

Karnataka Motor Vehicles Rules, 1989

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Karnataka Motor Vehicles Rules, 1989

CHAPTER 1 Preliminary

1. Short title, extent and commencement :-

- (1) These rules may be called the Karnataka Motor Vehicles Rules, 1989.
- (2) They shall extend to the whole of the State of Karnataka.
- (3) They shall come into force on the First day of July, 1989.

2. Definitions :-

In these rules unless the context otherwise re-quires,-

- (a) "Act" means the Motor Vehicles Act, 1988 (Central Act 59 of 1988);
- (b) x x x x x;

- (c) "Central Rules" means the Central Motor Vehicles Rules, 1989;
- (d) "Commissioner" means the Commissioner for Transport appointed as such by the State Government;
- (e) " Deputy Commissioner" means any officer appointed by the State Government to be a Deputy Commissioner for transport for a division;
- (f) " Division" means a division notified by the State Government for the purpose of the Act and the rules made there under;
- (g) " Form" means a form appended to the Act, Central Rules and these rules:
- (h) "Government" means the Government of Karnataka;
- (i) "Ghat Road" means a road notified as such by the state Government;
- (j) " Inspector of Motor Vehicles" means any officer appointed to perform the functions of an inspector of Motor Vehicles under these rules and includes a Senior Inspector of Motor Vehicles;
- (k) "Joint Commissioner" means Joint Commissioner of transport appointed as such by the State Government;
- (l) "Passenger" mean any person traveling in a public service vehicle other than the driver or the conductor or an employee of the permit holder while on duty;
- (m)"Region" means the territorial jurisdiction of a Regional transport Authority;
- (n) "Regional Transport Officer" means any officer appointed by the State Government to perform the duties and functions of a Regional Transport Officer under these rules and includes an Assistant Regional Transport Officer;
- (o) "Section" means a section of the Act;

CHAPTER 2 Licensing authorities and their functions

3. Appointment of Licensing Authorities :-

(1) The officers appointed as the Regional Transport Officers shall be the Licensing Authorities to exercise powers and discharge duties and functions under the Act within their respective jurisdictions.

(2) All the Regional Transport Officers shall be under the administrative control of the Deputy Commissioner, Joint Commissioner and the Commissioner.

4. Conduct and hearing of appeal :-

(1) The authority to hear appeals under sub-section (8) of Section 9, sub-section (2) of Section 17 and sub-section (3) of section 19 of the Act shall be 3[the Joint Commissioner or the Deputy Commissioner of the jurisdiction, as the case may be]. In case 4[the Joint Commissioner or the Deputy Commissioner of the jurisdiction, as the case may be] himself has passed the order in some other capacity, against his order the appeal shall lie to the Commissioner.

(2) The appeals specified under sub-rule (1), shall be preferred in duplicate in the form of a memorandum of facts setting forth concisely the grounds of objections to the order under appeal, and shall be accompanied by a certified copy of such order and the process fee or rupees five.

(3) Every memorandum of appeal shall be affixed with a court-fee stamp of rupees forty.

(4) In every appeal preferred, a notice shall be issued to the authority against whose order such appeal is preferred in the form specified by the Commissioner.

(5) The appellate authority passing the order may give to the person interested in such order a certified copy of the order, memorandum of appeal or any other document on payment of a fee of fifty paise in cash for every 100 words or fraction thereof, subject to a minimum of rupees five and the receipt of such payment shall be attached to the application.

(6) The appellate authority after giving an opportunity of hearing to the parties concerned and after such further enquiry, as it may deem necessary, may confirm, vary or set aside the order appealed against.

(7) The appellate authority may, when remanding the case for further enquiry, direct the stay of proceedings pending such enquiry.

5. Replacement of obsolete photographs :-

(1) if at any time, it appears to a licensing authority that the photograph affixed on the driving license has ceased to bear the clear likeness of the holder the licensing authority may require the holder of such license to surrender the same forthwith along with two clear copies of recent photograph. If the holder fails to comply with the same the driving license shall cease to be valid from the date of receipt of such requisition to furnish above photographs.

(2) On receipt of the copies of such photograph, the licensing

authority shall remove the old photograph from the license, affix the new photograph, seal the same and return the driving license to the applicant. If he is not the licensing authority who had issued the license, then he shall forward the second copy of the photograph to the licensing authority who had originally issued such license.

(3) When a new photograph is affixed to a driving license a note shall be made on the photograph regarding the date of such affixture.

6. Licence lost, mutilated or destroyed :-

(1) If at any time, a driving licence is lost, mutilated or destroyed, the holder of such licence shall forthwith intimate such fact in writing in Form KMV 1 to the licensing authority having jurisdiction over the area in which he has his place of residence at the time specifying the particulars of loss, mutilation or, destruction.

(2) On receipt of such intimation the licensing authority, shall, after making such enquiries, as it may deem fit, if satisfied that duplicate licence has to be issued, it may issue such duplicate licence.

(3) Where the driving licence concerned was issued by some other licensing authority, the particulars of the driving licence and of any endorsement thereon shall be obtained from that authority before issuing the duplicate driving licence and intimation of issue of such duplicate licence shall be sent to the other licensing authority.

(4) Where subsequent to the issue of duplicate driving license, if it is found that there has been an endorsement of conviction by a court since the date of grant of last renewal of licence, it shall be lawful for the licensing authority to call for such duplicate licence and make necessary endorsement to that effect thereon.

(5) The holder of driving licence shall furnish to the licensing authority two clear copies of recent photograph of himself, one of which shall be affixed to the duplicate driving licence and the other shall be transmitted to the authority by whom the driving licence was issued.

(6) When a duplicate driving licence has been issued on the ground that the driving licence was lost, and the original driving licence was found later, then the holder of such driving licence shall return the duplicate driving licence to the licensing authority, who has issued such duplicate driving licence.

(7) Any other person finding a driving licence shall hand over the same to the nearest licensing authority. On receipt of such driving

license, the licensing authority shall restore such driving licence to the licensee in case, the duplicate driving licence has not been issued, and shall substitute it for the duplicate in case duplicate licence has already been issued.

(8) If at any time a learners licence is lost, mutilated or destroyed, the holder of such licence shall forthwith intimate such fact in writing in Form KMV 1-A to the licensing authority which issued such licence specifying the particulars of loss, mutilation or destruction. On receipt of such intimation the licensing authority shall after making such enquiries as it may deem fit, if satisfied that the duplicate licence has to be issued, it may issue such duplicate learners licence. It shall be clearly stamped as DUPLICATE in red ink. The fee for issue of duplicate learners licence shall be rupees fifteen.

(9) If at any time it appears to a licensing authority that, a driving licence held by any person is 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 endorsement, the licensing authority may impound the driving licence and issue a duplicate licence.

6A. Issue of Computer Image PVC card driving licence and payment of fees :-

Where the licensing authority has the necessary apparatus for the issue of a PVC card driving licence in Form 7 of the Central Motor Vehicles Rules, 1989, and the applicant desires to have the computer image PVC card driving licence, he may present himself before the licensing authority on such date, place and time as the licensing authority may appoint for taking the photograph of the applicant and shall pay a non-refundable fee of the rupees fifteen.

7. Stamping of duplicate driving licence :-

(1) When a duplicate driving licence is issued, it shall be clearly stamped as "Duplicate" in red ink and shall be marked with the date of its issue and seal of the licensing authority.

(2) If the licensing authority which issues a duplicate driving licence is not the authority by which the licence was issued, it shall intimate the same to the authority.

(3) If the licensing authority which affixes a new photograph to a duplicate driving licence is not the authority, by which the driving licence was issued, it shall forward the second copy of the

photograph to that authority for record.

(4) The fee for issue of a duplicate driving licence shall be rupees fifteen.

8. Authorisation in lieu of licence :-

(1) When the holder of a driving licence has applied for renewal of such driving licence or for the addition of such class or description of motor vehicles, or when a police officer or court or any other competent authority has taken temporary possession of a driving licence for any purpose and the driving licence has not been suspended, the licencing authority or police officer or the court or any other competent authority, as the case may be, shall furnish to him, with an authorization in Form KMV 2.

(2) No such authorization shall be issued if the driving licence is renewal and returned or returned with an additional endorsement on the same day on which the application is received by the licensing authority. During such period as may be specified in the authorization, production thereof, on demand shall be deemed to be production of the driving licence.

(3) 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 authorization as aforesaid:

(4) The authority, court, or police officer, by which the authorization is issued may, by order in writing, extend the period for which such authorization is valid.

(5) No fee shall be payable for issue of such authorization.

9. Change of address :-

(1) The holder of a driving licence shall except in the case of a temporary absence, not involving a change of residence, for a period exceeding three months, intimate in writing, any change of his temporary or permanent address recorded in the driving licence to the licensing authority by whom the licence was issued and to the authority by whom it was last renewed along with any one or more of the documents specified in Rule 4 of the Central Motor Vehicles Rules, 1989, as proof of his address.

(2) The holder of a licence while intimating the change in his address, shall produce his driving licence to the licensing authority, who shall there upon enter such change of address on payment of a fee of rupees twenty in the driving licence and also make a record

of it in his index card.

10. Verification of antecedents :-

(1) If the licensing authority to which the application for renewal of a licence to drive a transport vehicle is made, is not,-

(a) in the case of a first renewal, the one which has issued the licence; or

(b) in the case of a second or subsequent renewal, the one which last renewed the licence, it shall make a reference, as the case may be, to the licensing authority which issued the licence or last renewed the licence, to ascertain whether the applicant has any antecedents of a bad record of driving.

(2) Within fourteen days from the receipt of the reference under sub-rule (1), the licensing authority receiving it shall verify the antecedents and send a reply to such reference, specifying the particulars of antecedents, if any. On receipt of the reply or if no reply is received within the period specified and after the expiry of such period, the licensing authority to which the application for renewal has been made may, after such verification as may be deemed necessary, proceed to dispose of the application.

11. Intimation of renewals and endorsement :-

(1) A licensing authority adding under Section 11 of the Act to the classes of motor vehicles which a driving licence authorizes the holder to drive, shall, if it is not the authority by whom the driving licence was issued, inform of such addition to that authority in Form KMV-3.

(2) A licensing authority, renewing a driving licence shall, as required by sub-section (6) of Section 15, inform such renewal in Form KMV 4 to the licensing authority by whom the driving licence was issued, and to the licensing authority by whom it was last renewed.

(3) The court making or causing to be made an endorsement on a driving licence under Section 24, shall send intimation in Form KMV 5 to the licensing authority by whom the driving licence was issued, and to the licensing authority by whom it was last renewed.

(4) The court may, while making an endorsement under Section 24, seize the badge attached to the driving licence and forward it to either of the licensing authorities mentioned in sub-rule (1).

12. Drivers badge :-

- (1) No person shall drive or cause or allow any other person to drive a stage carriage or contract carriage, unless the person so driving or allowed to drive, holds a drivers badge. The badge shall be of a triangular shape in the case of a driver of a motor cab or an autorickshaw-cab, and of a circular shape in the case of drivers of other vehicles.
- (2) The application for a badge shall be in Form KMV 6 and it shall be accompanied by a fee of [rupees twenty-five] in treasury challan.
- (3) Where the licensing authority issuing the badge is not the authority which granted the driving licence, it shall intimate the same to the licensing authority which had issued the driving licence in Form KMV 7.
- (4) The driver of a public service vehicle shall while on duty display his drivers badge on his breast.
- (5) No driver shall at any time hold more than one drivers badge.
- (6) No person shall hold or use any badge that is not issued to him and no person shall lend or transfer the badge issued to him to any other person.
- (7) The badge granted under these rules shall be valid throughout the State
- (8) If at any time, the driver is disqualified from driving a transport vehicle if his driving licence is revoked by any authority or court, or ceases to be effective, the driver shall forthwith surrender the badge to the authority by which it was issued.
- (9) The fee for the issue of a badge shall be [rupees twenty-five]. If the badge is lost or destroyed, a duplicate badge shall be issued by the authority by which it was issued on an application made in Form KMV 8 accompanied by a fee of [rupees twenty-five].
- (10) If the badge that had been lost is subsequently found, it shall be surrendered to the licencing authority, of the region.

12A. Fee payable for issue of Medical Certificate :-

The fee payable excluding the labouratory charges, if any, for a Medical Certificate, referred to in sub-section (3) of Section 8 of the Act, shall not exceed rupees twenty including charges for visiting test also.

13. Duties and conduct of driver of transport vehicle.-The driver of a transport vehicle while on duty :-

- (a) 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 the rules framed thereunder;
- (b) shall not smoke;
- (c) Shall behave in a civil and orderly manner with passengers, intending passengers, consignor and consignees of goods;
- (d) shall wear clean dress and in the manner prescribed;
- (e) shall maintain the vehicle in a clean and sanitary conditions;
- (f) shall not solicit custom save in a civil and quiet manner and shall not shout in order to attract a customer;
- (g) shall not interfere with persons, mounting or preparing to mount any other vehicle;
- (h) Shall not cause or allow to enter into or to be placed or carried in the vehicle, persons whom he knows or has reason to believe to be suffering from any infectious or contagious disease, or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease;
Provided that where a person suffering from any infectious or contagious disease, or the corpse of any such person has been carried in a public service vehicle, the driver of the vehicle shall be responsible to report the fact of such carriage to the medical officer in charge of the nearest municipal, local board or Government dispensary, and to the owner of the vehicle, and neither the owner nor the driver shall cause or allow any person to use the vehicle until the driver and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer.
- (i) Shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for the driver's seat in accordance with these rules or otherwise in such a way as to impede him from having a clear vision of the road, or proper control of the vehicle;
- (j) shall, subject to any rules or regulations in force prohibiting the taking in or setting down of passengers at or except at certain specified places, bring the vehicle to rest for a sufficient period of time in a safe and convenient position upon the demand and signal of the conductor or of any passenger desiring to alight from the vehicle and unless there is no room in the vehicle, upon the demand or signal of any person intending to travel in the vehicle.
Note.-The provision of this sub-rule shall not apply to the driver of a maxi-cab or motor-cab or an autorickshaw-cab.
- (k) shall not, when bringing the vehicle to rest for the purpose of picking up or setting down any passenger at or near the place

where another vehicle is at rest for the same purpose, the driver or the conductor of the other vehicle or any person mounting or preparing to alight thereon or alighting therefrom, and shall bring the vehicle to rest in front or behind the other vehicle and on the left hand side of the road or place and shall draw it up as near the kerb as possible;

(l) shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when it or any brake, 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 tank of the vehicle to enable him to reach the nearest fuel filling station on the route;

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

(n) shall not carry or allow any person to sit or allow any goods to be placed on the right of the driver if the vehicle is fitted with right hand steering control and on the left of the driver if the vehicle is fitted with left hand steering control;

(o) shall during the course of a journey, if the conductor absents himself, due to some emergency or sickness, perform the duties and functions of the conductor prescribed in Chapter III of the Act and the rules framed thereunder;

(p) shall not be under the influence of any intoxicating drink or drug;

(q) shall where the conductor is absent, be responsible for the proper maintenance and production of the trip sheet when demanded by a competent authority;

(r) shall be responsible for the proper exhibition or production, as the case may be, of the following documents:-

(i) Part B of the permit or the temporary permit issued to the vehicle;

(ii) Insurance Certificate;

(iii) Registration certificate;

(iv) Fitness certificate;

(s) shall on demand by any police officer in uniform or any officer of the Motor Vehicles Department not below the rank of an inspector of Motor Vehicles produce his driving licence for inspection;

(t) shall see that no passenger is seated in the vehicle when the same is being filled with petrol or other liquid fuel;

- (u) shall not demand or extract any fare or freight in excess of that which he is legally entitled to;
- (v) shall keep the first-aid box intact with the medicines and equipment in readiness.

14. Drivers uniform :-

Every driver of a transport vehicle shall, while on duty, wear a uniform of the type prescribed below,-

- (a) Khaki bush coat;
- (b) khaki trousers:

Provided that the commissioner may by notification exempt any class of drivers of goods vehicles and drivers of tractor-trailers used for agricultural purpose from the provisions of this rule.

15. Duties of drivers of goods vehicles :-

In addition to the duties and functions specified in Rule 13 the drivers of goods vehicles while on duty,-

- (a) shall not cause or allow any person to be carried in the cabin of the vehicle in excess of the seating capacity specified in the registration certificate;
- (b) shall not carry or cause to be carried any person or passengers for hire or reward;
- (c) shall not carry any animal, except in accordance with these rules;
- (d) shall keep and maintain in English or Kannada or in Hindi in the goods vehicle a record in Form KMV 9 which shall give in respect of each day, the information required to be recorded therein, and shall be open for inspection by any officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles or any officer of the Police Department not below the rank of a Sub-Inspector of Police: and
- (e) shall take all reasonable precautions to prevent the goods from being spoiled or lost on the way.

16. Duties of drivers of motor-cabs and autorickshaw-cabs :-

In addition on the duties specified in Rule 13, the drivers of metered-taxies or autorickshaw-cabs,-

- (a) Shall always park the vehicle in queue in the place notified as taxi or autorickshaw stand;

- (b) shall move the cab as and when vacancies occur;
- (c) shall keep the front wheels of the cab straight at a distance of not less than 30.48 centimeters from the cab immediately in front of it, and where the stand is by the side of a kerb, parallel to and not more than 30.48 centimetres from the kerb;
- (d) shall not allow his cab to remain in the queue when it is disabled or when it is not immediately available for being engaged;
- (e) shall not allow his cab, when it is not engaged, remain at any place other than a stand appointed for the purpose and shall not loiter for the purpose of his cab being hired in any public place;
- (f) shall not prevent or attempt to prevent the first cab in the queue from being hired and shall not interfere with the persons hiring the first cab;
- (g) shall in the absence of reasonable cause to the contrary, proceed to the destination named by the hirer by the shortest and quickest route;
- (h) Shall not make use of his cab in connection with or for the furtherance of prostitution or act as a procurer of prostitutes nor shall allow his vehicle to be used in connection with any kind of smuggling;
- (i) shall not terminate any hiring after it has been engaged and before discharged by the hirer;
- (j) shall not demand or extract any fare in excess of that which is legally due;
- (k) shall not drive the vehicle or allow it to be engaged for hire, unless he is satisfied that the faremeter is in good working order;
- (l) shall not tamper with or allow any other person to tamper with the seal or working mechanism of the fare-meter;
- (m) shall not set the fare-meter in motion before the vehicle is hired and shall stop the fare-meter immediately the cab arrives at the destination.

Note.-The cab shall be considered to be hired from the time it has been engaged or when it is called from a distance from the time of such call.

- (n) if he is unable to proceed further owing to any defect in the mechanism or the puncturing or bursting of the tyres of the cab, he shall at once lower the flag to "stopped" position and shall not re-start the fare-meter until such time the defect is rectified.
- (o) shall not cover or obscure the face of the fare-meter under any circumstance or at any time;
- (p) shall not without reasonable cause refuse to let the cab for hire when the flag is in a vertical position; and

(q) shall, except when used within the city or town or municipal limits, maintain trip sheet in duplicate in Form KMV 10 either in English or in Kannada or in Hindi. The Form KMV 10 shall be in a bound book serially numbered and shall be produced for inspection by an officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles or any Officer of the Police Department not below the rank of a Sub-Inspector of Police on demand.

CHAPTER 3 Licensing of conductors of stage carriages

17. Licensing Authority :-

The officers appointed as Regional Transport officers shall be the licensing authorities to exercise the powers and to discharge the duties and functions under the Act and rules made thereunder within their respective jurisdiction.

18. Driver or any person acting as conductor without Licence :-

(1) Where in an emergency it becomes difficult for the permit holder to provide for a conductor for his stage carriage, or where a conductor on duty, for person beyond his control, cannot perform his duties, the driver of a stage carriage may for a period not exceeding one month, act as a conductor of a stage carriage without holding a conductors licence under Section 29 of the Act.

(2) Any person other than the driver of a stage carriage may act as a conductor without holding a conductors licence, for a period not exceeding one month:

Provided that,-

(a) he intimates his intention to do so to the licensing authority within whose jurisdiction he intends to act as a conductor in Form KMV 11;

(b) he is not disqualified for holding a conductors licence; and

(c) he had not on previous occasion acted as a conductor without a licence for a total period exceeding one month.

Provided further that the Transport Authority may permit stage carriage to be driven without a conductor if tickets are issued before the commencement of the Journey by a person who is not a conductor or a traveler in the vehicle.

19. Application for grant of conductors licence :-

(1) An application for a conductors licence as required by sub-section (1) of Section 30 shall be made in Form KMV 12 and shall be accompanied by a medical certificate in Form KMV 13 and the fees challan for having paid the fee prescribed under sub-section (5) of Section 30.

(2) On receipt of an application for a conductors licence, the licensing authority after making such enquires as may reasonably be necessary to establish the identity of the applicant and after ascertaining that the applicant is not disqualified from holding or obtaining conductors licence, may issue such licence in Form KMV 14.

20. Change of residence :-

The holder of a Conductors licence shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three month, report any change of his temporary or permanent address as recorded in the licence to the licensing authority by whom the licence was issued or renewed. 2[The fee for change of residence shall be rupees twenty.

21. Renewal of Conductors licence :-

(1) An application for the renewal of a conductors licence shall be made in From KMV 15 and shall be accompanied by conductors licence, and the challan for having paid the fees provided for in sub-section (5) of Seciton 30.

(2) On receipt of an application for the renewal of a conductors licence, the licensing authority may, after making such inquiry as it may deem necessary, renew the licence.

(3) A licensing authority renewing conductors licence under sub-section (5) of Section 30 shall intimate the fact of renewal in Form KMV 16 of the licensing authority by whom the licence was issued.

22. Qualification for grant of conductors licence :-

No person shall be granted a conductors licence unless he satisfied the licensing authority that,-

(i) he has adequate knowledge of the provision of the Act and rules made thereunder relating to the duties and functions of a conductor;

(ii) he possesses a good moral character;

(iii) he has passed S.S.L.C examination or an equivalent

examination and possessed working knowledge of the language or languages of the area in which he intends to work as a conductor. Provided that this clause shall not apply to persons who have obtained conductors licenses before the date of coming into force of these rules.

(iv) he has undergone training in first aid and he is in possession of a valid certificate issued by the St. Johns Ambulance Association (India).

23. Appellate Authority :-

The authority empowered under sub-section (2) of Section 33 and under sub-section (4) of Section 34 to hear appeals against the orders of the licensing authority shall be the Deputy Commissioner: Provided that if the order has been passed by the Deputy Commissioner himself in some other capacity, the authority competent to hear such appeal shall be the Commissioner.

24. Conduct and hearing of appeals :-

(1) An appeal under Rule 23 shall be preferred in duplicate in the form of a memorandum of facts, setting forth concisely the grounds of objection to the order of the licensing authority, and shall be accompanied by a fee of rupees ten in cash and certified copy of that order.

(2) When an appeal is preferred, a notice shall be issued to the authority against whose order the appeal is preferred in such form as may specified by the Commissioner.

(3) The appellate authority or the authority against whose order appeal is preferred, may give any person interested in the appeal preferred under Chapter III of the Act, copies of any document connected with the appeal, on payment of a fee, calculated at the rate of rupees ten for the first page and rupees two for each additional page of each copy, of each document.

(4) 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, may confirm, vary or set aside the order from which the appeal is preferred.

25. Duties and conduct of conductors :-

The conductors of a stage carriage,-

(1) 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 rules made thereunder;

(2) shall not smoke while on duty;

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

(4) shall wear a clean dress consisting of Khaki shirt or khaki bush shirt and khaki trousers:

Provided that nothing in this clause shall apply to persons lawfully working as conductors in accordance with Rule 18.

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

(6) shall not solicit custom save in a civil and quiet manner;

(7) shall not interfere with persons mounting or preparing to amount any other vehicle;

(8) shall not allow any person to be carried in any stage carriage in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number of passengers permitted under the terms of the permit to be carried standing in the vehicle;

(9) shall not save for good and sufficient reason, refuse to carry any person tendering the legal fare:

(10) shall not allow any passenger to be carried in any stage carriage without payment of the legal fare:

Provided that this clause shall not apply to any Government servant on duty, as the State Government may, from time to time by notification specify in this behalf.

Explanation.-Where the legal fare is less than one rupee, a demand by such person for change in excess of that sum shall be a good and sufficient reason for refusing to carry such person for the purpose of this sub-rule:

(11) shall, where goods are carried on a vehicle in addition to passenger, take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of goods;

(12) 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;

(13) shall not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the timetable with all reasonable dispatch.

(14) shall in the event of the vehicle being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver or conductor, arrange to convey

the passengers to their destination in some other similar vehicle or, if unable so to arrange within a period of an hour after the breakdown of the vehicle, shall on demand refund to each passenger a proper portion of the fare relating to uncompleted part of the journey for which the passenger has paid the fare:

(15) shall not cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers;

(16) shall issue a ticket immediately on payment of the legal fare or freight by the passenger except where arrangement outside the vehicle for the issue of tickets in advance to the intending passengers on payment of the legal fare has been made;

(17) shall, at the conclusion of any journey make reasonable search in the vehicle for anything left by any passenger and shall take into his custody anything so found by him or any other person in such vehicle and as soon as may be make over the same to a responsible person at any office or station of the holder of the permit for the vehicle;

(18) shall not cause or allow to enter into or to be placed or carried in the vehicle any person whom he knows or has reason to believe to be suffering from any infectious or contagious disease, or the corpse;

(19) may notwithstanding anything contained in Clause (20) on application in writing by a registered medical practitioner allow a person, suffering from any infectious or contagious disease to be carried in a stage carriage provided that no other person shall be carried in the vehicle at the same time.

(20) shall be responsible when a person suffering from an infectious or contagious disease, or the corpse of any such person has been carried in a stage carriage, for reporting the fact to a medical officer of health and to the owner of the vehicle and neither the owner nor the driver nor the conductor shall cause or allow any person to use the vehicle until the driver and conductor and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer;

(21) shall, assist the driver and be on the look out for other motor vehicle approaching from behind and effectively signal their approach to the driver;

(22) shall take all reasonable precautions to prevent luggage being miscarried or lost on the way;

(23) shall not, while on duty be under the influence of drink or of a drug to an extent rendering him incapable of discharging his duties

efficiently;

[(23-A) shall not allow or cause to be allowed any person to enter or travel in the vehicle whom he knows or has reason to believe to be under the influence of any intoxicating drink or drug.]

(24) shall, on demand by any passenger, produce the complaint book for recording such remarks as the passenger may desire to make therein;

(25) shall not, while he is on duty, permit the vehicle to be used for illegal or immoral purpose;

(26) shall not permit any petrol to be poured into the fuel tank while the engine is in motion;

(27) shall, whenever the stage carriage approaches an unguarded level crossing, cause it to be stopped and after alighting therefrom and ensuring that no train is approaching from either direction, cause the vehicle to follow him till the other side of the level crossing is reached;

(28) in case of an accident to the bus, shall make all reasonable efforts to help the injured persons and to inform the nearest police station immediately;

(29) shall help the infant, disabled, pregnant ladies, old aged passengers and the ladies with child in arm, to board and alight the bus;

(30) when the driver is taking the bus in reverse, shall get down from the bus and be on the look out for other motor vehicles or any other obstacle in the back of the vehicle and effectively give signal to the driver;

(31) shall not allow any explosive or dangerous or flammable substances to be carried in the bus either as personal luggage or cargo.

26. Prohibition for holding more than one conductors licence, etc :-

(1) No person shall hold more than one conductors licence.

(2) A conductor of a stage carriage shall, on demand by any Police Officer in uniform not below the rank of a Sub-Inspector or any officer of Motor Vehicles Department not below the rank of Inspector of Motor Vehicles in uniform within his respective jurisdiction, produce his conductors licence for inspection provided that if at the time his licence is demanded he is displaying the badge prescribed under these rules, it shall be sufficient compliance of rules if he produces the conductors licence within forty-eight

hours at any police station which he specifies to the person making such demand.

27. Requirement as to photographs :-

(1) The copies of photographs required by sub-section (3) of Section 30 shall be of a size not more than fifty millimeters by sixty-four millimeters. It shall be taken from front, and shall be in black and white colour on glazed paper.

(2) The photograph of the holder when affixed to a conductors licence shall be sealed with the seal of the licensing authority in such a manner that part of the impression of the seal is upon the photograph and part on the margin.

(3) If at any time it appears to a licensing authority that the photograph affixed to the conductors licence has ceased to be a likeness of the holder, the licensing authority may require the holder to surrender the conductors licence forthwith, and to furnish two clear copies of a recent photograph of himself and the holder shall, within such time as the licensing authority may specify, appear in person before the licensing authority and present the photograph accordingly.

(4) If the holder fails to comply with a requisition by the licensing authority under sub-rule (3), the conductors licence shall cease to be valid from the expiry of the said period.

(5) On receipt of the copies of the photograph so provided in sub-rule (3), the licensing authority shall remove the old photograph from the conductors licence and seal thereto one copy of the new photograph and return the conductors licence to the applicant and shall, if he is not the licensing authority by whom the conductors licence was issued, forward the second copy of the photograph to the authority which issued the licence.

Provided that if the holder of conductors licence as desires, the licensing authority shall issue a duplicate conductors licence with a new photograph affixed thereto and shall destroy the original conductors licence. If the licensing authority is not the authority by whom the conductors licence was issued, he shall inform the same to the original licensing authority.

(6) Whenever a new photograph is affixed to a conductors licence, the date of such affixture shall be made on the photograph.

(7) The fee for a duplicate conductors licence issued under provision to sub-rule (5) shall be rupees ten.

