

No. RT-11036/57/2020-MVL
Government of India
Ministry of Road Transport & Highways
(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi – 110001

Dated the 02 May, 2023

To

- i. Principal Secretaries/ Secretaries (Transport) of all States/ UTs;
- ii. Transport Commissioners of all States/ UTs.

Subject: Issue of driving license to Divyangjan for e-rickshaws/e-carts.

Madam/Sir,

The Accessible India Campaign by Government of India is aimed at promoting universal accessibility to Divyangjan, by providing them with a barrier-free environment and facilitating their equal participation in all spheres of life, including socio-cultural and economic activities.

2. The Ministry of Road Transport & Highways (MoRTH) has taken several policy measures enabling greater accessibility and inclusivity to Divyangjan. Rules have been notified and several advisories have been issued to provide speedy licensing and registration facilities to Divyangjan.
3. E-rickshaws / e-carts are an important mode of transport in many cities, providing seamless and clean mobility, along with a means of employment and livelihood.
4. As per Central Motor Vehicles Rules (CMVR), 1989, e-rickshaws / e-carts have the following characteristics:
 - i. They are a special purpose battery operated vehicle having 3 wheels.
 - ii. They are intended to provide last mile connectivity for transport of passengers / goods for hire or reward.
 - iii. They are meant to carry not more than 4 passengers and luggage of 40 kg, excluding the driver in case of e-rickshaws or goods upto maximum 310 kg in addition to driver in case of e-carts, with limited power and speed.
5. Such vehicles are compact in design and can be customized to be driven by upper limbs only, with no operational control provided at lower limbs.
6. Further, such vehicles are type approved as per rule 126 of CMVR, 1989. Alterations to such vehicles as per the specific needs of an individual can be made as per rule 112 and 112A of MV Act, 1988.

7. Section 7, sub-section (1) of Motor Vehicles (MV) Act, 1988, as amended vide Motor Vehicles (Amendment) Act, 2019, restricts the grant of learner's license to drive a transport vehicle unless the applicant has held a driving licence to drive a light motor vehicle for at least one year. However, the subsequent proviso exempts e-rickshaws and e-cart from this condition.
8. Further, in line with section 9, sub-section (10) of MV Act, 1988, it has been mandated under rule 8A of CMVR, 1989 that every applicant for obtaining a license to drive e-rickshaw or e-cart shall undergo training for a period of at least 10 days.
9. It is inferred from paras 7 and 8 that the extant statutory provisions provide considerable relaxations in case of e-rickshaws / e-carts vis-à-vis other motor vehicles, mainly due to lower likelihood of such vehicles causing serious road accidents or causing grievous injury, in view of the restrictions on number of passengers, luggage and speed highlighted at para 4.
10. While certain disabilities can cause difficulties or altogether restrict the driving of motor vehicles, it is understood there may also be cases where the disabilities are not an impediment in driving certain types of motor vehicles.
11. Since e-rickshaws / e-carts can be driven by upper limbs / any two limbs where one limb is upper limb with suitable adaptation of vehicle, States/UTs are advised to take a lenient view while granting of driving license to Divyangjan for e-rickshaw/e-cart on a case-to-case basis. In this regard, the following considerations may be factored in:

#	Type of disability	Consideration
1.	Left leg (partial or full)	May be considered
2.	Right leg (partial or full)	May be considered
3.	Both leg (partial or full)	May be considered
4.	Left /right (partial or full) hand	May be considered
5.	Both hands (partial or full)	Not recommended under normal situations. May be considered under special circumstances
6.	Combination of one lower limb and upper limb	May be considered under special circumstances
7.	Person with short stature	May be considered
8.	Person with spine disability	May be considered

12. Further, the following aspects may be considered for certifying the person with physical disability for his/her ability to drive the e-rickshaw/e-cart:

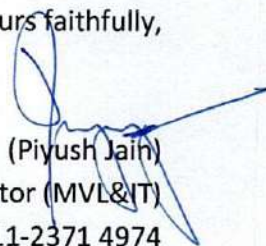
- i. Vision
- ii. Muscle strength, flexibility and range of motion
- iii. Coordination and reaction time
- iv. Judgment and decision making abilities
- v. Ability to drive with adaptive equipment as specified above

13. In case of denial of driving license to a Divyangjan for e-rickshaw/e-cart by the licensing authority, an intimation may be sent to the respective Transport Commissioner for remedial action, if any.

14. It is again emphasized that greater accessibility and inclusivity is to be provided to Divyangjan. Hence, States/UTs are advised to consider the aforementioned relaxations on humanitarian grounds as a measure to further the participation of Divyangjan in socio-cultural and economic activities.

This issues with the approval of the Competent Authority.

Yours faithfully,



(Piyush Jain)

Director (MVL&T)

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