

GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G.O.(P) No. 70/13/Tran.

Dated, Thiruvananthapuram, 28<sup>th</sup> June, 2013.

S.R.O. No...../13.- In exercise of the powers conferred by clause (XXXIII) 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. 11793/B2/12/Tran dated 29<sup>th</sup> April, 2013 in the Kerala Gazette Extraordinary no. 1259 dated 4<sup>th</sup> May, 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 ( Sixth Amendment) Rules, 2013.

(2) They shall come into force at once.

2. Amendment of the Rules.- In the Kerala Motor Vehicles Rules, 1989, in the TABLE, under rule 186, under serial number (2),-

(i) the existing item (b) shall be re- numbered as item (c );

(ii) above the item ( c) as so re- numbered and below item (a), the following item and entries shall, respectively be inserted, namely:-

“ (b) for overloading      1,000                      2,000 plus one thousand  
rupees per tonne of excess load”.

By order of the Governor,

DR.V.M. GOPALA MENON IAS,  
Secretary to Government.

### Explanatory Note

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

As per Section 194(1) of Motor Vehicles Act, whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of section 113 or section 114 or section 115, of the Act shall be punishable with minimum fine of two thousand rupees and an additional amount of one thousand rupees per tonne of excess load, together with the liability to pay charges for off-loading of the excess load. Section 194 is one of the penal provisions in Chapter XIII of the Act. The penal provision is cognizable only by a competent authority and the competent authority is the Court. Overloading is one of the major causes of deterioration of roads and accidents in the State of Kerala. As a part of preventing overloading, the Government have decided to include a provision for compounding in the table in Rule 186 of the Kerala Motor Vehicles Rules, 1989.

The notification is intended to achieve the above purport.