

**Bill No. 189 of 2014**

**THE MOTOR VEHICLES (AMENDMENT) BILL, 2014**

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**BILL**

*further to amend the Motor Vehicles Act, 1988.*

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

**1.** (1) This Act may be called the Motor Vehicles (Amendment) Act, 2014.

Short title.

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.

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“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.

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(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.

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“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;”.

## STATEMENT OF OBJECTS AND REASONS

Under the Motor Vehicles Act, 1988 (the M V Act), no person can be granted a learner's licence to drive a transport vehicle unless he has held the driving licence for a period of at least one year. E-rickshaws and E-carts are being defined to have three wheels and limited power up to 4000 watts. Further, the specification for speed and dimension can be regulated through the rules which can be made under the MV Act. 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-rickshaws and E-carts drivers do not have any licence, the extant provision will debar them from operating E-rickshaws or E-carts for a year. In order to remove this difficulty and facilitate plying of E-rickshaws and E-carts, 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 proposed to be included in sub-section (1) of section 7 for relaxation for granting learner's licenses for E-carts and E-rickshaws. The proposal will relax the conditions for issue of learner's licence for driving transport vehicle with three wheels and with net power not more than 4000 watts.

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

6. The Bill seeks to achieve the above objects.

NEW DELHI;

NITIN JAIRAM GADKARI.

*The 12 December, 2014.*

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill empowers the Central Government to make rules in respect of specifications relating to the manufacture, construction, adaption, equipment and maintenance of the E-carts and E-rickshaws.

2. Clause 4 of the Bill empowers the Central Government to make rules providing for the manner in which, and conditions subject to which, driving licence to drive-carts and e-rickshaws to be issued.

3. The matters in respect of which the rules may be made pertain to matters of procedure and administrative details for which it is not practicable to make any provision in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

*ANNEXURE*

EXTRACTS FROM THE MOTOR VEHICLES ACT, 1988

(59 OF 1988)

*	*	*	*	*
<b>7.</b> (1) No person shall be granted a learner's licence to drive a transport vehicle unless he has held a driving licence to drive a light motor vehicle for at least one year.				Restrictions on the granting of learner's licences for certain vehicles.
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<b>27.</b> The Central Government may make rules—				Power of Central Government to make rules.
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LOK SABHA

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further to amend the Motor Vehicles Act, 1988.

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

**LOK SABHA**

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**CORRIGENDA**

**to**

**THE MOTOR VEHICLES (AMENDMENT) BILL, 2014**

**[To be/As introduced in Lok Sabha]**

1. Page 1, line 2, -  
for "1. (I) This Act"  
read "1. This Act"
2. Page 3, in the last line of para 4, -  
for "to be electric powered"  
read "to the electric powered"
3. Page 3, in line 2 of para 5, -  
for "licenses"  
read "licences"
4. Page 4, line 3, -  
for "adaption, equipment"  
read "adaptation, equipment"

**NEW DELHI;**

**December 15, 2014**  
**Agrahayana 24, 1936 (Saka)**