



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

MOTOR TRAFFIC (AMENDMENT)

ACT, No. 21 OF 1981

[Certified on 23rd March, 1981]

Published as a Supplement to Part II of the Gazette of the Democratic
Socialist Republic of Sri Lanka of March 27, 1981

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVT. PUBLICATIONS BUREAU, COLOMBO

Price : Rs. 4.75

Postage : Re. 1.50

Motor Traffic (Amendment) Act, No. 21 of 1981

[Certified on 23rd March, 1981]

L.D.—O.9/79.

AN ACT TO AMEND THE MOTOR TRAFFIC ACT.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Motor Traffic (Amendment) Act, No. 21 of 1981. Short title.

2. The Motor Traffic Act, hereinafter referred to as the "principal enactment", is hereby amended by the substitution for the word "Registrar", wherever that word occurs in the principal enactment, other than in sections 204 and 240, of the word "Commissioner". Amendment of Chapter 203.

3. Section 2 of the principal enactment is hereby amended as follows :— Amendment of section 2 of the principal enactment.

(1) by the insertion, immediately after subsection (2) of that section, of the following new subsection :—

"(2A) The possession by a manufacturer of a motor vehicle in Sri Lanka for the purposes of sale shall be deemed not to be a contravention of subsection (1) so long as the vehicle remains unsold and is not used on any highway.";

(2) by the repeal of subsection (4) of that section and substitution therefor of the following subsection :—

"(4) The possession of a motor vehicle by a person (not being a manufacturer or a dealer) by whom the vehicle was imported into Sri Lanka shall be deemed not to be a contravention of subsection (1), if, but only if, that person has made application for the registration of that vehicle and while the application is pending, its use is authorized by the Commissioner under section 18A." ; and

(3) by the addition at the end of that section, of the following new subsection :—

"(9) The possession of a motor vehicle under the provisions of the proviso to section 12 (2) shall be deemed not to be a contravention of subsection (1) of this section so long as the vehicle remains under the contract of rental or hiring."

Motor Traffic (Amendment) Act, No. 21 of 1981

Amendment of
section 3 of the
principal
enactment.

4. Section 3 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

"(2) No motor vehicle shall be registered as a motor car if the tare of that vehicle exceeds two and one-half metric tons."

Replacement
of sections 4 and
5 of the principal
enactment.

5. Sections 4 and 5 of the principal enactment are hereby repealed and the following sections substituted therefor :—

"Prohibition
of registration of
motor coaches
and owners
thereof except in
certain cases.

4. (1) No motor coach shall be registered unless the person for the time being entitled to the possession of that motor coach is—

(a) the Sri Lanka Central Transport Board or a Regional Transport Board established under the Transport Board Law, No. 19 of 1978 ; or

(b) the holder of a certificate of eligibility (granted under Part IV) for stage carriage permits for occasional omnibus services ; or

(c) the holder of a private coach permit for that motor coach.

(2) No person shall be registered as the owner of a motor coach unless that person is the Sri Lanka Central Transport Board or a Regional Transport Board, established under the Transport Board Law, No. 19 of 1978, or the holder of—

(a) a certificate of eligibility (granted under Part IV) for stage carriage permits for occasional omnibus services ; or

(b) a private coach permit for that motor coach.

(3) Notwithstanding the provisions of subsection (2) the Commissioner may register as the owner of a motor coach a person who intends to let out that motor coach to a person who is eligible to be registered under subsection (2).

Description
of motor
vehicles upon
registration.

5. (1) A motor coach which is to be registered under this Part—

(a) shall, if it is stated by the applicant for registration to be intended for use for the carriage of persons otherwise than for fee or reward, be registered as a private coach ;

(b) shall, if it is stated by the applicant for registration to be intended for the carriage of persons for fee or reward, be registered as an omnibus.

(2) A motor vehicle which is to be registered under this Part and—

- (a) which is, within the meaning of this Act, a lorry, motor car, motor tricycle, motor cycle, motor ambulance, motor hearse, hand tractor, invalid carriage, or a land vehicle, as the case may be, shall be registered as such ;
- (b) which does not fall into any category specified in paragraph (a) shall be registered as a motor vehicle of such description as may be prescribed. ”.

6. Section 9 of the principal enactment is hereby amended as follows :—

Amendment of section 9 of the principal enactment.

(1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

“(1) Upon the registration of a motor vehicle, the Commissioner shall—

- (a) assign to the motor vehicle a number or a combination of one or more letters and one or more numbers or assign a number under a special series of numbers (in this Act referred to as a “ distinctive number ”) ; and
- (b) register the person by whom the application for registration was made, as the owner of the vehicle ; and
- (c) enter in the register any conditions he deems necessary to ensure that the requirements of any provision of this Act or any other law are complied with ; and
- (d) issue to that person a certificate of registration in the prescribed form. ’ ; and

(2) by the repeal of subsection (7) of that section and the substitution therefor of the following subsection :—

“(7) Within a period of fourteen days after the due settlement of liabilities of a hire-purchase agreement in respect of a motor vehicle, the person who so let that vehicle shall forward to the Commissioner a written application for the deletion from the entry in the register relating to that vehicle of the name of the absolute owner thereof entered under subsection (5). Such application shall be accompanied by the prescribed fee for such deletion. ”.

Amendment of
section 10 of
the principal
enactment.

7. Section 10 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor, of the following subsection :—

“(2) The registered owner of a motor vehicle shall—

- (a) forthwith inform the Commissioner in writing of any circumstance or event which affects the accuracy of any entry in the register relating to the motor vehicle and shall at the same time forward or deliver to the Commissioner the certificate of registration of the motor vehicle ; and
- (b) where he intends to effect such alteration in a motor vehicle as will change the class under which the vehicle is registered, obtain the prior permission in writing of the Commissioner.”.

