

GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G.O.(P) No.19/13/Tran.

Dated, Thiruvananthapuram, 21st, March, 2013.

S.R.O. No..... /2013.- In exercise of the powers conferred by clause (xii) of sub – section (2) of section 96 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Government of Kerala hereby make the following rules further to amend the Kerala Motor Vehicles Rules 1989, the same having been previously published as notification No.8122/B2/12/Tran. Dated 10th January, 2013 in the Kerala Gazette Extraordinary No. 228 dated 28th January, 2013, as required by sub - section (1) of section 212 of the said Act, namely:

RULES

1. *Short title and commencement* .- (1) These rules may be called the Kerala Motor Vehicles (Fourth Amendment) Rules, 2013.
(2) They shall come into force at once.
2. *Amendment of the rules.* - In the Kerala Motor Vehicles Rules, 1989, in rule 153 D, -
 - (a) for clause (x), the following clause shall be substituted, namely:-
“(x) the driver must have an experience of at least ten years in the class of vehicle in which he intends to carry school children”;
 - (b) in clause (xi), for the word "challaned" the words and symbol "punished / convicted" shall be substituted;
 - (c) for clause (xii), the following clause shall be substituted, namely:-
“ a driver who has been punished / convicted even once for the offence of overspeeding, drunken driving or dangerous driving under sections 279, 337, 338 and 304 A of the Indian Penal Code, 1860 (Central Act 45 of 1860) is not employed; ”

By order of the Governor,

ELIAS GEORGE,
Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

As per G.O.(P) No. 25/12/Tran dated 10th May, 2012, Government had amended rule 153 of Kerala Motor Vehicles Rules 1989, and inserted rule 153 (D) in the rules, specifying the conditions for grant of the permit of Educational Institutions Buses. Representations were received from various corners requesting Government to suitably modify clause (xi) and (xii) of rule 153 (D) so as to bring about more clarity to the provisions in the said clauses. The Transport Commissioner has put forth suggestions for modification. Government have examined the matter and decided to further amend the rule 153 D of the Kerala Motor Vehicles Rules, 1989.

The notification is intended to achieve the above object.