28. Conductors licence lost or destroyed :-

(1) if at any time a conductors licence lost by the holder or is destroyed, the holder shall forthwith intimate the facts, in writing, in Form KMV 17 to the licensing authority in whose area he has his place of residence at the time.

(2) On the receipt of intimation as aforesaid, the licensing authority shall, if he is not the authority by whom the conductors licence was issued, apply to that authority for particulars of the conductors licence and of any endorsements thereto and after making such enquires as he thinks fit if satisfies that a duplicate may be issued, issue a duplicate conductors licence was issued.

Provided that where subsequent to the issue of a duplicate licence it is found that there has been an endorsement by a court since the date of the grant of last renewal of the licence, it shall be lawful for the licensing authority to call for the duplicate conductors licence and make the necessary endorsement thereon.

(3) Where a photograph is required to be affixed to a duplicate conductors licence issued under the provisions of these rules, the holder of the conductors licence shall furnish the licensing authority with two clear copies of a recent photograph of himself and one of which shall transmitted by the authority issuing the duplicate conductors licence to the authority by whom the conductors licence was issued.

(4) The fee for duplicate conductors licence issued under this rule shall be rupees ten.

(5) Where a duplicate conductors licence has been issued on representation that a conductors licence has been lost and the original conductors licence is afterwards found or received by the holder, the holder shall immediately return the duplicate conductors licence to the licensing authority.

(6) Any other person finding a conductors licence shall deliver it to the nearest Police Station of the nearest licensing authority. The Officer-in-charge of the Police Station, on receipt of the conductors licence, shall immediately forward it to the nearest licensing authority. The licensing authority shall restore the conductors licence to the holder of the conductors licence in case the duplicate conductors licence has not been issued, and shall substitute it for the duplicate licence has not been issued, and shall substitute it for the duplicate licence in case such a duplicate licence has already been issued.

29. Defaced or torn conductors licence :-

(1) If at any time it appears to a licensing authority that a conductor's licence held by any person is so torn or defaced in any way as to cease to be reasonably legible, the licensing authority may impound the conductor's licence and issue a duplicate.

(2) If a conductor's licence impounded as aforesaid is required to have a photograph of the holder affixed there, then,-

(a) if the photograph on the impounded conductor's licence is in the opinion of the licensing authority satisfactory and conveniently transferable to the duplicate conductor's licence, the licensing authority may so transfer, affix and seal the photograph in the duplicate conductor's licence;

(b) if the photograph affixed to a conductor's licence impounded under the provision of sub-rule (1), is not in the opinion of the licensing authority such as can be transferred to the duplicate conductor's licence and sealed, and the other shall be forwarded to the licensing authority by whom the conductor's licence was issued.

(3) The fee for a duplicate conductor's licence issued under this rule shall be rupees ten.

30. Issue of duplicate conductor's licence :-

(1) When a duplicate conductor's licence is issued under these rules, it shall be clearly stamped "Duplicate" in red and shall be marked with the date of issue of the duplicate and the seal of the licensing authority.

(2) If the licensing authority who issues a duplicate conductor's licence is not the authority by whom the conductor's licence was issued, he shall intimate the fact to that authority.

(3) If the licensing authority who affixes a new photograph to a duplicate conductor's licence is not the authority by whom the conductor's licence was issued, he shall forward the second copy of the photograph to that authority for record.

31. Conductors badge :-

(1) The licensing authority issuing a conductor's licence shall also issue simultaneously on payment of a fee of [rupees twenty-five] a metal badge inscribed with its name, the word "Conductor" and an identification number. If the badge is lost or destroyed, a duplicate badge shall be issued on payment of [rupees twenty-five] by the authority which issued it on an application made to it in Form KMV 16-A. In case the original badge is later found by the conductor, he

shall return the duplicate badge to the issuing authority and shall be entitled to a refund or [rupees twenty-five.

(2) While on duty a conductor shall display his badge on his left breast and above the badge a plastic name plate indicating his initials and surname in Kannada. The plastic name plate shall be of the size of 9 cm.x2 cm.

(3) No conductor shall lend or transfer to any other person, or permit the use by any other person of the badge issued to him under sub-rule (1).

(4) if at any time a conductors licence is suspended or revoked by a competent authority or by any court or ceased to be valid by efflux of time, the conductor shall, within seven days, of such suspension, revocation or ceaser surrender the badge to the authority by which it was issued.

32. Validity of Conductors licence issued by other States :-

(1) The permit holder of the stage carriage shall not employ a person as a conductor having a conductors licence issued by any licensing authority located outside the State of Karnataka.

(2) A person can act as conductor having a conductors licence issued in any other State only if that stage carriage is operating in the State of Karnataka under the reciprocal agreement entered into with the other State Government but shall comply with the provisions of Rules 25.

CHAPTER 4 Registration of motor vehicles

33. Registering Authority :-

The Regional Transport Officer of the region concerned shall be the registering authority for the purposes of this act.

34. Appellate Authorities :-

(1) The authority to hear appeal against any order passed by the Registering Authority under Chapter IV of the Act, shall be [the Joint Commissioner or the Deputy Commissioner of the jurisdiction, as the case may be]. In case [the Joint Commissioner or the Deputy Commissioner of the jurisdiction, as the case may be] himself had passed the order in some other capacity against such order the appeal shall lie to the Commissioner.

(2) The authority to hear appeal against any order passed by an inspector of Motor Vehicles under Section 53 shall be the

Registering Authority.

(3) The authority to hear appeal against any order passed by the police Officer under Section 53 shall be the Commissioner.

(4) The authority to hear appeal against any order in respect of Certificate of Fitness under Section 56 shall be the Registering Authority concerned.

35. Conduct and hearing of appeals :-

(1) An appeal referred to in Section 45,50,54,55, and 57 shall be preferred in duplicate in the form of a memorandum, setting forth concisely the grounds of objection to the order of the Registering Authority or the Inspector of Motor Vehicles or the Police Officer, as the case may be, and shall be accompanied by a fee of rupees twenty-five in cash and a certified copy of that order.

(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, may confirm, vary or set-aside the order appealed against.

(3) Any person preferring an appeal under the provisions of Chapter IV of the Act and of this rule shall be entitled to obtain a copy of any document filed with the registering authority in connection with any order against which he is preferring an appeal on the payment of a fee calculated at the rate of rupees ten for the first page and rupees two for each additional page for each copy of document.

(4) Subject to the provisions of sub-rule (3), the Commissioner or the Registering Authority, may give any person interested in appeal preferred under Chapter IV of the Act, copies of any document connected with the appeal, on payment of a fee calculated at the rate of rupees ten for the first page and rupees two for each additional page per copy of each document.

36. Temporary registration :-

(1) An application for temporary registration shall be made in Form KMV 18 along with a fee of rupees twenty-five for each month or part thereof.

(2) A temporary certificate of registration shall be in Form KMV 19 and shall be valid for a period not exceeding one month, unless extended under the proviso to sub-section (2) of Section 43 of the Act.

(3) The authority granting a temporary certificate of registration

shall, in case where the registration under Section 40 is proposed to be effected by another authority forward to the latter a copy of Form KMV 19.

(4) 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 vehicle in the manner prescribed by the Central Government.

(5) The temporary registration mark to be assigned to any vehicle by any registering authority shall be in the manner specified by the commissioner.

(6) In the case of imported vehicle brought into the State, the owner of the motor vehicle shall apply in Form KMV 18 to the concerned registering authority along with the Bill of Entry.

(7) For the purpose of the temporary registration of a vehicle, it shall not be necessary to produce the vehicle before the registering authority.

37. Composition of offence for non-renewal of registration :-

On a failure of the owner in making an application for renewal of certificate of registration, under sub-section (8) of section 41, the registering authority may in lieu of prosecution accept a compounding fee of rupees twenty-five per calender month or part thereof, provided that such amount shall not exceed rupees one hundred.

38. Issue or renewal of a Certificate of fitness :-

(1) Certificate of Fitness shall be issued or renewed by the Officer of the Motor Vehicle Department not below the rank of an Inspector of Motor Vehicles or an Authorized Testing Station, specified by the Government under sub-section (2) of Section 56 of the Act.

(2) An application for issue or renewal of certificate of fitness shall be made in Form KMV-20, Part I or Part II, as the case may be, along with fee prescribed under item (ii) or Rule 81 of the Central Motor Vehicles Rules, 1989, to the Officer or the authorized testing center in whose jurisdiction the vehicle is kept:

Provided that, if the grant or renewal is rejected twice after the inspection of the vehicle or after a period of 3 months from the date of defects were notified, an additional fee equal to the fee payable under Rule 81 of the Central Motor Vehicles Rules, 1989, shall be paid.

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

(4) The Officer of the Motor Vehicles Department or the Authorized Testing Station by whom the certificate of fitness was last renewed, may endorse thereon the date, time and place appointed for the next inspection of the vehicle and the owners shall cause the vehicle to be produced accordingly before the concerned authority or any Authorised Testing Station specified by the Government located in jurisdiction of the officer endorsing the certificate.

(5) If the owner finds that the vehicle cannot be produced for the next inspection on the date endorsed on the certificate of fitness, he shall, apply to the Motor Vehicles Department not less than fifteen days before the date for a change in the date of inspection stating the reason thereof. On the next date given by the Authorized Testing Station, the owner of the vehicle shall apply for the change in the date of inspection. Stating the reasons to an officer not below the rank of Assistant Regional Transport Officer, in whose jurisdiction the vehicle is kept and such Assistant Regional Transport Officer, if satisfied, may specify, the next date before which the vehicle should be produced for inspection before any authorized Testing Station in his area of jurisdiction or before him, as the case may be.

(6) If no date, time and place for the next inspection endorsed on the certificate of fitness as specified in sub-rule (3), an application for renewal of certificate of fitness shall be made in Form KMV 20, Part II, within one month before the date of expiry of such certificate and the owner of vehicle shall produce the vehicle for inspection on such date and at such time and place as the Inspector of Motor Vehicles or authorized testing center, as the case may be, may appoint. If the owner fails to make the application on or before the date specified or makes the application after the expiry of fitness certificate for inspection of vehicle, the applicant shall pay an additional fee equivalent to twenty per cent of the fee prescribed under Rule 81 of the Central Motor Vehicles Rules, 1989, for the delay of each month or part thereof but not exceeding the amount of fee prescribed for fitness certificate.

(7) Where the application for certificate of fitness is not renewed before its expiry, the registering authority may, if, it is satisfied that the vehicle is fit for use, extend the validity of fitness certificate for such period not exceeding thirty days pending renewal of certificate of fitness.

(8) If a vehicle is damaged at any time so as to be unfit for

ordinary use and may in the opinion of any Inspector of Motor Vehicles be safely driven at a reduced speed to a place of repairs, and if such Inspector is satisfied that it is necessary that the vehicle should be so driven, he may endorse in Form KMV 22 speed and other conditions if any and specify the time subject to which, the vehicle may be driven to a specified destination for the purposes of repair.

(9) When a Certificate of Fitness has been issued by a prescribed authority, then an Inspector of Motor Vehicles shall be the authority for the purposes of cancellation of the certificate under subsection (4) of Section 56:

Provided that the certificate of fitness issued by the Authorised Testing Station shall not be cancelled under this sub-rule by an officer not below the rank of an Inspector of Motor Vehicles. Provided further that the above proviso shall not apply to the vehicles involved in an accident.

(10) The authority mentioned in sub-rule (9) of this rule canceling the certificate of fitness shall give the owner or other person in-charge of the vehicle, a notice in Form KMV 23 and shall along with a report of his action forward the certificate of fitness, certificate of registration and permit if any, to the registering authority under whose direction and contrail he may be working:

Provided that if the certificate of fitness issued by the Authorised Testing Station is to be cancelled, an officer not below the rank of an Inspector of Motor Vehicles Department shall send a copy of this notice to the Authorised Testing Station by whom the certificate of fitness was issued.

(11) After the authority has cancelled the certificate of fitness, such authority after making an endorsement in Form KMV 24 specify the time and the conditions subject to which the vehicle may be driven to a specified destination for the purposes of repair.

(12) Nothing in sub-rule (9) shall bar the owner or the person in charge of the vehicle, the certificate of fitness of which has been cancelled from applying at any time for the restoration of the certificate of fitness if the vehicle is or has been repaired in such a manner that the provisions of Chapter VII of the Act and the rules made thereunder are complied with. If such a vehicle is inspected and passed within fourteen days of the date of cancellation of the certificate of fitness but before the date of expiry, specified in such certificate no restoration fee shall be charged. If, however, the vehicle is brought for inspection at any later time, fresh certificate of fitness will be required.

Provided that, notwithstanding anything contained in this rule, the renewal fee in such a case shall be in addition to the usual fee as prescribed by the Central Government chargeable for inspection.

(13) While inspection a Motor vehicle, the authority or the Authorised Testing Station shall fill in Form KMV 25 in duplicate, and shall, on completion of inspection deliver the original copy to the owner or his driver.

39. Loss or destruction of certificate of fitness :-

(1) 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 for a duplicate certificate in Form KMV 26 with a fee [fifty per cent of fee prescribed for grant of renewal of fitness certificate].

(2) On receipt of intimation of the loss or destruction of a certificate of fitness, the authority shall furnish the owner with a duplicate copy of the certificate of fitness duly stamped "Duplicate" in red ink.

(3) Where a duplicate certificate of fitness has been issued upon representation, that a certificate of fitness has been lost and the original certificate of fitness afterwards found or received by the holder, the holder shall immediately return the duplicate certificate of fitness to the registering authority or the Authorised Testing Station.

(4) Any other person finding a certificate of fitness shall deliver it to the registering authority. The registering authority shall restore the certificate of fitness to the holder of the certificate of fitness in case the duplicate certificate of fitness has not been issued and shall substitute it for the duplicate in case such a duplicate has already been issued.

(5) No person shall be liable to be convicted of an offence under Section 130 if at the time when the certificate is demanded, he has already reported the loss or destruction thereof, in accordance with this rule and a duplicate certificate has not been delivered to him.

40. Torn or defaced certificate of fitness :-

(1) If at any time it appears to the registering authority or the Authorised Testing Station that the certificate of fitness is so torn or defaced in any way as to cease to be reasonably legible, he may impound such certificate and direct the owner to apply in Form KMV 26 for a duplicate certificate.

(2) On receipt of an application under sub-rule (1) in Form KMV 26 together with a fee of rupees ten the Inspector of Motor Vehicles or the Authorised Testing Station shall issue a duplicate certificate of fitness clearly stamped "Duplicate" in red ink.

41. Loss or destruction of Certificate of registration :-

(1) If at any time a certificate of registration is lost or destroyed the owner shall forth with intimate the fact in writing to the registering authority by whom the certificate was issued or by whom the registration mark of the vehicle was assigned under Section 47 and shall apply in Form KMV 26 to that authority for the issue of a duplicate certificate.

(2) On receipt of an application in Form KMV 26, together with the prescribed fee, the registering authority shall issue a duplicate certificate of registration in Form 23 appended to the Central Rules clearly stamped as "Duplicate" in red ink.

(3) When a duplicate certificate of registration has been issued on representation that a certificate of registration has been lost and the original certificate of registration is afterwards found or received by the holder, the holder shall immediately return the duplicate certificate of registration to the registering authority.

(4) Any other person finding a certificate of registration shall deliver it to the registering authority. The registering authority shall restore the certificate of registration to the holder of the certificate of registration or substitute it for the duplicate in case such a duplicate has already been issued.

42. Torn or defaced certificate of registration :-

(1) if at any time it appears to a registering authority that a registration certificate held by any person is so torn or defaced in any way as to cease to be reasonably legible, the registering authority may impound such certificate and direct the owner thereof to apply in Form KMV 26 to the registering authority by whom the certificate was issued or by whom the registration mark of the vehicle was assigned under Section 47 or a duplicate certificate was issued.

(2) If the registering authority who impounds such certificate is not the authority by whom the certificate was issued or the fresh registration mark was assigned, it shall intimate the action taken under sub-rule (1) to the Authority by whom the certificate was issued or the fresh registration mark was assigned, as the case may

be.

(3) On receipt of the application under sub-rule (1) in Form KMV 26, together with the prescribed fee the registering authority shall issue a duplicate certificate of registration in the form prescribed under the central Motor Vehicles Rules, 1989 and clearly stamp "Duplicate" in red ink.

43. Authority for suspension of certificate of registration etc :-

(1) Any Police Officer not below the rank of a Deputy Superintendent of Police, or an Assistant Registration Regional Transport Officer may suspend the certificate of registration of a motor vehicle under Section 53(1)(b).

(2) Any officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles, may stop any motor vehicle, the use of which in a public and examine such vehicle on a public road, or subject to the consent of the owner of the premises, on any premises where the vehicle is kept for the time being.

44. Intimation of transfer of ownership :-

Communication of transfer to the original registering authority under sub-sections (1) and (2) of Section 50 shall be in the form prescribed by the central Motor Vehicles Rules, 1989.

45. Composition of offences under sub-section (3) of Section 50 :-

The amount payable by any person in lieu of action for failure to give timely intimation about transfer of ownership as required, shall be at the rate of rupees twenty-five per calendar month or part thereof by which the giving of such intimation is delayed by such person:

Provided that the amount so payable shall not exceed rupees one hundred.

46. Assignment of new registration mark :-

(1) Application for a new registration mark under Section 47 (1) shall be in the form prescribed by the Central Motor Vehicles Rules, 1989.

(2) The registering authority shall before assigning registration mark under section 47 (1) or before entering the particulars of

transfer 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 before itself or before the Inspector of Motor Vehicles, in order that the registering authority may satisfy itself that the particulars of the vehicle recorded in the certificate of registration are correct and the vehicle complies with the provisions of Chapter VII.

(3) Where a owner of a motor vehicle who had registered his vehicle outside the State, has brought his vehicle into the State or is for the time being kept in the State shall intimate to the registering authority in whose jurisdiction such vehicle is kept for use in Form KMV 27 within seven days from the date of entry of the motor vehicle in the state.

(4) If the owner of the motor vehicle or the person in possession of the motor vehicle fails to apply for the assignment of new registration mark under sub-section (1) of Seciton 47 of the Act, he shall be liable to pay the amount of rupees fifty for the default for the first month and rupees twentyfive for the default of every subsequent month if continued:

Provided that the total amount payable under this rule in lieu of action under Section 117 of the Act shall not exceed rupees one hundred.

(5) The registering authority assigning a new registration mark to a motor vehicle, shall, in From KMV 28 intimate the registering authority which originally issued the certificate of registration, that a new registration mark has been assigned to the motor vehicle and call for the record of registration of vehicle or certified copies thereof. The registering authority shall, simultaneously inform the owner and the other party, if any, to an agreement of hire-purchase, specified in the note appended to the certificate of registration of such new registration mark.

46A. Reservation of registration marks :-

(1) Any person who desires to reserve any registration mark within the range of one thousand registration marks from the first registration mark or the registration mark last assigned in the serial order in respect of a motor vehicle to be registered under Rule 47 or for assignment of new registration mark under Rule 54 of the Central Motor Vehicles Rules, 1989, may apply in advance to the concerned registering authority along [with non-refunded able fee of Rupees Six Thousand for two-wheelers; Rupees Twenty

Thousand for the Light Motor Vehicles both transport and non-transport vehicles and Rupees Thirty Thousand for other vehicles]. Provided that any person may reserve any registration mark within the range of one thousand registration marks from the next series of the series which is in operation [on payment of a nonrefundable fee of rupees twenty-five Thousand for two wheelers and rupees seventy-five thousand for other vehicles (both transport and non-transport):

(2) On receipt of an application under sub-rule (1), the registering authority, shall reserve registration mark applied for in favour of the applicant. The reservation made under this sub-rule shall be valid for a period of three months from the date of its reservation.

(3) On failure of the applicant to register the vehicle within the period specified under sub-rule (2) with the registration mark reserved, the amount paid for the reservation shall stand forfeited.

(4) Except in the case of reservation under sub-rule (2) the registering authority shall assign the registration mark to the motor vehicle in the serial order first after the registration mark last assigned.

(5) Notwithstanding anything contained in sub-rule (2), the Commissioner may order the assigning of any registration mark which is available for assigning out of the series which are in operation on payment of the fee specified under sub-rule (1).

(5-A) The Commissioner may the next series of the series of the series which is in operation to enable reservation of registration mark under the proviso to sub-rule (1).

(6) The registering authority shall assign the registration marks as may be specified by the government to the vehicle owned by it or be long to Karnataka State Road Transport Corporation. When such vehicles are sold to private persons they shall be reassigned new registration marks as specified by the Government.

(7) The person purchasing the Motor vehicles belonging to the Government or the Karnataka State Road Transport Corporation shall apply for new registration marks to the concerned registering authority within thirty days from the date of purchase.

46B. Production of vehicle for specifying the revised gross vehicle weight :-

Whenever there is a revision relation to gross vehicle weight in relation to a transport vehicle, the owner of such vehicle shall produce the certificate of registration of such vehicle before the

concerned registering authority within thirty days from the date of issue of notification revising the gross vehicle weight for causing the revised gross vehicle weight entered in the certificate of registration.

46C. Particulars to be painted on transport vehicle :-

Except in the case of motor cabs and auto rickshaw cabs, the particulars, specified below shall be exhibited in every transport vehicle on the left hand side of such vehicle in the manner specified hereunder and shall conform to the particulars specified in the certificate of registration.

1. Name of the registered owner.
2. Chassis number.
3. Engine number.
4. Gross vehicle weight denoted by GVW.
5. Number of passenger for whom accommodation is provided, denoted by PASS.
6. Date of expiry of fitness certificate.
7. Date of expiry of permit.
8. Date of expiry of Insurance Certificate.
9. Tax paid upto.

Such particulars shall be in English letters and Arabic numerals which should not be less than one inch high and one inch wide, legibly painted on a plain surface.]

47. Exemption of road plant :-

Nothing contained in Chapter IV of the Act shall apply to road rollers, graders and other vehicles designed and used solely for the construction, repair and cleaning of roads.

47A. Special provision relating to agricultural tractor-trailer and power tillers and trailers :-

Notwithstanding anything contained in these rules or in any other rules in respect of agricultural tractor-trailer in lieu of fees payable under these rules or in any other rules, there shall be paid a consolidated fee of rupees five hundred at the time of initial registration thereof in respect of agricultural power tiller and trailers, there shall be paid a consolidated fee of rupees one hundred at the time of initial registration.

Explanation.-For the purpose of this rule, agricultural tractor-trailer

and the agricultural power tiller and trailer means the vehicle used exclusively for agriculturist whose main source of income shall be from agriculture.

48. Supply of copies of registration :-

A registering authority shall supply copies of the particulars of any motor vehicle registered in the records maintained by him to any person who may apply for the same. For every such copy in respect of ten or less number of vehicles a fee of rupees ten shall be charged.

49. Notice of alteration of motor vehicles :-

(1) The notice by the owner of a motor vehicle to the registering authority in accordance with sub-section (1) of Section 52 shall be in Form KMV 29.

(2) The registering authority may on receipt of such notice require the owner of a motor vehicle to produce the certificate of registration in respect of the vehicle before him or his nominee, within seven days from the date on which such requisition was made of the purpose of verification on the entries therein.

50. Intimation regarding stolen and recovered motor vehicles :-

(1) An officer in-charge of the police station where the theft of a motor vehicle is reported by the owner or any other person in possession of the vehicle, shall, immediately after the registration of an offence, send intimation to the Commissioner and the registering authority in Form KMV 30 and send a copy thereof to the Registering Authority where the vehicle is registered.

(2) If the police station mentioned in sub-rule (1) is located in the jurisdiction of the Commissioner of Police, Bangalore City, the Police officer shall also simultaneously send one copy of intimation in Form KMV 30 to all the registering authorities located in Bangalore city.

(3) On receipt of this intimation under sub-rule (1) the Commissioner shall inform all the registering authorities the details of the stolen vehicles in Form KMV 31.

(4) The Commissioner shall also maintain a register of stolen vehicles in Form KMV 32.

(5) The registering authorities shall maintain the register of stolen

vehicles in Form KMV 33 on the basis of the intimation received from the Commissioner or from the Police Officer, as the case may be.

(6) If the vehicle reported to be stolen is recovered, the police station which recovered the vehicle shall intimate the fact in Form KMV 34 to the Commissioner and the relevant Registering Authority.

(7) On receipt of intimation under sub-rule (4), the Commissioner and the registering authority concerned shall take a note of such recovery in the register maintained.

51. Maintenance of State Register of Motor Vehicles :-

(1) The registering authorities shall maintain a "State Register of Motor Vehicles" in such form as is prescribed under the Central Motor Vehicles Rules, 1989.

(2) This register may be either in a bound book form or on computer disc or tape.

(3) As soon as the vehicle is registered the necessary entries shall be taken up and entered in the State Register of Motor Vehicles.

(4) The State Register for motor vehicles shall be maintained according to the class of the vehicles, that is to say transport or non-transport and also if the registration of all types of vehicles is in large number, according to the detailed classification of the vehicles, i.e. to say two wheelers. Cars, goods carriers, tractors, etc., as may be decided by the Registering Authority.

CHAPTER 5 Control of Transport vehicles

52. State Transport Authority :-

(1) The State Transport Authority shall meet at such intervals and at such place as the Chairmen may decide: Provided that it shall meet not less than twice in each year.

(2) Not less than ten days notice shall be given to every member of any meeting of the State Transport Authority.

(3) The State Government may at any time remove any member of the State Transport Authority.

(4) Subject to the provisions of sub-rule (3), a non-official member of the State Transport Authority shall hold office for a period of three years and thereafter until a successor is appointed. Provided that when any such member dies or is removed or vacates office, his successor shall hold office for the remainder of the period of

office of the member whose place he takes and thereafter until a successor is appointed.

(5) The quorum to constitute a meeting of the State Transport Authority shall be two members including the chairman.

(6) The chairman shall have a second or casting vote.

(7) [The Joint Commissioner] appointed as such by the state Government shall be the Secretary to the State Transport Authority.

53. Regional Transport Authorities :-

(1) The Regional Transport Authority shall meet at such interval and at such place as its Chairman may decide: Provided that it shall meet not less than once in two months unless the State Transport Authority otherwise directs.

(2) Not less than ten days notice shall be given to every member of any meeting of the Regional Transport Authority.

(3) A member of the Regional Transport Authority shall attend at least six meetings in each financial year. The State Government may, at any time remove any such member from office on his failure to attend the minimum number of meetings fixed under this rule. The State Government may also remove from office any member for any other reasons.

(4) Subject to the provisions of sub-rule (3), a non-official member of the Regional Transport Authority shall hold office for a period of three years and thereafter until a successor is appointed: Provided that, when any such member dies or is removed or vacates office, his successor shall hold office for the remainder of the period of office of the member whose place he takes and thereafter until a successor is appointed.

(5) The quorum to constitute a meeting of the Regional Transport Authority shall be the Chairman and any one of the members.

(6) The Chairman shall have a second or casting vote.

(7) The Regional Transport Officer shall be the Secretary of the Regional Transport Authority.

54. Conduct of business of Transport Authorities :-

(1) [The Secretary of the State Transport Authority or Regional Transport Authority] shall perform such duties and exercise such duties and exercise such powers as specified in these rules: Provide that the State Government may, if it considers necessary in the public interest, appoint more than one Secretary for any [region]

for which the Transport Authority is constituted.

(2) The Chairman of the State or Regional Transport Authority, as the case may be shall have powers to regulate the conduct of its business.

(3) In the event of procedure by circulation being followed, the secretary shall send to each member of the Transport Authority such particulars of the matter as may be reasonably necessary in order to enable the member to arrive at a decision and specify the date by which the votes of members are to be received in the office of the Transport Authority. On receipt of the votes of members as aforesaid, the Secretary, shall lay the papers before the Chairman who shall record the decision by endorsement on the form of application or other document, as the case may be, according to the votes received and the vote or votes cast retary and shall not be available for inspection by any person save by a member of the Transport Authority, at a regularly convened meeting of the Transport Authority. No decision shall be made by following procedure by circulation if, before the date by which the votes of members are required to reach the office of the Transport Authority, not less than one-third of the members of the Transport Authority by note in writing to the Secretary demand that the matter be referred to a meeting of the Transport Authority.

(4) The number of votes, excluding the Chairmans second or casting vote, necessary for a decision to be taken upon procedure by circulation shall not be less than the number necessary to constitute a quorum.

(5) The Transport Authority, may require any applicant for a permit to appear before it or before the officer authorized by it by a resolution and may withhold the consideration of the application for the permit until the applicant has so appeared in person if so required, or by a duly authorized representative if so permitted, and until the applicant has furnished such information as may be required by the Transport Authority in connection with the application.

(6) Nothing contained in this rule shall prevent the Transport Authority from deciding by following the procedure by circular nay matter which has been considered at a meeting or has been the subject of hearing and upon which a decision has been reserved.

(7) Where a matter is decided by the votes of members present at a meeting of Transport Authority, no person other than a members of the Transport Authority shall be entitled to be present and no record of the voting shall be kept save of the number of votes cast

on either side: Provided that when any matter is decided by the exercise of the second or casting vote of the Chairman or the Presiding Officer the facts shall be recorded.

