



TAMIL NADU GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

No. 19]

CHENNAI, WEDNESDAY, MAY 20, 2009
Vaikasi 6, Thiruvalluvar Aandu-2040

Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.

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HOME DEPARTMENT

Central Motor Vehicles (Second Amendment) Rules, 2008.

[G.O. Ms. No. 317, Home (Transport-V), 20th April 2009, சித்திரை 7, திருவள்ளூர் ஆண்டு-2040.]

No. SRO A-12/2009.—The following notification of the Government of India, Ministry of Shipping, Road Transport and Highways (Department of Road Transport and Highways), New Delhi, the 12th November 2008 is republished:—

G.S.R.784(E).—Whereas the draft of the Central Motor Vehicles (Second Amendment) Rules was published *vide* number G.S.R. 339(E), dated the 6th May 2008, as required by sub-section (1) of Section 212 of the Motor Vehicles Act, 1988 (59 of 1988), for inviting objections and suggestions from all persons likely to be affected thereby before expiry of the period of sixty days from the date on which copies of the Gazette of India in which the said notification was published, were made available to the public;

And whereas, copies of the said Gazette notification were made available to the public on the 15th May 2008;

And whereas, the objections and suggestions received from the public on the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 27 of the said Motor Vehicles Act, the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely:—

1. (1) These rules may be called the Central Motor Vehicles (Second Amendment) Rules, 2008.

(2) Save as otherwise provided in the these rules, they shall come into force on the date of their final publication in the Official Gazette.

2. In the Central Motor Vehicles Rules, 1989 (hereinafter referred as the said rules), in rule 2:—

(i) for clause (i), the following clause shall be substituted, namely:—

‘(i) “Category L1” means a motorcycle with maximum speed not exceeding **45 Km/h** and engine capacity not exceeding 50 cc if fitted with a thermic engine or motor power not exceeding 0.5 kilo watt if fitted with electric motor.’

(ii) for clause (j), the following shall be substituted, namely:—

‘(j) “Category L2” means a motorcycle other than Category L1.’

(iii) for clause (k), the following shall be substituted, namely:—

‘(k) “Category M” means a motor vehicle with at least four wheels used for carrying passengers.’

(iv) for clause (l), the following shall be substituted, namely:—

‘(l) “Category M1” means a motor vehicle used for carriage of passengers, comprising not more than eight seats in addition to the driver’s seat.

NOTE:—Definitions of type of body work for motor vehicles of Category M1 shall be in accordance with Annexure-I of AIS 053: 2005, as amended from time to time, till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).’

(v) for clause (m), the following shall be substituted, namely:—

‘(m) “Category M2” means a motor vehicle used for carriage of passengers, comprising nine or more seats in addition to driver’s seat and having a maximum Gross Vehicle Weight not exceeding five tonnes.’

(vi) for clause (n), the following shall be substituted, namely:—

‘(n) “Category M3” means a motor vehicle used for carriage of passengers, comprising nine or more seats in addition to driver’s seat and having a Gross Vehicle Weight exceeding five tonnes.’

(vii) for clause (o), the following shall be substituted, namely:—

‘(o) “Category N” means a motor vehicle with atleast four wheels used for carrying goods which may also carry persons in addition to the goods subject to the conditions specified in para 3.2 of AIS 053-2005, as amended from time to time, till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).’

(viii) for clause (p), the following shall be substituted, namely:—

'(p) "Category N1" means a motor vehicle used for carriage of goods and having a Gross Vehicle Weight not exceeding 3.5 tonnes.'

(ix) for clause (q), the following shall be substituted, namely:—

'(q) "Category N2" means a motor vehicle used for the carriage of goods and having a Gross Vehicle Weight exceeding 3.5 tonnes but not exceeding 12 tonnes.'

(x) for clause (r), the following clause shall be substituted, namely:—

'(r) "Category N3" means a motor vehicle used for carriage of goods and having a Gross Vehicle Weight exceeding 12 tonnes.

