt therefore and a statement in writing of the reasons for such cancellation and shall make a report of his action and forward the certificate to the authority by which it was last issued or renewed.

**118. Refusal to grant or renew-reasons to be given :-**

If the grant or renewal of certificate of fitness is refused, the reasons for the refusal shall be communicated to the owner in Form CFRR.

(2) The fee once paid for issue of renewal of fitness certificate shall not be treated as utilised for the reasons of issue of C.F.R.R but shall be treated as utilised if on re-inspection, the defects pointed out in C.F.R.R. are found to be not certified.

**119. Report of loss or destruction-Application for duplicate fee :-**

If a certificate of fitness is lost or destroyed, the owner of the vehicle shall forthwith report the matter to the authority by whom the certificate was issued or last renewed and shall apply with a fee of five rupees for the issue of a duplicate certificate.

**120. Duplicate - Issue of :-**

Upon receipt of an application and the fee referred to in Rule 119 the authority shall furnish the owner with a duplicate copy of the certificate duly stamped DUPLICATE in red.

**121. Surrender of original certificate when found :-**

If the certificate of fitness, the loss or destruction of which was reported under Rule 119 is traced later on, it shall be surrendered forthwith to the authority by which it was issued.

**122. Certificate issued previously - validity :-**



Subject to provisions of Rules 114, 115 and 116, a certificate of fitness issued under the Andhra Pradesh Motor Vehicles Rules, 1964 shall be valid for the purpose of these rules upto the date of expiry noted in such certificate.

**123. Non-production of certificate in certain cases :-**

No person shall be liable to be convicted of an offence under Section 130 for not producing the certificate of fitness if, at the time, when the certificate is demanded, he has Already reported the loss or destruction thereof in accordance with Rule 119 and a duplicate certificate has not been delivered to him.

**124. Appeals :-**

An appeal against any of the orders passed under Section 45, Section 48, Section 50, Section 53, Section 54 or Section 55 shall lie to :-

\* in the case of an order passed by registering authority or an officer of the rank of Regional Transport Officer or an Inspector of Motor Vehicles to the Deputy Transport Commissioner concerned, provided that in case the registering authority is of the rank of Joint Transport Commissioner, appeal shall be made to the Transport Commissioner.

(ii) in the case of an order passed by the Transport Commissioner or any other officer authorized by him, to the State Transport Appellate Tribunal.

**125. Appellate authority in respect of certificate of fitness :-**

(i) An appeal against any of the orders passed under sub-sections(1)and (2) of Section 56 shall lie to-

(ii) in the case of an order passed by an Inspector of Motor Vehicles at the testing station to the Secretary, Regional Transport Authority concerned, and

(iii) in the case of an order passed by any other officer to the Deputy Transport Commissioner concerned :

**126. Appeal, Form and Fee :-**

(1) An Appeal under Rule 124 or 125 shall be in the form of memorandum setting forth concisely the grounds of objection to the order which is the subject of appeal and shall be accompanied

by the original or certified copy of such order.

(2) A fee of five rupees shall be paid in respect of each appeal, such payment being made by means of court fee stamps affixed to the memorandum of appeal.

(3) The appellate authority, after giving an opportunity to the parties of being heard and after such further enquiry, if any as it may deem necessary, may confirm, vary or set aside the order against which appeal is preferred and shall make an order accordingly.

(4) The Secretary, Regional Transport Authority or the Deputy Transport Commissioner or the Secretary, Transport Authority may, in his discretion, give any person interested in an appeal referred to in sub-rule (1), certified copy of the order appealed against or of any other relevant documents on payment of a fee of two rupees, such payment being made by means of court-fee stamps affixed to the application for each such copy of the order, petition or document.

**127. Information regarding stolen and recovered motor vehicles to be furnished by the Police to the State Transport Authority :-**

The Director General and Inspector General of Police shall furnish a monthly return containing the information regarding vehicles which have been stolen and stolen vehicles which have been recovered of which the Police are aware to the State Transport authority by 5<sup>th</sup> of the succeeding month.

**128. State Register of Motor Vehicles :-**

(i) Each Registering Authority in the State shall maintain a Register in respect of motor vehicles of his district in the Form 39 as prescribed under Rule 75 of Central Motor Vehicles Rules, 1989.

(ii) Each Registering Authority shall supply to the Central Government a printed copy of the Register referred to in sub-rule (1) so as to reach the Director (Transport Research), Ministry of Surface Transport. New Delhi before 15<sup>th</sup> April, 15<sup>th</sup> July, 15<sup>th</sup> October and 15<sup>th</sup> January of every year covering details for the preceding period of three months and simultaneously supply copy of the Register to Transport Commissioner.

**129. Deposits by authorized testing stations :-**

The deposit under sub-rule 2(b) of Rule 63 of Central Motor Vehicles Rules shall be by National Savings Certificates duly endorsed in favor of the respective Registering Authority.

## **CHAPTER 5** Control of Transport Vehicles

### **130.** Appointment of Secretary or Additional Secretary :-

Each Regional Transport Authority shall have a Secretary and Additional Secretary specified in the Fourth Schedule to these rules. They shall perform such duties and exercise such powers as may be specified in these rules and in the bye-laws made by the Regional Transport Authority under Rule 147.

### **131.** Appointment of Regional and State Transport Authorities :-

(1) The period of appointment of the Regional Transport Authority or the State Transport Authority constituted under sub-section (1) of Section 69 of the Act shall be two years with effect on and from the date on which its constitution is notified in the Andhra Pradesh Gazette or until the fresh Regional Transport Authority or State Transport Authority is constituted whichever is later :

Provided that the Government may by notification and for reasons to be recorded therein at any time before the expiry of the original period of appointment reduce the said period of appointment of the Regional Transport Authority for such period as they deem fit.

(2) The Government may at any time remove any member of a Regional Transport Authority or the State Transport Authority as the case may be from his office if he fails without excuse sufficient in the opinion of the Government to attend three consecutive meetings of the said Authority or for any other reason which the Government may deem adequate.

(3) When the office of a member becomes vacant by his removal, resignation, death or otherwise a new member shall be appointed in his place and such member shall hold office as long as the member whose place he fills would have been entitled to hold office if such vacancy had not occurred or until a later date on which the appointment of his successor is notified.

### **132.** Meeting of Regional Transport Authorities :-

The Regional Transport Authority may meet once in three months on such date and at such time and place as may be determined by

the Chairman, and on such other occasions, so determined as may be necessary for the prompt dispatch of business:

Provided that the Regional Transport Authority may meet before the aforesaid stipulated time according to exigencies and in the interest of public for prompt disposal of the business; if the total number of applications are more than fifty (50);

Provided further that adequate notice of such meetings and of business to be transacted thereat shall be given for information of such persons who being interested in the particular business to be transacted may in the opinion of the Regional Transport Authority or if its Secretary reasonably claim to be permitted to attend for the purpose of making representations.

### **133. Presiding Member of Regional Transport Authority :-**

Every meeting of the Regional Transport Authority shall be presided over by the Chairman or in his absence by any other member elected by majority of the members present :

Provided that the Regional Transport Authority shall not, in the absence of Chairman, conduct its business in respect of the following matters,

- \* Grant of stage carriage permits ;
- \* Grant of variations in respect of stage carriages ;
- \* Any matter falling under Section 71(3) of the Act ;
- \* Delegation of powers ;
- \* Making of any bye-laws for transacting the business of the Regional Transport Authority.

### **134. Voting at meetings :-**

All questions which may come before the Regional Transport Authority at any meeting shall be decided by a majority of the members present and voting at the meeting and in every case of equality of votes the presiding member shall have and exercise a second or casting vote.

### **135. Correspondence to be addressed to Regional Transport Authority or Secretary :-**

All correspondence intended for the consideration of the Regional Transport Authority shall be addressed to the Regional Transport Authority or to the Secretary of the Regional Transport Authority. No action shall be taken on any correspondence which is not so

addressed.

**136. Quorum :-**

The quorum for a meeting of the Regional Transport Authority shall be two members.

**137. Agenda :-**

The Secretary shall under the general or special instructions of the Chairman, place before the Regional Transport Authority all matters which it is to decide. Copy of the agenda of the subjects to be considered at a public hearing shall cause to be published on the notice board of the office of the Secretary, Regional Transport Authority concerned at least seven days in advance of the date fixed for the public hearing.

**138. Circulation of papers :-**

(1) Orders may be taken by circulating papers to the members of the Regional Transport Authority unless any person has a right to be heard in accordance with the provisions of the Act and of these rules, or unless, in the opinion of the Chairman, any person has a reasonable claim to be heard in the matter. Where a case is so circulated it shall be open to any member to require that the matter shall be discussed in a meeting of the Regional Transport Authority.

(2) Nothing in sub-rule (1) shall prevent the Regional Transport Authority from deciding by the procedure of circulation any matter which has been considered at a meeting or has been subject of a hearing and upon which a decision has been reserved.

**139. Hearing of representations by Regional Transport Authority :-**

In any case in which a person has a right to be heard according to the provisions of the Act or these rules, he may appear either in person or by accredited agent. In any other case it shall be optional for the Regional Transport Authority to hear representations made to it either in person or by accredited agent.

**140. Filing of Vakalatnama by legal practitioner :-**

Any legal practitioner who proposes to appear on behalf of a person

who has a right to be heard according to the provisions of the Act or of these rules before the State Transport Authority or its officers or before any Regional Transport Authority or its Secretary or before a Deputy Transport Commissioner shall file a Vakalatnama.

**141. Giving effect to decision of Regional Transport Authorities :-**

All the decisions of the Regional Transport Authority shall be given effect to by its Secretary or Additional Secretary or Joint Secretary or Assistant Secretary.

**142. Publication of decision of Regional Transport Authority and State Transport Authority :-**

Every decision of the Regional Transport Authority or State Transport Authority taken shall be published on the Notice Board of its Secretary concerned for the information of the persons concerned.

**143. Powers of Regional Transport Authority - Delegation :-**

The Regional Transport Authority for the prompt and convenient dispatch of its business shall by general or special order delegate to its

Secretary or Additional Secretary or Joint Secretary or Assistant Secretary any or all of the following powers :

- \* Power under Section 72 (1) to grant or refuse a stage carriage permit where no objections or representations are received ;
- \* Power to approve the time-table of a service of stage carriage or of a particular stage carriage permit conditions under the said Section 72 (2) ;
- \* Power under Section 74(1) to grant or refuse a contract carriage permit in cases where no objections or representations are received and power under Section 74(2) to impose conditions on the use of a contract carriage ;
- \* Power under Section 76(1) to grant or refuse a private service vehicle permit and power under Section 76(3) to impose conditions on the use of a private service vehicle ;
- \* Power under Section 79 (1) to grant or refuse a private service vehicle permit and power under Section 79(2) to attach conditions to a goods carriage permit ;
- \* Power to appoint dates for the receipt of applications for Stage

Carriers permits ;

- \* Power to renew or refuse to renew a permit or countersignature of a permit under Section 88 where no objections or representations are received ;
- \* Power under Section 82(1) to transfer or refuse to transfer a permit otherwise than on the death of a permit holder in the case of vehicles other than stage carriages and power under Section 82 (2) in respect of all vehicles on the death of a permit holder ;
- \* Power under Section 83 to permit or refuse to permit the replacement of one vehicle by another ;
- \* Power under Section 86 to suspend or cancel a permit or compound an offence in lieu of suspension or cancellation of permit and the power under sub-section (4) of Section 88 read with Section 86 to suspend or cancel the counter-signature of permits or compound an offence in lieu of suspension or cancellation to counter-signature;
- \* Power under Section 87 to grant or refuse a temporary permit;
- \* Power to refuse to entertain applications for grant of renewal of permits; and counter-signature of permits, where such applications are not in accordance with the provisions of the Act and of the rules made thereunder;
- \* Power under Rule 225(3) to direct or refuse the continuance of the endorsement;
- \* Power under sub-section (8) of Section 88 to grant or refuse a special permit or its extension of validity;
- \* Power to refuse summarily an application for a permit of the grant of the permit in accordance with the application or with modification would have its effect of number of vehicles beyond the limit fixed by the Regional Transport Authority under sub-section 3 (a) of Section 71 or sub-section 3 (a) of Section 74;
- \* Power to vary or refuse to vary a permit on an application in case where no objections of representations are received;
- \* Power to give notice under Clause (xxii) of sub-section (2) of Section 72, Clause (ix) of sub-section (2) of Section 74, Clause (iii) of sub-section (3) of Section 76 and Clause (vii) of sub-section (2) of Section 79 or under Rule 233 and power under these sections to vary the permit accordingly if no objections or representations are received within the time prescribed in the notice;
- \* Power to call for records in pursuance of Rule 234;
- \* Power under sub-rules (2) and (3) of Rule 214 to accept or not the surrender or to postpone the acceptance of the surrender of the permit;

- \* Power under sub-rule (2) of Rule 216 to grant extension of time;
- \* Power under sub-sections (1) and (4) of Section 66 to grant or refuse omnibus permit to vehicles adopted to carry more than nine persons excluding the driver;
- \* Power under sub-section (1) of Section 76 to grant or refuse private service vehicle permit;
- \* Power to give effect to direction issued under Section 67 (1) (i) by the State Government;
- \* Power to grant National Permits under Section 88 (12) of the Motor Vehicles Act, 1988;
- \* Power to grant extension of time for production of the records under sub-rule (2) of Rule 192.

**144. Delegation of powers under Section 87 of the Act to inspecting officers of the Transport Department :-**

(1) The Regional transport Authority may subject to the restrictions, limitations and conditions as it may specify by general or special resolution delegate to the inspecting officer of the Transport Department the power under Clause (a) of sub-section (1) of Section 87 of the Act to authorise the use of any stage carriage or motor Cab temporarily for the conveyance of passengers on special occasion such as to and from fairs and festivals and religious gatherings :

Provided that officer who issues authorisation in exercise of this power so delegated shall make a detailed report of the action taken by him to the Secretary of the Regional Transport Authority.

(2) An authorisation granted in pursuance of the delegation under sub-rule (1) shall be valid in any of the regions which the route covered by the authorisation may relate without counter-signature in such other region or regions and the officer who issued the authorisation shall send intimation thereof to the Transport Authority or Authorities of the other region concerned.

(3) The officer who issued the authorisation shall exercise the power delegated to him under sub-rule (1) only during the absence of the Regional Transport Authority and the Secretary, Regional Transport Authority on the spot.

**145. Powers of Regional Transport Authority - Delegation :-**

The Regional Transport Authority may by general or special order, delegate to all Motor Vehicles Inspectors and all the Assistant Motor Vehicles Inspectors incharge of check posts, the power to grant or



refuse temporary permits under Clause (c) of sub-section (1) of Section 87 of the Act, in respect of goods vehicles and public service vehicles of different categories like motor cabs, maxi cabs and contract carriages of Home State and other States, for performing a specified journey for the period not exceeding seven (7) days or thirty (30) days irrespective of the number of journeys on all National and State Highways with a deviation upto (30) kms.

**146. Report of action taken under powers delegated :-**

The Secretary shall place before the next meeting of the Regional Transport Authority a report in writing of all actions taken by him and other delegates under the powers delegated to them.

**147. Orders of delegation to be published :-**

All orders of delegation made by the Regional Transport Authority under Rule 143 shall be posted on a notice board at the Regional Transport Authority.

**148. Instructions for exercising delegated functions :-**

The Regional Transport Authority may give general instructions as to the manner in which the Secretary shall exercise the power delegated to him.

**149. Bye-law :-**

Subject to the provisions of the Act and rules and the control of higher authority, a Regional Transport Authority shall have power to make bye-laws to regulate the conduct of its business and the business of such authority shall be conducted accordingly under the directions of the Chairman.

**150. Appointment of persons to authenticate documents :-**

The Secretary, may with the approval of the Regional Transport Authority appoint persons to authenticate documents and perform other duties on his behalf.

**151. Secretary and staff :-**

The State Transport Authority shall have a Secretary who shall be appointed by the Government and shall also be the Chief Executive Officer of the State Transport Authority. The Government may

appoint Assistant Secretaries and such other officers and staff for the State Transport Authority as they deem desirable.

**152. Secretary or Assistant Secretary to carry out decisions :-**

All decisions of the State Transport Authority shall be carried into effect by the Secretary or Assistant or both.

**153. Powers of State Transport Authority - Delegation of :-**

The State Transport Authority may for the prompt and convenient despatch of its business by general and special resolution delegate to Transport Commissioner, Joint Transport Commissioner, Joint Transport Commissioner and Assistant Secretaries, State Transport Authority, all or any of the powers vested in it :

Provided that no delegation shall be made in respect of the following :-

- \* Power under Section 68 (3)(a) to co-ordinate and regulate the activities of the Regional Transport Authorities;
- \* Power under Section 68 (3) (c) to settle disputes or differences of opinion between Regional Transport Authorities;
- \* Power under Section 72 (1) to grant or refuse stage carriage permits in cases where objections or representations are received;
- \* Power under Section 74 (1) to grant or refuse contract carriages permits in cases where objections or representations are received;
- \* Power to give effect to any direction issued under Section 61 by the State Government other than under Section 61 (1) (i).

**154. Action taken under powers delegated - Report :-**

The Secretary of the Transport Authority shall place before the next meeting of the State Transport Authority a report in writing of all actions taken by him and by the other delegates, if any, under the powers delegated by the State Transport Authority.

**155. Orders of delegation to be published :-**

All orders of delegation made by the State Transport Authority under Rule 153 shall be posted on a notice board at the office of the State Transport Authority.

**156. Instructions for exercising delegated functions :-**

State Transport Authority may give general instructions as to the manner in which the delegates shall exercise the powers delegated to them.

**157. Powers of State Transport Authority - Delegation to Chairman :-**

The State Transport Authority may for the prompt and convenient despatch of its business, by a general or special resolution, delegate to its Chairman the following powers and functions :-

**158. State Transport Authority to be Transport Authority for thorough traffic :-**

The State Transport Authority shall be the sole transport authority in regard to thorough traffic along trunk roads and along such other roads as may be notified by the Government for this purpose in the Andhra Pradesh Gazette and shall in respect of such traffic exercise the powers and functions conferred upon a Regional Transport Authority by or under Chapter IV of the Act.

Note :- For the purpose of this rule, thorough traffic shall be deemed to be traffic for a distance of more than one hundred and sixty kilometres.

**159. Delegation of powers by the State Transport Authority for notified routes of less than 150 kilometers :-**

The powers conferred by Rule 158 on the State Transport Authority may be delegated to the Regional Transport Authority concerned by the State Transport Authority, subject to such conditions as may be necessary.

**160. Extension of validity of permit by State Transport Authority Fee therefore :-**

(1) The State Transport Authority may, on payment of the fees specified in Rule 195 grant a permit for a vehicle to ply on a route lying partly on a road specified in Rule 158 for a distance of more than one hundred and sixty kilometres and part by on any other road or roads.

(2) The State Transport Authority may, on payment of a fee of rupees ten, extend the validity of a permit granted by any transport authority to such extended area or roads as it may deem

desirable.

(3) The provisions of the Act and of these rules relating to applications for permits and the grant, refusal, suspension or cancellation of permits and all matters connected therewith, including appeals shall, apply to extensions of the validity of such permits.

**161. Quorum :-**

The quorum for a meeting of the State Transport Authority shall be three members of whom one shall be its Chairman.

**162. Conduct of Business :-**

Rules 132,134,135,137,138,139 and 149 shall apply to the conduct of business by the State Transport Authority, except that it shall not be obligatory for the State Transport Authority to meet not less than once in two months.

**163. Appeals to the State Transport Appellate Tribunal :-**

An appeal under Section 89 to the State Transport Appellate Tribunal shall be preferred within the time as specified in the Andhra Pradesh State Transport Appellate Tribunal Rules, 1989.

**164. Appeal, form and fee :-**

An appeal under Rule 163 shall be in the manner as specified in the Andhra Pradesh State Transport Appellate Tribunal Rules, 1989.

**165. Revision to State Transport Appellate Tribunal :-**

An application for the State Transport Appellate Tribunal under Section 90 shall be in the manner as specified in the State Transport Appellate Tribunal Rules, 1989.

**166. Levy of fees for supply of copies of documents :-**

The Secretary, State Transport Authority, and Secretary, Regional Transport Authority, the State Transport Appellate Tribunal or any authority specified by the said Tribunal may in its discretion give any person interested in an appeal or revision a certified copy of the decision or an order or of any other relevant documents on payment of a fee of Rupees two, such payment being made by means of Court fee stamps affixed to the application for each such

copy of the decision orders, petition or document.

### **167. Extension and Endorsements :-**

In these rules a counter-signature of a permit by a Regional Transport Authority is referred to as an endorsement and counter-signature by the State Transport Authority as an extension of the validity of a permit.

### **168. Applications not to be rejected on technical grounds :-**

(1) The Transport Authority shall not reject an application for the grant or renewal of permit or for the counter-signature of a permit solely on any or all of following technical grounds :

- \* When an application is presented to a Transport Authority not having jurisdiction ;
- \* When the form of application has not been correctly filed in, and
- \* When the prescribed fee has been omitted to be paid.

(2) In every such case the Transport Authority should return the application for presentation to the Transport Authority concerned or for rectification of other defects informing the applicant of the correct procedure in the matter and giving him not more than seven days from the date of receipt of the communication to comply with such direction.

### **169. Special permits for tourist vehicles :-**

A special distinguishing mark assigned to a public service, in respect of which a special permit has been granted under Section 88 (1), shall be displayed prominently on the wind-screen of the vehicle in a holder in accordance with the specifications prescribed.

### **170. Validity of Special permits :-**

The validity of a special permit under Sections 88 shall be for a maximum period of three months which may, if necessary, be extended for a further maximum period of one month by the competent authority on an application made either by the permit holder or the person-in-charge of the vehicle who is duly authorised by the permit-holder on this behalf. The competent authority extending the permit may allow additional place of visit, if required.

Explanation :- The competent authority shall mean the Regional Transport Authority which issued the permit or the Regional Transport Authority of the region in which the vehicle happens to

be at the time of applying for extension, whichever is nearer.

### **171. Form of application for permits :-**

Every application for a permit in respect of a transport vehicle shall be in one of the following forms :

- \* In respect of a particular stage carriage In form PSCA or of a service of stage carriages :
- \* In respect of a particular contract carriage In Form PCOA
- \* In respect of a particular contract carriage In Form PUOA
- \* In respect of a temporary permit In Form PUCA
- \* In respect of a special permit under Section 88 (8) be addressed to Secretary of the Authority at the regular office of the Authority
- \* In respect of a private service vehicle In Form PTVA

### **172. Application for endorsement or extension of validity :-**

Every application for an endorsement or extension of the validity of a permit shall be in the same form as is applicable to the class of permit that it is sought to be endorsed or extended with necessary alternation.

### **173. Authority to be applied to :-**

Every application for the grant or renewal of a permit or for an endorsement or renewal of an endorsement of a permit or for an extension or renewal of an extension of validity of a permit shall be made to the Transport Authority which shall acknowledge its receipt.

### **174. Forms of permit :-**

Every permit shall be in one of the following Forms :-

- \* In respect of a particular stage carriage In Form PSP
- \* In respect of a service of stage carriage In Form PSS
- \* In respect of a particular contract carriage In Form PC
- \* Goods Carriage permit In Form PPC
- \* A temporary permit In Form PT
- \* A special permit under Sec. 88(8) In Form PTOV
- \* In respect of private service vehicle In Form PTV
- \* In respect of National Permit of goods In Form NPPUC carriage.

\* In respect of All Indian Tourist vehicle In For TVP

**175. Permit endorsement when not necessary within the State :-**

(1) The Regional Transport Authority of any one region may subject to the provisions of Section 69 grant a permit to be valid in any other regions within the State without the counter-signature of the Regional Transport Authority of the other region or of each of the other regions concerned and shall as soon as possible send copies of proceedings relating to the issue of such permit.

**176. Grant of State-wide permits in respect of Motor Cabs :-**

The Regional Transport Authority of one region may grant a permit in respect of a motor cab other than three wheelers to ply as a contract carriage to be valid throughout the State without the counter-signature of the Regional Transport Authorities of the other region.

**176A. Grant of State-wide permits in respect of private Service Vehicles :-**

The Regional Transport Authority of one Region may grant a permit in respect of a Private Service Vehicle to be valid throughout the State without the counter signature of the Regional Transport Authorities of the other Regions.

**177. Grant of permits to Autorickshaws :-**

The Regional Transport Authority of any one region may grant a permit in respect of an Auto rickshaw and Motor Cycle Taxi to ply as a contract carriage to be valid for an area lying within a radius of 60 kms from the principal place of business of the registered owner without the counter- signature of the Regional Transport Authority or Regional Transport Authorities of the other region or regions in which the said area may partly lie :

Provided that where the principal place of business aforesaid is a municipal town or city the area to be permitted shall be computed from the limits of the Municipality as notified under the Andhra Pradesh Municipalities Act, 1965.

**178. Reservation of Stage Carriage permits :-**

(1) Each Regional Transport Authority or the State Transport Authority as the case may be shall reserve stage carriage permits under sub-section (3) (b) of Section 71 for Scheduled Castes, Scheduled Tribes as indicated below :-

\* Out of a unit of 100 permits to be granted, fifteen permits for the Scheduled Castes ;

\* Out of a unit of 100 permits to be granted, six permits for the Scheduled Tribes.

(2) For the purpose of this rule, unit of 100 permits shall be deemed to have commenced on the date on which sub-section 3(b) of Section 71 has come into force.

(3) In case, permit or permits have already been granted upto the date on which these rules have come into force, otherwise than in accordance with the rule of reservation the next immediate permit or permits be granted shall be reserved for the respective category of permits.

(4) The grant of permits to persons belonging to Scheduled Castes and Scheduled Tribes shall be reviewed every quarter in order to ensure that the number of permits reserved for Scheduled Castes and Scheduled Tribes out of unit of 100 permits are granted to these categories of persons..

(5) The computation of reservation to be made shall be accounted in a register which shall be maintained by the Secretary of the Transport Authority concerned.

**179. Guiding principles for grant of stage carriage permits**  
:-

(1) Route shall be classified ;

\* Short routes which cover a distance of not more than 64 Kms. ;

\* Medium routes which cover a distance of over 64 Km. but not exceeding 163 Kms. ;

\* Long routes which cover a distance of more than 160 Kms.

(2)(a) Preference on a short routes shall be given to new entrants whenever there is an application or applications from entrants. The comparison of marks shall be considered from among the new entrants only:

Provided that where there is no new entrants, applicants, applicants holding one to four stage carriage permits (excluding spare stage carriage permits and temporary stage carriage permits) shall be considered ;

(b) Other things being equal, preference for medium route shall be



given to applicants holding one to four stage carriage permits excluding spare carriage permits and temporary stage carriage permits ;

(c) Other things being equal, preference on long route shall be given to applicants holding five or more stage carriage permits excluding spare stage carriage permits and temporary stage carriage permits :

Provided that nothing in this Clause shall apply to applicants for renewal of permits.

(3) Notwithstanding anything contained in Clause (2) where in respect of a route for which grant of permit or permits has to be decided consequent on nationalisation of the said route or its sector, other things being equal, first preference shall be given to an applicant or applicants who were displaced on the same route or its sector.

(4) The Transport Authorities shall in deciding the applicants for grants of stage carriage permits have regard to the following matters subject to Section 71 :-

(i) The applicants shall first be screened on one or more of the following principles and those who have been found unsuitable shall be disqualified, reasons being given for the decision of the Transport Authority,

(a) If there is a financial instability as evidenced by insolvency of undischarged degrees ;

Provided that the purchase of a vehicle by money borrowed or under hire-purchase agreement shall not be a disqualification by itself.

(b) If their history sheet is not clean and contains more than six entries relating to offences of the following nature adjudicated within twenty four months preceding the date of grant of the permit :-

(1) Over load ;

(2) Plying without permit ;

(3) Plying without payment of tax ;

(4) Plying on unauthorised route and making unauthorised trips;

(5) Plying without Fitness Certificate; and

(6) Non-maintenance of Stage Carriage Service :

Provided that nothing in this clause shall apply to applicants for renewal of permits ;

(c) If there is evidence that an applicant is trafficking in permits either benami or otherwise or that the application has been made on behalf of others in order to evade rules.

(ii) After screening the applicants in the manner laid down in sub-rule (4)(i) marks shall be assigned as follows assessing the relative merits of the applicants, for the grant of permits :

(a) Resident Qualifications :- One mark may be awarded to the applicant who has his residence or place of business for period exceeding one year at either terminus of the route or on the route.

(b) Sector Qualifications :- Marks may be awarded to the applicant who has Sector Qualification on the route applied for as follows,-

(i) Where the sector qualification is within 50 per cent of the total distance of the route applied for, one mark ;

(ii) Where the sector qualifications is above 50 per cent two marks: Provided that if the applicant is exclusively running stage carriage or stage carriages on the same route applied for on a sector covering the entire route applied for, he shall not be eligible for these marks, or mark.

(c) Business or technical experience in Motor Transport and technical qualifications :-

(i) One mark may be awarded to the applicant who has business or technical experience in the field of motor transport for less than five years ;

(ii) Two marks may be awarded to the applicant who has business or technical experience in the field of motor transport for over five years.

Provided further that an applicant having a diploma or degree in mechanical or automobile engineering may be awarded two marks in addition to the marks to be awarded for the business or technical experience.

(d) Possession of workshop :- One mark may be awarded to the applicant who is in possession of a workshop having the following minimum equipment ;

S.No. Equipment Quantity required

(1) (2) (3)

(1) Tool Kit 1

(2) Iron horses-Front axle 2

(3) Iron horses-Rear axle 2

(4) Iron horses-Chassis 2

(5) Roll a car jack 4 tons 1

(6) Ordinary Grease Gun 1

(7) Electric Grinder-wire wheel 1

(8) Electric Tool-kit 1

(9) Wall Plug lights 1

(e) Ex-Servicemen :- One mark may be awarded to the applicant

who is an ex-serviceman associated with motor transport while in Military service.

(f) Displaced operator :- Five marks may be awarded to the applicant who has been displaced from the operation of stage carriage due to nationalization under Chapter VI of the Act :

Provided that such an applicant has not been granted a stage carriage permit on an alternative route or area.

(g) Co-operative Societies or persons having driving Licences to drive transport vehicle :- One mark may be awarded to the applicant, who is co- operative society, registered or deemed to have been registered under any enactment in force for the time being with a sole purpose of conducting transport business or to an applicant having a valid Licence to drive transport vehicle.

(iii) Deduction of marks :- After the award of marks to the applicants in the manner specified in Clause (ii) above, marks shall be deducted as follows for assessing the different qualifications of the applicants for the grant of permits :

(a) One mark may be deducted for each of the offences in the history sheet of the applicant as specified in Clause (i) (b) of the rule ;

(b) One mark may be deducted for each transfer of a stage carriage permit by the applicant to others.

(iv) Applications finalized under sub-roles (4) (ii) and 4 (iii) above shall be disposed of according to Section 71 of the Act.

(5) All orders passed by the Transport Authorities under Section 72 (1) shall be accompanied by a tabular statement containing the marks awarded to each of the applicants and shall contain the reasons for awarding the marks. Fractions of marks shall not be awarded.

### **180. Variation or extension of route :-**

No variation or extension shall ordinarily be allowed except when circumstances such as the subsequent construction of a bridge or the road or transport requirements of the area to be served were overlooked at the time of deciding the route or have been changed.

### **181. Grant or refusal of additional trips or change of timings :-**

In granting additional trips or change of timings the transport authorities shall have regard to the following :-

(i) need for the provision of additional facilities or for revision of

existing timings in the interest of public ;

(ii) special circumstances such as changes in the Railway timings, changes in the number of permits either on route or on the sectors of the route, or variations of the routes :

Provided that whenever rotation of timings is to be enforced, stage carriage carrying mails should be executed in the public interest and the rotation should be enforced only in respect of all the other stage carriage on the particular routes.