55. Delegation of powers by Regional Transport Authority :-

(1) A Regional Transport Authority may, by general or special resolution recorded in its proceedings and subject to the restriction, limitation and conditions herein specified delegates to the Secretary or any officer of the motor Vehicles Department not below the rank of an Assistant Regional Transport Officer all or any of following powers exercisable by it, namely.-

(i) To attach a Stage Carriage Permit conditions under sub-section (2) of Section 72, or to vary the conditions thereof;

(ii) Power under Section 66 and 174 to refuse a Contract Carriage permit, to grant with or without modification, such an application, and attach conditions to the permit;

(iii) Power under sub-section (1) of Section 76, to grant, refuse or renew a private service vehicle permit;

(iv) (a) Powers under Sections 66 and 79 to grant with or without modification or refuse goods carriage permit; and

(b) Power to impose conditions under sub-section (2) of Section 79 or vary the conditions thereof;

(v) Power to renew permits under Section 81 of the Act;

(vi) Power under Section 82 to transfer permit;

(vii) Power under Section 83 to permit the replacement vehicle by another vehicle;

(viii) Power under Section 86 to suspend a permit or to recover from the holder thereof the sum of money agreed upon in accordance with sub-section (5) of the said section;

(ix) Power under Section 87 and sub-sections (7) and (8) of Section 88 to grant or refuse to grant a temporary or as the case may be, a special permit;

(x) Power under sub-sections (1) and (3) of Section 88 to countersign a permit or to attach or vary conditions thereof;

(xi) Power under Rules 113 and 115 to grant, renew or refuse licence of agents or powers under rules to suspend a licence or to recover from the holder thereof sum of money agreed upon, in lieu of such suspension;

(xii) Power to fix time-table or approve time-table with or without modification or refuse to approve time-table in respect of particular stage or of a service of stage carriages: Provided that the person to

whom power is delegated under this rule shall.-

(i) Keep the Regional Transport Authority informed from time to time of the action taken by him in exercise of the power so delegated; and

(ii) Cause to display on the notice board in the premises of the office of the Regional Transport Authority, a copy of the resolution delegating the power to him, in each case;

Provided further that the delegation of powers referred to in sub clause (iv) of clause

(a) of this sub-rule shall also be subject to the condition that the Regional Transport Authority shall ensure that the secretary or other officer in exerting the said the said powers in relation to applications for contract carriage permits shall have due regard to the views of such Committee as may be appointed by the State Government from time to time and wherein any case the Secretary or other officer from time to time and wherein any case the Secretary or other officer differs from such views, to require him to record his reasons therefore.

(2) Notwithstanding anything contained in this rule, a Regional transport Authority may from time to time, issue instructions to the Secretary or the Officer as to the manner in which he shall exercise the powers delegated to him.

56. Delegation of powers by the State Transport Authority

:-

(1) The State Transport Authority may, by a general or special resolution recorded in its proceedings, delegate to its Secretary [or to any officer of the transport department not below the rank of Assistant Regional Transport Officer] all or any of its following power, namely.- Power.-

(i) To attach to a stage Carriage Permit conditions under sub-section (2) of Section 72 or to vary the conditions thereof;

(ii) To refuse a Contract Carriage Permit, to grant with or without modification, such and application and attach conditions to the permit under sections 66 and 74 read with subsection (2) of section 88 to operate throughout the State;

(iii) To attach to a permit other than a Stage Carriage Permit conditions including those under sub-section (11) of Section 88 read with sub-section (2) of Section 74 or to vary the conditions thereof;

(iv) To permit replacement of one vehicle by another under Section

83;

(v) To grant Stage Carriage Permit to the State Transport Undertakings on Inter-State routes agreed upon between two States in accordance with reciprocal agreements or arrangements;

(vi) To renew all types of permits under Section 81;

(vii) To permit the transfer of permits under Section 82 of the Act;

(viii) To suspend a permit under Section 86 or to recover from the holder thereof the sum of money agreed upon in accordance with sub-section (5) of said Section 86;

(ix) To countersign the permits granted in any other state as a result of any reciprocal agreement arrived at with that State under Section 88 and also and to countersign the renewal, replacement of vehicle, transfer of such permits and its power under Section 86 to cancel or suspend such permits;

(x) Powers under Section 87 and sub-sections (7) and (8) of Section 88 to grant or refuse to grant a temporary or a special permit as the case may be;

(xa) Powers under sub-section (9) of Section 88 to grant permits in respect of tourist vehicle

(xi) To cancel the permit which are voluntarily surrendered by the permit holder under subrule (1) of Rule 81;

(xii) Powers to assign or harmonization of timings in respect of grant or variation of stage Carriage Permit;

(xiii) To grant permits other than a Stage Carriage on an application made to the Chairman or Secretary (or any officer of Transport Department not below the rank Regional Transport Officer) with reference to the notification issued under sub-section (2) of section 69.

(2) The State Transport Authority, may for the prompt and convenient dispatch of its business, by a general or special resolution, delegate to its Chairman its powers to give effect to any directions issued under Section 67 by the State Government.

(3) Notwithstanding anything contained in this rule, the state transport Authority may, give general instructions as to the manner in which the delegate shall exercise the powers delegated to him.

(4) All orders of delegations made by the State Transport authority shall be pasted on a notice board at the office of that authority.

(5) The Officers to whom the powers are delegated shall intimate the action taken by them in pursuance of the of the powers so delegated, to the Secretary to the State Transport Authority who shall place then before that authority from time to time.

57. Exemption form section 66 :-

The provisions of sub -section(1) of Section 66, shall not apply to any transport vehicle used as a relief vehicle or carrying passengers and their luggage from a disabled stage carriage to the place destination.

58. Disposal of applications for contract carriage, goods carriage and private service vehicle permits :-

(1) when an application for contract carriage permit or a goods carriage permit or a private service vehicle permit is received by the Secretary of the Regional Transport Authority, he shall examine whether the powers to deal therewith has been delegated to any other officer under Rule 55 and forward the same to him for disposal.

(2) in case where the application referred to in the preceding sub-rule is required to be considered by the Regional Transport Authority, the Secretary shall scrutinize whether the application is in order and call for such further particulars and make such other inquiries as he may consider necessary and shall subject to any general directions of the Regional Transport Authority decide whether the application be disposed of by the circulation procedure or at the meeting of the Transport Authority.

(3) Normally the application referred to in sub-rule (1) shall be disposed of within one month of the receipt thereof.

59. Refusal to accept application for permits :-

Where the State Government by notification in the official Gazette has directed the Transport Authorities to limit the number of stage carriages generally or of any specified type under sub-section (3) of Section 71, sub-section (3) of sec-granted in any specified route and has actually granted permits equal to the maximum number of vehicles of any class, in such area or as the case may be, on such route, the Regional Transport Authority shall notify this fact on the notice board of its office and may decline to receive area or on the route aforesaid.

60. Reservation of permits for Scheduled Castes and Scheduled Tribes :-

The Regional Transport authority shall reserve such number of

stage carriage permits for the Scheduled Castes and Scheduled Tribes as may be fixed by the State Government under sub-clause (b) of sub-section (3) of Section 71.

61. Power of Transport Authorities to demand documentary proof, etc :-

it shall be lawful for any Transport Authority competent to grant the permits for which a reservation is made under Rule 60, to direct any applicant for grant of such permit to produce such documentary evidence as may be deemed necessary to ascertain his eligibility for a permit form amongst the reserved vacancies.

62. Preference in grant of stage carriage permits :-

Under sub-clause (iii) of clause (d) of subsection (3), sub-clause (c) of sub-section (3) of Section 71, and financial stability and satisfactory performance including payment of tax, a preference shall be given to the educated unemployed project affected persons, applicant having a Diploma in Automobile Engineering and or a Diploma in Tourism or Transport Management from recognized Institute, or a travel Agent recognized by India Tourism Development Corporation or the Karnataka Tourism Development Corporation.

63. Form of application for permits :-

(1) Every application for a permit in respect of any transport vehicle shall be in one of the following Forms:-

- (i) In respect of a [x x x x x] stage carriage ...in Form KMV 35;
- (ii) In respect of a [x x x x x] contract carriage ... in Form KMV 36;
- (iii) In respect of a goods carriage ...in Form KMV 37;
- (iv) In respect of a temporary permit ... in Form KMV 38;
- (v) In respect of a private service vehicle permit ... in Form KMV 39;
- (vi) In respect of a special permit ... in Form KMV 40;
- (vii) In respect of tourist taxi permit ... in Form KMV 36;
- (viii) In respect of tourist vehicle permit ... in Form KMV 26;
- (ix) in respect of variation of the conditions specified in the permit in Form KMV 36-A.

(2) The application shall be addressed to the Transport Authority and accompanied by the fees prescribed.

Provided that such application may be addressed to the Secretary,

if the powers of the state Transport Authority are delegated to him, and to the secretary, Regional Transport Authority, if the powers of the Regional Transport Authority concerned are delegated to him.

64. Forms of permits :-

(1) Every permit shall be in one of the following forms, namely:-

- (i) in respect of a stage carriage ... in Form KMV 41;
- (ii) in respect of a contract carriage ... in Form KMV 42;
- (iii) X x x x x;]
- (iv) In respect of a goods carriage ... in Form KMV 45;
- (v) In respect of a temporary permit ... in Form KMV 46;
- (vi) In respect of a private service vehicle ... in Form KMV 47;
- (vii) In respect of a special permit ... in Form KMV 48;
- (viii) In respect of a tourist vehicle ... in Form KMV 49;
- (ix) In respect of National Permit for goods carriage in Form KMV 50.

(2) Every permit issued under Section 85 shall be sealed and signed by the Secretary of the Transport Authority by which the permit is issued to counter-signed.

65. Entry of registration mark in permit :-

(1) Where the registration mark of the vehicle is to be entered in the permit and the applicant is not on the date of application, the registered owner of the vehicle, then the applicant shall, within one month of the sanction of the applications by the Transport Authority, or such longer period as such Transport Authority, may specify, produce before that authority the certificate of registration of the vehicle registered in his name in order that particular of the registration mark may be entered in the permit.

(2) No permit shall be issued until the registration mark of the vehicle to which it relates has, if the form or permit so requires, been entered therein and in the event of any applicant failing to produce the certificate of registration within the prescribed period the Transport Authority may withdraw its sanction of the application.

1[(3) Nothing contained in sub-rules (1) and (2) shall apply to permits held by stage Transport Undertaking so far as its operations of stage carriage on any notified routes are concerned with vehicle placed at their disposal and control by the owner of such vehicle under any arrangement entered into between such owner and the undertaking.]

66. Extension of area or validity of permit :-

(1) subject to the provisions of section 88, a Transport Authority which issues a permit (hereinafter referred to as the Regional Transport Authority), in Form KMV 42 and a permit in Form KMV 45, may extend the effect of the permit to any other region within the State and may attach conditions to the permit with effect to such other region and may vary the conditions of the permit in different regions: Provided that subject to provisions of the following sub-rules, the vehicles to which the permit refers are normally kept within the region of the Region Transport Authority.

(2) The Regional Transport Authority may issue permit having validity in any other region in accordance with any general or special resolution recorded by any other Transport Authority, and any permit so issued shall be of like effect in the region of the other Transport Authority, as if it were issued by that Transport authority, as if it were issued by that Transport Authority.

(3) Subject to the provisions of sub-rule (2), the original Transport Authority may issue a contract carriage permit to be operative in another region or regions if it attaches a conditions to the permit to the effect that the vehicle or vehicles shall only be used beyond the region of the regional Transport Authority under contract for a return journey commencing and ending within the region of Regional Transport Authority and shall not be offered for hire outside that region.

(4) The Regional Transport Authority which issues a permit to be operative in any other region shall send a copy of the permit to the authority of the other region.

(5) Nothing in this rule shall affect the right of the holder of any permit to apply to any Regional Transport Authority for counter-signature of a permit.

(6) Where the State has entered to reciprocal arrangements with any other state, the Regional Transport Authority shall not grant any special permit valid in any part of that other State in accordance with sub-section (8) of Section 88 except in conformity with the terms of the receipt rocal arrangement.

(7) A special permit granted by a Regional Transport Authority of another State in accordance with the sub-section (8) of section 88 shall, unless the reciprocal arrangement between the two states provides otherwise, be valid without counter-signature subject to the following conditions, namely.-

(i) the tax payable to the state according to the Karnataka Motor

Vehicles Taxation Act, 1957 is paid in advance;

(ii) the period of validity of a special permit in the State shall not exceed a period of three months;

Provided that the Regional Transport Authority in whose jurisdiction the vehicle enters, may extend the validity of the special permit for a period not exceeding one month.

(8) a permit granted in another State shall be valid in this state without counter-signature,-

(i) If the vehicle in respect of which such permit may have been granted is used on a route the terminal points of which are situated in such other State and which passes over a distance of not more than 16 kilometers in this State; and

(b) if such other state also extends similar facility to the holders of permits granted in this State.

(9) Every application for the grant of an inter-state permit of any kind shall be made to the state Transport authority and shall be accompanied by the fee prescribed.

(10) On receipt of an application under sub-rule (9), the State Transport Authority shall follow the same procedure in considering the application as is prescribed for considering an application for the grant of an inter-State permit under the Act and the rules, and may grant the permit in the relevant Form.

(11) where a permit is granted under sub-rule (10), the state Transport Authority shall forward to every other State Transport Authority the information relating to.-

(i) the number of the permit and the registration mark and other particulars of the vehicle necessary for the purpose of its identification;

(ii) The suspension or cancellation, if any, of the permit; and

(iii) The grant of stay, if any, where on appeal or revision a stay has been granted, and when the appeal or revision is finally decided, such decision.

(12) The State Temporary Authority shall also forward to every other State Transport Authority, at intervals of not more than three months, a statement giving information in regard to the numbers of the permit and the dates of expiry of such permits.

(13) Every application for the grant of a National Permit in respect of a goods carriage shall be made to the [x x x x x] the Regional Transport Authority concerned] and shall be accompanied by a fee of rupees five hundred.

(14) On receipt of an application under sub-rule (13), the [x x x x x] the Regional Transport Authority concerned] shall follow the

same procedure in considering the application as is prescribed for considering an application for the grant of a goods carriage permit under the act and the rules, and may grant the permit Form KMV 50.

67. Fee for permits :-

There shall be paid the specified in column (3) of the Table below for the purpose respectively specified in column (2) thereof.

TABLE

Sl. NO	Particulars of the purpose	Fee in Rupee
1.	Application for grant/renewal for stage carriage permit under section 70 read with Section 71 and 81.	2,000-00
2.	Application for grant/renewal for contract carriage under Section 73 read with Section 74 and Section 81.- (a) Bus (b) Maxi-Cab (c) Motor cab	2,000-00 600-00 400-00
3.	Application or grant/renewal of private service vehicle permit under section 76 and Section 81.	1
4.	Application for grant/renewal of goods carriage permit under section 77 and read with section 79 and Section 81,	1,000-00
5.	Variation of permit under Section 80(3) of Motor Vehicle Act, 1988. (a) State Carriage (b) Contract Carriage (Buses) (c) Motor Cabs (d) Maxi-Cabs	2,000-00 2,000-00 400-00 600-00
6.	Variation of condition of permit under Section 72(2)(xxii)	1,000-00
7.	Variation of condition of permit under section 74(2)-(ix) (a) Contract Carriage (b) Maxi-Cab	1,000-00 500-00 200-00

	(c) Motor-Cab	
8.	Variation of condition of permit under Section 76(3)(iii)	500-00
9.	Variation under Section 79(2)(vii)	500-00
10.	Transfer of permit under Section 82(1) (a) Stage carriages (b) Contract carriage (Buses (c) Contract carriage (Maxi-cabs) (d) Contract carriage (Motor-Cabs (e) Private Service vehicle (f) Goods carriages	2,000-00 2,000-00 1,000-00 500-00 1,000-00 750-00
11.	Transfer of permit under Section 82(2) in the case of death of permit holder.	100-00
12.	Transfer of permit under Section 82(2) on belated application	200-00
13.	Replacement of vehicles under Section 83.- (a) Stage carriages (b) Contract carriages (Buses) (c) Contract carriages (Maxi-cabs) (d) Contract Carriages (Motor-Cabs) (e) Private service vehicle (f) Goods carriages	1,000-00 500-00 250-00 1,000-00 500-00
14.	Temporary permits under Section 87 of the Act, for each calendar month or part thereof.- (i) Stage Carriage (ii) Contract Carriage (Bus) (iii) Private Service Vehicle (iv) Goods Carriage (v) Maxi Cab (vi) Motor Cab	200-00 200-00 200-00 200-00 200-00 200-00
15.	Countersignature of permit under Section 88(1)	Equal to the nfee for grant of permit
16.	Variation of permit under section 88(3)	Equal to variation of condition of permit fee prescribed as in the case of variation of original

		permit
17.	<p>Countersignature of temporary permit under Section 88(7) of the Act for each calendar month or part thereof.-</p> <p>(i) Stage carriage</p> <p>(ii) Contract Carriage (Bus)</p> <p>(iii) Private Service Vehicle</p> <p>(iv) Goods Carriage</p> <p>(v) Maxi Cab</p> <p>(vi) Motor Cab</p>	<p>200-00</p> <p>200-00</p> <p>200-00</p> <p>200-00</p> <p>200-00</p> <p>200-00</p>
18.	<p>Special permits under Section 88(8) of the Act for each calendar month or part thereof.-</p> <p>(i) Stage Carriage</p> <p>(ii) Contract Carriage (Bus)</p> <p>(iii) Tourist Vehicles</p> <p>(iv) Maxi Cab</p> <p>(v) Motor Cab</p>	<p>200-00</p> <p>200-00</p> <p>200-00</p> <p>200-00</p> <p>200-00</p>
19.	<p>Tourist vehicle.-</p> <p>(a) Grant under Section 88(9)</p> <p>(i) Bus</p> <p>(ii) Maxi-cabs</p> <p>(iii) Motor cabs</p> <p>(b) Renewal of permit</p> <p>(c) Variation of permit</p> <p>(i) Bus</p> <p>(ii) Maxi-cabs</p> <p>(iii) Motor cabs</p> <p>(d) Transfer of permit.-</p> <p>(i) Bus</p> <p>(ii) Maxi-cabs</p> <p>(iii) Motor cabs</p> <p>(e) Transfer of permit in the case of death, any class of vehicle covered under tourist vehicle permit.</p>	<p>2,000-00</p> <p>1,000-00</p> <p>750-00</p> <p>Equal to the fee prescribed for grant.</p> <p>500-00</p> <p>400-00</p> <p>300-00</p> <p>2,000-00</p> <p>1,000-00</p> <p>750-00</p> <p>200-00</p>

	(f) Transfer of permit on death on belated application; (g) Replacement of vehicles (i) bus (ii) Maxi-Cabs (iii) motor cabs	1,000-00 1,000-00 500-00
20.	National permit for goods carriages under section 88(12) (a) Grant/renewal of permit (b) Variation of permit (c) Transfer of permit (d) Transfer of permit-on death (e) Transfer of permit-on death applied belatedly (f) Replacement of vehicle	 1,000-00 500-00 1,000-00 200-00 300-00 500-00
21.	For endorsement of grant, renewal or countersignature or variation, or replacement of permits	For endorsement of the grant, renewal or countersignature or variation, or replacement of permits

68. Exemption of permits fee :-

Persons belonging to the Scheduled Castes and Scheduled Tribes shall be exempted from payment of fees under Rule [67] to the extent of half of such fees.

69. Stage carriage to ply on routes other than those specified in permit under certain circumstances :-

Holder of a permit granted in respect of a stage carriage shall, if so directed by the authority granting the permit, such direction being made in the interest of public order, public safety or in any emergency, use a stage carriage on such route or in such area and during period and at such timing as may be specified in the direction.

69A. Maintenance of reserve vehicles :-

The conditions regarding maintenance of reserve vehicles specified

in clause (xvii) of sub-section (2) of Section 72 of the Act, shall be incorporated in every permit granted to a person and the maximum number of reserve vehicles to be maintained with valid permits for such use shall be as specified in the table below:

No. of permits	Maximum number of reserve vehicles that can be maintained
Upto 4.....	1
" 5 to 10.....	2
" 11 to 20	3
" 21 to 30.....	4
" 31 to 40	5
" 41 to 50.....	6
" 51 and above.....	Not less than 10% of the fleet strength.]

70. Additional conditions in respect of certain permits :-

(1) A permit in respect of a stage carriage may be subject to one or more of the following conditions:-

- (a) That its holder, if required, shall not use a stage carriage in a public place for the purpose of carrying or intending to carry passengers unless it carries in addition to the driver, a conductor;
- (b) That there shall be exhibition on the vehicle adequate particulars indicating to the public the place to which and the route by which the vehicle is proceeding;
- (c) That the service shall be regularly operated on the specified route in accordance with the approved time-table except-
 - (i) When prevented by accident, unmotorability of the route, or any unavoidable cause; or
 - (ii) When otherwise authorized in writing by the Regional Transport authority.

(2) A permit in respect of a contract carriage may be subject to one or more of the following conditions:-

- (a) That the vehicle shall not be driven in a public place except by the permit holder or a licensed driver holding an authorization to drive a public service vehicle and duly authorized by the permit holder in writing and which writing shall be carried by the driver

when driving, and produced on demand by any police officer not below the rank of a sub-Inspector of Police or officers of the Motor Vehicles Department of and above the rank of an Inspector of Motor Vehicles.

(b) That the number of persons to be carried in the vehicle shall not exceed the number which may be specified in the permit; and

(c) No advertising device, figure or writing shall be exhibition on the vehicle.

(3) A permit in respect of a public service vehicle may be subject to the condition that its holder shall make provision on such jvehicle for the conveyance of a reasonable quantity of passengers, luggage with efficient means for securing it and protecting it against rain.

(4) A permit in respect of a transport vehicle may be subject to the provisions of these rules luggage may be carried on the roof of a stage carriage or in boot, locker or compartment set aside for the purpose, but where it is so carried on a roof, adequate protection in the form of a guard tail hall be provided.

(2) No luggage shall be carried in any stage carriage in such a way as to block any entrance or exist.

(3) No goods shall be carried on the top deck of a double-decked stage carriage.

(4) Where the holder of a stage carriage permit uses a vehicle authorized by the permit for the carriage of goods to the detriment of the public convenience by failing thereby to meet the demand for passenger transport, the Transport Authority may, after giving the holder an opportunity of being heard, declare that a breach of the conditions of the permit has occurred and may, thereafter, proceed under the provisions of Section 86 of the Act.

(5) Subject to the provision of the rule, goods, may be carried in a stage carriage at any time in accordance with the conditions specified in the permit, provided that the obligation of the holder to carry passengers in accordance with there terms of the permit is discharged.

(6) Where goods are carried in 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 to and exit from the vehicle.

(7) The weight in kilograms of goods carried on a stage carriage shall not exceed $(N-X) \times (68)$, where in relation to a single-decked

stage carriage or to the lower deck of a double-decked stage carriage.-

N is the registered passengers seating capacity of the vehicle, and X is the number of passengers carried on the vehicle, or the number of passengers for whom seats are kept free and unimpeded by goods, whichever is greater.

71. Section 71 :-

XXX XXX XXX

72. Prohibition of carriage of goods in a stage or contract carriage :-

(1)The Transport Authority shall authorize the use of contract carriage for the carriage of goods used for,-

(a) Special reason on particular occasion and subject to conditions and restrictions to be specified on the permit; or

(b) the carriage of the personal, office or household effects of a hirer if so authorized in the permit but not the carriage of general merchandise.

(2) No goods liable to foul the interior of the vehicle or to render it unsanitary shall be carried at any time in any state carriage or contract carriage.

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

73. Carriage of personal luggage in stage carriage :-

Except in the case of stage carriage services operated exclusively within municipal areas, a passenger in a stage carriage shall be entitled to carry free of charge not more than fifteen kilograms of luggage and personal effects.

74. Carriage of animals in goods vehicle :-

(1) No cattle shall be carried in a goods vehicle in a public place unless:-

(A) in the case of goat, sheep, deer or pig,-

(i) a minimum floor space of 0.2 square meter per head of such cattle is provided in the vehicles;

(ii) proper arrangements for ventilation are made; and

(iii)it carried in a double decked goods vehicle.-

- (a) The upper deck flooring is covered with metal sheets with a minimum height of 7.62 cms. Raised on all four sides so as to prevent the animal waste matter such as urine, litter, etc., falling on the animals on the lower deck;
- (b) Proper arrangements for drainage are made on each floor;
- (c) Wooden battens are provided on each floor, to prevent slipping of hoofs of the animals.
- (B) in the case of any other cattle,-
 - (i) a minimum floor space of 2m x 1m per head of cattle and half of such floor space for a young one of cattle which is weaned is provided in the vehicle;
 - (ii) The lead body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum height of 1.5 meters measured from the floor of the vehicle on all sides and the back;
 - (iii) floor battens are provided to prevent slipping of hoofs;
 - (iv) Every projection likely to cause suffering to an animal is removed; and
 - (v) The cattle are properly secured by ropes tied to the sides of the vehicle. Explanation.-"Cattle" for the purpose of this sub-rule includes goat, sheep, buffalo, bull, ox, cow, deer, pony, mule, ass, pig or the young ones thereof.
- (2) No animal belonging to or intended for a circus, menagerie or zoo shall be carried in a goods vehicle in a public place unless,-
 - (i) in the case of wild or ferocious animal, a suitable cage, either separate from or integral with the lead body of the vehicle used of sufficient strength to contain the animal securely at all times is provided; and
 - (ii) reasonable floor space for each animal is provided in the vehicle.
- (3) No goods vehicle when carrying any cattle or any animal shall be driven at a speed in excess of 24 kms. Per hour.

75. Carriage of luggage in private service vehicle :-

- (1) Not more than 30 kgs. Of luggage or personal effects per occupant may be carried in a private service vehicle.
Provided that, if this the permit so provides, such vehicle, may, in addition, carry the personal or household effects of the holder of such permit or the office articles of such holder subject to the conditions that the total weight of the luggage or personal or household effect or office articles and persons does not exceed the permissible carrying capacity.

(2) Nothing in sub-rule (1) shall be (1) construed as authorizing the carriage of general merchandise in a private service vehicle.

76. Renewal of permits :-

(1) An application for the renewal of permit shall be [made in Form KMV 36-B] to the State Transport Authority or the Regional Transport Authority or the Regional Transport Authority, as the case may be, by which the permit was issued and shall be accompanied by the permit. The application shall state the period for which the renewal is desired and shall be accompanied by the fee prescribed.

(2) The Regional Transport Authority renewing a permit shall endorse permit accordingly and shall return to the holder.

77. Renewal of counter-signature of permits :-

(1) Subject to the provisions of Rule 70, and application for the renewal of a counter-signature on a permit shall be made in writing to the state Transport Authority concerned and shall, subject to the provisions of sub-rule (2), be accompanied by the permit. The application shall set forth the period for which the renewal of the counter-signature is required.

(2) if at the time of application or renewal of a counter-signature on a permit, the permit, the permit is not available being under renewal by the authority by which it was issued, the application shall state fact and shall state the number and date of the permit, the name of the authority by which it was granted, the date of its expiry and the number and the date of the counter-signature to be renewed.

(3) The Regional Transport Authority granting the renewal of a counter-signature shall call upon the holder to produce the permit, if it has not been produced and shall endorse the permit accordingly and return the same to the holder.

78. Validation of renewal in respect of counter-signature of permit :-

(1) The authority by which a permit is renewed may, unless any authority by which the permit has been countersigned (with effect not terminating before the date of expiry of the permit) by a general or special order otherwise directed, likewise renew any counter-signature of the permit by endorsement on the permit in

the manner set forth in the appropriate Form and shall, in such case intimate the renewal to such authority.

(2) Unless the permit has been endorsed as provided in sub-rule(1) or unless the period of validity of the counter-signature has been endorsed by the authority making the countersignature, the counter-signature shall be of no effect beyond the date of expiry stated therein.

79. Replacement of a vehicle covered by a permit :-

(1) if a holder of a permit desires at any time to replace any vehicle covered by the permit by another vehicle, he shall forward the permit and apply in Form KMV 51 to the Transport Authority by which the permit was granted, stating the reasons why the replacement is desired and shall also simultaneously,-

(i) if the replace vehicle is in his possession, forward the certificate of registration of that vehicle; or

(ii) if the replace vehicle is not in his possession, state any material particulars in respect of which replace vehicle will differ from the vehicle to be replaced.

(2) On receipt of an application under sub-rule (1), the Transport Authority, may, subject to the provisions of 1[Sub-rule(3)], grant permission for replacement, notwithstanding the fact that replace vehicle differs in material respects and capacity from the vehicle to be replaced.

(3) The Transport Authority may, for reasons to be recorded and communicated to the applicant, reject any application made to it under sub-rule (2), if the holder of the permit has contravened any provisions thereof or has been deprived of possession of the vehicle proposed to be replaced under any hire-purchase agreement.

80. Validation of replacement order in respect of counter-signature on permit :-

(1) The secretary of the Transport Authority granting permission for the replacement of a vehicle under Rule 79 shall, unless the authority on behalf of which the permit was counter-signed has by general or special resolution otherwise, directed, endorse on the correction made to the permit, the words "valid also for.." inserting the name of the authority concerned and shall intimate the fact and the particulars of the replacement to such authority.

(2) unless the permit has been endorsed as provided in sub-rule (1) or unless the alteration has been approved by endorsement by

the authority concerned, the counter-signature on a permit shall not be valid in respect of any new vehicle.

81. Procedure of cancellation of permits etc :-

(1) if the holder of a permit desires at any time to surrender the permit to the Transport Authority by which it was granted and the Regional Transport Authority shall forthwith cancel the permit so surrendered.

(2) Where a Regional Transport Authority suspends or cancels any permit.-

(i) The holder shall surrender the permit immediately after the suspension or cancellation takes effect;

(ii) The Transport Authority suspending or canceling the permit shall send intimation to any authority by which It has been counter-signed with effect at the time of suspension or cancellation or cancellation and to any authority to whose area the validity has been extended under Rule 80.

