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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF COMMUNICATIONS

Roads and Road Transport Division

MVRT Section

NOTIFICATION

Dhaka, the 21st April 1984

No. S.R.O. 153-L/84/MVRT/3M-66/83.—The following draft of the Motor Vehicles Rules, 1984, which it is proposed to make in exercise of the powers conferred by the Motor Vehicles Ordinance, 1983 (LV of 1983), is hereby published, as required by sub-section (1) of section 173 of the said Ordinance, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration twenty days after its publication.

Any objection or suggestion received from any person in respect of the said draft within the period specified above will be taken into consideration by the Government.

DRAFT

MOTOR VEHICLES RULES, 1984

CHAPTER-I

PRELIMINARY

1. Short title and application.—(a) These rules may be called Motor Vehicles Rules, 1984.

(b) They shall, save as expressly provided otherwise, apply to, and in relation to, all motor vehicles in Bangladesh.

(6469)

Price : Taka 3.00

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

- (a) “agent or canvasser” means a person or body of persons or any establishment licensed under section 79 of the Ordinance for the sale of tickets for travel by public service vehicles or for soliciting customers for such vehicles or for the purpose of business of collecting, forwarding or distributing goods to be carried by public carriers;
- (b) “articulated vehicle” means a tractor to which a trailer is attached in such a manner that part of the trailer is superimposed and part of the weight of the trailer is borne by the tractor;
- (c) “auto tempo” means a motor cab with three wheels the unladen weight of which does not exceed 650 pounds, constructed or adapted or used to carry not more than six passengers excluding the driver;
- (d) “Claims Tribunal” means a Motor Accidents Claims Tribunal constituted under section 127;
- (e) “Driving Instructor’s Licence” means the document issued by a competent authority, authorising the holder thereof to give instructions in the driving of motor vehicles;
- (f) “Form” means a form appended to these rules;
- (g) “Inspector of Motor Vehicles” means an officer of the Directorate of Road Transport Maintenance appointed by the Government to perform functions and discharge duties of an Inspector of Motor Vehicles under the Ordinance and the rules made thereunder;
- (h) “learner’s driving licence” means the document issued by a competent authority, authorising the person therein to receive instructions or to gain experience in the driving of motor vehicles with the object of presenting himself for the test set forth in the Third Schedule to the Ordinance;
- (i) “legal representative” shall have the meaning assigned to it under clause (11) of section 2 of the Code of Civil Procedure, 1908 (Act No. V of 1908);
- (j) “manager” in respect of motor vehicles repairing workshop means an employee of the proprietor or any person appointed as such and who is actually responsible to carry out the work and shall include the proprietor when such functions are discharged by him;
- (k) “metropolitan area” means an area forming part of the metropolitan city of Dhaka or Chittagong;
- (l) “modification” in relation to a motor vehicle means that it is no longer in conformity with the regulations when any of its items has been modified contrary to the regulations or replaced or equipped by an item which is not prototype or not homological or when using them is considered prejudicial to safety or to the environment but shall not include wear of an item and the resulting condition;
- (m) “motor cab rickshaw” means a motor cab with three wheels the unladen weight of which does not exceed 900 pounds, constructed, adapted or used to carry not more than three passengers excluding the driver;

- (n) "motor vehicle repairing workshop" means any place or apartment, or shop or building or premises or establishment within which different parts of motor vehicles are repaired or manufactured or where body of motor vehicle is built or repaired or where any works relating to the painting or denting or replacing or fixing of such parts are done;
- (o) "Ordinance" means the Motor Vehicles Ordinance, 1983 (LV of 1983);
- (p) "passenger", in relation to the Ordinance or these rules, means any person travelling in any motor vehicle other than the driver or the conductor or any employee of the permit holder while on duty;
- (q) "postal adhesive stamp" means the stamps used in payment of fee or fine under the Ordinance or the rules made thereunder;
- (r) "producer" for the purpose of these rules or the Ordinance means the whole of the Generator, pipes, coolers, filters and accessories necessary for the generation of gas and its supply to the engine;
- (s) "proprietor" in respect of motor vehicle repairing workshop includes the owner or any person or body of persons who has any right in the ownership and shall include the Government when such workshop is established and run by it;
- (t) "recognised Institution" means any Board of Intermediate and Secondary Education established by or under any law or any other institution recognised by the Government for the purposes of these rules;
- (u) "registration mark" means any mark assigned under sub-section (3) of section 34;
- (v) "repair" means to restore after dilapidation or injury or decay or partial destruction or disorder or incorrect functioning to a sound state or condition;
- (w) "section" means a section of the Ordinance;
- (x) "special registration mark" means any mark assigned under sub-section (1) of section 35;
- (y) "traffic control light" means a signalling device, operated either manually or electrically, erected either at a road junction or at any other place which is designed mainly for the purpose of regulating the movement of motor vehicle traffic, and which by the use of coloured lights, conveys information, guidance or direction to drivers of motor vehicles.

CHAPTER-II.

LICENSING OF DRIVERS OF MOTOR VEHICLES

3. **Licensing authority.**—The licensing authority to grant driving licence shall be,—

- (i) in a metropolitan area, the Deputy Commissioner of Police (Traffic) or any other officer authorised by the Government in this behalf; and
- (ii) elsewhere, the Superintendent of Police or any other officer authorised by the Government in this behalf.

4. **Application for licence, etc.**—(1) The licensing authority shall, upon the receipt of an application for a professional or a non-professional driving licence, give an acknowledgement to the applicant and shall make such enquiries as may be reasonably necessary to establish the identity of the applicant and to ascertain—

- (a) that the applicant is not disqualified or liable to be disqualified for holding a driving licence;
- (b) that he is in possession of a valid learner's driving licence issued by a competent authority and is likely to complete not less than three months immediately before the date of test;
- (c) that the applicant has affixed the postal adhesive stamps of proper denomination in payment of the fee for the licence; and
- (d) that the applicant has furnished the required information and enclosed necessary documents in support thereof.

(2) The application so received shall be registered in a register of applications which shall contain the following information :—

- (a) serial number;
- (b) date of receipt;
- (c) name and address of the applicant;
- (d) purpose of application;
- (e) amount received as fee;
- (f) to whom despatch;
- (g) date of despatch;
- (h) decisions on the application; and
- (i) remarks.

(3) The licensing authority shall, by notice in writing, summon the applicant to appear before the driving test board constituted under rule 6 at such times and place as the licensing authority may appoint and shall at the same time send the syllabus for the test of competence.

(4) If an application for driving licence is rejected the licensing authority shall inform the applicant in writing therefor.

5. **Authorisation to drive transport vehicles.**—(1) Authorisation to drive a transport vehicle shall be granted by a Transport Authority in Form D set forth in the First Schedule to the Ordinance and shall be effective, unless otherwise specified, throughout Bangladesh.

(2) No person shall drive a transport vehicle unless authorisation as mentioned in sub-rule (1) has been granted to him by a Transport Authority.

(3) No authorisation to drive a transport vehicle shall be granted unless the applicant possesses a driving licence issued by an appropriate licensing authority and satisfies the Transport Authority that he has at least three years' experience in driving a light motor vehicle.

(4) An application for authorisation to drive a transport vehicle shall be made to the appropriate Transport Authority in Form LTA and shall be accompanied by the driving licence of the applicant.

(5) Upon receipt of an application under sub-rule (4) the Transport Authority may make such enquiries as may be reasonably necessary to establish the identity of the applicant and to ascertain that the applicant is not disqualified or liable to be disqualified for holding a driving licence.

(6) The Transport Authority concerned shall summon the applicant to appear before the driving test board as constituted under rule 6 at such time and place as it may appoint and shall require the applicant to pass the test as set forth in the Third Schedule to the Ordinance.

(7) The Transport Authority granting authorisation under this rule shall return the driving licence to the holder thereof and shall at the same time send intimation in Form LT to the authority which issued the licence.

(8) If the Transport Authority rejects an application under this rule, it shall do so in writing stating reasons therefor and shall return the driving licence to the applicant with a suitable remark thereon.

6. Driving competency test board.—(1) The Government shall constitute a driving competency test board for every metropolitan area and for every district to test the competence to drive as per provision of the Third Schedule to the Ordinance, the board shall consist of the following members, namely:—

For the metropolitan area.

- (a) the Deputy Commissioner of Police (Traffic) having jurisdiction over the area, who shall also be the Chairman of the board ;
- (b) a Magistrate of the first class nominated by the Chief Metropolitan Magistrate ;
- (c) an Assistant Surgeon nominated by the Civil Surgeon having jurisdiction over the area; and
- (d) an Inspector of Motor Vehicles having jurisdiction over the area.

For the districts.

- (a) Superintendent of Police having jurisdiction over the area, who shall also be the Chairman of the board ;
- (b) a Magistrate of the first class nominated by the Deputy Commissioner having jurisdiction over the area ;
- (c) an Assistant Surgeon nominated by the Civil Surgeon having jurisdiction over the area; and
- (d) an Inspector of Motor Vehicles having jurisdiction over the area.

(2) The driving competency test board shall satisfy—

- (a) that the applicant has paid fee of proper denomination for the licence ;
- (b) that the applicant is generally fit as regards mental and physical health and eyesight ;

- (c) that the applicant has no deformity or loss of members which would interfere with the efficient performance of his duties as a driver ;
- (d) that he is not underaged to obtain the driving licence;
- (e) that he is not so deaf which would prevent him from hearing ordinary sound signals ;
- (f) that he does not show any sign or evidence of being addicted to the excessive use of alcohol or drugs ;
- (g) that the applicant has perfect field of vision, depth perception, reaction time, colour perception and visual acuity; and
- (h) that the applicant, not being a foreign national, is able to read and write either Bengali or English.

(3) The applicant who satisfies the requirements under sub-rule (2) shall be subjected to a preliminary examination, both written and oral, in the light of the Third Schedule to the Ordinance to test the applicant's knowledge of—

- (a) traffic laws and regulations ;
- (b) road codes and road signs;
- (c) the mechanism of an automobile in simple terms ;
- (d) insurance requirements;
- (e) first aid in case of accident;
- (f) duties and responsibilities of a driver ; and
- (g) precautions to prevent accident.

(4) The practical driving test as specified in Part-I of the Third Schedule to the Ordinance shall be conducted in two phases by the Inspector of Motor Vehicles in the presence of other members including the Chairman of the board mentioned in sub-rule (1) of this rule.

(5) The first phase of the practical driving test shall be carried out on a specially arranged spot reserved and forbidden to all candidates and driving instructors before the examination to judge if the candidate is perfectly in a position to manoeuvre his vehicle faultlessly in all situations (starting, changing gears, stopping, moving away on an incline and a decline and turning).

(6) A candidate who satisfactorily completes the first phase shall be taken for second phase of the test on the public roads as well inside localities to judge if the candidate is able to fit in the movement of traffic, to observe, to anticipate, to behave correctly, to observe precautionary measures, to drive with a smooth motion of nearly thirty miles per hour on a rapid traffic road, to accomplish safe overtaking and to negotiate bends without skidding.

(7) Subject to sub-section (8) of section 7 of the Ordinance, the applicant shall present himself for the test with a serviceable vehicle which have valid certificate of fitness at such time and place as may be specified by the licensing authority or the driving competency test board.

(8) The fee for the test of competence shall be fifteen taka for each test and shall be paid before the test is commenced and shall not be refunded under any circumstances.

7. Additional requirements for drivers of heavy weight and public service vehicles.—(1) The duration of test for drivers of heavy weight vehicles shall be longer with double number of questions and the judgement more severe than that for drivers of light or medium weight vehicles and the test shall be conducted only on a heavy weight vehicle with total weight of approximately seven tons or a bus with at least 42 seats (including the conductor).

(2) The applicant for the driving licence of heavy weight vehicles or the public service vehicles shall undergo a supplementary theoretical examination, both written and oral, on—

General.

- (a) maximum duration of the daily and weekly driving time and interruption of the work and prohibition of work on holidays;
- (b) driving prohibition a vehicle with trailer;
- (c) driving in the hilly regions;
- (d) towing of a vehicle;
- (e) inspection of vehicles and their contents;
- (f) admissible weight for a loaded vehicle, the maximum length, width and height of vehicles;
- (g) restrictions on driving with gear disengaged;
- (h) restrictions on smoking;
- (i) projection of loads;
- (j) tracks and traffic segregation;
- (k) carriage of persons in goods vehicles;
- (l) conduct of passengers in public service vehicles.
- (m) conduct and duties of the driver of public service vehicles.

Technical.

