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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2258/25 - 2021 දෙසැම්බර් මස 15 වැනි බදාදා - 2021.12.15

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PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

RULES made under Article 30 of the Road Passenger Transport Services Ordinance, No. 01 of 1992 of the Western Provincial Council as amended from time to time, read in conjunction with Article 154A of the Constitution of the Democratic Socialist Republic of Sri Lanka.

Authorized powers vested in me by the Governor of the Western Province under Article 30 of the Road Passenger Transport Service Ordinance No. 01 of 1992 of the Western Provincial Council, which is amended from time to time to be read in conjunction with Article 154A of the Constitution of the Democratic Socialist Republic of Sri Lanka I hereby announce that the following rules regarding the operation of a passenger transport service will be published herewith.

ROSHAN GUNATHILAKE,
RWP & Bar VSV USP,
PhD (Honors) FIM(Sri Lanka) NDC PSC,
Marshal of the Sri Lanka Air Force,
Governor,
Western Province.

On 9th December 2021,
Battaramulla,
Located in the Western Provincial Council Building,
At the Governor's Office, Western Province.

RULES

1. These Rules are enacted to repeal the rules relating to the transportation of passengers by three-wheelers and taxis in the *Gazette* Notification No. 1834/27 of the Democratic Socialist Republic of Sri Lanka dated October 30, 2013.



2. These rules are known as the “Rules regarding the repeal of rules regarding the transportation of passengers by three wheelers and taxis”.
3. These Rules repeal the rules relating to the transportation of passengers by three-wheelers and taxis published in the *Extraordinary Gazette* Notification No. 1834/27 of the Democratic Socialist Republic of Sri Lanka dated October 30, 2013 with effect from the date of implementation of these Rules.
4. If there is discrepancy between Sinhala, Tamil and English Texts under these rules, the Sinhala Text will take precedence.

EOG 12-0149/1

WESTERN PROVINCE PROVINCIAL COUNCIL

RULES made under Section 16 of the Road Passenger Transport Services Three Wheelers Statute No. 06 of 2002 of the Western Provincial Council read with Article 154 C of the Constitution of the Democratic Socialist Republic of Sri Lanka.

I, hereby notify the publication of the Rules below mentioned with regard to operate a Road Passenger Transport Service by Three Wheelers in the Western Province made in terms of the powers vested on me as the Governor of Western Province under Section 16 of the Road Passenger Transport Services Three Wheelers Statute No. 06 of 2002 of the Western Provincial Council read with Article 154C of the Constitution of the Democratic Socialist Republic of Sri Lanka.

ROSHAN GUNATHILAKE,
 RWP & Bar VSV USP,
 PhD (Honors) FIM(Sri Lanka) NDC, PSC
 Marshal of the Sri Lanka Air Force,
 Governor,
 Western Province.

On 09th December 2021,
 At the Governor’s Office, Western Province,
 Situated at the Western Provincial Council Office Complex,
 Battaramulla.

RULES

1. These rules shall be enacted to provide provisions for registration of the three wheelers used for passenger transport service in Western Province with the anticipation of a fare or a reward for using them for such purpose and to issue a permit for using for such purpose and matters incidental to that.
2. These Rules shall be cited as the “Rules with regard to operate a Road Passenger Transport Service by Three Wheelers in the Western Province”.
3. Each Three Wheeler used in passenger transport service in Western Province with an anticipation of a fare or a reward shall be registered under The Three Wheel Bureau hereafter and be a three wheeler which obtained a passenger transport service permit in conformity with the format included in the First Schedule under these Rules.
4. Each person applied for a Passenger service permit for registration under Road Passenger Transport Service Three Wheelers Statute No. 06 of 2002 shall have fulfilled the conditions mentioned below :
 - (1) Each request made for registration shall be applied under an application in conformity with the format included in the Second enacted under these Rules.

