

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS**(Department of Road Transport and Highways)****NOTIFICATION**

New Delhi, the 16th September, 2005

G.S.R. 589(E).—Whereas the draft of certain rules further to amend the Central Motor Vehicles Rules, 1989, were published as required by sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988) in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), dated the 15th March, 2005 vide notification of Government of India in the Ministry of Shipping, Road Transport and Highways (Department of Road Transport and Highways), number G.S.R. 172 (E), dated the 15th March, 2005, inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty 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 were made available to the public on the 17th March, 2005;

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

Now, therefore, in exercise of the powers conferred by sections 27, 64, 110 and 128 of the Motor Vehicles Act, 1988 (59 of 1988), 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(Fifth Amendment) Rules, 2005.
(2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.
2. In the Central Motor Vehicles Rules, 1989 (hereinafter referred as the said rules), in rule 2, after clause (t), the following clauses shall be inserted, namely:-

white and that of rear shall be red. The location of both the triangles shall be at least one meter above the ground level at the front and rear, preferably at the centre of the vehicle. For the purposes of "white colour warning triangle", the word "red" shall be substituted by word "white", wherever applicable in AIS:022:2001. The colour requirements of white retro-reflective portion shall be as per clause 8.5 of AIS:057 and white fluorescent material shall be as per clause 7.1 of ISO:7591-82(E)."

(b) after clause (e), the following shall be inserted, namely:-

"(f) at the time of purchase of the two wheeler, the manufacturer of the two wheeler shall supply a protective headgear conforming to specifications prescribed by the Bureau of Indian Standards under the Bureau of Indian Standard Act, 1986 (63 of 1986):

Provided that these conditions shall not apply to category of persons exempted in terms of Section 129 and the rules made thereunder by the concerned State Government."

42. On and from six months from the date of publication of the Central Motor Vehicles (Fifth Amendment) Rules, 2005 in the Official Gazette, the words "Engine number" appearing in Forms 20, 21, 22, 22A, 23, 23A, 24, 25, 27, 28, 29, 31, 32, 41, 42, 43, 46, 47, 51 and 54, the words "Engine number or motor number in the case of Battery Operated Vehicles" shall be substituted.

[F.No. RT-11028/3/2004-MVL]

S. K. MISHRA, Director (Road Transport)

Note: The principle rules were notified vide G.S.R.590(E) dated the 2nd June, 1989 and last amended vide G.S.R. 349 (E) dated the 1st June,2005.