- (a) estimate of weights and dimensions;
- (b) release of smoke by vehicles with diesel engines;
- (c) behaviour when a trailer is joined;
- (d) maintenance and testing of joined trailers, brakes (hydraulic, compressed air, vacuum and mechanical);
- (e) power of different bulbs;
- (f) good working order of fuel feed pump, carburettor, injector, battery, dynamo, sparking plugs, coil ignition, clutch, gear box, differential, steering system and brakes;
- (g) taking of spare parts on long distant routes and when a vehicle leaves the national borders; and
- (h) routine maintenance of motor vehicles.

8. Addition to driving licence.—(1) No addition to any non-professional driving licence of any class of motor vehicles other than light vehicles shall be made.

(2) No application for the addition of a medium or heavy motor vehicle shall be entertained unless the applicant holds a valid driving licence and has experience of driving any light or medium motor vehicle, as the case may be, for at least three years:

Provided that the Government may, by order exempt any class of persons deemed suitable by it from the operation of this rule.

(3) A licensing authority adding, under sub-section (3) of section 6 of the Ordinance, to the users or classes of motor vehicles which a driving licence authorises the holder to drive shall, if it is not the authority by whom the driving licence was issued, intimate the addition to that authority in Form L. Ad.

9. **Exemption from fees for the test of competence to drive.**—No fees shall be charged for the test of competence to drive in respect of factors used solely for the purposes of agriculture.

10. **Minimum educational qualification for holding driving licence.**—A driving licence under the Ordinance, a person, not being a foreign national, shall not be eligible for holding a driving licence under the Ordinance, if does not know how to read and write either Benglali or English.

11. **Issue and renewal of driving licences.**—(1) The licensing authority issuing a driving licence shall send it to the post office indicated in the application therefore within fifteen days from the date of issue, with an intimation to the holder thereof who shall receive the driving licence from the post office.

(2) Every driving licence shall bear a printed number on it and shall be an accountable document, the price of which shall be five taka only.

(3) The The post office concerned shall, upon receipt of the driving licence, open an account in the appropriate register recording the particulars of the driving licence and shall give the same to the holder of the driving licence on receipt of the acknowledgement slip issued by the licensing authority and shall send an intimation to the licensing authority who issued the driving licence.

(4) If the holder of a driving licence desires that the account should be transferred, he shall make an application to the post office that holds the account, stating the particulars of the driving licence and the name of the post office where he intends to get the account transferred and the post office concerned shall cause the transfer of the account within fifteen days from the receipt of the application.

(5) An application in Form G as set forth in the first Schedule to the Ordinance for the renewal of a driving licence under section 12 of the Ordinance shall be presented along with the driving licence to the post office mentioned in sub-rule (4).

(6) Upon receipt of the application for renewal the post office shall make necessary entries in the appropriate register, affix stamp of proper denomination in the space provided for it and shall specify the period for which the driving licence has been renewed and shall return the driving licence to the holder under an intimation to the licensing authority.

12. **Medical certificate**—(1) The photograph to be affixed to the medical certificate of fitness in Form C as set forth in the first Schedule to the ordinance shall be firmly affixed and not merely pinned to the Form and the medical practitioner shall put his signature and seal to the photograph in addition to signing the medical certificate.

(2) The licensing authority may decline to accept a medical certificate of fitness granted more than one month before the date of application for the grant or renewal of a licence, as the case may be.

13. **Photograph**—(1) The copies of the photograph required by sub-section (4) of section 7 shall be of size not more than two inches by two inches and a half.

(2) The photograph of the holder when affixed to a licence shall be sealed with the seal of the licensing authority in such a manner that part of the impression of the seal is upon the photograph and part on the margin.

(3) If, at any time, it appears to a licensing authority that the photograph affixed to the licence has ceased to be a clear likeness of the holder, the licensing authority may require the holder to surrender the licence forthwith and to furnish two clear copies of a recent photograph of himself and the holder shall, within such time as the licensing authority may specify, appear in person before the licensing authority and present the photographs accordingly.

(4) If the holder fails to comply with a requisition by the licensing authority under sub-rule (3) the licence shall cease to be valid from the expiry of the said period.

(5) Upon receipt of the copies of the photograph as provided in sub-rule (3) the licensing authority shall remove the old photograph from the licence and affix there to one copy of the new photograph and put seal thereon in the manner specified in sub-rule (2) and return the licence to the applicant and shall, if he is not the licensing authority who issued the licence forward the second copy of the photograph to the authority who issued the licence:

Provided that if the holder of the licence so desires the licensing authority shall issue a duplicate licence with the new photograph affixed thereto and shall destroy the original licence. In such a case if the licensing authority is not the authority who issued the licence, he shall inform the original licensing authority accordingly.

(6) When a new photograph is affixed to a licence, a note shall be made upon the photograph of the date of affixure.

(7) The fee for a duplicate licence issued under the proviso to sub-rule (5) shall be fifteen taka.

14. **Driving licences lost or destroyed**.—(1) If, at any time, a licence is lost by the holder or is destroyed, the holder shall forthwith intimate the facts in writing in Form LLD or in a letter setting out the particulars required by Form LLD to the licensing authority in whose area he has his place of residence at the time.

(2) Upon the receipt of intimation as aforesaid the licensing authority shall, if he is not the authority by whom the licence was issued, apply to that authority for particulars of the licence and of any endorsements thereon and shall, after making such enquiries as he thinks fit, if satisfied that a duplicate may properly be issued, issue a duplicate driving licence and shall send intimation to the authority by whom the licence was issued.

(3) Where a photograph is required to be affixed to a duplicate driving licence issued under the provisions of these rules, the holder of the driving licence shall furnish the licensing authority with two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate driving licence and the other shall be transmitted by the authority issuing duplicate driving licence to the authority by whom the licence was issued.

(4) The fee for a duplicate driving licence issued under this rule shall be fifteen taka.

(5) When a duplicate driving licence has been issued upon representation that a driving licence has been lost and the original driving licence is afterwards found by the holder the original driving licence shall be delivered to the licensing authority.

(6) Any other person finding a driving licence shall deliver it to the holder of the driving licence or to the nearest police station.

15. Driving licences defaced or torn.—(1) If at any time it appears to a licensing authority that driving licence held by any person is so torn or defaced in any way as to cease to be reasonably legible, the licensing authority may impound the driving licence and issue a duplicate.

(2) If a driving licence impounded as aforesaid is required to have photograph of the holder affixed thereto, then—

- (a) if the photograph on the impounded driving licence is in the opinion of the licensing authority satisfactory and conveniently transferable to the duplicate driving licence, the licensing authority may so transfer, affix and seal the photograph to the duplicate driving licence; or
- (b) if the photograph affixed to a driving licence impounded under the provisions of sub-rule(1) is not in the opinion of the licensing authority such as can be transferred to the duplicate driving licence, the holder of the driving licence shall, on demand by the licensing authority, furnish two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate driving licence and sealed and the other shall be recorded by the licensing authority by whom the driving licence was issued.

(3) The fee for a duplicate driving licence issued under this rule shall be fifteen taka.

16. Driving licences—issue of duplicate.—(1) When a duplicate driving licence is issued under rules 13, 14 or 15, it shall be clearly stamped "Duplicate" in red and shall be marked with the date of issue of the duplicate and the seal of the licensing authority.

(2) If the licensing authority who issues a duplicate driving licence is not the authority by whom the driving licence was issued, he shall intimate the fact to that authority.

(3) If the licensing authority who affixes a new photograph to a duplicate driving licence is not the authority by whom the driving licence was issued, he shall forward the second copy to that authority for record.

17. Temporary authorisation in lieu of a driving licence.—(1) When the holder of a driving licence has submitted the driving licence to a licensing authority or any other authority for renewal or for obtaining authorisation to drive a transport vehicle or for the addition of another class of vehicle or for endorsement of punishment or when a police officer or any other authority or any court has taken temporary possession of a driving licence for any purpose other than that of sub-section (2) of section 161 and the driving licence has not been suspended or cancelled the licensing authority or other authority or police officer or the Court, as the case may be, shall furnish him with a receipt for the driving licence and temporary authorisation to drive in Form L. Tem.

(2) When a police officer or any other authority seizes a driving licence under sub-section (2) of section 161, he shall give to the person surrendering the driving licence the temporary authorisation to drive under sub-section (3) of the said section in Form L. Tem. A.

(3) Production of temporary authorisation in Form L. Tem. or Form L. Tem. A. shall be deemed to be production of the driving licence.

(4) Until the driving licence has been returned to its holder he shall not be entitled to drive a motor vehicle (without being in possession of his driving licence) beyond the period specified in the temporary authorisation as aforesaid:

Provided that the licensing authority or the Court or the police officer or other authority, as the case may be, by which the temporary authorisation as aforesaid was granted may extend the period of validity of the temporary authorisation until the driving licence is returned, suspended or cancelled.

(5) No fee shall be charged in respect of any temporary authorisation in Form L. Tem. or L. Tem. A.

18. Learner's driving licence.—(1) Sub-section (1) of section 3 shall not apply to any person driving a motor vehicle in a public place during the course of receiving instruction of gaining experience in driving with the object of presenting himself for the test required by clause (a) of sub-section (8) of section 7, so long as—

- (a) the person driving the vehicle is the holder of a learner's driving licence in Form LLr. entitling him to drive the vehicle;
- (b) there is beside the driver in the vehicle as instructor a person holding instructor's driving licence to drive the vehicle and sitting in such a position as to be able readily to stop the vehicle;
- (c) the vehicle not being a motor cycles is fitted with dual controls; and

- (d) there is affixed both to the front and rear of the vehicle a plate or card as set forth below:—

Plate (or card) seven inches square, to be white, with letter "৫৭" in red, 4 inches high and 3½ inches wide:

Provided that clause (ii) shall not apply to a person driving a two wheeled motor cycle with or without a side-car attached.

(2) An application for a learner's driving licence shall be made to the licensing authority having jurisdiction in the area in which the applicant ordinarily resides, in which the applicant ordinarily resides, in Form LLr. A and shall be accompanied by a fee of fifteen taka and a medical certificate in Form C as set forth in the First Schedule to the Ordinance.

(3) A learner's driving licence shall be valid for a period of three months and may be renewed for a further period of three months on payment of a fee of seven taka for such renewal:

Provided that the licensing authority may, where the learner has not been able to utilise the period owing to unavoidable circumstances, renew the driving licence for further periods of three months on similar payments.

19. Disqualification under sections 16 and 17 of the Ordinance.—(1) A licensing authority taking possession of a driving licence under clause (a) of subsection (2) of section 16 shall, if the driving licence was issued by another licensing authority, intimate the fact to that authority.

(2) When a transport authority declares a person disqualified under subsection (1) of section 17 it shall, if the person holds a driving licence, endorse the driving licence accordingly and shall send intimation of such declaration to the authority by whom the driving licence was issued.

(3) Every order disqualifying a driver under the Ordinance or these rules whether permanently or temporarily shall be communicated to the Director, Road Transport Maintenance and shall be published in the Police Gazette.

20. Authority to make endorsements in the driving licence.—(1) Any Magistrate of the first or second class, any Police officer not below the rank of Deputy Superintendent of Police, Director, Road Transport Maintenance or any officer authorised by him or any Inspector of Motor Vehicles shall have authority to strike out any of the code numbers and signs in the square provided in Form D and E in the First Schedule to the Ordinance for committing in his presence or view any of the offences specified in Part C of the Fifth Schedule to the Ordinance.

(2) Any authority acting under sub-rule (1) shall make a report of his action to the licensing authority in whose jurisdiction the offence was committed and also to the authority which issued the driving licence or renewed it last.

(3) The authority which strikes out the tenth code number may seize the driving licence and issue to the holder of the licence a temporary authorisation in Form L. Tem. and shall send the licence to the licensing authority which issued the same.

(4) On receipt of information as aforesaid the licensing authority shall simultaneously strike out appropriate code number of the duplicate copy of the licence kept in his office and on striking out the last code number the licensing authority shall direct the holder thereof to surrender the driving licence to it, if not seized under sub-rule (3).

(5) The licensing authority shall, on the expiry of three months from the date of surrender of the driving licence, issue a duplicate driving licence with the code numbers free from endorsement and shall mark in red ink the number of times for which such duplicate has been issued.

21. Intimation to original authority of endorsements and renewal of driving licence.—(1) The court or any authority making or causing to be made an endorsement on a driving licence under section 20 shall send intimation in Form LE to the licensing authority by whom the driving licence was issued and to the licensing authority by whom it was last renewed.

(2) A licensing authority renewing a driving licence under the provisions of section 12 and rule 11 shall intimate in Form LR the fact of the renewal to the licensing authority by whom the driving licence was issued.