- (2) The fitness of the Three Wheelers used in the passenger transport service shall have been certified by a fitness certificate obtained from an institution registered in the Office of the Commissioner Motor Traffic of Western Province within a period of three months immediately prior to the date of application for registration on fitness to be used in such service.
 - (3) The Three Wheeler used for the relevant purpose shall be insured by a fully comprehensive insurance.
 - (4) The revenue license of the Three Wheeler for the current year shall have been obtained.
 - (5) If the applicant for the relevant Three Wheeler is not a driver registered in the Bureau as a three wheeler driver for the purpose of passenger transport, the driver deployed for the relevant purpose shall be confirmed by the relevant documents to prove that he is the registered driver of the Bureau.
 - (6) In the case the applicant is a company registered under the Companies Act, No. 07 of 2007, the certificate of registration as a company shall be provided.
5. For every three wheeler registered under the Bureau, a Passenger Service Permit applicable for the next 12 months valid from the date of registration shall be issued by the Head of the Department of the Bureau.
6. A person who is dissatisfied by the rejection of an application for registration may submit an appeal relevant for it to the General Manager of the Western Provincial Road Passenger Transport Authority within 30 days from the date of rejection.
7. Decisions relating to appeals under Section 6 above shall be notified to the appellants within 30 days of the submission of the appeals and the decision of the General Manager of the Road Passenger Transport Authority regarding the relevant request shall be considered as the final decision.
8. Each Three Wheeler provided with a permit under these Rules shall provide the relevant service in compliance with the following conditions when using the Three Wheeler for passenger transport service in the Western Province:
- (1) The maximum number of passengers that can be carried by a Three Wheeler in passenger transport shall not exceed the number of passengers approved by the Commissioner General of Motor Traffic or the number of passengers specified under any written law from time to time.
 - (2) The service shall be provided under a driver who has a valid driving license for the passenger transport service and registered in the Bureau for the relevant purpose.
 - (3) The relevant Three Wheeler shall have been covered by a comprehensive insurance at all times of service.
 - (4) The rear right door of each Three Wheeler used for passenger transport shall be covered.
 - (5) At every instance of passenger transportation, the driver on duty should wear the identity card issued by the Bureau.
 - (6) Following information should be displayed as to clearly seen by the passenger on every three wheeler engaged in passenger transportation —
 - (a) Name, address and the telephone number of the owner of the three wheeler.
 - (b) Name, address and the telephone number of the driver on duty.
 - (c) Registration number of the Three wheeler in Bureau and Driver's registration number.
 - (d) Driver's photograph.
 - (7) A taxi meter should be affixed to be seen by the passengers and to charge fares accordingly with prescribed fares.
 - (8) List of fares applicable to that day for passenger transportation should be displayed on the front left corner of the three wheeler.

- (9) At every instance of passenger transport, following documents should be kept with the driver.
 - (a) Passenger Transport Service Permit
 - (b) Full and unlimited insurance cover for all passengers
 - (c) Valid Revenue License
 - (d) Driving License and Identity Card issued by the Bureau
 - (10) The section of the permit which states that it should be displayed, has to be clearly displayed in the front side of the three-wheeler.
 - (11) In accordance with the provisions of the Motor Traffic Act, every three wheeler engaged in passenger transportation should maintain all other facilities including seats for the comfort of the passenger.
 - (12) In a passenger transport three wheeler should not be in a way of an obstacle to the well-being of service expected passengers and general public in a manner contrary to morality or with improper intentions or in a way that causes physical or mental distress by generating sounds or displaying any picture or statement.
9. When an individual person applies for passenger transportation service for several three wheelers, he should separately apply for each three wheeler and each registration and issuance of a passenger service permit should be considered as separate service and acted accordingly.
 10. A passenger service permit obtained for a certain three wheeler should be applicable only for the use of the three-wheeler registered with the permit and should not be used for any other purpose under any circumstances.
 11. Within the duration applicable to the issued passenger transport service permit, it cannot be alienated by any means without the full permission of the Bureau.
 12. In the following instances; the permit issued in respect of a three wheeler and its registration with the Bureau should be considered as invalid.
 - (1) Having convicted three or more times for violation of the Road Passenger Transport Service Statute No. 6 of 2002 or the rules made therein by the registered owner or the driver.
 - (2) Change of ownership of the three wheeler.
 - (3) Whenever it is confirmed in a court that the relevant registered three wheeler has been used by its owner or the driver for any criminal activity.
 13. Under Section 12 above, it is the duty of the Head of the Department of the Bureau to cancel the registration and the permit at any instance when they are to be cancelled and should act accordingly to inform the registered individual regarding such decision by Registered Post.
 14. A person who is dissatisfied with the decision taken by the Head of the Department under Article 13 above can appeal to the General Manager of the Authority within 30 days from the date of the relevant notice and the decision of the General Manager with regard to that appeal will be the final.
 15. The Registered person of the three wheeler subjected to the decision of cancelling the registration and the permit under Section 13 of the above shall be ineligible to apply for a registration or a permit to operate passenger transport service by three wheeler for 03 consecutive years from the date of cancellation of that permit under the Road Passenger Three wheeler Transport Service Statute No. 06 of 2002 or any other statute subsequent to it.
 16. All requests for extension of validity of a permit for a registered three wheeler for passenger transport should be submitted within a period of 02 months prior to the expiry of the permit.