NOTE:— For the motor vehicles, additional details and definitions specified in AIS 053-2005, as amended from time to time, till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986) shall be applicable.'

3. In rule 95 of the said rules, in sub-rule (1), for the letters, figures, brackets and words "AIS: 044 (Part 1 to 3): 2004 as applicable till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986)" the letters, figures and words "IS:15627-2005 or IS: 15633-2005 or IS: 15636-2005 applicable" shall be substituted with effect from **1st day of April 2009**.

4. In rule 97 of the said rules, after sub-rule (2), the following sub-rule shall be inserted, with effect from **1st day of April 2009**; namely:—

"(3) the braking system and performance requirements of the agricultural trailer in combination with the agricultural tractor shall be in accordance with AIS:043-2005, till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986)."

5. In rule 104 of the said rules, for the proviso to sub-rule (1), the following proviso shall be substituted, namely:—

"Provided that in respect of the vehicles of—

(i) category N1 and category N2, 3.5 tonnes and above but less than 7.5 tonnes Gross Vehicle Weight, manufactured on and after **1st day of April 2009**, shall be affixed at the front with a white reflective tape and at the rear with a red reflective tape running across the width of the body and the tapes affixed at front and rear shall be not less than 20 mm width and shall conform to the requirement of Annexure-4, 5 and 6 of AIS: 090-2005 till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).

(ii) category N3 and category N2, 7.5 tonnes and above Gross Vehicle Weight, manufactured on and after **1st day of April 2009**, shall be affixed at the front with a white reflective tape running across the width of the body and the tape affixed at the front shall not be less than 50 mm width and shall conform to the requirement of Annexure-4, 5 and 6 of AIS: 090-2005 till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).

(iii) category N3 including trailers or semi-trailers and category N2, 7.5 tonnes and above GVW along with trailers or semi-trailers, manufactured on and after **1st day of April 2009**, shall be affixed with reflective contour marking at the rear and side in accordance with AIS : 090 - 2005 till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).

(iv) category M2 and M3, manufactured on and after 1st October 2009, shall be affixed at the front with white reflective tape and at the rear with red reflective tape running across the width of the body and the sides of M3 category vehicles shall be affixed with yellow reflective tape running across the length of the body but tapes so affixed shall not be less than 50 mm width and shall conform to Annexures 4, 5 and 6 of AIS: 090 - 2005 till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986)."

6. In rule 122 of the said rule,—

(i) for sub-rule (1), the following sub-rule shall be substituted with effect from **1st day of April 2009**, namely:—

"(i) Every L, M and N categories of motor vehicles, manufactured on and after **1st day of April 2009**, shall bear the identification number including month and year of manufacture, embossed or etched or punched on it, in accordance with AIS 065-2005 till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986):

Provided that every N category vehicle, manufactured on and after the **1st day of April 2009** shall bear manufacturer's plate as prescribed in AIS 065-2005 till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986)."

(ii) In sub-rule (1A) for the words “construction equipment vehicle” at both the places, where they occur, the words “Agricultural tractor and construction equipment vehicle” shall be substituted.

(iii) in sub-rule (1A), after the first proviso, the following proviso shall be inserted with effect from the 1st day of April 2009 namely:—

“Provided further that in case of agricultural tractor and construction equipment vehicle, the height of the chassis number embossed etched or punched shall not be less than five millimeters for vehicles having overall length less than or equal to six metres and less than seven millimeters for vehicles having overall length more than six metres.”

(iv) in sub-rule (2), the proviso shall be omitted with effect from the 1st day of April 2009 with effect from the 1st day of April 2009.