22. Schools of motoring.—(1) No person or body of persons or establishment shall engage in the business of giving instruction for hire or reward in the driving of motor vehicles, nor shall any person advertise or otherwise publicly undertake to give such instruction, without the approval of the authority under sub-rule (2) in Form M.S. constituting the said person or body of persons or establishment as a school of motoring.

(2) The authority to register a school of motoring shall be the Director, Road Transport Maintenance or any other officer authorised by the Government.

(3) No school of motoring shall be approved and registered, unless recommended by the Selection Board consisting of the following members, namely:—

- (a) The Director, Road Transport Maintenance, who shall also be the Chairman of the Board;
- (b) an Officer of the Directorate of Police to be nominated by the Inspector General of Police;
- (c) an Officer of Labour and Manpower Division to be nominated by that Division;
- (d) a representative of the Motor Transport Owners Association to be nominated by the Government; and
- (e) a representative of the Transport Workers Association to be nominated by the Government.

(4) The authority under sub-rule (2) shall have power to refuse approval to the setting up of a school of motoring if, in his opinion, there are sufficient such schools in existence in the area or if the conditions under sub-rule (1) of rule 24 are not fulfilled.

(5) Any change in the address of the place of business of a school of motoring shall, within fourteen days of such change, be intimated to the registering authority for such schools and a copy of the same shall be simultaneously endorsed to the concerned Inspector of Motor Vehicles.

(6) A school of motoring shall at all reasonable times be opened for inspection by the Director, Road Transport Maintenance or any officer authorised by him or the Deputy Commissioner or the Superintendent of Police having jurisdiction in the area or any Inspector of Motor Vehicles.

(7) The authority for the registration of a school of motoring may at any time, for reasons to be intimated in writing, withdraw the approval and thereupon the holder thereof shall surrender the Form M. S. issued to him under sub-rule (1).

(8) The authority under sub-rule (2) shall have the power to approve the nature and duration of the Courses of instruction, and the number of pupils to be instructed at any one time, and the rate of fees to be changed from a pupil.

(9) Any person aggrieved by an order of refusal or withdrawal of approval made by the authority under sub-rule (2) may, within thirty days of the communication of such order, appeal to the Secretary, Roads and Road Transport Division.

(10) The procedure laid down in rule 36 for the conduct and hearing of appeal shall apply to all appeals preferred under sub-rule (9) of this rule.

23. Selection Board for school of motoring.—(1) The Selection Board constituted under sub-rule (3) of rule 22 shall before making any recommendation satisfy itself that—

- (a) the proprietor and the staff are of good character and the persons employed to give instruction in the driving of motor vehicles are holding driving instructor's licence;
- (b) the undertaking is financially sound;
- (c) the proprietor maintains an adequate number of motor vehicles fitted with dual controls and other necessary apparatus and equipment for the instruction of pupils;
- (d) the vehicles have valid certificate of fitness and are not mechanically defective;
- (e) the proprietor maintains a record with photographs of the pupils attending the school from time to time, the duration of their instruction and the dates on which they passed the test required under the Ordinance and these rules.

(2) The Selection Board shall—

- (a) lay down procedure for establishment, registration, operation and control of school of motoring;
- (b) specify the duration and courses of instruction for the pupils;

- (c) determine the terms and conditions for the operation of the school;
- (d) determine the fee for registration of a school of motoring and the fee payable by the pupils, in respect of tuition, food, lodging and other related charges;
- (e) classify schools of motoring for imparting training in light or heavy weight or other motor vehicles.

24. **Procedure for registration of schools of motoring.**—(1) Any person desirous of establishing a school of motoring shall apply in Form M.S.A. with a fee of one thousand taka paid by adhesive postal stamps, to the registration authority under sub-rule (2) of rule 22 through the Inspector of Motor Vehicles in whose functional area he wishes to establish the school of motoring.

(2) The Inspector of Motor Vehicles will physically inspect the school of motoring and shall satisfy himself if the requirements of the rules are complied with and shall forward the application to the registering authority under sub-rule (2) of rule 22 with his comments.

(3) The registering authority under sub-rule (2) of rule 22 shall place the application before the Selection Board constituted under sub-rule (3) of rule 22 for opinion and shall grant registration if the Selection Board recommends for such registration.

(4) If the authority for registration of a school of motoring refuses to register a school of motoring or rejects the application under sub-rule (1), the applicant shall be entitled to the refund of seventy five percent of the fee paid under that sub-rule.

25. **Issue of driving instructor's licence.**—(1) No person shall engage in the business of giving instruction for hire or reward in the driving of motor vehicles or for gaining experience in the driving, or publicly undertake to give such instructions unless he holds an effective driving instructor's licence issued by the authority specified under sub-rule (2).

(2) The authority to grant driving instructor's licence shall be the Director, Road Transport Maintenance or any other officer authorised by the Government.

(3) Every application for a driving instructor's licence shall be made to the authority under sub-rule (2) in Form LTA and shall be accompanied by a fee of fifty taka and two copies of the recent photograph of the applicant.

(4) The authority issuing the driving instructor's licence shall satisfy itself—

- (a) that the applicant holds a valid professional driving licence to drive heavy motor vehicles and has had at least three years' experience in driving any heavy motor vehicle and furnished the proof of having driven a vehicle consistently throughout that period;
- (b) that he has attained the age of at least 27 years;
- (c) that he has passed at least Secondary School Certificate Examination or its equivalent from a recognised institution;
- (d) that he is of good character.

(5) A candidate satisfying the requirements as aforesaid shall be summoned to test in the subject of—

- (a) a rigid driving test to advanced standards;
- (b) elementary physics, that is, force, motion and speed, mass and inertia, gravitational pull, centre of gravity, stability, road adhesion, friction, tangential force, acceleration, deceleration, overtaking, braking and braking distances;
- (c) technical knowledge of the automobiles, that is, engine, fuel system, ignition system, cooling system, lubrication system, clutch, gear box, transmission differential, wheels and tyres, brakes and braking system, steering, suspension and springing electrical equipment, lighting system and body work;
- (d) teaching method, that is, sitting at the wheel, starting the engine, moving away, driving straight ahead, changing gears, stopping, steering the vehicle, operating the clutch, turning on the level, reversing on the level, moving away on an incline and a decline, parking normal and between other vehicles, driving in restricted areas, driving at night and on motorway;
- (e) traffic regulations and road signs, that is, traffic regulations, descriptions of road signs and signals, condition attached to driving licence, procedure for issuance and obtaining of driving licences, restrictions on the hours of works of drivers, procedure in case of accident, first aid in case of accident, insurance regulations and general liabilities, international traffic and other matters connected with driving of motor vehicles;

(6) The test on subjects specified in sub-rule (5) shall be conducted by a board to be constituted by the Government and the Director, Road Transport Maintenance shall be appointed the Chairman of that board.

(7) A successful candidate shall be issued with a driving instructor's licence in Form IL which shall be valid for life time unless surrendered by the holder thereof or cancelled by the authority issuing the same for reasons to be intimated in writing.

26. **Report as to change of address of driving licence holder.**—The holder of a driving licence shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months in the case of a professional driver and six months in the case of others, report any change of his temporary or permanent address as notified on the driving licence to the licensing authority by whom the driving licence was issued and to the licensing authority by whom it was last renewed.

27. **Transport vehicle driver's badge.**—(1) The driver of a transport vehicle shall display on his left breast a metal badge in the form illustrated in the Sixth Schedule to these rules issued by, and inscribed with, the name of the authority by which an authorisation to drive a transport vehicle has been granted and the word "Driver" together with an identification number.

(2) A driver of a transport vehicle shall not hold more than one such badge issued by an authority.

(3) The fee for the issue of a badge as aforesaid shall be ten taka. If the badge is lost or destroyed a duplicate badge shall be issued by the authority by which it was issued on payment of ten taka, and upon the return to the issuing authority of a badge or of a duplicate badge the driver shall be entitled to a refund of five taka:

Provided that where the actual cost incurred by the Government for a badge exceeds ten taka, the Government may direct that such actual cost shall be charged at the fee under this sub-rule.

(4) If, at any time, the authorisation on a driver's licence entitling him to drive a transport vehicle is suspended or revoked by any authority or by any Court or ceases to be valid by the efflux of time, the driver shall within seven days of such suspension, revocation or, as the case may be, cessation surrender the badge to the authority by which it was issued.

(5) No driver shall lend or transfer the badge prescribed in these rules to any other person.

(6) Any person finding a driver's badge shall, unless he returns the same to a person whom he knows to be the holder, forthwith surrender it to the authority by which it was issued or to a police station.

28. Exemption for driving licence fees in certain cases.—(1) No fees shall be charged from members of the Police Force or Fire Brigade for issue of driving licences to drive police or Fire Brigade motor vehicles or for the renewal of such driving licences.

(2) No fees shall be charged for driving licences to drive motor vehicles from persons authorised to remove such vehicles under section 105, provided such persons are not otherwise required to take a driving licence under the Ordinance.

(3) No fee shall be charged for the issue of driving licences to drive motor vehicles of diplomatic and non-diplomatic members of foreign diplomatic missions, namely, Embassies, Legations and High Commissions and Foreign Consular Officers de carriere and Trade Commissioners, or for the renewal of such driving licences.

(4) No fee shall be charged for the issue of driving licences to drive tractors used solely for agricultural purposes, or for the renewal of such driving licences.

29. Maintenance of records relating to driving licences.—Every file relating to a driving licence shall be maintained for three years from the date of the last renewal of such driving licence and may be destroyed only under a certificate from the Director, Road Transport Maintenance.

30. Issue of fresh driving licence Form.—Where a driving licence has been fully used up, the licensing authority shall issue a fresh form on payment of renewal fee only.

31. Exemption of drivers of road plant.—Nothing contained in Chapter-II of the Ordinance shall apply to drivers of road rollers.

32. **Exemption from driving test.**—Diplomatic and non-diplomatic members of foreign diplomatic missions, namely, Embassies, Legations and High Commissioner are exempted from undergoing a driving licence test under sub-section (6) of section 7.

33. **Refund of driving licence and renewal fees.**—Where the licensing authority refuses to issue or to renew any driving licence, the fee paid for such driving licence or for renewal thereof shall be refunded in the manner specified in sub-rule.....of rule.....

34. **Supervision on licensing authorities.**—(1) The Director, Road Transport Maintenance or any officer authorised by the Government in this behalf, shall have power to inspect the office of a licensing authority at any reasonable time and shall make a report to the Government by the 31st January each year on the performance of the licensing authorities.

(2) Every licensing authority shall maintain such statistics and shall send such returns to the Director, Road Transport Maintenance as may be required by him or by the Government from time to time.

35. **Appellate authority.**—(1) The authority to hear appeal against any decision of a licensing authority shall,—

- (a) where the licensing authority is a Deputy Commissioner of Police (Traffic), be the Commissioner of Police having jurisdiction over the area or any other officer authorised by the Government in this behalf;
- (b) where the licensing authority is a Superintendent of Police, be the Deputy Inspector General of Police having jurisdiction over the area or any other officer authorised by the Government in this behalf; and
- (c) in any other case, be the Secretary, concerned Roads and Road Transport Division.

(2) The authority to hear appeals under sub-section (2) of section 17 shall,—

- (a) where the order of disqualification is made by the Bangladesh Transport Authority, be the Secretary, Roads and Road Transport Division;
- (b) where the order of disqualification is made by a Regional Transport Authority of a metropolitan area, be the Secretary, Roads and Road Transport Division; and
- (c) where the order of disqualification is made by any other Regional Transport Authority, be the Commissioner of the Division having jurisdiction over the area or any other officer authorised by the Government in this behalf.

(3) Any person aggrieved by the refusal of a Transport Authority to grant or countersign an authorisation to drive a transport vehicle may, within thirty days of the communication to him of the order of refusal, appeal to the authority concerned as mentioned in sub-rule (2).

36. **Conduct and hearing of appeals.**—(1) An appeal under rule 35 shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear the court-fee of fifteen taka, setting forth concisely the grounds of objection to the order of the licensing authority or any other authority, as the case may be, and shall be accompanied by a certified copy of that order.

(2) When an appeal is preferred, a notice shall be issued to the authority against whose order the appeal is preferred in such form as the appellate authority may direct.

(3) The appellate authority, after giving an opportunity to the parties to be heard and after such enquiry, if any, as it may deem necessary, may confirm, vary or set aside the order from which the appeal is preferred or make any amendment consequential or incidental or that may be just or proper and shall make an order accordingly.

CHAPTER-III

LICENSING OF CONDUCTORS OF STAGE CARRIAGES OR CONTRACT CARRIAGES.