17. All requests made under Section 16 above shall be applicable to Section 04 under these Rules.
18. These rules shall not be an obstruction to accept any delayed application made for extending the validity period of a permit levying the due charge along with a surcharge for each delayed request.
19. Each three-wheel driver employed in operating a passenger transport service with the expectation of obtaining a fare or a reward from the three-wheeler shall be registered driver in the bureau.
20. Every person applying for the registration under the above Section 19 shall apply it through an application prescribed by the Bureau.
21. All persons applying for the functions under Section 19 above should not be eligible unless the following conditions are fulfilled:
 - (1) Shall be a person who fulfills the requirements complying the conditions which are made under the Motor Traffic Act and the orders made thereunder.
 - (2) Shall have a valid driving license to drive three-wheelers in accordance with the Motor Traffic Act and the conditions thereof.
 - (3) Shall be certified by a recognized person within a period of preceding one month prior to the date of application for having of excellent character.
 - (4) Shall be a person who has duly completed the requirements prescribed by the Bureau under the application to apply for registration.
 - (5) A certificate issued by the Grama Niladhari confirming the residence should be submitted.
22. In the event the Head of the Department of the Bureau accepts an application submitted under the above Section 21, a certificate completed according to the Schedule III under these rules shall be issued to the applicant.
23. Any person unsatisfied with the decision of rejecting the application under Section 21 by the due authority can submit an appeal to the General Manager within 30 days from the date of informing the rejection and the decision taken by the General Manager in this regard shall be the final.
24. It is legal to cancel the registration made under Section 22 by the Head of the Department of the Bureau under the following circumstances:
 - (1) At any instance the Head of the Department deems the registered person constantly breaches the Motor Traffic Act or a the directives made thereof.
 - (2) At any instance the registered person has been convicted by a court of law for a criminal offense.
 - (3) At any instance where the Head of the Department deems the registered person constantly breaches the directives prescribed by the Bureau or the provisions of Road Passenger Three-wheeler Services Statute No. 06 of 2002 or the provisions under these rules.
25. Any person unsatisfied with the decision regarding the cancellation of an application under Section 24, can submit an appeal within 30 days of informing the decisions to the General Manager and the decision taken by the General Manager in this regard shall be the final.
26. It is legal to inspect or to request any document related for the Sectional Head or any other authorized officer of the Authority in determining whether a three-wheeler engaged in passenger transport is in compliance with requirements of the Road Passenger Three-wheeler Service Statute No. 06 of 2002 or any of the provisions of these Rules whenever it is parked or ready to run.
27. Fares to be charged for the duty of the Road Passenger Transport Three-wheeler Service Statute No. 06 of 2002 should be as follows:

	Rs.
i. Registration Fee for a three-wheeler	500.00
ii. Annual Passenger Transport Service Permit fee	1,000.00
iii. If the passenger service permit is not extended on Or before the expiry date, the surcharge will be levied For a period of one month or less than a month	100.00
iv. Driver registration fee	1,500.00
v. Fee for a duplicate passenger service permit	500.00
vi. Fee for a duplicated driver registration certificate	500.00

28. Unless the text otherwise requires, under these Rules “The Authority” means the Western Provincial Road Passenger Transport Authority established under the Road Passenger Services Statues No. 01 of 1992.

“General Manager” means the General manager of the Western Provincial Road Passenger Transport Authority.

29. In an inconsistency between Sinhala, Tamil and English Texts of these Rules, the Sinhala Text shall prevail.

Paragraph 3

Schedule I

The Three Wheeler Passenger Permit for Regular Passenger Carriage Service

Permit No.	
Registration No. of the three-wheeler	
Name of the Owner/Institution Address	
NIC Number	
Attached Regional Office	
Service Station	
Local Authority Area	
Police Area	
Validity Period of the Permit	<div style="display: flex; justify-content: space-between;"> From </div> <div style="display: flex; justify-content: space-between;"> To </div>

This permit is issued under the terms and conditions of the Road Passenger Three-wheeler Services Statute No. 06 of 2002.