Amendment of
section 12 of
the principal
enactment.

8. Section 12 of the principal enactment is hereby amended as follows :—

(1) by the repeal of subsections (2) and (3) of that section and the substitution therefor of the following subsections :—

“(2) On any change of possession of a motor vehicle, other than a motor coach or lorry, upon a voluntary transfer made by the registered owner—

- (a) the registered owner shall, within seven days after such change of possession, transmit direct to the Commissioner either by registered post or personal delivery a statement in the prescribed form together with the revenue licence for that motor vehicle and shall deliver to the new owner the certificate of registration relating to the motor vehicle or a duplicate thereof ; and
- (b) the motor vehicle shall not be used at any time later than thirty days after such change of possession—
 - (i) unless the new owner is registered as the owner thereof ; and
 - (ii) if the revenue licence for the motor vehicle has not become void under section 39, unless such licence is delivered to the new owner by the Commissioner under section 14 after the necessary alterations are made therein, or if the revenue licence for the motor vehicle has become void under section 39, unless a new revenue licence for the motor vehicle is issued to the new owner :

Provided that this subsection shall not apply in any case where the change of possession of a motor vehicle is consequent on a contract of rental or hiring where the period of rental or hiring does not exceed three months or where the registered owner continues to employ and pay the driver of the vehicle.

(3) On any change of possession of a motor coach or lorry upon a voluntary transfer made by the registered owner—

(a) the registered owner shall, within seven days after such change of possession, transmit direct to the Commissioner either by registered post or personal delivery a statement in the prescribed form together with the revenue licence for that motor coach or lorry and shall deliver to the new owner the certificate of registration relating to that motor coach or lorry or a duplicate thereof ;

(b) the motor coach or lorry shall not be used at any time later than thirty days after such change of possession—

(i) unless the new owner is registered as the owner thereof, and

(ii) if the revenue licence for that motor coach or lorry has not become void under section 39, unless such licence is delivered to the new owner by the Commissioner under section 14 after the necessary alterations are made therein, or if the revenue licence for the motor coach or lorry has become void under section 39, unless a new revenue licence for the motor coach or lorry is issued to the new owner." ; and

(2) in subsection (4) of that section—

(a) by the substitution for paragraph (a) of that subsection, of the following paragraph :—

"(a) the registered owner of the vehicle shall, within seven days after the change of possession, deliver the revenue licence and the certificate of registration relating to the vehicle to the person into whose possession the vehicle has passed, and shall inform the Commissioner in writing of the change of possession : " ; and

(b) by the substitution for paragraph (e) of that subsection, of the following paragraph :—

“(e) the provisions of subsection (2) (b) or subsection (3) (b) shall, where that is a motor vehicle to which subsection (2) applies or is a motor coach or lorry, apply to that motor vehicle in like manner as they would apply, if there was a change of possession of that vehicle consequent upon a voluntary transfer made by its registered owner.”.

Amendment of section 14 of the principal enactment.

9. Section 14 of the principal enactment is hereby amended as follows :—

(1) in subsection (1) of that section—

(a) by the substitution for paragraphs (b) and (c) thereof, of the following paragraphs :—

“(b) unless the revenue licence for that motor vehicle or a duplicate thereof is forwarded to the Commissioner by the applicant or the previous owner of that motor vehicle or, if there is no such licence, unless a receipt for the payment of the fee for such licence or a certificate from the licensing authority that a valid notice of non-user has been given in respect of that vehicle under section 37 is forwarded to the Commissioner ;

(c) if his registration as owner thereof is prohibited by section 4 (2) or by any of the conditions stipulated by the Commissioner under section 9 (1) (c) ;” ; and

(b) by the insertion, immediately after paragraph (c) of that subsection, of the following new paragraph :—

“(d) unless all arrears of licence duty due from the registered owner and any liability under any other law in respect of the vehicle are paid.” ;

(2) by the repeal of subsections (2) and (3) of that section, and the substitution therefor of the following subsections :—

“(2) Upon the registration of the new owner of a motor vehicle, the Commissioner shall—

(a) either make the necessary alterations in the certificate of registration and deliver it to the new owner or issue to him a new certificate of registration ; and

- (b) if the revenue licence for that motor vehicle has not become void under section 39, make the necessary alterations in such licence and deliver it to the new owner, and, if the revenue licence for that motor vehicle has become void under section 39, transmit the void revenue licence to the licensing authority :

Provided, however, that the Commissioner may refuse to deliver the altered revenue licence to the new owner unless a certificate of insurance or a certificate of security, in conformity with the provisions of any existing law and relating to that motor vehicle, is produced to the Commissioner or a licensing authority for inspection.

(3) Upon the registration under this section of the new owner of a motor vehicle, the motor vehicle shall not be used unless a new revenue licence is issued in respect thereof, if the revenue licence has become void under section 39." ; and

- (3) by the repeal of subsection (6) of that section and the substitution therefor of the following subsection :—

"(6) Within a period of fourteen days after the due settlement of liabilities of a hire-purchase agreement in respect of a motor vehicle, the person who so let that vehicle shall forward to the Commissioner a written application for the deletion from the entry in the register relating to that vehicle of the name of the absolute owner thereof entered under subsection (4). Such application shall be accompanied by the prescribed fee for such deletion."

10. Section 14A of the principal enactment is hereby amended by the repeal of subsections (3) and (4) of that section and the substitution therefor of the following subsections :—

Amendment of section 14A of the principal enactment.