(3) Where a Transport Authority suspends any permit, the permit holder shall also surrender the registration certificate in respect of the vehicle and the plates bearing the registration mark assigned thereto.

(4) Within 14 days of the expiry of any permit by efflux of time, the holder shall deliver the permit 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 counter-signed with effect upto the date of expiry and to any authority to whose area the validity has been extended under Rule 80.

(5) The holder of the permit shall, if so required by the Transport Authority intimate to it within 24 hours of the receipt of suspension order, the place where the vehicle in respect of which the order is passed will be kept during the period of suspension. Subject to the provisions of sub-section (2) of Section 192, such holder shall not remove the vehicle from the place so intimated without the prior permission of the transport Authority.

81A. Recovery of Money in lieu of cancellation or suspension of permit :-

(1) if the transport authority is of the opinion that it would be necessary or expedient to cancel or suspend the permit it may require the holder of such permit, if he is agreeable to pay

compounding fee in lieu of cancellation or suspension of permit to execute an agreement in Form KMV 65 standing that he is agreeable to pay such amount.

(2) The transport authority while determining the sum of money to be recovered in lieu of suspension or cancellation of permit shall have regard to the following:-

(i) nature, gravity and frequency of offences committed;

(ii) the quantum of punishment that would have been otherwise/imposed.

(iii) the type of vehicle;

Provided that the amount recoverable in lieu of suspension or cancellation of permit shall not be less than the minimum or more than the maximum specified in the schedule.

(3) if the permit holder executes the agreement as per sub-rule (1), the transport authority may pass a conditional order for recovery of the sum of money agreed by the permit holder under sub-rule(1).

(4) if the amount ordered under sub-rule (1) is not paid within seven days from the date of agreement, the order of the transport authority for cancellation or suspension of permit shall be given effect to.]

82. Transfer of permit :-

(1) Where the holder of a 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 a joint application in writing in [Form KMV 52 with a prescribed fee of [rupees seven hundred in respect of goods vehicles and rupees five hundred in respect of other vehicles] to the Transport Authority by which the permit was issued, setting forth the reasons for the proposed transfer.

(2) On receipt of an application under sub-rule (1), 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.

(3) Without prejudice to any other penalties to which the parties may be liable, the Transport Authority may declare void any transfer or a permit made upon such application and thereupon such transfer shall be void and of no effect, if after such enquiry as

it thinks fit, the transport Authority is satisfied that any matter stated to it under sub-rule (2) of any material particular in the application, was false.

(4) The Transport Authority may, summon both the parties to the application to appear before it and may, deal with the application as if it were an application for a permit.

(5) (i) If the Transport Authority is satisfied that the transfer of a permit may be made, it shall call upon the holder of the permit in writing to surrender the permit within seven days of the receipt of the order and shall likewise call upon the person to whom the permit is to be transferred and to pay a sum of [rupees one hundred as endorsement fee] and to surrender any permit, if held by him.-

(ii) On receipt of the permit and payment of prescribed fee, the Transport Authority shall make the necessary amendments therein and issue a new permit to the transferee.

(iii) The Transport Authority making a transfer of a permit with the words "Transfer of permit valid for... inserting the name of the authority by which the permit has been counter-signed with effect from the date of transfer;

(iv) Unless the permits have been endorsed as provided in clause (iii), the countersignature shall be of no effect after the date of transfer.

(6) The provision of this rule shall not apply in respect of transfer of contract carriage permit issued or motor-cabs.

83. Transfer of permit in case of death of permit holder :-

(1) in case of the death of the permit holder, the person succeeding to the possession of the vehicle covered by the permit may, within thirty days of the death of the permit holder inform the Transport Authority which granted the permit of the death of the holder and of his own intention to use the permit.

(2) The person succeeding to the possession of the vehicle covered by the permit may submit an application in [Form KMV 53 with the prescribed fee of rupees one hundred], to the Transport Authority for transfer of permit in his name.

(3) Along with the application, the applicant shall attach a copy of the newspaper notice published in the local newspaper in Form KMV 54 indicating that he is the person succeeding to the permit of the permit holder who expired.

(4) in case where the transfer of permit is allowed by the Transport

Authority on account of the demise of the permit holder, a photograph of transferee shall be affixed on the permit and sealed by the Authority.

84. Issue of duplicate permits :-

(1) When any permit (including a temporary permit) has been lost or destroyed, the holder shall forthwith intimate the fact to the Transport Authority by which the permit was issued and deposit the prescribed fee for the issue of a duplicate permit.

(2) The transport Authority shall, upon receipt of an application in accordance with sub-rule (1), issue a duplicate permit, and to the extent that it is able to verify the facts may cause to be endorsed thereon certified copies of any counter-signature by other authority intimating the fact to that authority.

(3) A duplicate permit issued under this rule shall be clearly stamped as "Duplicate" in red ink and the certificate copy of any counter-signature by any other Regional Transport Authority on a permit made under this rule shall be valid in the region of that other authorities as if it were a counter-signature.

(4) Where a permit has become dirty, torn or otherwise, defaced so as in the opinion of the Transport Authority to be illegible, the holder thereof shall surrender the permit to the Transport Authority and apply for the issue of duplicate to him in accordance with this rule.

(5) The fee for the issue of a duplicate permit shall be [Fifty per cent] of the fee prescribed for grant of fresh permit under Rule 87]. The fee for the issue of a duplicate temporary permit shall be rupees twenty.

(6) Where a duplicate permit has been issued upon representation that a permit has been lost and the original permit is afterwards found or received by the holder, the holder shall immediately return the duplicate permit to the Transport Authority.

(7) Any other person finding a permit shall deliver it to the nearest Regional Transport Authority. The Regional Transport Authority shall restore the permit in case the duplicate permit has not been issued and shall substitute it for the duplicate if it has already been issued.

85. Variation of permit :-

(1) Subject to the provisions of this rule, an application made in writing by the holder of any permit, the Transport Authority, may

at any time, in its discretion vary the permit or any of the conditions thereof.

(2) if the variation of any condition of any permit thereof is in accordance with any particular or general direction issued by the State Transport Authority under sub-section (4) of Section 68 or involves a question of principle which has already been decided by a ruling of the Transport Authority or the State Transport Authority may vary the same.

86. production of permit for inspection :-

(1) A permit shall always be carried in the vehicle and shall be produced on demand made by an officer of the Regional Transport Authority.

(2) Any Police Officer of and above the rank of a Sub-Inspector of Police or an officer of the Motor Vehicles Department of and above the rank of an Inspector of Motor Vehicles may mount any transport vehicle in uniform for inspecting the permit.

87. Authorization in lieu of permit :-

(1) When the holder of a permit has submitted the permit to the Transport Authority for renewal, counter-signature or any other purpose, the court or any competent authority has taken temporary possession of such permit from the holder, such authority, officer or, as the case may be, the court shall furnish to the holder a receipt for having received the permit and authorization in Form KMV 55 to ply the vehicle during such period as may be specified therein and during that period, the production of the authorisation on demand shall be deemed to be the production of the permit:

Provided that, the authority granting such authorization may extend the period of validity of authorization so however, that the authorization shall remain valid until the permit is returned or the expiry of the permit, whichever is earlier.

(2) Until the permit is returned to the holder thereof, the vehicle concerned shall not be plying beyond the period including the extended period specification in the authorization.

(3) No fees shall be payable in respect of such authorization.

(4) The Regional Transport Authority officer may on any application along with a fee of rupees fifty made to him by any registered owner of [a transport Vehicle] issue a speed pass as may be specified by the commissioner specifying the details of the registration certificate, validity of taxation card, fitness certificate,

insurance certificate, permit and such other particulars of the vehicle.

[(5) The Regional Transport Officer may, on an application made to him by a registered owner of non-transport vehicle along with a fee of [rupees twenty] in case of two wheelers and [rupees fifty] in case of three wheelers and four wheelers, issue a master pass as may be specified by the Commissioner for Transport , with the particulars of the validity of certificate of registration, taxation card, insurance certificate, driving licence, if any, and such other particular of vehicle.

88. Appeals and revision :-

(1) An appeal to the State Transport appellate Tribunal under section 89, against the order of any Transport Authority, shall be made within thirty days of the date of receipt of the order by the person preferring the appeal. It shall be in the form of a memorandum submitted in duplicate setting forth the grounds of objection to the order appeals against, and shall be accompanied by a certified copy of the order appealed against and [shall be affixed with a court-fee stamp of the value of rupees one hundred]. The grounds of objection to the order shall be stated concisely and under distinct heads;

(2) An application under Section 90 to the State Transport Appellate Tribunal by a person aggrieved by an order of the Transport Authority shall be in the form of a memorandum, submitted in duplicate, setting forth the grounds of objection to the order concisely and under distinct heads. It shall be accompanied by a certified copy of the order of the authority sought to be revised [and shall be affixed with a court fee of the value of rupees one hundred]:

Provided that no one memorandum of appeal or revision shall relate to more than on order be signed by more than one party.

89. Supply of copies of documents to interested person in appeal or revision :-

Where an appeal under Section 89 is preferred or a revision application under Section 90 is made to the state Transport Appellate Tribunal, the Secretary of the Transport Authority concerned shall give to any person therewith and field with him on payment of a fee calculated at the rate of rupees ten for the first and rupees two for each additional page per copy of each such

document.

90. Procedure in appeal or revision :-

(1) After the State Transport Appellate Tribunal has admitted an appeal under Section 90, it shall appoint time and place for the hearing of the appeal or revision application, as the case may be, give an intimation to the authority against whose order the appeal or revision application is made and also to the appellate or applicant concerned and any other person likely to be affected by the grant of the relief prayed for, such appellant, respondent or the person interested shall appear before the Tribunal in person or through an authorized representative with original documents or records pertaining to the case on the appointed date and place of the hearing, if any.

(2) The Secretary of the Transport Authority concerned shall within the fourteen days of the receipt of such intimation, send all the original documents and record pertaining to any appeal or revision application with proper index and paging to the Tribunal when the same are called for by it.

(3) The Tribunal may after following the procedure in sub-section (1) of Section 89 or, as the case may be, section 90 and after such further inquiries, if any, as it may consider necessary, confirm, vary or set aside the order against which an appeal or revision application is made or pass such other order in relation to the facts of the case as it deems fit.

91. Exemptions from provisions relating to working hours :-

Subject to provisions of subsection (2) of Section 91, sub-section (1) of that Section shall not apply in the case of.-

(a) any transport vehicle used by or on behalf of any military or police authority in connection with military maneuvers or exercise or in the quelling of riots or civil disturbance;

(b) any fire brigade vehicle or ambulance when being used as such;

(c) any vehicle being used for the carriage of passenger or goods in any emergency arising out of fire, earthquake, flood, pestilence or other calamity, riots, or civil disturbance;

(d) any vehicle going for or returning with medical aid in an emergency or carrying any seriously injured or sick person for medical treatment, when no other means are reasonably available;

(e) 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.

92. Fixing in advance hours of work :-

the Regional Transport Authority shall direct the employer of the drivers of the transport vehicle such as stage carriage operating solely within the region, or from one region to another region to the satisfaction of the said authority 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 any time-table, schedule or Regulation as aforesaid in a suitable format shall be the records of hours of work fixed for the persons concerned.

93. Period of res :-

(1) Any time spend by the driver of a vehicle on work other than driving in connection with the vehicle or with the loan 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.

94. Conduct of persons using stage carriage :-

(1) If at any time a passenger or person using or intending to use a stage carriage.-

(i) observation any authorized employee of the permit holder in the execution of his duties; or

(ii) has bulky luggage of a form or description which obstructs, annoys or inconveniences another passenger or is likely to do so; or

(iii) carries any animal, bird flesh, or fish (other than tinned food in its original packings), any instrument, implement substance or any other article which annoys or inconveniences or is offensive to any other passenger or is likely to do, or be so; or

(iv) Without lawful excuse occupies any seat exclusively reserved for female passenger; or

(v) Sings or plays upon any musical instrument or operates a transistor radio; or

(vi) rings without lawful excuse, or otherwise interferes with any signal of the stage carriage; or
(vii) is reasonably suspected to be suffering from any contagious or infectious disease; or
(viii) Knowingly or intentionally enters 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 number permitted under the terms of the permit to be carried in excess of the seating capacity of the vehicle; or
(ix) has 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; or
(x) commits or abets any breach of the provision of the Act or rules made there under. The driver or the conductor may require such person to alight from the vehicle forthwith and may stop the vehicle or keep it stationery until such person has alighted. Such person shall not be entitled to a refund of any fare which he may have paid any person shall not be entitled to a refund of any fare which he may have paid and any person failing to comply forthwith may be removed by the conductor or the driver, or any Police Officer on being requested by the driver or conductor or any passenger in the behalf, and shall be guilty of an offence.

(2) No passenger, or person using or intending to use a stage carriage shall.-

(i) refuse to pay the legal fare; or
(ii) refuse to show any ticket on demand by any authorized person; or
(iii) 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
(iv) behave in a disorderly manner; or
(v) behave in a manner likely to cause alarm or annoyance to any female passenger; or
(vi) use abusive language; or
(vii) Spit, eject betelnut juice; or
(vii-a) travel under the influence of any intoxicating drink or drug;
(viii) smoke in any vehicle on which a notice prohibiting smoking is exhibited:
(ix) enter or leave or attempt to enter or leave any stage carriage while it is in motion and except at a bus-stop;
(x) enter or attempt to enter into or alight or attempt to alight from the stage carriage except by the entrance or exit provided for

the purpose;

(xi) continue to remain in the vehicle when it is being filled with fuel;

(xii) interfere with the driving of the vehicle: or

(xiii) use or attempt to use a ticket other than the tickets valid for a particular journey or use or attempt to use a ticket which has already been used by another passenger or on another journey; or

(xiv) willfully damage or spoil or remove any fittings in or on the stage carriage or interfere with any light or any part of the stage carriage or its equipment;

(xv) board a stage carriage unless he is an employee of the permit holder, or a bona fide passenger on an intending passenger, or hand on to any exterior part of a stage carriage; or

(xvi) travel beyond the destination to which the fare he has paid entitled him to travel without informing and paying to the conductor the legal fare for the additional journey, sufficiently in advance, or when so required refuse to get off the stage carriage in which he is traveling at the terminus of the route for which it is booked; or

(xvii) on demand being made by the driver or conductor or a police officer when reasonably suspected of contravening any of the provision of this rule, refuse to give his correct name and address to such driver or conductor, or police officer; and

(xviii) on a request being made by the conductor refuse to declare to him the journey he intends to take or has taken in the stage carriage, or before leaving the stage carriage, omit to pay to the conductor the legal fare for the whole journey, as specified in the table of fares exhibited in the stage carriage.

(3) if at any time a passenger or person using a stage carriage is unable or fails to produce or surrender valid ticket on demand during the journey or at the end of the journey by any authorized person, he shall be punishable with fine which may extend to rupees five hundred.

(4) Every passenger shall be entitled to receive a ticket from the conductor corresponding to the fare paid.

Explanation.- In this rule the expression ticket includes an identity card, season ticket, pass or any authorization issued by the permit holder authorizing a person to travel on a stage carriage.

95. Additional provisions relating to conduct of passengers and other persons in buses :-

- (1) In this rule unless the context otherwise requires,-
- (a) bus means a stage carriage for the conveyance of passengers within the limit of a Municipal Corporation or a Municipality;
 - (b) ticket includes and identity card issued by the undertaking;
 - (c) undertaking means any transport undertaking duly authorized to ply buses within the limits of a Municipal Corporation or a Municipality.
- (2) No person shall enter or leave or attempt to enter or leave any bus while it is in motion and except at a bus stop.
- (3) No person shall enter or alight from a bus except by the entrance or exit, as the case may be, provided for the purpose.
- (4) No person shall enter a bus without first permitting all passengers leaving the bus to alight.
- (5) No passenger or intending passenger or unauthorized person shall mount the drivers platform or talk or interfere with or otherwise distract the attention of the driver of a bus while he is on duty.
- (6) No passenger shall place his foot upon any seat of a bus.
- (6-A) No person shall travel under the influence of any intoxicating drink or drug.
- (7) A ticket shall be valid only for the journey during which and by the bus in which it has been issued.
- (8) if at any time, a passenger in a bus occupies more than one seat or reserves or attempts to reserve another seat either for himself or for another passenger the driver or the conductor, if any, shall request such passenger to desist from doing so, and on the passenger not complying, may require him to alight from the bus forthwith and may stop and keep it standing until the passenger has alighted. Such passenger shall not be entitled to any refund of fare which he may have paid and any person failing to comply forthwith with such a requirement may be forcibly removed by the driver or conductor, or on the request of the driver or conductor or any passenger by any police officer and shall also be guilty of an offence.
- (9) The provisions of this rule shall apply in respect of buses, operating within the limits of a Municipal Corporation or a Municipality.
- (10) A copy of this rule in Kannada and such of the language as the Regional Transport Authority may direct, shall be carried in a prominent place in every bus.

96. Maintenance of complaint books in stage carriages :-

(1) A bound complaint book duly ruled pages signed and stamped with the seal of the manager of the stage carriage and where there is no manager, of the stage carriage service permit holder, approved and counter-signed by the Regional Transport Authority concerned, shall be maintained by such manager or the permit holder, as the case may be, at such bus stand as may be directed by the Regional Transport Authority and also in every stage carriages to enable passengers to record any legitimate complaint in connection with stage carriage service.

(2) Such complaint shall be written clearly and in an intelligible manner and the complainant shall also clearly and legibly record in the complaint book his full name, address and date on which such complaint is written.

(3) The manager of the stage carriage service or the stage carriage permit holder as the case may be, shall promptly look into every complaint recorded in the complaint book, remove the cause of the complaint or of its recurrence and submit within a month of the recording of the complaint an explanation to the Regional Transport Authority which granted the permit, together with a copy of the complaint stating the action taken by him in connection with the complaint. A copy of the report shall be forwarded by the manager of the stage carriage service or the stage carriage permit holder as the case may be to the complaint.

(4) The complaint book shall be so securely kept in the stage carriage and at the bus stand, as the case may be, as cannot be removed and shall at all times be made available by the driver and conductor, if any, of the stage carriage to any passenger desiring to record a complaint or to any officer to the Motor Vehicles Department not below the rank of as Inspector of Motor Vehicles for the purpose of inspection.

(5) if the complaint book is lost or destroyed, the manager of the stage carriage service or the stage carriage permit holder, as the case may be, shall within one week of such loss or destruction, intimate the fact in writing to the Regional Transport Authority.

(6) if the Stage Transport Authority is satisfied that adequate arrangement for recording complaints have been made in respect of any stage carriage service, it may, by a notification in the Official Gazette, direct that subject to such terms and conditions as shall be state therein, the provisions of this rule shall not apply to such stage carriage service.

97. Conduct of passengers in motor-cabs :-

(1) No passenger in a motor cab shall,-

(i) willfully or negligently damage the cab or any of its fittings; or
(ii) on termination of the hiring, refuse or omit to pay the legal fare.

(2) in the case of a dispute between the driver of motor cab and the passenger 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.

98. Carriage of infants and children in public service vehicle.-in relation to the number of persons that may be carried in a public service vehicles :-

(i) a child of not more than twelve years of age shall be reckoned as one-half; and

(ii) a child of not more than three years of age shall not be reckoned.

99. Disinfection of public service vehicles :-

(1) No person shall drive any public service vehicle and no owner of a public service vehicle shall cause or allow such vehicle to be used unless once in every two months it is disinfected with D.D.T. or any other liquid insecticide, approved by the Director of Health and Family Welfare Service, Bangalore

(2) The owner of a public service vehicle shall maintain and on demand by an Inspector of Motor Vehicles, produce for inspection a current register showing the dates on which the public service vehicle was disinfected from time to time, to the satisfaction of the authority.

100. Carriage of persons in goods vehicle :-

(1) subject to the provisions of this rule, no person shall be carried in a goods vehicle: Provided that the owner or the hirer or a bona fide employee of the owner or the hirer of the vehicle carried free of charge or a police officer in uniform traveling on duty may be carried in a goods vehicles, the total number of persons so carried.-

(i) in light transport goods vehicle having registered laden weight

less than 990 kgs. Not more than one;

(ii) in any other light transport goods vehicle not more than three; and

(iii) in any goods vehicle not more than seven: Provided that the provisions of sub-clauses (ii) and (iii) of the above proviso shall not be applicable to the vehicles plying on inter-State routes or the vehicles carrying goods from one city to another city.

(2) Notwithstanding anything contained in sub-rule (i), but subject to the provisions of sub-rules (4) and (5), a Regional Transport Authority may, by an order in writing permit that a larger number of persons may be carried in the vehicle, on conditions that no goods at all are carried, free of charge in connection with the work for which the vehicle is used, and that such other conditions as may be specified by the Regional Transport Authority are observed, and where the vehicle is required to be covered by a permit, the conditions of the permit.

(3) Notwithstanding anything contained in sub-rules (1) and (2), but subject to the provisions of sub-rules (4) and (5),-

(a) for the purpose of celebration in connection with the Republic Day or Independence Day or any other public congregation, the Regional Transport Officer;

(b) For the purpose of enabling a co-operative society or class of co-operative societies owning or hiring a goods vehicle to carry its members under its authority in such goods vehicle when used for the purpose of carrying goods of the society in the ordinary course of its business, the Secretary of the Regional Transport Authority;

(c) where it considers expedient in public interest in respect of vehicles owned or hired by it, and in respect of other vehicles on such inescapable grounds or urgent nature to be specified in the order, the State Government may, by general or special order, permit goods vehicle to be used for the carriage of persons for the purpose aforesaid, and subject to such conditions, as may be specified in the order.

(4) No person shall be carried in any goods vehicle.-

(a) unless an area of not less than 0.40 square meter of the floor of the vehicle is kept open for each person; and

(b) in such manner-

(i) that such person when carried on goods is otherwise in danger of falling from the vehicle;

(ii) that any part of his body, when he is in a sitting position is at a height exceeding three meters from the surface upon which the vehicle rests.

(5) The provisions of this rule shall not apply to motor vehicles registered under Section 60.

(6) No person other than an attendant required by Rule 226 shall be carried on a trailer which is a goods vehicle.

101. Duty to carry goods in goods carriage :-

A goods carriage shall not, save for reasonable and lawful excuse, refuse to carry any goods of any persons tendering the same for not less than the maximum freight, if any, permitted under Section 67.

102. Halting places and stands :-

(1) with the approval of the commissioner of Police in the city where the Commissioner is appointed and elsewhere of the District Magistrate, the Regional Transport Authority, by notification in the Official Gazette or by the erection of traffic signs which are permitted for the purpose under sub-section (1a) of Section 116 or both, may in respect of the picking up or setting down of passengers or both, by public service vehicles or by any specified class of public service vehicles,-

(i) conditionally or unconditionally prohibit the use of any specified place or any place of a specified place or any place of a specified nature or class of vehicles.

(ii) require that within the limits of any Municipal Corporation, Municipality, notified area or within such other limits, as may be specified in the notification certain specified stands of halting places only shall be so used.

Provided that no place which is privately owned shall be notified except with the previous consent in writing of the owner thereof.

(2) whereas a place has been notified or has been demarcated by traffic signs, or both, as being a stand or halting place for the purpose of this rule, then the place shall, subject to the provisions of these rules be deemed to be a public place within the meaning of the Act and the Regional Transport Authority may enter into an agreement with, or grant a licence to any person for the provision or maintenance of such place including the provisions or maintenance of the buildings or works necessary thereto, subject to the termination of the agreement of license forthwith upon the breach of any condition thereof and may give direction for the conduct of such place thereby.-

(i) prescribing the fees to be paid by the owners of public service

vehicles using the place and providing for the receipt and disposal of such fees;

(ii) specifying the public service vehicles or the class of public service vehicles which shall use the place or which shall not use the place:

(iii) appointing a person to be the manager of the place and specifying the power and duties of the manager;

(iv) requiring the owner of the land or the local authority, as the case may be, to erect such shelter, lavatories and latrines and to execute such other works as may be specified in the direction and to maintain the same in a serviceable, clean and sanitary condition;

(v) requiring the owner of the land or the local authority, as the case may be, to arrange for the free supply of drinking water for passengers including intending specified passengers; and

(vi) prohibiting the use of such place by specified persons or by other than specified persons.

(3) nothing in sub-rule (2) shall, require any person owning the land, which has been appointed as a stand or halting place to undertake any work or incur any expenditure in connection therewith without his consent and, in the event of any such person declining to carry out such work or to incur such expenditure or failing to comply with any rule or direction made or given to him under this rule, the authority competent may prohibit the use of such a place for the purposes of this rule.

103. Change of address of permit holder :-

(1) 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 unless the change be for a temporary period not exceeding three month, send within fourteen days the permit to the Transport Authority by which the permit was issued intimating the new address.

(2) on receipt of intimation under sub-rule (1), the Transport Authority, shall after making such enquires as it deems fit enter in the permit the new address and shall intimate the particulars to the transport Authority of any region in which the permit is valid by virtue of countersignature or otherwise.

104. Intimation of damage or failure of public service vehicle :-

(1) The holder of any stage carriage permit in respect of a

particular vehicle by reference to the registration mark shall, within seven days of the occurrence, report in writing to the transport Authority by which the permit was issued any failure or damage to such vehicle or to part thereof, of such a nature as to render the vehicle unfit for use in accordance with conditions of the permit for a period exceeding three days.

(2) the holder of any permit in respect of a service of stage carriage shall within twelve hours of the occurrence, report in writing to the Transport Authority, which had issued the permit, any failure of, or damage to any vehicle used by him under the authority of the permit of such a nature as to prevent the holder from complying with any of the provisions or conditions of the permit for a period exceeding twenty four hours.

(3) On receipt of a report under the preceding sub-rule, the Transport Authority by which the permit was issued may, subject to the provisions of these rules;-

(i) direct the holder of the permit within such period, not exceeding two months from the date of the occurrence as the authority may specify, either to make good and damage to or failure of the vehicle or to provide a substitute vehicle; or

(ii) if the damage to or failure of, the vehicle is such that in the opinion of the said authority it cannot be made good within a period of two months from the date of the occurrence, direct the holder of the permit to provide a substitute vehicle, and where the holder of the permit fails to comply with such a direction, may suspend, cancel or vary the permit accordingly.

(4) The Transport Authority giving a direction or suspension, canceling or varying a permit under sub-rule (3), shall send intimation of the fact to the Transport Authority of any other region in which the permit is valid by virtue of counter-signature or otherwise.

105. Inspection of Transport vehicles :-

(1) Any Police Officers in uniform not below the rank of a Sub-Inspector or any officer not below the rank of an Inspector of Motor Vehicles or any member of a Transport Authority, within his respective jurisdiction may, at any time when a goods vehicle is in a public place call upon the driver of such vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the Police Officer or the Officer of the Motor Vehicles Department or such member, to make reasonable examination of

the contents of the vehicle.

(2) Notwithstanding anything contained in sub-rule (1), the Police officer or officer of the Motor Vehicles Department shall not 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 or which may not be carried on the vehicles; and

(ii) the Police Officer or Officer of the Motor Vehicles Department in uniform or any member of a Transport Authority within his respective jurisdiction may at any time when a public service vehicle is in a public place call upon the driver of such vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the Police Officer or the Officers of the Motor Vehicles Department or such member to make reasonable examination of the number of passengers and other contents of the vehicle so as to satisfy himself that the provisions of the Act and the rules and the provisions and conditions of the permit in respect of the vehicle are being complied with.

(3) Any Inspector of Motor Vehicles in uniform, may at any time when a transport vehicle is in a public place call upon the driver of such vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the inspector to inspect such vehicle. The Inspector shall give to the driver or any person in-charge of the vehicle a certificate stating the date on which, the hour at which and the period of which, the vehicle was detained.

106. Return in respect of transport vehicle :-

(1) The Regional transport Authority may, by general order, require the owner of the transport vehicles,-

(a) to maintain record and submit returns in respect of the vehicles in such form and by such dates as the Regional Transport Authority may specify, and such records and returns may include all or any of the following particulars. Namely.-

(i) the registration number of the vehicle:

(ii) the name and address of the permit holder;

(iii) the type of permit held; permanent/temporary;

(iv) the date of each journey undertaken;

(v) the name and licence number of the driver and conductor and other attendant, if any;

(vi) the place of origin and destination of the goods vehicles;

(vii) the time of commencement and termination of the journey and

of every halt thereon;

(viii) the route upon which or the area within which the vehicle is used;

(ix) the serial number of the trip;

(x) the description of the goods carried in each trip (each commodity to be shown separately) and the number of packages of each commodity received from each consignor;

(xi) the name and address of the consignor and each commodity;

(xii) the name and address of the booking, forwarding or collecting agencies for each commodity;

(xiii) the weight in quintals of each commodity;

(xiv) the total maximum weight of the goods carried in the vehicle in each trip;

(xv) the number of kilometers traveled between the places of origin and destination in respect of each commodity;

(xvi) the quintal kilometers performed in respect of each commodity (item xii and xv);

(xvii) the freight livable in respect of each consignor or consignee for each commodity;

(xviii) the freight charged for each commodity;

(xix) the volume of traffic carried by the vehicle during the year in metric tons;

(xx) in the case of goods carried in the stage carriage the number of trips and kilometers traveled to be given separately when the good were carried exclusively in the state carriage and when the goods were in addition to passengers; and in the latter case, also the number of seats available for passengers; and

(b) to issue to each consignee a receipt in respect of every consignment received by or on behalf of the owner of a transport vehicle, showing details regarding the date of receipt of the goods, particulars of such goods commodity-wise, place from which the destination to which the goods are to be carried and the freight charges in respect of each commodity.