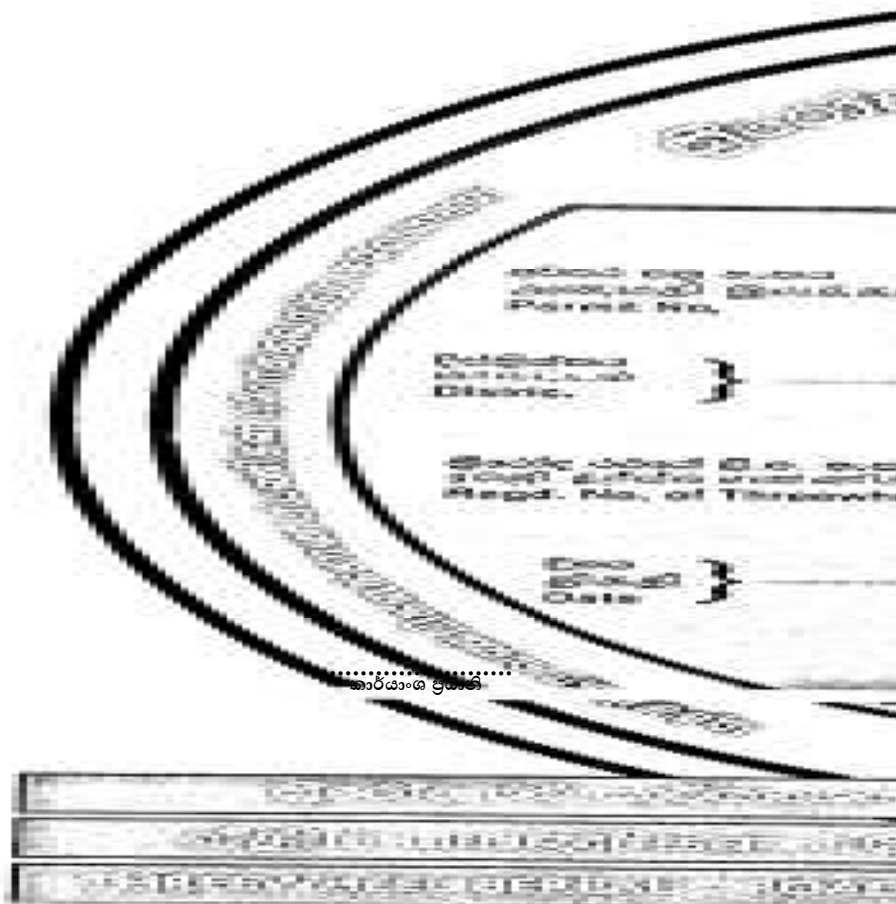
Receipt No. 01..... 02.....

Label No.

If the validity period of this permit is not extended after the expiration date or if required by the Western Provincial Three-wheeler Service Bureau prior to that date, this permit shall be handed over the Three-wheeler Service Bureau immediately.

Date of Issue

.....
Head of the Bureau,
Three-wheel Bureau,
Road Passenger Transport Authority,
Western Province.



Schedule II

Serial No.

Western Provincial Road Passenger Transport Authority
Application for registration of three wheeler and obtaining the permit for
passenger carriage/Transport service

1. Information about the owner of the Three Wheeler :-

- 1.1 Name in Full :-
- 1.2 Permanent Address :-
- 1.3 Registered number of the three wheeler :-
- 1.4 Driving Licence No.:-
- 1.5 Date Issued :-
- 1.6 National Identity Card No.:-
- 1.7 Telephone No.:-

For Office Use
Registration No.:-
Date :-

2. Information about the area where passenger transport service is carried out:-

- 2.1 Police Area:-
- 2.2 Local Authority Area :-
- 2.3 Three Wheel Park where the service will be provided :-
- 2.4 District:-

3. Information about the driver of the three wheeler:-

(Fill this Section if anyone other than the owner is driving)

- 3.1 Name in full :-
- 3.2 Permanent Address :-
- 3.3 Driving License No. :-
- 3.4 Date Issued:-
- 3.5 National Identity Card No.:-
- 3.6 Telephone No.:-

I declare that the information furnished by me is true and accurate. I agree with terms and the conditions of the passenger service permit and request to issue me a passenger transport service permit.

Date

.....

Signature of the Owner

4. Following documents should be submitted along with each application :-

1. Original and a photocopy of the certificate of registration of the three-wheeler.
2. Original and a photocopy of the National Identity Card of the owner of the three-wheeler.
3. Original and a photocopy of the valid insurance certificate.
4. Fitness certificate of the three-wheeler.
5. Original and a photocopy of the valid revenue license.
6. Original and a photocopy valid driving license of the driver.
7. Original and a photocopy of medical certificate of the driver.
8. Original of the Grama Niladhari certificate to certify the residence of the owner.

NOTE. Original documents other than Grama Niladhari Certificate will be returned after inspection.

For Office Use Only

The above description and documents were checked by me. Issue a receipt for a passenger transport permit from to for a Fare of Rs.

Prepared by

Subject Clerk

.....

Head of the Bureau/Regional Manager

Date

Receipt bearing No..... Was issued after charging a Fare of Rs.....

.....

Date

.....

Cashier

The three wheeler bearing No.....was registered under registration No.....
and license bearing No..... Was issued fromto

.....

Date

.....

Head of the Bureau/Regional Manager.

Schedule III

Three Wheeler - Bureau – Western Province
 Driver Registration Certificate



Name of the Driver :

Address of the Driver :

No. of the Three Wheeler :

Driver Registration No. :

N. I. C No. :

Driving License Number:

Police Area :

Date of Issue :

The Permit is valid for one year from the date of issue

.....

Head of the Bureau - Three wheeler - Bureau

Western Provincial Road Passenger Transport Authority

No. 89,

“Ranmagapaya”,

Kaduwela Road.