'(3) Where a motor vehicle which belongs to the government of a recognized foreign state and the distinctive number of which is of the special series referred to in subsection (1) ceases to belong to that government, the Commissioner shall, unless a diplomat becomes the registered owner, or the government of any other recognized foreign state becomes the owner, of that motor vehicle, cancel that distinctive number and assign to that motor vehicle a distinctive number which is not of such special series and where a diplomat of a state other than the state to which the diplomat who is the registered owner becomes the owner or any other recognized foreign

state becomes the owner the Commissioner shall cancel that distinctive number and assign to that motor vehicle such distinctive number as he may determine.

(4) In this section "diplomat" means the diplomatic representative in Sri Lanka of the government of any other country, or any person who is a member of the diplomatic staff of such diplomatic representative.

Amendment of
section 15 of
the principal
enactment.

11. Section 15 of the principal enactment is hereby amended as follows :—

(1) by the repeal of subsection (3) of that section and the substitution therefor of the following subsection :—

"(3) Notwithstanding anything in the preceding provisions of this section, no person shall be registered as the temporary owner of a motor coach except with the prior approval of the Commissioner ; and the Commissioner may refuse to grant such approval in any case where he is not in his discretion satisfied that the motor coach will during the absence of the registered owner be used solely for the purposes of the business which the registered owner is authorized by a permit granted under Part IV to use that motor coach.

The provisions of subsection (2) of section 4 shall not apply in the case of the registration under this section of any person as the temporary owner of a motor coach." ; and

(2) by the insertion, immediately after subsection (6) thereof, of the following new subsection :—

“(6A) Where the registered owner of a motor vehicle (hereafter in this subsection referred to as the "absent owner") is absent from Sri Lanka and a person is registered as the temporary owner of that motor vehicle under this section, such temporary owner shall not make a voluntary transfer effecting a change of possession of that motor vehicle without the written consent of the absent owner or of the duly appointed attorney of the absent owner ; and any such transfer made without such written consent shall be null and void.”.

12. The following new section is hereby inserted immediately after section 18, and shall have effect as section 18A, of the principal enactment :—

Insertion of new section 18A in the principal enactment.

"Use of a motor vehicle pending registration for the first time. 18A. The Commissioner may authorize the owner of a motor vehicle imported into Sri Lanka to use such vehicle pending its registration, for a period not exceeding three months from the date of importation."

13. Section 19 of the principal enactment is hereby amended as follows :—

Amendment of section 19 of the principal enactment.

- (1) by the renumbering of that section as subsection (1) of that section ; and
- (2) by the addition, immediately after renumbered subsection (1), of the following new subsections :—

"(2) Regulations may also be made providing for the issue by the Commissioner, whether free of charge or on payment of the proscribed fee, of permits exempting motor vehicles of any class or description from any such requirements where he considers it necessary to do so in the public interest. Such exemption shall be subject to such conditions as may be inserted in such permits relating to the safety or convenience of the public or the prevention of injury to or excessive wear of any highway or any bridge on any highway.

(3) The Commissioner may revoke or suspend any permit issued under any regulation made under subsection (2) on the ground that any of the conditions attached to the permit has not been complied with."

14. Section 21 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 21 of the principal enactment.

"Identification plates. 21. On every motor vehicle there shall be fixed and maintained two identification plates each bearing the distinctive number of that motor vehicle as assigned to it by the Commissioner :

Provided that in lieu of either or both of such plates a design or designs, conforming in every respect to the requirements of this Part as to identification plates, may be painted or otherwise delineated on any motor vehicle ; and any reference in this Act to, or to the fixing of an identification plate shall be deemed to include a reference, as the case may be, to or to the painting or to the delineation of, such a design."

Amendment of
section 25 of the
principal
enactment.

15. Section 25 of the principal enactment is hereby amended as follows :—

- (1) by the insertion, immediately after subsection (3) of that section, of the following new subsection :—

“(3A) The possession by a manufacturer of a motor vehicle in Sri Lanka for the purposes of sale shall be deemed not to be a contravention of subsection (1) so long as the vehicle remains unsold and is not used on any highway.” ; and

- (2) by the repeal of subsections (8) and (9) of that section and the substitution therefor of the following subsections :—

“(8) The Commissioner may issue a permit authorizing the removal of any motor vehicle for the purpose of repairs or for the purpose of compliance with any provision of this Act or for any other specified purpose on a specified date from a specified place and the use of that motor vehicle for the purpose of such removal in accordance with a permit so issued shall be deemed not to be a contravention of subsection (1).

(9) When the revenue licence for a motor vehicle becomes void under section 39, the possession of that motor vehicle by the owner thereof shall be deemed not to be a contravention of subsection (1) if he has applied for a new revenue licence for that motor vehicle and the application has not been finally determined or if he has given notice of a period of non-user under section 37.”.

Amendment of
section 26 of the
principal
enactment.

16. Section 26 of the principal enactment is hereby amended by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

“(1) A revenue licence to be issued under this Part for a motor vehicle shall be a licence of one, or a combination of one or more, of the following descriptions, that is to say, a motor car licence, a private coach licence, an omnibus licence, a motor tricycle licence, a ferry licence, a motor tricycle van licence, a motor cycle licence, a motor hearse licence, a motor ambulance licence, an invalid carriage licence, a hand tractor licence, or a land vehicle licence, and shall be issued having regard to the class or description of motor vehicles to which that vehicle belongs.”.

17. Section 27 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for the proviso to that subsection, of the following proviso :—

Amendment of section 27 of the principal enactment.

“Provided, however, that the licensing authority may, if he thinks fit, dispense with the production of the certificate of registration in the case of any motor vehicle, other than a motor coach, motor tricycle van or lorry, for which a revenue licence in respect of any year is to be issued to any person to whom a revenue licence for that motor vehicle in respect of the preceding year has been issued by that authority.”

