

Provisions for Rule Making in Motor Vehicles (Amendment) Act, 2019

	Subject Matter	Section	Particulars of the Provision	Notifying Authority
1.	Promotion of Innovation	2B	"2B. Notwithstanding anything contained in this Act and subject to such conditions as may be prescribed by the Central Government , in order to promote innovation and research and development in the fields of vehicular engineering, mechanically propelled vehicles and transportation in general, the Central Government may exempt certain types of mechanically propelled vehicles from the application of the provisions of this Act."	Central Government
2.	Electronic Form and Manner of Issuing Learner's License	8	"Provided further that a licencing authority may issue a learner's licence in electronic form and such manner as may be prescribed by the Central Government. " Provided also that the licensing authority may, before issuing the license verify the identity of the applicant in such manner as may be prescribed by the Central Government. "	Central Government
3.	Additions to driving licence	11(2) Proviso	"Provided that the licensing authority may, before issuing the license verify the identity of the applicant in such manner as may be prescribed by the Central Government. "	Central Government
4.	Driver Training Curriculum and Regulation of Driving Schools	12 (5), 12 (6)	"(5) Notwithstanding anything contained in any other provision, where any school or establishment has been accredited by a body notified by the Central Government under any other law for the time being in force, any person who has successfully completed a training module at such school or establishment covering a particular type of motor vehicle shall be eligible to obtain a driving licence for such type of motor vehicle. (6) The curriculum of the training module referred to sub-section (5) shall be such as may be prescribed by the Central Government and the Central Government may make rules for the regulation of such schools or establishments."	Central Government
5.	Renewal of other licences	14 (2)	"In the proviso, for the portion beginning with the words "one year" and ending with the word "and" the words "three years and renewal thereof shall be subject to such conditions as the Central Government may prescribe; and ", shall be substituted;"	Central Government

6.	Revocation of Licence	19 (1) (A)	“Provided that where a driving licence is revoked under this section, the name of the holder of such driving licence may be placed in the public domain in such manner as may be prescribed by the Central Government. ”	Central Government
7.	Nature, Syllabus and Duration of Driver Refresher Training Course	19 (2B)	(2B) The nature, syllabus and duration of the driver refresher training course shall be such as may be prescribed by the Central Government. ”	Central Government
8.	Manner and Form of Maintaining National Register of Driving Licenses	25A (1)	"25A. (1) The Central Government shall maintain a National Register of Driving Licences in such form and manner as may be prescribed. ”	Central Government
9.	Date for Subsuming of State Registers under the National Register of Driving Licenses	25A (2)	“(2) All State Registers of Driving Licences shall be subsumed under the National Register of Driving Licences by a date to be notified by the Central Government. ”	Central Government (Notification)
10.	Form and Manner of Transmission of Information and Data in the State Register of Driving Licenses	25A	“(4) All State Governments and licensing authorities under this Act shall transmit all information including contained data in the State Register of Driving Licences in such form and manner as may be prescribed by the Central Government. ”	Central Government
11.	Form and Manner to Access National Register of Driving Licenses	25A	“(5) The State Governments shall be entitled to access the National Register and update their records in such manner as may be prescribed by the Central Government. ”	Central Government
12.	Maintenance of State Registers of Driving Licence	26	“Each State Government shall maintain, in such form as may be prescribed by the Central Government, a register to be known as the State Register of Driving Licences, in respect of driving licences issued and renewed by the licensing authorities of the State Government, containing particulars, including— (a) names and addresses of holders of driving licences; (b) licence numbers; (c) dates of issue or renewal of licences; (d) dates of expiry of licences; (e) classes and types of vehicles authorised to be driven; and (f) such other particulars as the Central Government may prescribe. ”	