(2) No owner or other person shall cause or allow any person to drive a transport vehicle unless the owner or other person, has in his possession or record in writing of the name and address of the driver as set forth in his driving licence, the number of the licence and the name of the authority by which it was issued.

(3) No person shall drive a goods vehicle and no owner or other person shall cause or allow any person to drive such a vehicle unless the driver carries a way bill containing all or any of the particulars which may be specified by the Regional Transport

Authority under sub-rule (1).

(4) The records required to be maintained under this rule shall be produced for inspection on demand by any police officer not below the rank of sub-Inspector or an officer of the Motor Vehicles Department.

(5) the record specified in form KMV 9 shall be supplied by the Secretary of the Transport Authority concerned in the form of serially numbered books each containing 99 serially numbered pages in duplicate with the seal of such transport authority on each page. The fee for each such book shall be rupees twenty-five.

107. Inspection of brakes of transport vehicles :-

any officer of the Motor Vehicles Department not below the rank of an Inspector of Motor Vehicles special authorized in this behalf by the State Government, may at any time when a Transport vehicle is in public place, call upon the driver of such vehicle to stop the vehicle and to keep it at rest for such time as may necessary to enable the officer to inspect the brakes of the vehicle so as to satisfy himself that the provision of these rules are complied with.

108. Fitting of fare-meters to motor-cabs :-

(1) The State Transport Authority, may, by notification in the Official Gazette, require that within the limits of such area as may be specified in the notification all motor-cabs or any class of motor cabs shall be fitted with [taxi meter].

(2) Where a notification as aforesaid has been issued, permit in respect of any motor cab covered by the notification shall not be granted unless fitted with fare-meter except under the following conditions, namely.-

(i) that such owner shall provide such garage accommodation for cabs as is approved by the Regional Transport Authority;

(ii) that the cabs shall not ply for hire on public stands or in public places;

(iii) that the cabs have licensed seating capacity of not less than three adult passengers excluding the drivers; and

(iv) that the cabs shall have an engine of not less than 800 cc.

(3) The rule of fitment of fare-meter will not be applicable to luxury or tourist or taxi-cab

109. Power of inspection of fare-meters :-

Any officer not below the rank of an Inspector of Motor vehicles in uniform or any police officer not below the rank of a sub-inspector, may, if he has reason to believe that a Motor-cab fitted with a fare-meter has been or is being plying with a meter which is defective or has tampered with, stop such motor-cab and, in order to test such fare-meter, direct the driver or the person in equipment to ascertain the accuracy of the faremeter or to proceed to an institution specified in this rule and take or cause to be taken such other steps as he may consider proper for the purpose.

110. Alteration of motor vehicles :-

(1) subject to the provisions of Section 52, the owner of a transport vehicles shall at the same time report as required by the section by which the permit relating to the vehicle registration, to the Transport Authority by which the permit was granted or under which the vehicle is being used.

(2) on receipt of a report under sub-rule (1), the Transport Authority by which the permit was issued may, if the alteration is such as to contravene any of the provision or condition of the permit.-

(i) vary the permit accordingly; or

(ii) require the permit holder to provide 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.

(3) 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 counter-signature or otherwise.

111. Restriction on use of trailers :-

No trailer shall be attached to any Transport vehicle covered by the permit.

112. Distinguishing boards for goods vehicles :-

Every goods transport vehicle shall carry in a prominent place on the front of the vehicle distinguishing board in the regional language or in Hindi with the letters "goods carrier"

113. Licensing and regulation of agents :-

(1) Every owner of a Public service vehicle to be let or plied for hire shall intimate to The Regional Transport Authority concerned the name and address of The person appointed on his behalf as the agent who has been engaged In the sale of tickets to passengers for travel by such vehicle.

(2) No person shall act as an agent unless he has obtained an agents Licence in form KMV 56 from the Regional Transport Authority concerned . Explanation.- for the purpose of this sub - rule, persuading any person, Soliciting or attempting to persuade any person, to travel in a vehicle shall be deemed to be acting as agent for the sale of tickets for Travel thereby.

(3) An agents licence shall be valid for a period of twelve months From the data of issue or renewal and shall be effective only in the region Wherein it is issued or renewed.

(4) No person under the age of 18 years shall hold an agents Licence

(5) Application for an agents licence shall be made in writing to the Regional Transport Authority of the region Wherein the applicant resides, in Form KMV 57 and shall be accompanied by two clear copies of Recent photographs of the applicant [and a deposit of rupees two Thousand five hundred as security in addition to the prescribed fee].

(6) The fee for an agents licence shall be rupees one hundred And the fee for its renewal or for the issue of a duplicate shall be rupees fifty.

(7) An application for the renewal of an agents licence shall be made By letter enclosing the licence accompanied by the prescribed fee, Addressed to the Regional Transport Authority, by which the agents licence was issued if the application for renewal accompanied by the appropriate fee prescribed is not received on or before the data of expiry of the licence, the fee payable for the renewal of the licence shall be rupees seventy five.

(8) The Regional Transport Authority may, for reasons to be recorded In writing, decline to issue or renew an agents licence or grant licence on such condition as the Regional transport Authority may consider it fit to impose.

(9) (i) The regional Transport Authority may, for reasons to be recorded in writing, suspend or cancel an agents, license.

(ii) on an agents licence being suspended, cancelled or not renewed, it shall be surrendered forthwith to the Regional Transport Authority which issued the licence.

(10) An agent shall on demand by any Officers of the Motor

Vehicles Department not below the rank of an Inspector of Motor Vehicles in uniform produce his agents licence for inspection.

(11) No person shall hold more than one agents licence effective in the same region.

(12) The Regional Transport Authority may, specify that the agent shall wear a uniform of the type approved by it in that behalf.

(13) The agent shall, when on duty, wear in a conspicuous place on his left breast a metal badge issued by the Regional Transport Authority on payment of a fee of rupees ten along with his name plate in black letters on white background in bold letters in Kannada, English or Hindi. No agent shall lend or transfer the badge to any other person and he shall surrender it to the Regional Transport Authority in the event of his license being suspended, cancelled or not renewed, if the badge is lost or destroyed, a duplicate badge shall be issued by the authority which issued it on payment of rupees twenty.

114. Lost Property :-

(1) where a permit holder or his employee received any article he shall keep that article for a period of seven days and shall if the article is not claimed during that period handover the same to the officer-in-charge of the nearest police station; Provided that if the article is of a perishable nature, it may be handed over to the officer-in-charge of the nearest police station even before the expiry of seven days.

(2) Whereas during the period mentioned in the proceeding sub-rule,___

(a) the article is claimed by not more than one person the permit holder may after making such enquires as he deems fit and if necessary after taking an indemnity agreement from the claimant, handover the article to the claimant;

(b) the article is claimed by two or more than two persons, then the permit holder may handover the same to the officer -in-charge of the nearest police station.

(3) Where any article is received by an officer-in-charge of a police station then the provisions of the Karnataka Police Act shall, so far as may be apply to such article as they apply in relation to the unclaimed property under that Act.

115. Licensing of agents :-

In these rules unless the context otherwise requires,

- a) "Agent" means any person who engages in the business of collecting or forwarding and distributing goods carried by road by goods vehicles plying for hire;
- b) "Agents licence" means a licence granted to an agent for the principal establishment and includes a supplementary licence granted to such agent for any additional establishment, such as branch offices specified in such supplementary license;
- c) "Licensing Authority" means the Regional Transport Authority or the regions in which the applicant intends to carry on the business and in any other case, of the region in which the applicant has his principal place of business.

116. Necessity for agents licence :-

No person shall act as an agent, unless he holds a valid licence authorizing the carrying on of his business of an agent at the place or places specified in the licence.

117. Agents licence :-

(1) Any person desiring to obtain agents licence shall make an application to the Regional Transport Authority of the region in which he has his place of business or as the case may be, his principal place of business. Such application shall be made in Form KMV 57.

(2) The application shall be accompanied by the fee prescribed deposit of an amount of [rupees five thousand in addition to the fee prescribed.

(3) In considering an application made under this rule, the licensing authority shall have due regard, among other things to ,__

- a) The number of goods vehicles, if any, either owned by the applicant or under his control;
- b) The suitability of accommodation in-charge of the applicant for the storage of goods at every operating place;
- c) The facilities provided by the applicant for parking goods vehicles while loading or unloading without hindrance to the general traffic in the area; and
- d) The financial resources of the applicant and his experience in the trade.

(4) The licensing authority shall either grant or renew the licence including a supplementary licence, for a branch office, if any, in Form KMV 59 specifying the place or places where the business may be carried on, or refuse to grant or renew the licence; Provided

that the licensing authority shall not refuse to grant or renew a licence or, a supplementary licence for a branch office applied for, unless the applicant is given an opportunity of being heard, and the reasons for refusal are recorded and communicated to him in writing.

(5) x x x x x x

(6) The licence shall be in two parts, namely, the principal part (hereinafter referred to as "the principal licence"), in which supplementary licence issued for every separate establishment or branch office for loading, unloading or receipt or delivery of consignments is carried on, shall be mentioned and the supplementary part (hereinafter referred to as "the supplementary licence"). The details of the establishment or branch office (such as, municipal house number, the nearest road, bye-lane, the postal delivery district and other landmarks in the vicinity to enable identification of the place of licence duly attested by the licensing authority) shall be attached to the licence.

(7) The principal licence in Form KMV 58 shall be kept and displayed prominently at the Head Office, and the supplementary licence shall be kept and displayed prominently at each branch office to which it refers, except when the principal licence or supplementary licence, as the case may be, is forwarded to the licensing authority for effecting renewal thereof. Such licence shall be produced before any inspecting officer of the Motor Vehicles Department.

(8) An agent's licence shall be non-transferable.

(9) An agent's licence shall be valid for a period of [three years] from the date of grant or its renewal. The date of expiry of the supplementary licence shall be co-terminus with the date of expiry of the principal licence irrespective of the date on which the supplementary licence is granted

118. Renewal of agent's licence :-

(1) An agent's licence may be renewed on an application in Form KMV 60 made to the licensing authority not less than thirty days before the date of its expiry, and shall be accompanied by the principal and all supplementary licence, if any, and the fee specified.

(2) The renewal of a licence shall be made by endorsement of renewal thereof by the licensing authority on the principal and supplementary licences, if any.

119. Cancellation of agents :-

(1) Without prejudice to any other action which may be taken against a licence the licensing authority may, by order in writing, cancel an agent's licence or suspend it for such period as it thinks fit, if in its opinion any of the conditions under which the premises have been approved or under which the licence has been granted have been contravened.

(2) Before making any order of suspension or cancellation under sub-rule (1) the licensing authority shall, give the licensee an opportunity of being heard and shall, record reasons in writing for such cancellation or suspension.

(3) Whereas a licence is liable to be cancelled or suspended under sub-rule (1) except in the case of a contravention of condition © of sub-rule (2) and the licensing authority is of the opinion that having regard to the circumstances of the case, it would be unnecessary or inexpedient to cancel or suspend the licence, if the licensee agrees to pay a certain sum of money, then, notwithstanding anything contained in the sub-rule, the licensing authority, may, instead of canceling or suspending, as the case may be, the licence, recover from the licensee the sum of money agreed upon.

(4) The power exercisable by the licensing authority under sub-rule (1) may, where an appeal has been preferred under Rule 115, be exercised also by the appellate authority.

(5) The licensing authority may order the forfeiture in whole or in part, of the security furnished by the licensee under these rules for contravention of any provision of these rules or for breach of any of the conditions specified in those rules by the licensee: Provided that, no such forfeiture shall be made unless the licensee is given an opportunity of being heard.

(6) In the event of the forfeiture of a security deposit or part thereof by the licensing authority, the licence shall cease to be valid if the licensee fails to make payment or bring the security already furnished by him to its original value within thirty days of the receipt of the order of the forfeiture.

120. Issue of duplicate licence :-

If at any time an agent's 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 the fee specified in these rules. On receipt of such an application, the authority shall issue a duplicate agents licence clearly stamped "Duplicate" in red ink. If the duplicate agents licence is issued on a representation that the licence Originally granted has been lost or destroyed and the original licence has been subsequently found, the original licence shall be surrendered to the licensing authority.

121. Fees for licence :-

The fee for the grant or renewal of licence or supplementary licence or for a duplicate thereof, shall be,----

a)	For grant of a licence	Rs.500.00
b)	For grant of a supplementary licence of each additional establishment	[Rs.50.00]
c)	For renewal of a licence of a licence if application is made in time	Rs.500.00
	(i) Principal licence	Rs.500.00
	(ii) Each supplementary licence	[Rs.50.00]
d)	For renewal of a licence if application is made late	
	(i) Principal licence	Rs.500.00
	(ii) Each supplementary licence	[Rs.50.00]
e)	For issue of a duplicate copy of	
	(i) principal licence	Rs.40.00
	(ii) Each supplementary licence	Rs.40.00

122. Conditions of agents licence :-

An agents licence shall be subject too the following conditions, namely:-

(1) The licensee shall, subject to other provisions of Rule 124 provide adequate space for the parking of vehicles for the purpose of loading and unloading of goods.

(2) The licensee shall be responsible for proper arrangement for storage of goods collected for dispatch or delivery or both.

(3) The licensee shall,--

(a) Take all necessary steps for proper delivery of the goods to the consignee.

(b) Be liable to indemnify the consignee for any loss or damage to goods while in his possession, by adequate insurance cover, where available, at the cost of the consignor or consignee;

(c) Issue to the consignor and consignee a goods transport receipt

only after he actually receives goods for dispatch and state therein the weight, nature of goods, destination, approximate distance over which the goods are to be carried, the freight charged, the service charges, if any, such as for local transport, insurance while in his custody and labour charge, if any, for loading and unloading, provided that the service charge shall be reasonable and proof of its reasonableness established, if required by the licensing authority;

(d) Not deliver the goods to other consignee without actually receiving the consignee's note or any such note issued by the office which received the goods for dispatch or if this note is lost or misplaced, an indemnity bond covering the value of goods;

(e) Issue a copy of every goods transport receipt issued to the consignor or consignee to other driver of the goods vehicle transporting the goods and shall not allow any consignment to be loaded without handing over a copy of the receipt in respect thereof to the driver;

(f) Maintain in Form KMV 61, a proper record of collection, dispatch or delivery of goods, the registration mark of the vehicle in which goods are carried for transport and make the same available for inspection by the licensing authority or by any person duly authorized by it in this behalf;

(g) Not charge commission exceeding that which may be fixed by the Regional Transport authority, subject to the orders of the State Government, if any;

(h) Maintain proper account of the commission charged by him to every operator of goods vehicles engaged by him;

(i) Maintain a weighing device in good condition and capable of weighing at a time not less than 250 kilograms;

(j) Not refuse to accept goods for transport without valid reasons; and

(k) Comply with the provisions of these rules.

123. Particulars to be mentioned in contract of agency :-

All contract entered into or way bills issued by a licensee for the purpose of collecting, forwarding or, distributing goods shall be in writing, and shall contain the following particulars, namely:-

(i) name and address of consignors and consignees;

(ii) description and weight of consignment;

(iii) destination and its approximate distance in kilometers from the starting station;

(iv) freight on weight-destination or weight distance or on truck-distance basis for long distance haulage and for local transport for collection at consignors place or delivery at consignees place if required:

(v) delivery instructions, i.e., the approximate date by which and the place at which goods are to be delivered to the consignee; and

(vi) terms for payment separately for long distance transport, local transport, home delivery and collection, labour charges for loading and unloading and the demurrage.

124. Places to be used for loading and unloading of goods, etc :-

(1) the Regional Transport Authority may in consultation with the local municipal authority or police authority having jurisdiction over the local area concerned, or both, approve any premises owned or to be used by an applicant for an agents licence for loading, unloading and for parking good vehicles or for the storage of goods, while in the custody of the licensee having regard to the suitability of the site, traffic conditions obtaining in the locality, sanitary conditions, storage facilities, space for parking vehicles for the purpose of loading or unloading from transporting trucks provided at such premises, as the place of carrying on the business under the licence.

(2) Any approval under sub-rule (1), shall be subject to the following conditions, namely:-

(a) That the premises shall at all times be kept in clean condition and in good state of repair;

(b) That the premises shall be administered in an orderly manner;

(c) That the licensee shall not charge premises or make any external alterations to it or in the parking arrangements thereat as may be likely to cause obstruction to other general traffic in the vicinity without prior approval of the licensing authority; and

(d) That the licensee shall take suitable precautions to ensure that no breach of any provisions of the act or of these rules insofar as these provisions relate to the following matters is committed in respect of any vehicle engaged by him and which is entering or leaving or standing at such premises, namely:-

(1) requirements that a goods vehicle shall be covered by-

(i) valid and effective permit/counter-signature for the route/area of travel;

(ii) valid certificate of fitness;

(iii) valid certificate of insurance; and

(iv) payment of tax under the Karnataka Motor Vehicles Taxation Act, 1957.

(2) Observance of other regulations/conditions as to_____

(i) construction, equipment and maintenance of motor vehicles, to the extent the defects are easily noticeable from the exterior appearance of a Motor vehicle;

(ii) limits of weight and prohibitions or registrations on use of motor vehicles;

(iii) loading of goods overall height, length, width and projections of load laterally, to the front, to the rear and in height;

(iv) transport of dangerous or explosive substances, contraband articles, under any law for the time being in force;

(v) parking or abandonment of motor vehicles on road in such a way as to cause obstructions to traffic or danger to any person or other user of roads;

(vi) Leaving vehicles in dangerous position; and

(vii) Driving of motor vehicles by persons holding valid and effective driving license.

(3) Where the Regional Transport Authority refuses to approve any premises under sub-rule (1) it shall communicate in writing the reasons for such refusal.

125. Appeals :-

(1) Any person aggrieved by an order made under sub-rules (4) and (5) of Rule 117, sub-rules (1) and (5) of Rule 119, clause (i) and sub-rule (3) of Rule 122 and sub-rule (1) of Rule 124 may within thirty days from the date of receipt of such order, appeal to the Karnataka State Transport Appellate Tribunal.

(2) The memorandum of appeal shall be filed in duplicate setting forth concisely the grounds of objection and shall be accompanied by a certified copy of the order appealed against and a fee of rupees two hundred:

Provided that the memorandum of appeal shall not relate more than one order or be signed by more than one party.

(3) The authority which passed the order appealed against, shall, on application by the appellants, give a certified copy of the order or any other relevant document on payment of fee of rupees ten.

126. Powers of inspection :-

Any Officer of the Motor Vehicles Department not below the rank of

an Inspector of Motor Vehicles in uniform, or any other person authorized in this behalf by the State Government, may enter upon the premises at all reasonable times for inspection of the premises used by the permit holder for the purpose of his business.

127. Prohibition of painting or marking etc :-

(1) No advertising device, figure, or writing shall be exhibited on any transport vehicle save as may be specified by the Regional Transport authority by general or special order.

(2) A transport vehicle when regularly used for carrying Government Mail by or under a contract with the Indian Posts and Telegraphs Department, shall be painted in Postal red colour and shall exhibit in a conspicuous place upon a plain or a plain surface of the Motor vehicle the word "MALL" in red colour on a white ground, each letter being not less than fifteen centimeters in height and a uniform thickness of nineteen millimeters.

(3) Save as aforesaid no stage carriage or contract carriage shall be painted in postal red colour or display any sign or inscription which includes the word "MALL". Provided that a stage carriage belonging to a municipal transport service be painted in signal red colour, with a band in any colour except postal red colour.

(4) Stage carriages, both city service buses and mofussil service buses belonging to the Karnataka State Road Transport Corporation should be painted in manner approved by the State Transport Authority from time to time.

Explanation.____ For the purpose of this rule "City buses" means buses plying mainly within the limits of any Municipal Corporation, municipality cantonment constituted under any law for the time being in force and "Mofussil service buses" means buses plying mainly in other areas.

(5) Save as aforesaid no other transport vehicles plying in the state shall be painted in any of the colour combination prescribed in sub-rules (3) and (4).

128. Painting and marking of motor - cabs :-

(1) The hood of every motor-cab shall be painted in cream yellow and the rest of the body in black colour.

(2) In addition to the registration mark, a serial number of permit allotted by the registering authority shall be painted on the motor-cab at each of the following different places namely:-

(i) the left hand top portion of the front wind screen;

- (ii) on the rear door on the side of the registration mark;
 - (iii) in the middle of the left front door; and
 - (iv) in the middle of right front door.
- (3) The aforesaid number shall be painted in white and in red circle and the numeral shall not be less than 50 millimetres and 38 millimetres in breadth.
- (4) The number on the left hand portion of other wind-screen shall be so painted as to be readable from inside and the number on the rear be painted against the black background.
- (5) Notwithstanding anything contained in these rules but subject to the provisions of sub-rule (7), no permit shall after the coming into force of these rules be granted or renewed in respect of any motor-cab which does not conform to other provisions of sub-rules (2) to (4).
- (6) No motor vehicle other than a motor-cab shall be painted in the manner prescribed in subrule (1).
- (7) Notwithstanding anything contained in this rule, the State Government may by general or special order exempt any motor cab or class or motor-cabs from all or any of the provisions of this rule either generally or in such area or areas, or on such route or routes and subject to such conditions, if any, as may be specified in the order.

129. Taxi meters :-

No motor-cab required to be fitted under the rules with a fare-meter (hereinafter referred to as meter") shall be used in a public place unless:-

- (1) It is fitted with a mechanical meter or an electronic digital meter of a type, which in the opinion of the commissioner complies with the provisions of these rules or is so designed or constructed that the constructional requirement as specified in the rules are substantially complied with;
- (2) The provisions of these rules are complied with.

130. Fitting of digital meter :-

- (1) (a) New motor-cab shall be fitted as per the option of motor-cab owner with either the electronic digital meter or a mechanical meter;
- (b) If, for any reason it becomes necessary to replace any mechanical meter already fitted to a motor-cab, it shall as per the option on motor-cab owner be replaced either by a mechanical

meter or an electronic digital meter.

(2) Any application for the approval of new modified type of meter shall be sent to the Commissioner, and shall be accompanied by two complete specimen of the meters and detailed description with drawings of its mechanism. A working specimen; the flexible cable by which the meter will be driven shall also be forwarded along with the meters for the test.

(3) The Commissioner shall send the meters to other institution approved by the Government for the purpose of testing the meters where they shall be subjected to an exhaustive test in order to ascertain whether they comply with the requirement of the rules and whether they would otherwise be suitable. At least one of the meters shall be opened and such parts removed as may be required for a comprehensive examination of the mechanism.

(4) After the test, one instrument shall be retained at the Institute as a sample instrument and the other shall be returned to other commissioner.

(5) After considering the report received from the Institute the Commissioner shall, if satisfied that the meter complies with the requirements of other rules and is suitable for its purpose, approve the meter. He shall inform other applicant of his decision.

131. Revocation of approval :-

If on receipt of a complaint from any member of other public or of a report submitted by the Secretary, Regional Transport Authority or an Inspector of Motor Vehicles or a Police Officer not below the rank of a Sub-Inspector, the Commissioner is satisfied that meters of any type approved by him under these rules do not record fares correctly or develop defects or go out of order at frequent intervals, or have ceased to conform to other requirements of the rules, he may after giving the person on whose application such type of meter was approved reasonable opportunity of being heard and after making such inquiries as he may deem fit, or by order revoke the approval given to such type of meter and shall inform the person aforesaid of his order and the reasons thereof:

Provided that the order of revocation shall not apply to the meters of such type which are already sealed and in use on the date of such order.

132. Appeal against revocation of approval :-

(1) Any person aggrieved by the order of the Commissioner under

Rule 131, may, within ninety days of the date on which he receives intimation of such order, appeal to the State Government.

(2) The Secretary to Government shall hear and dispose of such appeal on behalf of the Government.

133. Conduct and hearing of appeals :-

(1) An appeal under Rule 132 shall be preferred in duplicate in the form of a memorandum setting forth concisely the ground of objection to the order of the Commissioner and shall be accompanied by a fee of rupees twenty five in cash and a certified copy of that order.

(2) When an appeal is lodged, intimation of such appeal shall be given to the Commissioner.

(3) The Government after giving an opportunity to the party of being heard and after such further enquiry, if any as it may deem necessary may, confirm, vary or set aside the order of the Commissioner and shall make an order accordingly.

134. Fare indication method :-

(1) Every mechanical or electronic digital meter shall be so constructed as,

(a) to indicate on the dial in suitable slots or on a suitable digital display consisting of light emitting diode (LEDs), as the case may be, the amount of fare calculated by time and or by distance in kilometers; and

(b) to have a flag showing its position or to have a window with illuminated words showing whether or not the meter is in action i.e. "Hired" or "For Hire" or "Stopped".

(2) Information to be given in slots of a mechanical meter or a digital display of an electronic meter, nature of the information given in each slot of a mechanical meter or digital display of an electronic meter shall be indicated by suitable wording immediately above or below the slots or digital display, as the case may be. The words or signs denoting rupees or rupees and paise shall be placed immediately above, below or besides the appropriate disc or drum position.

(3) (a) The letters and figures shown in the slots of a mechanical meter or a digital display of an electronic meter shall be of a size which the Commissioner considers to be reasonable and shall be so placed as to be easily read by the hirers.

(b) All letters and figures required to be shown on meter and gear

boxes shall be of such size, form and colour as would render them clearly legible.

(4) The flag of a meter shall be of suitable strength and shall bear the words "For Hire" in the white letters of plain block type at least 50 millimetres in height and of proportionate thickness on a red coloured ground so that they may be easily read from a distance. The arm lever which carries the flag shall be such length that when it is kept vertical, the lower edge of the flag is above the highest part of the meter. If it is an electronic digital meter, it shall be provided with two switches i.e. meter switch and stop-switch, for operating the meter and shall also be provided with "Roof light" synchronized with the operation of the meter.

(5) The mechanism of meters shall be so designed that,

(a) (i) the words "For Hire" are indicated in the appropriate slot when the flag arm is vertical:

(ii) the word "Hired" is indicated when the arm has been depressed through 180 degrees and the time and distance gears are in engagement;

(iii) the word "Stopped" is indicated when the arm is arrested in a horizontal position at 270 degrees.

(b) the flag arm cannot normally remain in any position other than the three positions mentioned in clause (a);

(c) the fare by time ceases to be recorded with the flag in the "Stopped" position;

(d) the fare by distance is recorded on the meter if the taxi-cab driven with the flag in the "Stopped" position;

(e) the fare recorded is not obscured when the flag is in the Hired or Stopped position;

(f) it is not possible-(i) to move the flag back from the "Hired" position to "For Hire" or (ii) to return the flag from "Stopped" position to "Hired" position;

(g) When the flag arm is raised to a vertical position i.e. the "For Hire" Position, the previous record of fare is cleared and the various mechanisms are brought to their initial position.

(h) Before the flag can again be depressed, the full vertical position shall be reached, and positive stop made thereto ensure that the mechanism comes to rest and that the fare indication is obscured by a shutter;

(i) The mechanism for recording the time and distance cannot be engaged or disengaged except by the normal sequence of operation of the flag arm referred to in clauses (a) to (f); and

(j) The operation of the shutter of obscuring the fare synchronizes

with the engaging and disengaging of the time and distance mechanism of the meter.

(viii) the mechanism of an electronic digital meter shall be so designed that, _

(a) (i) "For Hire" window is illuminated with the meter switch in "off position" and the rood light is in "on position";

(ii) The "Hired" window is illuminated and the roof light is turned "Off" when the "meter switch" is pressed "on" and the time and distance modes are in engagement;

(iii) the "Stopped" window is illuminated when the stop switch is pressed "on";

(b) It shall not be possible to set in any position other than the three positions in clause (a) in the meter;

(c) The fare by the time ceases to be recorded when the flag is not in stopped position;

(d) The fare by distance is recorded on the meter if the taxi-cab is driven with the meter in stopped position;

(e) The rate recorded is not obscured when the meter is in "hired" and or in "stopped" position;

(f) When the meter switch is turned off, for hire window is illuminated, the roof light is turned on and the previous recording of fare is acquired and the various mechanism of the meter are brought back to the intial position; and

(g) The mechanism recording time and distance cannot be engaged or disengaged except by the normal sequence of operation of switches referred to in clause (a) to (f).

(ix) Every meter shall be so constructed that it gives audible warning by means of a suitable bell or gong whenever driver moves the lever which operates the recording mechanism.

(x) (a) Every meter shall be so made as to be capable of being sealed by seals of the type specified by the Transport Commissioner and by issuing specific instructions in this behalf, after meter has been tested and approved;

(b) When the gear which operates the distance recording apparatus is not contained in the main part of the machine, the case or cover enclosing it shall be so made that it may be sealed either by the inset or wired -on type of seal.

(c) All meter cable connections shall be so made as to be capable of being sealed by means of inset or wired-on lead seals to prevent improper removal.

(xi) In case of mechanical meter, the mechanism driving and the distance recording gears, and in case of electronic digital meters,

the mechanism giving signals to the distance recording mechanism of the electronic meters shall be fitted not to the driving wheels of the cab but to the non-driving wheels of the chassis gear box attached to the cab.

(xii) (a) A plate of suitable size and pattern shall be attached to the meter or its gear box in such a manner that it cannot be removed without either removing the seals affixed by the testing institution or opening the meter or the gear box. The plate shall bear raised or sunken words or figures denoting the measurement of the effective circumference of the wheel by which the meter will be driven and by which its action and accuracy may be tested.