18. Section 28 of the principal enactment is hereby amended as follows :—

Amendment of section 28 of the principal enactment.

(1) by the repeal of subsection (1) of that section, and the substitution therefor of the following subsection :—

“(1) No omnibus licence shall be issued under this Part except for an omnibus the registered owner of which is the Sri Lanka Central Transport Board or any Regional Transport Board established under the Transport Board Law, No. 19 of 1978, or is the holder of a certificate of eligibility for stage carriage permits for occasional omnibus services.”;

(2) by the repeal of subsection (3) of that section ; and

(3) by the substitution for the marginal note to that section, of the following marginal note :—

“Licences for omnibuses and private coaches to be issued only to holders of operational permits.”.

19. Section 29 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 29 of the principal enactment.

“Revenue licences for motor coaches, &c., not to be issued without examination and certification.”

29. No revenue licence for a motor coach, lorry, motor tricycle van, motor hearse or motor ambulance shall be issued by any licensing authority unless a certificate of fitness issued in respect thereof under section 196 and in force is produced.”.

20. Section 30 of the principal enactment is hereby amended as follows :—

Amendment of section 30 of the principal enactment.

(1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

“(1) Every application for a revenue licence (other than a dealer's licence or visitor's temporary licence) for a motor vehicle shall—

(a) be made to the licensing authority of the place in which the motor vehicle will usually be kept during the period for which the licence is required ;

- (b) be substantially in such one of the prescribed forms, as may be appropriate to the case, and shall set out all particulars relating to that motor vehicle in respect of such of the matters specified in that form as may be applicable to that motor vehicle ;
- (c) be signed by the registered owner of the motor vehicle ;
- (d) except in the case of a motor vehicle registered in the name of the Sri Lanka Central Transport Board or any Regional Transport Board established under the Transport Board Law, No. 19 of 1978, be accompanied by the licence fee under section 31 ;
- (e) be made on or before the thirty-first day of December in the year preceding the year for which the licence is required ; and
- (f) be accompanied by the previous years' licence :

Provided, however, that—

- (i) in the case of any motor vehicle in respect of which notice of period of non-user has been given under section 37, the application shall be made before the end of that period ;
- (ii) in the case of a motor vehicle in respect of which notice of a period of non-user has been given under section 37 and that notice ceases to be operative on any date by reason of the provisions of section 37 (5), the application shall be made within three days of that date ;
- (iii) in the case of a motor vehicle which is registered for the first time in Sri Lanka the application shall be made within three days of the date of the registration of that vehicle ;
- (iv) in the case of a motor vehicle for which a new revenue licence is applied for as the revenue licence for the motor vehicle has become void upon a change of possession of that motor vehicle, the application shall be made within thirty days of the change of possession of that vehicle ;

(v) in the case of a motor vehicle for which a new revenue licence is applied for as the revenue licence for that motor vehicle has become void under subsection (1) of section 39, the application shall be made within three days after the date on which the revenue licence has been void ; and

(vi) in the case of a motor vehicle for which a new revenue licence is applied for in order to use that motor vehicle for a purpose not authorized by the revenue licence for that motor vehicle, the application shall be made within thirty days before the date on which it is intended to use that motor vehicle for that purpose. " ;

(2) by the insertion, immediately after subsection (1) of that section, of the following new subsection :—

" (1A) Where in respect of any motor vehicle an application is made for a new revenue licence which is necessary by reason of section 39, there shall be attached to such application a statement of the circumstances which necessitate a new licence and the licence which has been void under that section except where such licence has already been sent to the licensing authority. " ; and

(3) by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

" (2) Where application for a revenue licence for a motor vehicle is required under subsection (1) to be made before any day or before the expiry of any period, as the case may be, and there is delay in making the application, the licensing authority may in his discretion, on proof to his satisfaction that the delay is due to any error, accident or misfortune, and, on payment of the full amount of the licence fee which would under this Part have been payable on the licence if it had been issued on an application duly made under that subsection, issue a revenue licence expressed to be in force from the date of such issue ; and in any case where a revenue licence for any motor vehicle has been issued under this subsection, no prosecution shall be instituted against any person for any contravention of section 25 (1) in respect of that vehicle during the period of such delay and where a prosecution has been instituted before the time of such payment the Magistrate shall discharge such person. " .

Amendment of
section 31 of the
principal
enactment.

21. Section 31 of the principal enactment is hereby amended as follows :—

(1) by the repeal of subsections (3) and (4) of that section and the substitution therefor of the following subsections :—

“(3) Where—

- (a) application for a revenue licence for a motor vehicle, in respect of which notice of a period of non-user in any year has been given under section 37, is made under paragraph (i) or paragraph (ii) of the proviso to section 30 (1) and the licensing authority is satisfied that the motor vehicle has not been unlawfully used between the first day of January in that year and the date from which the licence is to be in force ; or
- (b) application for a revenue licence for any motor vehicle registered for the first time in Sri Lanka on any date during the course of any year, is made under paragraph (iii) of the proviso to section 30 (1), and no notice of a period of non-user in respect of that motor vehicle has been given under section 37 ; or
- (c) application is made for a new revenue licence which is necessary by reason of section 39 and which is to come into force after the first day of January in any year,

the licence fee payable on that licence shall, save as is otherwise provided in subsection (2), be the licence fee payable under subsection (1) on a yearly licence, reduced by one-twelfth part for each complete calendar month of the period commencing on the first day of February in that year and ending on the last day of the month preceding the month in which the licence is to come into force.