37. **Licensing authority.**—The authority to grant conductor's licence shall be,—

- (a) in a metropolitan area, the Deputy Commissioner of Police (Traffic) or any other officer authorised by the Government in this behalf; and
- (b) elsewhere, the Superintendent of Police or any other Officer authorised by the Government in this behalf.

38. **Grant of conductor's licence.**—(1) Every application for a conductor's licence under sub-section (1) of section 24 shall be made in Form L. Com. A. and in the manner set forth in sub-section (2) and sub-section (3) of the said section and shall be accompanied by the fee prescribed under sub-section (5) of that section and a fee of ten taka for the test of competence.

(2) No person shall be granted a conductor's licence unless recommended by the testing authority under sub-rule (1) of rule 40.

(3) An applicant for conductor's licence shall, besides fulfilling other conditions set forth in the Ordinance, satisfy the licensing authority that he is cognisant of the provisions of the Ordinance and these rules relating to the duties and powers of a conductor.

(4) No person shall hold more than one conductor's licence effective in the same region.

39. **Enquiries to be made by the licensing authorities.**—(1) Upon the receipt of an application for a conductor's licence the licensing authority shall give an acknowledgement to the applicant and shall make such enquiries as may be reasonably necessary to establish the identity of the applicant and also to ascertain if the applicant is not disqualified or liable to be disqualified for holding a conductor's licence.

(2) The application so received shall be registered in an application register which shall contain the informations as set forth under sub-rule (2) of rule 4.

(3) The licensing authority shall by a notice in writing summon the applicant to appear for test before the authority specified under sub-rule (1) of rule 40 at such times and places as the authority may appoint.

40. Constitution and function of testing authority.—(1) The authority to test the competence of a person for a conductor's licence shall be the board as envisaged in sub-rule (1) of rule 6.

(2) The testing authority shall satisfy itself,—

(a) that the applicant has paid the fee for the test of competence as specified in sub-rule (1) of rule 38;

(b) that the applicant is generally fit as regards mental and bodily health ;

(c) that the applicant has no deformity or loss of members which would interfere with the efficient performance of his duties as conductor ;

(d) that he is not underaged or overaged for the purpose of holding a conductor's licence ;

(e) that he does not show any sign or evidence of being addicted to excessive use of alcohol or drugs ;

(f) that the applicant, not being a foreign national, is able to read and write either Bengali or English ;

(g) that the applicant knows the use of first aid ;

(h) that he is cognisant of the provisions of the Ordinance and of these rules relating to the duties and powers of a conductor.

(3) The testing authority shall make its recommendation to the licensing authority.

41. Requirement of medical certificate.—(1) The medical certificate required under sub-section (3) of section 24 shall be in Form M. C. Con.

(2) The photograph to be affixed to the medical certificate shall be firmly affixed and not merely pinned to the form and the medical practitioner shall put his signature and seal on the photograph in addition to signing the form.

(3) The licensing authority may decline to accept a medical certificate of fitness granted more than one month before the date of application for the grant or renewal of a conductor's licence, as the case may be.

(4) Notwithstanding anything contained in the Ordinance, any licensing authority may require, as a condition of continuing to hold a conductor's licence the holder thereof to furnish a fresh medical certificate in the Form mentioned in sub-rule (1) signed as required by sub-section (3) of section 24, if the licensing authority has reasons to believe that the holder of the conductor's licence is by virtue of any disease or disability, unfit to act as a conductor of a stage carriage or contract carriage.

42. Form of conductor's licence.—Every conductor's licence shall be in Form L. Com. and there shall be affixed on it the duplicate signature or thumb impression given on the form of application for the conductor's licence and one of the photographs referred to in sub-section (3) of section 24.

43. **Extent of validity of conductor's licence.**—A conductor's licence issued under the Ordinance shall be effective within the region in which it is issued unless otherwise specified by the issuing authority.

44. **Conductor's badge.**—(1) The conductor of a stage carriage or a contract carriage shall display on his left breast a metal badge in the form illustrated in the sixth Schedule to these rules issued by and inscribed with the name of, the authority by which the conductor's licence is issued and the word "Conductor" together with an identification number.

(2) A conductor shall not hold more than one such badge issued by any authority.

(3) The fee for the issue of a conductor's badge as aforesaid shall be ten taka. If the badge is lost or destroyed a duplicate badge shall be issued, by the authority which issued it, on payment of ten taka, and upon return to the issuing authority of a badge or a duplicate badge the conductor shall be entitled to a refund of five taka:

Provided that where the actual cost incurred by the Government for a badge exceeds ten taka, the Government may direct that such actual cost shall be charged as the fee under this sub-rule.

(4) If at any time a conductor's licence is suspended or cancelled by a competent authority or by any Court or ceases to be valid by the efflux of time, the conductor shall, within seven days, of such suspension cancellation or, as the case may be cessation, surrender the badge to the authority by which it was issued.

(5) No conductor shall lend or transfer the badge prescribed in these rules to any other person.

(6) Any person finding a conductor's badge shall, unless he returns the same to a person whom he knows to be the holder forthwith surrender it to the authority by which it was issued or to a police station.

45. **Production of conductor's licence.**—The conductor of a stage carriage or a contract carriage shall at all times, when on duty, carry his licence and shall produce it on demand by any police officer of or above the rank of Sub-Inspector of Police or by the Director, Road Transport Maintenance or any officer authorised by him in this behalf or any Magistrate of the first or second class or any Inspector of Motor Vehicles.

46. **Minimum educational qualification for holding a conductor's licence.**—For holding a conductor's licence under the Ordinance a person not being a foreign national, must be able to read and write either Bengali or English.

47. **Temporary authorisation in lieu of conductor's licence.**—(1) When the holder of a conductor's licence has submitted the conductor's licence to a licensing authority or any other authority for renewal or for endorsement of punishment or when a police officer or any other authority or any court has taken temporary possession of a conductor's licence for any purpose other than that of sub-section (2) of section 161 and the conductor's licence has not

been suspended or cancelled, the licensing authority or other authority or police officer or the Court, as the case may be, shall furnish him with a receipt for the conductor's licence and a temporary authorisation in Form L. Tem. to act as a conductor.

(2) When a police officer or any other authority seizes a conductor's licence under sub-section (2) of section 161 he shall give the person surrendering the conductor's licence a temporary authorisation in Form L. Tem. A. to act as a conductor under sub-section (3) of the said section.

(3) Production of authorisation in Form L. Tem. or L. Tem. A. shall be deemed to be production of the conductor's licence.

(4) Until the conductor's licence has been returned to the holder he shall not be entitled to act as a conductor (without being in possession of his conductor's licence) beyond the period specified in the temporary authorisation as aforesaid:

Provided that the licensing authority or the Court or the police officer or other authority, as the case may be, by which the temporary authorisation as aforesaid was granted may extend the period of validity of the temporary authorisation until the conductor's licence is returned, suspended or cancelled.

(5) No fee shall be charged in respect of any temporary authorisation in Form L. Tem. or L. Tem. A.

48. Authority to disqualify a conductor.—(1) Any Magistrate of the first or second class or any police officer of or above the rank of Deputy Superintendent of Police or any Inspector of Motor Vehicles shall have authority to disqualify a person from holding a conductor's licence under sub-section (1) of section 28 for a period not exceeding three months.

(2) The authority acting sub-rule (1) shall make a report of his action to the licensing authority which issued the conductor's licence and to the authority which renewed it last.

(3) The authority shall on the expiry of the period of disqualification return the conductor's licence to the holder thereof and if it is not the authority which issued the conductor's licence shall send intimation to the authority.

49. Certain provisions of Chapter-II of these rules to apply to conductor's licence.—The provisions of rule 11, rule 13 except sub-rule (7), rule 14 except sub-rule (4), rule 16 except sub-rule (3), rule 16, rule 21, rule 26, rule 29, rule 30 and 33 shall, so far as may be, apply in relation to a conductor's licence, as they apply in relation to a professional driving licence.

50. Renewal of conductor's licence.—An application for the renewal of conductor's licence shall be made in person to the appropriate authority.

51. Revocation under section 2 and disqualification under sections 28 and 29.—(1) Any licensing authority or any Court or any Transport Authority or any other authority which revokes a conductor's licence under section 26 or declares the holder of a conductor's licence disqualified under section 28 or 29, shall take possession of the conductor's licence, endorse it accordingly and

send intimation of such revocation or declaration, as the case may be, to the authority by whom the conductor's licence was issued and may send the conductor's licence to that authority.

(2) Every order disqualifying a conductor under the Ordinance or these rules shall be communicated to the Director, Road Transport Maintenance and shall be published in the Police Gazette.

52. Exemption in certain cases.—Sub-section (1) of section 23 shall not apply to—

- (a) a driver of a stage carriage or a contract carriage when such driver performs the functions of a conductor with the prior permission in writing from the Transport Authority which issued the permit relating to the vehicle; and
- (b) a person during the period he receives instruction or gains experience, with the prior permission in writing of the licensing authority in whose jurisdiction he resides, with the object of presenting himself for the test:

Provided that the permission granted under this clause shall remain valid for a period not exceeding one month.

53. Supervision on licensing authorities.—(1) The Director, Road Transport Maintenance or any other officer authorised by the Government in this behalf, shall have power to inspect the office of the licensing authority at any reasonable time shall make a report to the Government by the 31st January each year on the performance of each licensing authority.

(2) Every licensing authority shall maintain such statistics and shall send such returns as may be required by the authority as aforesaid under sub-rule (1) or by the Government from time to time.

54. Appellate authority.—The authority specified under sub-rules (1) and (2) of rule 35 shall be the authority to hear appeals that may be preferred under section 26, section 27 and section 28.

55. Conduct and hearing of appeals.—The procedure laid down in rule 36 for the conduct and hearing of appeal shall apply to all appeals preferred under Chapter-III of the Ordinance.

CHAPTER-IV.

REGISTRATION OF MOTOR VEHICLES

56. Registering authority.—The registering authority for the registration of motor vehicles shall be—

- (a) in a metropolitan area, the Deputy Commissioner of Police (Traffic) or any other officer authorised by the Government in this behalf; and
- (b) elsewhere, the Superintendent of Police or any other officer authorised by the Government in this behalf.

57. **Procedure of registration.**—(1) Upon receipt of an application for the registration of a motor vehicle under section 34 the registering authority shall give an acknowledgement to the applicant and shall enter the application in a register to be called the Register of Applications for Registration of Motor Vehicles which shall contain the following information, namely—

- (a) serial number;
- (b) date of receipt;
- (c) name and address of the applicant;
- (d) purpose of the application;
- (e) amount received as registration fee;
- (f) to whom despatched for disposal;
- (g) date of despatch;
- (h) decision on the application; and
- (i) remarks.

(2) The registering authority shall make such enquiry as may be reasonably necessary to establish the identity of the owner of the motor vehicle and to ascertain—

- (a) if the vehicle has been previously registered under the Ordinance;
- (b) if the applicant has mentioned any address other than that of the owner given in the invoice or sale receipt; and
- (c) if the applicant has in the case of a transport vehicle enclosed, among other documents a copy of the maker's specifications and the body building data and a copy of the blue print.

(3) The registering authority shall then endorse the application to the concerned Inspector of Motor Vehicles and shall simultaneously call upon the applicant to produce the vehicle before the Inspector of Motor Vehicles for inspection.

(4) On receipt of an application endorsed by the registering authority the Inspector of Motor Vehicles shall register the application in a register to be called the Register of Applications for Registration of Motor Vehicles which shall contain the following information, namely:—

- (a) serial number;
- (b) date of receipt;
- (c) name and address of the applicant;
- (d) purpose of the application;
- (e) amount received as inspection fee;
- (f) date fixed for inspection;
- (g) comments on the application;
- (h) particulars of the vehicles inspected;
- (i) to whom despatched for disposal;
- (j) date of despatch; and
- (k) remarks.

- (5) The Inspector of Motor Vehicles shall be required to satisfy themself—
- (a) that the particulars given in the application pertaining to the vehicle including the chasis and engine identification numbers are correct;
 - (b) that the vehicle complies with the requirements of Chapter VI of the Ordinance and of the rules made thereunder and it is not mechanically defective;
 - (c) that the alteration and modification, if any, done is not likely to constitute any danger to the public safety;
 - (d) that the vehicle has been assigned correct laden weight, axle weight and seating capacity and that the weight or the capacity so assigned is not higher than that certified by the maker or permissible under the law;
 - (e) that the owner has paid the inspection fee prescribed under clause (c) of sub-rule (10) of rule 68 and shall send his comments to the registering authority.

