

Bill No. 37 of 2015

THE MOTOR VEHICLES (AMENDMENT) BILL, 2015

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BILL

further to amend the Motor Vehicles Act, 1988.

BE it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Motor Vehicles (Amendment) Act, 2015.

Short title and commencement.

(2) It shall be deemed to have come into force on the 7th day of January, 2015.

59 of 1988.

2. In the Motor Vehicles Act, 1988 (hereinafter referred to as the principal Act), after section 2, the following section shall be inserted, namely:—

Insertion of new section 2A.

“2A. (1) Save as otherwise provided in the proviso to sub-section (1) of section 7 and sub-section (10) of section 9, the provisions of this Act shall apply to e-cart and e-rickshaw.

E-cart and e-rickshaw.

(2) For the purposes of this section, “e-cart or e-rickshaw” means a special purpose battery powered vehicle of power not exceeding 4000 watts, having three wheels for carrying goods or passengers, as the case may be, for hire or reward, manufactured, constructed or adapted, equipped and maintained in accordance with such specifications, as may be prescribed in this behalf.”

3. In the principal Act, in section 7, in sub-section (1), the following proviso shall be inserted, namely:—

Amendment of section 7.

“Provided that nothing contained in this sub-section shall apply to an e-cart or e-rickshaw.”

Amendment
of section 9.

4. In the principal Act, in section 9, after sub-section (9), the following sub-section shall be inserted, namely:—

“(10) Notwithstanding anything contained in this section, the driving licence to drive e-cart or e-rickshaw shall be issued in such manner and subject to such conditions, as may be prescribed.”

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Amendment
of section 27.

5. In the principal Act, in section 27,—

(i) clause (a) shall be renumbered as clause (aa) thereof and before clause (aa) as so renumbered, the following clause shall be inserted, namely:—

“(a) specifications relating to e-cart and e-rickshaw under sub-section (2) of section 2A;”;

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(ii) after clause (f), the following clause shall be inserted, namely:—

“(ff) the manner and the conditions subject to which the driving licence may be issued under sub-section (10) of section 9;”.

Repeal and
saving.

6. (1) The Motor Vehicles (Amendment) Ordinance, 2015, is hereby repealed.

Ord. 2 of
2015.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

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STATEMENT OF OBJECTS AND REASONS

Under the Motor Vehicles Act, 1988 (MV Act), no person can be granted a learner's license to drive a transport vehicle unless he has held the driving license for a period of at least one year. E-rickshaws and E-carts are being defined to have three wheels and limited power of 4000 watts. Further, the specification for speed and dimension can be regulated through the rules which can be made under the Motor Vehicles Act, 1988. These vehicles may be allowed to be driven by drivers who have been found eligible to drive E-rickshaws and E-carts through tests.

2. As most of the E-rickshaw and E-cart drivers do not have any licence, the extant provision will debar them from operating e-Rickshaws/e-Carts for a year. In order to remove this difficulty and facilitate plying of e-rickshaw and e-Cart, the Central Government proposes to amend sub-section (1) of section 7 of the Motor Vehicles Act, 1988 which will give relaxation to e-Rickshaw and e-Cart drivers only. In addition, the definition of e-Rickshaw and e-Cart is also proposed to be included under the said Act.

3. Accordingly, a proviso is included in sub-section (1) of section 7 for relaxation for granting learner's licences for E-cart and E-rickshaw. The proposal will relax the conditions for issue of learner's licence for driving a transport vehicle with three wheels and net power not more than 4000 watts.

4. Sub-section (1) of section 2A is proposed to be inserted after section 2 of MV Act. This aims to bring the E-cart and E-rickshaw under the ambit of MV Act. It will provide employment to innumerable people who have upgraded from the manually pulled rickshaws to the electric powered three-wheeled vehicles.

5. It is also proposed to insert sub-section (10) in section 9 of MV Act, prescribing the manner in which, and conditions subject to which driving licences to drive E-rackshaw or E-cart shall be issued.

6. The Motor Vehicles (Amendment) Bill, 2014 was passed in the Lok Sabha on 18th December, 2014. It was pending in the Rajya Sabha. Based on the said Bill, an Ordinance, namely, the Motor Vehicles (Amendment) Ordinance, 2015 (2 of 2015) was promulgated by the President on 7th January, 2015.

7. The Bill seeks to replace the said Ordinance.

NEW DELHI;
The 20th February, 2015.

NITIN GADKARI

ANNEXURE

EXTRACTS FROM THE MOTOR VEHICLES ACT, 1988

(59 OF 1988)

	*	*	*	*	*
Restrictions on the granting of learners' licence for certain vehicles.		7. (1) No person shall be granted a learners' licence to drive a transport vehicle unless he has held a driving licence to drive a light motor vehicle for at least one year.			
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Power of Central Government to make rules.		27. The Central Government may make rules— (a) regarding conditions referred to in sub-section (2) of section 3;			
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LOK SABHA

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BILL

further to amend the Motor Vehicles Act, 1988.

(Shri Nitin Jairam Gadkari, Minister of Road Transport and Highways)