13.	Registration Marks of Motor Vehicles	41 (6)	"Provided that in case of a new motor vehicle, the application for the registration of which was made under the second proviso to sub-section (1), such motor vehicle shall not be delivered to the owner until such registration mark is displayed on the motor vehicle in such form and manner as may prescribed by the Central Government. "	Central Government
14.	Period of Validity of Registration of Motor Vehicles	41 (7)	"(b) after the words " date of issue of such certificate", the words "or for such period as may be prescribed by the Central Government " shall be inserted"	Central Government
15.	Validity Period of Renewed Registration Certificate	41 (10)	"a) for the words "for a period of five years", the words " for such period, as may be prescribed by the Central Government " shall be substituted"	Central Government
16.	Temporary Registration	43	<p>"Notwithstanding anything contained in section 40, the owner of a motor vehicle may apply to any registering authority or other authority as may be prescribed by the State Government to have the motor vehicle temporarily registered and such authority shall issue a temporary certificate of registration and temporary registration mark in accordance with such rules as may be made by the Central Government:</p> <p>Provided that the State Government may register a motor vehicle that plies, temporarily, within the State and issue a certificate of registration and registration mark for a period of one month in such manner as may be prescribed by the State Government."</p>	Central Government & State Government
17.	Production of vehicle at the time of Registration	44	<p>"44. (1) Subject to such terms and conditions as may be prescribed by the Central Government in this behalf, a motor vehicle sold by an authorised dealer shall not require production before a registering authority for the purposes of registration for the first time.</p> <p>(2) Subject to such terms and conditions as may be prescribed by the State Government, a person in whose name a certificate of registration has been issued shall not be required to produce the vehicle registered or transferred before a registering authority."</p>	Central Government & State Government
18.	Change of residence or place of business	49 (1A)	"The intimation under sub-section (1) may be sent to the appropriate registering authority in electronic form along with the electronic form of such documents, including proof of authentication in such manner as may be prescribed by the Central Government ";	Central Government

19.	Alteration of Motor Vehicles	52 (1) & (2)	<p>“Provided further that the Central Government may prescribe specifications, conditions for approval, retrofitment and other related matters for the alteration of motor vehicles and in such cases, the warranty granted by the manufacturer shall not be considered as void for the purposes of such alteration or retrofitment.”</p> <p>“Provided that such alteration complies with such conditions as may be prescribed by the Central Government.”</p>	Central Government
20.	Recognition, Regulation and Control of Authorised Testing Stations	56 (2)	“(2) The "authorised testing station" referred to in sub-section (1) means any facility, including automated testing facilities, authorised by the State Government, where fitness testing may be conducted in accordance with the rules made by the Central Government for recognition, regulation and control of such stations. ”	Central Government
21.	Certificate of fitness of transport vehicles	56 (4) Proviso, (6) & (7)	<p>“Provided that no such cancellation shall be made by the prescribed authority unless,— (a) such prescribed authority holds such technical qualification as may be prescribed by the Central Government and where the prescribed authority does not hold the technical qualification, such cancellation is made on the basis of the report of an officer having such qualification; and (b) the reasons recorded in writing cancelling a certificate of fitness are confirmed by an authorised testing station chosen by the owner of the vehicle whose certificate of fitness is sought to be cancelled: Provided further that if the cancellation is confirmed by the authorised testing station, the cost of undertaking the test shall be borne by the owner of the vehicle being tested and in the alternative by the prescribed authority.”;</p> <p>(6): All transport vehicles with a valid certificate of fitness issued under this section shall carry, on their bodies, in a clear and visible manner such distinguishing mark as may be prescribed by the Central Government.</p> <p>(7): Subject to such conditions as the Central Government may prescribe, the provisions of this section may be extended to non-transport vehicles.”</p>	Central Government
22.	Manner of Recycling of Motor Vehicles and their Parts	59 (4)	“(4) The Central Government may, having regard to the public safety, convenience, protection of the environment and the objects of this Act, make rules prescribing the manner of recycling of motor vehicles and parts thereof which have exceeded their life. ”	Central Government