### **182. Suspension or cancellation of permits :-**

In deciding whether to suspend or cancel a stage carriage permit as a punishment the transport authorities shall have regard to the following :

(i) the gravity of the offence ;

(ii) the fact that the permit holder, has committed the same or similar offence in respect of the vehicle on one or more occasions previously ; and

(iii) the state of history sheet of the permit holder indicating that any lesser punishment will be ineffective.

### **183. Maintenance of history sheet in respect of a contract carriage :-**

Every transport authority shall maintain a history sheet in respect of every owner of a motor vehicle used as a contract carriage, with or without permit, showing the instances of contravention of the Act or the rules made thereunder or breach of the conditions of a permit if any, together with the result of action taken therefore.

### **184. Grant or renewal of contract carriage permits-guiding principles :-**

(1) The transport authorities shall in deciding whether to grant or refuse to grant a contract carriage permit, have regard to the following matters in addition to those specified in Section 74 which are applicable to the grant the permit.

(2) The applicants shall first be screened and those who are found to be unsuitable on one or more of the following principles, shall be disqualified reasons being given in such decision of the transport authority, whenever an applicant is disqualified.

(i) If the history sheet is not clean and contains more than six entries relating to offence of overload, running without permit, of

fitness certificate or without payment of tax or using the vehicle unauthorisedly as a stage carriage, committed within twenty four months preceding the date of consideration of the application by transport authority:

Provided that nothing in this clause apply to applications for renewal of permits ;

(iii) If there is evidence that the application has been trafficking in permits either benami or otherwise ;

(iv) If the applicant has on behalf of others in order to avoid rules. After eliminating the applicant in the manner laid down above, marks shall be assigned as follows for assessing the different qualifications of the applicant for the grant of permits :

(a) for having residence in the region 2 marks

(b) for having branch office 1 mark

(c) for having previous experience in 2 marks  
motor transport

(d) for Co-operative Societies 2 marks

(e) for Ex-Servicemen 1 mark

(f) for displayed bus operator due to  
nationalization 2 mark

(g) for educated unemployed 1 mark

(3) No person shall be granted or shall hold or shall process more than five contract carriage permits at any time.

(4) Applications finalised as above shall be then disposed of according to the provisions of Sections 74.

### **185. Conditions to be attached to all permits :-**

(1) The Transport Authority or its Secretary acting under delegated powers may impose in the various categories of permits the conditions specified against each.

(a) Conditions Common to all permits :- (i) The vehicle shall not be used on any public road unless the tax due in respect of such vehicle has been paid in accordance with the provisions of the Andhra Pradesh Motor Vehicles Taxation Act, 1963 in force and the notifications issued there under ;

(ii) There shall not be present in the vehicle either when it is stationary or when it is in motion any class or description of goods, the conveyance of which contravenes any law or any rule, by law or order made there under prohibiting or regulating the import or export transport of such goods or mica for which royalty has not been paid.

- (iii) The holder of the permit shall report cases of accidents direct to the Insurance Company with which the vehicle is insured, to the Secretary of the Transport Authority concerned and the nearest Police Station or outpost within two days from the date of accident ;
- (iv) The permit of the vehicle shall be carried in the vehicle unless it is sent to the Transport Authority in which case the transport authority acknowledgement shall be carried in the vehicle ;
- (v) The vehicle shall not be replaced by another vehicle of the same nature except with permission of the Transport Authority which granted the permit;
- (vi) The permit shall not be transferred from one person to another except with the permission of the Transport Authority that granted the permit and shall not without such permission operate to confer on any person to whom the vehicle covered by the permit is transferred, any right to use the vehicle in the manner authorised by the permit;
- (vii) Intimation about the changes of address of the permit holder together with permit to the transport authority that issued the permit within 14 days from the date of change of address. Copies of the intimation shall also be sent to the transport authority if any that have counter signed the permit ;
- (viii) When an alternation is made in the vehicle so as to contravene any of the conditions of the permit, the holder of the permit shall at the time of reporting the registering authority under Section 52 (4) forward a copy of the report to the transport authority. If the Transport Authority declines to vary the permit in accordance with the alternation, the permit holder shall provide substituted vehicle within such time as the transport authority may specify ;
- (ix) The vehicle shall be stopped when signalled to stop by any person authorised in this behalf by the Act and Rules made thereunder;
- (x) If the Transport Authority decides to vary the conditions of the permit or to attach further conditions, the permit holder shall produce the permits on demand by the Transport Authority within the time fixed by it ;
- (xi) The vehicle shall not be used in the commission of any offence under the Indian Penal Code or any local or special law or any statutory control order for the time being in force;
- (xii) Certificate of registration and certificate of fitness or a valid receipt containing the particulars of fitness certificate issued by the

authority before whom the registration certificate was filed shall at all times be carried in the vehicle and the vehicle maintained to comply the requirements of the Act and Rules made thereunder ;

(xiii) The vehicle shall not be driven at a speed exceeding the speed permitted under the Act ;

(xiv) The fares and freights fixed by the notification under Section 67 shall be observed other than private service vehicles ;

(xv) The vehicle shall not be driven in the contravention of the provisions of Section 5 and Section 113 of the Act ;

(xvi) The provisions of the Act limiting the terms of the work of the drivers shall be observed in connection with the vehicle or vehicles ;

(xvii) The provisions of Chapter X, XI, XII as so far as to apply to the holder of permit has to be observed ;

(xviii) The name and address of the operator shall be painted or otherwise firmly affixed to every vehicle (other than motor cab) to which the permit relates in the extension of the body on both sides thereof in a colour or colours vividly extracting to the colour of the vehicle centered as high as practicable below the window line in bold letters ;

(xix) The motor vehicle shall be maintained in such condition and shall be so driven as to conform to the standards of smoke and emissions prescribed under Rule 115 of Central Motor Vehicles Rules, 1989 ;

(xx) The vehicle shall conform to the precautions and conditions prescribed under Central Motor Vehicles Rules, 1989 while transporting goods of dangerous or hazardous nature to human life: and

(xxi) The vehicle to which the permit relates shall at all times be so maintained as to comply with the requirements of Chapter VII and rules made there under,

(b) Additional condition for all Public Service Vehicles :- The vehicle shall carry a first aid box which shall contain either the articles mentioned in List A or the articles mentioned in List B below:

Provided that this condition shall not apply to stage carriage permits granted to the Andhra Pradesh State Road Transport Corporation or any other person in respect of routes lying wholly within the limits of the municipal towns and cities.

List A

(a) A copy of the first aid leaf-let ;

(b) 24 sterilised finger dressings ;

(c) 12 sterilised hand or foot dressings ;

- (d) 12 sterilised large or body dressings ;
- (e) One extra large, 2 large and 3 small sterilised burn dressings ;
- (f) Two 14 mm, packets of sterilised cotton wool ;
- (g) A bottle of 2% tincture iodine ;
- (h) A bottle of Seal volatile ;
- (i) An empty bottle fitted with cork and camel hair brush for eye drops; and
- (j) 51 mm medicine glass.

List B

- (a) One set or ordinary pattern splints ;
  - (b) Three triangler bandages ;
  - (c) Two, 14 mm packets surgeons lint ;
  - (d) Three 28 mm packets cotton wool ;
  - (e) Nine first aid dressings ;
  - (f) Nine roller bandages ;
  - (g) Three burn dressings ;
  - (h) Two eye pads ;
  - (i) One cord safety pins ;
  - (j) One pair of scissors ;
  - (k) One spool plaster 25 mm ;
  - (l) One medicine tumbler ;
  - (m) One bottle ;
  - (n) One bottle Sal volatile ;
  - (o) One rubber tubing ;
  - (p) One pair splinter foresep ;
  - (q) One bottle smelling salt ;
  - (r) One scalpel; and
  - (s) Three ampules tincture iodine
- (ii) No agent or canvasser shall be employed by the owner, driver or conductor of the vehicle in the sale of tickets for travel by the vehicle or in otherwise soliciting custom for the vehicle unless such agent or canvasser has obtained a Licence issued under Clause (i) of sub-section (1) of Section 93 of the Act ;
- (iii) The permit holder shall maintain a trip register in Form TR correctly and legible in manner prescribed under rules;
- (iv) No corpse of person who is or is believed to be suffering or has been suffering from any infectious or contagious disease shall be caused or allowed to enter into or to be placed or carried in the vehicle or vehicles in regular course of service.
- (c) Additional conditions to Private Service Vehicles :- (i) The vehicle shall carry First Aid Box which shall contain either the articles mentioned in the List A or the articles mentioned in the List



B in the condition prescribed to the public service vehicle.

(ii) The vehicle shall not be used for hire or reward.

(iii) The vehicle shall not carry more number of persons than the seating capacity of the vehicle; and

(iv) The vehicle shall be used only on the route or in the area specified in the permit and shall not be used on any other routes.

(d) Additional conditions for stage carriages :- (1) The vehicle shall be used only on the route or in the area specified in the permit and shall not be used on any other routes ;

(ii) The date of expiry of the permit and of the certificate of fitness and other particulars as laid down under these rules shall be painted continuously on the left side of the body of the vehicle above the position of the ear left wheel and as near the rear entrance of exit as possible;

(iii) Bus warrants issued under and in accordance with the rules in force shall be accepted in lieu of the fares or the charges;

(iv) The fare table and time exhibited shall indicate the current stages on the route fixed by the transport authority and also the correct fares according to the stages for observance in the course of each trip ;

(v) No advertising device, figure or writing shall be exhibited on the outside of the vehicle without the specific permission from and save in the manner specified by the transport authority that granted the permit ;

(vi) The vehicle shall not be used in any public place unless it carries in addition to the driver, a conductor unless exempted under Rule 72 :

(vii) Failure to perform the service in accordance with the schedule of timings and trips prescribed shall forthwith be reported in writing by registered post with acknowledgement due or delivering the report in person to the transport authority that issued the permit and transport authority or authorities if any that countersigned the permits ;

(viii) The conductor of the vehicle shall stop at such stations on its route as transport authority may prescribe and enter correctly in the register in Form TGR kept at such station, the particulars specified therein ;

(ix) The driver or conductor shall maintain trip sheets in Form TSS unless exempted by the Regional Transport Authority under Rule 267. The Driver or conductor having custody of the trip sheets shall produce them for inspection on demand by any person authorised in this behalf under the rules The trip sheets in Form

TSS shall be preserved for two years after the expiry of the period to which it relates. The trip sheets in Form TSS shall be maintained in bound books containing 100 pages (in duplicate) each serially numbered and each book shall be got authenticated by the Secretary or Joint Secretary or Additional Secretary or Assistant Secretary of the Transport Authority;

(x) Destination boards shall be exhibited in the manner prescribed under Rule 275 ;

(xi) A notice bearing the words "Smoking Prohibited" in Telugu or in English or both shall prominently be displayed in the vehicle;

(xii) Duties and conduct of drivers and conductors shall be exhibited in the vehicle;

(xiii) A complaint book with pages numbered serially and providing for the name, address, ticket number and signature of the complainant and complaints made by him shall be kept and made available for any person travelling in the vehicle ;

(xiv) Not more than the number of passengers allowed under the permit excluding the driver and conductor shall be carried in the vehicle at any time.

(e) Additional conditions for contract carriages :- (i) Receipts shall be issued when so required by the hirer for the hire charges paid ;

(ii) The driver of the vehicle shall maintain the trip sheet in Form TSC in the manner prescribed under Rule 267.

Note :- This condition shall not apply to motor cabs and autorickshaws.

(iii) The vehicle shall be parked at such stands as may be determined by the Transport Authority when it is not engaged and it shall be available for hire there at:

Provided that the contract carriages other than motor cabs shall not be parked within a reasonable distance from the bus stations authorised for the stage carriages namely 3 kilometers in a municipal city, 2 Kms., in a municipal town and one kilometre in other places;

(iv) The hood of every motor cab other than autorickshaw shall be painted in cream or yellow and the rest of the body in black colour :

Provided the dual colour painting shall not be necessary in the case of taxies as the sign "Taxi" is prominently exhibited on the front hood of the motor cab with provision for illumination of the same during the night ;

(v) Every contract carriage other than a taxi, and an autorickshaw shall furnish a list of passengers included in the contract to the

transport authority which had granted the permit and an attested copy of which shall be annexed to the trip sheet :

Provided that it will be sufficient compliance if the list or passengers attested by a Motor Vehicles Inspector or an Asst. Motor Vehicles Inspector or Station House Officer of the nearest Police Station is posted to the Transport Authority within 24 hours of the commencement of the contract a COPY of the same is annexed to the trips sheets if the contract carriage is commencing the journey from a place other than the headquarters of the Transport Authority.

### **The Form List of Passengers**

<b>Sl.No.</b>	<b>Name of the Passengers</b>	<b>Father/Husbands Name</b>	<b>Age</b>	<b>Address</b>
(1)	(2)	(3)	(4)	(5)

(vi) It shall be a condition of every permit of contract carriage motor cab and autorickshaw, that the vehicle shall not be allowed or caused to be allowed to participate in a strike or withdraw from service causing inconvenience to the public without prior notice of atleast seven days in case of a strike and three days in other case ;

(vii) The owner of every autorickshaw shall maintain a record sheet in duplicate in a bound book in Form R.S.A with a copy to be kept with autorickshaw ;

(viii) The driver and the owner of motor cab, autorickshaw shall exhibit or caused to be exhibited a card inside the motor cab, taxi cab and autorickshaw on the position between the driving seat and the passenger seat in a manner visible to the passengers from the seat containing the following particulars ;

(a) Name of the owner ;

(b) Name of the driver ;

(c) Registration No. of the Vehicle ;

(d) Tariff of the fare.

The plate mentioned above shall have dimension of not less than 20 cms., in length and 20 cms, in width with black background and white letters. The dimension of each letter written shall not be less than 3 mm. in length and 3 mm in breadth;

(ix) Route :- The vehicle shall be used only on the routes or area specified in the permit and not otherwise;

(x) Seating :- The vehicle shall not carry more number of persons than the seating capacity of the vehicle.

(f) Additional conditions for the goods carriage :- (i) The date of expiry of the permit and of the certificate of fitness and other particulars shall be painted exteriorly on the left side of the body of the cabin as prescribed under rules;

(ii) The driver of the vehicle shall maintain the record in Form GVR which shall be preserved for two years after expiry of the period to which it relates;

(iii) The record in Form GVR shall be maintained in bound books containing 100 pages (in duplicate) each serially numbered and such book shall be got authenticated by the Secretary/Asst. Secretary of the Transport Authority ;

Note :- This condition will not apply in cases where the primary permit of the vehicle has been granted by an authority outside the State of Andhra Pradesh;

(iv) No other person shall be carried in the cabin of the vehicle beyond the number for which there is seating accommodation at the rate of 284 millimetres measured along the seat excluding the space reserved for the driver, for each person;

(v) Not more than seven persons in all in addition to the driver shall be carried in the vehicle except with the permission of the Transport Authority;

(vi) No person shall be carried in the vehicle upon the goods or otherwise in such a manner that such person is in danger of falling from the vehicle and in no case shall any person be carried in the vehicle in such a manner that any part of this person when he is in a sitting position is at a height excluding three metres from the surface upon which the vehicle rests;

(vii) No person shall cause or allowed to be driven in any public place, any motor vehicle in violation of the provision of Rule 422;

(viii) Every goods vehicle while plying on a journey for more than eight hours shall have two drivers;

(ix) The permit laden weight specified in the permit shall not be exceeded.

### **186. Conditions of permit in respect of a luxury tourist cab**

:-

(1) The following conditions shall be attached to the permit in respect of a Luxury Tourist cab :

(a) the drivers uniform shall be safari suit in white colour;

(b) the permit holder shall employ drivers for driving Luxury Tourist Cabs who can speak in English and are approved by the Secretary, RTA concerned;

(c) the vehicle should be air conditioned;

(d) the luxury cab should display prominently the words "Luxury Tourist Cab", on the top of the vehicle which shall have illuminating facility during night to be visible both in the front and rear;

(e) the Luxury Tourist Cab shall have luxury type seats with good quality seat covers, stereo audio systems, decent floor matting and time clock;

(f) the permit holder shall run his vehicles in the name and style of a Travel Agency duly registered with the Transport Authority concerned;

(g) the Travel Agency so registered shall have a minimum number of five (5) vehicles with CC to 1000 or more of makes like Mercedes Benz, Honda City, Lancer, Accent, Ford Icon etc.;

(h) the Luxury Tourist Cab permit shall be deemed to be invalid from the date from which the motor vehicle covered by permit, completes five (5) years of age;

(i) should provide minimum four (4) magazines, (2) in English and (2) in local languages;

(j) should supply bottled mineral water;

(k) the Luxury Tourist Cab should provide reading light;

- (l) should be provided with telephone numbers of Emergency Services, Hospitals, Hotels, Airports, Railway Stations;
- (m) the vehicle should have communication network with travel agency concerned;
- (n) the vehicle should provide mobile phone facility to be used by the customers who engaged the vehicle.

(2) Conditions of permit in respect of a Semi Luxury Tourist Cab :- The following conditions shall be attached to the permit in respect of a Semi Luxury Tourist Cab

- (a) the drivers uniform shall be in white colour;
- (b) the permit holder shall employ drivers for driving Semi Luxury Tourist Cabs who can speak in English and are approved by the Secretary, RTA approved;
- (c) the vehicle should be air-conditioned;
- (d) the Semi Luxury Tourist Cab should display prominently the words "Tourist Cab", on the top of the vehicle which shall have illuminating facility during night to be visible both in the front and rear;
- (e) the Semi Luxury Tourist Cab shall have luxury type seats with good quality seat covers, stereo audio system, decent floor matting and time clock;
- (f) the permit holder shall run his vehicles in the name and style of a Travel Agency duly registered with the Transport Authority concerned;
- (g) the Travel Agency so registered shall have a minimum number of five (5) vehicles of make other than those figured in sub-rule (1) (g);
- (h) Semi Luxury Tourist Cab permit shall be deemed to be invalid from the date from which the motor vehicle covered by permit, completes 5 years of age;
- (i) the Semi Luxury Tourist Cab should be fitted with digital fare motor;
- (j) the vehicle should have communication network with Travel Agency concerned;
- (k) the fare and detention of any journey including empty haulage shall be according to the rates specified by Government.

(3) Conditions of permit in respect of a Motor Cab :- The following conditions shall be attached to the permit in respect of a Motor Cab:

- (a) the drivers uniform shall be in Khaki colour;
- (b) the hood of the vehicle shall be painted in highway yellow colour and the rest of the body in black colour;

- (c) the Motor Cab should be fitted with digital fare meter;
- (d) the Motor Cab should display prominently the words "MOTOR CAB" on the top of the vehicle which shall have illuminating facility during night to be visible both the front and rear;
- (e) the Motor Cab shall have decent floor matting and time clock;
- (f) the Motor Cab permit shall be deemed to be invalid from the date from which the motor vehicle covered by permit completes fifteen (15) years of age;
- (g) the fare and detention charges for any journey including empty haulage shall be according to the rates specified by the Government.

**187. Conditions of permit - Maintenance of continuous service :-**

- (1) The conditions specified in Clause (iii) of sub-section (2) of Section 72 shall be attached to every stage carriage permit ;
- (2) It shall be condition of the permit of every transport vehicle that the vehicle shall be so maintained as to be available for service during the entire period for which the permit was granted and that the permit is liable to be suspended, or cancelled, after due notice, to the permit holder if the vehicle has not been used for the purpose for which the permit was granted for a continuous period of fifteen days or more during the period for which the permit authorizes the use of the vehicle on the road unless it is shown to the satisfaction of the transport authority that the holder of the permit was prevented by sufficient cause from making the vehicle available for service or that he had obtained the previous permission of the transport authority to suspend the service for a specified period.

**188. Conditions of permit - Maintenance of Reserve Vehicles :-**

- (1) The conditions specified in Clause (xvii) of sub-section (2) of Section 72 regarding the keeping of reserve vehicles to maintain substituted service in place of regular stage carriages stopped shall be attached to every stage carriage permit granted to a person operating five stage carriages or more and the minimum number of reserve vehicles to be maintained shall be stipulated as follows :

<b>Number of permits (including</b>	<b>Minimum of reserve vehicles to be</b>
-------------------------------------	--

temporary permits)	maintained
5 to 10	One
11 to 20	Two
21 to 30	Three
31 to 40	Four
41 to 50	Five
51 to 60	Six
Above 60	Not less than 10% the fleet strength

Note :- For the purpose of computation of the number of permits (including temporary permits) held by a person all the permits held by him irrespective of the transport authorities in the State which granted the permits shall be taken into account.

(2) A person operating five stage carriages or more may use any one of the vehicles kept in reserve as required under sub-rule (1) for the purpose specified therein, provided intimation thereof is sent to the transport authority which granted the permit and the authority, if any which has endorsed or extended the permit within three days of such use giving particulars of the regular stage carriage, which has failed and of the reserve stage carriage which is brought into use.

### **189. Issue of bus warrants :-**

(1) Officers of the Police or Excise departments not below the rank of Sub-Inspectors, Officers Incharge of Police Stations, Camp Clerks to Police Gazetted Officers, Officers not below the rank of Zamadars in the Armed Reserve/Special Police may issue bus warrants permitting officers and men of the said department not above the rank of Inspector of Police to travel on Government duty or to convey their personal effects and of prisoners by any stage carriage including that of the Andhra Pradesh State Road Transport Corporation.

Any person issuing a bus warrant as aforesaid shall specify the name of the unit or the Commandants Office of Andhra Pradesh Special Police including the Commandant, Special Armed Reserve, Central Police Lines, and the branch of the Deputy Inspector-General of Police, C.I.D., Hyderabad to which the bus warrant should be sent for encashment. The owner of the stage carriage or the Andhra Pradesh State Road Transport Corporation as the case may be, shall forward all bus warrants issued during a month payable at a particular office with a bill before the 10th of the succeeding month. The District Police Office or the Office of the Excise Superintendent or the Commandants Office or the Office of

the Excise Superintendent or the Commandants Office or the Office of the Deputy Inspector-General of Police, C.I.D., as the case may be, shall promptly arrange for the payment of the cost of bus warrants at the Sub-Treasury or the State Bank nearest to the owner of the stage carriage or to the Andhra Pradesh State Road Transport Corporation, as the case may be.

(2) Nothing in this rule shall affect the provisions of the rules and the Act.

**190. Permits sealing :-**

Every copy of a permit shall be sealed and signed by the authority by which the permit is issued and by the authority by which the permit is extended or endorsed.

**191. Permit to be carried in vehicle :-**

The holder of a permit or temporary permit shall cause to be carried in the vehicle, at all times unless it has been sent to the transport authority, in which case, the acknowledgement given by the transport authority under Rule 173 shall be carried in the vehicle. The permit or temporary permit or the acknowledgement, as the case may be, shall be produced by the driver for inspection on demand by any person authorised to stop the vehicle under Rule 286 or 288.

**192. Issue of permits - Production of records :-**

(1) No permit shall be issued until the registration mark of the vehicle to which it relates has been entered therein and the applicant has produced the registration certificate together with valid fitness and insurance certificates and evidence of payment of tax under the Andhra Pradesh Motor Vehicles Taxation Act, 1963, relating to the vehicle ;

(2) When an applicant is granted a permit but is unable to produce the records to in sub-rule (1), immediately, the transport authority, the appellate authority, or the Government acting under Section 90, as the case may be, shall grant him four months time reckoned from the date of receipt by the applicant of the order granting the permit, to produce the records of the vehicle before the transport authority which has to issue the permit. In cases where the order granting the permit is stayed on appeal or revision and the stay is subsequently vacated, the time for production of the records shall



be calculated from the date of receipt by the grantee of the order confirming the grant in his favour :

Provided that the transport authority, the appellate authority or the Government, as the case may be, if satisfied, on an application made to it in writing by the grantee within a period of four months mentioned above, that there is sufficient ground to grant an extension of the time for a further period not exceeding four months.

(3) The acquisition of a vehicle in pursuance of an order sanctioning a permit shall be at the sole risks of the applicant, as the order sanctioning the permit may be reserved an appeal or revision under the Act and rules made thereunder and such acquisition shall not be deemed to be appointed in favour of the applicant while disposing of any appeal or revision application.

(4) If an applicant fails to produce the records within the time fixed in sub-rule (3) above, the transport authority, the appellate authority or the Government as the case may be, shall revoke the sanction.

### **193. Grant of temporary permit :-**

A temporary permit may, if the State or the Regional Transport Authority thinks fit, be granted to any person whether he is the registered owner of the vehicles or vehicle to be used there under or not.

### **194. Temporary permits :-**

Grant of in cases where the route lies within the jurisdiction of two or more transport authorities :- Subject to the provisions of Section 87, in the case of routes passing through two or more districts, the opening of which has been decided by the Regional Transport Authorities concerned, the operators to whom the primary permit is issued may be granted temporary permit or permits by the Regional Transport Authorities of the adjoining district or districts through which the route extends to ensure un-interrupted service on the route.

### **195. Permit fee :-**

(1) The fee for grant of permit other than a temporary permit shall be-

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(a)	Stage carriage	Rs. 2000/-
(b)	Goods carriage	Rs. 600/-
(c)	Contract carriage having seating capacity	Rs. 2000/-
(d)	exceeding 13 in all Maxi cab	Rs. 1000/-
(e)	Motor cab	Rs. 375/-
(f)	Autorickshaw	Rs. 300/-
(g)	LMV Cycle-rickshaw (power) motor cab and	Rs. 50/-
(h)	Motor Cycle Taxi Private service vehicle beyond seating capacity	Rs. 900/-
(i)	of 13 in all Private service vehicle upto seating capacity of	Rs. 600/-
(j)	13 in all Omni Bus beyond seating capacity of 13 in all	Rs. 900/-
(k)	Omni Bus upto seating capacity of 13 in all	Rs. 450/-

(2) The fee for renewal of a permit other than temporary permit shall be,-

\* State carriage Rs. 1000/-

\* Provided that a fee of Rs. 1050/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* Goods carriage : Rs. 300/-

\* Provided that a fee of Rs. 450/- shall be levied in respect of the renewal of permit in the circumstances specified in sub-section (3) of Section 81.

\* Contract carriage having seating capacity Rs. 1000/- exceeding 13 in all

\* Provided that a fee of Rs. 1050/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* Maxi cab : Rs. 500/-

\* Provided that a fee of Rs. 550/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* Motor cab : Rs. 190/-

\* Provided that a fee of Rs. 255/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* Autorickshaw : Rs. 150/-

\* Provided that a fee of Rs. 175/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* LMV Cycle-rickshaw (Power) Motor Cab Rs. 15/-

and Motor Cycle Taxi

\* Private service vehicle Beyond seating Rs. 450/-  
capacity of 13 in all:

\* Provided that a fee of Rs. 550/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* Private service vehicle Rs. 300/-

Upto seating capacity of 13 in all:

\* Provided that a fee of Rs. 550/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* Omni Bus Beyond seating capacity Rs. 450/- of 13 in all :

\* Provided that a fee of Rs. 550/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

\* Omni Bus Upto seating capacity Rs. 225/-

of 13 in all :

\* Provided that a fee of Rs. 275/- shall be levied in respect of the renewal of permit under the circumstances specified in sub-section (3) of Section 81.

## **196. Fee for temporary permit :-**

- (1) The fee for temporary permit for all stage carriages, Contract carriages, Private service vehicles and Omni Buses Rs. 100/-.
- (2) The fee in respect of the grant and extension of validity of a special permit under sub-section (8) of Section 88 shall be :
- (i) for the grant of special permit Rs. 100/-
- (ii) for the extension of validity of special permit Rs. 100/-.

**197. Fee for endorsements :-**

Fee for the endorsement of a permit other than a temporary permit shall be Rs. 100/- in respect of each vehicle and for the renewal of endorsement Rs. 100/- for each vehicle :

Provided that a fee of Rs. 150/- shall be levied in respect of an application for renewal of an endorsement for each vehicle under the circumstances specified in sub-section (3) of Section 81 :

Provided further that the fee for the application for an endorsement or the renewal thereof in respect of a motor vehicle of other State holding a permit other than a temporary permit shall be Rs. 100/- for stage carriages and Rs. 600/- for goods carriages.

**198. Fresh recommendation of counter-signature :-**

The fee for making a fresh recommendation for counter-signature in a reciprocating State in terms of the reciprocal agreement entered into between the State concerned shall be Rs. 600/- and the fee for renewal of recommendation shall be Rs. 300/-.

Provided that the fee aforesaid, shall also be collected in respect of light delivery vans which operate on inter-State routes between Andhra Pradesh and Tamilnadu.

**199. Fee for extension of validity :-**

The fee for an extension of validity of a permit other than a temporary permit shall be Rs. 100/- in respect of each vehicle :

Provided that the fee for the application for an extension of validity of a permit in respect of a motor vehicle of other State shall be Rs. 1000/-

**200. Fee for renewal of Extension :-**

The fee for the renewal of extension of validity of a permit shall be Rs. 100/- in respect of each vehicle:

Provided that the fee for renewal of an extension of validity of a

permit in respect of a motor vehicle of other State holding a permit other than a temporary permit shall be Rs. 600/-.

**201. Stage and contract carriages, carriage of goods restriction :-**

(1) No goods liable to foul the interior of the vehicle or to render it in sanitary, shall be carried at any time in any stage carriage or contract carriage ;

(2) The Transport Authority may specify in any permit the goods which shall not be carried in any stage carriage or a contract carriage or the conditions subject to which certain classes of goods may be so carried.

**202. Maximum weight of goods and luggage :-**

The Transport Authority may specify in any stage carriage or contract carriage permit the maximum weight of passengers, luggage and goods which may be carried in addition to passengers.

**203. Contract Carriage-General merchandise not to be carried :-**

Contract carriage permit may authorise the use of a vehicle for the carriage of personal or household effects on hire but not the carriage of general merchandise.

**204. State Carriage-Goods to be packed and secured :-**

When goods are carried in a stage carriage in addition to passengers the goods shall be of such a nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger. Such number of seats as may be specified in the permit shall be kept free and unimpeded for the use of passengers and the access to the entrance or the exit from the vehicle required under VII Chapter of these rules shall be un-obstructed.

**205. Stage or Contract Carriage of personal Luggage :-**

The Transport Authority shall have power to regulate the weight of luggage and goods which may be carried in any contract carriage generally or in any specified area.

**206. Permits-Renewal - Application form :-**

Application for renewal of a permit shall be made to the Transport Authority by which the permit was issued and shall be accompanied by the permit. The application shall state the period of which the renewal is desired and shall be accompanied by the fee prescribed in Rule 195 :

Provided that if the application is for renewal of stage carriage permit, it shall contain a statement of applicants qualifications and supporting evidence as mentioned in Columns (16) to (23) in form P.S.C.A.

#### **207. Production of records :-**

The Transport Authority sanctioning an application for renewal of permit shall call upon the permit holder to produce the registration certificate or certificates, certificates of fitness and insurance, the evidence of the payment of tax under the Andhra Pradesh Motor Vehicles Taxation Act, 1963 relating to the vehicles and endorse the renewal in the permit and return them to holder. The Transport Authority may revoke its sanction of the application for renewal if the permit-holder fails to produce the documents aforesaid within thirty days from the date of receipt by him of the order requiring the production of the records :

Provided that the Secretary of Transport Authority may if satisfied on an application made to him in writing by the permit-holder within the period of thirty days aforesaid there is sufficient ground, grant an extension of or extensions of time not exceeding four months in the aggregate for the production of the records.

#### **208. Permits -Renewal on endorsement or extension of :-**

Application for the renewal of an endorsement or extension of validity of a permit shall be made to the Transport Authority concerned and shall subject to the provisions of Rule 209 be accompanied by the permit. The application shall set forth the period for which the renewal of the endorsement or extension is required.

#### **209. Particulars to be furnished if permit not available :-**

If at the time of application for renewal of an endorsement or extension, if the permit is not available being under renewal by the Authority by which it was issued, the application shall state the fact

and shall state the number and the date of the permit, the name of the authority by which it was granted, the date of its expiry and the number and date of the endorsement or extension to be renewed.

