

From

The Transport Commissioner  
Thiruvananthapuram

To

All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers

Sir,

Sub: Motor Vehicles Department-Procedure for approval of retrofit/ Adaptation kit for two wheeled vehicle for physically challenged Persons-reg

Ref: 1. Letter No.RT-11012/12/01-MVL dated 11-08-08 of Government of India  
2. This office letter of even number dated 25-10-08

Your attention is invited to the above references. Vide reference 1<sup>st</sup> cited, Central Government had issued resolution in the light of representation received from several persons with disability regarding the non-availability of invalid carriages in the market as well the policy of banning alteration in motor vehicles under Section 52 of the Motor Vehicles Act. The above said resolution deals with the procedure to be adopted for the approval of retrofit/adaptation kit for two wheeled vehicle for physically challenged persons. The same had been forwarded to you vide reference 2<sup>nd</sup> cited. But it has come to be known that certain doubts are still in existence regarding the procedure to be adopted for the approval of retrofit/adaptation kit for the approval of retrofit /adaptation kit for two wheeled vehicles. Hence the following guidelines are issued for the strict compliance.

- (i) Retrofitted vehicles should not be categorized as "Invalid Carriage" as these vehicles will not be meeting the definition of "Invalid Carriage" given under Section 2(18) of the Motor Vehicles Act.
- (ii) Even after adding the side car on the left side of the scooter the seating capacity will remain same and the side car should not be utilized for carrying luggage
- (iii) Such permission may be given to the person with disability if he is the owner of the altered vehicle
- (iv) Such permission should not be considered if prototyped vehicle is available in the market
- (v) Permission for alteration should be valid if the person with disability is driving the vehicle
- (vi) It will be the personal responsibility of the person with disability to keep the vehicle in fit condition/drive it carefully so that there may not be any safety hazard
- (vii) Permission will be subjected to obtaining a medical fitness certificate from the competent medical authority to drive the vehicle
- (viii) Person with disability had to give the driving test and obtain necessary permission from the Licensing Authority to drive the altered vehicle. Ability of the person with disability should be considered while deciding his ability to drive a vehicle with prescribed modification. A person with loco motor disability is required to have the modification in the specified vehicle as prescribed by a specialist Doctor in Physical Medicine and Rehabilitation(PMR)/Orthopedic Surgeon
  - (a) Driving Licence issued to the person with disability to drive the altered vehicle shall be issued after the process of making entry in the certificate of registration regarding alteration of the vehicle is completed

(Contd.....2)

- (ix) Necessary entry in the certificate of registration about the alteration will be made by the registering authority concerned
- (x) Permission will stand withdrawn once the vehicle is sold to some other party
- (xi) Valid certificate of retro fitment kit from authorized Test Agency will be produced
- (xii) Valid certificate of authorized workshop for the fitment of approved retro fitment kit will be produced
- (xiii) Above alteration should be permitted only in the non transport vehicle

**Procedure to be followed by the officers concerned regarding alteration of the vehicle**

- I. For considering the application for alteration regarding fitment of retrofitment/adaptation kit the applicant shall produce the following documents
  - (a) Receipt of fee for alteration as prescribed in rule 81 of Central Motor vehicles Rules
  - (b) Application in white paper ( Court fee stamp worth Rs.5/- shall be affixed) addressed to the Registering Authority/Additional Registering Authority concerned
  - (c) Original certificate of registration of the vehicle in which alteration is to be made
  - (d) Original and valid insurance certificate and PUC of the vehicle to be altered
  - (e) No Objection Certificate from the financier if the vehicle to be altered is hypothecated
  - (f) Copy of the medical certificate which asserts that the applicant is physically handicapped , issued at the District level by a duly constituted board comprising of Chief Medical Officer as chairman, one Medicine Specialist and one subject matter specialist(PMR/Orthopedic surgeon) as member in District Hospitals or by a Medical college where the board will consist of Medical Superintendent or his authorized representative as chairman and two subject matter specialists(PMR/Orthopedic). Nature of limb disability and whether it is partial or full shall be mentioned in the Medical Certificate. The copy of the certificate shall be duly attested by an officer not below the rank of a gazetted officer
  - (g) Copy of Motor Driving Licence or Learner's Licence which authorize the applicant to drive the altered vehicle. The document produced by the applicant in this regard shall be duly attested by an official not below the rank of a gazetted officer
  - (h) A self attested affidavit affirming that the altered vehicle shall be used by the applicant and that it will be the responsibility of the applicant to keep the vehicle in fit condition and drive it carefully so that there may not be any safety hazard
  - (i) Valid certificate of retro fitment kit from authorized Test Agency specified in Rule 126 of Central Motor Vehicles Rules
  - (j) Valid certificate of authorized workshop for the fitment of approved retro fitment kit
- II. The person with disability can submit the application along with documents mentioned above at Regional Transport Office or Sub Regional Transport Office concerned within 15 days of the date of purchase of the Retro fitment/Adaptation kit.
- III. The vehicle in which alteration is to be made shall be inspected by the officer concerned on the very date of receipt of application itself on the basis of points mentioned below
  - (i) While altering the vehicle by the way of fitment of a sidecar on the left side of the vehicle/fitment of additional two wheels at the rear on both sides, it shall be ensured that minimum changes are made on the basic structure of the vehicle. In the case of fitment of additional two wheels at the rear on both sides it shall be ensured that the additionally fitted wheels shall have preferably the same size and specification of the original rear wheel
  - (ii) In case the original vehicle has any foot controls (such as accelerator, brake, clutch or gear shift), such controls shall be adapted for operation by hand
  - (iii) The vehicle shall have device to intentionally lock the wheels in order to prevent rolling of vehicle (in situations like alighting the vehicle, stopping the vehicle on the gradient, etc)
  - (iv) The vehicle shall have either hand start or electric-starting mechanism
  - (v) Clamping arrangements shall be provided for carrying person's aids/crutches etc.
  - (vi) The vehicle model fitted with retro fitment/adaptation kit shall be tested for