(6) The registering authority having been satisfied—

- (a) that the identity of the owner has been established;
- (b) that the owner has mentioned in the application for registration only one address being the address given in the invoice or sale receipt;
- (c) that the observations and comments made by the Inspector of Motor Vehicles are in favour of registration;
- (d) that the owner has paid the requisite fee for registration;
- (e) that the owner has obtained an insurance policy as required by Chapter IX of the Ordinance; and
- (f) that the owner has furnished, in a case other than temporary registration, a clearance certificate from the previous registering authority shall issue a certificate of registration in favour of the owner indicating only one address of the owner and shall direct him to report to the concerned Inspector of Motor Vehicles for obtaining certificate of fitness as required under section 47 and shall also to pay the taxes, if any, payable on the motor vehicle to any of the authorised post offices within fifteen days from the date of registration.

58. Entry of laden weight of transport vehicles in the certificate of registration.—(1) No owner of a transport vehicle registered before the commencement of these rules shall permit or cause or allow the vehicle to be driven in any public place, unless the maximum safe laden weight and the maximum safe weight of each axle are entered in the certificate of registration of such vehicle in accordance with the notification under sub-section (1) of section 46.

(2) An application in Form RLW for the entry of maximum safe laden weight and the maximum safe weight for each axle shall be made to the registering authority in whose jurisdiction the vehicle is ordinarily kept.

(3) Upon receipt of an application under sub-rule (2), the registering authority shall endorse the application to the concerned Inspector of Motor Vehicles and shall call upon the registered owner to produce the vehicle before the Inspector of Motor Vehicles at such time and place as the Inspector may appoint.

(4) After the inspection of the vehicle and making such other enquires as he may deem necessary, the Inspector of Motor Vehicles shall assign a safe laden weight to the vehicle and also fix safe weight for each axle and shall forward the application to the registering authority with his comments and the registering authority shall upon the registered owner to produce the certificate of registration to it and shall enter in the certificate of registration the weights determined by he Inspector of Motor Vehicles.

(5) If the registering authority assigning the registered laden weight and the registered axle weights in accordance with this rule is not the authority which issued the certificate of registration, he shall inform that authority.

(6) The registered laden weight to be assigned to a transport vehicle shall, if the certificate of the manufacturer in respect thereof is not produced or if the notification under sub-section (1) of section 46 is not issued, be equal to the unladen weight of the vehicle plus,—

- (a) in the case of a vehicle with not more than four wheels, 125 percentum of the unladen weight; and
- (b) in the case of a vehicle with six or more wheels, 150 percentum of the unladen weight:

Provided that the laden weight so assigned shall not exceed the weights specified for each tyre under the Seventh Schedule to the Ordinance.

59. Assignment and exhibition of registration marks.—(1) The registration marks to be assigned to a motor vehicle under sub-section (3) of section 34 shall consist of the name of the district or area specified in the second column of the Sixth Schedule to the Ordinance and one of the Bengali letters specified in the second column against the class or classes of the vehicles in the first column of the First Schedule to these rules and numerals as the provisions of sub-rule (3).

(2) The registration marks shall be in Bengali letters and numerals and shall be exhibited without any ornamentation or design,—

- (a) in the case of a transport vehicle, in black on a white ground;
- (b) in the case of a temporary registration under section 36 in red on a yellow ground;
- (c) in the case of registration marks allotted to dealers in motor vehicles or assumbler or manufacturer thereof, in white on a red ground; and
- (d) in all other cases, in white on a black ground.

(3) The registration marks shall be in four parts and be written in two horizontal lines. The first line shall show the name of the district or area as specified in the second column of the Sixth Schedule to the Ordinance and the second line shall consists of three parts, namely, the first part shall consist of the Bengali letters specified in the second column against the class or classes of vehicle in the first column of the First Schedule to these rules and the second part shall be separated by a hyphen and shall consists of two figures, namely, 01 to 09 and the third part shall be separated by a hyphen and shall be the number of the vehicle not exceeding four figures, namely, 0001 to 9999 in the respective series assigned to different classes of motor vehicles.

(4) The registration mark shall be clearly and legibly exhibited on a plane surface of a plate or part of the vehicle both at front and rear facing direct to the front or rear, as the case may be, in the manner hereinafter specified. These plates or parts of the vehicle shall not bear any other sign, letters, or ornamentation.

(5) In the case of buses and trucks, the registration marks shall be exhibited on a plate 15" inches long and $8\frac{1}{2}$ " inches wide, the dimensions of the letters indicating the name of the district or area shall not be less than 3" inches high and $\frac{1}{2}$ " inch thick at any part, the letter or letters signifying the class of the vehicle and the numerals shall not be less than $3\frac{1}{2}$ " high and $\frac{3}{8}$ " thick at any part, and there shall be a space from the edge of the plane surface of not less than $\frac{1}{2}$ " and a space between any two numerals and between any two letters of not less than $\frac{3}{8}$ ". The hyphen between the letter and the numerals shall not be less than 1".

(6) In the case of a motor cycle, motor cab rickshaw or an invalid carriage, the dimensions of all letters and numerals shall not be less than $1\frac{1}{2}$ " high and $\frac{2}{8}$ " thick in any part.

(7) The plane surface referred to in sub-rule (4) shall not be inclined from the vertical by more than 30 degrees. The letters and numerals shall be exhibited in the manner specified in sub-rule (3).

(8) In the case of cars, jeeps, station wagons, minibuses and pick ups, the registration marks shall be exhibited on a plate 14" long and $6\frac{1}{2}$ " wide, the dimensions of the letters and numerals shall not be less than $2\frac{1}{2}$ " inches high and $\frac{1}{2}$ " inch thick in any part and there shall be a space from the edge of the plane surface of not less than $\frac{1}{2}$ " and space between any two letters and between any two numerals shall not be less than $\frac{3}{8}$ " inch. The hyphen between the letters and the numerals shall not be less than $\frac{3}{8}$ " inch.

(9) Notwithstanding anything contained in sub-rule (4), the registration mark exhibited at the front of a motor cycle or of an invalid carriage may be displayed in a line with the axis of the vehicle and shall in such case be displayed on both side of the plate.

(10) The registration mark exhibited under sub-rule (4) at the rear of a transport vehicle shall be fixed to the vehicle at such a height from the ground, but not exceeding six feet, as may be reasonable practicable having regard to the type of body of the vehicle.

(11) The registration mark as referred to in the preceding sub-rules shall not be exhibited on any polished metallic surface.

(12) The registration mark to be exhibited shall be painted on the plate and not otherwise.

(13) The motor vehicles registered before the commencement of these rules shall be assigned new registration marks in accordance with these rules within three months from the date of the commencement of these rules and the registration marks shall be corrected and exhibited accordingly.

60. **Exhibition of registration mark of trailers.**—(1) The registration mark of a trailer shall be exhibited on a plane plate or surface on the left hand side of the trailer. The dimensions of the letters, figures, space and margin shall be not less than two-thirds of the dimensions prescribed in respect thereof in sub-rule (5) of rule 59.

(2) The registration mark of the drawing motor vehicle required by the Ordinance to be affixed to the rear of a trailer shall be in conformity with all the provisions of these rules in relation to the registration mark affixed to the rear of a motor vehicle.

61. Particulars to be printed on transport vehicles.—(1) Save in the case of motor cabs or trailers of the nature specified in clause (i) of sub-section (3) of section 51, the following particulars in respect of every transport vehicle shall be exhibited on the left hand side of the vehicle, namely:—

- (a) the name of the owner as set forth in the certificate of registration and his address in brief;
- (b) the unladen weight denoted by U.W.....Kgs.
- (c) the registered laden weight denoted by R.L.W.....Kgs.
- (d) the number of passengers from whom accommodation is provided denoted by Pass.....
- (e) the registered front axle weight denoted by F.A.W.....Kgs
- (f) the registered rear axle weight denoted by R.A.W..... Kgs.
- (g) the registered axle weight, each intermediate axle, if any, denoted by M.A.W.....kgs.
- (h) insurance policy number and the name of insurer denoted by IP. No. and Insr. respectively;
- (i) identification number of the chassis denoted by Ch. No.....
- (j) identification number of the engine denoted by Eng. No.....
- (k) the number and size of tyres—
 - (i) front axle denoted by.....Nos.....X.....
 - (ii) rear axle denoted by..... Nos..... X.....
 - (iii) intermediate axle denoted by..... Nos..... X.....

(2) The weights shall be stated in kilograme and the particulars shall be set forth in Bengali letters and numerals each being not less than one inch high and one inch wide legibly painted on a plane surface or a plate or plates affixed to the vehicle.

(3) The transport vehicles registered under section 48 need not exhibit the particulars at clauses (a), (d), (h) and (k) of sub-rule (1).

62. Procedure of registration of motor vehicles of diplomatic officers, etc.—(1) Any motor vehicle which is the property or for the time being under the exclusive control of—

- (a) a diplomatic, consular or trade mission accredited to the Government of Bangladesh or of any member thereof;
- (b) the United Nations;
- (c) the International Red Cross;
- (d) aid missions, experts officials and or international relief agencies coming under any agreement with the Government;

and has been imported free of duty, shall be registered only by the special registering authority under sub-rule (2) and shall carry a special registration mark assigned to it.

(2) For the purpose of sub-section (1) of section 35 and of these rules, the Director, Road Transport Maintenance shall be the special registering authority.

(3) An application by or on behalf of the owner of vehicle for special registration shall be in Form H as set forth in the First Schedule to the Ordinance, and shall contain the information required by that form.

(4) The special registering authority shall make such enquiries as it may deem necessary and if satisfied shall issue the owner thereof a certificate of registration in Form 'I' as set forth in the First Schedule to the Ordinance and shall enter in a record to be kept by it the particulars of such certificate.

(5) The special registering authority shall assign to the vehicle for display thereon a distinguishing registration mark in the manner hereinafter prescribed.

(6) The special registration mark shall contain three items, each item being separated by a hyphen or sufficient blank space.

(7) The first item referred to in sub-rule (6) shall be—

- (a) the letters “দূত” in the case of a vehicle which is the property, or for the time being under the exclusive control, of a member of a foreign diplomatic mission enjoying diplomatic privileges and status;
- (b) the letter “ককো” in the case of a vehicle which is the property, or for the time being under the exclusive control, of a member of a foreign trade or consular mission;
- (c) the letter “জ” in the case of a vehicle which is the property, or for the time being under the exclusive control, of a member of a foreign diplomatic mission not enjoying diplomatic privileges and status;
- (d) the letters “জাস” in the case of a vehicle belonging to United Nations and its agencies;
- (e) the letters “সাস” in the case of a vehicle belonging to aid missions, experts, officials and international relief agencies coming under any agreement with the Government; and
- (f) the letter “রেক্র” in the case of a vehicle belonging to International Red Cross.

(8) The second item shall be the series consisting of the two numerals assigned by the special registering authority to the diplomatic, consular or trade mission or United Nations and its agencies, aid missions or International Red Cross, or international relief agencies coming under any agreement with the concerned to which the vehicle belongs or to a member thereof to whom the vehicle belongs.

(9) The third item shall be the serial number of the vehicle, not exceeding 9999 registered in the respective series.

(10) The special registration marks shall be exhibited on a plate with yellow ground, the letters and the numerals shall be in black in a horizontal line written in the manner specified in sub-rule (6) and the size of the letters and numerals shall may be maintained as per as practicable, according to the size prescribed for different types of vehicles under sub-rule (5), sub-rule (6) and sub-rule (8) of rule 59.

(11) While issuing the certificate of registration, the special registering authority shall ask the diplomatic, consular or trade mission or any member thereof, United Nations, International Red Cross, aid missions, experts, officials and international relief agencies coming under any agreement with the Government owning the vehicle to get it physically verified and to get a certificate of such verification recorded in the certificate of registration within one month from the date of issue of the certificate of registration by any Inspector of Motor Vehicles.

(12) The special registering authority may charge such registration fee as may be notified by the Government from time to time and such fee for the supply of the number plate to the owner of the vehicle as may be notified by the Government.

(13) When a motor vehicle carrying special registration marks is transferred or sold or does no longer remain the property of the diplomatic, consular or trade mission or any member thereof, United Nations, experts, officials and international relief agencies coming under any agreement with the Government it shall cease to display special registration marks and shall surrender the certificate of registration to the special registering authority.

(14) The special registering authority or any other officer authorised by the Government in this behalf, may suspend or cancel the special registration for reasons to be recorded in writing.

(15) When the special registration is suspended or cancelled in accordance with the preceding sub-rule (n), an appeal may be preferred within thirty days of the order to the Secretary, Roads and Road Transport Division.