23.	National Register of Motor Vehicles	62B	“(4) State Governments shall be able to access the National Register of Motor Vehicles and update records in accordance with the provisions of this Act and the rules made by the Central Government thereunder. ”	Central Government
24.	Maintenance of State Registers of Motor Vehicles	63	“Each State Government shall maintain in such form as may be prescribed by the Central Government a register to be known as the State Register of Motor Vehicles, in respect of the motor vehicles in that State, containing the particulars including— (a) registration numbers; (b) years of manufacture; (c) classes and types; (d) names and addresses of registered owners; and (e) such other particulars as may be prescribed by the Central Government ”	Central Government
25.	National Transportation Policy	66A	“(1) The Central Government may develop a National Transportation Policy consistent with the objects of this Act in consultation with State Governments and other agencies.”	Central Government In consultation with State Governments
26.	Aggregators	93	“In section 93 of the principal Act,— (i) for the marginal heading, the following marginal heading shall be substituted, namely:— “Agent or canvasser or aggregator to obtain licence.”; (ii) in sub-section (1),— (a) after clause (ii), the following clause shall be inserted, namely:— “(iii) as an aggregator.”; (b) the following provisos shall be inserted, namely:— “Provided that while issuing the licence to an aggregator the State Government may follow such guidelines as may be issued by the Central Government. ”	Central Government to issue Guidelines
27.	Recalling of Vehicles	110A	“(6) The Central Government may make rules for regulating the recall of motor vehicles, of a particular type or its variants, for any defect which in the opinion of the Central Government, may cause harm to the environment or to the driver or occupants of such motor vehicle or to other road users.”	Central Government
28.	Power of Central Govt to make rules	110(2 A)	“(2A) Persons empowered under sub-section (2) to conduct investigations referred to in sub-section (2) shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:— a) summoning and enforcing the attendance of any person and examining him on oath; (b) requiring the discovery and production of any document; (c) receiving evidence on affidavit; and (d) any other matter as may be prescribed. ”	Central Government
29.	Protective Headgear & Safety of Children below 4 years	129	“Every person, above four years of age, driving or riding or being carried on a motorcycle of any class or description shall, while in a public place, wear protective headgear conforming to such standards as may be prescribed by the Central Government: ” “Provided further that the Central Government may by	Central Government

			rules provide for measures for the safety of children below four years of age riding or being carried on a motorcycle.”	
30.	Procedure of Examination and Questioning of Good Samaritans	134A (2)	“(2) The Central Government may by rules provide for the procedure for questioning or examination of the Good Samaritan, disclosure of personal information of the Good Samaritan and such other related matters.”	Central Government
31.	Electronic monitoring and enforcement of road safety	136A	“(1) The State Government shall ensure electronic monitoring and enforcement of road safety in the manner provided under sub-section (2) on national highways, state highways, roads or in any urban city within a State which has a population up to such limits as may be prescribed by the Central Government. ”	Central Government
32.	Electronic monitoring and enforcement of road safety	136A	“ The Central Government shall make rules for the electronic monitoring and enforcement of road safety including speed cameras, closed-circuit television cameras, speed guns, body wearable cameras and such other technology.”	Central Government
33.	NMT and VRU Protection	138	“(1A) The State Government may, in the interest of road safety, make rules for the purposes of regulating the activities and access of non-mechanically propelled vehicles and pedestrians to public places and national highways: Provided that in the case of national highways, such rules shall be framed in consultation with the National Highways Authority of India. ”	State Government NHAI for NHs
34.	Necessity for insurance against third party risk	146 (3) Proviso	“Provided that no such order shall be made in relation to any such authority unless a fund has been established and is maintained by that authority in such manner as may be prescribed by appropriate Government. ”	Appropriate Authority
35.	Powers of Central Government to make rules	164C	“(1) The Central Government may make rules for the purposes of carrying into effect, the provisions of this Chapter. (2) Without prejudice to the generality of the foregoing power, such rules may provide for— (a) the forms to be used for the purposes of this Chapter(z) any other matter which is to be or may be prescribed or in respect of which provision is to be made by rules. ”	Central Government
36.	Powers of State Government to make Rules	164D	“(1) The State Government may make rules for the purposes of carrying into effect, the provisions of this Chapter other than the matters specified in section 164C. (2) Without prejudice to the generality of the foregoing power, such rules may provide for— (a) the other authority under sub-section (5) of section 147; and (b) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules. ”.	State Government