(4) No licence fee shall be payable on a revenue licence for a motor vehicle belonging to or exclusively used in the service of the Government of Sri Lanka or belonging to the Government of any foreign state, as the Minister, after reciprocal arrangements in that behalf have been made, may from time to time specify by Notification published in the *Gazette* or belonging to the representative in Sri Lanka (by whatsoever name, title or designation called) of the Government of any foreign state so specified or the Trade Commissioner or consular officer in Sri Lanka of any such Government or persons on the staff of any such representative or Commissioner or consular officer.” ; and

- (2) by the addition, at the end of that section, of the following new subsections :—

"(5) Where the licence fee for the revenue licence for a motor vehicle is paid to a licensing authority and before that licence is issued a change of possession of that motor vehicle occurs, then, if the new registered owner of that motor vehicle produces a receipt for the payment of that fee and a certificate from the licensing authority has not been issued, no licence fee shall be payable by that registered owner.

(6) Where the amount paid by any person as licence fee for the revenue licence issued to him is less than the full amount payable for that licence, the licensing authority may by notice in writing, require such person to pay on or before the date specified in the notice the sum specified therein, such sum being an amount equal to the difference between the full fee payable for that revenue licence and the fee actually paid for that licence.

(7) Any person who fails to comply with the requirements of a notice given to him under subsection (6) shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred and fifty rupees, and the court may in addition to any such fine as the court may impose, order that person to pay the sum specified in that notice and such sum may be recovered in the same manner as a fine imposed by that court."

22. Sections 33, 34, 35 and 36 of the principal enactment are hereby repealed and the following sections are substituted therefor:—

"Limitation of duration of certain licences.

33. (1) In any case where—

(a) the stage carriage permit under the authority of which an omnibus is used ; or

(b) the private coach permit which authorizes the use of any private coach,

is due to expire before the thirty-first day of December in any year, the revenue licence issued for that year under this Part for that omnibus or private coach, as the case may be, shall notwithstanding anything in section 32, be and be expressed to be in force only until the date on which the permit is due to expire ;

Replacement of sections 33, 34, 35 and 36 of the principal enactment.

Provided that if the registered owner of that omnibus or private coach at any time before the date of expiry of the revenue licence becomes the holder of a stage carriage permit or a private coach permit, as the case may be, which is valid until some date not earlier than the thirty-first day of December of the year in respect of which that licence was issued, the licensing authority by whom the licence was issued shall, on application made in that behalf by such owner before the date of expiry of the licence and on payment of the amount of fee calculated as hereinafter provided by endorsement under his hand on the licence, extend the period of its validity until the thirty-first day of December aforesaid and accordingly the licence shall continue in force until that date.

(2) Where a revenue licence for an omnibus or private coach issued in respect of any year is, in accordance with subsection (1), due to expire before the thirty-first day of December of that year, the fee payable on that licence shall, save as is otherwise provided in subsection (2) of section 31, be the fee payable under subsection (1) of that section on a yearly licence, reduced by one-twelfth part for each complete calendar month of the period commencing on the first day of the month succeeding the month in which the licence is due to expire and ending on the thirty-first day of December aforesaid :

Provided that where the period of validity of such a licence is extended under the provisions of subsection (1) until the thirty-first day of December aforesaid, a further fee shall be payable on that licence and the amount of that fee shall be the amount by which the fee payable on a yearly licence under subsection (1) of section 31 exceeds the amount actually paid on that licence at the time of issue thereof.

Power to insert
conditions
in revenue
licence.

34. Any licensing authority may insert in any revenue licence for a motor coach, lorry or motor tricycle van issued by that authority such conditions as an examiner or other person may, after examination under this Act of such coach, lorry, or motor tricycle van, as the case may be, certify to be necessary in the interests of safety.

Maximum number of persons and passengers to be specified in revenue licences for private coaches, &c.

35. (1) The licensing authority shall specify in every revenue licence issued by the authority—

- (a) for a private coach, the maximum number of persons authorized to be carried in that coach ; and
- (b) for an omnibus, the maximum number of passengers authorized to be carried in that omnibus.

(2) For the purpose of determining the maximum number of persons or passengers, as the case may be, that may be carried on a private coach or an omnibus—

- (a) three hundred and eighty-two millimetres of seating space shall be allowed for each person or passenger, as the case may be ; and
- (b) due regard shall be had to the safe load of the coach or omnibus which shall be calculated in such manner as the Commissioner may direct, the weight of each person or passenger, as the case may be, being reckoned in that calculation, as fifty kilogrammes ;

Provided, however, that in the case of an omnibus other than an omnibus which is constructed or adapted mainly or wholly to carry passengers standing—

- (a) which is constructed and equipped in accordance with such provisions as may be prescribed and is provided with a centre gangway ; and
- (b) which is to be used under the authority of a stage carriage permit for a regular omnibus service,

the following provisions shall, for such periods as may be determined by the Commissioner, apply in lieu of the preceding provisions of this subsection :—

- (i) Three hundred and eighty-two millimetres of seating space shall be allowed for each passenger.

- (ii) Where the omnibus has a wheel base of not less than four thousand millimetres and not more than four thousand six hundred millimetres, the number of passengers determined for that omnibus under paragraph (i) shall be increased by eight.
- (iii) Where the omnibus has a wheel base of less than four thousand millimetres, the number of passengers determined for that omnibus under paragraph (i) shall be increased by one-fifth.
- (iv) Where the omnibus has a wheel base of more than four thousand six hundred millimetres, the number of passengers determined for that omnibus under paragraph (i) shall be increased by a number not exceeding twelve :

And provided further that in the case of an omnibus—

- (a) which is constructed or adapted mainly or wholly to carry passengers standing, and
- (b) which is used on such route or routes as may be specified in a permit issued therefor by the Commissioner,

the following provisions shall apply in lieu of the preceding provisions of this subsection :—

- (i) Three hundred and eighty-two millimetres of seating space shall be allowed for each passenger where any seats are provided.
- (ii) One sixteen-hundredth of a square metre of standing space shall be allowed for each passenger who is standing.
- (iii) A strap-hanger or support of any kind whatsoever shall be provided in the omnibus for each passenger who is standing.