(16) The motor vehicles registered before the commencement of these rules shall be assigned new registration marks in accordance with these rules within three months from the date of the commencement of these rules.

(17) The previous certificate of registration shall be surrendered and shall be cancelled by the special registering authority which issued it.

63. **Temporary registration.**—(1) An application for temporary registration under sub-section (1) of section 36 shall be made to any registering authority in Form H as set forth in the First Schedule to the Ordinance within three days of the purchase or taking delivery of the vehicle and shall be clearly marked 'temporary'.

(2) It shall not be necessary to fill in items 21 to 23 of the Form as aforesaid notwithstanding that the vehicle may be a transport vehicle.

(3) A temporary certificate of registration shall be in Form CR Tem. and shall have affixed on it the fee for temporary registration.

(4) The authority granting a temporary certificate of registration shall in all cases forward a copy of Form CR Tem. to the registering authority in whose area the vehicle is to be ordinarily kept and permanently registered.

(5) The authority granting temporary certificate of registration shall assign a temporary registration mark to the vehicle and the owner shall cause the said mark to be affixed to the front and rear of the motor vehicle in the manner prescribed for registration marks in these rules.

(6) The temporary registration marks assigned under sub-rule (5) shall consist of three parts—the first part shall be the name of the district or area specified in the second column of the Sixth Schedule to the Ordinance and the second part shall be a consecutive serial number for the calendar year not exceeding four digits and the third part shall be separated by any oblique and shall be the year of registration in numerals.

(7) The period of validity of a temporary certificate of registration may be extended in the circumstances and upto the period specified in the proviso to sub-section (2) of section 36 by the registering authority who will grant register the vehicle permanently on payment for each such month or a fraction thereof fee equal to the fee for temporary registration prescribed under sub-rule (8).

(8) The fee for temporary registration shall be twenty taka.

64. Transfer of ownership.—(1) Intimation of transfer of ownership of a motor vehicle shall be given by the transferer and the transferee in Form TTO and Form TO respectively as per provision of sub-section (1) of section 40.

(2) Upon receipt of Form TTO and Form To and the fee prescribed under sub-rule (2) of rule 74 for the registration of transfer of ownership, the registering authority shall call upon the owner to produce the vehicle to the Inspector of Motor Vehicles for verification of particulars and endorsement of certificate of fitness and, if the registering authority is satisfied that the transferee is not a defaulter for non-payment of any tax due to him, shall enter the particulars of transfer of ownership in the certificate of registration.

(3) Intimation of transfer of ownership to the original registering authority and to the Inspector of Motor vehicles shall be in Form CRTI.

(4) No particulars of transfer of ownership shall be entered in the certificate of registration unless the vehicle is registered in the name of the transferer.

65. Procedure regarding vehicle under hire purchase or hypothecation.—

(1) When in an application for the registration of a motor vehicle or in an application for the transfer of ownership of a motor vehicle under section 40, the parties to an agreement of hire purchase or hypothecation declare, in the form of the note endorsed on Form H as set forth in the First Schedule to the Ordinance or in Form To, as the case may be, that the vehicle is the subject of such agreement, the registering authority shall complete and put its signature to the note appended to Form I as set forth in the First Schedule to the Ordinance but shall not be required to satisfy itself as to the title of the two parties in the vehicle nor shall the note endorsed in Form I as aforesaid in any way affect the title of any party.

(2) If, upon termination of an agreement of hire-purchase or hypothecation or otherwise, the registered owner and the other party desire that the note on the said Form I relating to such an agreement shall be cancelled, they shall apply in Form H P Ter to the registering authority by whom the vehicle was registered.

(3) Nothing contained in this rule shall prevent a registering authority from recording a change of the address of the registered owner on the certificate of registration as provided in section 39 nor shall the registering authority be required to inform the other party to an agreement of hire-purchase or hypothecation of the change of address, but the registering authority shall not record any transfer of ownership of a motor vehicle under section 40 so long as the certificate of registration contains the note of an agreement of hire-purchase or hypothecation unless the other party to that agreement signifies his consent to such transfer by endorsement upon Form T.O.

(4) If a note in respect of an agreement of hire-purchase or hypothecation is to be endorsed on a certificate of registration there shall be payable in addition to the registration fee of one hundred taka, but fee shall be payable in respect of the cancellation of the note under sub-rule (2).

(5) These shall be payable in addition to the ordinary fee for recording transfer of ownership a further fee of five taka when the transfer is of a vehicle which is the subject of an agreement of hire-purchase or hypothecation.

66. Alteration and modification in motor vehicles.—(1) The notice by the owner under sub-section (1) of section 42 an alteration in a motor vehicle shall be in Form CTI.

(2) No particulars of alteration or modification, whether made with or without approval of the registering authority, shall be entered in the certificate of registration unless it is certified by the Inspector of Motor Vehicles that the alteration or modification made is not contrary to the laws relating to motor vehicles and is not likely to affect safety and environment.

(3) No person shall alter or modify any motor vehicle or any of its items so as to render its condition as such that the use of the vehicle in a public place would be in contravention of Chapter VI of the Ordinance or of any rules made thereunder or use of which may constitute danger to public safety.

(4) No owner shall cause or permit any modification to be made in his motor vehicle or to any of its item unless he obtains a certificate from the concerned Inspector of Motor Vehicles that the modification proposed is not contrary to the laws relating motor vehicles or is not likely to affect safety or environment.

(5) No modification shall be made in the following items, namely:—

- (a) the braking system;
- (b) the complete steering unit;
- (c) the suspension items;

- (d) the chassis and underframe including removal of bumpers; and
- (e) the body shell.

(6) The fee for recording an alteration to the motor vehicles in the certificate of registration under section 42 shall be fifteen taka.

67. **Suspension and cancellation or registration.**—(1) Any Magistrate of the first or second class, any police officer of or above the rank of Deputy Superintendent or the Director, Road Transport Maintenance or any Inspector of Motor Vehicles may suspend the certificate of registration of a motor vehicle under section 43.

(2) The authority which suspends a certificate of registration may, by an endorsement, specify the time within which the vehicle may be driven to a specified destination for the purpose of repair, grant of permit and certificate of fitness.

(3) The owner of the vehicle, the certificate of registration of which has been suspended under section 43 may at any time apply to the authority which suspended the registration for the restoration of the certificate of registration if the vehicle has been repaired in such manner as the provisions of Chapter VI of the Ordinance and the rules made thereunder are complete with or if the permit and the certificate of fitness, as the case may be, have been granted to it.

(4) A certificate of registration suspended under clause (a) of sub-section (1) of section 43 shall not be restored unless it is certified by the concerned Inspector of Motor Vehicles that the defects have been remedied and the vehicle for the time being complies with the requirements of Chapter VI of the Ordinance or of the rules made thereunder.

(5) If, after an inspection, a vehicle is passed fit within fourteen days of suspension of certificate of registration or if the vehicle is granted a permit or a certificate of fitness, as the case may be, within one month of suspension, the certificate of registration may be restored and no restoration fee except fee for inspection as prescribed under sub-rule (10) of rule 68 shall be charged.

(6) If the vehicle is not passed fit or granted permit or the certificate of fitness within the period as aforesaid in sub-rule (5), the certificate of registration shall only be restored on payment of fee equal to the fee for registration and a note of such restoration shall be entered in the certificate of registration in red ink.

(7) A certificate of registration shall not be cancelled under sub-section (3) of section 44 unless the conditions specified therein in the said sub-sections are certified by the concerned Inspector of Motor Vehicles.

(8) Any owner of a motor vehicle aggrieved by an order made under sub-rule (1) may, within thirty days of the date on which he has received notice of such order, appeal against the order,—

- (a) in a case where the certificate of registration was issued in a metropolitan area, to the Commissioner of Police within which the cause of the appeal has arisen or any other officer authorised by the Government in this behalf; and

(b) in other cases, to the Commissioner of the Division within which the cause of the appeal has arisen or any other officer authorised by the Government in this behalf.

(9) The procedure specified in rule 36 for the conduct and hearing of appeals shall apply to all appeals preferred under sub-rule (8).

68. Issue and renewal of certificate of fitness.—(1) A certificate of fitness under section 47 shall be granted and renewed by the Inspector of Motor Vehicles after an inspection of the vehicle by him as per inspection manual as set forth for different types of vehicles in the.....Schedule:

Provided that a certificate of fitness of motor vehicles specified by the Government, may be renewed by the manager of the motor vehicles repairing workshop (hereinafter referred as motor workshop) of a specified area licensed under rule 70 and specially authorised under sub-section (2) of section 47:

Provided further that a certificate of fitness shall be accompanied by a vehicle testing report in Form VTR duly signed by the Inspector of Motor Vehicles or the manager of the authorised motor workshop, as the case may be.

(2) An application for the grant or renewal of a certificate of fitness shall be made in Form CFA or CFRA, as the case may be, to the Inspector of Motor Vehicles in whose jurisdiction the owner permanently resides or has place of business where the vehicle is ordinarily kept provided the place of business has been registered as the address of the owner or to the Inspector of motor vehicles where functional area includes the major portion of the route or area to which permit relating to the vehicle extends:

Provided that where the application for the grant or renewal of certificate of fitness relates to a motor vehicle specified by the Government the application may be made to the manager of authorised motor workshop of the area concerned :

Provided further that after renewal of the certificate of fitness, the manager shall make necessary entries in the inspection book to be kept in his office and shall return the application forms alongwith adhesive stamps and a copy of Form VTR to the Inspector of Motor Vehicles of the area for verification and record.

(3) The application under sub-rule (2) shall be accompanied by the fee prescribed in sub-rule (10):

Provided that if an application for grant or renewal of a certificate of fitness is made after fifteen days of the registration or after the date of expiry of the last certificate of fitness, as the case may be, such application shall be accompanied by an additional fee at the rate of 50% of the fee prescribed for a certificate of fitness under clause (a) or clause (b) of sub-rule (10), as the case may be, for each month or a fraction thereof subsequent to the period of time mentioned above:

Provided further that no additional fee may be charged, if the owner informs the Inspector of Motor Vehicles in advance in writing, stating the reasons therein that he does not propose to obtain certificate of fitness and surrenders to the registering authority the certificate of registration and other relevant documents issued to him authorising the use of the vehicle in a public place.

(4) Upon receipt of an application for grant or renewal of a certificate of fitness the Inspector of Motor Vehicles shall register the application in a register for applications which shall contain the following informations:

- (a) serial number;
- (b) date of receipt;
- (c) registration mark of the vehicle;
- (d) amount of the stamps affixed;
- (e) date fixed for inspection;
- (f) decision on the application; and
- (g) remarks.

(5) Upon receipt of an application for renewal of a certificate of fitness, if the certificate cannot be renewed before the date of expiry, the Inspector of Motor Vehicles, if satisfied that the vehicle is fit for use, may extend the validity of the certificate by such period or periods not exceeding thirty days pending consideration of the application for the renewal of certificate of fitness after inspection of the vehicle.

(6) A certificate of fitness to a newly registered vehicle shall be granted by the Inspector of Motor Vehicles in whose functional area the vehicle has been registered, and in the case of transfer or removal of the vehicle to the area of another Inspector of Motor Vehicles, by that other Inspector on production of a clearance certificate from the Inspector in whose area the vehicle was registered.

(7) On transfer or on removal of a motor vehicle outside the functional area of the Inspector by whom the owner shall obtain a clearance certificate from the said Inspector of Motor Vehicles and the Inspector of Motor Vehicles who shall be required to grant or renew the certificate of fitness shall not do so unless the clearance as aforesaid is produced to him.

(8) The Inspector of Motor Vehicles by whom a certificate of fitness was last granted or, if it has been renewed, the Inspector by whom it was last renewed, may endorse thereon the date, time and place appointed for the next inspection of the vehicle and the owner shall cause the vehicle to be produced accordingly:

Provided that if the owner finds that the vehicle cannot be produced for the next inspection on the date endorsed on the certificate of fitness, he shall not less than fifteen days prior to the aforesaid date, apply to the Inspector of Motor Vehicles for the change of the date of inspection stating the reasons for such a change:

Provided further that the vehicle need not be so produced, if the owner proposes in advance not to renew the certificate of fitness or if the vehicle is transferred to the area of another Inspector of Motor Vehicles, but in either of these cases the owner shall, before the date fixed for inspection, inform the Inspector of Motor Vehicles who made the endorsement, in writing that he does not propose to produce the vehicle, stating the reasons therefor.

(9) If the certificate has not been endorsed as provided in sub-rule (8), the owner shall, not less than one month before the date of expiry of the certificate of fitness, make application for its renewal in Form CFRA and shall cause the vehicle to be produced for inspection on such date and at such time and place as the Inspector of Motor Vehicles may thereafter, upon reasonable notice, appoint.