37.	Use of Safety Belt	194B	“(1) Whoever drives a motor vehicle without wearing a safety belt or carries passengers not wearing seat belts shall be punishable with a fine of one thousand rupees: Provided that the State Government, may by notification in the Official Gazette, exclude the application of this sub-section to transport vehicles to carry standing passengers or other specified classes of transport vehicles.”	State Government
38.	Failure to comply with standards for road design, construction and maintenance	198A	“(1) Any designated authority, contractor, consultant or concessionaire responsible for the design or construction or maintenance of the safety standards of the road shall follow such design, construction and maintenance standards, as may be prescribed by the Central Government from time to time. ”	Central Government
39.	Powers of Central Government to make rules	210C	“The Central Government may make rules for— (a) design, construction and maintenance standards for National highways; (b) such other factors as may be taken into account by the Court under sub-section (3) of section 198A; (c) any other matter which is, or has to be, prescribed by the Central Government. ”	Central Government
40.	Powers of State Government to make Rules	210D	“The State Government may make rules for design, construction and maintenance standards for roads other than national highways, and for any other matter which is, or may be, prescribed by the State Government. ”	State Government
41.	Use of Electronic Forms & Documents	211 A	“ 211 A (1) Where any provision of this Act or the rules and regulations made thereunder provide for— (a) the filing of any form, application or any other document with any office, authority, body or agency owned or controlled by the Central Government or the State Government in a particular manner; (b) the issue or grant of any licence, permit, sanction, approval or endorsement, by whatever name called in a particular manner; or (c) the receipt or payment of money in a particular manner, then notwithstanding anything contained in such provision, such requirement shall be deemed to have been satisfied if such filing, issue, grant, receipt or payment, as the case may be, is effected by means of such electronic form as may be prescribed by the Central Government or the State Government, as the case may be. (2) The Central Government or the State Government shall, for the purpose of sub-section (1), prescribe— (a) the manner and format in which such electronic forms and documents shall be filed, created or issued; and (b) the manner or method of payment of any fee or charges for filing, creation or issue of any electronic document under clause (a).”	Central Government/ State Government

42.	National Road Safety Board	215	<p>“(1) The Central Government shall, by notification in the Official Gazette, constitute a National Road Safety Board consisting of a Chairman, such number of representatives from the State Governments, and such other members as it may consider necessary and on such terms and conditions as may be prescribed by the Central Government.</p> <p>(2) The National Board shall render advice to the Central Government or State Government, as the case may be, on all aspects pertaining to road safety and traffic management including, but not limited to,—</p> <p>(h) such other functions as may be prescribed by the Central Government from time to time.”</p>	Central Government
43.	Power of Central Government to make Rules	215 C	<p>“(1) The Central Government may make rules for the purposes of carrying into effect the provisions of this Chapter. (2) Without prejudice to the generality of the foregoing power, such rules may provide for— (a) the use of electronic forms and means for the filing of documents, issue or grant of licence, permit, sanction, approval or endorsements and the receipt or payment of money as referred to in section 211A; (b) the minimum qualifications which the Motor Vehicles Department officers or any class thereof shall be required to possess for appointment as such, as referred to in sub-section (4) of section 213; (c) the terms and conditions of appointment of Chairman and Members of the National Road Safety Board under sub-section (1) of section 215B; (d) the other functions of the National Road Safety Board under sub-section (2) of section 215B; and (e) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules by the Central Government”</p>	Central Government
44.	Powers of State Government	215D	<p>“(1) The State Government may make rules for the purposes of carrying into effect, the provisions of this Chapter, other than the matters specified in section 215C. (2) Without prejudice to the generality of the foregoing power, such rules may provide for— (a) the use of electronic forms and means for the filing of documents, issue or grant of licence, permit, sanction, approval or endorsements and the receipt or payment of money as referred to in section 211A; (b) the duties and functions of the officers of the Motor Vehicle Department, the powers to be exercised by such officers (including the powers exercisable by police officers under this Act) and the conditions governing the exercise of such powers, the uniform to be worn by them, the authorities to which they shall be subordinate as referred to in sub-section (3) of section 213; (c) such other powers as may be exercised by officers of the Motor Vehicles Department as referred to in clause (f) in sub-section (5) of section 213; and (d) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules by the State Government.”</p>	State Government