#### **210. Endorsement of permits :-**

The Transport Authority sanctioning an application for renewal of endorsement or extension of validity of a permit shall call upon the permit-holder to produce the permit, and endorse the renewal in the permit and return to the holder. The Transport Authority may revoke its sanction of the application for renewal, if the permit-holder fails to produce the documents aforesaid within thirty days from the date of receipt by him of the order requiring the production of the records :

Provided that the Secretary of the Transport Authority may, if satisfied on an application made to him in writing by permit-holder within the period of thirty days aforesaid that there is sufficient ground, grant an extension of time not exceeding four months in aggregate for the production of the records.

#### **211. Permit - Replacement of a particular vehicle - Application :-**

(1) If the holder of a permit desires at any time to replace a vehicle he shall forward the permit and apply in writing to the Transport Authority by which the permit was issued stating the reasons why the replacement is desired and shall :

(i) if the new vehicle is in his possession forward the certificate of registration thereof ;

(ii) if the new vehicle is not in his possession state any material particulars in respect of which the new vehicle will differ from the old.

(2) The fee payable in respect of an application for replacement of a vehicle by another vehicle shall be Rs. 100/-

#### **212. Rejection of application for replacement :-**

Upon receipt of an application under Rule 211 the Transport Authority may, in its discretion, reject the application :-

(i) if it has previous to the date of receipt of the application given reasonable notice of its intension to reduce the number of transport vehicles of that class generally or in respect of the route or area to

which permit applies ; or

(ii) if the new vehicle proposed differs in material respects from the old ; or

(iii) if the holder of the permit has contravened the provisions thereof or has been deprived of possession of the old vehicle under the provisions of any agreement of hire purchase.

**213. Procedure on granting an application for replacement :-**

If the Transport Authority grants an application for the replacement of a vehicle under Rule 211 it shall call upon the holder of the permit to produce the certificate of registration of the new vehicle, if not previously delivered to it and shall correct the permit accordingly under its seal and signature and return them to the holder.

**214. Permit surrender and cancellation :-**

(1) If the holder of a permit other than a temporary permit intends to surrender the permit, for cancellation, he shall forward the permit, to the authority, which granted the permit with a request in writing, stating reasons for the intended surrender and an affidavit on a non-judicial stamp paper duly sworn before Secretary of the concerned Regional Transport Authority stating that no cases are pending either against the permit, or against him, before any authority or court, and that no arrears of tax or any fee in respect of the Motor Vehicle covered by the permit is due. A copy of such request shall simultaneously be sent to the transport authority which has countersigned the permit.

Provided that no such affidavit shall be necessary to be filed in the case of operators who own more than 500 motor vehicles covered by permits issued by the Transport Authorities in the State.

(2) On receipt of an application along with the affidavit specified in sub-rule (1) above the Transport Authority or the Secretary of the Transport Authority if the power under this rule has been delegated to him shall take immediate action to cancel the permit after verifying and satisfying himself that there are no cases pending against the said person no arrears of fees or fine or tax or any other amount due to Government and shall make an order accordingly accepting the surrender duly making necessary entries in the concerned records.

(3) The Transport Authority or the Secretary of the Transport

Authority as the case may be shall not accept the surrender of a permit under sub-rule (1) if on verification it is found that there are any cases pending against the permit or the permit holder before any authority or Court and shall postpone the acceptance of surrender to the extent indicated below,-

(a) if any of the provisions of sub-section (1) of Section 86 of the Act has been contravened in relation to the permit until action against the contravention is taken and finally disposed of ;

(b) if the permit has been ordered to be suspended until the suspension is undergone or otherwise modified in appeal ;

(c) if the holder of the permit has agreed to or has been permitted to pay a certain sum of money under sub-section (3) of Section 86 of the Act in lieu of cancellation or suspension of the permit until such time that the amount is fully paid;

(d) if there are any arrears of tax or any fee in respect of the said motor vehicle covered by the permit is due until the arrears is paid or recovered.

The Transport Authority or the Secretary of the Transport Authority shall make an order accepting the cancellation of permit only after the conditions specified in sub-rule (3) are fully satisfied.

### **215. Permit-Suspension or cancellation in respect of any or all vehicles :-**

(1) A transport Authority may suspend or cancel a permit in respect of all or any of the vehicles specified in the permit. When a Transport Authority suspends or cancels permit :-

(i) the holder shall surrender permit as related to the vehicle or vehicles covered by the order of suspension or cancellation within seven days of receipt of a demand in writing by the Transport Authority.

(ii) the Transport Authority shall record in the permit or in the temporary permits, as the case may be, the order of suspension or cancellation; and

(iii) it shall send intimation to any authority by which the permit has been endorsed or extended if such endorsement or extension is in force at the time of suspension or cancellation ;

(2) Notwithstanding anything in sub-rule (i) or (ii) if the holder of a permit fails to surrender either the permit relating to the vehicle specified therein within the time allowed the Transport Authority shall enforce the order of suspension or cancellation, as the case may be.



## **216. Levy of compounding fee :-**

(1) If the Transport Authority considers it expedient to give the permit holder the benefit of the provisions of sub-section (3) of Section 86 it shall not be necessary for the said authority to record minutes except specifying the sum of money and the fact that the permit holder agreed to pay it.

(2) The permit holder shall be allowed ten days time from the date of such agreement to pay the said sum of money. The Transport Authority may however grant extensions of time in exceptional cases.

(3) Any arrears due under this rule may be recovered in the same manner as an arrear of land revenue.

(4) Without prejudice to the provisions of sub-rule (3) any officer of Transport Department not below the rank of an Assistant Motor Vehicle Inspector shall be competent to destrain and sell the motor vehicles in respect of which the arrears under this rule have accrued or its accessories are in the possession or control of the person liable to pay the arrears.

## **217. Compounding offences - Procedures :-**

The Transport Authority shall in determining the sum of money to be recovered in lieu of cancellation or suspension of different classes of permits have regard to the following namely :-

(a) nature, gravity and frequency of the offence committed ;

(b) the quantum of punishment that would otherwise have been imposed; and

(c) earning capacity with reference to the traffic potential of the route and passenger capacity in the case of stage carriage and average daily mileage of the vehicle and hire charges if any in respect of other classes of transport vehicles :

Provided that the amount so recoverable in lieu of suspension or cancellation shall in no case be less than the minimum specified in the table below:

(1) Stage Carriages :-

(a) Overload for each excess (i) Rs. 10 for city and town services. Passenger.

(ii) Rs. 25 for fair weather and other routes :

(b) Non-adherence to the scheduled of timings including late running. Rs.100 per hour proportionately.

(c) Non-Performance to the Scheduled trips. Rs. 100

- (d) Plying on a route not authorised by the permit Rs. 1000
- (e) Plying without payment of tax Rs. 1000
- (f) Other offences Rs. 10 per item of offence.
- (g) Non-maintenance of spare buses as Rs. 600/- per vehicle per provided in Rule 188 or as provided month or part thereof. in the schemes of the S.T.Us.,
- (h) Long stoppage of motor vehicles covered by stage carriage permits referred to in Rule 187 (2) of the Rs. 500/- per month or said rules. part thereof.
- (2) Goods Vehicles :-
  - (a) Overload for every 100 Kgs. Rs. 10
  - (b) Carrying excess persons that the Rs. 60 per passenger number permitted
  - (c) Plying on a route not authorised by Rs. 500/- the permit.
  - (d) Plying without payment of tax Rs. 100
  - (e) Other offences Rs. 10 per item of offences
- (2-A) Tractor-Trailers :
  - (a) Overload for every 100 Kgs. Rs. 5
  - (b) Carrying excess persons than the number permitted. Rs. 15 per passenger
  - (c) Plying on a route not authorised by the permit Rs. 125
  - (d) Plying without payment of Tax Rs. 50
  - (e) Other offences Rs. 5 per item of offence.
- (3) Contract Carriages including all kinds of taxies and autorickshaws all private service vehicles :-
  - (a) Overloads (i) Omnibuses Rs. 20/- per passenger.
  - (ii) Taxi Cabs and Autorickshaws Rs. 10/- per passenge

### **217A. Compounding Offences Partial Condonation :-**

Where the Transport Authority is of the view that an offence requires to be condoned partially, the amount collectable under Rule 217 may be reduced proportionately by recording the reasons for such partial condonation of the offence.

### **218. Challan to be produced :-**

Refund of excess amount :- A permit holder who pays a compounding fee shall produce the relevant treasury challan before the Secretary of the Transport Authority within the time specified in Rule 216 (3) :

Provided that the Secretary may, on application, sanction the refund of compounding fee paid in excess of, or by mistake.

Provided further no refund of the fee shall be made, if the application for such refund is not made within one year from the date of the credit of the fee to the Government.

**219. Permit-delivery on expiry :-**

Within fourteen days of the expiry of any permit by the efflux of time, the holder shall deliver it to the Transport Authority by which it was issued and the Transport Authority receiving any such permit shall intimate the fact to the authority or authorities by which it was endorsed or extended if such endorsement or extension was in force on the date of the expiry of the permit.

**220. Permit - Transfer of :-**

When the holder of permit desires to transfer the permit to some other person under sub-section (1) of Section 82, he shall together with the person to whom he desires to make the transfer, make joint application in writing to the Transport Authority by which the permit was issued, setting forth reasons for the proposed transfer. Such joint application shall be accompanied by the fee as follows :

In respect of :- Rs.

- (i) Stage carriages (on all weather routes ) 1000-00 /-
- (ii) Stage carriages (on fair weather routes) 600-00 /-
- (iii) Goods carriages (having national permit) 750-00 /-
- (iv) All other goods carriages 450-00 /-
- (v) Other cases 150-00 /-

**221. Particulars of premium etc :-**

On receipt of an application under Rule 220 the Transport Authority may require the holder and the other party to state in writing whether any premium, payment or other consideration arising out of the transfer, is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration.

**222. Transfer to be void on false information :-**

Without prejudice to any other penalty to which the parties may be liable, any transfer of a permit ordered upon an application which the Transport Authority is subsequently satisfied as false in respect of the matter specified in Rule 221 or in respect of any other material particular shall be void.

### **223. Summoning of parties :-**

The Transport Authority may summon both the parties to the application for the transfer of a permit to appear before it and may, if it deems fit, deal with the application as if it were an application for a permit.

### **224. Effect of withdrawal of consent by party :-**

When the consent of either or both the parties to the transfer of a permit is withdrawn before transfer is sanctioned the Transport Authority shall drop further proceedings in regard to the transfer of the permit:

Provided that when either of the parties withdraws such consent. the Transport Authority shall before dropping such proceedings, inform the other party of the withdrawal of consent:

Provided further that this rule shall not apply in respect of applications which are pending on the date of coming into force of this rule.

Explanation :- The fee paid will not be refunded in any circumstances after an application has been made.

### **225. Surrender of permit - endorsement of transfer on payment of fee :-**

(1) If the Transport Authority is satisfied that the Transfer of a permit may properly be made. it shall call upon the holder of the permit and the other party in writing to forward within one month from the date of receipt of the order sanctioning the transfer, the permit and the certificate of registration of the vehicle with the particulars of the transfer of ownership of the vehicle stated thereon. In the event of the parties concerned failing to produce the relevant records within the period of one month aforesaid, the Transport Authority shall revoke the sanction :

Provided that the Secretary of Transport Authority may, if satisfied on an application made to him in writing by the parties concerned within the period of one month aforesaid that there is sufficient ground, grant an extension or extensions of time not exceeding four months in the aggregate, for the production of the records;

Provided further that the power vested in the Transport Authority or its Secretary to grant time or extensions of time to produce the records or to revoke the sanction of transfer under this rule shall also be exercisable by the State Transport Authority or its Secretary

and by the State Government exercising appellate or revisional powers, as the case may be.

(2) Upon receipt of the permit, the Transport Authority shall cancel the particulars of the holder thereon and endorse particulars of the transferee and shall return the permit to the transferee.

(3) If a permit has been endorsed or extended under the provisions of these rules, the endorsement or extensions shall cease to have effect on the date of transfer, unless the Transport Authority which granted endorsement or extension directs that it shall be continued.

An application for the continuance of the endorsement or extension under this rule shall be accompanied by a fee of Rs. 15 or 25 respectively as the case may be.

#### **226. Permit - Transfer on the death of the holder - Fee :-**

A fee shall be charged for the transfer of a permit on the death of the holder under sub-section (3) of Section 82 as follows :-

- (i) In respect of Stage carriage Rs. 100/-
- (ii) In respect of Public carrier Rs. 100/-
- (iii) In respect of others Rs. 60/-

#### **227. Permit lost or destroyed - Intimation to Transport Authority :-**

When any permit has been lost or destroyed, the holder shall forthwith intimate the fact to the Transport Authority by which the permit was issued and shall deposit the prescribed fee for the issue of a duplicate.

#### **228. Issue of duplicate :-**

The Transport Authority shall, upon receipt of an application in accordance with Rule 227, issue of a permit, and to the extent that it is able to verify the facts may endorse thereon certified copies of any endorsement or extension by other authority intimating the fact to that authority:

Provided that in the case of goods vehicles, the Transport Authority may issue the duplicate permit after making such enquires as he deems fit into the genuineness of the application made.

#### **229. Duplicate to be stamped :-**

A duplicate permit issued under Rule 228 shall be clearly stamped

DUPLICATE in red and the certified copy of any extension of endorsement by any other Transport Authority on a permit made under Rule 228 shall be valid in the region of that other authority as if it were an extension or endorsement.

**230. Permits - Illegible - Surrender on service of notice :-**

If the Transport Authority, any Secretary or Additional Secretary of the Regional Transport Authority or any Police Officer of or above the rank of a Sub-Inspector of Police, considers that a permit has become dirty, torn or otherwise defaced so as to be illegible, a notice to this effect shall be served on the holder of the permit and within seven days of the service of this notice the holder shall surrender the permit to the Transport Authority and apply for the issue to him of a duplicate permit in accordance with Rules 227 to 229.

**231. Fee for duplicate permit :-**

The fee for the issue of a duplicate permit shall be one hundred rupees.

**232. Lost permit to be delivered if found :-**

Any permit which is found by any person shall be delivered by that person to the nearest police station or to the holder or to the Transport Authority by which it was issued, and if the holder finds or receives any permit or any part of a permit in respect of which a duplicate has been issued, he shall return the original to the Transport Authority by which it was issued.

**233. Variation of permit on application :-**

(1) Upon application made in writing by the holder of any permit, the Transport Authority may, at any time, vary the permit, or any of the conditions thereof subject to the provisions of Section 80 (3) and sub-rule (2) :

Provided that it shall be open to the Transport Authority to reject summarily an application for the variation of a permit, if within the period of six months immediately preceding the application, a request for the same variation of permit on the same grounds had been refused.

(2) If the grant of variation would authorise transport facilities materially different from those authorized by the original permit,

the Transport Authority shall deal with the application as if it were an application for a permit.

Explanation :- For the purposes of this rule, any variation involving an increase of over forty per cent of any reduction in the seating capacity, other than the variation due to the alterations effected in conformity with the rules made under Chapter V of the Act in respect of the original permit of a stage carriage shall be treated as variation in transport facilities materially different from those authorised by such permit.

#### **234. Power to call for record :-**

If the Transport Authority decides to vary a permit under Rule 233 it shall call upon the holder of the permit to produce the permit or the temporary permit, if this has not already been done within a fixed time and the permit holder shall comply with this order. The Transport Authority shall vary the permit in accordance with its decision and return the records. If the permit holder fails to produce the permit or the temporary permit within the time allowed, the Transport Authority may revoke the sanction for variation of permit after giving the permit holder an opportunity to furnish his explanation.

#### **235. Intimation to other Transport Authorities :-**

A Transport Authority varying, suspending or canceling a permit or causing another vehicle to be substituted for a vehicle covered by a permit, shall intimate particulars to the Transport Authority of any other region in which the permit is valid by virtue of countersignature or otherwise.

#### **236. Fee for variation of permit on application :-**

The following fees shall be levied for the variation of a permit, or endorsement or extension of validity of permit with change of timings or otherwise on an application made by the permit holder ;-

- (i) Unexpired period exceeding 6 months Rs. 300/-
- (ii) Unexpired period exceeding 3 months Rs. 200/-
- (iii) Increase in number of trips by a stage Carriage Rs. 400/-

#### **237. Permit Production on demand :-**

Permit shall be produced on demand made at any reasonable time by any police officer not below the rank of C.I. or by any officer of

Transport Department not below the rank of an Assistant Inspector of Motor Vehicles.

**238. Temporary Authorisation in lieu of a permit :-**

(1) When the holder of permit has submitted the permit to the S.T.A. or R.T.A. for renewal or countersignature or for any other purpose or when a police officer or any Court or any other competent authority as the case may be shall furnish to the holder a receipt and a temporary authorisation in Form Tem-PA to ply the vehicle during such period as may be specified therein during which production of temporary authorisation on demand shall be deemed to be the production of the permit:

Provided that the authority granting temporary authorisation shall extend the period of its validity such extension not being however beyond the period of validity of the permit.

(2) Until the permit referred to in sub-rule (1) has been returned to the holder thereof, the vehicle concerned shall not be plied beyond the period specified in the temporary authorisation referred to in sub-rule (1) or extension under the proviso to that sub-rule, as the case may be.

(3) No fee shall be payable in respect of such temporary authorisation.

**239. Hours - Work of drivers - Provisions - exemptions from :-**

Subject to the provisions of sub-section (2) of Section 91, sub-section (1) of that section shall not apply in the case of.

(i) any transport vehicle used by or on behalf of any military or police, authority in connection with military manoeuvres of exercise or in the quelling or riots of civil disturbance ;

(ii) any fire brigade vehicle or ambulance when being used as such;

(iii) any vehicle being used for the carriage of passengers or goods in any emergency arising out of fire, earthquake, floods, pestilence or other calamity, riots, civil disturbance or sudden stoppage or closure of any transport service or for the purpose of clearing crowds in exhibitions and similar shows and gatherings ;

(iv) any vehicle going for, or returning with the medical aid in an emergency or carrying any seriously injured or sick person for medical treatment, when no other means are reasonably available ;

(v) any vehicle proceeding to the nearest place of halt, at which the driver and other occupants can reasonably obtain shelter and



refreshment, after a delay in the journey arising out of the provisions of Section 132 or Section 134 or out of the failure of any of the tyres or of the machinery of the vehicle which failure could not have been prevented by the exercise of reasonable care and diligence ;

(vi) any vehicle which is delayed during the course of its journey by breaches in the road, floods, or any other natural calamity.

#### **240. Hours of work - fixation in advance :-**

A Transport Authority is authorised to require any person employing drivers of transport vehicles within its area to make such time-table, schedule, or regulation as may be necessary to fix in advance the hours of work of persons employed by him and upon approval by such authority of any time-table, schedule. or regulation as aforesaid it shall be the record of the hours of work fixed for the persons concerned for the purposes of sub- section (4) of Section 91.

#### **241. Period of rest-definition of :-**

(1) Any time spent by the driver of a vehicle on work other than driving, in connection with the vehicle or with the load carried or to be carried on the vehicle, including any time spent on the vehicle during a journey save as a passenger in a public service vehicle shall not be deemed to be an interval of rest for the purposes of Clause (a) of sub-section (1) of Section 91 ;

(2) Any time spent by the driver of a vehicle on or near the vehicle when it is at rest, when he is at liberty to leave the vehicle for rest and refreshment although required to remain within sight of the vehicle shall be deemed to be an interval of rest for the purposes of Clause (a) of sub- section (1) of Section 91 :

Provided that no single instance of less than fifteen minutes shall be deemed to be an interval of rest.

#### **242. Goods vehicle record :-**

(1) Every driver of a goods vehicle shall keep and every owner of a goods vehicle shall cause to be kept in the vehicle, in English or in anyone of the languages of the district a record in Form G.V.R. which shall give, in respect of each day on which the driver was employed in driving the information prescribed in the Form G.V.R.

(2) The record in Form G.V.R. shall be maintained in bound books

containing 100 pages in duplicate, each serially numbered and each book shall be got authenticated by the Regional Transport Officer concerned before being used:

Provided that this rule shall not apply to a goods vehicle whose primary permit is issued by the Regional Transport Authority of a Region outside the State of Andhra Pradesh.

(3) Each item of information required by Form G.V.R. shall be entered in the records as soon as the particulars to be recorded are ascertained.

(4) The record in Form G.V.R. kept in the vehicle shall be open to inspection by any person authorised to stop and check a vehicle under Rule 286.

(5) The owner of the goods vehicle shall preserve the record in Form G.V.R. for two years after expiry of the period to which it relates and shall produce it for inspection, at any time within that period, on demand by the Secretary of a Transport Authority or police officer not below the rank of C.I.

(6) This rule shall not apply in the case of goods carriages which are covered by national permits referred to in Section 88 (12).

Provided that this rule shall also not apply in the case of tractor trailers covered by permits issued for agricultural and personal purposes.

### **243. Dress to be worn by checking Inspector :-**

A checking Inspector of stage carriage while on duty shall be cleanly dressed and in the manner in which the State Transport Authority may specify.

### **244. Prohibition of Smoking :-**

No person shall smoke in public service vehicles except the motor cabs and notice bearing words "Smoking Prohibited" in Telugu and English shall be prominently displayed in such vehicles.

### **245. Passengers obligation to pay fares on demand :-**

Every passenger in a stage carriage shall, unless he is the holder of a ticket in respect of a particular journey, immediately upon demand by the conductor declare the journey he intends to take or has taken and pay the conductor the fare for the whole of such journey, and demand from the conductor the issue of a ticket of requisite value simultaneously with the payment of fare.

## **246. Conduct of passengers in Stage carriages :-**

- (1) No passenger using or intending to use a stage carriage shall :-
- (i) enter or leave or attempt to enter or leave any stage carriage while it is in motion ;
  - (ii) enter into or alight from a stage carriage except by the entrance or exit provided for the purpose;
  - (iii) enter into a stage carriage without first permitting all passengers leaving the stage carriage to alight;
  - (iv) knowingly or intentionally in contravention of the instructions of the driver or conductor in this behalf enter a stage carriage which is carrying the maximum number of passengers according to the seating capacity specified in the certificate of registration of the vehicle and any additional passengers permitted under terms of the permit to be carried in excess of the seating capacity of vehicle ;
  - (v) mount the driver s platform or talk of interfere with or otherwise distract the attention of the driver of a stage carriage while on duty;
  - (vi) obstruct any authorized employee of the permit holder in the discharge of his duties on the stage carriage; or
  - (vii) place his foot upon any seat of a carriage; or
  - (viii) hang on to any exterior part of a stage carriage; or
  - (ix) alight or attempt to alight from the stage carriage without paying the legal fare demanded by the conductor ;
  - (x) travel in a stage carriage beyond the destination to which the fare he has paid entitles him travel without informing and paying the conductor, the fare for the additional journey; or
  - (xi) refuse to show any ticket on demand by authorised person;
  - (xii) refuse to declare if so required by the driver or conductor or any person authorised by the permit holder the journey he intends to take or had taken in the vehicle and to pay the fare for the whole of such journey and to accept any ticket provided therefore;
  - (xiii) refuse to pay a fresh fare when he has altered or defaced his ticket so as to render the number or any portion thereof illegible; or
  - (xiv) behave in a disorderly manner;
  - (xv) use abusive language ;
  - (xvi) molest any other passenger ;
  - (xvii) smoke ;
  - (xviii) spit in the vehicle ;
  - (xix) use or attempt to use a ticket other than the ticket valid for particular journey or a ticket which has already been used by another passenger or on another journey;

(xx) have dress or clothing which is likely to soil or damage the seats or the dress or clothing of another passenger or which for any other reason is offensive to other passengers ;

(xxi) enter into a stage carriage, while suffering from any contagious or infectious disease ;

(xxii) occupy more than one seat, or reserve or attempt to reserve another seat either for himself or for another passenger ;

(xxiii) have bulky luggage which in the opinion of the conductor obstructs, annoys or inconveniences another passenger or is likely to be so ;

(xxiv) carry in the cabin or body, any animal, bird, flesh or fish (other than tinned food) in its original packing, any instrument substance or any other article which annoys or inconveniences or is offensive to any passenger or is likely to be so ;

(xxv) willfully damage or soil or remove any fittings in or on the stage carriage or interfere with any light or part of the carriage or its equipment; or

(xxvi) ring without lawful excuse or interfere with any signal of the stage carriage ;

(xxvii) without lawful excuse occupy any seat exclusively reserved for lady passengers ;

(xxviii) sing or play upon any musical instrument ;

(xxix) distribute printed or similar matter of any description or distribute any article for the purpose of advertising ;

(xxx) commit or abet any offence under the Act ;

(xxxi) climb the ladder leading to the luggage carrier on the roof of the vehicle

(2) The driver or the conductor may require any passenger contravening any of the provisions of sub-rule (1) to alight from the vehicle forthwith and may stop the vehicle and keep it standing until the passenger is alighted. Such passenger shall not be entitled to the refund of any fare which he may have paid and any passenger failing to comply forthwith such a requirement may forcibly be removed by the conductor or the driver or any police officer on request made by such driver or conductor in the behalf ;

(3) A passenger who is reasonably suspected by the driver or conductor of contravening any of the provisions of this rule shall on demand being made by such driver, conductor or a police officer give his correct name and address to such driver, conductor or police officer.

(4) A copy of sub-rule (1) of this rule shall be displayed in a conspicuous place in every stage carriage in English and in the

regional language and it shall be visible to any person inside the vehicle at all times.

#### **247. Children and Infants :-**

Carriage in public service vehicle :- In relation to the number of persons that may be carried in public service vehicle and the fares chargeable for carrying them in the vehicle :-

- (i) a person above twelve years of age shall be reckoned as one and a full fare charged;
- (ii) a child above three but not more than twelve years of age shall be reckoned as one half and one half of the full fare charged; and
- (iii) a child of not more than three years of age shall not be reckoned and no fare shall be charged.

#### **248. Disposal of property left in a public service vehicle :-**

(1) Every conductor or any other person incharge of a public service vehicle shall immediately after the completion of any trip or journey, as the case may be, carefully search for any property left in the vehicle and shall as soon as may be and in any case within twenty four hours hand over such property to the permit holder of the vehicle.

(2) The permit holder of the vehicle shall if the particulars of the person to whom the property belongs are available form any mark or painig on such property cause a notice to be served on that person to take. Delivery of the property within a fortnight from the date of service of such notice and if that person turns up the property shall be handed over to him after duly satisfying himself that such person is the rightful owner of the property, after collecting from him storing charges at the rate of 5 paise per day or thereof.

(3) If the owner of the property is not known or the notice could not be served upon him or if the owner of the property on receipt of the notice fails to take delivery of the property the permit holder of the vehicle shall notify the fact of his possession of the property at his office or at the place of his business and take any other reasonable measures for ascertaining the owner of the property and to deliver the same to him. The permit holder shall in the meanwhile take reasonable care to keep the property safe ;

(4) If the owner of the property does not turn up for taking possession of the property the permit holder of the vehicle shall after a period of not less than thirty days from the date of

publication of the notice by him under sub-rule (3), sell it and credit the sale proceeds to the State Government provided that the sale of property may be done at any time before the expiry of the said period if in the opinion of the permit holder of the vehicle the property is subject to speedy decay.

Explanation :- For the purpose of this rule the expression permit holder, includes the Andhra Pradesh State Road Transport Corporation. The sale proceeds shall be credited to the State Government after deducting the storage charges at the rate of 5 paise per day or part thereof under the head of account.

"041-Taxes on vehicles-under other receipts".

#### **249. Advance Booking and reservation of accommodation :-**

Subject to the provisions of the clauses specified hereunder advance booking and reservation of accommodation in an express service shall be permitted on application made orally or in writing by or on behalf of the bonafide passengers and where reservation is made no person or persons other than for whom the accommodation is so reserved shall occupy such accommodation except with the permission of the conductor on duty in the express service :-

(1) Advance booking shall mean sale of passenger tickets not less than 2 hours in advance of the scheduled time of departure of the stage carriage by which the passengers by whom or for whom the tickets are bought intend to travel.

(2) Advance booking shall be permitted not more than ten days in advance of date of the intended journey.

(3) Advance booking shall be stopped when the number of tickets for which passenger seats are provided in the stage carriage is sold out.

(4) Advance booking shall be according to priority of application and for this purpose an advance booking Register in the prescribed Form RRSS shall be maintained or caused to be maintained by the holder of the permit of the express service.

(5) Reservation of accommodation shall be made only on production of the ticket or tickets booked in advance for the intended journey.

(6) For the purpose of identifying the seats reserved rows of the seats shall be assigned distinguishing letters in capital in alphabetical order and individual seats shall be assigned distinguishing numbers in the serial order and the letters and the

numbers so assigned shall be displayed conspicuously on the rows of the seats and the individual seat respectively.

(7) A plan showing the arrangement of seats shall be made available for the applicants to enable them to have their choice of seats from those seats which have not been reserved already for other passengers.

(8)(a) A reservation fee of not more than five rupees shall be collected for every seat so reserved ;

(b) The reservation fee once collected shall not be refundable Provided that the reservation fee along with ticket fare shall be refundable to the passengers when the services are cancelled owing to unavoidable circumstances such as strikes, bundh and natural calamities like floods, road breaches, etc.

(9) Reservation ticket in prescribed Form RT shall be issued to every applicant whose application is complied with;

(10) The reservation ticket shall on demand by the conductor or driver on duty in the stage carriage or any checking Inspector on duty at any time before the commencement of the journey and in the course of the journey, be produced for inspection.

(11) (a) No advance booking shall be made from intermediate places on the route ;

(b) Where the distance of the route of express eservice does not exceed 120 km advance booking shall be permitted only for journeys to any intermediate place on the route ;

(c) Where the distance of the route of express service exceeds 120 km advance booking shall be made for journeys to any intermediate place which is situated at a distance of not less than 120 km from the terminus from which the journey is to be commenced. Nothing contained in the above shall affect the facilities prior to the commencement of this rule;

(12) Seats reserved but not occupied 5 minutes before the scheduled departure of the stage carriage may be released by the conductor on duty for occupation by other passengers if any;

Provided that a passenger shall be deemed to have occupied the seat reserved for the passenger if the presence of the passenger in or near the stage carriage is made known to the conductor on duty notwithstanding the fact that the passenger may not be present in the seat so reserved ;

(13) An advance booking list containing the names of the passengers for whom seats have been booked and the particulars of the seats, if any, reserved shall conspicuously be displayed on a notice board to be provided for the purpose at or near the booking

office or the booking counter at least one hour in advance of the scheduled departure of the stage carriage. A copy of the said list shall be conspicuously exhibited in the vehicle and another copy of the list shall be given to the conductor on duty in the stage carriage sufficiently in advance of the scheduled time of departure of the stage carriage.

(14) Advance booking, already made, may on request by the passenger be altered in respect of the date and the stage carriage within 48 hours before the departure of the stage carriage for the journey by which advance booking has been initially made subject to the following conditions :-

(a) The revised date for journey is within the limit of 10 days prescribed in conditions for advance booking from the date of request for alteration;

(b) Accommodation is available on the revised date and in the revised stage carriage ;

(c) A fee of not more than 50 paise shall be chargeable for the alterations;

(d) Alteration shall be allowed only once on an advance ticket.

(15) Where the passengers for whom accommodation has been reserved are unable to undertake the journey and such passengers shall cancel the journey and shall on surrender of the journey tickets be entitled for the refund of fare as provided thereunder :-

(i) For notice of cancellation of journeys intended to be made before the scheduled departure of the bus, the percentage of forfeiture of the value of the journey ticket will be as indicated hereunder ;

Advance notice of Cancellation Deduction to be made

(a) 48 hours or more before the actual commencement of the journey

(b) Less than 48 hours but more than 24 hours before the actual commencement of the journey

(c) Less than 24 hours but more than 30 minutes before the actual commencement the journey

(d) Less than 30 minutes before the actual commencement and within 30 minutes after the departure of the bus 10% of the fare of the journey ticket.

20% of the fare of the journey ticket subject to Re. 1 in each case

25% of the fare of the journey ticket subject to a minimum of Re.1 in each case.

50% of the fare of the journey ticket subject to a minimum of Re. 1.



(ii) Claim for refund of the balance after deduction from the value of the journey tickets shall be settled subject to the following conditions :-

(a) The passenger shall obtain from the conductor or the booking clerk the date and time of the cancellation ;

(b) No claim for refund of fare shall be entertained if it is made after 15 days from the date of journey.