(Contd.....3)

## (a) Functional Brake Test

Vehicle shall be driven on a normal city road at 50kmph speed(as indicated on speedometer). Both brakes(front and rear) shall be applied together and the stopping behaviour of the vehicle shall be checked. During this test, the vehicle shall not show any instability or unsafe condition

## (b) Functional Grade ability Test

The vehicle shall be driven on the gradient such as city fly over. While negotiating the gradient, brakes shall be applied. The vehicle shall not skid and roll back. On release of brake, the vehicle shall be able to easily climb the gradient

- (vii) The altered vehicle shall be affixed with Retro-reflective tape, red in colour and having minimum width of 20 mm running across the width on the rear side of the sidecar or on the additional wheels (as the case may be) to indicate the presence of additional fitment and the width of vehicle from the rear as shown in Annexure-1
- (viii) Retro-reflective tape, white in colour and having minimum width of 20 mm shall be affixed running across the width on the front side of the sidecar or on the additional wheels (as the case may be) to indicate the presence of additional fitment and the width of vehicle from the front as shown in Annexure-1(A)
- (ix) It has to be ensured that the vehicle is carrying the symbol shown in Annexure-1(B) in the front and at rear, indicating that the vehicle is meant for driving by a physically challenged person. The symbol shall be made up of retro-reflective (tape)

IV. Permission will stand withdrawn once the vehicle is sold to some other party. If the altered vehicle is transferred to other persons, the Registering Authority/Additional Registering Authority, in whose jurisdiction the transfer of ownership is made, may note the following points for compliance

- (a). The fee for alteration along with fee for transfer of ownership shall be collected.
- (b) The transfer of ownership shall be effected after the entry of alteration in certificate of registration is made
- (c) The fact of transfer of ownership and alteration shall be intimated the Original Registering Authority (in the cases in which Original Registering Authority and the Registering Authority in which transfer of ownership and alteration had taken place are different)

V. The copies of documents mentioned in I(a-j) and the copy of inspection report submitted by the officer concerned, duly attested by the Registering Authority/Additional Registering Authority, shall be forwarded to this office for obtaining sanction from the Government and the applicant shall be intimated the same

VI. Necessary alteration shall be entered by the Registering Authority/Additional Registering Authority concerned in certificate of registration only after obtaining intimation either from this office or the Government. While entering the alteration in certificate of registration the following facts shall be entered

- (a) Kit identification/model No  
(b) Name of the Manufacturer

Type Approval of the retro fitment/adaptation kit by authorized test agencies

1. Kit manufacturers shall submit the already type approved vehicle model fitted with retro fitment/adaptation kit along with technical information as per details given in Annexure-2

2. The retrofitment/adaptation kits on vehicles are to be type approved for each variant and model of each make of vehicles, by the authorized (by Manufacturers or Suppliers) agencies like ARAI/VRDE, appointed by Government of India in compliance of Rule 126 of Central Motor Vehicles Rules 1989

3. The type approval certificate will be forwarded to all the Registering Authorities from the Transport Commissionerate on receipt of the same from the Manufacturers/Suppliers

(Contd.....4)

4. The kit manufacturer shall identify the workshops, which shall carry out the fitment on his behalf

5. Owners of authorized (by manufacturers or suppliers) Retro fitment Centres shall apply in plain paper affixing Court fee stamp for Rs.5/- for approval, to the Regional Transport Officer under whose jurisdiction the Retro fitment Centre is situated, along with the authorization Certificate of the Manufacturer/Supplier

6. On receipt of the application, the Regional Transport Officer shall conduct an inspection of the premises of the Retro fitment Centre and shall give approval on the basis of

- Competence
- Availability of necessary equipments
- Experience in the relevant field
- Trained manpower, etc.