(10) The fee for the grant or renewal of a certificate of fitness and the fee for the inspection of a motor vehicle thereof shall be—

- (a) for each heavy motor vehicle, sixty taka;
- (b) for any other motor vehicle, forty taka; and
- (c) for each inspection of a motor vehicle, twenty taka.

(11) The fee under sub-rule (10) shall not be refunded even if the vehicle is declared unfit and a certificate of fitness is not granted or renewed, but in that case the reasons for refusal or rejection shall be communicated by the Inspector of Motor Vehicles or by the manager of the motor workshop, as the case may be, to the owner or the incharge of the vehicle in Form CFRR and a copy of the said form shall be kept as record.

(12) In a case where the certificate of fitness is to be renewed by the manager of an authorised motor workshop, the inspection fee may be paid to the manager or his authorised representative in cash on receipt of an acknowledgement or in any other manner as may be specified by the Government.

(13) If upon production of a vehicle for inspection for the grant or renewal of a certificate of fitness the vehicle has been inspected twice and the certificate of fitness refused or if a period of two months have elapsed from the date the application was made or from the date on which the defects were notified, a fresh application accompanied by the fee prescribed under sub-rule (10) shall be made.

(14) On grant or renewal of a certificate of fitness, the Inspector of Motor Vehicles or the manager of motor workshop, as the case may be, shall maintain record of such certificate in a register to be called the Register of "Grant and Renewal of Certificate of Fitness" which shall contain the following information, namely:—

- (a) serial number of the certificate;
- (b) registration number of the vehicle;
- (c) date of registration;
- (d) make and model of the vehicle;
- (e) year of manufacture of the vehicle;
- (f) name of route or area;
- (g) name of the authority who granted or renewed the last certificate of fitness;
- (h) period for which the certificate of fitness has been granted or renewed;

- (i) amount received as fee and additional fee and the fee for inspection;
- (j) signature of the authority who granted or renewed the certificate of fitness; and
- (k) remarks.

(15) There shall not be more than one certificate of fitness in respect of any vehicle.

(16) The Inspector of Motor Vehicles by whom the certificate of fitness was granted or, if it was renewed, the Inspector or the manager by whom it was renewed shall specify in the certificate, the route or area for which the certificate is valid and when such vehicle is removed or transferred to any other route or area the owner shall, notwithstanding that the certificate of fitness is in force produce the vehicle to the Inspector or manager of that the area concerned, as the case may be, for the endorsement of certificate of fitness on payment of inspection fee prescribed under clause (c) of sub-rule (10).

(17) If, owing to any mechanical break down or any other cause, a motor vehicle is, after the expiry of the certificate of fitness, outside the functional area of the Inspector or manager by whom the certificate is to be renewed, an Inspector of Motor Vehicles may, without prejudice to any penalty to which the owner or driver may have become liable, if the vehicle is in the opinion fit for use, by endorsement in Form CF Sub and subject to such condition as he may specify, authorise its continued use for such time as may reasonably be necessary but not exceeding thirty days for the vehicle to return to the area of the Inspector or the Manager by whom the certificate should be renewed, and the vehicle may be driven to such area in accordance with such endorsement but shall not be used after return to that area until the certificate of fitness has been renewed.

(18) The Inspector of Motor Vehicle making the endorsement under sub-rule (17) shall send a copy of Form CF Sub to the Inspector of Motor Vehicles of the area concerned as well as to the manager of the motor workshop if the certificate should be renewed by him (the manager).

(19) If a motor vehicle in a public place is damaged at any time or found to be unsafe or unfit for ordinary use, the Inspector of Motor Vehicle shall record the reasons thereof in Form CFX and communicate them to the owner if he is in the vehicles and, if not, to the driver or incharge of the vehicle and the vehicle shall not be used thereafter in a public place save for the purpose of being driven for inspection after repair by the Inspector of Motor Vehicles competent to grant the certificate of fitness:

Provided that the Inspector of Motor Vehicles may, subject to such condition as he thinks necessary to impose, authorise the vehicle to be driven to a place of repair and may also direct that a fresh certificate of fitness shall be obtained before the vehicle can be used in a public place.

(20) On production of a vehicle for the purpose of grant or renewed of certificate of fitness or for any other purpose, the Inspector of Motor Vehicles or the manager of motor workshop, as the case may be, shall complete the inspection and road test of the vehicle within a reasonable time and the owner or the incharge of the vehicle shall provide all such facilities, including fuel, as may be necessary for inspection or test.

(21) The Inspector of Motor Vehicles or the manager of the motor workshop shall send a monthly statement by the 10th of the month following the month to which the statement relates, showing classwise, the total number of vehicles inspected, number of vehicles granted or refused certificate of fitness, and the number of vehicle whose certificate of fitness has been suspended or cancelled to the Director, Road Transport Maintenance or to any other officer authorised by him and shall send such other statements or returns as the Director may from time to time require.

69. **Cancellation and suspension of certificate of fitness.**—(1) The Director, Road Transport Maintenance or any other officer authorised by him or any Inspector of Motor Vehicles may cancel the certificate of fitness of a motor vehicle under sub-section (4) of section 47 or suspend the certificate of fitness for such period or periods as he may deem necessary if he is of the opinion that the vehicle does not comply with the provisions of Chapter VI of the Ordinance or the rules made thereunder.

(2) The driver or the owner or the incharge of a motor vehicle shall at all reasonable times, whether in a public place or not, allow the Director, Road Transport Maintenance or any officer authorised by him or any Inspector of Motor Vehicles to inspect or test the motor vehicle to ascertain if the vehicle complies with the requirements of Chapter VI of the Ordinance and the rules made thereunder or to ascertain if the use of the vehicle in a public place would endanger public safety and shall provide all such facilities, including fuel, as may be required for the inspection or test.

(3) The authority cancelling or suspending a certificate of fitness under sub-rule (1) shall give the owner or driver or other person incharge of the motor vehicle a receipt therefor and a statement in writing of the reasons for such cancellation or suspension and shall, unless the period of suspension is more than fourteen days, intimate the fact of cancellation or suspension to the original registering authority as well as to the registering authority in whose jurisdiction the vehicle was at the time of cancellation or suspension and to the Transport authority which granted the permit and shall forward the certificate to the authority by which it was last granted or renewed.

(4) The authority which cancels or suspends a certificate of fitness may, by an endorsement, specify the time within which the vehicle may be driven to a specified destination for the purpose of repair.

(5) The owner or the person incharge of the vehicle, the certificate of fitness of which has been cancelled or suspended may apply at any time for the restoration of the certificate of fitness, if the vehicle has been repaired in such a manner that the provisions of Chapter VI of the Ordinance and the rules made thereunder are complied with.

(6) If, after an inspection, a vehicle is passed fit within fourteen days of the date of cancellation or suspension of the certificate but before the date of expiry specified in such certificate, the certificate shall be restored to its original date of expiry and no restoration fee except fee for inspection as prescribed under clause (c) of sub-rule (10) of rule 68 shall be charged.

(7) If a vehicle is brought for inspection at any other time than the aforesaid period of fourteen days, a fresh certificate of fitness shall be required on payment of the fee prescribed under sub-rule (10) of rule 68.

70. Authorisation of motor workshop for renewal of certificate of fitness.—

(1) The Government may, for any specified area, authorise such number of registered motor workshops as may be necessary in consideration of the number of motor vehicles requiring renewal of certificate of fitness and may authorise the Managers of such workshops under section 47 to grant or renew certificate of fitness of motor vehicles, as may be specified by the Government:

Provided that no such motor workshop shall so be authorised unless recommended by the Selection Board under sub-rule (2) and unless such motor workshop complies with the requirements of sub-rule (3).

(2) The Selection Board for the selection of motor workshop to be authorised to renew a certificate of fitness shall consist of the following members, namely:—

- (a) Joint Secretary, Roads and Road Transport Division concerned with the administration of the Ordinance, who shall also be the Chairman of the Board;
- (b) Director, Road Transport Maintenance, who shall also be the Member-Secretary of the Board; and
- (c) such other officers, not exceeding three, as may be nominated by the Government.

(3) Before making recommendations for selection, the Board shall satisfy itself—

- (a) that the applicant is of good character and of good business repute and that his financial position is sound;
- (b) that the application has been submitted in Form AA together with a fee as may be specified (Non-refundable) by postal adhesive stamps;
- (c) that the applicant maintains efficient staff, suitable tools and equipment in his premises, sufficient space to accommodate at least 10 heavy motor vehicles or at least 10 forty two-seater buses at a time for inspection or test and have proper security arrangements for safe custody of the vehicles and proper parking space for waiting vehicles;
- (d) that the applicant is not likely to renew the certificate of fitness of any motor vehicle in which he has business interest;
- (e) that the manager of the motor workshop has requisite qualifications and experience of an Inspector of Motor Vehicles; and
- (f) that the workshop has been registered in accordance with section 84.

(4) Before granting authorisation in Form AW to motor workshop the Government shall satisfy itself—

- (a) that the proprietors of the workshop has deposited a sum of taka five thousand in the appropriate head of account as security; and in case of renewal Taka Two Thousands and
- (b) that the manager of the workshop has passed the test conducted by the Selection Committee for the appointment of Inspector of Motor Vehicles.

(5) The Government may refuse to grant authorisation to any motor workshop and, if satisfied after giving the proprietor thereof an opportunity of being heard, may, for reasons to be recorded in writing, cancel any authorisation and may also forfeit any portion or whole of the security money and, if deemed fit, may take other legal actions against the proprietor or the manager or any other staff of the motor workshop.

(6) The motor workshop shall submit a regular monthly return, indicating the leading particulars of vehicles attended, certificates of fitness granted or renewed or refused, the periods for which the certificates have been renewed and the amount of fees received by means of postal adhesive stamps and in cash, to the Director, Road Transport Maintenance and shall simultaneously endorse a copy of the same to the Inspector of Motor Vehicles of the area.

(7) Every authorised motor workshop, its records, equipment, tools and machinery shall be opened at all reasonable times to inspection by the Director, Road Transport Maintenance or any officer authorised by him in this behalf or any officer of the Roads and Road Transport Division of the rank of Deputy Secretary or above or any member of the Selection Board under sub-rule (2) or the Superintendent of Police or Deputy Commissioner having jurisdiction over the area.

(8) The Government shall be entitled to cancel the authorisation of any motor workshop at any time without assigning any reasons.

(9) The authorisation to renew the certificate of fitness shall be deemed to have been withdrawn if the manager no longer remains the employee of the authorised motor workshop and in such a case the authorisation of the motor workshop shall remain suspended until the new manager receives the approval of the Government.

(10) The Director, Road Transport Maintenance or any officer authorised by him shall inspect each authorised workshop at least once in a year and shall make a report to the Government on the performance of the motor workshops.

71. Duplicate certificate of fitness.—(1) If, at any time, a certificate of fitness is lost or destroyed or mutilated or soiled, the owner shall forthwith intimate the fact in writing to the Inspector of Motor Vehicles by whom the certificate of fitness was granted or by whom it was last renewed as the case may be, giving details of such certificate and shall apply for a duplicate copy on payment of a fee of ten taka.

(2) Upon receipt of an application together with the fee prescribed under sub-rule (1) the Inspector concerned shall make such enquiries as may be reasonably necessary and shall issue a duplicate certificate of fitness clearly stamped "Duplicate" in red ink.

(3) If, at any time when the certificate is demanded by any authority under section 101, the owner or the driver or the person incharge of the vehicle can prove that the loss or destruction of the certificate has already been reported and a duplicate certificate has not yet been delivered to him, he may be exempted from the requirement of production of the certificate under the said section 101.

72. **Exemption from certificate of fitness.**—Nothing in section 47 shall apply to any two-wheeled motor cycle other than that used for hire or reward.

73. **Sale of motor vehicles.**—(1) No person being a manufacturer or assembler or an importer or dealer in motor vehicles shall sell or offer for sale or deliver a motor vehicle or trailer so as to render its condition such that its use in a public place would be in contravention of Chapter VI of the Ordinance or any rule made thereunder.

(2) Every manufacturer or assembler or importer or dealer in motor vehicles shall furnish at the time of delivery of the vehicle the owner thereof the specifications governing—

- (a) overall length, height, width;
- (b) maximum overhangs, that is, rear, front and side;
- (c) weight of the empty vehicle, the maximum laden weight and the axle weights;
- (d) maximum capacity and power of the engine;

and shall also state the identification number of the engine and the chassis, the seating capacity (including the driver), size of tyres, class of vehicle and the correct address of the person to be the owner;

(3) No manufacturer or assembler or importer or dealer in motor vehicles shall let out any vehicle for the purpose of test, or while proceeding for delivery, transportation, registration or exhibition unless there is displayed on the vehicle trade registration marks in the manner specified under sub-rule (8) or rule 82.