(iii) Except in cases of interruption of service refund of fare in full or part thereof is not admissible. In case of interruption of service route refund of fare shall be admissible according to Rule 74 (xiii) :  
Provided that reservation fee along with ticket fare shall be refundable to the passengers when the service are cancelled owing to unavoidable circumstances such as strikes, bunds and natural calamities like floods, road breaches, etc.

#### **250. Motor cab-payment of legal fare :-**

(1) In the absence of an enforceable contract to any contrary no hirer shall refuse or omit to pay a fare fixed by law for the hire of motor cab nor shall he refuse to supply his correct name and address to the driver in case of dispute in connection with the fare.

(2) In the case of dispute between the driver of motor cab and the passenger in connection with the fare, either party may require the other to proceed to the nearest police station where the officer in charge shall, if the dispute is not settled amicably, record the names and addresses along with the substance of the respective contentions of both parties and forward them along with his finding to the Secretary, Regional Transport Authority concerned.

#### **251. Setting of taxi meter in motion :-**

The driver of every motor cab provided with a taxi meter shall, as soon as he is hired and no sooner set the taxi meter in motion, and upon the termination of the hiring shall immediately stop the same :

Provided that if a motor cab is called from a garage or stand, to take up a passenger at any place less than 457 meters from the garage or stand, the taxi meter shall not be set in motion until the motor cab shall arrive at such place and be ready to take up the passenger ;

Provided further that in the event of a motor cab, whilst hired, being unable to proceed on account of any failure of the tyre or the mechanism of the vehicle either temporarily or otherwise the driver

shall at once stop the mechanism of the taxi meter and shall not restart the same until such time as the defect is remedied.

**252. Carrying of persons in goods vehicle carriage :-**

(1) No person shall be carried in the cab of a goods vehicle beyond the number for which there is seating accommodation at the rate of 284 nukuneters measure along the seat, excluding the space reserved for the driver for each person and not more than Seven persons in all shall be carried in any goods vehicle.

(2) No persons shall be carried in a goods vehicle upon the goods or otherwise in such a manner that such person is in danger of falling from the vehicle and in no case shall any person be carried in a goods vehicles, in such a manner that any part of his person when he is in sitting position is at a height exceeding 3 meters from the surface which the vehicle rests.

(3) No person other than a person connected to the conveyance of goods shall travel in a goods vehicle.

(4) Notwithstanding the provision of sub-rule (1) the Regional Transport Authority or the State Transport Authority, may subject to such conditions as it thinks fit allow a large number of persons to be carried in a goods vehicles;

(5) Nothing in this rule shall be deemed to authorize the carriage of any person for hire or reward on any goods vehicle, unless there is in force in respect of the vehicle a permit authorizing the use of the vehicle for such purpose, and save in accordance with the provisions of such permit.

**253. Carrying of animals in goods carriages vehicle :-**

(1) No animal shall be carried in a goods vehicle unless:-

(i) in the case of goats, sheep, deer or a pig, a minimum floor space of 60 cm. X 100 cm. Per head of such animal is provided in the vehicle ;

(ii) in the case of any other animal :-

(a) minimum floor space of 210cm. by 100 cm. per head of animal and half of such floor space for a young one of animal which is weaned is provided in the vehicle;

(b) the load body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum height of 1,500 cm. measured from the floor of the vehicle on all sides and the back; and

(c) the animals are properly secured by ropes tied to the sides of

the vehicles; and

(iii) an attendant provided by the owner of the animals shall accompany the animals with necessary cattle food and give food and water to the animals in transit in time.

Explanation :- (1) Animal for the purpose of this rule include goat, seep, buffalo, bull, ox, cow, deer, horse, pony, mule, ass, pig or the young ones thereof.

(2) No animal belonging to or intended for a circus manager or zoo shall be carried in a goods vehicle unless :-

(i) in the case of wild or ferocious animal, suitable cage either separate from or integral with the load body of the vehicle used and of sufficient strength to contain the animal securely at all times is provided; and

(ii) reasonable floor space for each such animal is provided in the vehicle.

(3) No goods vehicle when carrying any animal under this rule shall be driven at a speed in excess of 30 Kms.per hour.

#### **254. Exemption :-**

The provisions of Rule 253 shall not apply to motor vehicles registered under Section 60 or to goods vehicle which are being used for the carriage of troops or the police of members or the general public affected by natural calamities like fire, flood and cyclone or by disturbances and agitations and carrying them to places of safety, or by the police for transporting remanded prisoners, under-trial prisoners convicted prisoners or witnesses.

#### **255. Passenger not to sit on right of driver :-**

No person shall sit nor shall any goods be placed on the right of the driver of transport vehicle fitted with right hand steering control and on the left of the driver of a transport vehicle fixed with left hand steering control.

#### **256. Stopping place for stage carriage :-**

The Transport Authority may if no stopping places have been fixed for stage carriages in accordance with the provisions of any statute, fix such places for such carriage after consultation with such other authority as it may deem desirable. Such stopping places shall be indicated by means of notice boards. The driver of a stage carriage shall stop it at such stopping places when required by any person

wishing to alight or enter but he need not stop the carriage for a person wishing to enter it, if it is already full. Halts for the purpose of setting down or taking up passengers shall be limited to the time reasonably necessary for such purpose on routes along which stopping places have been fixed, no driver of a stage carriage shall stop at any place other than such stopping place except:

- (i) When failure to stop the vehicle would constitute an offence punishable under these rules or under any law for law for the time being in force; or
- (ii) in the case of a mechanical break down

### **257. Starting places and termini :-**

(1) In the case of public service vehicle other than motor cabs if starting places and termini have not been fixed in accordance with provisions of any statute the transport authority may, after consultation with such authority as it may deem desirable, fix starting places and termini, between which such vehicles shall be permitted to be used within its jurisdiction. A list of such places shall be supplied by such authority to every holder of a permit for such vehicles. When such places have been fixed, every such vehicle shall start only from such places.

(2) Where a local authority has provided and maintains a public stand for motor vehicles with facilities for drinking water supply, lighting, latrine and waiting sheds for passengers and convenient parking places, the transport authority may approve of the use of that stand for the purpose of picking up or setting down passengers of public service vehicle other than motor cabs and thereafter every vehicle shall make use of that stand. The approval granted by a transport authority may be revoked by it if the facilities provided at the stand cease to be to its satisfaction.

### **258. Fixation of Stages for carriages :-**

(1) In the case of stage carriages, the Regional Transport Authority shall, after consultation with such other authority as it may deem desirable, fix stages on all bus routes except town service. The maximum distance of each stage shall not ordinarily exceed 6.4 kilometers. When stages are so fixed, fares shall be collected according to stages.

Explanation :- When a passenger gets into or gets down from a stage carriage at a place lying in between two stages, he shall pay the fare from the stage preceding the place where he gets into the

bus to the stage succeeding the place where he gets down.

(1) The Regional Transport Authority shall, subject to the following restrictions, determine which are town service routes :-

(i) at least one terminus of every town service shall lie within the limits of a municipality or any built up place notified in the Andhra Pradesh Gazette as town for this purpose by the Regional Transport Authority concerned, with the prior concurrence of the State Transport Authority;

(ii) No route of town service shall extend more than 8 kilometers beyond the limits of the municipality or town from which it starts, provided that this restriction shall not apply to any town service routes, which were in existence on the date of coming of these rules into force or in respect of those routes for which specific permission of the Transport Commissioner is obtained ;

(iii) No route shall be determined as both town and mufassal service routes.

### **259. Schedule of timings :-**

The Transport Authority may, from time to time;

(i) by a general order, prescribe a schedule of timing for stage carriages running on specified routes; or

(ii) by a Special Order, prescribe a schedule of timing for each stage carriage.

### **260. Vehicles to run in accordance with schedule :-**

(1) When a schedule of timings has been prescribed under Rule 259, every stage carriage on such a route shall run in accordance with it except :

(i) When prevented by accident or other unavoidable cause; or

(ii) When otherwise authorised in writing by the authority granting the permit; or

(iii) to the extent provided for in sub-rule (2).

(2) Where a permit holder has more than one vehicle plying exclusively in the same route he may, notwithstanding that a schedule of timings has been fixed for each vehicle, use temporarily, and in any case for not more than ten days at any one time any one of the other vehicles to maintain all or any one of the timings fixed for a particular vehicle on the route :

Provided that :

(a) intimation thereof is sent to the authority which granted the permit to the authority, if any, which has endorsed or extended the

permit within seven days of such use;

(b) the maintenance of the timings granted to the other vehicles of the permit-holder on the routes is not affected.

**261. Failure to perform service - Report to be made :-**

If, at any time, a stage carriage is prevented from running in accordance with the schedule prescribed or, where no schedule is prescribed is prevented from performing the service for which a permit has been granted, the holder of the permit shall forthwith report the fact and the reason therefore to the Secretary of the Transport Authority which granted the permit and to the authority, if any which has endorsed or extended the permit.

**262. Responsibility of permit-holder :-**

The holder of the permit shall be responsible and punishable for a breach of Rule 260 in addition to any other person who may be responsible and punishable for such breach.

**263. Withdrawal of bus from Service :-**

If the holder of a stage carriage permit proposes to withdraw the service which the vehicle covered by the permit is providing before the expiry of the permit, he shall, unless prevented by unavoidable circumstances, give at least one months notice of his intention to the transport authority which issued the permit, and shall surrender the permit on the date from which the service is withdrawn. On receipt of the notice, the transport authority shall post a copy of the notice on a suitable notice board situated on the premises of the authority.

**264. Withdrawal of service - Report to be made :-**

If any holder of a public carriers permit or contract carriage permit for whatever reason withdraws the vehicle from the service authorized by the permit and does not restore the vehicle service within a period of fifteen days, he shall forth with report the fact of such withdrawal, the reason therefore and the expected period of such withdrawal, to the authority which granted the permit and shall immediately on restoration of the vehicle to the service also report the fact of such restoration to the said authority.

**265. Furnishing of reports not to prejudice other action**

## **under law for non- performance of service etc :-**

The furnishing of reports under Rule 261 or Rule 264 shall not prejudice the action, if any, that might be taken under law in respect of the permit for non-performance or irregular performance of the service authorized by the permit.

### **266. Check in Stations or route register :-**

The Transport Authority may by general order direct that every stage carriage shall stop at such stations on its route as the transport authority may prescribe, and thereupon the conductor of every stage carriage shall correctly enter in the register in Form TGR kept at each such station the particulars specified therein.

### **267. Trip-Sheet :-**

The driver or conductor of every public service vehicle other than, a motor cab shall maintain trip sheets serially numbered in duplicate in a bound book in Form TSS or TSC for each journey in a separate sheet in English or in one of the languages of the district :

Provided that the Regional Transport Authority may exempt a driver or a conductor of a town bus service from maintaining trip sheets in the Form aforesaid subject to the condition that a trip-sheet containing the following particulars is maintained in a Form approved by the State Transport Authority :-

- (i) The arrival and departure timings ;
- (ii) The hours of duty of conductors and drivers ;
- (iii) The number of passengers carried on each trip; and
- (iv) The name of the conductor and his Licence number.

### **268. Record Sheet for Auto-rickshaw :-**

The owner of every auto-rickshaw shall maintain a Record Sheet, serially numbered in duplicate in a bound book in Form RSA with a copy to be kept in the auto-rickshaw.

### **269. Exhibition of particulars on auto-rickshaw :-**

- (i) The driver and owner of every auto-rickshaw shall exhibit or cause to be exhibited a plate inside the auto-rickshaw on the portion between the drivers seat and the passengers seat in a manner visible to the passengers from the seat containing the following particulars, namely :-

- (a) Name of the auto owner ;
- (b) Registration number of the auto-rickshaw ;
- (c) Tariff of the fare.
- (ii) The plate mentioned in sub-rule (1) above shall have dimensions of not less than 20 cms. in length and 20 cms. in width, with black background and white letters. The dimensions of each letter written shall be not less than 3 mm. In length and 3 mm. In breadth ;
- (iii) Every auto-rickshaw, when the vehicle is not to be engaged for hire or home bound or garage bound, TOSHED board should be exhibited. The board should be painted in white letters on a black background both in Telugu and English. The letters shall be 2.5 cm. in length and 2 cm. in breadth.

**270. Exhibition of particulars on taxi cab :-**

- (i) The driver and the owner of every taxi cab other than auto-rickshaw shall exhibit or cause to be exhibited a plate inside the taxi cab on the back of the drivers seat in a manner visible to the passengers sitting on the rear seat containing the following particulars, viz. :-
  - (a) Name of the owner of the taxi cab ;
  - (b) Registration number of the taxi cab ;
  - (c) Tariff of the fare.
- (ii) The plate mentioned in sub-rule (i) above shall have dimensions of not less than 20 cms. in length and 20 cms. in width, with the black back- ground and white letters. The dimensions of each letter written shall be not less than 3 mm. in breadth.

**271. Custody of trip-sheet :-**

Trip-sheets shall :

- (i) be carried by the conductor or in case there is no conductor by the driver, whenever the vehicle is in use;
- (ii) be duly filled up from time to time as occasion arises, by the conductor or in case there is no conductor, by the driver; and
- (iii) be open to inspection by any Police Officer not below the rank of Head Constable or by any Magistrate or by any Regional Transport Officer or by an Inspector of Motor Vehicles and shall be preserved for a period of one year after the expiry of the period to which they relate and be open for inspection by any person authorised to stop the vehicle under Rule 288.



## **272. Trip-register :-**

Every holder of a permit shall, in respect of every public service vehicle specified in the permit, maintain in English or in one of the languages of the district, trip-register in Form TR in a bound book of which the pages are serially numbered. The trip-register shall be posted daily from the trip- sheets maintained under Rule 267 and be at all times open to inspection by any police officer not below the rank of Sub-Inspector or by any Officer of the Transport Department not below the rank of an Assistant Inspector of Motor Vehicles. The trip-register shall be preserved by the holder of a permit in respect of every public service vehicle for a period of three years after the expiry of the period to which it relates.

## **273. Exemption to Andhra Pradesh State Road Transport Corporation from maintaining trip-registers in respect of their stage carriages :-**

The provision of Rules 267 to 272 shall not apply to any stage carriage belonging to the Andhra Pradesh State Road Transport Corporation :

Provided that the driver or conductor of each motor vehicle shall, on demand by any inspecting officer specified in clause (ii) of Rule 271 produce for inspection the conductors statistical return and control chart as prescribed by the Andhra Pradesh State Road Transport Corporation :

Provided further that the Andhra Pradesh State Road Transport Corporation shall, whenever required by any of the officers specified in Rule 272 produce the statistical return or the control chart for his inspection.

## **274. Exemption to Tirumala Tirupathi Devasthanams from maintaining trip- sheets and trip-registers in respect of stage carriages :-**

The provisions of Rules 267 to 272 shall not apply to any stage carriage belonging to the Tirumala Tirupathi Devasthanams.

Provided that the driver or conductor of such motor vehicle shall on demand by any inspecting officer specified in Clause (iii) of Rule 271 produce for inspecting the conductor traffic return, timings chart and control chart as prescribed by the Tirumala Tirupathi Devasthanams :

Provided further, that the executive officer, Tirumala Tirupathi

Devasthanams shall whenever required by any of the officers specified in Rule 271, produce or cause the production of the return and chart mentioned above before such officer.

**275. Painting and illumination of destination board :-**

(1) Both termini of the route on which the stage carriage is plying shall be clearly stated in Telugu and English in the regions of Andhra and Rayalaseema and in Telugu, English and Urdu in the Telangana region on boards exhibited at the top on the front and rear of the vehicle.

(2) The board shall be painted in black letters not less than 5 millimeters high on a white background. It shall be clearly visible and unobstructed by cap equipment or otherwise and illuminated by white light from half an hour after sunset to half an hour before sunrise.

**276. Exhibition of Distinguishing Boards in respect of Express stage carriages :-**

In respect of every express stage carriage a board showing the following inscription in red letters on white background shall be carried prominently in front of the vehicle at the top :

" EXPRESS "

**277. Drivers and conductors responsibility :-**

The driver shall be responsible for illumination and conductor for exhibiting the proper boards.

**278. Change of address - intimation :-**

If the holder of a permit ceases to reside or to have his place of business, as the case may be, at the address set forth in the permit, he shall within fourteen days send the permit to the transport authority by which the permit was issued intimating the new address.

**279. Entry of new address in the permit :-**

Upon receipt of intimation under Rule 278 the Regional Transport Authority or the State Transport Authority, as the case may be, shall, after making such enquiries as the authority, deems fit, enter in the permit the new address and shall intimate the particulars to

the authority of any region in which the permit is valid by virtue of endorsement of extension.

**280. Alteration to Motor Vehicle-Report :-**

In addition to the provisions of Section 52, the owner of a transport vehicle shall, at the time of reporting the alteration of the vehicle to the registering authority, forward a copy of the report to the transport authority by which the permit of the vehicle was granted.

**281. Varying permit-providing substitute vehicle or cancellation of permit :-**

Upon receipt of a report under Rule 280 the Transport Authority by which the permit was issued may, if the alteration is such as to contravene any of the provisions or conditions of the permit :-

(i) vary the permit accordingly on an application for variation filed; or

(ii) require the permit-holder to produce a substitute vehicle within such period as the authority may specify, and, if the holder fails to comply with such requirement, cancel or suspend the permit.

**282. Intimation to concerned Transport Authority :-**

A Transport Authority varying, suspending or canceling a permit or causing another vehicle to be substituted for a vehicle covered by a permit, shall intimate particulars to the transport authority of any other region in which the permit is valid by virtue of endorsement or extension or otherwise.

**283. Trailers to public service vehicle :-**

No vehicle trailer other than the trailing half of an articulated vehicle shall be attached to a public service vehicle unless the permit of the stage carriage specifically permits the usage of such trailers.

**284. Provisions applicable to trailers :-**

Subject to the provisions of Rule 285 all provisions of these rules relating to a goods carriage permit shall apply to any trailer used for the purposes of Goods Carriage.

**285. Trailers to goods vehicles :-**

No trailer other than the trailing half of an articulated vehicle shall be attached to a goods vehicle unless the permit of goods vehicle specifically permits the use of such trailer :

Provided that in cases a person holds two or more permits in respect of truck-trailer or tractor-trailer combination, the Transport Authority may in its discretion and subject to conditions as it thinks fit, permit the use of any one of the trailers with anyone of the trucks of the same owner provided the taxes due in respect of all the vehicles are paid.

### **286. Inspection of goods vehicles and their contents :-**

(1) Any of the following persons may, at any time when a goods vehicle is in a public place, call upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make reasonable examination of the contents of the vehicle :-

(i) any Police Officer in uniform not below the rank of Circle Inspector;

(ii) any officer of the Transport Department not below the rank of an Assistant Inspector of Motor Vehicles;

(iii) any Gazetted Officer of Highways Department;

(iv) any Minister of the Government;

\*(v) any officer of the Mines and Geology Department not below the rank of Inspector of Mines to ensure that the requirements of mining laws are observed and fulfilled;

(vi) any officer of the Central Excise Department in uniform not below the rank of an Inspector;

(vii) any officer of the Narcotics Department not below the rank of a Sub-Inspector;

(viii) any officer of the Labour Department not below the rank of any Assistant Labour Officer to ensure that the requirement of Labour Laws are observed and fulfilled.

(2) Any chowkidar employed in chowki post, may at any time, when a goods vehicle is near or at the chowki post, call upon a driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make reasonable examination of the contents of the vehicle.

(3) Any Forest Officer as defined in the relevant law for the time being in force in the State relating to Forest and any other officer of the Forest Department as may be authorized by the Government in this behalf may at any time, call upon the driver of the goods

vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make reasonable examination of the contents of the vehicle in so far as they relate to the Forest Department.

(4) Notwithstanding anything contained in the sub-rules (1), (2) and (3) no person shall be entitled to examine the contents of any goods vehicle, unless,-

(i) the permit in respect of the vehicle contains a provision or condition in respect of the goods which may not be carried on the vehicle;

(ii) he has no reason to suspect that the vehicle is being used in contravention of the provisions of the Act or these rules.

(5) Any Inspector of Motor Vehicles, if he deems it necessary, may also put up barricades across any road for the purpose of stopping any goods vehicle :

Provided that the barricades put up under this rule shall have proper advance caution boards and danger lights during nights.

(6) The checking officers shall prepare a record of inspection in writing of the irregularities noticed and shall furnish a copy thereof to the owner or driver of the vehicle who is present in the vehicle at that time, as the case may be. The signatures of the driver and also witnesses if any together with address particulars shall be obtained. In case no irregularities are found the checking officers shall make a note of having checked on the record of the goods vehicle.

### **287. Compulsory reporting of goods vehicle at border check- posts :-**

Every driver of a goods vehicle entering or leaving the State shall pass through the border check-post maintained by the Government which lied closest to his route and shall produce all the documents of the goods vehicle before the concerned officers of the check-post and also permit the examination of the contents of the vehicle by the concerned officials of the check-post:

Provided that this rule does not apply to the Depot goods transport vehicles belonging to Andhra Pradesh State Road Transport Corporation which are not engaged in transport of goods of other persons for hire or reward.

### **288. Inspection public service vehicle :-**

(1) Any of the following persons may, at any time, when a public

vehicle is in a public place call upon the driver of the vehicle to stop the vehicle and to keep at rest for such time as may be necessary to enable him to make reasonable examination of the number of passengers and other contents of the vehicles so as to satisfy himself that the provisions of the Act and these rules and the provisions and conditions of the permit in respect of the vehicle are being complied with :

(i) Any Police Officer in uniform not below the rank of Circle Inspector;

(ii) Any officer of the Transport Department not below the rank of Assistant Inspector of Motor Vehicles;

(iii) Any Minister of the Government

(iv) Any officer of the Narcotics not below the rank of a Sub-Inspector; and

(v) Any officer of the Department of Information and Public Relations not below the rank of District Public Relations Officer and any officer of the Department of Tourism not below the rank of Tourism Information Officer for checking of Tourist Taxies only.

(2) Any chowkidar employed in chowki posts may, at any time when a public service vehicle is near or at the chowki post, call upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable to make reasonable examination of the contents of the vehicle other than the passengers therein.

(3) Any officer of the Central Excise Department in uniform not below the rank of Inspector may, at any time, when public service vehicle is in a public place call upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as it may be necessary to enable the officer to make a reasonable examination of the contents of the vehicle to satisfy himself that excisable goods and contraband articles are not being carried in the vehicle.

(4) Any Inspector of Motor Vehicles, if he deems it necessary may also put up barricades across any road for the purpose of stopping any public service vehicles :

Provided that the barricade put up under this rule shall have proper advance caution boards and danger lights during nights.

### **288A. Rule 288A :-**

Any officer of the Andhra Pradesh State Road Transport Corporation not below the rank of Traffic Ticket Inspector, Grade-III may exercise powers of enforcing Rule 244 in respect of passengers

traveling in the stage-carriages of the said Corporation and the Officer may impose a fine of Rs. 5/- (Rupees Five only) on the person who violates Rule 244 in respect of all types of services of the corporation.

**289. Inspection by member of Transport Authorities :-**

Any member of the Regional Transport Authority or State Transport Authority may, exercise the powers conferred under Rules 286 and 288.

**290. Conviction of permit-holders -Intimation by Courts :-**

A Court convicting the holder of a permit of an offence punishable under the Act or these rules shall communicate particulars of such conviction in Form PI, to the authority which granted the permit and to the authority, if any which has endorsed or extended the validity of the permit.

**291. Use of stage carriage on more than one route :-**

(1) If a person other than a State Transport Undertaking holds a stage carriage permit for two or more routes, the Transport Authority may in its discretion and subject to such conditions as it thinks fit permit him to use a vehicle in respect of which he holds a valid stage carriage permit on any of such routes:

Provided that the vehicles shall be used only for the provision of such transport facilities as the owner is authorised to provide in accordance with the terms of the permits which he holds.

(2) In the case of a State Transport Undertaking, the State Transport Authority may in its discretion authorise the State Transport Undertaking to use any stage carriage covered by a permit whether regular or temporary issued by any Transport Authority in the State, to ply on any one of the routes for which permits have been granted by the Transport Authorities in the State subject to the following conditions:-

(i) that the vehicles shall be used only for the provisions of such transport facilities as the State Transport Undertaking authorized to provide in accordance with the terms of the permits which it holds. For this purpose the Secretary of the Transport Authority, concerned shall issue such number of permit tokens for each route as there are permits in the form prescribed in Annexure -I, and such permit token shall be exhibited on every vehicle either

covered by regular or temporary or reserve or spare stage carriage permit as the case may be, operated by the State Transport Undertaking. The permit tokens shall be issued immediately after coming into force of this rule of the existing permits, or at the time of issue of new permits in future cases as the case may be. In the event of surrender of permit for cancellation during its currency, the permit token issued shall also be surrendered.

(ii) that plying of any vehicle on a route without exhibition of a permit token shall be treated as an additional service operated without permit, resulting in action being taken both under the Motor Vehicles Act, 1988 ; and the Andhra Pradesh Motor Vehicles Taxation Act, 1963 ;

(iii) in the event of substitute stage carriage being used in place of a route stage carriage the permit token granted in respect of route stage carriage shall save as otherwise provided in Clause (iv), be exhibited on the substitute stage carriage;

(iv) the exhibition of a permit token on a substitute stage carriage used to maintain the next trip of a route stage carriage carrying permit token which has broken down shall not be necessary, if such substitute stage carriage a substitute token in the form specified in Annexure -II, and issued by the person authorised in this behalf by the State Transport Undertaking who shall cause a report of the particulars of every substitute token so issued to be sent within 48 hours of such issue to the licensing officer concerned ;

(v) (a) A duplicate permit token with the word Duplicate clearly stamped in red thereon shall be issued on a declaration, accompanied by treasury challan for Rs. 5.00 stating that the original is either defaced, mutilated or lost:

Provided that, in the case of issue of a duplicate token where the original is defaced or mutilated, the declaration shall be accompanied by the defaced or mutilated permit token;

(b) If the State Transport Undertaking subsequently finds or recovers the permit token so lost in respect of which a duplicate has been issued, it shall return the original permit token to the licensing officer by whom it was issued for cancellation.

Annexure I

Government of Andhra Pradesh

Permit Token: Serial

Number:

Route:

Period of validity:

Date : Secretary



Transport Authority  
Annexure II  
Government of Andhra Pradesh  
Substitute Token: Serial  
Number:  
(Valid for a trip specified below)  
Route :  
Timing of Trip  
Signature of the person  
Issuing the token  
Date:

**292. Vehicles used for public purpose exempted from taking out permit :-**

- (a) A vehicle which is used solely for publicity work for leprosy by the Hind Kust Nivaran Sangh, Andhra Pradesh State branch shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f).
- (b) Propaganda Van M.S. Y 7406 belonging to the Harijan Sevak Sangh which is engaged in propaganda work for the removal of untouchability shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f);
- (c) A vehicle owned by a religious or charitable non-profit making institution recognised as such by the Government and used solely for the transport of its member employees or goods shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f).
- (d) The tractor bearing registration number APC 3725 and a trailer to be used in conjunction with the said tractor belonging to Anthyodaya, Manda, Anandasram Post, Cuddapah district and are used solely for the development of lands offered under Boodhan movement shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f).
- (e) A vehicle owned by any person which is engaged by and used for any work assigned by the Defence Department of the Government of India shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f).
- (f) The vehicle belonging to Oil and Natural Gas Commission used for exploration work shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f).
- (g) The Tata Mercedes Benz bearing registration number AAT 1288

of the Electronics Corporation of India Limited (A Government of India Undertaking) under the department of Atomic Energy, which is used solely for exhibition of highly sophisticated instruments and components manufactured by them in different places in the State shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f).

(h) The vehicle bearing registration under APJ 34, 88, APJ 3288 belonging to Victoria Hospital, Dichpalli, used for Administrative purposes of the Hospital shall be deemed to be used for a public purpose within the meaning of Section 66 (3)(f).

(i) Any transport vehicle used for carrying persons injured in accidents to the nearest hospital or dispensary shall be deemed to be used for a public purpose within the meaning of Section 66 (3) (f).

### **293. Colours of Motor Cab :-**

(1) The hood of every motor cab other than auto-rickshaw for which a contract carriage permit is granted shall be painted in green or yellow and the rest of the body in black colour.

(2) The painting as prescribed in sub-rule (1) shall not be necessary in case of motor cab, other than auto-rickshaw for which a contract carriage permit is granted if the sign Taxi is prominently exhibited on the front hood of the motor cab with provision for illumination of the same during the nights;

(3) The size of letters in the sign Taxi in sub-rule (2) shall have the same size of letters as applicable to registration mark under the Act and shall be shown in red colour on a yellow back ground.

### **294. Body of auto-rickshaw to be painted in yellow colour :-**

Every auto-rickshaw for which a contract carriage permit is granted by the Regional Transport Authorities in the State shall be painted in yellow colour over the body.

### **294A. Rule 294A :-**

Every Motor Cycle Taxi for which a Contract Carriage permit is granted by the Regional Transport Authority in the twin cities of Hyderabad and Secunderabad shall be painted in yellow colour on mudguards and black colour on the other parts of the vehicle".

### **295. Painting of goods Carriages :-**

Every goods vehicle shall be painted either fully or its front and rear portions in highway yellow colour

Provided that a goods vehicle which is not already painted in the manner specified above shall be so painted on or before such date as the Government may notify in that behalf:

Provided further that this rule shall apply to goods vehicles belonging to the Police Department and the Andhra Pradesh State Road Transport Corporation goods vehicles covered by national permits granted under Section 88 (12) of the Motor Vehicles Act, 1988;

Provided also that the Transport Commissioner may for valid and genuine reasons grant exemption in any specified case.

**295A. Painting of goods carriages carrying dangerous or hazardous goods :-**

Notwithstanding anything contained in Rule 295, every goods carriage carrying dangerous or hazardous goods shall be painted in white colour in respect of its body and orange colour in respect of its drivers cabin in addition to the display of labels as prescribed under Rule 129 of the Central Motor Vehicles Rules, 1989:

Provided that a goods carriage which is not already painted in the manner specified above shall be so painted or, or before such date as the Transport Commissioner may notify in that behalf:

Provided further that this rule shall not apply to goods carriages covered by the national permits granted under sub-section (12) of Section 88 of the Motor Vehicles Act, 1988.

**296. Painting of Tractor/Trailers :-**

Every tractor/trailer combination other than the combination used for own agricultural purposes shall be painted in full or its front and rear in Highway Yellow Colour.

**297. Special provisions regarding licensing of agents engaged in the business of collecting, forwarding and distributing of goods carried by public carriers :-**

(1) In this rule, unless the context otherwise requires;

(a) "agent", means any person who engages directly or indirectly in business of:

(i) collecting;

(ii) forwarding and distributing; and

- (iii) Collecting, forwarding and distributing goods carried by any public carrier;
- (b) "Agents Licence" means a Licence granted under sub-rule (3) ;
- (c) "Collecting Agent" means a person Licenced to do the business of collecting goods-carried by any public carrier;
- (d) "Collecting and Forwarding Agent" means a person Licenced to do the business of collecting, forwarding and distributing goods carried by any public carrier ;
- (e) "Forwarding Agent" means a person Licenced to do the business of forwarding and distributing goods carried by any public carrier ;
- (f) "Licensing Authority", means the Secretary, Regional Transport Authority of the Regional in which the applicant intends to carry on the business.

(2) No person shall act as an agent unless he holds a valid Licence in Form L.Ag. granted by the licensing authority authorizing the carrying on of such business.

(3)(a) Any person desiring to obtain a Licence for carrying on any business referred to in Clause (a) of sub-rule(i) or for renewing such Licence may make an application to the licensing authority in Form L.Ag. A or Form L.Ag. R. A. as the case may be ;

(b) The application for grant or renewal shall be accompanied by a fee of Rs. 1,000/- (Rupees one thousand only).

