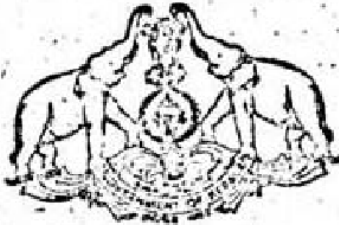


Government of Kerala
കേരള സർക്കാർ
1999



Reg. No. KL/TV(N)/12
രജി. നമ്പർ

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

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GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G.O. (P) No. 4/99/Tran. Dated, Thiruvananthapuram, 1st February, 1999.

S. R. O. No. 118/99.—In exercise of the powers conferred by section 96 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), Government of Kerala hereby make the following rules further to amend the Kerala Motor Vehicles Rules, 1989, the name having been previously published under Notification No. 40983/B1/95/Tran. dated the 16th February, 1998, in the Kerala Gazette Extraordinary No. 319 dated the 16th February, 1998, 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 (Amendment) Rules, 1999.
- (2) They shall come into force at once.

33/592/99/MC

2. *Amendment of the Rules.*— In the Kerala Motor Vehicles Rules, 1989,—

(i) in rule 2,—

(1) after clause (c) the following clause shall be inserted, namely:—

“(ca) “City or Town Service” means a service plying within the premises of a City or Municipal Town, notified as City or Town Service, by the Government, and both the terminals of which shall not extend beyond five kilometers from the city or town limit.

Note—Nothing contained in this clause shall apply to the permits already granted for operating City or Town Services and their renewals.”;

(2) after clause (e) the following clauses shall be inserted, namely:—

“(ea) “Fast Passenger Service” means a service, which is operated by a fleet owner, with limited stops on a route, having a distance of not less than 70 kms. and not more than 160 kms.;

(eb) “Fleet Owner” means a person or an institution who or which is the registered owner of not less than fifty stage carriages kept for use in the state.”;

(3) after clause (k) the following clause shall be inserted, namely:—

“(Ka) “Luxury Service” means a service, which is operated by a fleet owner, with air-conditioned stage carriage on a route having a distance of not less than 300 kms.”;

(4) after clause (o) the following clause shall be inserted, namely:—

“(oa) “Ordinary Service” means a service, which is operated on a route having a distance of not more than 140 kms. with one or more stops in every fare stage.”;

(5) after clause (u) the following clauses shall be inserted, namely:—

“(ua) “Super Deluxe Service” means a service, which is operated by a fleet owner, on a route having a distance of not less than 300 kms;

(ub) “Super Express Service” means a service, which is operated by a fleet owner, on a route having a distance of not less than 200 kms;

(uc) “Super Fast Service” means a service, which is operated by a fleet owner, on a route having a distance of not less than 150 kms. and not more than 450 kms.”;

(ii) in rule 206, after the existing proviso the following proviso shall be added, namely:—

“Provided further that the stopping place of the Luxury Services and Super Deluxe Services shall be at the district headquarters and that of the Super Express services shall be at the Taluk headquarters, with facilities for advance reservation”.

(iii) after rule 260, the following rule shall be inserted, namely:—

“260A. *Special provisions, applicable to a stage carriage permitted to be operated as certain classes of services.*—A stage carriage older than five years from the date of its registration shall not be permitted to be operated as fast passenger service and a stage carriage older than three years from the date of its registration shall not be permitted to be operated as Super fast service and a stage carriage older than two years, from the date of its registration shall not be permitted to be operated as a Luxury service, a deluxe service or a Super express service”.

(iv) in sub-rule (2) of rule 267, —

(1) the last sentence in the second proviso shall be omitted;

(2) after the second proviso the following proviso shall be added, namely:—

“Provided also that no standing passenger shall be allowed in luxury services, super deluxe services, super express services of super fast services.”;

(v) in sub-rule (1) of rule 269, after the second proviso the following proviso shall be added, namely:—

“Provided also that such minimum number shall not apply to luxury service and super deluxe service”;

(vi) to rule 283, the following proviso shall be added, namely:—

“Provided that a stage carriage operated as luxury service or super deluxe service shall be provided with push back foam cushioned seats with head rest in 2 × 2 configuration, with not less than 80 cms. back to back space, individual arm rests foot rests and safety belts and a stage carriage operated as super express service or super fast service shall be provided with foam cushioned seats with headrest, in 3 × 2 configuration with not less than 75 cms. back to back space, and foot rest.”;

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(vii) after rule 288, the following rule shall be inserted, namely:—

“288A. *Drinking Water facility.*—Drinking water facility shall be provided in Luxury Services, Super Deluxe Services and Super Express Services”.

By order of the Governor,

NALINI NETTO,
Secretary to Government.

Explanatory Note

The Hon'ble High Court of Kerala in W.A. No. 1403/94 in OP No. 3972/94 has directed the State Government to come out with rules for defining the various classes of stage carriages. Accordingly, Government have decided to amend the Kerala Motor Vehicles Rules, 1989, to define the different classes of stage carriages. The draft rules were published as per notification No. 40983/B1/95/Trans. dated the 16th February, 1998 in the Kerala Gazette Extraordinary No. 319 dated the 16th February, 1998 and after considering the objections and suggestions received in respect of the draft rules Government have decided to amend the rules. This Notification is intended to achieve the above object.