74. **Registration fees.**—(1) The fee for registration of a motor vehicle shall be—

- (a) in respect of a motor cycle, fifty taka;
- (b) in respect of a motor cab-rickshaw, one hundred taka;
- (c) in respect of an invalid carriage, fifteen taka;
- (d) in respect of buses and trucks, three hundred and fifty taka;
- (e) in respect of tractors, one hundred and seventy five taka; and
- (f) in respect of any other vehicle, two hundred and fifty taka.

(2) The fee for registration of transfer of ownership under section 40 shall be half the registration fee prescribed in sub-rule (1) for different types of vehicles.

75. Exemption from registration fees.—(1) No fee shall be charged for registration of motor vehicles owned by the Anjuman Mofidul Islam, the Hindu Satkar Samity, the Jewish Burial Board or by any other similar society or organisation and used exclusively in the removal of dead bodies.

(2) No fees shall be charged for registration of motor vehicles owned by diplomatic and non-diplomatic members of foreign diplomatic missions, namely, embassies, legations and High Commissions and by foreign consular officers do carriers and trade commissioners.

(3) No fees shall be charged for registration of tractor and trailers used solely for the purpose of agriculture.

(4) No fee shall be charged for registration of motor vehicles owned by the international relief agencies recognised by the Government, United Nations and International Red Cross.

(5) No fee shall be charged for registration of motor vehicles owned by the aid missions, experts, officials and international relief agencies coming under different agreements with the Government provide for exemption of the registration fee.

76. Loss or destruction of certificate of registration.—(1) If, at any time, a certificate of registration is lost or destroyed, the owner shall forthwith intimate the fact in writing to the registering authority by whom the certificate was issued and shall apply in Form CKLD to the said authority for the issue of a duplicate certificate.

(2) Upon receipt of an application in Form CKLD together with the prescribed fee, the registering authority shall issue a duplicate certificate of registration in Form I as set forth in the First Schedule to the Ordinance clearly stamped "Duplicate" in red ink; and if a certificate of fitness was included in the registration book, the registering authority, after satisfying himself that the certificate is still in force, shall advise the owner to obtain a duplicate copy of the same from the Inspector of Motor Vehicles who granted or renewed the last certificate of fitness.

(3) No person shall be liable to be convicted of an offence under section 101 of the Ordinance, if at the time when the certificate is demanded by any authority under section 101, the owner or the driver or the incharge of the vehicle, can prove that the loss or destruction of the certificate has already been reported and a duplicate certificate has not yet been delivered to him, he may be exempted from the requirement of the production of the certificate under the said section 101.

77. Issue of fresh form of certificate of registration.—When a certificate of registration in respect of a motor vehicle has been fully used, the registering authority shall issue a fresh form at the time of renewal of certificate of fitness on payment of renewal fee only.

78. Mutilated, torn, soiled or defaced of certificate of registration.—(1) If, at any time, it appears to a registering authority or to an Inspector of Motor Vehicles that a certificate of registration or a certificate of fitness in respect of a motor vehicle is mutilated, soiled, torn or defaced or in any way ceased to be legible, the registering authority or the Inspector of Motor Vehicles, as the case may be, may impound such certificate and direct the holder thereof to apply to the registering authority by which the certificate of registration was issued or to the Inspector of Motor Vehicles by which the certificate of fitness was granted or last renewed for a duplicate for such certificate.

(2) If the registering authority which impounds such a certificate is not the authority by which the certificate was issued, it shall intimate the action taken under sub-rule (1) to the authority by which the certificate was issued.

(3) On receipt of an application under sub-rule (1) with the prescribed fee, the registering authority shall issue a duplicate certificate of registration in Form 'T' as set forth in the First Schedule to the Ordinance clearly stamped "Duplicate" in red ink, and the Inspector of Motor Vehicles shall issue a duplicate certificate of fitness in Form 'J' as set forth in the First Schedule to the Ordinance clearly stamped "Duplicate" in red ink.

79. Duplicate of certificate of registration.—(1) When a duplicate certificate of registration is issued under rule 76, 77 or 78, it shall be clearly stamped "Duplicate" in red ink and shall be marked with the date of issue of the duplicate and the seal of the registering authority.

(2) The fee payable for a duplicate certificate of registration under rule 76, 77 or 78 shall be fifteen taka and if a certificate of fitness is included in the registration book a further fee of ten taka shall be paid and the procedure under rule 70 shall thereupon apply.

(3) If the authority who issues a duplicate certificate of registration or a duplicate certificate of fitness is not the original authority by whom the certificate of registration or the certificate of fitness as the case may be, was issued, it shall intimate the fact to that authority.

80. Intimation of endorsement, suspension, cancellation, etc. to original authority of registration.—(1) When any Court or any other authority makes an endorsement in the certificate of registration or in the certificate of fitness, as the case may be, or when it suspends or cancels any such certificate, shall send intimation of the fact to the authority by whom such a certificate was issued or granted or renewed.

(2) All orders of suspension and cancellation of registration or certificate of fitness shall be published in the Police Gazette and a copy of the same shall be communicated to the Director, Road Transport Maintenance.

81. Refused registration fees.—Where the registering authority refuses to issue a certificate of registration including the duplicate of such certificate, the fee paid for the purpose shall be refunded in the manner prescribed under sub-rule..... of rule.....

82. **Exemption of motor vehicles in the possession of manufacturers or dealers.**—(1) Section 32 shall not apply to an unregistered motor vehicle in the possession of a manufacturer of, or dealer in, motor vehicle in the course of the business of the manufacture or dealer so long as it is used under the authorisation of a trade certificate granted by the registering authority within whose area the manufacturer or dealer has his place of business.

(2) Application for a trade certificate shall be made in Form TCA and shall be accompanied by the prescribed fee.

(3) The fee payable annually in advance in respect of a trade certificate shall be three hundred taka in respect of any number of certificates up to ten and one hundred and fifty taka in respect of each additional number of five or less certificates.

(4) If the registering authority declines to issue a trade certificate or issues a less number of certificate than the number specified in the application, the fee or a proportion of the fee determined in accordance with sub-rule (3) as the case may be, shall be refunded to the applicant.

(5) Upon receipt of an application for trade certificates as aforesaid the registering authority shall register the application in a register to be called "Register of Application for Trade certificate" which shall contain the following information:—

- (a) serial number;
- (b) date of receipt;
- (c) name and address of the applicant;
- (d) number of certificates applied for;
- (e) amount received as fee;
- (f) to whom sent for disposal;
- (g) date of sending;
- (h) decision on the application; and
- (i) remarks.

(6) After registering the application in the manner specified in sub-rule (5), the registering authority shall endorse the application to the Inspector of Motor Vehicles and, if satisfied on the report of the Inspector that the number of certificates applied for is reasonable in relation to the business of the applicant, issue the certificate in Form TC . Accordingly and shall assign to the applicant a series of trade registration marks.

(7) The trade registration marks to be assigned under sub-rule (6) shall consist of the name of the district or area as specified in the second column of the Sixth Schedule to the Ordinance followed by not more than three figures, namely, 001 to 999 and one of the Bengali alphabet in respect of each certificate.

(8) The trade certificate shall be attached to the registration mark in a weather proof holder, and in the manner hereunder set out—

Certificate

ঢাকা-১২৩/ক

(9) Not more than one vehicle shall be used in a public place at any one time under any one trade certificate.

(10) No person to whom a trade certificate is granted shall cause or allow it to be used upon any motor vehicle unless, save in the case of a motor cycle, the holder of the certificate or a bonafide employee of the holder is present in the vehicle and save for one of the following purposes, namely:—

- (a) for test during the course of, or after completion of, construction or repairs;
- (b) for proceeding to, or returning from, a weigh bridge for or after weightment, or to and from any place for its registration;
- (c) for reasonable trial by or for the benefit of a prospective purchaser and for proceeding to or returning from the place where such person intends to keep it;
- (d) for proceeding for the purpose of delivery to or from the premises of the dealer and from such premises to the premises of a purchaser or of another dealer;
- (e) for proceeding to, or returning from a workshop with the object of fitting a body to the vehicle or of painting or for repairs;
- (f) for proceeding to or from a railway station or wharf for or after being transported; and
- (g) for proceeding to, or returning from, an exhibition of motor vehicles or any place at which the vehicle is to be or has been offered for sale.

(11) No vehicle carrying a trade registration mark and certificate shall be used as a transport vehicle under the authorisation of any permit or otherwise.

(12) Every holder of a trade certificate shall keep a register in Form TCR and enter, or cause to be entered, in such register full and true particulars of the purposes for which the vehicle leaves his premises, of the driver in charge of any motor vehicle leaving his premises under a trade certificate and of the period during which it was in charge of driver.

(13) The register as aforesaid in sub-rule (12) shall be in bound book, the pages of which shall be numbered serially and the necessary particulars except in regard to the time of return shall be entered in it before the commencement of each trip by the holder of the certificate or his agent.

(14) The register shall be opened at all the reasonable times to inspection on demand by any police officer not below the rank of sub-Inspector or by any Inspector of Motor Vehicles or by the Director, Road Transport Maintenance or any officer authorised by him in this behalf.

(15) A duplicate copy of the entry made in the register prior to the commencement of the trip shall be carried by the driver of the vehicle and shall at the end of the trip be retained for a period of thirty days for inspection by such authority under sub-rule (14) as may inspect the register.

(16) If at any time the registering authority is satisfied on the report of any authority under sub-rule (14) or otherwise that the holder of a trade certificate has contravened any of the provisions of this rule he may, after giving the holder an opportunity of making any representation which he may wish to make, suspend or cancel any or all of the trade certificates held by him.

(17) A duplicate trade certificate may be issued to the holder on application and on payment of a fee of fifteen taka each in case the one originally issued is lost, destroyed, defaced or its contents obliterated.

83. **Exemption of road plants, etc.**—Nothing contained in Chapter IV of the Ordinance shall apply to road rollers.

84. **Record of change of address.**—(1) On receipt of an intimation under sub-section (1) of section 39, the registering authority shall call upon the owner of the vehicle to produce his vehicle to the concerned Inspector of Motor Vehicles for verification of particulars of the vehicle and, if satisfied that the owner is not a defaulter for payment of any tax due to him, it shall enter the new address in the certificate of registration of the vehicle and shall keep record of the particulars of the vehicle and the previous and present address of the owner.

(2) The fee payable for recording a new address in the certificate of registration shall be ten taka.

85. **Maintenance of records.**—(1) Every file relating to the registration of a motor vehicle shall be maintained for ten years from the date of cancellation of the certificate of registration.

(2) Every file relating to the grant or renewal of certificate of fitness shall be maintained for three years from the date of expiry of the last certificate or from the date of refusal to grant or renew the certificate of fitness.

86. **Supervision of registering authorities.**—(1) The Director, Road Transport Maintenance or any other officer authorised by the Government in this behalf shall have power to inspect the office of the registering authority at all reasonable times and shall make a report to the Government by the 31st January each year on the performance of the registering authorities.

(2) Every registering authority shall maintain such statistics and shall send such returns to the Director, Road Transport Maintenance as may be required by him or by the Government from time to time.

87. **Appellate authority.**—(1) The authority to hear appeal against the decision of the registering authority shall,—

- (a) where the registering authority is a Deputy Commissioner of Police (Traffic), be the Commissioner of Police having jurisdiction over the area or any other officer authorised by the Government in this behalf;

- (b) where the registering authority is a Superintendent of Police, be the Deputy Inspector General of Police having jurisdiction over the area or any other officer authorised by the Government in this behalf;
- (c) where the registering authority is a Deputy Commissioner, be the Commissioner of the Division within which the cause of the appeal arises; and
- (d) in any other case, be the Secretary, Roads and Road Transport Division.

(2) Any person aggrieved by an order made by an Inspector of Motor Vehicles in respect of certificate of fitness may, within one month of the date of such order, appeal to the Director, Road Transport Maintenance.

(3) Any person aggrieved by an order made by the Director, Road Transport Maintenance may, within one month of the date of such order, appeal to the Secretary, Roads and Road Transport Division.

88. **Conduct and hearing of appeals.**—The procedure laid down in rule 36 for the conduct and hearing of appeal shall apply to all appeals preferred under Chapter IV of the Ordinance or of these rules.

By order of the President

K. G. MANSUR

Deputy Secretary (RTE).