(c) On receipt of an application, the licensing authority, shall having regard, among other things, to the following matters, namely:

(i) The number of goods vehicles either owned by the applicant or under his control;

(ii) The suitability of accommodation possessed by the applicant for the storage of goods;

(iii) The facilities, if any, provided by the applicant for packing the goods vehicles; and

(iv) The Financial resources of the applicant and his ability to manage the business efficiently either grant or renew or refuse to grant or renew the Licence.

(4)(a) For ensuring proper compliance with the conditions mentioned in sub-rule (7), the licensing authority shall before granting a Licence, direct the applicant to furnish a deposit(non-interest bearing) by way of security which shall be credited into a Treasury to a separate Head of account namely, (a) Deposits and Advances, (b) Deposits not bearing interest 843, Civil Deposits, M.H. 06 Security Deposits at the rate given below :-

TABLE

Number of Offices including

Principal place of business Amount of Security Deposit

(1) (2)

(1) One

(2) Two to nine

(3) Ten to twenty

(4) More than twenty Rs.1,000/-

Rs. 4,000/-

Rs.8,000/-

Rs.10,000/-

Provided that the existing Licence holders shall pay the amount of security at the time of renewal excluding the security amount already deposited.

(b) The licensing authority may at his discretion order forfeiture in whole or part the security for contravention of any of the provisions of the rule or for breach of any of the conditions of the Licence by Licencee:

Provided that no forfeiture shall be made unless the Licencee has been given an opportunity to represent his case and of being heard.

(5)(a) An agents Licence shall where the holder thereof is Licenced to act only as forwarding agent or as a collecting agent, specify that fact clearly;

(b) An agents Licence shall not be transferred;

(c) No agents Licence shall authorise a person to act as such agent unless he has adequate facilities to load and unload goods at the premises approved by the licensing authority under this rule.

(6)(a) An agents Licence shall be valid for a period of three years from the date of its grant or renewal;

(b) It may be renewed on an application made to the licensing authority not less than thirty days before the date of its expiry;

(c) The renewal of Licence shall be by the endorsement of the renewal thereof by the licensing authority on the original Licence.

(7) An agents Licence shall be subject to the following conditions, namely:-

(a) That the Licencee shall subject to the provisions of sub-rule (10) provide places for loading and un-loading of goods;

(b) That the Licencee shall be responsible for proper arrangement for storage of goods collected for dispatch and delivery ;

(c) That, where he is authorised to forward and distribute goods and Licencee:

(i) shall be responsible for proper delivery of the goods to the consignee;

(ii) shall be liable to indemnify the consignee for any loss or damage to goods while in his control or possession but not for loss or damage due to an act of God or as natural calamity or due to inherent defect of goods or for reasons beyond his control ;

(iii) shall not issue a goods transport receipt without having actually received the goods ;

(iv) shall not deliver the goods to the consignee without actually receiving from the consignee a goods transport receipt, or if the receipt is lost or misplaced an indemnity bond covering the value of the goods

(d) That the Licencee shall insure the goods against any loss or damage while in his control or possession :

(e) That the Licencee shall maintain a proper record of the vehicle under his control and of the collection, dispatch and delivery of goods which shall be open for inspection by the licensing authority or by any person duly authorized in this behalf by such authority and shall furnish to the licensing authority by the 31st March every year a return in respect of the previous calendar year in Form A.R. Ag ;

(f) That the Licencee shall not charge any commission exceeding that prescribed by the licensing authority under sub-rule (9) from the permit holder;

(g) That the Licencee shall furnish the operators with correct figures of the freight receivable by them from the consignee or the consignees;

(h) That the Licencee shall maintain proper accounts of the commission charged by him and have the same audited by qualified auditors annually when the gross income exceeds rupees twenty five thousands, per annum and such accounts shall be open for inspection on demand by any officer authorized by the licensing authority either at the premises of the Licencee or at any other place to be specified;

(i) That the Licencee shall ensure that the goods vehicles under his control have valid permits for routes on which the vehicles have to ply and that they are not used for any illegal authority;

(j) That the Licencee shall maintain in good condition a weighing device capable of weighing at a time not less than 226 K.G;

(k) That the Licencee shall attend to customers in the order in which they approach him:

Provided that customers in respect of such perishable goods as may be notified by the State Government in the Official Gazette shall be given priority over other customers and shall be attended to in the

order in which they approach the Licencee.

(l) That the Licencee shall assign the available traffic among the operators in the order in which they have approached him and shall maintain a register chronologically recording particulars of the available traffic and the waiting operators;

(m) That the Licencee shall comply with the provisions of these rules and shall observe such conditions as the licensing authority may specify in the Licence ;

(n) That the licensing authority may, at his discretion order forfeiture in whole or part of the security for contravention of any of these rules or for breach of any of the aforesaid conditions by the Licencee;

(o) That the licensing authority may after giving notice of not less than one month in writing either vary the conditions of the Licence or attach to the Licence further conditions:

Provided that in the case of an agent who merely acts as intermediary between the consignor and the operator with no responsibility either for receiving goods at the one end or delivering them to the consignors at the end, the provisions of Clauses (a), (b), (c), (d), (e), (f), (i) and (o) shall not apply.

(8) All contracts entered into by the Licencee for the purpose of collecting, forwarding and distributing goods or collecting goods, or forwarding and distributing goods, as the case may be, shall be in writing and shall contain the following particulars ;

(i) name and address of the consignor and consignee ;

(ii) description and weight of the consignments ;

(iii) destination and its distance in K.M., from the starting station;

(iv) freight for tonne K.M. and for the whole consignment ;

(v) delivery instruction (e.g., the date on which and the exact place where the goods are to be delivered to the consignee;

(vi) terms of payment agreement.

(9) The State Government may, by notification in the Official Gazette prescribe the maximum rates at which commission may be charged by a Licencee under these rules and the Regional Transport Authority may prescribe such rate of commission not exceeding the rate prescribed by the State Government in regard to a Licence transacting business in its region.

(10)(a) The licensing authority may, approve any premises owned by or in the possession of a Licencee or an applicant for an agents Licence to be used for loading or un-loading of goods or for parking goods vehicles or for the storage of goods in the custody of the agent having regard to the suitability of the site, sanitary condition

and storage facilities provided at such premises;

(b) any approval under Clause (a) shall be subject to the following conditions :

(i) that the premises shall at all times be kept in a clean condition and in a good state of repairs ;

(ii) that the premises shall be administered in a seemly and orderly manner;

(iii) that the Licencee shall take, all possible precautions to ensure that no breach of any of the provisions of the Motor Vehicles Act, 1988 (Act 59 of 1988) or these rules are committed in respect of any vehicles entering or leaving or parking at such premises and shall report in writing any such breach to the nearest police station and the licensing authority;

(c) Where the licensing authority refuses to approve any premises under Clause (a) it shall record in writing its reasons for such refusal;

(d) The licensing authority may, at any time revoke an order made by it under Clause (a) if in its opinion any of the conditions under which a place has been permitted to be used for the loading or unloading of goods and halting of goods vehicles has been contravened or if the continuance of the said order is no longer necessary in the public interest:

Provided that before revoking the order, the licensing authority shall give the Licencee an opportunity of being heard and shall record reasons in writing for such revocation.

(11)(a) Without prejudice to any other action which may be taken against a Licencee the licensing authority, may, by order in writing cancel the agents Licence or suspend it, for such period as it thinks fit, if in its opinion any of the conditions under which the Licence has been granted, has been contravened;

(b) The licensing authority may, by order, in writing cancel the agents licence assumed it for such period as it thinks fit, if in its opinion any of the conditions under which any premises has been approved under sub-rule (10) has been contravened;

(c) Before making any order of suspension or cancellation under this sub-rule, the licensing authority shall give the Licencee an opportunity of being heard and shall record reasons in writing for such cancellation or suspension.

(12) If at any time an agents Licence is lost, destroyed, torn or otherwise defaced so as to be illegible, the agent shall forthwith apply to the licensing authority for the grant of a duplicate Licence. The application shall be accompanied by a fee of rupees ten. After



receipt of such an application, the licensing authority shall issue a duplicate Licence duly stamped duplicate. If a duplicate agents Licence is granted on a representation that the Licence originally granted has been lost or destroyed and the original Licence is subsequently found, the original Licence shall be surrendered to the licensing authority.

(13)(a) A collecting agent shall carry with him his agents Licence while on duty and shall produce it on demand to any inspecting officer of the Transport Department or any Police Officer in uniform not below the rank of a Sub-Inspector of Police;

(b) A forwarding agent shall exhibit his agents Licence at a prominent place in the premises approved under sub-rule (10) and the Licence shall be made available for inspection by any inspecting officer of the Transport Department or any police officer not below the rank of a sub-Inspector of Police;

(c) A collecting and forwarding agent shall display his Licence in his principal place of business and shall produce it on demand to any inspecting officer of the Transport Department or Police Officer not below the rank of Sub-Inspector of Police and shall cause a true copy of his agents Licence to be exhibited at a prominent place in the premises approved under sub-rule (10).

(13-A) The rate of commission payable to the booking agencies shall be in terms of a percentage maximum of the freight on a graduated basis as under , -

(i) Maximum of 6% on freight charges up to Rs. 500/-

(ii) Maximum of 4% on freight charges exceeding Rs. 500/- but not exceeding Rs. 1000/-

(iii) Maximum of 3% on freight charges exceeding Rs. 1000/-

(14)(a) Any person aggrieved by an order made under Clause (c) of sub-rule(3), sub-rule(4), Clause (m), (n) or (o) of sub-rule (9), Clause (a) of sub-rule(10) Clause (a) or Clause (b) of sub-rule (11), sub-rule (12) or sub-rule (15) may appeal to Deputy Transport Commissioner within thirty days from the date of receipt of such order:

Provided that the appellate authority against the order of Secretary, State Transport Authority, shall be the Transport Commissioner;

(b) The memorandum of appeal shall be filed in duplicate setting forth concisely the grounds of objection and shall be accompanied by an original or a certified copy of the order and a fee of rupees fifty:

Provided that a memorandum of appeal shall not relate to more

than one order or be signed by more than one party.

(15) The authority which passed an order to be appealed against shall on an application by a party give a certified copy of the order and of any other relevant document on payment of rupees two.

**297A. Special provisions regarding licensing of agents engaged in the sale of tickets or in otherwise soliciting customers for public service vehicles :-**

(1) In this rule, unless the context otherwise requires:

(a) "Agent" means a person who engages himself in the sale of tickets for travel by stage carriages, or in the booking of contracts for hiring out other public service vehicles, or in otherwise, soliciting customers of such vehicles and includes a canvasser, contractor, employee of the permit holder, and the permit-holder himself while engaged in such sale, booking or soliciting customer;

(b) "Agents Licence" means the document issued to the agent by a licensing authority authorising him to act as agent, under Section 93 of the Act;

(c) "Common purpose of journey" means the intention shared alike by all the persons travelling by the public service vehicle;

(i) to attend a meeting, gathering or function, social, religious, political and the like, or

(ii) to go on a pilgrimage or tour to visit places of tourists interest or both. But it shall not include the intention or the act of such persons of merely traveling from one common point to another.

(d) "Hiring party" in relation to a public service vehicle means-

(i) a group of persons identifiable by a common purpose of the journey, which for its exclusive journey engages the public service vehicle as a whole under prior contract with the agent in such a manner that subject to the conditions of the permit and to the expressed stipulations of the contract, the time and direction of the movements of the vehicle and its destination are under the control of the hiring party; or

(ii) an individual pilgrim or tourist who in response to an open invitation by the agent to join a conducted pilgrimage or tour, in each case, organized or approved by the Tourist Department of the Central or the State Government pays his separate fare for the travel by a public service vehicle intended for such a conducted pilgrimage or tour.

Explanation:- For removal of doubt, it is hereby clarified that a person who takes for hire or reward a public service vehicle with a

view, in his turn, to conveying passengers or hiring parties is not a hiring party;

(e) "Licensing Authority" means the Secretary or Asst. Secretary of the Regional Transport Authority of the region in which the agent acts as such;

(f) " Passenger" means any person other than the driver, conductor or agent while on duty relating to the public service vehicle traveling by such vehicle without a prior contract with the agent, whether or not he pays for the journey;

(g) "Permit-holder" means a person to whom permit as required by Section 66 of the Act granted authorising him to convey hiring parties or passengers with the aid of the public service vehicle, owned or hired by him specified in the permit;

Explanation :- For removal of doubt, it is hereby clarified that a person who takes a public service vehicle for hire or reward with a view in his turn, to conveying passengers or hiring parties shall take out the permit in his name as required, by Section 66 of the Act;

(2)(a) Nothing in this rule shall apply,-

(i) to the booking-clerks or conductors employed by the permit holder of a stage carriage, so long as such booking-clerk or conductor sells tickets, issues passes or makes advance reservations at such bus stands or stops as are approved by the Transport Authority, or

(ii) to motor cabs.

(b) No agents Licence granted to a person shall authorise him to act as an agent for more than one public service vehicle:

Provided that a person may be granted more than one Licence, each for a different public service vehicle.

(c) The application for a agents Licence shall be made to the licensing authority in Form L.P. Ag. A.

(d) Where the applicant is a person other than the permit-holder the application shall be accompanied by a certificate issued by the permit-holder giving his consent for the applicants acting as an agent for his public service vehicle.

(e) The application shall be accompanied by a fee of Rs.500/-;

(f) The Licensing Authority shall, in considering the application for an agents Licence, have regard to the following matters, namely,-

(i) the suitability of the accommodation provided by the applicant for location of his office ;

(ii) where the agents Licence is desired for a public service vehicle other than a stage carriage, the suitability of the accommodation

provided by the applicant for parking the vehicle :

(iii) the knowledge of the applicant of the provisions of the Act and Rules made thereunder and those of the Andhra Pradesh Motor Vehicles Taxation Act, and Rules and Notifications made thereunder sufficient to make out the distinction between different types of public service vehicles and the rates of tax payable in each case; and

(iv) the need for more than one agent in relation to the same public service vehicle.

(g) The licensing authority may, after giving the applicant a reasonable opportunity of being heard and for reasons to be recorded and communicated to the applicant, refuse to grant the licence. If he decides to grant it, he shall, subject to the provisions of sub-rule (4), issue the Licence in Form L.P. Ag.

(3)(a) An Agents Licence shall, subject to the provisions of sub-rules (4) and (9), be effective without renewal for a period of three years;

(b) An Agents Licence may be renewed on an application made and it shall be disposed of having regard to matters specified in sub-rule (2) (f) ;

(c) The application for the renewal of an Agents Licence shall be made not less than 30 days before its expiry, together with a fee of Rs. 500/-:

(d) Where a Licence has been renewed under this sub-rule after the expiry of the period thereof, such renewal shall have the effect from the date of such expiry-

(4)(a) For ensuring proper compliance with the conditions mentioned in sub-rule (6), the licensing authority shall before the issuing or renewing an agents Licence, order the applicant, if he has not already done to furnish a bank-guarantee for a sum of Rs.100/- for each Licence pertaining to a stage carriage and for a sum of Rs. 500/- for each Licence pertaining to any other public service vehicles;

(b) No agents Licence shall be effective, unless the bank guarantee referred to in Clause (a) is so maintained as to cover a sum of Rs. 100/- or Rs. 500/- as the case may be, after deducting the amount, if any, forfeited under the provisions of sub-rule (9)(b);

(c) Where an agents Licence is cancelled or surrendered or otherwise, the bank-guarantee furnished by the agent shall be released to the extent of the amount remaining unforfeited.

(5)(a) The agent may at any time surrender his Licence for cancellation and upon such surrender the Licence shall be cancelled

by the licensing authority;

(b) The permit holder may at any time withdraw his consent in respect of any agent and apply to the licensing authority for cancellation of the agent's Licence and upon such application the Licence be cancelled.

(6) An agent's Licence shall be subject to the following conditions, namely :-

(a) The agent shall not permit the Licence to be used by any other person;

(b)(i) An agent's Licence shall be valid only for the vehicle specified in the Licence;

(ii) Where the registration mark entered in the Licence undergoes a change because of replacement of the vehicle in its permit or because of assignment of a fresh registration mark by the Registering authority, the agent shall apply to the licensing officer for noting the change in the Licence.

(c)(i) The agent shall not act as agent except at his office as noted in the Licence, and shall not park the vehicle covered by the Licence except at a place noted in the Licence;

(ii) Where the agent desires to shift his office or the parking place of the vehicle covered by the Licence to some other place he may apply to the licensing authority for permission to shift the office or the parking place to such place, and the licensing authority may, if satisfied about the suitability of such place, accord permission for such shifting;

(iii) where the licensing authority permits the shifting of the office or the parking place, he shall endorse in the Licence the new address of such place canceling the previous one;

(iv) All notices intended for the agent shall be sent to him at his office address entered in the Licence. If the agent or his representative is not available at the office to take delivery of the notice, or if he evades its service, the notice shall be affixed to the door of such office and such affixture shall be considered to be proper service of the notice on the agent.

(d) No canvassing or soliciting of customer for travel by the public service vehicle covered by the Licence shall be done or permitted to be done:-

(i) by shouting ;

(ii) by announcing through loud speakers ;

(iii) by making any overt or covert gesture, or

(iv) by parking or displaying the public service vehicle covered by the Licence:

Provided that the mere parking of a stage carriage covered by such a permit, at a place and time authorised by the transport authority shall not be considered to be canvassing or soliciting of customer within the meaning of this condition.

(e) Canvassing or soliciting of customer for travel by the public service vehicle covered by the Licence is permissible, only:-

(i) by advertisements in newspapers ;

(ii) by exhibiting slides in cinema halls ;

(iii) by distributing pamphlets or hand-bills in a quiet and civil manner; or

(iv) by displaying notices, sign boards or wall-posters at the office of the agent specified in the Licence.

Publishing such this as the amenities provided to hiring parties or passengers and the rates of hire charges:

Provided that except,-

(i) in respect of stage carriages covered by permits granted and time schedules approved by a competent Transport Authority, or

(ii) in respect of tourist buses intended for conveyance of pilgrims or tourists according to a definite programme organized or previously approved by the Tourist Department of a Government, no announcement of advertisement in whatsoever manner shall be made or permitted to be made :-

(i) publicizing any particular journey and or a particular time schedule of the public service vehicle covered by the Licence, or

(ii) by running such vehicle regularly between any two points on fixed schedule of timings.

(f) Where the public service vehicle has been, as a whole, engaged by a hiring party an agreement shall be drawn up in writing and executed by the agent and the hiring party or its authorised representative containing the following essential particulars and stipulations, namely;

(i) Name, Fathers/Husbands name, Age/Occupation and full postal address of the members or/representative of the hiring party who executed the agreement;

(ii) An annexure containing the list of all members of the hiring party giving their particulars in the following form :

\* Serial Number :

\* Name of the Member :

\* Fathers/Husbands Name :

\* Age :

\* Full Postal Address :

(iii) The nature of the common purpose of the journey ;

- (iv) The period for which the vehicle is engaged by the hiring party ;
- (v) The places to be visited by the hiring party;
- (vi) The place or places to be specified where all or some to be specified of the members of the hiring party are to be picked up or let down under the agreement;
- (vii) Hire charges;
  - (a) if payable in a lump sum, the amount so payable; or
  - (b) if calculable at a rate, the rate so agreed upon, and
  - (c) in either case, the amount if any, paid in advance and the time for the payment of the balance
- (viii) additional charges, if any, payable in case the journey is delayed or extended at the instance of the hiring party.
- (g) Any alterations in the terms of the agreement specified in condition (f) shall similarly be drawn up and executed before the commencement of the journey and appended to the original agreement. Alterations not effected in the manner aforesaid shall not be considered as part of the agreement.
- (h) The agreement referred to in condition (f) or the amendment of the agreement referred to in condition (g) shall be drawn up and executed in quadruplicate. One copy shall be kept with each of the parties. The third copy shall be filed before the licensing authority at the time of applying for a temporary permit under Section 88 of the Act, or within 24 hours of the commencement of the journey, in other cases. The fourth copy shall be kept in the vehicle and made available to any person or officer competent to inspect public service vehicles for his inspection and verification at any time during the course of the journey.
- (i) Any failure to file the agreement before the licensing authority or to make it available for inspection in the vehicle as laid down in condition (h) shall be considered to be due to the non-existence of the required agreement.
- (j) The agent shall, in respect of each Licence held by him maintain, keep and preserve such record and send such periodical returns as prescribed in sub-rule (7)
- (k) The Agent shall ensure that the public service vehicle covered by the Licence complies with the requirements of Section 39,66 and 147 of the Act and is covered by the appropriate amount of tax due under the provisions of the Andhra Pradesh Motor Vehicles Taxation Act, Rules and Notifications made thereunder:
- (l) The agent shall not obstruct or cause to obstruct any officer authorised in this behalf in the exercise of his powers of search and

seizure in the manner laid down in sub-rule (8).

(m) The licensing authority may, after giving notice of not less than fifteen days in writing, vary the conditions of Licence or attach to it, further conditions.

(7)(a) Every agent shall, so far as applicable to him, maintain, keep and preserve for a period of two years, the following records at his office, namely:

(i) A register of daily account of sale of tickets or advance reservations made in respect of the stage carriage, in Form D.T.R.;

(ii) A register of contracts daily entered into by the agent in respect of the public service vehicle in Form D.C.R.;

(iii) A file containing all agreements entered into between the agent and the hiring party, as laid down in sub-rule (6)(f) and (g);

(iv) Trip sheets maintained under Rule 267 ;

(v) Trip register maintained under Rule 272;

(vi) A file containing all quarterly returns prescribed in Clause (b);

(b) Every agent shall submit to the licensing authority a quarterly return in Form Q.C.R. or Q.C.R., as the case may be, within fifteen days after the expiry of the quarter, in relation to the public service vehicle :

Explanation :- For the purpose of this clause, quarter means any of the following periods, namely :

(i) From 1st January to 31st March;

(ii) From 1st April to 30th June:

(iii) From 1st July to 30th September,

(iv) From 1st October to 31st December.

(8) The office of the agent the place where the public service vehicle covered by the agents Licence is parked, and the records referred to in sub- rule (7) shall at all reasonable times, be open to inspection and search by the licensing authority, by any officer of the Transport Department not below the rank of an Assistant Inspector of Motor Vehicles, any officer of the Police Department not below the rank of an Inspector of Police, or any Member of the Regional Transport Authority. Any of the officers mentioned above may also seize and take any of the records referred to in sub-rule (7) or any other document pertaining to the public service vehicle, under acknowledgement.

(9)(a) Without prejudice to any other action which maybe taken against the agent, the licensing authority may cancel the agents Licence or suspend it for such period as he thinks fit, if in his opinion any of the conditions subject to which the Licence has been granted has been contravened;



(b) The licensing authority acting under Clause (a), or for the purpose of recovering any tax due under the provisions of the Andhra Pradesh Motor Vehicle Taxation Act in respect of the public service vehicle covered by the agents Licence may order forfeiture of the whole or any part of the bank-guarantee furnished under sub-rule (4)(a).

(c) Before making any order of cancellation or suspension of the Licence or forfeiture of any amount under Clause (b) or (c), the licensing authority shall record and communicate reasons in writing for such order.

(d) Upon cancellation or suspension of the Licence or upon its becoming ineffective under sub-rule (4)(b), the agent shall surrender the Licence to the licensing authority for cancellation or retaining it for such time as is necessary to give effect to the suspension or till it becomes effective on recoupment of the bank-guarantee.

(10) if at anytime an agents Licence is lost, destroyed, torn or defaced, he shall forth with apply to the licensing authority for the grant of a duplicate Licence. The application shall be accompanied by a fee of rupees ten. After receipt of such an application, the licensing authority shall issue a duplicate Licence duly stamped duplicate. Where a duplicate Licence is granted on the ground that the Licence originally granted has been lost or destroyed and the original Licence is subsequently found, the original Licence shall be surrendered to the licensing authority.

(11) The agent shall exhibit his Licence at a prominent place at his office and it shall be made available for inspection by any of the officers mentioned in sub-rule (8).

(12)(a) The person aggrieved by any order of the licensing authority made under this rule may appeal to the Deputy Transport Commissioner concerned within 30 days from the date of communication of the order :

Provided that an appeal against the order passed by a Deputy Transport Commissioner shall be communicated to the Transport Commissioner:

(b) The memorandum of appeal shall set forth concisely the facts of the case and the grounds of appeal and shall be accompanied by the original or certified copy of the said impugned order and a fee of Rs. 20, and

(c) The Regional Transport Authority, shall after giving the appellant a reasonable opportunity of being heard, give a decision on the appeal which shall be final

- (b) Plying on route or area Rs. 500/-  
not authorised by the  
permits.
- (c) Plying without (i) Omnibuses Rs. 200/-  
Payment of tax (ii) Taxi cabs and  
Autorickshaws Rs. 10/-
- (d) Other offences Rs. 10 per item of offence.

## **CHAPTER 6 State Transport Undertakings**

### **298. Particulars of the Scheme and its publication :-**

Every scheme for road transport service formulated by the State Government under Section 99 shall be published by the State Government in Form STU.

### **299. Publication of Scheme as approved or Modified by State Government :-**

Any scheme for road transport service as approved or modified by the State Government shall be notified in the manner specified in Form STU- AS.

### **300. Modification of Scheme by State Government :-**

(1) Every approved scheme proposed to be modified by the Government under Section 102 (I) shall be published in form STU-GMSC (P) in the Andhra Pradesh Gazette.

(2) The provisions in rule 302. 303 and 304 shall as far as may be apply to every modification proposed by the State Government under Section 102 (1).

(3) An approved scheme for road transport service as modified by the State Government under Section 102 (1) shall be published in A.P. Gazette in the manner specified in Form STU-GMS.

### **301. Relaxation in the procedure in modifying the scheme :-**

Notwithstanding anything contained in Rule 300 where the State Government consider it expedient to relax the prohibition or restriction of a provision in the approved scheme relating to the other service only, it shall be sufficient in such cases, if a notice of fifteen days and an opportunity of being heard under Section 102 (1) is given to the State Transport Undertaking and any other

person who in the opinion of the Government, is likely to be affected by the proposed notification, before the modification is ordered.

### **302. Publication of schemes in newspaper :-**

Apart from the publication in the Andhra Pradesh Gazette, all schemes formulated by the State Government shall be published at least in one Telugu Daily Newspaper circulated in the concerned area.

### **303. Filing of objections - Procedure :-**

Any person referred to in Section 100 (1) of the Act affected by the scheme published by the State Government under Section 99 or Section 102 may within 30 days from the date of publication of the scheme in the Andhra Pradesh Gazette file his objections thereto before the Secretary to Government of Andhra Pradesh in charge of Transport. The objections shall be submitted in Form STU (OBJ) and shall be signed by the objector or his authorized agent as the case may be. and shall be accompanied by two additional copies of the same.

Explanation:- Authorised Agent referred to in this rule shall mean a person who holds a valid power of attorney from his principal.

### **304. Consideration of the objections - Procedure :-**

The representatives of the State Transport Undertaking and the objectors or their authorised agents if they so desire, shall be heard by the Government on such date and at such time and place and in such manner as may be determined and communicated to the parties concerned not less than fourteen days in advance

### **305. Elimination of existing services - Procedure :-**

The State Transport Authority or Regional Transport Authority concerned shall cause a copy of every order passed under sub-section (2) of Section 103 to be exhibited on the notice boards of the Offices of the State Transport Authority and the Regional Transport Authority or the Regional Transport Authorities concerned and such order shall take effect from such date as may be specified in the order. The State Transport Authority or of Regional Transport Authority concerned shall also cause to be served upon the permit holder to whom the order relates a copy of the said order.

### **306. Applications by State Transport Undertaking :-**

(i) The State Transport Undertaking shall, at any time after the approval of scheme under sub-section (2) of Section 100 apply for issue of permit in Form STUSCA in respect of a particular stage carriage.

(ii) The fee for issue of a permit shall be Rs. 100.

### **307. Hiring of Private buses by State Transport Undertakings :-**

Notwithstanding anything in Rule 306 where an emergency arises that the State Transport Undertaking cannot procure its own vehicle to run its own service in a nationalised route, the State Transport Undertaking shall be at liberty to run any private vehicle taken on hire on payment of fixed hire charges duly obtaining a permit by an application in Form STUSCA for such vehicle.

### **308. Delegation of powers :-**

The Regional Transport Authority concerned or the State Transport Authority may by notification in the Andhra Pradesh Gazette delegate all or any of its functions, duties or powers, specified in sub-section (1) and sub-section (2) of Section 103 and power to grant temporary permits under the proviso to Section 104 to its Secretary or Additional Secretary or Joint Secretary or Assistant Secretary, if any.

### **309. Manner of service of notice and order under Chapter VI :-**

Any notice or order required to be served on any person under the provisions of this Chapter shall be served, -

(a) by tendering or delivering a copy thereof to the person on whom it is to be served or his agents, if or any adult member of his family or servant residing with him; or

(b) by sending it by registered post at the last known address of the person on whom it is to be served;

c) by affixing it to some conspicuous place at his residence or business, in cases the above two methods are considered impracticable.

## **CHAPTER 7 Construction Equipment and maintenance of Motor Vehicles**

### **310. Authorities to authorise without lamps :-**

The Superintendent of Police or in the cities of Hyderabad and Secunderabad, the Commissioner of Police, may by order in writing authorize the driving at night without lights, of motor vehicles registered under Section 60 of the Act, during such hours on such route or routes or in such area within his jurisdiction and subject to such conditions as may be specified in order.

### **311. Height form ground - Exceptions :-**

The height prescribed for the obligatory front lamps of a motor vehicle under Rule 105 (3) of the Central Motor Vehicles Rules, 1989 shall not apply to:-

- (i) the internal lighting of any motor vehicle; or
- (ii) any light necessary to illuminate the route board of a public service vehicle; or
- (iii) the red light to the vehicle conveying the Governor of Andhra Pradesh; or
- (iv) the flinker type of red lights with purple glass fitted on the top most position of the cabin preferably in the centre of the ambulance van used or adopted to be used for conveying patient.

### **312. Lamps on trailer :-**

Where a trailer is being drawn by a motor vehicle other than the drawn part of an articulated vehicle, lamp of, as nearly as possible, the same size and power as the rear lamp and showing a red light to the rear shall be affixed to the trailer vertically above or below the rear lamp at a distance of less than 0.6 meters or more than 0.9 meters for the rear lamp.

### **313. Use of red light or white light :-**

The provision of the use of red-light or white light on motor vehicle as stipulated under Rule 108 of Central Motor Vehicles Rules, 1989 shall not apply,

- (i) to the vehicle carrying the Governor of Andhra Pradesh or vehicles escorting such vehicles;
- (ii) to the vehicles carrying the Chief Secretary to Government and the Director General and Inspector General of Police.
- (iii) to the vehicles carrying the Chief Justice, Judges of the High Court, Lokayukta, Chairman, Andhra Pradesh Administrative

Tribunal, Vice - Chairman, Central Administrative Tribunal.

(iv) to the vehicles carrying the Vice-Chairman, Andhra Pradesh Administrative Tribunal.

(v) to the vehicle carrying the Chairman, Andhra Pradesh Public Service Commission.

**314. Restriction on the use of blue light :-**

No motor vehicle shall show a blue light to the front except in respect of vehicles carrying the Chief Minister, all Ministers, Chairman, Planning and Development Committees, Speaker and Deputy Speaker of the Legislative Assembly, Chairman and Deputy Chairman of the Legislative Council.

**315. Brakes on Locomotives :-**

Every locomotive shall have an efficient breaking system, the brakes of which act upon all the wheels of the locomotive other than the steering wheels.

**316. Mirror :-**

Every non-transport vehicle and every motor cab shall be fitted with a mirror and every transport vehicle other than motor cab shall be fitted with a convex mirror, which is so placed that the driver can have a clear view of the traffic approaching from the rear.

**317. Dangerous Projections :-**

No mascot or other similar fitting or device shall be carried by any motor vehicle in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot is unlikely to cause injury to any person by reason of any projection thereon.

**318. Tyres of track laying vehicle :-**

No motor vehicle other than a track-laying vehicle shall be driven at a speed in excess of 9.7 kilometers per hour unless it is fitted with pneumatic tyres on all wheels.