In reckoning the standing space for passengers no account shall be taken of the one hundred and twenty-eight millimetres of space in front of each row of seats, if seats are provided in the omnibus, and the space reserved for the entry and exit of passengers into and from the omnibus.

Maximum load to be specified on revenue licences for lorries and motor tricycle vans.

36. The licensing authority shall specify in every licence for a lorry or motor tricycle van issued by that authority the maximum load (that is to say, the pay-load) which may be carried on the lorry or motor tricycle van. For the purpose of determining the maximum load, each person permitted to be carried on the lorry or motor tricycle van shall be deemed to weigh fifty and eight-tenth kilogrammes."

23. Section 37 of the principal enactment is hereby amended as follows :—

Amendment of section 37 of the principal enactment.

(1) by the repeal of subsections (1) and (2) of that section, and the substitution therefor of the following subsections :—

"(1) (a) The registered owner or any person in possession of a motor vehicle may on or before the thirty-first day of December in any year give written notice to the licensing authority that he does not intend to use the motor vehicle for such period, not less than six months, commencing on the first day of January in the succeeding year as may be specified in the notice :

Provided, however, that where any such written notice is given within seven days after the thirty-first day of December the licensing authority, if he is satisfied that the delay in giving such notice was due to any error, accident or misfortune, may in his discretion accept such notice as a notice duly given before the thirty-first day of December.

(b) Where a person comes into possession of a motor vehicle during the course of any year, he may, within seven days after the date of coming into possession of the motor vehicle, give written notice that he does not intend to use the motor vehicle for such period commencing on that day, as may be specified in the notice.

(c) Where the registered owner of a motor vehicle surrenders a revenue licence of a motor vehicle for cancellation under section 40 he may give written notice on or before the date of surrender as may be specified in the notice :

Provided, however, that in any case where the motor vehicle belongs to the Sri Lanka Central Transport Board or any Regional Transport Board established under the Transport Board Law, No. 19 of 1978, the licensing authority may in lieu of such written notice

and in lieu of the licence accept a certificate from an officer authorized in that behalf by the Board stating that the vehicle was not in use on any highway for such period as may be specified in such notice.

(d) Where the revenue licence for a motor coach or lorry expires at any time before the thirty-first day of December in any year, the registered owner of that motor coach or lorry may give written notice on or before the date of such expiry that he does not intend to use that motor coach or lorry for such period commencing on the date of such expiry as may be specified in the notice.

(2) The registered owner of a motor vehicle, in respect of which notice of a period of non-user has been given under subsection (1), may by written notice given before the expiry of that period further extend the period :

~~Provided, however, that~~ where any written notice purporting to extend a period of non-user is given within seven days after the date of the expiry of that period, the licensing authority, if he is satisfied that the delay in giving such notice was due to any error, accident or misfortune, may in his discretion accept such notice as notice duly given before the expiry of that period ; and the period of non-user shall be deemed to be extended accordingly. ", and

(2) by the insertion immediately after subsection (5) of that section, of the following new subsection :—

" (5A) Where a person has not specified the period of non-user in any notice given under subsection (1) but, within fourteen days after the date of giving that notice, specifies that period in writing, he shall be deemed to have specified that period in that notice."

Replacement of
section 38 of the
principal
enactment.

24. Section 38 of the principal enactment is hereby repealed and the following section is substituted therefor :—

" Revenue
licence to be
carried on
motor vehicles
and produced
when required.

38. The revenue licence issued for any motor vehicle shall—

(a) be displayed on the front of the motor vehicle and placed in a conspicuous position on the left or near side of the motor vehicle, so that the front of the licence and the writing thereon shall be clearly visible at all times to a person standing in front of the motor vehicle on the left or near side thereof ; and

(b) be made available for inspection on demand made by a police officer, Grama Seva Niladhari, or examiner, or by any person authorized in writing by the Commissioner or the licensing authority :

Provided, however, that the revenue licence shall be removed from the vehicle and produced when required by a court or the Commissioner for endorsement or retention."

Replacement of sections 39, 40 and 41 of the principal enactment.

25. Sections 39, 40 and 41 of the principal enactment are hereby repealed and the following sections substituted therefor :—

*Circumstances in which revenue licences become void,

39. (1) The revenue licence for any motor vehicle shall become void if that motor vehicle is so altered that it is converted into a motor vehicle requiring a revenue licence—

(a) which is of a class or description different from that of the first-mentioned revenue licence, or

(b) for which the licence fee is different from that for the first-mentioned revenue licence.

(2) The revenue licence for any motor vehicle shall become void on the date of the coming into force of a new revenue licence issued for that motor vehicle in order to authorize the use of that motor vehicle for a purpose not authorized by the first-mentioned revenue licence.

(3) A revenue licence to which subsection (4) of section 31 applies shall become void if in consequence of a change of possession of the motor vehicle for which that revenue licence has been issued, the said subsection ceases to apply to that revenue licence.

(4) A new revenue licence—

(a) to replace a revenue licence which is void under subsection (1) or subsection (3), or

(b) to authorize as indicated in subsection (2), the use of any motor vehicle for a purpose not authorized by the revenue licence replaced by the new revenue licence,

is in this Act referred to as a new revenue licence which is necessary by reason of this section.

Surrender,
cancellation
and alteration
of revenue
licences.

40. (1) The holder of a revenue licence may surrender it for cancellation to the licensing authority who issued it.

