Legal provisions on Road Safety

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Act/Rules governing Road Safety

- Motor Vehicles Act, 1988 is the principal Act to regulate motor vehicle traffic in the country.
- The Central Motor Vehicle Rules, 1989 framed under the above Act also prescribe various road safety measures.
- In addition, the State Governments have powers to frame Rules under the Act on certain aspects to control vehicular traffic on roads.

Legal provisions relating to Driving Licences

- Driver's fault is the single largest cause of road accidents worldwide.
- The Motor Vehicles Act, 1988 and the Central Motor Vehicle Rules, 1989 (Chapter-II) prescribes stringent procedure for grant of Driving Licences.
- Additional requirement such as Certificate from Driver Training Schools is essential for grant of Driving Licences to drive transport vehicles.

Provisions to regulate road-user behaviour while driving or riding motor vehicles to promote road safety.

- Section 129 of the Motor Vehicles Act makes it mandatory that the driver and the pillion rider (except a Sikh wearing turban) must wear helmet of prescribed standard while driving or riding a two-wheeler.
- Rule 138 (3) of the Central Motor Vehicle Rules, 1989 mandates that the persons sitting in the front seat and the persons occupying front facing rear seat of a four-wheeler must wear seat belt while the vehicle is in motion.
- Section 113 of the Motor Vehicles Act, 1988 prohibits overloading of motor vehicles beyond the specified ceiling.

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- Use of mobile phone while driving a vehicle is not allowed. This is one of the grounds for disqualification for holding a driving licence (Rule 21 of CMVR).
- Separate safety measures for transportation of hazardous / dangerous goods have been prescribed under Rule 129 of CMVR, 1989.
- CMVR 1989 also prescribes for safety devices for drivers, passengers and road-users (Rule 123-137).
- Mandatory insurance of motor vehicle to take care of Third Party risk – Section 146 of Motor Vehicles Act.

Penal provisions for violation of Road Safety laws prescribed under Motor Vehicles Act, 1988.

- Section 181 - Penalty for driving a vehicle without a valid driving licence.
- Section 182 – Penalty for offences relating to Driving Licences.
- Section 183 – Penalty for driving vehicle at excess speed.
- Section 184 – Penalty for driving a vehicle dangerously.

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- Section 185 – Penal provision for driving vehicle under the influence of alcohol / drugs.
- Section 186 – Penalty for driving a vehicle when mentally or physically unfit to drive.
- Section 189 – Punishment for racing and trials of speed.
- Section 190 – Penalty for using vehicle in unsafe condition.

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- Section 191 – Penalty for sale of vehicle in or alteration of vehicle to the conditions contravening the Motor Vehicles Act, 1988.
- Section 196 – Penalty for driving uninsured vehicle.

Additional Provisions

- Bus body code has been notified by the Ministry to take care of the safety and comfort of the passengers.
- The State Governments are empowered to grant permits for various categories of transport vehicles.
- While issuing such permits, the State Governments can lay down conditions for regulating these vehicles to take care of road safety activities.

Steps being taken by the Government to enhance road safety scenario of the country.

- The Government is actively considering creation of National Road Safety and Traffic Management Board through an Act of Parliament to oversee road safety activities in the country.
- An Expert Committee has been constituted under the Chairmanship of Shri S. Sundar, former Secretary (MoST) to review the Motor Vehicles Act comprehensively to cater to the present day requirement of regulation of motor vehicle traffic.
- The State Governments are being regularly advised to implement the provisions of the Act/Rules in the right earnest.
- The Government is also working on prescribing truck body code.

THANK YOU