**319. Tyres of heavy motor vehicles, tractors and locomotives :-**

If the tyres of the wheels of a tractor, locomotive or heavy motor vehicle are neither pneumatic nor made of a soft or elastic material,

they shall satisfy the following conditions:

The tyres of each wheel shall be smooth and shall, where the tyres touch the surface of the road or other base whereon the vehicle moves or rests be flat:

Provided that the edges of the tryres may be leveled or rounded to the extent of not more than 13 millimeters in the case of each edge:

Provided further that if the tyres are constructed of separate plates, the Plates may be separated by parallel spaces which shall be disposed throughout the outer surface of the tyres so that nowhere shall the aggregate extent of the space or spaces in the course of a straight line drawn horizontally across the circumference of the wheel exceed one-eighth part of the width of the tyre:

Provided also that the driving wheels shall be cyclindrical and smooth-soled or shod diagonal cross-bars of not less than 76 millimeters in width and not more than 19 millimeters in thickness extending over the full breadth of the tyre and the space intervening between the cross bars shall not exceed 76 millimeters.

### **320. Diameter of wheel :-**

If any wheel of a tractor, locomotive or heavy motor vehicle is fitted with a tyre which is neither pneumatic nor made of a soft or elastic material, the diameter of the wheel shall be not less than 0.6 meters.

Explanation :- For the purpose of this rule, diameter in relation to a wheel means the diameter measured between the two opposite points in the outer surface of the tyre which are farthest apart.

Width in relation to the tyre of a wheel, means the distance measured horizontally and in a straight line across the circumference of the wheel and between the two points in the outer surface of the tyre which are farthest apart.

### **321. Springing :-**

Every motor vehicle and every trailer drawn thereby shall be equipped with suitable and sufficient means of springing adequately maintained in good and sound condition between the road wheels and the frame of the vehicle:

Provided that this rule shall not apply to, -

- (i) any tractor exceeding 4536 kilograms in weight unladen if all the upspring wheels of the tractor are fitted with pneumatic tyres;
- (ii) any land locomotive, land tractor, land implement, agriculture

trailer used solely for the haulage of felled trees or such other heavy loads cannot be carried on springs;

(iii) Motor cycles and three wheelers;

(iv) vehicles designed for use in works or in private premises and used on a road only in passing from one part of the works of premises to another or to works or premises within a distance of 3.2 kilometers; and

(v) Massey-Ferguson Tractors and Trailers.

### **322. Extent of overhang to be noted in registration certificate :-**

The registering authority shall note the extent of overhang of the vehicle registered in the certificates of registration.

### **323. Wings :-**

(1) Every motor vehicle except a locomotive, a tractor or a trailer, shall unless adequate protection is afforded by the body of the motor vehicle, be provided with suitable wings.

(2) The rear wheels of every trailer except a trailer drawn by a locomotive shall be provided with suitable wings:

Provided that this rule shall not apply to any motor chassis upon which a body is not yet built.

### **324. Motor Cycle Attachment :-**

(1) The sidecar of every motorcycle shall be attached to the left-hand side of the motorcycle. The wheel of the side-car shall not be wholly outside lines drawn at right angles to the motor cycle from the extreme and front rear point of the motor cycle.

(2) Every pillion seat attached to a motorcycle shall, -

(i) have two footrests on either side of and directly below the seat fitted in such a manner that a person sitting on the pillion seat can rest his feet on such foot-rests:

(ii) have a suitable spring cushion seat ;

(iii) have a hand grip fitted to the front of the seat ;

(iv) no pillion rider shall be carried while the driver is holding a learners Licence.

### **325. Communication with driver :-**

Every Motor Vehicle for the use of passenger in which the drivers seat is separated from any passengers compartment by a fixed



partition shall be furnished with efficient means to enable the passengers and the conductor, if any, to signal to the driver to stop the vehicle.

### **326. Public Service Vehicles-General :-**

Every public service vehicle and all parts thereof, including paintwork or varnish, shall be maintained in a clean and sound condition and the engine mechanism and all working parts in reliable working order.

### **327. Stability-Double-decked vehicles :-**

A double-decked public service vehicle shall not be liable to be over-turned when loaded with weights of 59kilograms per person placed in the correct relative position to represent the driver and conductor, if carried and full complement of passengers on the upper deck only if the surface on which the vehicle stands were tilted to either side to an angle of 28 degree from the horizontal.

### **328. Stability-single-decked vehicles :-**

A single decked public service vehicle other than a motor cab shall not be liable to be over-turned under any conditions of load, at an allowance of 59 kilograms per passenger, plus the maximum weight of luggage and goods which the vehicle is permitted to carry, if the surface on which the vehicle stands were titled to either side to an angle of 35 degrees from the horizontal.

### **329. Test of stability of public service vehicles :-**

For the purpose of conducting tests of stability of a public service vehicle, the height of any stop used to prevent a wheel of the vehicle from slipping side way, shall not be greater than two-thirds of the distance between the surface upon which the vehicle stands before it is titled and that part of the rim of that wheel which is the nearest to such surface when the wheel is loaded in accordance with the requirement of Rules 327 and 328.

### **330. Side overhang of stage carriage :-**

In the case of vehicle used as a stage carriage no part of the vehicle other than a direction indicator when in operation, or a driving mirror shall Project laterally more than 356 millimeters

beyond the centre line of the rear wheels in the case of a single rear wheel or more than 152 millimeters beyond the extreme outer edge of the outer tyre in the case of dual-rear wheels.

### **331. Seating room of Public Services vehicles :-**

(1) In every Public Service vehicle other than a motor cab there shall be provided for each passenger a reasonably comfortable seating space of not less than 38 centimeters in square measured on straight lines along and at right angles to the front seat:

(i) When the seats are paced along the vehicle, the backs of the seats on one side shall be at least 1,372 millimeters distant from the backs of the seats on the other side;

(ii) When the seats are paced across the vehicle and are facing in the same direction there shall be every where a clear square of not less than 686 millimeters between the backs of seats and there shall also be clear leg room of 279 millimeters between the front of a seat and the back of the set facing it.

(iii) When the seats are placed across the vehicle and are facing each other there shall be a clear space excluding padding and upholstery between the surface of any portion of the seat against which the back of the passenger is to rest and the surface of the corresponding portion of the seat facing it of a minimum width of 1.2 meters and a clear space excluding padding and upholstery between the fronts of facing seats of a minimum width of 0.5 meters; and

(iv) Where the seats are placed lengthwise and facing each other the surface of any portion of the seat against which the back of the passenger is to rest shall be at least 1372 millimeters from the surface of the corresponding portion of the seat facing it.

(v) When the berths are placed across the vehicle and are facing each other, there shall be a clear space excluding padding and upholstery between the surface of any portion of the berth against which the back of the passenger is to rest and the surface of the corresponding portion of the berth facing it of a minimum width of 1.2 mts. And a clear space excluding padding and upholstery between the facing seats of a minimum width of 0.3 mts."

(2) Except where the seats in a public service vehicle are enclosed by the body of the vehicle, no seat shall be constructed as to project beyond the floor space of the vehicle.

(3) Notwithstanding anything in sub-rule (1) all the seats in every express stage carriage shall be placed across the vehicle facing the

driver :

Provided that all seats in every express stage carriage shall be so placed that there shall be clear space of not less than 762 millimeters between the backs of seats:

Provided further that all seats in a every stage carriage with superior accommodation or air conditioned stage carriage or a contract carriage with superior accommodation or air conditioned contract carriage shall be so placed that there shall be a clear space of not less than 838 millimeters between the back of the seats and clear leg space of 406 millimeters between the front of the seat and back of the seat facing it.

### **332. Body of stage carriage :-**

Every stage carriage shall have a body of the saloon type.

### **333. Gangway of Public Service vehicle :-**

(1) In every compartment of every public service vehicle the entrance to which compartment is from the front or rear, there shall be a gangway along the vehicle; and

(i) where seats are placed along the sides of the vehicle, there shall be a gangway of a clear space of not less than 610 millimeters measured between fronts of the seats;

(ii) where seats are placed across the vehicle there shall be a gangway of a clear space of not less than 356 millimeters between any part of adjoining seats or their supports; and

(iii) where seats are placed, some along the sides of the vehicle and some across the vehicle there shall be a gangway of 482 millimeters between any part of the adjoining seats or their supports.

(2) Where the vehicle has seats across the full width of the body with separate door to each seat, a gangway from front to rear of the vehicle shall not be required.

### **334. Limit of seating capacity of Public Service vehicles :-**

(1) Subject to the provisions of Rule 331 regarding seating accommodation, the number of passengers excluding the driver, conductor and one checking inspector, that a public service vehicle may be permitted to carry, shall not exceed the number determined by dividing the difference in kilograms between the registered laden weight and unladen weight less 163 by 59 in the

case of double-decked and by 68 in the case of single-decked vehicles.

(2) The minimum seating capacity of a public service vehicle other than a motor cab, an auto rickshaw or an express stage carriage or a carriage with superior accommodation (Deluxe) or a contract carriage with superior accommodation (deluxe) or an Air-conditioned contract carriage or a stage carriage used partly for carriage of passengers and partly for carriage of goods within the body (Cargo Bus) shall be directly proportionate to the wheel base of the vehicle; and the minimum number of seats to be provided shall be as specified in Column (2) of the following Table leaving to the operator to increase the capacity consistent with other rules relating to the seating capacity, having due regard to the type of chassis on which the body is built :

**THE TABLE**

<b>Wheel base</b>	<b>Minimum seating capacity</b>
<b>(1)</b>	<b>Including driver and / or Conductor</b>
<b>(1)</b>	<b>(2)</b>
254 Cms. to 293 Cms	16
294 Cms. to 305 Cms	20
306 Cms. to 343 Cms	25
344 Cms. to 407 Cms	30
408 Cms. to 432 Cms	35
433 Cms. to 496 Cms	45
497 Cms. to 534 Cms	50
535 Cms. and above	55

Provided that the minimum number specified above may be reduced by two seats in the case of vehicle having separate entrance and exit and by four seats in the case of stage carriage permitted to ply on fair weather routes;

Provided further that minimum number so reduced may be further reduced by one-fifth in the case of stage carriages operating on city or town service routes in case such reduction is to provide necessary gangway to permit the standing passengers as provided under Rule 333;

Provided also that no reduction of seating capacity noted in the certificate of registration shall be allowed after original registration of the vehicle unless such reduction is necessitated on account of wrong calculation of the measurements or when the body is reconstructed.

(3) Nothing contained in sub-rule (2) shall apply to a vehicle already registered on the date of coming into force of this rule provided that when the body is reconstructed at any time, the specifications under sub-rule (2) shall be observed;

Provided that where there is conflict between sub-rule (2) of Rule 331 the provisions of seats shall be done in accordance with Rule 331, which prescribed minimum dimensions for and in relation to each seat.

### **335. Standing passengers in Stage Carriages :-**

(1) The Transport Authority may impose a condition in the permit of any stage carriage that the vehicle shall in addition to the seated passengers, carry such number of standing passengers as may be determined by the Registering Authority, according to the following formula;

(i) The number of standing passengers to be carried shall not exceed the number arrived at ;- (a) In the case of vehicle having gangway of the width of not less than 380 millimeters but not more than 762 millimeters.

No. of standing Passengers	Length of the gangway (m.m)	Length space for rear seat Passenger (m.m)
	<b>381</b>	

(ii) In the case of vehicle having gangway of the width of 762 millimeters or more.  
No. of standing passengers : Double the number calculated as per formula under Item (a) above.

(2) The number of standing passengers to be allowed under Sub-rule (1) shall be subject to the following conditions also:-

(i) Standing passengers shall be allowed only in buses of saloon type having uninterrupted gangway with a head room of not less than 1.75 meters;

(ii) Hand strips shall be provided when standing passengers are allowed.

(iii) The provision of Rule 331 regarding the spacing of seats shall be satisfied;

(iv) No standing passengers shall be allowed in express service vehicles or vehicles provided with superior accommodation (Deluxe).

### **336. Drivers seat to be on right hand side :-**

(1) All Public Service vehicles other than a vehicle with three wheels shall have a steering on the right hand side of the vehicle.

(2) The State Transport Authority or its Chairman if authorized by it in this behalf may by order in writing direct that nothing in sub-rule (1) and rules 337, 338 and 339 in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side, shall apply to a public service vehicle or specified class of public service vehicle fitted with left-hand steering control and obtained through the Disposals Organisation of the Central Government.

(3) Where registering authority registers a Public Service vehicle in respect of which or belonging to class in respect of which, an order sub-rule (2) has been made he shall note in the certificate of

registration the fact that nothing in sub-rule (I) and Rules 337, 338 and 339 in regard to and consequent upon the provision requiring the vehicle shall be driven from the right-hand side shall apply to the vehicle.

**337. Seats for conductors and drivers :-**

(1) On every stage carriage there shall be provided for the conductor a reasonably comfortable seating space of not less than 381 millimeters square so located as to allow him at all times a complete view of the inside of the vehicle :

Provided that in the case of stage carriage operating within the limits of a town or city a standing seat will be sufficient, if so, specially declared by the Regional Transport Authority.

(2) On every public service vehicle space shall be reserved for the drivers seat such as to allow him to have complete control of the vehicle and in particular:-

(i)the part of the seat against which the drivers back rests shall not be less than 279 millimeters from the nearest point on the steering wheel;

(ii)the width across the vehicle shall be not less than 686 millimeters shall extend to the left of centre of the steering column in no case less than 254 millimeters so that the line drawn parallel to axis of the vehicle through the centre of any gear lever, brake lever or other device to which the driver has to have frequent access lies not less than 51 millimeters inside the width reserved for the drivers seat; and

(iii)in the case of public service vehicle other than a motor cab, the space reserved in accordance with Clause (ii) shall at the left hand end be enclosed with a suitable partition to a height not less than 305 millimeters above the seat.

(3)Any arm rests for the driver not more than 102 millimeters wide may be provided within the space specified in Clause (ii) of sub-rule (2):

Provided that sub-rules (2)(ii) and (3) shall not apply in the case of a stage carriage of full forward control.

**338. No seat or luggage to the right of driver :-**

(1) No Public Service vehicle shall be so constructed that any person may sit or any luggage may be carried on the right hand side of the driver.

(2) No public service vehicles shall carry more than one person by

the left hand side of the drivers seat and no such person shall be carried unless there is a separate and proper sitting accommodation provided for him by the side of the drivers seat.

**339. Driver to have clear vision :-**

Every Public Service vehicle shall be so constructed that, save for the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of 90 degrees to his right hand side and his left hand side. The front pillar of the body shall be so constructed as to obstruct the vision of the driver to the least possible extent.

**340. Public Service Vehicles - Width of doors :-**

(1) Every entrance and exit of a public service vehicle other than motor cab shall be at least 535 millimeters in width and of sufficient height.

Provided that this provision shall not apply to vehicles of the open type in which the seats are not enclosed by the body of the vehicle.

(2) Every entry and exit of a public service vehicle other than a motor cab and a stage carriage intended to ply on town service routes and short distance mofussil service routes (ordinary), shall be provided with doors to prevent the passengers from falling out.

**341. Grab rail of Public Service Vehicles :-**

A grab rail shall be fitted to every entrance or exit other than an emergency exit, of a public service vehicle.

**342. Provisions of Auto rickshaws :- In Every Auto rickshaw :-**

(i) the right side shall either be blocked by a fixed door up to the waist level of the passenger in seated position provided with two chromium plated rods, one below the other leaving in between a gap of 25 centimeters and the lower one being at the level of the hip of the passenger and that both the rods are welded to the frame at both ends;

(ii) a grab rail shall be fitted on the left side with suitable padding so that the passenger can alight and get in or get down from the auto rickshaw;

(iii) a locking mechanism shall be fixed for the steering to prevent the vehicles waving on roads and the mobility of the front wheel of

the auto rickshaw shall be restricted to 40 degrees on either side.

### **343. Steps on Public Service Vehicles :-**

In every public service vehicle other than a motor cab top of the tread of the lowest step for any entrance or exit, other than an emergency exit shall not be more than 432 millimeters or less than 254 millimeters above the ground when the vehicle is empty. All steps shall be fitted with non-slip treads. Fixed steps shall not be less than 229 millimeters wide and shall in no case project laterally beyond the body of the vehicle unless they are so protected that they are not liable to injure pedestrians.

### **344. Steps in Double-Decked Vehicle :-**

In the case of Double Decked Vehicle,-

(i)the raisers of all steps leading from the lower to the upper deck shall be closed and no unguarded sporture shall be left at the top landing board;

(ii)all steps leading from the lower to the upper deck shall be fitted with non-slip treads;

(iii)the horizontal distance from the nearest point of the riser of the top step to the vertical line passing through the nearest point of the seat opposite to the top tread of the staircase excluding any grab rail which does not project more than 76 millimeters from the back of the seat, shall not be less than 660 millimeters.

(iv)The outer stringer of an outside staircase shall be so constructed, or a band shall so placed, as to act as a screen to persons ascending or descending and the height of the outer guard rail shall not be less than one meter above the front of the tread of each step.

### **345. Cushions in Public Service Vehicle :-**

The seats of a public service vehicle shall be provided with cushions made either of springs or rubber foam material of not less than 75 millimeters thickness which shall be covered with suitable material capable of being kept in a clean and sanitary condition:

Provided that cushions for the seats are not necessary in respect of stage carriages permitted to ply in town service routes fitted with seats of Polypropelene moulded chair type.

### **346. Head-room in Public Service vehicles :-**



Every public service vehicle other than a motor cab, shall have the following internal height or head-room measured along the centres to the vehicle from the top of the floor boards or battens to the underside of the roof supports, -

(i) in the case of a single-decked vehicle with a permanent top, not less than 1.4 metres and more than 1.9 metres;

(ii) in the case of a single-decked vehicle with a movable hood, not less than 1.4 metres;

(iii) in the case of a double-decked vehicle, not less than 1.8 metres for the lower deck and not less 1.7 metres for the upper deck which shall be of the covered type;

(iv) in the case of one and a half-decked vehicle not less than 2.1 metres in the lower deck and not less than 1.5 metres in the portion above the luggage boot:

(v) In the case of sleeper bus or coach not less than 1.9 meters and not more than 2.15 meters.

Provided that the State Transport Authority may specify the measurements with a minimum of 1.4 metres and maximum of 1.9 metres to which public service vehicles or particular type of public service vehicles shall conform either generally or in specified areas or routes.

Provided further that no standing passengers, shall be allowed on the half-deck portion above the luggage boot with a head room of not less than 1.5 metres and in calculating the number of standing passengers to be allowed, the number of seats on this half-deck portion shall not be counted. The number of seats on this half-deck portion head-room of not less than 2.1 metres shall be counted for this purpose and the maximum of standing passengers shall be fixed according to the seats on the lower deck only.

### **347. Body dimensions and guard rails of Public Service Vehicles :-**

Every public service vehicle other than a motor cab shall be so constructed that, -

(i) in the case of a single decked vehicle with an enclosed body

(a) the height of the body sides from the floor or the height to the sills of the windows as the case may be, shall not be less than (0.56) metres;

(b) if the bottom of any open window or other opening is less than 660 millimetres above the seat provision shall be made by means of guard rails or otherwise to prevent passengers putting their arms

out:

(ii) in the case of single decked vehicle with open sides guard rails shall be provided along the right-hand side of the vehicle to prevent any person other than the driver from mounting or alighting from the vehicle on that side;

(iii) in the case of a double-decked vehicle with an uncovered top deck, the top deck shall be provided with side and end rails the top of which shall be at least 0.9 metres above the deck boards of battens at the sides and 660 millimetres above the deck boards of battens and shall follow the chamber of the deck.

Explanation :- For the purpose of this rule, the seat back shall not be deemed to be a part of the seat.

### **348. Protection of passengers from weather :-**

(1) Every public service vehicle other than a motor cab shall be constructed with a fixed and water tight roof and every motor cab shall be either constructed with a fixed and water-tight hood that may be raised or lowered as required;

(2) Save in the case of the uncovered top-deck of a double decked vehicle, every public service vehicle shall have suitable window, Venetians or screens capable at all times of protecting the passengers from the weather without preventing adequate ventilation of the vehicle. When the screens are made of fabric they should be capable of being fastened securely to the vehicle;

(3) Where glass windows or Venetians are used, they must be provided with an effective means to prevent their rattling.

### **349. Passengers luggage provisions for carrying of :-**

Luggage carried on the outside of a stage carriage shall be protected in wet weather by a suitable waterproof covering. The covering shall be securely fastened so as to prevent flapping.

### **350. Electric lighting compulsory in public service vehicle :-**

(1) No light other than an electric light shall be fitted to any public service vehicle;

(2) Every public service vehicle other than a motor cab shall be furnished with one or more electric lights adequate to give reasonable illumination throughout the passengers compartment or compartments but of such power or so screened as not to impair the forward vision of the driver.

### **351. Body construction of Public Service Vehicle :-**

The body of every public service shall be soundly constructed to the satisfaction of the Regional Transport Authority and shall be securely fastened to the frame of the vehicle.

#### **351A. Special provisions for sleeper bus or coach :-**

A sleeper bus or coach shall conform to the following specifications, namely :-

- (1) The vehicle shall have a front entrance-cum-exit door on left side operated by driver/attendant equipped with assist rails in front axle.
- (2) The over all height of the vehicle shall have a maximum of 3.8 meters including A.C. hood.
- (3) The interior height of the vehicle shall have maximum of 2.15 meters (head-room).
- (4) Roof ceiling shall be provided with soft material or equivalent material like ABS plastic to prevent impact.
- (5) The maximum height of the each step shall be 250 millimetres. The minimum depth shall be 230 millimetres. All the steps shall be provided with non-slip treads.
- (6) The total saloon interior length shall not be less than 9.2 meters.
- (7) Each saloon or coupe shall accommodate four berths. During day travel it shall accommodate four (4) passengers only.
- (8) The width of each saloon or coupe shall not be less than 1.54 meters.
- (9) The width of the Gangway shall not be less than 600 millimetres and it shall be off side of the coupe behind the driver.
- (10) Mild steel rectangular structural members shall be used for bus body building.
- (11) The width of the upper berth shall not be less than 560 mm and that of the lower berth shall not less than 625 mm and the back squads when unfolded shall form a berth.
- (12) The legroom between seats shall not less than 350 mm.
- (13) The width of the partition wall of the coupe shall not be less than 40 mm and the structures are framed with mild steel rectangular tubes of 40 x 30 x 2 mm with a neat covering.
- (14) The thickness of each seat shall not be less than 75 mm for sitting and minimum thickness of 150 mm after forming into the berth.

- (15) The thickness of upper berth shall not be less than 65 mm and should be also covered with neat fabric.
- (16) The lower berth shall be fixed at a minimum height of 450 mm from the floor.
- (17) The clear headroom for seating passengers shall not be less than 850 mm.
- (18) The clear head room for the upper berth shall not be less than 650 mm.
- (19) Optional chain in the middle or longitudinal guard between the two chains shall be provided for upper berth.
- (20) The upper berth shall be pivot mounted at the partition and suspended by a 2 bright steel chains mounted on hinges on berths. These chains will be fixed rigidly by means of bolting and welding to the roof structural members. The chain shall be located to ensure that the sum of the overhead position shall not exceed the centre-to-centre distance of chains measured along the axis of the berths.
- (21) Individual windows for lower and upper berths shall be provided and the lower windowsill shall be at minimum height of 725 mm from the floor.
- (22) Ladder steps for upper berth shall be provided and it shall be fixed at a minimum height of minimum 250 mm and the distance between each step shall be 300 mm.
- (23) The length of each berth shall not be less than 1750 mm.
- (24) An assist handle shall be provided for comfortable occupation of the upper berth at a convenient height.
- (25) There shall be shoulder room not less than 350 mm. The shoulder room is measured between the upper the upper berths after unfolding the back squab.
- (26) The distance between the berths facing each other shall be a minimum of 300 mm.
- (27) No seat shall be permitted to be fitted in the gangway.
- (28) There shall also be sufficient space underneath the lower berth for keeping the luggage. Wire ropes are to be provided for fastening the luggage.
- (29) Hat racks inside the saloon shall not be permitted.
- (30) The vehicle shall have weveller suspension or air suspension or combination of both.
- (31) The vehicle shall be fitted with power steering mechanism.
- (32) Emergency exit shall be provided at the rear.
- (33) Reflective tape of canary yellow colour of 50 mm. width shall be provided at rear and front side at skirt level on bumper.
- (34) The vehicle shall have an attendant to take care of passengers

in addition to the driver or conductor.

(35) Each berth shall be provided with neat fabric covering which shall be capable of being kept in a clean and sanitary condition.

(36) One pillow and 2 neat linen shall be provided to each passenger (one for wrapping and another for spreading).

(37) Fire extinguisher shall be provided.

(38) First Aid Box with necessary medicines shall be provided and it shall be checked every fortnight for its contents and the validity of medicines.

(39) Guard to be provided for lower berths in line with upper berths with chain.

(40) Safety guards covered with soft material on either side of the upper berths shall be provided.

(41) Magazine pouches shall be provided at convenient location. Bottle holders shall also be provided.

(42) Drinking water shall be provided with ice box.

(43) Sliding curtains shall be provided for each coupe and windows.

(44) Electrically operated calling bells shall be provided for each coupe.

(45) Night lamps preferably in blue colour shall be provided in the gangway and also in coupe.

(46) Sliding window shall be provided to the driver partition immediately behind the driver.

(47) Individual reading light at convenient location for each berth shall be provided.

### **352. Fuel Tank of Public Service Vehicle :-**

No fuel tank shall be placed in any public service vehicle under any part of any gangway, which is within 0.6 metres of any entrance or exit of a single-decked vehicle or the lower deck of a double-decked vehicle.

### **353. Fuel Tank of Public Service Vehicle :-**

The fuel tank of every public service vehicle shall be so placed that no overflow there from shall fall upon any woodwork or accumulate on any part of the vehicle.

### **354. Carburettor of public service vehicle :-**

In every public service vehicle any carburetor and apparatus associated therewith shall be so placed and shielded that no fuel

leaking therefrom shall fall upon any part or fitting that is capable of igniting it or into any receptacle where it might accumulate.

**355. Exhaust pipe of public service vehicle :-**

The exhaust pipe of every public service vehicle shall be fitted or shielded that no inflammable material can be thrown upon it from any other part of the vehicle and that it is not likely to cause a fire through proximity to any inflammable material on the vehicle.

**356. Electric wires :-**

All electric wires or leads shall be adequately insulated.

**357. Fire Extinguishers :-**

Every public service vehicle and every goods vehicle other than motor cab and Light Motor vehicle shall be fitted with a fire extinguishing apparatus.

**358. Locking of Nuts :-**

All moving parts of every public service vehicle and all parts subject to severe vibration connected bolts or studs and nuts shall be fastened by some efficient device so as to prevent them working or coming loose.

**359. Floor Boards :-**

(1) The floorboards of every public service vehicle shall be so fitted as to exclude as far as possible draughts and dust.

(2) The floorboards shall not be pierced save for the purpose of drainage.

**360. Spare wheel and tools :-**

(1) Save as otherwise specified by the Regional Transport Authority, every public service vehicle shall at all times be equipped with at least one spare wheel or rim fitted with a pneumatic tyre readily inflated, and mounted in such a way that it can be readily dismantled.

(2) Sub-rule (1) shall not apply to public service vehicle during the completion of any journey during which it has been necessary to bring the spare wheel or rim and tyre into use.

(3) Save as otherwise specified by the Transport Authority every

public service vehicle shall at all times be furnished with an efficient jack and other tools necessary to change a wheel or rim and tyre and with the equipment necessary to repair puncture.

**361. Prohibition of advertising etc :-**

No advertising device, figure or writing shall be exhibited on any public service vehicle save as may be specified by the Regional Transport Authority or the State Transport Authority, as the case may be, by general or specified order.

**362. Prohibition of a painting or marking in certain manner :-**

( 1 ) Public service vehicle when regularly used for carrying Government mail by, or under a contract with, the Indian Posts and Telegraphs Department, may exhibit in a conspicuous place upon a plate or a plain surface of the motor vehicle, the word MAIL in red colour on a white ground each letter being not less than 152 millimetres height and of uniform thickness of 19 millimetres;

(2) Save as provided in sub-rule (1) no motor vehicle shall display any sign or inscription, which includes the word Mail;

(3)(a) No public service vehicle shall be painted with a colour which is the same as the colour with which vehicles regularly used for carrying Government mail by, or under a contract with, the Indian Posts and Telegraph Department are painted;

(b) No transport vehicle shall be installed with a radio set.

**363. Painting of discarded military vehicles purchased by civilians :-**

Every discarded military vehicle purchased by a civilian should be repainted immediately in a colour other than descriptive pattern paint that is combination of colours of such as Olive Green, White, Brown with Green and Dark Brown:

Provided that besides the standard olive green painted vehicles, other service vehicles painted in descriptive and camouflage pattern discarded by the Army, Air-Force and Assam Rifles or Navy Blue Colour pattern vehicles used by the Indian Navy and Coast Guard, should also be repainted by the purchaser in a paint other than the above mentioned colours:

Provided also that Army markings, like B.A. Nos. formation signs and tactical numbers should be erased by the civilians before using

them on the roads.

#### **364. Body and loading platform :-**

Every goods vehicle including a trailer shall be equipped with a strong platform or body so constructed as to be capable of carrying the load for which it is used without danger to other road users and such that the load can be securely packed within or fastened to the body or platform :

Provided that nothing in this rule applies to a tractor used with trailer.

#### **365. Drivers seat :-**

(1) Rules 336, 337, 338 and 339 relating to the drivers seat shall apply to every goods vehicle other than light motor vehicle and tractor used in combination with trailer.

(2) The State Transport Authority or its Chairman if authorized in this behalf may, by order, in writing, direct that nothing in sub-rule (1) of Rule 336 and Rules 337 to 339 in regard to and consequent upon the provision that the vehicle shall be driven from the right hand side shall apply to a goods vehicle or a specified class of goods vehicles fitted with left hand steering control and obtained through the Disposals Organisation of the Central Government.

(3) Where a registering authority registers a goods vehicle in respect of which, or belonging to a class in respect of which an order under sub-rule (2) has been made, he shall note in the certificate of registration the fact that nothing in sub-rule (1) of Rule 336 and Rules 337 to 339 in regard to and consequent upon the provision requiring that the vehicles shall be driven from the right hand side shall apply to the vehicles.

#### **366. Provision of Seat behind the driver for spare driver to rest :-**

In the case of every goods vehicle operating under composite permit or a national permit or inter-state permit or state permit, it shall be provided with a seat across the full width of the vehicle behind the drivers seat providing facility for the spare driver to lie down and sleep when he is not at the wheel.

#### **367. Checking of designs of local manufactured trailers :-**

(1) An application for the approval of the new design of trailer



manufactured in India and intended to be used as transport vehicle shall be forwarded to the Transport Commissioner in triplicate by the manufacturer or his authorized assembler. Such an application shall be accompanied by three copies of each of the following documents namely;

- (i) Full specifications;
- (ii) Drawing giving all dimensions and detail; and
- (iii) Set of design calculation of:
  - (a) Axles;
  - (b) Springs;
  - (c) Long bearers;
  - (d) Cross bearers;
  - (e) Platform tank or anything that may be carried on the cross bearers;
  - (f) Two bars;
  - (g) Turn table or any other scribbling device for the front axles, in case of two axles trailers;
  - (h) Braking arrangement; and
  - (i) Any other item such as shock absorbers, if included.

(2) (a) The Transport Commissioner shall forward the application and the copies of documents to the Superintending Engineer, Mechanical and Workshops Circle, Hyderabad hereinafter referred to as the Technical Officer for verification and inspection of the vehicle at such place and on such date as may be specified by the Technical Officer.

(b) The Technical Officer shall then scrutinize the design and calculations and if the design is found satisfactory by him, certify what in his opinion would be the greatest laden and axle weights of the trailer which are compatible with reasonable safety.

(c) In case, the design is not found satisfactory the Technical Officer shall advise the applicant to that effect and recommend such changes in the design as may be required to make the trailers suitable for the desired load.

