

AMENDMENT PROPOSED TO THE MOTOR VEHICLE RULES

Sections 26, 28, 38, 65, 96, 107, 111, 138, 159, 176 and 213 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Government of Kerala hereby make the following rule, the same having been previously published as per Notification No——, as required by sub-section (1) of Section 212 of the said Act, namely:—

AMENDMENT

1. *Short title and Commencement.*—(1) This rules may be called the Kerala Motor Vehicles (Amendment) Rules 2008.

(2) It shall come into force at once.

2. *Amendment to the Rules.*—After rule 232 of the Kerala Motor Vehicles Rules, 1989, the following rules shall be inserted, namely:—

“232A. *Constitution of Inspection Committee.*—(1) Government shall constitute one or more inspection Committees to inspect and verify whether speed Governors fitted in the Stage Carriages and Heavy Transport Vehicles, with the following members, namely:—

(a) A Retired employee of the Motor Vehicles Department not below the rank of an Inspector.

(b) One person of integrity nominated by the Chief Minister.

(c) One person of integrity nominated by the Leader of Opposition.

(2) The Committee members shall have all the powers to stop and inspect any Stage Carriage Vehicle and Heavy Transport Vehicle to satisfy that these Vehicles have been fitted with speed Governor conforming to the standard AIS: 018, as amended from time to time. The Committee is also empowered to inspect for verifying whether Kerosene is mixed with Diesel and Petrol used in the Vehicles.

(3) Government shall issue proper identity cards for the Committee members to show then the authority for inspecting the Vehicle.

(4) If the Committee members find any violation, they may report the matter to the concerned authorities for imposing the fine specified in the Act.

232 B. (1) Every owner of a stage carriage or heavy vehicle shall obtain a certificate of fitness of the speed governor fitted in the said vehicle from the concerned dealer or distributor of the same.

(2) The said certificate of fitness will have validity for a period of six months only.

(3) The dealer or distributor while issuing the said certificate of fitness shall certify that the speed governor is in working condition and has not been tampered with.

(4) If any dealer or distributor issues a false certificate of fitness, the State Government shall after hearing him black list such dealer or distributor for a period of not less than six months. In case of successive lapse on the part of the dealer or distributor, then such black listing can even extend beyond six months and upto three years. During the period of black listing the said certificate of fitness will not have any validity.”