7. In rule 124 of the said rules, after sub-rule (3), the following sub-rule shall be inserted, namely:—

“(4) The procedure for type approval and establishing conformity of production for components, listed in table below, shall be in accordance with AIS:037-2004 till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986):

TABLE

Sl. No.	Component.	Reference Rule.	Effective for vehicles manufactured on and from.
(1)	(2)	(3)	(4)
1	Safety Glass	Rule 100 (2), (3) and (3A)	1st April 2009
2	Brake hose	Sr. No. 2 of Table of SO 1365(E), dated 13-12-2004 and Sr. No. 3 of 124(A)	1st April 2009
3	Horn	Rule 119 (1)	1st April 2009
4	Tyre	Rule 95 (1)	1st April 2009
5	CNG Regulator	Sr. No. 3 of Annexure IX	1st April 2009
6	LPG Vaporiser / Regulator	Sr. No. 3 of Annexure VIII	1st April 2009
7	Bulb	Sr. No. 1 of Table of SO 1365(E), dated 13-12-2004 and Sr. No. 1 of 124(A)	1st October 2009
8	Rear view mirror	Rule 125 (2)	1st October 2009
9	Speed limiting devices	Rule 118 (1)	1st October 2009
10	Safety belt	Rule 125 (1-A)	1st October 2009
11	Wheel rims for M & N Category	Sr. No. 8 of Table of SO 1365(E), dated 13-12-2004	1st October 2009
12	Lighting and light signaling devices for M & N category	Sr. No. 20 of Table of SO 1365(E), dated 13-12-2004	1st October 2009
13	Retro-reflectors for M & N category	Rule 104 (4) and 104-A(vi)	1st October 2009
14	Warning triangle	Rule 138 (4)(C)	1st October 2009
15	Lighting and light Signaling devices for L category	Sr. No. 32 of Table of SO 1365(E), dated 13-12-2004	1st April 2010
16	Retro-reflectors for L category	Rule 104 (4) and 104-A (vi)	1st April 2010
17	Retro-reflector for Agricultural Tractors and Constructional Equipment Vehicles	Rule 104 (A) and Rule 104(B)	1st April 2010

(1)	(2)	(3)	(4)
18	Lighting and Signaling devices for Agricultural Tractors and Constructional Equipment Vehicles	Sr. No. 2 of Rule 124 (A)	1st April 2010
19	Door locks and Door retention components	Sr. No. 16 of Table of SO 1365(E), dated 13-12-2004	1st April 2010
20	Fuel tanks	Sr. No. 7 and 25 of Table of SO 1365(E), dated 13-12-2004 Sr. No. 6 of Rule 124(A)	1st April 2010
21	Reflective tapes	Rule 104 (1)	1st April 2010

Provided that the component manufacturers shall comply with the requirements six months prior to the date mentioned in column (4) above.”.

8. In rule 124-A of the said rules, in sub-rule (2), after the first proviso, the following proviso shall be inserted, namely:—

“Provided further that the performance of rear warning triangle fitted on agricultural tractors manufactured on and after the **1st day of April 2009**, shall be in accordance with AIS : 088-2005, except for clause 1.4.3 of Annexure 6 therein till such time corresponding BIS standards are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).”.

9. In rule 125 of the said rules, with effect from the **1st day of April 2009**,—

(i) in sub-rule (1-A), in the first proviso, for the letters, figures and words “AIS: 005 - 2000 and AIS: 015 - 2000 specifications, respectively, as may be amended from time to time, till such time as corresponding Bureau of Indian Standards specifications are notified” the letters, figures and words “IS: 15140-2003 and IS: 15139-2002 respectively”, shall be substituted.

(ii) in sub-rule (1-A), in the second proviso, for the letters, figures and words “AIS: 005-2000 and AIS: 015-2000 specifications, respectively,” the letters, figures and words: “IS : 15140-2003 and IS:15139-2002 respectively”, shall be substituted.

(iii) in sub-rule (5), for the letters, figures and words “AIS: 016-2000 specifications, as may be amended from time to time, till such time as corresponding Bureau of Indian Standards specifications are notified”, the letters, figures and words “IS: 15546-2005”, shall be substituted.