(d) The Technical Officer may call upon the applicant to furnish further

details required. In such a case the applicant shall furnish fresh specification and drawings incorporating alterations, if any.

(e) When a design is found satisfactory, the Technical Officer shall return two copies of the approved design, specifications and calculations with his recommendations as the maximum laden and weights compatible with reasonable safety to the Transport Commissioner. The Transport Commissioner may then approve the

design and inform the applicant.

(f) The applicant on approval of his design, shall if he wants to Manufacture the trailers for trade, supply the Transport Commissioner with as many extra copies of the approved type of the design specifications and calculation as may be required by him sending them to different registering authorities for their record.

(3) The fee chargeable for checking of a design shall be Rs. 250 /-, which shall be credited to the State Government and apportioned as noted below:

Rs.100 /- for Transport Department;

Rs.100 /- payable to the Technical Officer appointed to check the designs;

Rs.50 /- towards loading and testing charges payable to Public Works Department.

(4) The approval of the design of a trailer manufactured in India by a competent authority in any other State in India shall be deemed to be the approval accorded under these rules.

**368. Trailers prohibited with motorcycles and invalid carriages :-**

(1) A motorcycle without more than two wheels with or without sidecar shall not draw a trailer;

(2) No motorcycle shall draw a trailer exceeding 907 kilograms in weight unladen or 1.5 metres in over all width.

(3) No invalid carriage shall draw a trailer.

**369. Restriction on number of trailers to be drawn :-**

(1) No locomotive or tractor should draw more than three trailers;

(2) No other goods vehicle shall draw more than one trailer.

**370. Exemption of road plant :-**

Nothing contained in Rules 310, 311, 312, 313, 316, 317, 321 & 323 shall apply to road rollers and other machines specially constructed or adapted for the construction or maintenance of roads which are the property of the Central or the State Government or of any local authority.

**371. Taxi-meter :-**

(1) Every motor cab, Auto-rickshaw unless exempted in this regard by the Regional Transport Authority, shall be fitted with a taxi-

meter of a type approved by the State Transport Authority which shall be fixed to and operated from a non-drawing wheel;

(2) The vehicle shall not ply for hire unless the taximeter bears the seal of the Weights and Measures Department to indicate that the taximeter has been tested and is in working order. The seal shall be kept intact.

(3) The owner, driver, attendant of the vehicle or other person who breaks or tampers in any way with the seal or marks placed on a meter, or who with intent to deceive, tampers with the taxi meter or the driving mechanism thereof, shall be deemed to have committed a breach of this rule;

(4) No meter shall be altered without the written permission of the Secretary, Regional Transport Authority.

### **372. Requirements as to fitting of taxi-meter etc :-**

(1) A taxi-meter shall be fitted in such position and in such manner as may be approved by the Secretary, Regional Transport Authority having regard to the design of the motor cab. It shall normally be fixed on the rear side of the drivers seat, with the face or dial towards the interior of the cab, so as to be clearly visible to the hirers and also capable of being read both by the hirer and the driver.

(2) Flexible or driving gears of gearboxes shall be so fitted that no part of the cable, etc., can be reached by an unauthorised person.

(3) A meter or its gear-box shall not be fitted to a cab the effective circumference of the wheel of which is different from that for which the meter has been designed, geared and tested.

(4) The effective circumference of the wheel by which a meter is driven shall not be more than five percent of and not less than the measurement shown on the plate attached to the meter.

### **373. Sealing of meter-fitting after test :-**

(1) In the following cases, the taxi-meter shall be produced before the Senior Inspector of Weights and Measures Department in whose functional area the vehicle is kept for examination of the meter as to the correctness of the fitting:

(i) When the meter is intended to be used for the first time;

(ii) When the meter is either got repaired or adjusted to be in accordance with a revised rate of fare; and

(iii) When the fitness certificate is to be renewed.

When it is produced for inspection, it shall bear holes and wires and

be provided with the wires for the lead seals to be fixed to it.

(2)The taximeter shall be subject to a practical road test of 8 kilometres for each of the distance scales and a time test for detention charges for not less than half-an-hour.

(3)If the meter is found to be correct, its fitting, to the cab shall be sealed by such inspector in such manner that it cannot be opened or tampered with or adjusted without removing the seals.

#### **374. For Hire, Indicator :-**

Every taximeter shall be fitted with an indicator or handle in the form of a flag, on which shall be printed the words For Hire. The taximeter shall be so constructed that when the flag is horizontal the taximeter shall be out of action. Such indicator shall be so placed as to clearly visible to any person outside of and in front of the vehicle and to the hirer when inside.

#### **375. Means of communication between passengers and driver :-**

Every motor cab in which there is a partition between the driver and the passengers shall be provided with a means of communication between passengers and the driver.

#### **376. For Hire to be painted :-**

The owner of a motor cab plying outside the jurisdiction of Regional Transport Authority, Hyderabad shall cause to be painted in a conspicuous part of the vehicle the words For Hire in English and in the Regional language of the district.

#### **377. Lighting of taximeter :-**

Every motor cab fitted with a taximeter shall have a light so fitted as to illuminate the taximeter. The taximeter shall be so illuminated when the vehicle is in use in a public place during the period between half-an-hour after sunset and half-an-hour before sunrise.

#### **378. Colour of motor cabs - Restriction of :-**

No motor vehicle other than a motor cab shall be painted in the manner specified in Rule 293:

Provided that no three-wheeler other than an auto-rickshaw permitted to ply as contract carriage shall be painted in the manner

specified in Rule 294.

**379. Cabs fitted with a defective meter not to be used :-**

(1) No meter which is in any way defective may be fitted to any cab and no cab which is fitted with a defective meter shall be used in any public place.

(2) Upon the service of a notice issued by an Inspector of Motor Vehicles or the Senior Inspector of Weights and Measures Department in the Twin Cities of Hyderabad and Secunderabad and Visakhapatnam on the owner of any cab prohibiting the use of the meter fitted to it, the meter shall at once be removed and the cab shall be immediately withdrawn from service.

**380. Repairs and repairers :-**

(1) After a taxi-meter is sealed as provided in Rule 373 no repairs to any meter shall be made except by a maker or repairer authorized by and registered with the Controller of Weights and Measures or any officer of the Department authorised by him.

(2) Any person applying for being authorized and registered as a maker or repairer under sub-rule (1) shall satisfy the Controller of Weights and Measures or any officer of the Department authorised by him that, -

(i) the applicant is of good character and of good business repute;

(ii) the applicant's financial position is sound;

(iii) the applicant maintains an efficient staff and suitable equipment at his premises and has a sufficient supply of spare parts of the repair of meters; and

(iv) the applicant is generally a fit and proper person to undertake the repair or adjustment of taxi-meters.

Such person shall also agree that the premises where the work of repairs or adjustment of meters to be carried on shall be open at all reasonable time to inspection by officers of the Regional Transport Authority and that he shall notify to the Secretary, Regional Transport Authority if the situation of the premises is at any time changed.

(3) Controller, Weights and Measures or any officer of the Department authorised by him may, in his discretion, cancel the registration of a maker or repairer if it is proved that such person is unable to comply or has not complied with the requirements set out in sub-rule (2), or if the business is not carried to the satisfaction of such Authority.

### **381. Type of body and materials of Auto-Rickshaw :-**

(i) The body of every auto-rickshaw shall be either of a station wagon or a box-type or hackney carriage type as approved by the State Transport Authority, soundly constructed to the satisfaction of the registering authority and shall be securely fastened to the frame of the vehicle. There shall be adequate arrangements for protection of passengers from sun, wind and rain. The material used in the construction shall be strong and of good quality.

(ii)Roof: - The roof shall be so constructed as to provide protection for passengers from sun and rain, and shall be either of metal sheeting or canvas or some other suitable material.

### **382. Overhang of Auto-Rickshaw :-**

The overhang of the body shall not exceed forty one per cent of the distance between the place perpendicular to the axis of the auto-rickshaw which passes through the centre of the front wheel and the centre of the rear axle.

### **383. Overall width :-**

(i) 4-Passenger auto-rickshaws: - The overall width measured at right angles to the axis of the planes enclosing the extreme points shall be not more than 1753 millimetres and not less than 1296 millimetres.

(ii) 3-Passenger auto-rickshaws:- The overall width measured at right angles to the axis of the planes enclosing the extreme points shall be not more than 1423 millimetres and not less than 1066 millimetres.

### **384. Overall Height :-**

(i) 4-Passenger auto-rickshaws: - The overall height measured from the surface on which auto-rickshaw stands shall not exceed 1.8 metres and there shall be at least 1.2 metres clear head space between floor board and the roof.

(ii) 3-Passengers auto-rickshaws: - The overall height measured from the surface on which auto-rickshaw stands shall not exceed 1.8 metres and there shall be at least 1.2 metres clear head space between floor board and the roof.

### **385. Road Clearance- Auto-rickshaw :-**

The Road clearance of every auto-rickshaw shall be not more than 204 millimetres and less than 102 millimetres.

**386. Clearance of Floor Board :-**

(i) 4-Passenger auto-rickshaws: - The floorboard shall be not more than 559 millimetres above the surface on which the auto-rickshaw stands.

(ii) 3-Passenger auto-rickshaws:- The floorboard shall be not more than 559 millimetres above the surface on which the auto-rickshaw stands.

**387. Drivers Seat :-**

The back of the drivers seat should have at least 102 millimetres of clearance from the front panel of the body. A windscreen shall be provided for the driver.

**388. Gangway in Auto-rickshaw :-**

In every 3 passenger auto-rickshaw the entrance to which is from the front or rear and the seats are placed across the vehicle there shall be a gangway of not less than 305 millimetres.

**389. Seats in Auto-rickshaw :-**

(a) (i) 4-Passenger auto-rickshaws: - There shall be provided for each passenger reasonable comfortable seating space of not less than 406 millimetres square measured in straight lines along and at right angles to the front of each seat.

The seats shall be placed across the vehicle and when all seats face in the same direction there shall be at all places a clear space of not less than 686 millimetres between the backs of either of the seats and they shall face to the front or two seats to the front and two to the rear back. Seats along side the body shall not be allowed.

(ii) 3-Passenger auto-rickshaws: - There shall be provided seat not more than 1118 millimetres and not less than 0.9 metres in length. The depth of the seat shall not be less than 406 millimetres.

(b) The back of all seats shall be slanting and closed to a height of at least 437 millimetres above the level of the both cases.

(c) The seats shall be provided with fixed or movable cushions. The cushions shall be covered with leather cloth of good quality or other material of such kind that they are capable of being kept in a clean and sanitary condition. There shall be a plank at the back of the

passenger of every auto- rickshaw to avoid slipping of luggage in the space behind the passengers seats.

(d)The height of the seats from the floor shall not be less than 356 millimetres including cushions;

(e)Leg-space: -(i) 4-Passenger auto-rickshaws: - There shall be provided at least 279 millimetres leg space.

(ii) 3 Passenger auto-rickshaws: - There shall be provided at least 381 millimetres leg space.

**389A. Carriage of school children in passenger auto-rickshaws :-**

(a)4-Passenger auto-rickshaws may exclusively carry eight (8) school children below the age of twelve (12) years (excluding driver).

(b)3-Passenger auto-rickshaws may exclusively carry six (6) school children below the age of twelve (12) years (excluding driver).

subject to the following conditions, namely:

(1)Temporary seating arrangements behind the drivers seat shall be provided.

(2)Both sides of the auto-rickshaw shall be closed upto arm level with temporary planks of suitable material.

(3)A board "School Trip" shall be prominently displayed in the front and rear of the auto-rickshaw in red colour.

(4)Driver shall not allow school bags, water bottles and lunch boxes of children to project outside the body of the auto-rickshaw.

**390. Milo meter in Auto-rickshaw :-**

Every auto-rickshaw shall be provided with suitable type of Milo meter to record total mileage covered on the basis of which fare is paid and also a milo meter of the type in which trip reading can be adjusted to zero or fare meter.

**391. Horn in auto-rickshaw :-**

Every auto-rickshaw shall be fitted with a bulb horn.

**392. Provision chain in steam driven vehicles :-**

Every steam driven motor vehicle with rubber tyres shall have attached to its frame a chain hanging loose or other contrivance whereby electric contact is made between the body of the vehicle and the earth.



### **393. Exemption of Military vehicles :-**

The provisions of the rules specified in the first column of the Table below shall not, to the extent specified in the corresponding entries in the second column thereof, apply to or in relation to military motor vehicle registered under Section 60.

**THE TABLE**

<b>Rule</b>	<b>Extent not applicable</b>
(1)	(2)
310	The whole
312	
313	
321	
367	

### **394. Exemption of trailers :-**

The provisions of the rule specified in the first column of the Table below shall not, to the extent specified in the corresponding entries in the second column thereof, apply to or in relation to any trailer.

**THE TABLE**

<b>Rules</b>	<b>Extent not applicable</b>
(1)	(2)
310	Sub-rule (1) relating to front lamp
316	The whole
365	

### **395. Exemption by Government :-**

The Government may, by notification in the Andhra Pradesh Gazette exempt to such extent as may be specified in the notification any motor vehicle or class of motor vehicles from all or any of the provisions of the rules framed under Chapter VII of the Act.

## **CHAPTER 8 Control of Traffic**

### **396. Weighing of vehicles :-**

Police Officers not below the rank of Circle Inspector or any Officer of the Transport Department not below the rank of an Assistant Inspector of Motor Vehicles are authorised to require the weighing of goods vehicles and trailers.

### **397. Powers of Transport Authority to restrict speeds, weights etc :-**

The State Transport Authority and the Regional Transport Authority shall have the power:-

- (i) to impose speed limits ;
- (ii) to impose limits on the laden weight or axle weight or dimensions of motor vehicles generally or of a particular class of trailers in a specified area or in respect of any road; and
- (iii) to designate any road as main road :

Provided that power conferred on the Regional Transport Authority by this rule shall be subject to the control of the State Transport Authority:

Provided further that no limits or restrictions under Clause (ii) shall be imposed by the Regional Transport Authority without the specific concurrence of the State Transport Authority:

Provided also that the State Transport Authority or the Regional Transport Authority may by notification in the Andhra Pradesh Gazette, exempt any motor vehicle or class of motor vehicles from the provisions of this rule to such extent as may be specified therein.

### **398. Authorities empowered to erect traffic signs :-**

(1) Subject to the provisions of sub-rule (2), the Secretary of the Regional Transport Authority, shall object to the general instructions of the Regional Transport Authority, be the authority authorized to cause or permit traffic signs or speed breakers to be placed or erected in any public place for the purpose of bringing to public notice any speed limits fixed under sub-section (2) of Section 112 or any prohibitions or restrictions imposed under Section 115 or generally for the purpose of regulating motor vehicle traffic :

Provided that no traffic sign relating to stopping places for buses shall be caused or permitted to be placed or erected within a municipal area or in the cities of Hyderabad and Secunderabad except in consultation with the Municipal Commissioner concerned

or the Chief Executive Officer, Andhra Pradesh State Road Transport Corporation, as the case may be:

Provided further that if there is difference of opinion between the Secretary of the Regional Transport Authority and the Municipal Commissioner or the Chief Executive Officer aforesaid, as the case may be, the matter shall be placed before the Regional Transport Authority whose decision shall be final:

Provided also that the design of the speed breaker to be placed shall be as approved by the Chief Engineer (Roads and Buildings), Hyderabad.

(2) The Public Works Department or any other authority legally empowered to specify the maximum safe load for a bridge or culvert or to close a public road or street shall, for the purpose of exercising the said power, consult the Secretary of the Regional Transport Authority, and have the appropriate traffic signs erected.

**399. Weighing of vehicles believed to be used in contravention of restrictions :-**

(1) Any officer referred to in Rule 396 may if he has reason to believe that a goods vehicle is being used in contravention of any laden weight restriction imposed by competent authority, require that driver to convey the vehicle to weighing device if any within a distance of 1.6 kilometres from any point on the forward route or within a distance of 8 kilometres from the destination of the vehicle, for the weighing, and if on weighing, the vehicle is found to contravene such restrictions he may by order in writing direct the driver to convey the vehicle to a suitable place to be specified in the notice where the facilities exists for the storage of goods and not to remove the vehicle from that place until the laden weight or axle weight has been reduced so that it complies with such restriction. The charges for weighment shall be borne by the owner of the vehicle or the person in possession of the vehicle, whoever is available at the time of weighment of the Vehicle.

(2) The officers specified in Rule 396 for the purposes of storage of goods as required in sub-section (1) of Section 114 read with sub-rule (1) shall cause the vehicle to be taken to the office of the Regional Transport Officer, who shall be the prescribed officer to exercise the powers and perform the functions specified in sub-section (2) of Section 114:

Provided that no goods vehicle shall be deemed to have contravened the laden weight restrictions, if the excess weight is

not more than 5% of the permitted laden weight.

**400. Officers empowered to demand production of registration certificate :-**

(1) Magistrates, any officer of the Transport Department not below the rank of an Assistant Inspector of Motor Vehicles and Police Officers not below the rank of Sub-Inspector are authorized to demand the production of the certificate of registration of any vehicle, and where the vehicle is a transport vehicle the certificate of fitness.

(2) In the case of a transport vehicle belonging to the Andhra Pradesh Road Transport Corporation and stage carriages belonging to the Tirumala Tirupathi Devasthanam Choultry at Tirupathi if the certificate of registration or the certificate of fitness, as the case may be, is not at the time in the possession of the person to whom demand is made, it shall be sufficient compliance with the provisions of Section 130 if such person produces a certificate issued by the Secretary, Regional Transport Authority or the Assistant Secretary, State Transport Authority showing all the relevant particulars contained in the certificate demanded to be produced and shall thereafter produce the certificate of registration or the certificate of fitness at the time and place to be specified by the authority making the demand, the time so fixed being not more than ten days.

**401. Vehicle of Field Security :-**

The provisions of sub-section (3) of Section 130 shall not apply to motorcycles belonging to the Field Security Sections in the army.

**402. Officers empowered to demand information :-**

Police Officers not below the rank of sub-Inspectors are authorised to demand from the owner of a motor vehicle the driver or the conductor of which is accused of any offence under the Act all information regarding the name and address of and the Licence held by the driver or conductor which is in his possession or could by reasonable diligence be ascertained by him.

**403. Officers empowered to inspect vehicles involved in accident :-**

Magistrate, any officer of the Transport Department not below the

rank of an Assistant Inspector of Motor Vehicles and Police officers not below the rank of Inspector are authorised to inspect any motor vehicle involved in accident and for that purpose to enter at any reasonable time any premises where the vehicle may be and to remove the vehicle for examination.

#### **404. Signing device :-**

(1) The signing device with which a motor vehicle with a left-hand steering control is required to be equipped, shall be a direction indicator as prescribed in Rule 331 and shall be fitted to both sides of the vehicle.

(2) Notwithstanding anything contained in sub-rule (1), a vehicle other than a transport vehicle, obtained through the Disposals Organisation of the Central Government equipped with electric lighting, may be fitted with a mechanical direction indicator complying with the requirements of Rule 331 on the right-hand side of the vehicle only. The words caution left-hand drive shall be painted on the right hand rear of every such vehicle, near the number plate.

(3) The State Transport Authority, may, by order in writing, direct that the provisions of the sub-rule (2) shall apply to any transport vehicle or class of transport vehicles equipped with electric lighting specified in the order;

(4) Where a registering authority registers a transport vehicle in respect of which or belonging to class in respect of which, an order under sub-rule (3) has been made, he shall note in the certificate of registration the fact that the vehicle may be fitted with a mechanical direction indicator on the right-hand side only.

#### **405. Vehicles abandoned on the road :-**

If any motor vehicle is allowed to stand in any place other than a duly appointed parking place in such way as to cause obstruction to traffic or danger to any person, any Police Officer may, -

(i) forthwith cause the vehicle to be moved under its power or otherwise to the nearest place where the vehicle will not cause undue obstruction or danger;

(ii) unless it is moved to a position where it will not cause obstruction or danger take all reasonable precautions to indicate the presence of the vehicle ; and

(iii) if the vehicle has been stationary in one place for a continuous period of twenty four hours and adequate steps have not been

taken for its repair or removal by the owner or his representative, remove the vehicle and its contents to a place of safe custody.

#### **406. Parking places and halting places :-**

The authority under Section (117) shall be the Regional Transport Authority in the State for the purpose,-

(i)to determine places at which motor vehicles may stand either indefinitely or for a period of time; and

(ii)to determine the places at which public service vehicles may be allowed to stand for a longer time than is necessary for taking up or setting down passengers;

The Regional Transport Authority shall, however consult the Local Authorities concerned having jurisdiction in that regard.

#### **407. Vehicle in parking place :-**

If a motor vehicle has been stationery in a duly appointed parking place for a period exceeding that specified by the competent authority in respect of the said place, or if no such period has been specified for a period exceeding six hours, any Police Officer may remove the vehicle to a place of safe custody.

#### **408. Payment for removal :-**

Notwithstanding any fine or penalty which may be imposed upon any person upon conviction for the contravention of the provisions of Section 122 or of any regulations made by a competent authority in relation to the use of duly appointed parking places, the owner of the motor vehicle or his heirs or assigns shall be liable to make good any expenses incurred by any Police Officer in connection with the moving, lighting, watching or removal of a vehicle or its contents in accordance with Rules 405 and 407 and any Police Officer or any person into whose custody the vehicle has been entrusted by any Police Officer, shall be entitled to detain the vehicle until he has received payment accordingly and shall, upon receiving such payment, give a receipt to the person making the payment.

#### **409. Weighing devices-installation and use of :-**

A weighing device for the purpose of Section 114 may be:-

(i)a weigh bridge installed and maintained at any place by or under the orders of the Government or a local authority :

- (ii) a weigh bridge installed and maintained by any person and certified by the registering authority to be a weighing device for the purpose of the Act and these rules ; or
- (iii) a portable wheel-weigher of any kind approved by the Government.

**410. Weighing of vehicles-Driver to manipulate :-**

The driver of any goods vehicle shall upon demand by a competent authority, so drive and manipulate the vehicle as to place it or any wheels thereof, as the case may be, upon any weigh bridge or wheel-weigher in such manner that the weight of the vehicle or the weight transmitted by any wheel or wheels may be exhibited by the weigh bridge or wheel-weigher.

**411. Action on failure of driver to manipulate :-**

If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under Rule 410 a person authorized under Section 114 or under Rule 396 may cause any person, being the holder of a Licence authorizing him to drive the vehicle so to drive and manipulate the vehicle.

**412. Axle weight and laden weight of motor vehicle :-**

When the weight of axle weight of motor vehicle is determined by separate and independent determination of the weight transmitted by any wheel or wheels of the vehicle the axle weight and the laden weight of the vehicle shall be deemed to be the sum of the weights transmitted by the wheels of any axle or by all the wheels of the vehicle, as the case may be.

**413. Statement of weight :-**

on weighing a vehicle in accordance with Section 114 and these Rules, the person who has required the weighing or the person in charge of the weighing device shall deliver to the driver or other person in charge of the vehicle a statement in writing of the weight of the vehicle and of any axle, of which the weight is separately determined.

**414. Ghat roads-Restriction on driving with gear disengaged :-**

On any ghat road and elsewhere on any hill, marked by appropriate traffic sign prescribed under the Act, no person shall drive a transport vehicle with the engine free that is to say, with the gear level in neutral the clutch lever depressed or with any free wheel or other device in operation which frees the engine from the driving wheels and prevents the engine from acting as a brake when the vehicle is traveling down an incline.

Explanation :- GHAT ROAD means a road notified in the District Gazette as such by the Regional Transport Authority of the region or by Government in the Andhra Pradesh Gazette indicated by notice board erected at each end of such road.

**415. Prohibition of mounting or dismounting when vehicle is in motion :-**

No person shall mount or attempt to mount or dismount from any motor vehicle, other than a motor cycle, when the motor vehicle is in motion nor shall the driver or person in charge of such vehicle permit any person to do so.

**416. Vehicle not to be towed down to any motor vehicle :-**

No vehicle other than a mechanically disabled or incompletely assembled motor vehicle, a registered trailer or a sidecar, shall be drawn or towed by any motor vehicle.

**417. Prohibition of taking hold of vehicle in motion :-**

No person shall take hold of, and, no driver of a motor vehicle shall cause or allow any person to take hold of, any motor vehicle when in motion for the purpose of being towed or drawn upon some other wheeled vehicle or otherwise.

**418. Prohibition of towing motor cyclist or cyclist :-**

No driver of motor vehicle shall tow a cyclist or motor cyclist and no cyclist or motor cyclist shall allow himself to be towed by such vehicle.

**419. Licenced driver to be, in drawn vehicle :-**

No motor vehicle shall be drawn or towed by any other motor vehicle unless there is in the drivers seat of the motor vehicle being drawn or towed a person holding a Licence authorising him to drive



the vehicle or unless one axle of the motor vehicle being towed is firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

#### **420. On Tow to be displayed :-**

When a motor vehicle is being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed 4.6 meters. Steps shall be taken to render the two with a rope or a chain easily distinguishable by other users of the road, and there shall be clearly displayed on the rear of the vehicle being towed in black letters not less than 76 millimetres high and on a white ground the words On Tow:

Provided that no person shall be liable to be convicted for the contravention of this rule for failure to display the words On Tow if the motor vehicle which is towing the other is not a motor vehicle adopted and ordinarily used for the purpose and so long as the vehicle is being towed between the place of the breakdown and the nearest place on the route from which the necessary materials can be obtained.

#### **421. Speed of towing vehicle :-**

No motor vehicle when towing another vehicle other a trailer or sidecar shall be driven at a speed exceeding 24 Kilometres per hour.

#### **422. Load-projection of :-**

No person shall drive, and no person shall cause or allow to be driven, in any public place any motor vehicle which is loaded in a manner likely to cause danger to any person or in such manner that the load or any part thereof of anything extends:-

- (i) laterally beyond the side of the body or beyond a vertical plane in prolongation of the side of the body;
- (ii) to the front beyond the foremost part of the vehicle ;
- (iii) to the rear to a distance exceeding 1.5 metres beyond the rear-most part of the vehicle excluding any luggage carrier; and
- (iv) in height by distance which exceeds 3.8 metres from the surface upon which the motor vehicle rests.

#### **423. Precaution with goods vehicle with projecting load :-**

Clause (iii) of Rule 422 shall not apply to a goods vehicle when loaded with any pole or other projecting thing so long as:-

(i) the projecting load falls within the limits of the body of a trailer being drawn by the goods vehicle; or

(ii) the distance by which the pole or other thing projects beyond the rear-most point of the vehicle does not exceed 1.5 metres; and

(iii) there is attached to the rear of such pole or other thing in such a way as to be clearly visible from the rear:-

(a) during the period between half an hour before sunrise and half an hour after sunset, a red flag of dimensions not less than 0.6 metres; and

(b) at other times, a lamp in addition to the prescribed lamps on the vehicle, so arranged as to show a red light to the rear.

#### **424. Authority competent to exempt :-**

The Commissioner of Police in the cities of Hyderabad and Secunderabad and the Superintendent of Police at other places may, by order in writing, exempt any motor vehicle for such purpose, and for such period, subject to such conditions, as he may specify, in that order from any or all of the provisions of Rules 422 and 423.

#### **425. Production of driving Licences - Exemption :-**

The drivers of vehicles belonging to the Andhra Pradesh Fire Service shall be exempt from the provisions of Section 130(1) of the Act, provided they are in uniform at the time of checking.

#### **426. Carriage of dangerous substances :-**

Except for the fuel and lubricants necessary for the use of the vehicles, no explosive, highly inflammable or otherwise dangerous substances shall be carried on any public service vehicle:

Provided that nothing in this rule shall apply to safely packed cartridges for small arms, which a passenger may take with him in any such vehicle.

#### **427. Sound signals -Restrictions on use :-**

No driver of a motor vehicle shall sound the horn or other device for giving audible warning, with which the motor vehicle is equipped, or shall cause or allow any other person to do so, to an extent beyond that which is reasonably necessary to ensure safety.

#### **428. Authority to prohibit sound signals :-**

The Commissioner of Police in the cities of Hyderabad and Secunderabad and elsewhere the Collector may, by notification in the Official Gazette and by the erection in suitable places of appropriate traffic signs prescribed under the Act, prohibit the use of any horn, gong or other device on a motor vehicle for giving suitable warning within such locality and during such hours as may be specified in the notification:

Provided that when the Commissioner of Police or the Collector as the case may be, prohibits the use of any horn, gong or other device for giving audible warning during certain specified hours, he shall cause a suitable notice in English and in the script of the city or district, setting forth the hours within which such use is so prohibited to be affixed below the traffic sign.

#### **429. Cut-Outs -Prohibition of :-**

No driver of a motor vehicle shall, in any public places make use of any cut-out or other device by means of which the exhaust gases of the engine are released, save through the silencers.

#### **430. Dazzling lights -Restriction of :-**

(1) The driver of a motor vehicle shall at all times when the lights of the motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle and for this purpose shall black the upper halves of the obligatory front lamps.

(2) The Commissioner of Police in the cities of Hyderabad and Secunderabad and the District Collector elsewhere may by notification in the Official Gazette and by erection of suitable notices, prohibit the use, within such areas or in such places as may be specified in the notification of lamps giving dazzling or intense light.

#### **431. Use of lamps when a vehicle is at rest :-**

(1) If, within the limits of any municipality or cantonment, a motor vehicle is at rest within the hours during which lights are required, at the left hand side of any road or street or elsewhere in duly appointed parking place, it shall not be necessary for the motor vehicle to exhibit any light save as may be required generally or

specifically by the Commissioner of Police in the cities of Hyderabad and Secunderabad and elsewhere by the Collector.

(2) Outside the limits of any municipality or cantonment, if a motor vehicle is at rest within the hours during which lights are required in such a position as not to cause danger or undue inconvenience to other users of the road it shall not be necessary for the motor vehicle to display any light.

#### **432. Visibility of lamps and registration marks :-**

No load or other things shall be placed on any motor vehicle so as at any time to mask or otherwise interrupt vision of any lamp, registration mark or other mark required to be carried by or exhibited on any motor vehicle by or under the provisions of the Act, unless a duplicate of the lamp or mark so marked or otherwise obscured is exhibited in the manner required by or under the Act for the exhibition of the marked or obscured lamp or mark.

#### **433. Registration and other marks to be kept in clear condition :-**

All registration and other marks required to be exhibited on a motor vehicle by or under the provisions of the Act shall at all times be maintained as far as may be reasonably possible in a clear and legible condition.

#### **434. Driving mirror-obscuring of :-**

No person driving or in charge of a motor vehicle shall, -

(i) permit any person to stand or sit; or

(ii) place or permit anything to be placed in such manner or position as to obscure the drivers vision by the mirror referred to in Rule 339.

Provided that Clause (ii) shall not apply to a vehicle fitted with a blind on the rear window when this blind is used during nighttime.

#### **435. Stop sign on road surface :-**

(1) When any line is painted on or inlaid into the surface of any road at the approach to a road junction or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects beyond that line at any time when a signal to stop is, being given by a police officer or by means of traffic control lights or by a traffic sign.

(2) A line for the purposes of this rule shall be not less than 51 millimetres in width at any part and shall be either in white, black or yellow.

**436. Traffic signs to be observed :-**

(1) Every driver of a motor vehicle shall drive the vehicle in conformity with any indication given by a traffic sign, the erection of which is permitted under sub-section (1) of Section 116.

Provided that this rule shall not apply to the drivers of vehicles belonging to the Andhra Pradesh Fire Services engaged for the purpose of fire fighting.

(2) Every driver of a motor vehicle shall, at the approach of any manned, or unmanned railway level crossing, stop vehicle to allow the conductor to alight and see both sides of the track to ensure that the way is clear; only after the conductor has so ensured himself and given the signal to pass, the driver shall proceed over the level crossings:

Provided that in cases where there is no conductor the driver himself should alight and ensure that the way is clear before he proceeds.

**437. Crash helmets to be worn :-**

The protective headgear under Section 129 shall be a standard one.

**438. Prohibition of attachment of trailer :-**

No motor vehicle which exceeds 8 metres in length shall draw a trailer:

Provided that this rule shall not prohibit such a vehicle from towing a disabled motor vehicle:

Provided further that this rule shall not apply to stage carriages permitted to draw trailers under Rule 283.