Types of physical disabilities that can be considered for use

Following criteria for grant of Driving License should be followed

Nature of limb disability	Recommendation	Remarks
Left lower limb (partial or full)	Can be considered	
Right lower limb (partial or full)	Can be considered	
Both lower limb (partial or full)	Can be considered	
Left/Right upper limbs (partial or full)	Can be considered	
Both upper limb (Partial)	Can be considered under special circumstances	Normal operation by hands is very critical. Such situations may be considered under special circumstances
Combination of one lower limb and upper limb	Can be considered under special circumstances	

Medical Certificate for the purpose of DL would be given at the District level by a duly constituted board comprising of CMO as chairman, one medicine specialist and one subject matter specialist (PMR/Orthopedics surgeon) as member in District hospitals or by a Medical College, where the board will consist of Medical Superintendent or his authorized representative as chairman and two subject matter specialists (PMR/Orthopedic surgeon) as members

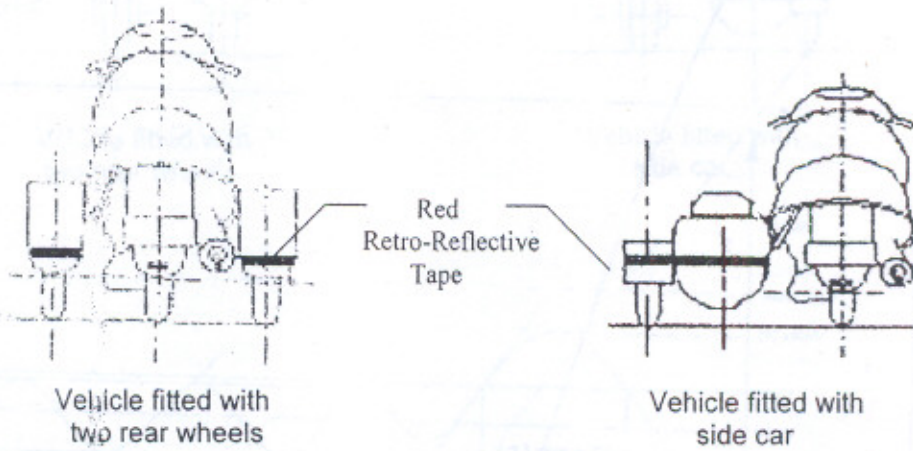
Yours faithfully  
Sd/-  
Senior DTC (Taxation)  
For Transport Commissioner

Approved for issue

Senior Superintendent

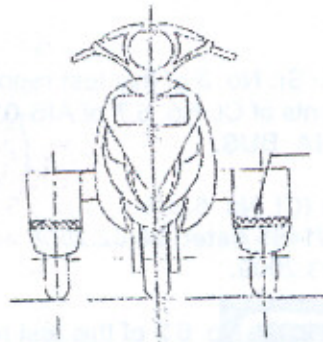
08/07/10  
07/07/10

# ANNEXURE - 1

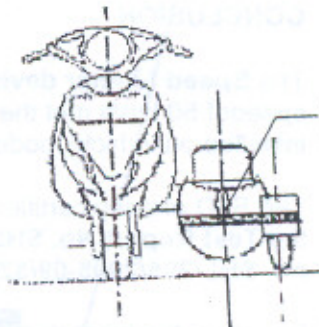


ATTESTED  
M. S. JAYARAMAN  
DIRECTOR  
ASSOCIATION OF INDIA  
THE AUTOMOTIVE RESEARCH SOCIETY  
114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

# ANNEXURE - 1(A)



Vehicle fitted with two rear wheels



Vehicle fitted with side car

White Retro-Reflective Tape

White Retro-Reflective Tape

*(Faint, mirrored text from the reverse side of the page, likely bleed-through from another document.)*



ATTESTED  
 MOHD. JOBAL AHMED  
 ADVOCATE GENERAL  
 Hyderabad  
 17-11-1971



# ANNEXURE - I (B)



Blue

White

Size : 80 x 80 mm



# Annexure - 2

## ANNEXURE: A

### TECHNICAL INFORMATION TO BE SUBMITTED BY THE RETRO FITMENT KIT MANUFACTURER

1	Retro fitment kit Manufacturers name and address	
	Tel. No. Fax No. E mail address Contact person Website address, if any.	
2	Vehicle Model selected for retro fitment.	
3	Authenticated drawings, in duplicate, with following details: a) Kit identification / model No. b) List of kit components. c) Details of individual component and assembly of kit on the vehicle. d) Locations and fixing details for person's aids / crutches, etc.	
4	Detailed explanation about safety in case of accidental failure of modified controls / other mechanisms.	
5	Instructions / Maintenance manual.	
6	Any other relevant information.	

SAROJ KUMAR DASH, Jt. Secy.