(b) The measurements shown on the plate shall be in accordance with the circumference of the wheels of minimum size approved for the cab and normally attached thereto.

Explanation. The effective circumference of the cab wheel to which the meter transmission gearing is attached and by which the meter is driven is the distance which the cab moves forward for one complete revolution of the wheel and may be measured by making a mark on the tyre of the wheel where it touches the ground and pushing the cab in a straight line until this mark is again in contact with the ground, the cab being in its normal working conditions and carrying two passengers.

135. Test of approved meters :-

(1) A meter of any type approved under these rules shall before being fitted to a motor-cab be sent to the institution approved by the regional Transport Authority in this behalf for a rough test whether the meter accurately registers time and distance and also for examination as regards its external appearance, general action and conformity with the approved type.

(2) Every meter in use shall be submitted for test at the institution approved by the Regional Authority under sub-rule (1) at least once in every twelve months in case of mechanical meters and once in every twenty-four months in case of electronic meters and also whenever its seals are removed for any repairs or adjustments.

(3) If after test and examination, the meter is found to be suitable it shall be sealed at the institute in such a manner that its interior parts cannot be reached without breaking the seal.

CHAPTER 6 Construction, equipment and maintenance of motor vehicles

136. General :-

(1) No person shall use and no person shall cause or allow to be used or to be in any public place any motor vehicle which does not comply with the Rules contained in this chapter, or with any Order thereunder made by competent authority.

(2) Nothing in this Rule shall apply to a motor vehicle which has been damaged in an accident while at the place of the accident or to a vehicle so damaged or otherwise rendered defective while being removed to a reasonably nearest place of repair or disposal. Provided that where a motor vehicle can no longer remain under the effective control of the person driving the same it shall not be moved except by towing.

137. Movement forward and backward :-

Every motor vehicle other than a motor cycle shall be capable of moving under its own power either forward or backward.

Provided that, the Government may, by General or Special Order, exempt any three-wheeler motor vehicle or class of three-wheeler motor vehicles from the provisions of this rule, where it is satisfied that such vehicle or class of vehicles can be used in any public place without any danger to public safety.

138. Mirror :-

Every motor vehicle, other than a transport vehicle not being a motor-cab or a motorcycle having not more than two wheels and to which a side car is not attached, shall be fitted either internally or externally, and every transport vehicle other than a motor-cab shall be fitted externally with a mirror so placed that the driver has a clear and distinct vision of vehicles approaching from the rear:

Provided that the State Government may, by general or Special Order, exempt any transport vehicle or class of transport vehicles from the provision of this rule on such condition as may be specified in the Order, if it is satisfied that having regard to the construction of such vehicle or class of vehicles fitting of a mirror does not serve any useful purpose.

139. Restrictions regarding TV set or video in the motor vehicles :-

No television set or video shall be fitted or kept on or near the dash

- board of the motor vehicle or shall be kept within the view of the driver.

140. Dangerous projections :-

(1) No mascot or other similar fitting or device shall be carried by any motor vehicle registered in India 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.

(2) No motor vehicle shall be permitted to be used which is so constructed that any axle hub or hub cap projects laterally more than four inches beyond the rim of wheel to which it is attached, unless the hub or hub cap does not project laterally beyond the body or wings of the vehicle or is provided with an adequate guard.

141. Springs :-

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 motor vehicle registered in India before the first day of July 1989, if any means of springing with which it is fitted are adequately maintained in good sound condition;

(ii) any tractor not exceed in four thousand five hundred and thirty-six kilograms in weight unladen, if all the unspring wheels of the tractor are fitted with pneumatic tyres;

(iii) any land tractor, land implement, agricultural trailer, trailer equipped with pneumatic tyres having \axle weight not exceeding 3050 kilo-grams avoirdupois, r any trailer used solely for the haulage of felled trees or such other heavy loads as cannot be carried on springs;

(iv) vehicle designed for use in works or in private premises and used on a road only in passing from one part of the works or premises to another or to works or premies within a distance of 3.2 kilometres;

(v) such motor vehicle or class of motor vehicles not fitted with the means of springing by the manufacturers which the Government may, by general or Special Order, declare to be otherwise suitable for use on public roads on the conditions specified in the Order.

142. Mudguard :-

Every motor vehicle except a tractor or a trailer, shall unless adequate protection is afforded by the body of the motor vehicle, be provided with mudguards or other similar fitting to catch, so far as practicable mud or water thrown up by the rotation of the wheels.

143. Attachment to motor cycle :-

(1) Every side car attached to a motor-cycle shall be so attached, at left hand side of the motor cycle, that the wheel thereof is not outside the perpendicular planes at right angles to othe longitudinal axis of othe motor cycle passing through the xtreme projecting points in front and in the rear of the motor cycle.

(2) Every pillion seat attached to a motor cycle shall,

(i) have two foot-rests one on either side of and directly below the seat fitted in such a manner that a person sitting of the pillion seat can rest his feet on such foot-rests;

(ii) have a suitably spring cushion seat; and

(iii) have a hand grip fitted to the front of the seat.

(3) No pillion seat shall be attached to a motor-cycle with less than 100 cc engine.

(4) The rear wheel of every motor cycle on which a pillion seat is fixed, shall be covered by a protective device covering two-thirds of the area of the rear wheel so as to prevent the clothes of the pillion rider.

144. Communication with driver :-

Every motor vehicle for the use of passengers in which the drivers seat is separated from the passenger compartment by a fixed partition which is not capable of being readily opened shall be furnished with efficient means to enable the passengers to such compartment and the conductor, if any, to signal the driver to stop vehicle.

145. Prohibition of use of Military colours, etc :-

(1) No motor vehicle other than a military motor vehicle shall be used in any public place unless it is painted in colour scheme different from that usually employed for military motor vehicles.

(2) No such motor vehicle shall exhibit or carry any military

registration mark.

145A. Prohibition of improper use of State emblem :-

No person shall, except in such cases and under such conditions and without previous permission of other Officer of the Government as may be authorized under Section 3 of the Emblems and Names (Prevention of Improper use) Act, 1950 (Central Act 12 of 1950) exhibit the State emblem on the name plate of any motor vehicle other than the motor vehicle other than the motor vehicle belonging to the Government of Karnataka.]

146. General :-

Every public service vehicle and all parts thereof including paint work, varnish and upholstery, shall be maintained in a clean and sound condition and the engine mechanism and all working parts in reliable working order.

147. Stability :-

(1) The stability of a double-decked public service vehicle shall be such that when loaded with weights of 59 kilograms per person placed in the correct relative positions to represent the driver and conductor (if carried) and a 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 degrees from the horizontal the point at which over-turning occurs would not be reached.

(2) The stability of a single-decked public service vehicle other than a motor-cab (or a singledecked trolley bus) shall be such that under any conditions of load, at allowance of 68 kilograms per passenger and his personal luggage, for which the vehicle is registered, if the surface on which the vehicle stands were tilted to either side to an angle of 35 degrees from the horizontal the point at which over-turning occurs would not be reached.

(3) The stability of a single-decked trolley bus shall be such that under any condition of load, at an allowance of 68 kgs. Per passenger and his personal luggage for which the vehicle is registered, if the surface on which the vehicle stands are tilted to either side to an angle of 32 degrees from the horizontal the point at which over-turning occurs would not be reached.

(4) For the purpose of conducting tests of stability the height of any stop used to prevent wheel of the vehicle from slipping

sideways shall not be greater than two-thirds of the distance between the surface upon which the vehicle stands before it is tilted and that part of the rim of that wheel is loaded in accordance with the requirements of this Rule.

148. Seating room :-

(1) In every public service vehicle other than a motor-cab, there shall be provided for each passenger except those permitted to be carried as standees, a reasonably comfortable seating space of not less than 38 square millimeters measured on straight lines along and at right angles with front of each seat,--

(i) when the seats are placed along the vehicle facing each other the backs of the seats on the side shall be at least 1.372 meters distant from the backs of the seats on the other side;

(ii) when the seats are placed along the vehicle and are facing in the same direction there shall be a space of not less than 685 millimetres between the back of the front seat and the back of the rear seat, when measured from the rear-most point of the back of the front seat, to the rear-most point of the back of the rear seat. The front seat shall be in two parts with a gangway of 305 millimetres in three places, two at the two extremes and one at the middle;

(iii) When seats are placed across the vehicle and are facing in the same direction, there shall be a space of not less than 660 millimetres between the back of the front seat and the front of the rear seat when measured at the top-most point of the upholstery; and

(iv) when seats are placed across the vehicle and are facing each other there shall be a space of not less than 1.27 millimetres between the backs of the facing seats when measured from the topmost point of the upholstery.

(2) The backs of all seats shall be closed to a height of 406 millimetres above seat level.

149. Maximum permissible area to be occupied by each seat :-

(1) The area to be provided for each seat in an ordinary public service or private service vehicle shall not be more than 0.381 square metres.

(2) The area to be provided for each seat in a luxury or tourist air conditioned public service vehicle or private service vehicle shall not

exceed 0.571 square metres.

150. Gangways :-

(1) In every compartment of every public service vehicle entrance to which compartment is from the front or rear there shall be gangway along the vehicle,___

(i) whereas the seats are placed along the vehicle facing each other there shall be as gangway a clear space of not less than 610 millimetres measured between the fronts of the seats;

(ii) where seats are placed across the vehicle there shall be as gang-way a clear space of not less than 305 millimetres between any part of adjoining seats or their supports.

(iii) Whereas a row of seats is placed along one side of othe vehicle and the other seats are placed across the vehicle there shall be as gangway a clear space of not less than 450 millimetres between the front of the seats placed along the vehicle and parts of the adjoining seats or their supports placed across the vehicle.

(2) Where the vehicle has seats placed across full width of the body with separate doors to each seat, a gangway from front to rear of the vehicle shall not be required.

151. Limit of seating capacity :-

(1) Subject to other provisions of the Rule 146 regarding seating accommodation, the number of passengers excluding the driver and conductor or attender that a [public service vehicles] other than goods carriage, motor-cab may be permitted to carry, shall not exceed the number determined by dividing by 58 kilograms the difference in kilograms between the gross laden weight less 109 kilograms and the unladen weight of othe vehicle.

(2) The minimum seating capacity of a vehicle shall be directly proportionate to the wheel-base of the vehicle. In 2[public service vehicles] other than goods carriages and motor-cabs the minimum number of seats including two seats for driver and conductor or attender to be provided shall be as specified in column (2) of the table below:-

TABLE

Wheel base		Minimum seating capacity
254 to 293 cm	-	16
294 to 305 cm	-	20

306 to 343 cm	-	25
344 to 407 cm.	-	30
408 to 432 cm	-	35
433 to 496 cm	-	45
497 to 534 cm	-	50
534 to 541 cm	-	55
541 to 561 cm	-	60
Above 561 cm.	-	65

[Provided that the in case of a Maxi-cab the vehicle shall be approved by the commissioner for Transport for the purposes of registration.]

(3) Nothing in sub-rule (2) shall apply to, ____

(a) Stage carriage proposed to be operated in towns and cities and within a radius of 25 kms. From the limits of such towns and cities.

(b) contract carriages constructed or adopted and equipped and maintained in accordance with the specifications made in Rule 128 of the central Motor Vehicles Rules, 1989.

(c) Notwithstanding anything contained in sub-rules (1) and (2), the Government may by notification in the Official Gazette exempt any public service vehicle or class of such vehicles used in any specified area from the provisions of above sub-rule either generally or for a specified period subject to such conditions as may be specified in the behalf.

(4) The provisions fo sub-rule (2) are also applicable to public service vehicles migrating into the State of Karnataka either by way of change of address, transfer of ownership or by way of reassignment of registration mark. Such vehicles shall be altered so as to be in conformity with sub-rule (2) within fifteen days from their entry into othe State of Karnataka.

152. Standing capacity :-

The State Transport authority or Regional Transport Authority, concerned may, in respect of any stage-carriage, fix the number of standing passengers for which the vehicle is permitted to carry, subject to the following conditions.

(i) a grab bar with hanger strap be fixed in the roof of the ganga-way of the vehicle;

(ii) no standing passengers shall be allowed on the upper deck of the double decked vehicle;

(iii) the minimum number of standing passengers shall not be less than the number arrived at by dividing the length of the gang-way in centimeters by ninety-one and the maximum shall not exceed the number arrived by dividing the length of the gangway in centimeters by forty-one;

(iv) where such vehicle is operated within the limits of a Municipal Corporation, or a Municipality constituted under any law for the time being in force in the State, inclding an area within a radius of

eight kilometers from such limits, the Regional Transport Authority may direct that more number of passengers as may be carried subject to availability of clear space of gangway of such greater width than that prescribed in Rule 150;

(v) The Regional Transport Authority may direct that, in addition to the standing passengers permitted to be carried as above twelve school children may be carried during such period, as may be specified by it.

153. Head-room :-

(1) Every public service vehicle other than a motor-cab shall have the following internal height or head-room measured along the centre of the vehicle from the top of the floor boards of battens to the under side of the roof supports.

i. in the case of the single-decked vehicle and the lower-deck of a double-decked vehicle not less than 1.75 metres and not more than 2 metres;

ii. in the case of upper-deck of a double-decked vehicle not less than 1.7 metres: Provided that the Regional Transport Authority may vary the above measurements in respect of any public service vehicle plying solely in any specified municipal or cantonment limits and the environs thereof.

(2) Nothing in sub-rule (1) shall apply to motor vehicles constructed before the 1st day of July, 1989 in conformity with the provisions of Rules made under the Act in any part of the State and in force therein before.

153A. Special provisions for sleeper coach :-

(1) rules 93, 128(2),(3), (4), (5), (6), (9)(i),(12) and (13) of the Central Motor vehicles Rules, 1989, shall mutatis mutandis apply to sleeper coach.

(2) The specification for sleeper coach shall be as follows, namely.____

(a) The overall height of the vehicle shall have a maximum of 3.8 meters including A.C.Hood, (from the surface on which vehicle rests).

(b) Interior height of the vehicle shall be minimum of 2.15 meters.

(c) Roof ceiling shall be provided with soft material or equivalent material like ABS plastic to prevent impact.

(d) The maximum height of each step shall be 250 mm. The minimum depth shall be 230 mm. All steps shall be provide with

non-slip treads.

(e) The sleeper berth should be provided along with the vehicle with two-tire system only.

(f) The total saloon interior length shall not be less than 9.2 meters.

(g) Each berth of length not less than 1750 mm and width not more than 600 mm. The thickness of each berth shall not less than 75 mm.

(h) The width of gangway shall not be less than 450 mm.

(i) The width of structure partition shall not be less than 25 mm.

(j) The lower berth shall be fixed at a minimum height of 150 mm from the floor of the vehicle.

(k) The clear headroom for the sitting passenger at lower berth shall not be less than 800 mm.

(l) The clear headroom for upper berth shall not less than 650 mm. except at the side curves of the roof.

(m) The upper berth shall be either fixed type with supports fixed rigidly by means of bolting or welding or pivot mounted at the partition and suspended by two bright steel chains mounted on hinges on berths. These chains shall be fixed rigidly by means of bolting or welding to other roof structural members. The chain shall be located to ensure that the total sum of the overhead position shall not exceed the center-to-center distance of chains measured along the axis of the berths.

(n) Suitable arrangements shall be made for the upper berth passengers to enable them to go up or come down from the upper berth.

(o) An assist handle shall be fitted in the gangway except a seat for coach attendant manager at suitable place.

(p) Each seat/berth shall be provided with fabric covering, which shall be capable of being kept in a clean and sanitary condition.

(q) One pillow and two neat linen shall be provided to each passenger (one for wrapping and another for spreading).

(r) Safety guards covered with soft material on either side of the upper berth shall be provided.

(s) There shall also be sufficient space underneath the lower berth for keeping the luggage wire ropes are to be provided for fastening the luggage.

(t) Hat racks inside the saloon not be permitted.

(u) The vehicle shall have weveller suspension or air suspension or combination of both.

(v) The vehicle shall be fitted with power steering mechanism.

(w) Emergency exit shall be provided at the rear or in roof. Model layout plan of arrangement of sleeper inside the vehicle is appended.

(3) Body mounting.

(a) In case of rigid chassis the body of such public service vehicle shall be mounted on the chassis with high tensile, steel bolts with diameter of not less than 16 mm. No holes shall be drilled in the chassis side members (Longitudinal) except where such drilling is technically approved by the chassis manufacturers. Rubberized packing or mounting of adequate thickness shall be used between the body structure and the chassis frame.

(4) Flooring.

Flooring material of such public service vehicle shall be sound proof, antiskid and washable. the floor shall be safe for the passengers and be covered with rubber or synthetic matting or carpets. All joints shall be dust proof by suitable packing material.

(5) Light.

Individual reading light at convenient location for each berth shall be provided in addition to normal lighting arrangement.

(6) Air-condition unit mounting.

Every such public service vehicle shall be equipped with adequate Air-conditioning unit.

(7) Magazine pouches shall be provided at convenient location. Bottle holders shall also be provided.

(8) Windows.-

(a) the windows shall be provided with double sliding type slider running smoothly in channels without rattle and with all safety or laminated safety glasses confirming to the standards laid down by the bureau of Indian Standards. Windows shall be provided with sliding curtains:

(1) In case where the fixed glasses are provided, minimum one hatch shall be provided , on roof top at suitable place for air circulation.

(2) Sliding windows shall be provided to the driver partition immediately behind the driver.

(3) Sliding curtains shall be provided for each coupe and windows.

(9) Electrically operated calling bells shall provided for each coupe.

(10) Night lamps preferably in blue colour shall be provided in the gangway.

(11) sliding window shall be provided to the driver partition immediately behind the driver.

(12) Individual reading light at convenient location for each berth

shall be provide.

(13) Reflective tape of canary yellow colour of 50mm. width shall be provided at rear and front side at skirt level of/on bumper.

(14) Such public service vehicle shall have an attendant/manager to take care of the passengers in addition to othe driver/driver or conductor.

153B. Power to grant relaxation :-

the State Government r the Transport Commissioner, as the case may be may grant relaxation giving reasons in writing to the vehicle registered as sleeper coach or sleeper bus from one or any of the above conditions.

(a) Age of sleeper coach :A Permit of a sleeper coach shall be deemed to be invalid from the date of which the Motor vehicle covered by permit completes twelve years from the date of its initial registration. Provided that the motor vehicle to be replaced shall not be more than 2 years old on the date of such replacement.

(b) The vehicle shall have front enterance-cum -exit door on left side operated by driver/attendant equipped with assist rail in front of front axle].

154. Drivers seat :-

(1) No public service vehicle shall be driven other than from the right hand side of the vehicle.

(2) On every public service vehicle space shall be reserved for the drivers seat as to allow him to have full and unimpeded control of the vehicle and in particular,-

(i) the part of the seat against which the drivers back rests, shall not be less than 280 millimetres from the nearest point of the steering wheel;

(ii) the width across the vehicle shall be not less than 690 millimetres and shall extend to the left o the centre of the steering column in no case less than 254 millimetres so that a line drawn parallel to the 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 50 millimetres inside the width reserved for the drivers seat.

(3) Arm-rests for the river not more than 100 millimetres wide may be provide witin the spae specified in clause (ii) of sub-rule (2)

(4) 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.

(5) Every public service vehicle other than a motor-cab shall be so constructed that there shall be a separate compartment containing proper seating accommodation for the driver. This compartment may be separated by suitable rigid partition of metal bar or adequately spaced metal bars, both on the side and on the rear, so as to isolate the driver without obstructing his vision: Provided, that in the case of a motor-cab licensed to carry five passengers, two passengers may be permitted to be carried by the side of the drivers seat.

(6) Every public service vehicle shall be so constructed that, save from the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of 90 degree to his right hand side. The front pillar of othe body shall be so constructed as to obstruct the vision of othe driver to least possible extent.

(7) The sub-rule (1) shall not apply to four wheel-drive jeep and motor -cabs.

(8) Notwithstanding anything contained in this rule where the Government, having regard to the availability and utility of any vehicles fitted with left hand steering control or the expediency of their use in public interest, is satisfied that it is necessary so to do othe Government may be General or Special Order, exempt any public service vehicle or class of such vehicle with such control from any of the provisions of this Rule, on such terms and conditions, if any, as may be specified in the Order.

155. Width of doors :-

(1) Every entrance and exit of a public service vehicle other than a motor - cab shall be at least 540 millimetres in width and of sufficient height.

(2) Every entrance and exit of a stage carriage, not being a stage carriage operating within the limits of a municipal council, municipal corporation or cantonment duly constituted or declared under any law for the time being in force, shall be fitted with doors so as to prevent the passengers from falling out.

156. Grab rail :-

Grab rail shall be fitted to every entrance or exit, other than an emergency exit, of a public service vehicle, other than a motor-cab, to assist passengers in boarding or alighting from the vehicle.

157. Steps :-

(1) In every public service vehicle other than a motor cab, the top of the tread of the lowest step for any entrance or exit, other than an emergency exit, shall not be more than 520 millimetres or less than 250 millimetres, above the ground when the vehicle is empty. All steps shall be fitted with non-slip treads. Fixed steps shall not be less than 230 millimetres wide and shall in no case project laterally beyond the body of the vehicle.

(2) In the case of a double-decked vehicle,-

(i) the risers of all steps leading from the lower to the upper deck shall be closed, and no unguarded aperture shall be left at the landing boards;

(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 75 millimetres from the back of the seat, shall not be less than 660 millimetres;

(iv) the outer stringer of an outside staircase shall be so constructed or a band shall be 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 990 millimetres above the front of the tread of each step.

158. cushions :-

The seats of a public service vehicle shall be provided with fixed or movable foam or soft cushions, and the cushions shall be covered with leather cloth of good quality or other suitable material so that they are capable of being kept in a clean and sanitary condition.

159. Body dimensions. Etc :-

(1) 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 of the height to the sills of the window, as the case may be, shall not be less than 175 millimetres;

(b) if the height of the sides of the body or the sills of the windows, as the case may be, above the highest part of any seat is

less than 460 millimetres, provision is made by means of guard sails or otherwise to prevent the arms of seated passengers being thrust through and being injured by passing vehicles, or the extent to which the said windows or venetians can be lowered, is such that when lowered their top edge is not less than 460 millimetres above the highest part of any seat;

(ii) in the case of a 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; and

(iii) in the case of a double-decked vehicle with an uncovered top deck, the top deck shall be provided with side rails and end rails the top of which shall be at least 915 millimetres above highest part of any seat, and the top of front and back rails shall be at least 900 millimetres above the deck boards or battens and shall follow the chamber of the deck.

(2) For the purposes of this Rule seat-back shall not be deemed to be a part of the seat.

(3) A Regional Transport Authority may in the case of stage carriage plying solely in any specified municipal or cantonment limits and in the environs thereof require that life guards of a type to be approved by the authority shall be fitted to other sides of the vehicle between the wheels.

160. Protection of passengers from weather :-

(1) Save in the case of the uncovered top deck of a double-decked vehicle, 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 constructed with a fixed and water-tight roof or be equipped with water-tight roof or be equipped with 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 vehicles, every public service vehicle shall have suitable windows fitted with glass panels capable at all times of protecting the passengers from the weather without preventing adequate ventilation of the vehicle.

(3) The glass windows must be provided with effective means to prevent their rattling.

161. Internal lighting :-

Every public service vehicle other than a motor cab, having a

permanent roof shall be furnished with one or more electric lights adequate to give reasonable illumination through the passengers compartment or compartments including the bending but of such power or so screened as not to impair the forward vision of the driver.

162. Body construction :-

The body of every public service vehicle shall be constructed and fastened to the frame of the vehicle in compliance with such directions as may from time to time be issued by the State Transport Authority.

163. Compulsory electric lighting :-

No light other than an electric light shall be fitted to any public service vehicle.

164. Fuel tanks :-

(1) No fuel tank shall be placed in any public service vehicle within sixty centimeters of any entrance or exit of a single-decked vehicle or lower deck of a single-decked vehicle or lower deck of a double-decked vehicle.

(2) The fuel tank of every public service vehicle shall be so placed that no overflow therefrom shall fall upon any woodwork or accumulate where it can be readily ignited. The "off" position of the means of operation shall be clearly marked on the outside of the vehicle. The filling points of all fuel tanks shall be outside the body of the vehicles, and the filler caps shall be so designed and constructed that they can be securely fixed in position.

165. Carburetors :-

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 of fitting that is capable of igniting it or into any receptacle where it might accumulate.

166. Electric wires :-

All electric wire or leads shall be adequately insulated.

167. Fire extinguishers :-

Every public service vehicle other than a motor cab shall be equipped with one or more fire extinguishers of such types and capacity, as may be specified by the State Transport Authority and such fire extinguishers shall at all times be maintained in working condition.

168. Locking of nuts :-

All moving parts of every public service vehicle and all parts subject to service vibrations connected by belts or studs and nuts shall be fastened by lock nuts or by nuts with efficient spring or lock nut washers or by castellated nuts and split pins or by some other efficient device so as to prevent them from becoming loose.

169. Floor boards :-

(1) The floor boards of every public service vehicle shall be strong and closely fitted so as to exclude as far as possible, draughts and dust.

(2) The floor boards may be pierced for other purpose of drainage but for no other purpose.

170. Spare wheel and tools :-

(1) Save as otherwise specified by the Regional Transport Authority in respect of municipal or cantonment areas, every public service vehicle shall, at all times be equipped with not less than one spare wheel or rim, fitted with a pneumatic tyre in good and sound condition ready and inflated, and mounted in such a way that it can be readily dismounted and fitted to other vehicle, in place of any one of the road wheels.

(2) Sub- rule (1) shall not apply to a 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) 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 a puncture.

(4) Every public service vehicle shall, at all times be furnished with one screwdriver and at least with one spare fuse, one side-light bulb and one head-light bulb and when such vehicle is fitted with sealed beam head-lights with one spare sealed beam unit and a fan belt and one inspection lamp with 10 meters long wire. Provided that, the State Government may by a general or Special Order,

exempt for such period as may be specified therein any public service vehicle or class of such vehicles in respect of any area, if it is satisfied that adequate arrangements exist for expeditious and efficient emergency repairs in such area.

171. First-Aid box :-

Every stage carriage shall carry first aid equipment in the aerosol bottles approved by bureau of Indian Standard containing medicine for burns, wounds, pain-killer and dressing material as prescribed by the state Transport authority, dust-proof First-Aid box containing the following articles, namely:-

- (i) a leaflet containing First-Aid instructions approved by the state Government, from time to time;
- (ii) twenty-four sterilized finger dressings;
- (iii) twelve sterilized hand or foot dressings;
- (iv) twelve sterilized large or body dressings;
- (iv) one extra large, two large and three small sterilized burn dressings;
- (v) two large packets of sterilized cottonwool;
- (vi) a bottle of two per cent tincture of iodine or a tube of antiseptic cream containing 0.5 per cent of cefrimide B.P. in a non-greasy base;
- (vii) a bottle of sal volatile;
- (ix) empty bottle fitted with cork and camel hair brush for eye drops;
- (x) two glasses:

Provided that, the State Government may, by a General or Special Order, exempt from the provisions of this Rule public service vehicles plying in such area or area or on such particular route or routes, and on such conditions, if any, as may be specified in the Order, if it is satisfied that medical aid is readily available in such area or areas or routes.

172. Testing and inspection of private service vehicles :-

No private service vehicle shall ply in a public place, unless it is covered by a valid Fitness Certificate. The provisions of Rules 35, 38 and 39 shall, as far as may be, apply also to private service vehicles. The period of fitness Certificate of private service vehicle shall not, in any case exceed two years at a time.

173. Inspection of motor vehicles :-

(1) Notwithstanding anything contained in the Rule, if the Registering Authority has reason to believe that owing to other mechanical defects, any vehicle, is in such condition that its use in a public place constitutes a danger to the public, or that it fails to comply with the requirements of Chapter VII of the act or of the Rules, made thereunder, he may cause such vehicle to be inspected by an Inspector of Motor Vehicles and after giving the owner an opportunity of making any representation as required under sub-section (1) of section 53, suspend the certificate of Registration of the vehicle under the said section till such time as the vehicle is produced for inspection duly repaired.

(2) (a) On inspection, if the Inspector of Motor Vehicles is satisfied that such vehicle is in a mechanically defective condition he shall issue items thereof as are applicable to non-transport vehicles, and submit a copy thereof to the registering Authority;

(b) if on receipt of a copy of such memorandum, the Registering Authority has reason to believe that owing to other mechanical defects it constitutes a danger to the public, or that it fails to comply with the requirements of Chapter VII of the Act or of the Rules made thereunder, he may, after giving the owner an opportunity of making any representation as required under subsection (1) of Section 53 of the Act, suspend the Certificate of Registration of the vehicle under the said section till such time as the vehicle is produced for reinspection duly repaired.

(3) The Registering Authority shall record below the Certificate of Registration of the vehicle, the date of every inspection and whether it was found in mechanically fit or defective condition.

(4) A fee for every such inspection shall be fifty rupees and it shall accompany the application referred to in sub-section (8) of Section 41 of the Act.

174. Clearance :-

(1) All the under parts of the vehicle inside the pivots of the front axle and steering arms which must be placed as near as possible to road wheel as far back at least as the rear axle, shall be, above the ground, by not less than 254 mm. when the vehicle is fully loaded.

(2) Sufficient allowance shall, in addition, be made, to provide for the wear of the tyres, settling down of the springs, or other causes likely to reduce height, so that the minimum clearance of 254 millimetres is at all times maintained.