**439. Attendants on trailers :-**

When a motor vehicle draws one or more trailers, the following persons not being less than twenty years of age and competent to discharge their duties shall be carried, that is to say: -

(a) if the brakes of the trailer or trailers cannot be operated from the motor vehicle ;

(i) one person on every trailer competent to apply the brakes; and

(ii) one person placed at or near the rear of the last trailer in such a position as to have a clear view of the road in rear of the trailer, to signal to the drivers of covering vehicles and to communicate with the driver of the drawing motor vehicle.

(b) if the brakes of the trailer can be operated by some person other than the driver, carried on that vehicle such other person in addition to the driver shall be carried on that vehicle and one person on the last trailer in accordance with the provisions of sub-clause (ii) of Clause (a) ;

(c) if the trailer is or trailers are being drawn by a locomotive notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other persons on the locomotive, not less than one person on each trailer and not less than two persons on the last trailer in train one of whom shall be the person required by the provisions of sub-clause (ii) of Clause (a).

#### **440. When attendants may not be carried on trailers :-**

Rule 43 shall not apply,

(i) to any trailer having not more than two wheels and not exceeding 771 Kilograms in weight laden when used singly and not in a train with other trailers ;

(ii) to the trailing half of an articulated vehicle ;

(iii) to any trailer used solely for carrying water for the purpose of the drawing vehicle when used singly and not in train with other trailers;

(iv) to any agricultural or road-making or road-repairing or road-cleaning implement drawn by a motor vehicle ;

(v) to any closed trailer specially constructed for any purpose and specially exempted from any or all of the provisions, of this rule by an order in writing made by the registering authority, to the extent exempted; or

(vi) to any trailer specially constructed or adapted for any purpose upon which an attendant cannot safely be carried.

#### **441. Distinguishing marks for trailers :-**

(1) No person shall drive or cause to be driven, in any public place any motor vehicle unless there is exhibited on the front of the prime mover and on the back of the last trailer, a distinguishing mark in white on a black ground, in the form set out in Third Schedule to these rules;

(2) The mark shall be unobscured and shall be so fixed that:-

- (i) the letter on the mark is vertical and easily distinguishable;
- (ii) no part thereof is at a height exceeding 1.2 metres from the ground.
- (3) This rule shall not apply to the cases referred to in Clauses (i), (ii), (iii), (iv) and (vi) of Rule 440.

**442. Attendants on locomotives :-**

Every locomotive shall carry not less than one attendant, being a competent person of over twenty years of age, in addition to the driver, to assist the driver in the management of the locomotive.

**443. Foot-path cycle tracks and traffic segregation :-**

Where any road or street is provided with foot-paths, or tracks reserved for cycle of specified classes or other traffic, no person shall save with the sanction of a police officer in uniform, drive any motor vehicle or cause or allow any motor vehicle to be driven on any such foot path or track.

**444. Restriction on the roof of double-decked vehicle :-**

Nothing shall be placed or carried on the outside of the roof of double-decked public service vehicle.

**445. Restriction on traveling backwards :-**

No driver of a motor vehicle shall cause the vehicle to travel backwards without first satisfying himself that he will not thereby cause danger or undue inconvenience to any person or in any circumstances save in the case of a road roller, for any greater distance or period of time than may be reasonably necessary in order to turn the vehicle round.

**446. Exemption by Government :-**

(1) The Government may, by notification in the Andhra Pradesh Gazette, exempt to such extent as may be specified in the notification any motor vehicle or class of motor vehicles from all or any of the provisions of the rules framed under Chapter VIII of the Act.

(2) The powers conferred on the State Government under sub rule (1) shall also be exercised by the State Transport Authority, in respect of exemption of any motor vehicle for such purpose for such

period and subject to such conditions as may be specified from any or all of the provisions of Rules 422 and 423:

Provided that the State Transport Authority may, for prompt and convenient dispatch of business by general or special order delegate to its Secretary the powers under this sub-rule.

**447. Power to impound documents :-**

Officer of the Transport Department not below the rank of Asst. Motor Vehicles Inspector and every Police Officer not below the rank of Circle Inspector of Police are authorized to exercise powers under Section 206.

**448. Powers to detain vehicles :-**

Officer of the Transport Department not below the rank of Assistant Motor Vehicles Inspector and every Police Officer not below the rank of Circle Inspector of Police are authorised to exercise powers under Section 207.

**448A. Procedure of seizing and detaining a Motor Vehicle :-**

When a motor vehicle is seized and detained by any officer referred to Rule in 448, he shall take the following steps :-

(i) arrangements shall be made for temporary safe custody of the motor vehicle in the nearest Police Station or at any appropriate place ;

(ii) the fact of seizure and detention shall be informed without delay to the Secretary, Regional Transport Authority of the region and the Secretary, Regional Transport Authority of the region to which the motor vehicle belongs ;

(iii) the officer who seized and detained the motor vehicle may release the vehicle of the offence for which it is seized and detained are compounded under Section 200 under intimation to the Secretaries of Regional Transport Authorities mentioned in Clause (ii) ;

(iv) where prosecution of the driver or owner or both is necessary, charge sheets against them shall be filed before the concerned Magistrate within three days from the date of seizure and the motor vehicle shall be released by the Officer who detained it after the prosecution is completed under intimation to Secretaries of Regional Transport Authorities mentioned in Clause (iii) ;

(v) Mahazor of the vehicles is to be carried out notifying its



condition of each tyre fitted and parts which are easily removable, replaceable and tamperable, viz., batteries, fuel-pump, Dynamo, Deferential, engine, extra lights etc. and loose parts, Stepney tyres and tools and a copy of it is to be delivered to the person from whom it is seized, duly signed.

#### **448B. Release of seized and detained vehicles :-**

(1) An application for release of a vehicle seized and detained under sub-section (1) of Section 207 shall be in the form of a memorandum in duplicate with relevant documents duly enclosing a fee of rupees twenty five.

(2) The Secretary, Regional Transport Authority, of the Region shall be entertain application for release of vehicles sized and detained by his subordinate officers :

Provided that application shall be made to the Deputy Transport Commissioner in the case of check made by the Secretary, Regional Transport Authority in the cadre of Regional Transport Officer and the Transport Commissioner, if the Secretary, Regional Transport Authority is of the Deputy Transport Commissioner or Joint Transport Commissioner.]

#### **449. Powers of search etc :-**

Officers of the Transport department not below the rank of Assistant Motor Vehicle Inspector and every Police Officer not below the rank of Sub-Inspector of Police are authorised to exercise powers under Section 213 (5).

#### **450. Powers to levy penalty for causing of obstruction :-**

Officer of the Transport Department not below the rank of Assistant Motor Vehicles Inspector and every Police Officer not below the rank of Inspector of Police are authorised to exercise to collect penalty under Section 201. Further the Sub- Inspector of Police in charge of traffic is also empowered to collect penalty under Section 201 in the Municipal areas.

### **CHAPTER 9 Insurance of Motor Vehicles against third party risks**

#### **451. Insurance Certificate - Requisite condition for issue of permit :-**

No permit shall be issued in respect of any transport vehicle unless

it is covered with a valid certificate of insurance and satisfied the requirements of Chapter XI of the Act.

**452. Insurance certificate, pre-requisite condition for payment of motor vehicles tax :-**

The owner of a motor vehicle applying to pay the tax on the vehicle shall forward with the application a certificate of insurance relating to the vehicle and complying with the requirements of Chapter XI of the Act and valid,-

(a) if the application is made prior to the commencement of the period for which the tax is tendered, on the first day of that period; or

(b) if the application is made during the period for which the tax is tendered, on the date on which the application is made:

Provided that the owner of a vehicle exempted under sub-section (2) of Section 146 shall forward in place of the certificate of insurance the certificate prescribed in Rule 12 of the Motor Vehicles (Third Party insurance) Rules, 1946.

**453. Cover Note - Intimation of :-**

An insurer required under Section 147 to notify the fact of not issuing the policy of insurance following the issue of cover note shall notify that fact to the Registering Authority having jurisdiction over the area where the owner of the vehicle covered by the cover note normally resides or has his place of business.

**CHAPTER 10 Police powers - Exercise of**

**454. Rule 454 :-**

The powers exercisable by a Police Officer under Section 130 (1), 133, 158 (1) 202 and 203 shall be exercisable also by any officer of the Transport Department not below the rank of an Assistant Inspector of Motor Vehicles.

**CHAPTER 11 CLAIMS TRIBUNALS - ESTABLISHMENT OF**

**455. Applications :-**

Every application for payment of compensation made under Section 166 shall be made in Form C.I.D. and shall be accompanied by the fee prescribed there for in Rule 475.

#### **456. Examination of the applicant :-**

On receipt of an application under Rule 455 the Claims Tribunal may, examine the applicant on oath and the substance of such examination, if any, shall be reduced to writing.

#### **457. Summary dismissal of application :-**

The Claims Tribunal may after considering the application and the statement if any, of the applicant recorded under Rule 456 dismiss the application summarily. If for reasons to be recorded, it is of the opinion that there are no sufficient grounds for proceeding therewith.

#### **458. Notice to parties involved :-**

(1) If the application is not dismissed under Rule 457, the Claims Tribunal shall send to the owner of the motor vehicle involved in the accident and its insurer, a copy of the application, together with a notice of the date on which it will hear the application and may call upon the parties to produce on that date any evidence, which they may wish to tender.

(2) The Claims Tribunal may also require the defendant to furnish the following information to satisfy itself that a spurious or a collusive claim has not been preferred;

(i) Particulars of all earlier accidents in which the defendant has been involved;

(ii) the amount of compensation paid in such earlier accidents, the name and address of the victim and the name of the insurer who paid the damage; and

(iii) his connection, if any, with the claimant.

#### **459. Appearance and examination of parties :-**

(1) The owner of the motor vehicle and the insurer may, and if so required by the Claims Tribunal shall, at or before the first hearing or within such further time as the Claims Tribunal may allow, file a written statement dealing with the claim raised in the application any such written statement shall form part of the record.

(2) If the owner or the insurer contests the claim, the Claims Tribunal may, and if no written statement has been filed, it shall proceed to examine the owner and the insurer upon the claim and shall reduce the substance of the examination to writing.

#### **460. Summoning of witnesses :-**

If an application is presented by any party to the proceeding for the summoning of witnesses, the Claims Tribunal shall, on payment of the expenses involved, if any, issue summons for the appearance of such witnesses, unless it considers that their appearance is not necessary for a just decision of the case.

#### **461. Appearance of legal practitioner :-**

The Claims Tribunal shall allow any party to appear before it through a legal practitioner.

#### **462. Local Inspection :-**

- (1) The Claims Tribunal may, at any time during the course of any inquiry before it visits the site at which the accident occurred for the purpose of making a local inspection or examining any persons likely to be able to give information relevant to the proceeding;
- (2) Any party to a proceeding or the representative of any such party may, accompany the Claims Tribunal for a local inspection;
- (3) The Claims Tribunal after making a local inspection shall note briefly in a memorandum any facts observed, and such memorandum shall form part of the record of inquiry; and
- (4) The memorandum referred to in sub-rule (3) may be shown to any party to the proceedings who desires to see it and a copy thereof may on application be supplied to any such party.

#### **463. Inspection of the vehicle :-**

The Claims Tribunal may, if it thinks fit require the motor vehicle involved in the accident to be produced by the owner for inspection at a particular time and place to be mentioned by it, if necessary in consultation with the owner.

#### **464. Power of summary examination :-**

- (1) The Claims Tribunal during a local inspection or at any other time save at a formal hearing of case pending before it, may examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not, and whether any or all of the parties are present or not.
- (2) No oath shall be administered to a person examined under sub-

rule (1).

**465. Method of recording evidence :-**

The Claims Tribunal shall, as examination of witnesses proceeds, make a brief memorandum of the substance of the evidence of each witness and such memorandum shall be written and signed by the members of the Claims Tribunal and shall form part of the record:

Provided that the evidence of any medical witness shall be taken down as nearly as may be word for word.

**466. Adjournment of hearing :-**

If the Claims Tribunal finds that an application cannot be disposed of at one hearing, it shall record the reason, which necessitated the adjournment and also inform the parties present of the date of adjourned hearing.

**467. Co-opting of persons during inquiry :-**

(1) The Claims Tribunal may, if it thinks fit, co-opt one or more persons possessing special knowledge with respect to any matter relevant to the inquiry.

(2) The remuneration, if any, to be paid to the person or persons co-opted shall in every case be determined by the Claims Tribunal.

**468. Framing of Issues :-**

After considering any written statement, the evidence of the witness examined and the result of any local inspection, the Claims Tribunal shall proceed to frame and record the issues upon which the right decision of the case appears to it to depend.

**469. Determination of issues :-**

After framing the issues, the Claims Tribunal shall proceed to record evidence thereon which each party may desire to produce.

**470. Dairy :-**

The Claims Tribunal shall maintain a brief diary of the proceedings on an application.

**471. Judgment and award of compensation :-**

(1) The Claims Tribunal in passing orders shall record concisely in a judgment the findings on each of the issues framed and the reasons for such findings and make an award specifying the amount of compensation to be paid by the insurer and also the person or persons to whom compensation shall be paid;

(2) Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them;

(3) The Claims Tribunal shall forward a copy of its award to the Secretary, Regional Transport Authority having jurisdiction over the place of the accident for appropriate action against the driver and owner of the vehicle concerned in case either criminal proceedings have not already been initiated against them or they have proved unsuccessful for lack of evidence.

#### **472. Enforcement of an award of the Claims Tribunal :-**

Subject to the provisions of Section 174, the Claims Tribunal shall, for the purpose of enforcement of its award, have all the powers of a Civil Court in the execution of a decree under the Code of Civil Procedure, 1908, as if the award were a decree for the payment of money passed by such Court in a Civil Suit.

#### **473. Code of Civil Procedure to apply in certain cases :-**

The following provisions of the First Schedule to the Code of Civil Procedure, 1908 (Central Act 5 of 1908), shall so far as may be, apply to proceedings before the Claims Tribunal namely, Order V, Rules 9 to 13 and 15 to 30; Order IX, Order XIII, Rules 3 to 10; Order XVI Rules 2 to 21; Order XVII and Order XXVIII; Rules 1 to 3.

#### **474. Form and number of appeals against the decision of Claims Tribunal :-**

(1) An Appeal against the award of a Claims Tribunal shall be a preferred in the form of a memorandum stating concisely, the grounds on which the appeal is preferred;

(2) It shall be accompanied by a copy of the judgment and the award appealed against.

#### **475. Fees :-**

(1) Every application under sub-section (1) of Section 166 of the Act for payment of compensation shall be accompanied by a fee in the form of court fee stamps as specified below:

(a) If the claim is confined to special damage, only Re.1;

(b) If the claim includes general damages also, an ad valorem fee at the following rates, on the aggregate of the claims for special and general damages:

Amount of Claim	Amount of Court fee
Upto Rs. 10,000	1/4 % of the amount of claim
From Rs .50,000 to 1,00,000	1/2 % of the amount of claim
Above Rs.1,00,000	1 % of the amount of claim

Explanation:- For the purpose of the above sub-rule;

(i) Special damages is one which has to be specially pleaded and proved. It consists of out of pocket expenses and loss of earning incurred down to the date of trial, and is generally capable of exact substantial calculations; and

(ii) General damages is one which the law implies and which is not specially pleaded. It includes compensation for pain and suffering and like and if the injuries suffered are such as to lead to continuing or permanent disability, compensation for loss of earning power.

(2) The Claims Tribunal may in its discretion exempt a party from the payment of fee prescribed under sub-rule (1):

Provided that where a claim of party has been accepted by the Claims Tribunal, the party shall have to pay the prescribed fee, exemption in respect of which has been granted initially before a copy of the judgment is obtained.

#### **476. Application for claim :-**

(1) Every application in the case of claim under Chapter X of the Motor Vehicles Act, 1988; shall be made in Form CWF (Claim Without Fault);

Provided that the application shall also be accompanied by an affidavit stating that the petitioner has not filed any other claim petition regarding the same cause of action or the same accident in the same Tribunal or any other Tribunal to his/her knowledge.

(2) Fees:- Every applicant along with application for claim under Chapter X shall pay a fee of Rs. 10/-

(3) Consideration of the claim: Every claim under Chapter X of the Motor Vehicles Act shall be adjudicated by the Tribunal summarily complying with the principles of natural justice

(4) Application not to be rejected on technical flaw - The Claims Tribunal shall not reject any application made as per the provision of Chapter X of the Motor Vehicles Act, 1988 on the ground of any technical flaw, but shall give notice to the applicant and get the defect rectified.

(5) Presence of owner and insurer not necessary to award the claim

after notice :- The Claims Tribunal shall give notice to the owner and insurer, if any of the motor vehicle involved in the accident, directing them to appear on a date not later than 10 days from the date of issue of notice. The date so fixed for such appearance shall also be not later than 15 days from the receipt of the claim application. The Claims Tribunal shall state in such notice, that in case they fail to appear on such appointed date, the tribunal will proceed ex-parte on the presumption that they have no contention to make against, the award of compensation.

(6) Award of Claim :- The Claims Tribunal shall obtain whatever information necessary from the Police, Medical and other authorities and proceed to award the claim whether the parties who were given notice, appear or not on the appointed date.

(7) Basis to award the claim :- The Claims Tribunal shall proceed to award the claim on the basis of;-

(i) Registration Certificate of the Motor Vehicle involved in the accident;

(ii) Insurance Certificate or Policy relating to the insurance of the Motor Vehicle against the Third party risk;

(iii) Copy of First Information Report;

(iv) Post-mortem certificate or certificate of inquiry from the Medical Officer; and

(v) The nature of the treatment given by the Medical Officer who has examined the victim.

(7A) Specification of amount of compensation awarded by the Tribunal to each victim:- Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them.

(8) Limitation for disposal of application:- The Claims Tribunal before whom an application for compensation liability arising out of the provisions of Chapter X of the Motor Vehicles Act, 1988, has been made, shall dispose of such an application within forty five days from the date of receipt of such application.

(9) Payment of compensation of the Claims Tribunal:- The procedure of adjudicating the liability and award of compensation may be set apart from the procedure of disbursement of compensation to the legal heirs in case of death. Where the claims Tribunal feels that the actual payment to the claimant is likely to take some time because of the identification and determination of legal heirs of the deceased, the Claims Tribunal may call for the amount of compensation awarded to be deposited with the Tribunal and then proceed with the identification of the legal heirs for



deciding payment of compensation to each of the legal heirs. This contingency will not arise in case of adjudication and payment of compensation in the case of disablement.

#### **476A. Affixing Photograph on Claim Application :-**

Notwithstanding anything contained in Rules 455 and 476, the petitioner or petitioners shall either affix their recent photographs on the original Claim Application or affix on a separate sheet of paper and fasten the same to the original Claim Petition with their signatures or thumb impressions as the case may be duly attested by Advocate on Record.

### **CHAPTER 12 Miscellaneous**

#### **477. Refund of Fees :-**

Subject to the provisions of Rules 478 and 479 the Secretary, State Transport Authority or the Secretaries or Additional Secretaries of the Regional Transport Authorities as the case may be, may on application, sanction the refund of:

- (i) the full fee paid; where the conductors Licence, the driving Licence or badge applied for is refused or the application for the conductors Licence, the driving Licence or badge is cancelled or withdrawn by the applicant before the conductors Licence, the driving Licence or badge, as the case may be, is actually issued and the transaction completed:-
- (ii) the excess, where the amount paid is in excess, of the proper fee;
- (iii) the full fee paid, where the fee was paid by mistake; and
- (iv) the full fee paid, where the notification in respect of a route issued by a Transport Authority is subsequently withdrawn for technical reasons, or where the remittance of the fee is not followed by an application for the purpose for which the fee was paid.

#### **478. No refund after inspection :-**

No refund of fee for a certificate of fitness shall be made when the inspection of the vehicle, in respect of which the certificate was applied for, has been carried out.

#### **479. Time for application for refund :-**

- (1) No refund of the fee shall be made if the application for such

refund is not made within three months from the date of receipt by the applicant of the order rejecting the application in respect of which the fee is paid and if an appeal is preferred against such order, within three months from the date of receipt by the applicant of the order of the appellate authority rejecting the appeal;

Provided that, where the remittance of the fee is not followed by an application for the purpose for which the fee was paid, no refund or the fee shall be made, if the application for such refund is not made within one year from the date of the credit of the fee to the Government.

(2) No refund of fee paid by mistake shall be made if the application for such refund is not made within one year from the date of the credit of the fee to the Government.

#### **480. Refund of appeal fee etc. :-**

The Deputy Transport Commissioner concerned or the Secretary, State Transport Authority, or the Secretary to the Government, the department dealing with Road Transport as the case may be, may on application sanction as refund of the fee paid under Rules 164 and 162(2) in case where the remittance of the fee is not followed by an appeal or a revision petition for which the fee was paid:

Provided that no refund of the fee shall be made if the application for such refund is not made within one year from the date of the credit of the fee.

#### **481. Uniform for Regional Transport Officers, Assistant Transport Commissioner, Deputy Transport Commissioners, Inspector of Motor Vehicles and Assistant Inspector of Motor Vehicles :-**

(a) The Uniform for Regional Transport Officer, Assistant Transport Commissioner and Deputy Transport Commissioner shall be as follows:-

(1) Regional Transport Officer :

(1) Navy Khaki forage cap with monogram APTS;

(2) Coat (open collar) Bush shirt with Trousers of Police pattern in Khaki;

(3) Tie and round woven whistle cord of light blue colour;

(4) Shoulder badge with monogram APTS;

(5) Cross belt of Police pattern of dark brown leather with silver fittings;

- (6) Ashoka Stamba Emblem on the shoulder strap;
- (7) Brown shoes (as in the case of Indian Army);
- (8) Name badge with name and designation prominently exhibited on the front of the uniform.
- (2) - - - - - Omitted
- (3) Deputy Transport Commissioner:-
  - (1) Navy Khaki forage cap with monogram APTS;
  - (2) Coat (open collar) bush shirt or shirt with trousers of Police pattern in Khaki;
  - (3) Tie and round woven whistle cord of light blue colour;
  - (4) Shoulder badge with monogram APTS;
  - (5) Cross belt of Police Pattern of dark brown leather with silver fittings;
  - (6) Ashoka Stamba emblem and one five pointed silver plated star on the shoulder strap;
  - (7) Brown shoes (as in the case of Indian Army);
  - (8) Name badge with name and designation prominently exhibited on the front of the uniforms.
- (b) The Uniform for the Inspector of Motor Vehicles and assistant Inspector of Motor Vehicles shall be as follows:-
  - (1) Navy khaki forage cap with monogram APTD;
  - (2) Coat (open collar), bush shirt or shirt with trousers of Police pattern in Khaki;
  - (3) The round woven whistle cord of light blue colour;
  - (4) Cross belt of Police pattern of dark brown leather with silver fittings;
  - (5) Silver plated buttons as illustrated below;
  - (6) Black shoes;
  - (7) Three five pointed stars for the Inspector of Motor Vehicles and two for the Assistant Inspector of Motor Vehicles (Star of Indian pattern, 25mm. In diameter). The stars should be slightly frosted but without any design in the centre as illustrated below, Shoulder badge with letters APTD in block letters as illustrated below will be worn at the base of the shoulder strap. The stars and letters will be of white metal;
  - (8) Name badge with name and designation prominently exhibited on the front of the uniforms.

**482. Manner of payment of fee :-**

Payment of all amounts due under the Act and the rules shall be made by means of treasury receipts in Form TCH to the value for

which payment is required unless otherwise provide in any particular case.

#### **483. Transport Department - Establishing of :-**

A motor Vehicles department called the Transport Department shall be established under Section 213 of the Act and the Transport Commissioner shall be the head of that Department. The Secretary of State Transport Authority, the Joint Transport Commissioners, the Deputy Transport Commissioners, the Assistant Transport Commissioners, the Secretaries, the Additional Secretaries, the Joint Secretaries and the Assistant Secretaries of the Regional Transport Authority, the Regional Transport Officer, the Inspector of Motor Vehicles, the Assistant Inspector of Motor Vehicles, the Officers functioning as licensing and registering authorities and all the other officers who may from time to time, be appointed for the aforesaid purpose shall be regarded as the officers of the Transport Department and shall exercise powers and perform the duties assigned to them, from time to time, under the Act and these rules. They shall carry out the instructions and order issued from time to time, by the Transport Commissioner.

#### **484. Agency to issue Pollution Under Control Certificate :-**

Every Registering Authority and Additional Registering Authority as defined under Rule 79 of the Andhra Pradesh Motor Vehicles Rules, 1989 and any other Pollution Testing Stations authorized by the Licensing Authority shall be the agency to issue Pollution Under Control Certificate.

(ii) Validity of Pollution Under Control Certificate;- The period of validity of Pollution Under Control Certificate shall be six months from the date of issue.

(iii) Format of Pollution Under Control Certificate;- The format of Pollution Under Control Certificate in triplicate shall be in Form P.U.C

(iv) Format of Pollution Control Notice; The format of Pollution Control Notice shall be in Form P.C.N.

(V) Format of Pollution Testing Notice; - The format of Pollution Testing Notice shall be in Form P.T.N;

#### **485. Fee for testing and issue of Pollution Under Control Certificate :-**

The following fee is payable in respect of Motor Vehicles for testing or for issue of Pollution Under Control Certificate.

Category	Fee
1. Petrol Two Wheelers	..Rs.15-00
2. Petrol Three and Four Wheelers	..Rs.25-00
3. Diesel any Category	.. Rs.30-00

Where the smoke emissions are found to exceed specified limits on testing, the authorized agency shall direct the owner or driver of the vehicle to get the defects rectified, unless they are minor in nature so as to comply with the provisions by issuing a Notice in Form Pollution Testing Notice.

#### **486. Pollution Testing Stations and Establishments :-**

(1) No person shall establish or maintain any Pollution testing station for testing emission levels of gases and smoke as specified under sub-rules (2), (3),(4) and (5) of Rule 115 of the Central Motor Vehicles Rules, 1989 for the purpose of issuing a Pollution Under Control Certificate unless he has obtained a Licence in Form L.T.S from the concerned licensing Authority.

(2) An application for the grant or renewal of a Licence shall be made in form L.T.S.A. or Form L.T.S., AR., as the case may be, to the concerned licensing authority.

(3) (i) The application for grant of Licence shall be accompanied by appropriate fee as specified in sub-rule (14).

(ii) The applicant shall deposit an amount of Rs.5,000.00 with the licensing authority as a security deposit along with the application

(iii) The application for renewal of Licence shall be accompanied by appropriate fee as specified in sub-rule (14).

(4) The Licensing authority shall have regard to the following matters for consideration of an application for the grant or renewal of a Licence under this rule, namely:-

(i) The applicant is engaged in the business of maintenance and servicing of vehicles;

(ii) The applicant or any member of the staff employed by him for testing the vehicles shall be able to operate the gas analyser and smoke meter available with the testing station and rectify minor defects of the vehicles in this regard;

(iii) The premises where the testing is proposed to be conducted is either owned by the applicant or is taken on lease by him or is hired in his name and it has adequate infrastructure as required for carrying out the job.

(iv) The applicant is in possession of either minimum one smoke

meter or one gas analyzer or both of the type approved under sub-rule (3) of Rule 116 of the Central Motor Vehicles Rules, 1989.

(v) The applicant is financially sound to maintain the pollution-testing centre.

(5) The Licensing Authority may on receipt of an application under sub-rule (2) and after satisfying that the applicant has complied with the requirements under sub-rule (3) grant or renew a Licence.

(6) No application for Licence shall be refused by the Licensing Authority; unless the applicant is given an opportunity of being heard and reasons for such refusal are given in writing by the Licensing Authority.

(7) Duration of Licence and Renewal thereof:- (1) A Licence granted in Form L.T.S shall be in force for a period of three years and may be renewed on an application made in Form L.T.S. AR to the Licensing Authority which granted the Licence not less than thirty days before the date of its expiry for a further period of three years.

(2) No application for renewal of the Licence shall be refused by the licensing authority unless the applicant is given reasons for such refusal in writing by the licensing authority.

(8) Issue of Duplicate Licence :- (1) If at any time a Licence granted under sub-rule (5) is lost or destroyed, the holder of the Licence shall forthwith intimate the loss to the licensing authority which granted the Licence and shall apply in writing to the said authority for a duplicate.

(2) On receipt of an application along with the appropriate fee as specified in sub-rule (14) the licensing authority shall issue a duplicate Licence clearly marked Duplicate.

(3) If after the issue of a duplicate Licence, original is found, the same shall be surrendered forthwith to the licensing authority, by which it was issued.

(9) Conditions to be observed by the Holder of Licence :- The holder of a Licence granted under sub-rule (5) shall,-

(a) maintain on an annual basis, a register indicating the vehicles tested for emission levels with the following details :

(i) Pollution Under Control Certificate Number :

(ii) the registration number, make, model and year of registration of the vehicle tested;

(iii) Gas/Smoke levels at the time of Inspection.

(b) submit monthly returns by fifth of the succeeding month to the licensing authority concerned furnishing information as to the number of vehicles inspected, results of the inspections and the

number of Pollution Under Control Certificates issued enclosing duplicate copies;

(c) keep the premises open for inspection by any officer of and above the rank of Assistant Motor Vehicles Inspector of Transport Department and make available all the equipment and records maintained properly for inspection;

(d) rectify minor defects of the motor vehicle tested so as to comply with the provisions made under sub-rule (2) of Rule 115 of Central Motor Vehicles Rules, 1989;

(e) not charge fee more than the rates prescribed under Rule 485;

(f) not shift the testing station from the premises mentioned in the Licence without the prior approval in writing of the Licensing Authority which granted the Licence;

(g) not act in manner to mislead the owner / driver who submitted the motor vehicle for test;

(h) display the Licence in original issued by the Licensing Authority at a prominent place in the testing station;

(i) maintain Pollution Under Control Certificates in bound book containing 100 pages in triplicate, each serially numbered and each book shall be got authenticated by the concerned licensing authority.

(10) Power of the Licensing Authority to suspend or revoke Licence:- (i) The licensing authority may, by an order in writing, suspend or cancel the Licence granted under sub-rule (5) after giving the holder of the Licence an opportunity of being heard that he has:

(a) failed to comply with the requirements specified in sub-rule (4);

(b) failed to maintain the testing machine in good condition; or

(c) violated any other provisions of sub-rule (9);

(ii) Where the Licence is suspended or revoked under Clause (i), the Licence shall be surrendered to the licensing authority by the holder.

(iii) In addition to suspension or cancellation of the Licence under this sub-rule, the licensing authority may also forfeit the deposit in part or full paid under sub-rule (3)(ii).

(11) Licensing Authority :- Licensing Authority for issue of Licence to a Pollution testing station shall be the Secretary of the Regional Transport Authority of the region in which the testing station is situated.

(12) Procedure for Appeal :- (1) An appeal under sub-rule (13) shall be preferred in duplicate in the form of a memorandum setting out the grounds of objections of the order of the licensing

authority and shall be accompanied by a certified copy of the order appealed against and appropriate fee as specified in sub-rule (14).

(2) The appellate authority, after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may deem necessary, pass appropriate orders.

(3) Appeal:- Any person aggrieved by an order of the licensing authority under sub-rule (6),(7) or (10) may appeal, where the Licensing Authority happens to be the R.T.O. to the Deputy Transport Commissioner and where the Licensing Authority happens to be the Deputy Transport Commissioner and where the Licensing Authority happens to be the Deputy Transport Commissioner or the Joint Transport Commissioner to the Additional Transport Commissioner, within thirty days from the date of receipt of the order appealed against.

(14) Fees:- The fees which shall be charged under this rule shall be as specified below:-

	Rs.
(1) In respect of issue of Licence to a pollution testing station for testing vehicles	1,000.00
(2) In respect of renewal of Licence to pollution testing station For testing vehicles	1,000.00
(3) In respect of issue of duplicate Licence to the testing Station for testing vehicle	100.00
(4) In respect of appeal against the order of licensing authority referred to in sub-rule (12)	200.00