

## Comparison between the Motor Vehicle Amendment Bill, 2007, Standing Committee Report and the Bill as passed by Rajya Sabha

Issues	Motor Vehicles Amendment Bill, 2007	Standing Committee Report	Bill as passed by RS
<b>Learner's License for a transport vehicle (Section 7)</b>	States that a person would be eligible for a learner's license for a transport vehicle only after he has held a driving license for a light motor vehicle for at least two years.	For three wheelers transport vehicles and light motor transport vehicles, the applicant should have held a driving license for one year.	Incorporated under <b>clause 7 (1A)</b> - For a three wheeler or a light motor transport vehicles, the period of owning the driving license, the applicant should have held a driving for at least one year.
<b>Grant of learner's license (Section 8)</b>	The licensing authority can exempt an applicant from a learner's license test to drive a motor vehicle (excluding a transport vehicle) if the applicant has a driving license issued by an organisation recognised by the state government.	The state government should lay down the standards with regard to the qualifications and infrastructure requirements of the private institutions.	Incorporated <b>under Clause 9A</b> : The state government shall recognise the private institutions if it fulfils the criteria prescribed by the central government under Section 12 of the Act.
<b>New provision on drunk driving (Section 185)</b>	Permits the specified authority to suspend the driving license for three months if the driver is under the influence of alcohol.	Deaths due to drunken driving should be treated as culpable homicide not amounting to murder.	<p>The Bill provides certain slabs for levying a fine and imprisonment for drunken driving:</p> <ul style="list-style-type: none"> <li>30-60 mg per 100 ml of blood-maximum six months imprisonment and /or a fine Rs 2000.</li> <li>60-150 mg per 100 ml of blood- maximum one year imprisonment and /or fine of Rs 4000</li> </ul> <p>If the second offence is committed within three years of the commission of the first offence, then the imprisonment may extend to three years/and or fine of Rs 8000.</p> <ul style="list-style-type: none"> <li>Exceeds 150 mg per 100 ml of blood-maximum imprisonment of one year/and or a fine of Rs 5000.</li> </ul> <p>If the second offence is committed within three years of the commission of the first offence, then the imprisonment may extend to four years and /or fine of Rs 10,000.</p> <p>In case the driver is under the influence of drugs, then he shall be liable to imprisonment of six months/and or a fine of Rs 5000.</p> <p>In case of a second offence, the driver shall be liable for a maximum fine of Rs. 10,000 and / or imprisonment of six months. His driving license shall also be revoked.</p> <p>The Bill also permits the specified authority to suspend the driving license for three months if the driver is under the influence of alcohol.</p>

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<b>Fine for over speeding (Clause 53)</b>	In case of over speeding, the driver shall be liable to pay a fine of Rs 500 for a first time offence. In case of a repeated offender, the penalty shall be a minimum of Rs 2000 and a maximum of Rs 5000.	Slab rates should be provided.	<ul style="list-style-type: none"> <li>• Speed limit exceeds by over 10 km per hour- Rs 1000.</li> <li>• Exceeds by over 10 Km, less than 25 Km per hour- Rs 2000</li> <li>• Exceeds by over 25 Km per hour- Rs 5000</li> </ul>
<b>Punishment for using mobile phone</b>	No provision.	A new section on usage of mobile phone should be specifically inserted.	Incorporated ( <b>Section 183A</b> )- Fine of Rs 500 in case of a first time offender and in case of a repeat offender, a minimum fine of Rs 2000 and a maximum of Rs 5000.
<b>Renewal of driving license (clause 7)</b>	Reduction in the time period for renewing the driving license from five years to one year.	In the event the applicant is out of station or settled abroad, the time period may be extended beyond one year.	Partially Incorporated. The proposed clause has been removed. Time period has been retained to five years.
<b>Registration Certificate (Clause 11)</b>	The registration certificate should be issued within 30 days.	The period should be reduced from 30 days to 15 days.	Incorporated
<b>Penalty for the consignor (Clause 28)</b>	The consignor shall be responsible in case of overloading by a vehicle.	The liability should not be restricted only to the consignor, but should also include the driver and the officials enforcing such provisions.	Not incorporated
<b>Insurance (Clause 34)</b>	The insurer shall not be liable in case the vehicle was being driven by a person without a valid license.	The insurance company should be liable irrespective of the fact whether driver had a valid license or not.	Not incorporated
<b>Compensation out of the Solatium Fund (Clause 38)</b>	In case of a hit and run case, (a) Rs 50,000 shall be paid in case of death of a person; (b) Rs 25,000 shall be paid in case of grievous hurt.  The compensation shall be paid out of the Solatium Fund.	The compensation should be increased to Rs. 1 lakh in case of death and to Rs 50,000 in case of grievous hurt.	Incorporated
<b>Claim to compensation (Clause 44)</b>	The compensation has to be claimed within three years of the accident.	In case of a simple injury with no permanent disability, compensation should be claimed within six months.	Incorporated
<b>Time period for paying the award (Clause 48)</b>	Increases the time period for paying the award from 30 days to 60 days.	The time period should not be extended.	Incorporated
<b>Time period for filing an appeal</b>	No provision.	No provision.	It the time period for appealing against the decision of the claims tribunal from 90 days as provided in the Act to 60 days.  It also increases the amount to be deposited to 50% of the amount awarded.

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<b>Notification of inspection auditors by state governments</b>	Certain persons may be notified as experts for the purpose of auditing the testing stations.	No provision.	Clause has been deleted.

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