

GOVERNMENT OF RAJASTHAN
TRANSPORT DEPARTMENT

No. F 7(3)/Pari/Rules/H.Q./2017/

Jaipur, Dated:

NOTIFICATION

Jaipur, March 08, 2019

Whereas the draft of the Rajasthan Motor Vehicles (Second Draft Amendment) Rules, 2018, amending the Rajasthan Motor Vehicles Rules, 1990, in exercise of the powers conferred by section 176 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), was published as required by sub-section (1) of section 212 of the said Act, in the Rajasthan Gazette Extraordinary part 3(Kha) dated 18.10.2018 and dated 20.11.2018 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of ten days from the date on which the copies of the said notification as published in Rajasthan Gazette were made available to the public.

And whereas, copies of the said notification were made available to the public on 06.11.2018 and 22.11.2018.

And whereas, no objection and suggestion received on the said Draft Rules.

Now, therefore, in exercise of the powers conferred by section 176 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), the State Government hereby makes the following rules further to amend the Rajasthan Motor Vehicles Rules, 1990, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Motor Vehicles (Second Amendment) Rules, 2019.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. Insertion of new rule 10.2A.- After the existing rule 10.2 and before the existing rule 10.3 of the Rajasthan Motor Vehicles Rules 1990, the following new rule 10.2A shall be inserted, namely:-

“10.2A. Prohibition against release of motor vehicle involved in accident.- (1) No court shall release a motor vehicle involved in an accident resulting in death or bodily injury or damage to property, when such vehicle is not covered by the policy of insurance against third party risks taken in the name of registered owner or when the registered owner fails to furnish copy of such insurance policy despite demand by investigating police officer, unless and until the registered owner furnishes sufficient security to the satisfaction of the court to pay compensation that may be awarded in a claim case arising out of such accident.

(2) Where the motor vehicle is not covered by a policy of insurance against third party risks, or when registered owner of the motor vehicle fails to furnish copy of such policy in circumstance mentioned in sub-rule(1), the motor vehicle shall be

sold off in public auction by the magistrate having jurisdiction over the area where accident occurred, on expiry of three months of the vehicle being taken in possession by the investigating police officer, and proceeds thereof shall be deposited with the Claims Tribunal having jurisdiction over the area in question, within fifteen days for purpose of satisfying the compensation that may have been awarded, or may be awarded in a claim case arising out of such accident.”

By order of the Governor,

Joint Secretary to the Government