10. In rule 125 of the said rules, after sub-rule (1-A), the following rules shall be inserted namely:—

“(1-B) on and after the 1st day of October, 2009, the front under run protective on after 1st day of October, 2009 shall comply with the requirements specified in AIS: 069-2006, till the corresponding BIS specifications are devices fitted on N2 and N3 categories of motor vehicles, manufactured are notified under the Bureau of Indian Standards, Act, 1986 (63 of 1986).

(1-C) on and after the **1st day of April 2009**, the temporary cabin fitted on drive away chassis vehicles of category M and N, manufactured on and after the 1st day of October, 2008 that are driven off from the factory premises for purposes of body building, shall comply with the requirements specified in AIS : 070 - 2004 till the corresponding BIS specifications are notified under the Bureau of Indian Standards, Act, 1986 (63 of 1986).”.

11. In rule 138 of the said rules,—

(i) in sub-rule (4), in clause (c), in the second proviso, for the letters, words and figures “M3 and N3 “ the letter and figure “ M3 “ shall be substituted with effect from **1st day of April 2009**,

(ii) in sub-rule (4), in clause (c), the second proviso shall be omitted with effect from 1st day of April 2009.

12. for Form 22 of the said rules, the following Form shall be substituted, with effect from 1st day of April, 2009, namely:—

"FORM 22

[See Rules 47(g), 115, 124 (2), 126A and 127 (1), 127(2)]

Initial Certificate of Compliance with Pollution Standards, Safety Standards of Components and Road-Worthiness

(To be issued by the manufacturer)

Certified that the following vehicle Complies with the Provisions of the Motor Vehicles Act, 1988, and the rules made thereunder including the following Mass emission norms

Brand name of the Vehicle

Chassis number

Engine number/motor number

(in case of battery operated vehicles)

Sub-rule No. of rule 115

Emission norms

[Bharat Stage-I/II/III/Bharat (Trem) Stage-III, etc.]

Signature of Manufacturer.

Form 22 shall be issued with the signature of the manufacturer duly printed in the Form itself by at affixing facsimile signature in ink under the hand and seal of the manufacturer".

13. For Form 22-A of the said rules, the following Form shall be substituted with effect from 1st day of April, 2009 namely:—

"FORM 22-A

[See Rules 47(g), 115, 124 (2), 126A and 127 (1), 127 (2)]

Initial Certificate of Compliance with Pollution Standards, Safety Standards of Components and Road-worthiness (for vehicles where Body is Fabricated Separately)

PART-I

(To be issued by the manufacturer)

Certified that the following vehicle complies with the provisions of the Motor Vehicles Act, 1988, and the rules made thereunder, including the following mass emission norms:

Brand name of the vehicle

Chassis number

Engine number/motor number

(in case of battery operated vehicles)

sub-rule No. of rule 115

Emission norms

Bharat Emission norms

Form 22-A, Part-I shall be issued with the signature of the manufacturer duly printed in the Form itself by affixing facsimile signature in ink under the hand and seal of the manufacturer.

PART-II

(To be issued by the body builder)

Certified that body of the vehicle (brand name of the vehicle) bearing chassis number and engine number has been fabricated by us and the same complies with the provisions of the Motor Vehicles Act, 1988, and the rules made thereunder.

Signature of Body Builder

Form 22-A, Part-II shall be issued with the signature of the body builder duly printed in the Form itself by affixing facsimile signature in ink under the hand and seal of the manufacturer.”.

[F.No. RT. 11028/7/2007-MVL]

SAROJ KUMAR DASH,
Joint Secretary.

Foot Note:—The principal rules were published *vide* number G.S.R. 590(E), dated the 2nd June, 1989 and was last amended *vide* number G.S.R. 521(E), dated the 15th July, 2008.

S. MALATHI,
Principal Secretary to Government.