(2) Where, while the revenue licence for a motor vehicle is in force, the registration of that motor vehicle is cancelled under section 18, the holder of that revenue licence may surrender it for cancellation to the licensing authority who issued it.

(3) Where a revenue licence—

(a) has been void under section 39, or

(b) is a revenue licence to which subsection (2) of this section applies,

the licensing authority who issued that revenue licence may in writing order the holder of that revenue licence to surrender it to him for cancellation.

(4) Where it is necessary to make any alteration in a revenue licence, the licensing authority who issued that revenue licence, may in writing order the holder of that revenue licence to return such licence to him for the purpose of making that alteration.

(5) The holder of a revenue licence in respect of whom an order under subsection (3) or subsection (4) is made shall comply with that order within fourteen days after it is communicated to him.

(6) Where a revenue licence—

(a) is surrendered under this section, or

(b) is replaced by a new revenue licence which is necessary by reason of section 39,

the licensing authority to whom the revenue licence is surrendered or who issues the new revenue licence for the replaced revenue licence shall cancel by endorsement thereon under his hand the surrendered or the replaced revenue licence.

Refund of
licence fee.

41. (1) Where a new revenue licence which is necessary by reason of section 37(1) is issued for any motor vehicle, the person to whom the revenue licence which is replaced by the new revenue licence was issued shall be entitled to obtain from the licensing authority who issued the replaced revenue licence, a refund, subject to the deduction of a sum of five rupees, of one-twelfth part of the duty, paid by that person for the replaced revenue

licence, in respect of each complete calendar month of the period commencing on the first day of the month succeeding the month in which the replaced revenue licence became void and ending on the thirty-first day of December next following.

(2) Where the holder of a revenue licence for a motor vehicle, other than a revenue licence replaced by a new revenue licence which is necessary by reason of section 37, surrenders it for cancellation to the licensing authority who issued it, he shall be entitled to obtain from that licensing authority a refund, subject to the deduction of a sum of five rupees, of one-twelfth part of the duty paid by that person for the surrendered revenue licence, in respect of each complete calendar month of the period commencing on the first day of the month succeeding the month in which the licence is surrendered and ending on the thirty-first day of December next following.

(3) If any person who has paid to a licensing authority the licence fee for a revenue licence for a motor vehicle satisfies the licensing authority at any time before the issue of the revenue licence that such person is not required under this Act to obtain such licence, he shall be entitled to a refund of that fee from that licensing authority.

(4) Where an applicant for a revenue licence pays to a licensing authority in revenue stamps, money or otherwise as the licence fee for that licence any sum in excess of that fee, he shall be entitled to obtain a refund of such excess from that licensing authority."

26. Section 44 of the principal enactment is hereby amended by the repeal of subsections (1) and (2) of that section and the substitution thereof of the following subsections:—

Amendment of section 44 of the principal enactment.

"(1) The Commissioner, if he is satisfied, upon application made in the prescribed form, that any motor vehicle has been imported into Sri Lanka—

(a) for participation in a motor sports meet approved by the Commissioner, or

(b) for the purpose of being used by the owner of that vehicle during a visit to Sri Lanka,

may, notwithstanding that no person has been registered as the owner of that vehicle, issue to the owner a visitor's temporary licence in the prescribed form, authorizing the possession and use of the motor vehicle for a period not exceeding three months from the date of importation.

(2) The powers conferred on the Commissioner by paragraph (b) of subsection (1) may—

- (a) in the case of a motor vehicle imported at the port of Talaimannar, be exercised by the Government Agent of the administrative district of Mannar or by the Sub-Collector of Customs at Talaimannar ;
- (b) in the case of a motor vehicle imported at the port of Trincomalee be exercised by the Government Agent of the administrative district of Trincomalee ; or
- (c) in the case of a motor vehicle imported at the port of Galle, be exercised by the Government Agent of the administrative district of Galle."

Amendment of section 45 of the principal enactment.

27. Section 45 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

"(2) The Commissioner may issue a permit for the purpose of—

- (a) authorizing a motor car or a motor tricycle to be used for a specified period for the carriage of samples of goods not exceeding one hundred kilograms in weight ; or
- (b) authorizing a motor car or a motor tricycle to be used for a specified period for the carriage of mails or newspapers ; or
- (c) authorizing an omnibus to be used, subject to such conditions as may be specified in the permit for the carriage of mails or newspapers."

Amendment of section 46 of the principal enactment.

28. Section 46 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

"(2) The provisions of subsection (1) shall not apply to an omnibus owned by the Sri Lanka Central Transport Board or any Regional Transport Board established under the Transport Board Law, No. 19 of 1978, or to any omnibus which is used by any dealer on any highway if, but only if, it is so used under and in accordance with a dealer's licence issued under Part III."

Replacement of sections 47 and 48 of the principal enactment.

29. Sections 47 and 48 of the principal enactment are hereby repealed and the following sections substituted therefor :—

"Classes of stage carriage permit.

47. A permit authorizing the use of an omnibus shall be one of the following classes, that is to say :—

- (a) a stage carriage permit for an occasional service ; and
- (b) a private coach permit.

Authorized
passenger
carriage by
omnibus.

43. A stage carriage permit for an occasional service shall entitle the holder thereof to use an omnibus of which he is the registered owner for the purpose of the operation of an occasional service, on the occasion of any festival, fair, exhibition, excursion, or any other event for the carriage of passengers in accordance with the conditions attached to the permit."

30. Section 50 of the principal enactment is hereby repealed and the following new section substituted therefor :—

Replacement of
section 50 of the
principal
enactment.

"Duration of
stage carriage
permits.