175. Springs :-

(1) Chassis springs shall be properly hung and must be of sufficient strength and flexibility to meet all likely contingencies.

(2) The rear springs shall be attached to or bear upon the back axle casing as near to the road wheels as possible and the distance between the springs from outside to outside shall not be less than 50 per cent of the overall width of the vehicle.

(3) The front springs shall be as wide apart as possible and the difference between them shall not be less than 37 per cent of the overall width of the vehicle:

Provided that if the width of the rear springs is 53 per cent of the overall width of the vehicles, or more, the minimum distance between the front springs may be less by 2.54 centimetres less than that required by this sub-rule.

(4) There shall be not cross springs.

176. Wheel track :-

The wheel tracks of both front and rear wheels shall coincide and the distance between the centre lines of the tracks of the front wheels shall not be less than 69 per cent of the overall width of the vehicle.

177. Ventilation :-

Every stage carriage shall be provided with adequate means of ventilation, so that there shall be proper ventilation, so that there shall be proper ventilation even when the windows, if any, are not opened. If the carriage is provided with opening windows, suitable provision shall be made so that opening of the window could be adjusted.

178. Application of Rules to the vehicles belonging to educational institutions :-

The provisions of Rule applicable to public service vehicles shall apply to the private service vehicles registered in the name of educational institutions which are recognized by the state Government or which are managed by societies registered under the Karnataka Societies Registration act. 1960.

Provided that, the Rule for head room, shall not apply to private service vehicles. Provided further that the vehicles registered in the

name of the education institution shall be painted in highway yellow colour and the words "School Bus" or "College Bus" as the case may be, shall be written in a dark colour paint on all four sides of the vehicle.

179. 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.

180. Chocks :-

(1) In order to prevent a goods vehicle from running backward on slopes, or otherwise to render it immobile, every such vehicle, not being a light motor vehicle, shall be equipped with two wedge shaped rigid chocks, each measuring 30 centimetres in length, 30 centimetres in breadth and 254 centimetres in height, with one of its sides having a slope making an angle of 45 degree at the end. The plane surface of the sloped side of each chock shall be rendered concave so as to fit the outer circumference of the tyres normally fitted to the rear wheel of the vehicle.

(2) Notwithstanding anything contained in sub-rule (1) where such vehicle is fitted with single rear wheel, the breadth of each such chock may be less than 30 centimetres but not less than 15 centimetres.

(3) Each such chock shall have a hook and be kept,

(a) in a bracket fitted on the outer skirt of the tail-board of the vehicle; or

(b) where the vehicle has no tail-board, in a metal carrier fitted between the frame side members, underneath the body nearest to the rear wheel on either side;

(c) the tail-board of the vehicle and where the vehicle has no tail-board, the wooden planks above the frame side members shall also have a hook in the centre.

(4) Each such chock shall be linked with the tail-board or where the vehicle has no tail-board with the wooden planks above the frame side members, by means of a metal chain or steel wire rope of sufficient length and strength, fastened to the hook in the chock and to the hook in the tail-board or the wooden planks, as the case may be.

(5) No person shall use any boulder or any substance of a similar nature in lieu of wooden chocks on slopes or otherwise to prevent the goods vehicle other than light motor vehicle from running backward on slopes or to render it immobile otherwise.

(6) Notwithstanding anything contained in the Rule, the State Government may by notification in the official Gazette exempt from the provisions of this Rule, and good vehicle or class of such vehicles which in its opinion are not likely to slip backwards on slopes.

181. Drivers seat :-

(1) The provision of Rule 154 applicable to public service vehicles shall also apply to goods vehicles other than light motor vehicles provided with bucket type seats:

Provided that, where the State Government, having regard to the price and utility of any goods vehicle or class of goods vehicles, is satisfied that it is necessary so to do, the State government may, by General or Special Order, exempt any goods vehicles or class of goods vehicle fitted with left hand steering control from the provisions of sub-rule (1) of Rule 154.

(2) Where a Registering Authority registers a goods vehicles in respect of which, or belonging to a class in respect of which, an order under sub-rule (1) has been made, he shall not in the certificate of registration, the fact that nothing in Rule 154 in regard to and consequent upon the provisions requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

182. Securing of goods in open goods vehicles :-

Goods transported in an open goods vehicle shall be properly secured within the body of such vehicle in such a manner so as to prevent the goods from falling from such vehicle.

183. Application of Rule 170 to good vehicles :-

The provisions of Rule 170 shall apply to every goods vehicle.

184. Checking of designs of locally manufactured trailers :-

(1) An application for the approval of a new design of trailer manufactured in India and intended to be used as a transport vehicle shall be sent to the Commissioner, in triplicate by the

manufacturer or his authorized assembler in Form KMB 62. 1[along with a non-refundable fee of Rs.1,000/-in respect of each trailer design having less than twelve tons capacity (Tripper or non-tripper) and rupees one thousand five hundred in respect of other trailer design having a capacity of twelve tons and above, including the multi-axles trailers.] Such application shall be accompanied by three copies of each of the following in addition to other documents mentioned in the form of application, namely:-

- (i) full specifications;
- (ii) drawings giving all dimension and detail; and(iii) set of design calculations 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) tow bar;
 - (g) turn table of two axle trailers;
 - (h) braking arrangements; and
 - (i) any other item such as shock absorbers, if included.

(2) (a) The Commissioner shall, forward the application and the copies of documents to the institute approved by government (hereinafter referred to as the institute) having competence and technical capacity to check the design and the trailer, for verification and recommendation of the greatest laden and axle weights in respect of the trailer which are compatible with reasonable safety;

(b) The institute shall then go through the design and calculations, and if the design is found satisfactory by it, certify what would be in its opinion, 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 institute shall advise the applicant to that effect, and recommend such changes in the design as may be required, to make the trailer suitable for other desired load;

(d) The institute may call upon the applicant, to furnish details, if required. In such case, the applicant shall furnish fresh specifications and drawing incorporating alterations, if any;

(e) When a design is found satisfactory, the institute shall return two copies of the approved design, specifications and calculations with its recommendations as to other maximum laden and axle

weights compatible with reasonable safety to the Commissioner. The Commissioner, may then approve the design and call for as many extra copies of the approved types of the design, specifications and calculations as may be required by him for sending them to different Registering authorities for their record.

(3) The fee which may be charged by the institute for such checking of a design shall be rupees One hundred and fifty. The fee shall be paid by the applicant to the Principal and Secretary of the institute direct on demand by him and shall not be refunded.

(4) Notwithstanding anything contained in sub-rules (1), (2) and (3) 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 an approval accorded under these Rules;

Provided that, there is in force in that other State, a rule or rules confirming to or containing substantially the same provisions as in this Rule.

185. Requirements to be satisfied before a producer is fitted to a motor vehicle :-

No producer shall be fitted to a motor vehicle unless the producer,-

(a) is of a model approved by the Director of Industries;

(b) has been affixed to the generator in such a manner as to be clearly visible, a metal plate having legibly upon it the name of the manufacturer, the manufacturer's serial number and description, name, mark or number assigned in respect of its model under rule 188 and the type of the vehicle for which it is certified; and

(c) has a Certificate of Verification in respect of it issued under Rule 189.

186. Application for approval of model :-

(1) Any person seeking the approval of the Director of Industries in respect of a model under clause (a) of Rule 185 shall make an application in writing to the Director of Industries accompanied by duplicate copies of the specifications, of clear drawings or prints, and of the instructions for working appertaining to the model, and shall state the type of motor vehicle and the size and horse power of engine for which the model it is designed.

(2) Any person who has made an application under sub-rule (1) shall,

(a) submit the model for such inspection and tests, in such laboratory or workshop, and by such office as the Director of

Industries may specify; and

(b) furnish at his own expense a vehicle for which the model is designed, fitted with the model for such inspection and test on the road including a road journey not exceeding one hundred and sixty kilometers as the Director of Industries may specify.

187. Model to conform to certain requirements :-

Before according approval to a model, the Director of Industries shall satisfy himself that the design and construction proposed are in accordance with the standard specification and in particular that.-

(a) the model is reasonably simple and suitable to the type of vehicle for which it is intended;

(b) it can be fitted to the vehicle in such a way that the driver's vision and control of the vehicle are not impeded and the convenience and safety of passengers are not endangered;

(c) the weight of the producer can be reasonably distributed over chassis;

(d) the filter, coolers, pipes and other parts requiring frequent cleaning and attention can be fitted in readily accessible place; and

(e) the model satisfies the tests specified in the test schedule .

188. Approval of model and modification of approved model :-

(1) When the Director of Industries approves a model, he shall assign to the model a description, name mark and number.

(2) No modification shall be made in an approved model except with the approval of the Director of Industries, who may subject the model so modified to such tests as he thinks necessary before approving the modification.

189. Certificate of producer :-

(1) Any person seeking a certificate of Verification under subrule(3) in respect of a producer manufactured in accordance with a model approved under Rule 185, he shall submit the producer to such officer, as the Director of Industries may specify for inspection and test.

(2) The producer so submitted shall be tested in parts or fully assembled in the manner laid down by the Director of Industries in the test schedule.

(3) The Director of Industries or such officer as may be authorized by him in this behalf shall issue a certificate of verification in respect of the producer if it conforms in all respect to othe approved model.

190. Copy of instructions and certificate to be attached to every producer for sale :-

A copy of the instructions for working it and the Certificate of Verification under sub-rule (3) of Rule 189 issued in respect of it shall be attached to, or rendered with every producer offered for sale, and intended to be fitted to a motor vehicle.

191. Safety requirements in fitting producer to a motor vehicle :-

A producer shall be fitted to a motor vehicle and maintained with al reasonable care necessary to prevent danger from fire, gas poisoning and burns and in particular.-

(a) all pipes, joints, valves and all covers to the hoppers, generators, cooling chambers, filters and other accessories shall be kept free from gas or air leaks.

(b) An escape funnel shall be fitted to the generator for use during the blowing of air through the generator, and the mouth of he funnel which must be covered with a wire gauze and provided with a shut-off valve shall be placed above the level of othe room of othe vehicle; and

(c) A suitable valve or flame trap shall be fitted to the air inlet of all types of generators to prevent danger from blow -back.

192. Safe location of producer on motor vehicle :-

(1) No part of a producer fitted to a motor vehicle shall be so placed as to reduce the field of vision of othe driver by means of othe mirror prescribed in Rule 138 or otherwise or so as to impede the driver in his control of the vehicle.

(2) In a public service vehicle,-

(a) No part of a producer shall be placed within the passenger compartment; and

(b) Where the generator is centrally placed in the rear of the passengers compartment, it shall be placed either completely outside it or recessed into the rear panel and shall be insulated and have the clearance prescribed in these Rules. In the case of oany

generator fitted in the rear of a vehicle and to one side of the vehicle, suitable means shall be taken to compensate for the additional weight by inserting one or more leaves in the rear springs of the vehicle at that side;

Provided that notwithstanding anything contained in these Rules, the producer and a reserve fuel, latter not exceeding 68 kilograms in weight may be carried on a trailer attached to a public service vehicle.

(3) No public service vehicle towing a producer shall have an opening or door on the rear end of the vehicle.

193. Insulating motor vehicle from producer :-

(1) On any motor vehicle, if any part of the generator is so placed as to be within a distance of 15.2 centimetres in a horizontal plane from any part of the vehicle, the vehicle shall be insulated from the generator by a sheet of asbestos not less than 3 millimetres thick or by such other insulating material as the Director of Industries may, by General or Special Order in writing specify in its behalf, not less in height than the height of the generator including the hopper and of such a width as,-

(a) where the generator is recessed completely to line the recess; and

(b) where the generator is not recessed to project for a distance of not less than 15.2 centimetres on either side of the generator.

(2) No part of a generator shall have a clearance between it and the insulating material prescribed in sub-rule (1), of less than 50 millimetres.

(3) (a) The generator shall be so mounted that all air inlets shall point away from the main fuel tank filter cap which shall not be less than 12.2 metres away from the generator or any pipe line leading from the generator to the gas coolers.

(b) No generator and no pipe line leading from the generator shall be so placed as to have any of their parts within a distance of less than 60 centimetres from any part of fuel tank:

Provided that when the fuel tank is located under the drivers cab and the generator is installed behind the line drawn along the back of the drivers cab right angles to the central line of the vehicle the generator may be placed within a distance of 60 centimetres but not within less than 15 centimetres from the fuel tank and the area of the cab immediately behind the back of the fuel tank and at the end of the fuel tank next to the generator shall be insulated from

the generator with double asbestos sheet of at least 3 millimetres in thickness.

194. Filters and coolers :-

On any transport vehicle the filters and gas coolers of a producer shall be so placed as to be readily accessible for cleaning at any time.

195. Secure filters :-

Every part of a producer fitted to a motor vehicle shall be firmly and securely fixed in place, and all pipes, valves, joints and hopper lids or covers shall at all times be maintained in gas-tight condition.

196. Overall width, length and height and overhang of motor vehicle in relation to producer :-

(1) The projection of any part of a producer beyond the rear of the vehicle shall be deemed not to be a part of the vehicle for the purposes of Rule in respect of overall length and overhang framed by the central Government.

(2) No producer shall be fitted to a motor vehicle in such a way that the vehicle thereby contravenes the provision of the Rules in respect of width and overall height prescribed by the Central Government.

197. Certificate of Inspection of transport vehicle fitted with producer :-

(1) Before a transport vehicle fitted with a producer is used, it shall be submitted for a test to an officer authorized by the Director of Industries or the Commissioner, in this behalf who shall submit it to a road test of 40 kilometres run and to inspection immediately afterwards for any defects.

(2) If after test and inspection the fitting is found to be suitable, the said authority, shall issue a Certificate of Inspection in that behalf.

(3) In the event if any defects being found, the owner of the motor vehicle shall be informed in writing of the defects by the authority testing the vehicle.

(4) The vehicle shall not be used as so fitted until the defects are remedied to the satisfaction of the said authority and a certificate is issued under sub-rule(2).

198. Periodical inspection and test :-

(1) Every motor vehicle other than a motor car fitted with a producer shall be submitted for a test once in six months to an officer authorized by the Director of Industries or the Commissioner, in this behalf who shall submit it to a road test of forty kilometers run and to inspection immediately afterwards for any defects.

(2) If after test and inspection the fitting is found to be suitable, the said authority shall issue a Certificate of Inspection in the behalf.

(3) In the event of any defects being found, the owner of the motor vehicle, shall be informed in writing of the defects by the authority testing the vehicle.

(4) The vehicle shall not be used as so fitted until the defects are remedied to the satisfaction of the said authority and a certificate is issued under sub-rule (2).

199. Display of certificate in vehicles :-

The Certificate of inspection granted under sub-rule (2) of Rule 197 and the certificate granted under sub-rule (2) of Rule 198 shall be displayed on a prominent place in a motor vehicle in respect of which it is issued.

200. Fee for inspection and test :-

(1) The fee for inspection and test of a model and of a modification of a model shall be rupees seventy-five.

(2) The fee for inspection and test of producer shall be rupees ten.

(3) The fee for inspection and test of motor vehicle fitted with a producer under Rule 197 or rule 198 as the case may be, shall be rupees ten.

(4) The fee for inspection and test shall be rupees ten.

(5) The fee for a duplicate copy of a certificate issued under these Rules shall be rupees five.

(6) All fees payable under these Rules shall be payable in advance and shall not be refunded.

(7) If the inspection and test under these rule are carried out at the premises of the manufacturer or dealer or producer, or at the request of the owner of a motor vehicle at a place other than the head-quarters of the officer carrying out the inspection and test, there shall be charges in respect thereof in addition to the fee prescribed in sub-rules (2), (3) and (4) an extra fee equal to the

actual expenses incurred by the officer for such inspection and test, including the traveling allowance admissible to him under the Karnataka Civil Service Rules.

201. Precautions for use and aintenance of motor vehicles fitted with producer :-

No driver or other person in-charge of a motor vehicle to which a producer is fitted shall,___

(a) at any time when there is fire in the generator, cause or allow the vehicle to stop within a distance of ten metres from any other motor vehicle or of less than twenty metres from any fuel pump or place where fuel is supplied in tins;

(b) at any time when there is fire in the generators, pour fuel or cause or allow fuel to be poured into the fuel tank,

(c) carry, or cause or allow to be carried in the vehicle (save in the regular fuel, tank thereof) any fuel or other inflammable or explosive substance;

(d) clean or rake or cause or allow any other person to clean or rake out the generator at any appointed bus stand or stopping place or within a distance of les than twenty metres from any other motor vehicle;

(e) where a park, bus stand or halting place or part of a park, bus stand or halting place is set apart for vehicles fitted with producers, allow the vehicle to stop or remain stationary in any place other than the park, bus stand or halting place or other part thereof, as the case may be;

(f) place the vehicle or cause or allot it to be placed in any garage or shed unless the garage or shed is provided with a permanent opening or openings other than doors and windows for sufficient ventilation.

202. Vehicle abandoned on road :-

(1) If any motor vehicle is allowed to stand in any place other than a duly appointed parking place in such a way as to cause obstruction to traffic or danger to any person, any police officer, or an Officer of Motor vehicles Department not below the rank of Inspector of Motor Vehicles may.___

(i) forthwith cause the vehicle to be moved under its own 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 ten hours and adequate steps have not been taken for its repairs or removal by the owner or his representative, remove the vehicle and its contents to the nearest place of safe custody

(2) if a motor vehicle has been stationary in a duly appointed parking place for a period exceeding that specified by a 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 the nearest place of safe custody.

(3) 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 a vehicle or his heirs or assignees 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 sub-rules (1) and (2) 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.

202A. Power to detain vehicles :-

Any Officer of the Transport Department not below the rank of Motor vehicles inspector or an Police Officer not below the rank of circle Inspector of Police are authorized to exercise powers under Section 207.

202B. Procedure of detaining a motor vehicle :-

When a motor vehicle is detained by any officer referred to Rule 202-A, he shall take the following steps, namely.-

(i) arrangement 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 vehicles belongs;

(iii) where prosecution of the driver or owner or both is necessary,

charge sheets against them shall be filed before the concerned Maistrate within three days (computation of three days shall be in accordance with section 10 of General Clauses act, 1897) from the date of seizure and the motor vehicle shall be released by the Officer who detained if after the prosecution is completed under intimation to both the secretaries of Regional Transport Authorities mentioned in clause (ii);

(iv) mahazor of the vehicles is to be carried out in writing of its condition, and parts which are easily removable, replaceable and temperable (viz., Television, DVD/VCD/MP-3 Play Raido, public address system and any other such equipments) and a copy of its is to be delivered to othe person from whom it is seized, duly signed.

202C. 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 fifty. The Secretaries of the Regional Trasnport Authority, of the Region shall entertain an application for release of vehicles seized and detained by his subordinate Officers.

203. Installation and use of weighing devices :-

(1) 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 order of the government or a local authority or a railway administration;

(ii) a weigh bridge installed and maintained by any person uncertified by the registering Authority to be a weighing device for the purpose of the Act and these Rules; or

(iii) a portable wheel-weighter of any kind approved by the state Government.

(2) The driver of any goods vehicle shall upon demand by a competent authority, not below the rank of an Inspector of Motor vehicles, drive and manipulate the vehicle so as to place it or any wheel or wheels thereof, as the case may be, upon any weigh bridge or wheel-weighter in such a manner that the weight of the vehicle or the weight transmitted by an weels may be exhibited by the weigh bridge or wheel-weighter.

(3) if the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-rule (2), an officer not below

the rank of an inspector of Motor Vehicles may cause any person, being the holder of a licence, authorizing him to drive the vehicle, so to drive and manipulate the vehicle.

(4) When the weight or axle weight of a 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.

(5) On the weighing of a vehicle in accordance with section 114 and this Rule, 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, the weight of which is separately determined.

(6) The driver or other person in charge of, or the owner of a vehicle which has been so weighed may challenge the accuracy of the weighing device, by a statement in writing accompanied by a deposit of twenty rupees delivered,-

(i) within one hour of the receipt of the statement referred to in sub-rule (5), to the person by whom the statement was delivered to him; or

(ii) within fourteen days of the service on him of notice of proceedings against him under section 113, to the Court issuing such notice.

(7) On receipt of a statement challenging the accuracy of weighing device under sub-rule (6), the person or the Court by whom the statement is received shall write to the registering Authority, for the weighing device to be tested, by an Inspector of Weights and Measures and the certificate of such Inspector regarding the accuracy of the weighing device shall be final.

(8) If on the testing of a weighing device under sub-rule (7), the weighing device is certified to be accurate or to be inaccurate to an extent less than any weight by which the laden weight or unladen weight of the vehicle is shown in the statement referred to in sub-rule (5) to have exceeded the registered unladen weight, as the case may be, a contravention of sub-section 93) of section 113 shall be deemed to have been proved.

(9) If, on the testing of a weighing device as aforesaid the weighing device is certified to be inaccurate to an extent greater than any weight by which the laden weight or unladen weight of the vehicle is shown in the statement referred to in sub-rule (5), to

have exceeded the registered laden weight or the registered unladen weight, as the case may be, no further proceedings shall be taken in respect of any such laden weight or unladen weight. If the device is certified to be inaccurate to the said extent in respect of every such laden weight or unladen weight or unladen weight actually weighed, the deposit prescribed in sub-rule (6) shall be refunded.

(10) No person shall, by reason of having challenged the accuracy of any weighing device under sub-rule (6) be entitled to refuse to comply with any order in writing under Section 114.

204. Restriction on driving with gear disengaged :-

On any hill marked by traffic Sign No.10 of Part B of the schedule to the Act, no person shall drive any motor vehicle with the engine free, that is to say, with the gear lever 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.

205. Prohibition of mounting or taking hold of vehicle in motion :-

(1) No person shall mount or attempt to mount on, or dismount from any motor vehicle in motion.

(2) 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.

206. Towing :-

(1) No vehicle other than a mechanically disabled or incompletely assembled motor vehicle, a registered trailer or a side-car, shall be drawn or towed, by any motor vehicle.

(2) No motor vehicle shall be drawn or towed by any other motor vehicle unless there is in the driver's seat of the motor vehicle being drawn or towed a person holding a licence authorizing him to drive the vehicle or unless the steering wheel of the motor vehicle being towed are firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

(3) 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 five metres. Steps shall be taken to ensure that the two-rope or chain is easily distinguishable by other users of the road, and there shall be clearly displayed on the rear of the vehicle being towed in block letters, not less than seventy-five millimeters high and on a white background 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 its breakdown and the nearest place on the route at which the necessary materials can be obtained.

(4) No motor vehicle when towing another vehicle, other than a trailer or side-car shall be driven at a speed exceeding twenty kilometers per hour.

207. Driving of tractors on roads :-

(1) No tractor, when fitted for being driven on a public road, shall be driven on such road at a speed exceeding ten kilometers per hour and no such tractor shall take sharp turns on such road:

Provided that, if such tractor be a crawler tractor, it shall not be driven on an asphalt road between 9 a.m. to 9 p.m.

(2) Every such tractor, when driven on a metalled road, shall be driven as far as possible on the side stripes of such road.

208. Footpaths, cycle tracks and traffic segregation :-

Whereas any road or street is provided with footpaths, or tracks reserved for cycles or specified classes of 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 footpath or track.

209. Projection of loads :-

(1) Nothing shall be placed or carried upon the outside of the roof of a double-decked service vehicle.

(2) 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

man ner likely to cause danger to any person or in such a manner that the load or any part thereof or 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 load body of the vehicle.

(iii) to the rear beyond the rearmost part of the vehicle; and

(iv) in height by a distance which exceeds 3.66 metres in case of a goods vehicle and 3.4 metres in case of any other motor vehicle from the surface upon which the motor vehicle rests.

(3) Clause (iii) of sub-rule (2) shall not apply to a goods motor vehicle when loaded with any pole or other projecting thing so long as,-

(i) the projecting load falls within the limit of the body of trailer being drawn by the goods vehicle; or

(ii) the distance by which the pole or other thing projects beyond the rearmost point of the motor vehicle does not exceed 1.85 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 at all times a white circular disc of not less than 38 centimetres in diameter; and during the period commencing half an hour after sunset and ending half an hour before sunrise, a lamp in addition to the prescribed lamps on the vehicle so arranged as to show a red light to the rear, and also a circular disc of not less than 38 centimetres in diameter painted in retro-reflected red colour so that the same will be illuminated in the light of the vehicle approaching from the rear.

210. Restriction as to carriage of dangerous substances :-

(1) Except the fuel and lubricants necessary for the use of the vehicle no explosive, inflammable or otherwise dangerous substance, shall be carried on any public service vehicle and on any motor vehicle unless it is so packed that, even in the case of an accident to the vehicle it is unlikely to cause damage or injury to any person or property.

(2) If in the opinion of an Inspector of Motor vehicles, or a Police Officer not below the rank that of sub-Inspector, any public service vehicle or a motor vehicle is at any time loaded in contravention of this Rule, he may order the driver or other person in charge of the motor vehicle to remove or repack the inflammable or dangerous substance, and till such time shall not allow the public service

vehicle or a motor vehicle to continue its journey.

211. Restriction on use of sound signals :-

(1) No driver of a motor vehicle shall sound the horn or other device for giving audible warning with which the motor vehicle is quipped, or shall cause or allow any other person to do so needlessly or continuously or to an extent beyond that which is reasonably necessary to ensure safety.

(2) The Commissioner of Police, in city where such Officer is appointed and elsewhere the District Magistrate, may, by notification published in the official Gazette or in one or more newspapers and by the erection in suitable place of Traffic Sign No.7 as set forth in Part A of the Scheudel to the act prohibit the use by drivers of motor vehicles of any horn, gong or other device for givien audible warning in any area within such city or the district and during such hours as may be specified in the notification:

Provided that, when the Commissioner of Police or the District Magistrate, as the case may be, prohibitis the use of any horn, gong or other device for giving audible warning during certain specified hours, he shall cause a suitable notice in Kannada, English and Hindi setting forth the hours within which such use is so prohibited to be affixed below the traffic sign.

212. Prohibition of use of cut-out :-

No driver of a motor vehicle shall in any public place, make use of any cut-out or other device by means of which the exhaust gases of the engine are released save through the silencer.

213. 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 grater distance or period of time than may be personably necessary in order to turn the vehicle round.

214. Use of lamps when vehicle at rest :-

(1) If, within the limits of any Municiapl Corporation, 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 any duly appointed parking place, it shall not be necessary for the motor vehicle to exhibit any light save as may be required generally or specially by the Commissioner of Police, in a city where such officer is appointed and else where by the district Magistrate.

(2) Outside the limits of any Municipal Corporation, Municipality or Cantonments, if a motor vehicle is at rest within the hours during which lights are required in such a position or 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 lights.

215. Restriction of dazzling light :-

(1) The driver of a motor vehicle shall, at all times when the lights of a motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle.

(2) The Commissioner of Police in a city where such officer is appointed and elsewhere, the Superintendent of Police, may, by notification in the official Gazette and by erection of suitable notices in English and in the local Gazette and by erection of suitable notices in English and in the local language prohibit the use, within such areas or in such places as may be specified in the notification, of lamps giving a powerful or intense light.

216. Visibility of lamps and registration marks :-

(1) No load or other things shall be placed at any time on any motor vehicle so as to mask or otherwise interrupt vision of any lamps, registration mark or other mark required to be carried by or exhibited on any motor vehicle by or under the provision 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 masked or obscured lamp or mark.

(2) 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.

217. 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 project 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 the temporary display of sign No.3 of Part A of the Schedule to the act.

(2) A "line" for the purpose of this rule shall be not less than 50 millimetres in width at any apt and shall be either in white, black or yellow.

218. Traffic signs to be observed :-

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.

219. Duty to comply with traffic control signals :-

(1) Every river of a motor vehicle shall, when driving the vehicle in a public place comply with any traffic control signal given too him by any Police Officer in uniform, for the time being engaged in the regulationof traffic in such public palce.

220. Traffic sign at unguarded railway level crossing :-

Every driver of a motor vehicle shall observe the mandatory sign of the size, colour and type set-forth below at each of the approaches of every unguarded railway level crossing:

MANDATORY SIGN 60

Centimetres

HALT AND PROCEED

Border	Red
Background	White
Letters	Retro-reflecting red

221. Erection or placing of signs or advertisements on roads prohibited :-

No person shall place or erect or cause or allow to be placed or erected, on any road any sign or advertisement, which in the opinion of the commissioner of Police or the Commissioner is so placed or erected so as to obscure any traffic sign from view or is so similar in appearance to a traffic sign as to be misleading.

221A. Power of authorities to restrict speed :-

(1) The Commissioner of police in the City of Bangalore and elsewhere the Regional Transport Authority, may subject to the direction shtat may be issued from time to time by the State Transport Authority, may impose speed limits notified by the central Government.

(2) The District Magistrate shall be authority competent to cause or permit traffic signs to be created on the National Highways and other roads.

(3) The Commissioner of Police in the City of Bangalore and elsewhere the revenue SubDivisional Officer shall be the authorities competent to cause traffic signs to be created in any other place.

(4) the chief Engineer or any other local authority 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 such power, erect appropriate caution arcs signs 91.44 metres in advance at the specific places.

(5) The Commissioner of Police in the City of Bangalore and elsewhere the District Magistrate shall be competent under Section 115 of the Act or prohibit or restrict the driving of motor vehicles of any specified class of motor vehicles or the use of trailers.

(6) The Commissioner of Police in the City of Bangalore and elsewhere the District Magistrate shall have the power in consultation with the local authorities having jurisdiction in the area concerned to determine places for parking and halting stations under Section 117 of the Act.

222. Provision as to trailers :-

(1) No trailer other than the trailing Half of an articulated vehicle shall be attached to a public service vehicle.

(2) A motor cycle with not more than two wheels without a side-car shall not draw a trailer unless the combination complies with the following requirements:-

(i) the connection of the trailer too the motor-cycle behind the apex of the rear tyre, of, or within, the wheel base;

- (ii) the trailer-motor-cycle connection shall allow the motor cycle complete freedom of movement in the lateral plane. It shall rotate freely about the vertical axis preferably through 180 degrees; and
- (iii) the motor -cycle remains always in a vertical or in a lined plane without the rider having to balance it.

223. Rule 223 :-

XXX XXX XXX

224. Prohibition of attachment of trailer to certain vehicles :-

No motor vehicle which exceeds 8.4 metres in length not being a motor vehicle used for towing a disabled motor vehicle shall draw a trailer.

225. Restriction on number of trailers to be drawn :-

- (1) No tractor shall draw more than three trailers.
- (2) No tractor shall draw on a public road,_
 - (i) exceeding half metric ton in weight unladen and fitted with solid steel wheels less than 60 centimetres in diameter; and
 - (ii) a disc harrow without trolley wheels used as training implements behind a tractor.
- (3) No other goods vehicle shall draw more than one trailer.

226. Attendants on trailers :-

- (1) Where a trailer is or being drawn by a motor vehicle, there shall be carried in the trailer or trailers or on the drawing motor vehicle, as the case may be, the following persons not being less than twenty years of age and competent to discharge their duties, that is to say,-
 - (a) if the brakes of the trailer cannot be operated by the driver of the drawing motor vehicle or by some other person carried on that 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 train in such a position as to be able to have a clear view of the road in rear of the trailer to signal to the drivers of overtaking vehicles and to communicate with the driver drawing motor vehicle;
 - (b) if the brakes of the trailer can be operated by the driver of the motor vehicle or by some person carried on that vehicle such other

person in addition to the driver shall be carried on that vehicle and one person in addition to the driver shall be carried on that vehicle and one person on the last trailer in train in accordance with the provisions of sub-clause (ii) of clause (a);

(c) if the trailer is or trailers are being drawn by tractor the unladen weight of which exceeds 7,250 kilograms, notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other person on the tractor 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).

(2) This rule shall not apply.-

(a) 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;

(b) to the trailing half of an articulated vehicle;

(c) to any trailer used solely for carrying water for the purpose of the drawing vehicle when used singly and not in a train with other trailers;

(d) to any agricultural or road-making or road repairing or road-cleaning implement drawn by a motor vehicle; or

(e) 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 so exempted.

227. Restriction on length of train of vehicles and trailers :-

The sum total of the length of any vehicle and its attached trailer or trailers shall not exceed 23 metres.

228. Distinguishing mark for trailers :-

(1) No person shall drive, or suffer or cause to be driven, in any public place any motor vehicle to which a trailer is or trailers are attached unless there is exhibited on the back of the trailer or of the last trailer in train, as the case may be, a distinguishing mark in the form set out in the diagram contained in the Fifth Schedule to these Rules in retro-reflective red colour and white background.

(2) The mark shall be kept clean and unobscured and shall be so fixed to the trailer that,-

(i) the letter on the mark is vertical and easily distinguishable from the rear of the trailer,

- (ii) the mark is either on the enter or to the right hand side of the back of the trailer; and
 - (iii) no part thereof is at a height exceeding one hundred and twenty centimetres from the ground.
- (3) This Rule shall not apply too the case referred to corresponding in clauses (a), (b), 9c) and (d) of sub-rule (2) of Rule 226.

229. Heavy goods and passenger motor vehicles attendant :-

The driver of a hevly goods and passenger motor vehicle shall be accompanied by an attendant who shall be in a position to give warning of any traffic approaching form the rear and shall assist the driver by giving signal when the motor vehicle is being taken in reverse.

230. Wearing of protective headgear :-

- (1) Every person while driving a motor -cycle of any type that is to say motor-cycles, scooters and mopeds irrespective of the break horse power of the vehicle within the limits of Bangalore Metropolitan Region Development Authority (BMRDA) and City Corporation Limits of Mysore, Mangalore, Belgaum, Hubli-Dharwad and Gulbarga shall wear protective headgear of such quality as will reduce head injuries to riders of two-wheelers resulting from head impacts.
- (2) A protective headgear referredto in sub-rule (1) should be one which has been approved by the Bureau of Indian Standards, standard No.IS 4151:1993.
- (3) Each protective headgear shall be permanently and legibly labelled, in a manner such that the label or labels can be easily read without removing padding or any other permanent part with the following:
- (a) Manufactures name or identification;
 - (b) Size;
 - (c) Month and year of manufacture;
 - (d) The mark of Indian Standard Institute.
- (4) the headgear shall have minimum three adhesive type retro-reflective red colour stripes on the back of the headgear which will illuminate during the night. The stripes should be of the size of 2 cm x 13 cm and affixed horizontally to the headgear.

230A. Prohibition of using or holding mobile phone while

driving :-

- (1) No person shall while driving any motor vehicle in a public place, use or hold in his hand a mobile phone.
- (2) If no person other than the driver is sitting in or on the the motor vehicle, the mobile phone, if any, shall be switched off, during the journey.

231. Inspection of accident vehicle :-

Any officer of the Motor vehicles Department not below the rank of an Inspector of Motor Vehicles, shall inspect the motor vehicle involved in an accident and for that purpose may enter at any reasonable time any premises where the vehicle is kept and may remove the vehicle for inspection.

231A. Police Officer too furnish documents, etc :-

Every officer in-charge of the Police Station on demand by the person specified under Section 160, or by his duly authorized agent or advocate shall furnish to such person such documents and information, as may be necessary for the purpose of claiming compensation in respect of an accident arising out of the use of a motor vehicle.

231B. Emission testing centres for issue of certificates :-

- (1) No person shall engage in the business of testing a motor vehicle for emission levels of carbon monoxide, hydrocarbon, oxides of nitrogen and smoke for the purpose of issuing a certificate or shall advertise or otherwise publicly undertake to issue such certificate unless he has obtained from the licensing authority licence under sub-rule (3) of this rule.
- (2) (a) Any person desiring to seek a licence for establishing an emission testing centre referred to in sub-rule (1), shall make an application to the licensing authority, in Form KMV 66.
- (b) The application for grant of renewal of licence shall be accompanied by a fee of rupees 2[two thousand and five hundred].
- (c) (i) No person shall be issued with a licence to conduct emission test unless he has deposited an amount of rupees 3[ten thousand] with the authority concerned as a security deposit.
- (ii) the authority concerned may at its discretion order forfeiture in whole or part of the security deposit paid for any contravention of

these rules or for breach of any of the conditions specified in the licence.

(iii) Before forfeiture of whole or part of the security deposit, the licensing authority shall give to the licensee a notice in writing specifying the ground on which it is proposed to take action and requiring him to show cause against it within such time as may be specified in the notice:

(iv) Any person aggrieved by an order may appeal to the appellate authority within thirty days from the date of receipt of such an order. Provided that the appellate authority may admit for reason to be recorded in writing any appeal filed after the prescribed period of thirty days.

(3) The licensing authority may on receipt of an application under sub-rule (2), grant or renew licence in Form KMV 67. Where grant or renewal of licence thereof is refused, the authority shall furnish the applicant an order in writing specifying the reasons for such refusal.

(4) The licence issued under sub-rule (3), shall be valid for a period of three years from the date of issue and may be renewed once in three years on an application made and disposed of as if it were an application for a fresh licence:

Provided that the application for the renewal of a licence shall be made not less than forty five days before the date of its expiry:

Provided, further that, no holder of licence shall issue Emission Test certificates after expiry of licence:

Provided also that the licensing authority may entertain an application for renewal of licence even after the period specified in the first proviso / but before the date of an additional fee of Rs.1500/- (rupees one thousand five hundred only) if it is satisfied that the applicant was prevented by good and sufficient cause from making an application within the time specified. If the application is made after expiry of licence the same shall be treated as fresh licence. (5) (a) If the licence issued is lost or destroyed or defaced, the holder of the licence shall forthwith.-

(i) intimate the fact in writing to the authority which issued the licence and also to the jurisdictional police station;

(ii) make an application for issue of a duplicate licence to the licensing authority which issued or renewed the licence

(b) On receipt of an application in under clause (ii), the licensing authority shall issue duplicate licence after such verification as it deems necessary.

(c) The fee for issue of duplicate licence shall be fifty per cent of

the fee prescribed for grant or renewal of licence under this rule.

(d) Where a duplicate license has been issued upon Representative that a licence has been lost and original license is afterwards found or received by the holder, the holder shall immediately return the original licence to the licensing authority.

(5) The licensing authority while exercising the powers in granting, renewing or refusing a licence under this rule shall have regard to the following matters, namely:-

(a) x x x x x;

(b) that the applicant and his staff are duly qualified to test and repair vehicle with regard to other emission;

(c) that the applicant has the infrastructure as required for carrying out of jobs connected with repairs, maintenance and servicing of vehicles;

(d) that the applicant possesses:-

(i) a smoke meter of the type approved under sub-rule (3) of Rule 116 of the Central Motor vehicles Rules, 1989 at the time of making an application for grant or renewal of licence.

(ii) An instrument for the measurement of carbon monoxide and Hydrocarbons of the type approved under sub-rule (3) of Rule 116 of the Central Motor Vehicles Rules, 1989 at the time of making an application for grant or renewal of licence.

(iii) The pollution measuring equipment shall be upgraded to measure new emission norms as and when specified by the Central Government or shall provide new norms of pollution measuring equipment within "six months" from the date the Central Government issues a notification failing which the licence granted will be invalid.

(ff) that the applicant has the infrastructure as required for carrying out computerized testing and certification of motor vehicles:

Provided that in case of emission testing centers already existing on the date of commencement of the Karnataka Motor Vehicles (Amendment) rules, 2003, they shall ensure that the said infrastructure as required is provided within six months from such date of commencement if it is located in the Bangalore Metropolitan Area and within eighteen months from the date of such commencement if it is located outside the Bangalore Metropolitan area.

(g) in the case of renewal of licence whether the past performance and conduct of the applicant is satisfactory regarding conduct of emission tests.

(6) the authorized testing centre shall:-

(a) maintain the records of the vehicle tested for emission levels indicating the following:-

- (i) the registration number of the vehicle;
- (ii) the make, model and year of first registration of the vehicles;
- (iii) carbon monoxide, hydrocarbons, oxides of nitrogen, emission levels (as the case may be) at the time of test before adjustment and tuning;
- (iv) whether the vehicle requires major repairs to control the emission level, if so there pairs that have been recommended to the owner of the vehicle;

(b) submit to the Licensing Authority such other information relating to the emission standards specified under Rule 115 of central Motor Vehicles Rules, 1989 in addition to the copy of the certificate.

(7) The licensed testing centre shall:-

- (i) not alter its place of business specified in the licence without the prior approval of the licensing authority.
- (ii) Keep the premises notified by him at all times open for inspection by any officer specified by the licensing authority.
- (iii) Submit the instrument used for testing pollutants like carbon monoxide, hydrocarbons and oxides of nitrogen for inspection and calibration when called upon to do so by any officer specified by the Licensing Authority.

(8) the Commissioner may by a notification published in the Official Gazette authorize the testing centers to issue a certificate as specified in Rule 115 of the Central Motor vehicle rules, 1989.

(9) the Licensing Authority may by an order in writing suspend or cancel the licence granted under sub-rule (3), if the authorized testing centre;

- (i) fails to maintain the instruments required for emission testing in a property calibrated and sound condition;
- (ii) does not conduct tests properly;
- (iii) does not advise the vehicle owner properly regarding the repairs that are necessary to be carried out to the vehicle; or
- (iv) omits to do any act which the Licensing Authority considers necessary for the purpose:

Provided that no such order shall be made unless:

- (a) the reasons for suspension or cancellation of licence are recorded in writing in the order and a copy of the order is furnished to the authorized testing centre; and
- (b) the testing centre has been given an opportunity to showcause as to why an order of suspension or cancellation, as the case may

be, should not be passed.

(10) The licensee of a testing centre shall not.-

(i) give certificate without testing the pollution levels; or

(ii) keep the measuring instruments improperly calibrated or

(iii) misguide the owner of vehicle regarding the repairs to be carried out to meet emission standard.

(11) Any action to be taken for commission of any act under sub-rule (10) shall be without prejudice to any action that may be taken by way of suspension or cancellation of licence.

(12) Where a licence is cancelled or suspended the holder thereof shall surrender such licence to the Licensing Authority.

(13) The Government, may, by a notification published in the Official Gazette fix the charges to be collected by the authorized emission testing centre for vehicles from time to time, different rates may be fixed for different classes of vehicles.

(14) No test shall be conducted by testing equipments maintained by the state government unless such equipments are covered by Annual Maintenance contract provided by the manufacturer or dealer of the equipment.

(15) All the computerized pollution emission testing centers in Bangalore or in other places of the State shall have the inter-connectivity of network station with the server established in a place specified by the Commissioner for transport. The emission testing center shall update the server through an uniform software with the details of the testing of Motor vehicles during the course of the day. However, if there is no facility of inter connectivity at any place the emission testing center shall take permission from the licensing authority. As and when the facility is provided, the center shall have inter connectivity with the server established in such place as specified by Commissioner of Transport. The holder of the licence of emission testing center who has network connectivity with the server shall preserve all the information relating to make, model of the vehicle, date and time of testing, test result in the system.

231C. Licensing Authority :-

(1) The Licensing Authority for issue of licence to a testing centre shall be the Commissioner.

(2) the licensing Authority may delegate any of the powers vested in it under this rule to any officer not below the rank of an Assistant Regional Transport Officer.

231D. Appeals :-

- (1) Any person aggrieved by an order passed under Rule 231-A may prefer an appeal within thrifty days from the date of receipt of such order to the appellate authority.
- (2) The appellate authority shall be the secretary to government Food and Transport department, against the order of the commissioner and deputy Commissioner of the division concerned in the case of others.
- (3) the appellate authority may after giving an opportunity of being heard to the parties concerned confirm, modify or set aside the order against which appeal is preferred.
- (4) The appeal memorandum shall be in triplicate and shall be affixed with a court fee stamp of the value of rupees one hundred and accompanied by a certified copy of the order against which appeal is preferred.]

231E. Levy of user charges for obtaining computerized condiment :-

Where the Licensing Authority or the registering Authority or the permit Issuing Authority or the Testing Authority or the Checking Authority or the Appellate Authority has the necessary apparatus for issue of computerized documents, and the computerized documents are provided to the applicants and additional fee of rupees ten may be collected in addition to the fee prescribed.

CHAPTER 7 Claims Tribunal

232. Application for compensation :-

- (1) Every application for compensation arising out of accident of the nature specified in sub-section (1) of Section 165, shall be made by a person specified in sub-section (1) of Section 166, to the claims Tribunal having jurisdiction over the area in which the accident occurred shall be in Form KMV 63 and shall contain the particulars specified therein.
- (2) Every such application shall be presented in duplicate to the Claims Tribunal either in person or 2[through in atuhorised agent or an advocate] and shall be signed by the applicant.
- (3) There shall be appended to every such application the following documents:-
 - (a) Medical certificate in Form KMV 64 OR Post-mortem Report or

Death Certificate; and

(b) First Information Report in respect of the accident.

(4) x x x x x.

(5) Notwithstanding anything contained in sub-rule (2) every application for a claim under Section 140, shall be filed before the Claims Tribunal in triplicate and shall be signed by the applicant and the following documents be appended to every such application namely:-

(a) Panchanama of the accident;

(b) First Information Report;

(c) Injury certificate or in case of death, Post-mortem Report, and

(d) Certificate regarding ownership and Insurance particulars of vehicle involved in the accident from the Regional Transport Officer or the police authorities.

233. Fees :-

An application for compensation under Rule 232 shall be accompanied by a fee of rupees ten in the form of Court Fee Stamp.

234. Examination of the applicant :-

On receipt of an application under Rule 232 the claims Tribunal may examine the applicant on oath and the substance of such examination if any, shall be reduced to writing and shall be signed by the member constituting the Tribunal or as the case may be, the Chairman.

235. Notice to the parties involved :-

(1) The Claims Tribunal shall on an application made to it by the applicant send to the owner or the driver of the vehicle or both from whom the applicant claims relief and the insurer, a copy of the application, together with the notice of the date on which it will dispose of the application, and may call upon the parties to produce on that date any evidence which they may wish to tender.

(2) Where the applicant makes a claim for compensation under Section 140 the Claims Tribunal shall give notice to the owner and insurer if any, of the vehicle involved in the accident directing them to appear on the date not later than 10 days from the date of issue of such notice. The date so fixed for such appearance shall also be not later than fifteen days from the receipt of the claim application

filed by the claimant. 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.

236. Appearance and examination of parties :-

(1) The opposite party may, and if so required by the claims Tribunal shall, at or before the first hearing or within such time as the Claims Tribunal may permit,. File a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

(2) If the opposite party contests the claim, the Claims Tribunal may, and if no written statement has been filed, shall proceed to examine him upon the claim and shall reduce the result of examination to writing.

237. Summoning of witnesses :-

If an application is presented by any party to the proceeding for citation 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.

238. Fees for process :-

The fees to be taken for any process issued by the Claims Tribunal shall be in the scale as may be determined by the Tribunal from time to time.

239. Appearance of legal practitioner :-

The Claims Tribunal may allow any party to appear before it through a legal practitioner.

240. Local inspection :-

(1) The Claims Tribunal may at any time during the course of an enquiry visit the site at which the accident occurred for the purpose of making a local inspection or examining any person likely to be able to give information relevant to the proceeding.

(2) Any party or the representative of any 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 enquiry.

(4) the memorandum shall be made available to any party who desires the same, and shall supply any party with a copy, if applied and paid the fee thereof.

241. Power of summary examination :-

(1) the Claims Tribunal during a local inspection or at any other time, save at a formal hearing of a 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)/

242. Method of recording evidence :-

The Claims tribunal shall as examination of witnesses proceeds, make a brief memorandum of a substance of the evidence of each witness and such memorandum shall be written and signed by the Claims tribunal and 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.

243. Adjournment of hearing :-

If the Claims tribunal finds that an application cannot be disposed of at one hearing it shall record the reasons which necessitate the adjournment and also inform the parties present of the date of adjournment of hearing.

244. Assistance of expert :-

(1) The Claims Tribunal may for the purpose of adjudicating upon any claim for compensation other than claims under section 140, choose more than two persons having technical or special knowledge with respect of any matter before the Tribunal for the purpose of assisting the Tribunal in the holding of an enquiry.

(2) The expert shall perform such functions as the tribunal may direct.

(3) The remuneration if any to be paid to the expert shall in every

case be determined by the Tribunal.

245. Framing of issues :-

After considering any writing statement, the evidence of the witness examined and the result of any local inspection, the Claims Tribunal shall proceed to frame issues.

246. Determination of issues :-

After framing the issues, the Claims Tribunal shall proceed to record evidence thereon which each party may desire to produce.

247. Diary :-

The Claims Tribunal shall maintain a brief diary of the proceedings on an application.

248. Obtaining of information and documents :-

The Claims Tribunal shall obtain whatever supplementary information and document which may be found necessary from the Policed, Medical and other authorities and proceed to award the claim whether the parties who were given notice, appear or not on the appointed date.

249. Judgments and award of compensation :-

(1) The Claims Tribunal in passing orders shall record concisely in a judgment the findings on each of othe issues framed and the reasons for such findings and make an award specifying the amount of compensation to be paid by the insurers and also 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) Where any lump sum deposited with the tribunal is payable to a woman or a person under the legal disability, such sum may be invested, applied or otherwise dearth with for the benefit of the woman or such person during his disability in such manner as the tribunal may direct, and where a quarterly payment is payable to any person under the legal disability, the tribunal, may of its own motion or any application made to it in this behalf, order that the payment be made during the disability of the person concentric, to

any dependent of the injured or heir of the deceased or to any other person whom Tribunal thinks best fitted to provide for the welfare of the injured or the heir of the deceased.

(4) where an application made to the tribunal in this behalf or other wise, the tribunal is satisfied that on account of the negligence of the children or the part of the parents or on account of the variation of the circumstances of any dependent or for any other sufficient cause, an order of the Tribunal as to the distribution of any sum paid as compensation or as to be manner in which any sum payable to any such dependent is to be invested, applied or otherwise death with, ought to be varied the Tribunal may make such order for the variations of the former order as it thinks just in the circumstance of the case.

250. Judgment and award of composition under Section 140

:-

(1) The Claims Tribunal Shall proceed to award the claim or compensation under Section 140 on the basis of:

- (i) Registration certificate fog motor vehicle involved in the accident;
- (ii) Insurance Certificate or policy relating to the insurance of the vehicle against third party risk;
- (iii) Panchanama and First Information Report;
- (iv) Post-mortem report or Death Certificate or certificate of injury from the Medical Officer; and
- (v) The nature f the treatment given by the Medical Officer who has examined the victim.

(2) The Claims tribunal in passing order shall make an award of compensation of Rs.25,000/- in respect of death and of Rs.12,000/- in respect of permanent disablement to be paid by insurer or owner of the vehicle involved in the accident.

(3) Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them.

(4) the Claims Tribunal in passing order under sub-rule (2), shall direct the owner or insurer of the vehicle involved in the accident to pay the amount of compensation to othe claimant within two weeks from the date of such order.

(5) the Claims Tribunal shall as far as possible dispose of the application for compensation within 45 days from the date of receipt of such application.

251. Procedure of disbursement of compensation under Section 140 to legal heirs :-

Where the Claims Tribunal feels that the actual payment to the claimant is likely to take time because of the identification and the fixation of the 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 the payment of compensation to each of the legal heirs.

252. Receipt of compensation :-

On payment of compensation a receipt shall be obtained by the Claims Tribunal and such receipt shall be forwarded to the insurer concerned or as the case may be, the owner of the vehicle, for purpose of record.

253. Vesting powers of Civil Court to the tribunal :-

(1) Without prejudice to other provisions of section 169 every Claims Tribunal may exercise all or any of the powers vested in a Civil Court under the following provisions of the Code of civil procedure, 1908 insofar as they may be applicable namely, sections 30, 32, 34, 35, -A, 75(a) and (c), 76, 77, 94, 95, 132, 133, 144, 145, 147, 148, 149, 151, 152, and 153 and 153-B and subject to the provisions of the Section 174.

The Claims Tribunal shall have all the powers of Civil Court for the purpose of the execution of award, as if the award is a decree of a Civil Court.

(2) The Claims Tribunal may exercise all or any of the powers of Civil Court as may be necessary in any case for discharging its functions under the act and Rules made thereunder.

254. Procedure of holding enquiry :-

The following provisions of the Code of Civil procedure, 1908 , shall, as far as may be, applied to other proceedings before every Claims Tribunal, namely:-

(a) Sections 28, 78 and 82.

(c) In the First schedule, Order V. Rules 9 to 13 (both inclusive) and 15 to 30 (both inclusive); Order VI, Rules 4, 5, 7, 10, 11, 16, 17, and 18 and Order VII, rule 10, Order VIII, Rules 2 to 5 (both inclusive),

9 and 10, Order IX; Order XI, Rules 12 to 15 (both inclusive) 127 to 21 (both inclusive) and 23, Order XII, Rules 1, 2,3-A, 4, 7, and 9, Order XIII, rules 3 to 10 (both inclusive); Order XIV, Rules 2 and 5; Order XVI Order XVII; Order XVIII, Rules 1 to 34 (both inclusive); Order XIX Rules 10 to 12 (both inclusive) and 15 to 18 (both inclusive); Order XX, Rules 1 to 3 (both inclusive); 8, 11 and 20; order XXIII, rules 1 to 3 (both inclusive); Order XXIV, Order XXVI, Rules 1 to 8 (both inclusive) and 15 to 18 (both inclusive); Order XXVII: Order XXIX: Order, rules 1,3 to 8 (both inclusive) and 10; order XXXII, Rules 1 to 15 (both inclusive); Order XXXVII, Rules 1 to 11 (both inclusive) and Order XXXIX, Rules 1 and 3 to 5 (both inclusive): Insofar as the Act and these Rules make no provision or make insufficient provision, the relevant provisions of the Code of Civil Procedure, 1908 shall so far as may be, apply to the proceedings before the Claims Tribunal.

255. Savings :-

Notwithstanding anything contained in these Rules, in the case of minor accidents and in the case of a claim under section 140, the Claims Tribunal may follow such summary procedure as it thinks fit.

256. Form of Aoopea :-

(1) Every appeal against the award of othe Claims tribunal shall be preferred in the form of a memorandum signed by the appellant or an advocate and presented to othe High Court. The memorandum shall be accompanied by a copy of the award.

(2) The memorandum shall set forth concisely and under distinct heads the grounds of objection to the award appealed from without any argument or narrative; and such grounds shall be numbered consecutively.

(3) Save as provided in sub-rules (1) and (2) the provisions of Order XLI and Order XXI in the First schedule to the Code of Civil Procedure, 1908 (V of 1908) shall mutandis apply to appeals preferred to High Court under Section 173.

257. Record :-

The record of Claims cases disposed of by the Claims Tribunal shall be preserved for a period of five years.

258. Production of certificate of insurance :-

The owner of a motor vehicle when applying for transfer of ownership of the vehicle or to pay tax on the vehicle or in the case of a vehicle which is exempted from payment of tax under the Karnataka Motor Vehicles Taxation act, 1957 (Karnataka act 35 of 1957) when, applying for exemption tax card, shall forward with the application a certificate of Insurance, issued in pursuance of sub-section (4) of Section 147 relating to the vehicle and complying with requirements of chapter XI of the Act and valid,-

(a) if the application is made before the commencement of the period for which 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 vehicle exempted under sub-section (2) of Section 147 shall forward, in place of the certificate of Insurance issued as aforesaid, the certificate prescribed in Rule 12 of the Motor vehicles (third party Insurance) Rules, 1947.

259. Powers of superior officer :-

(1) Notwithstanding anything contained in these Rules, any superior officer of the Motor vehicle Department, may at any time perform any functions of the officer subordinate to him under these Rules.

(2) Any officer of the Motor Vehicles Department of and above the rank of Inspector of Motor Vehicles shall exercise the powers under the provisions of Sections 114, 130, 132, 133, 134, 136, 158, 200, 203, 204, 205, 206 and 207 of the act.

260. Uniform :-

(1) The Uniform for the Inspectors of Motor Vehicles and senior Inspectors of Motor Vehicles shall be as follows:-

(i) Inspectors of Motor vehicles:-

(a) Khaki shirts with embroidered monogram of the State on the centre of the left arm and khaki trousers;

(b) Shoulder strap badges with MVD Monogram;

(c) Peak-cap with badge MVD [Nickle] coloured;

(d) Three white coloured five-pointed stars with black/orange ribbon 1.27 centimetres wide between the letters MVD and the stars;

(e) Brown or dark tan leather shoes of Oxford Derby Model, with five eyelets and khaki socks; khaki lanyard with whistle.

(ii) Senior Inspector of Motor vehicles,-

- (a) khaki shirts with embroidered monogram of the State on the centre of the left arm and khaki trousers;
- (b) shoulder strap badge with MVD Monogram;
- (c) Peak-cap with badge MVD [Nickle] coloured;
- (d) Three white coloured five-pointed stars;
- (e) brown or dark tan leather shoes of Oxford Derby Model with five eyelets and khaki socks;
- (f) Khaki lanyard with whistle.

(2) The stars shall be five-pointed. The shoulder badges shall be worn at the base of the shoulder strap.

(3) Bush shirts shall be khaki cellular or drill or terrycot with plain front, two breast pockets 16.4 centimetres deep and 14.5 centimetres wide with 3.7 centimetres box pleat in the centre each fastened at the top by a small bone button. The flap should be three-pronged with button hole to cover the pockets 6.3 centimetres deep and 14.5 centimetres side. The extreme prong should be fastened to the pocket with press buttons. Buttons should be so fixed that the cloth belt goes in the centre of the last two buttons. The sleeves should be full length with single straight cuff each having one small bone button. The backs should be plain without pleats, with a vent at the centre of the back at bottom 25.4 centimeters long attached "stand and fall" collar. Loops at the side seams to take and detachable cloth belt. Length of the bush shirt down to the level of the knuckles when the fists are clenched and full extended downwards.

(4) The specification of the bush shirts mentioned above for full sleeves is the same even for bush shirts with half-sleeves. In respect of belts to be worn with half-sleeve bush shirts, the belt should be made of the same material as the bush shirt with an inner lining of khaki drill and 6.3 centimetres in width and shall be fastened by a double-pronged white metal buckle with white metallic Monogram M.V.D"

(5) Notwithstanding anything contained in sub-rule (1)(i)(d), the Inspector of Motor Vehicles whose probationary period is not declared shall wear two stars.

(6) The Inspector of Motor vehicles, who has completed ten years of service and whose probationary period is declared shall wear a ribbon on the left side chest having length of 35 mm and width of 15 mm in which 10 mm of equal distance shall be green in colour and 2.5 mm white and saffron colour alternatively.

(7) In addition to the ribbon specified above, the senior Inspector of Motor Vehicle shall wear the ribbon measuring 30mm in length

and 15 mm width having white and blue strips measuring 5mm of equal distance alternatively.

261. Repeal and savings :-

The Karnataka Motor Vehicles Rules, 1963 are hereby repealed. Provided that anything done or any action taken under any of the said rules so repealed shall unless such thing or action is inconsistent with any of the provisions of these rules be deemed to have been done or is taken under the corresponding provision of these Rules.