50. The period for which a stage carriage permit for an occasional service shall be in force shall be such period as is specified in the permit."

31. Section 51 of the principal enactment is hereby amended as follows :

Amendment of
section 51 of the
principal
enactment.

(1) by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

"(2) Every applicant for a stage carriage permit shall submit together with his application, a statement in such form as the Commissioner may provide for the purpose, containing—

(a) particulars of the type, or types of the omnibuses proposed to be used under the permit ; and

(b) such other particulars as the Commissioner may require." ; and

(2) by the repeal of subsections (3) and (4) of that section.

32. Sections 52 and 53 of the principal enactment are hereby repealed.

Repeal of
sections 52 and
53 of the
principal
enactment.

33. Section 54 of the principal enactment is hereby amended as follows :—

Amendment of
section 54 of the
principal
enactment.

(1) by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

" (2) An application for a certificate of eligibility for occasional services may be made by any person carrying on or proposing to carry on the business of carriage of passengers on tours or excursions." ; and

(2) by the repeal of subsection (5) of that section.

Repeal of sections 55 and 56 of the principal enactment.

34. Sections 55 and 56 of the principal enactment are hereby repealed.

Replacement of section 57 of the principal enactment.

35. Section 57 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Conditions attached to permits.

57. Subject to the provisions of this Act and of any regulations made in that behalf, the Commissioner may attach to any stage carriage permit all such conditions as he may think fit to impose, for securing the safety and convenience of the public, including conditions requiring—

- (a) that the fares to be charged shall be such as may be specified in the permit ;
- (b) that the service shall be operated in accordance with a time-table specified in the permit ;
- (c) that every omnibus used on the service shall be of a specified type and be maintained at all times in a fit and serviceable condition ;
- (d) that no omnibus shall be used on the service unless a certificate of fitness in respect thereof is in force for the time being ;
- (e) that the requirements of any written law with respect to the time for which drivers or conductors of omnibuses may remain continuously on duty and to their hours of work or rest and to their wages are complied within the case of the drivers and conductors of the omnibuses used under the authority of the permit ;
- (f) that the speed limits prescribed by any written law and applicable in the case of omnibuses shall be observed in the operation of the service."

Repeal of sections 58 and 59 of the principal enactment.

36. Sections 58 and 59 of the principal enactment are hereby repealed.

Amendment of section 60 of the principal enactment.

37. Section 60 of the principal enactment is hereby amended by the repeal of subsections (3) and (4) of that section.

Repeal of section 60A of the principal enactment.

38. Section 60A of the principal enactment is hereby repealed.

39. Section 61 of the principal enactment is hereby amended by the repeal of subsections (3), (4) and (5) of that section.

Amendment of section 61 of the principal enactment.

40. Sections 62 and 63 of the principal enactment are hereby repealed.

Repeals of sections 62 and 63 of the principal enactment.

41. Section 64 of the principal enactment is hereby amended as follows :—

Amendment of section 64 of the principal enactment.

(1) by the substitution for paragraph (e) of that section, of the following paragraph :—

“(a) the procedure on applications for, and the determination of, questions in connexion with the grant, suspension and revocation of stage carriage permits, the fees payable in respect of such applications and permits, and the manner in which such fees shall be payable;”;

(2) by the omission of paragraph (b) of that section; and

(3) by the substitution for paragraph (f) of that section of the following paragraph :—

“(f) the records to be kept in respect of the journeys performed by omnibuses;”.

42. Sections 65, 66, 67, 68, 69, 70, 71, 72, 73 and 73A of the principal enactment are hereby repealed.

Repeal of sections 65, 66, 67, 68, 69, 70, 71, 72, 73 and 73A of the principal enactment.

43. Part V of the principal enactment containing sections 79 to 98 (both inclusive) is hereby repealed.

Repeal of Part V of the principal enactment.

44. Section 100 of the principal enactment is hereby amended in paragraph (e) of subsection (1) of that section, by the substitution, in sub-paragraph (i) of that paragraph, for the words “motor coach, or hiring car,” of the words “motor coach.”

Amendment of section 100 of the principal enactment.

45. Section 107 of the principal enactment is hereby amended by the substitution for paragraphs (b) and (c) of that section, of the following paragraphs :—

Amendment of section 107 of the principal enactment.

“(b) after the happening of the said event but before the expiration of a period of three months from the taking

effect of the cancellation of the policy, the certificate was surrendered to the insurer or an affidavit was made and delivered to the insurer by the person to whom the certificate was issued ; or

- (c) either before or after the happening of the said event, but within the said period of three months, the insurer has commenced proceedings under this Part in respect of the failure to surrender the certificate."

Replacement of
section 122 of
the principal
enactment.

46. Section 122 of the principal enactment is hereby repealed and the following section substituted therefor :

" Classification
of motor vehicles for purposes
of this Part.

122. For the purposes of this Part, motor vehicles shall be deemed to be divided into the following classes, that is to say—

- (a) motor coaches,
- (b) lorries, and, in addition, motor ambulances, and motor hearses,
- (c) motor tricycle vans,
- (d) steam-driven motor vehicles,
- (e) motor cars,
- (f) motor tricycles,
- (g) motor cycles,
- (h) invalid carriages,
- (i) hand tractors,
- (j) land vehicles,
- (k) motor vehicles not herein before specified and sub-divisions of motor vehicles hereinbefore specified."

Replacement of
section 123 of
the principal
enactment.

47. Section 123 of the principal enactment is hereby repealed and the following section substituted therefor :—

" Prohibition
of driving
without
driving
licence.

123. (1) Subject to the provisions of subsection (2)—

- (a) no person shall drive a motor vehicle of any class on a highway unless he is the holder of an effective driving licence which is valid for motor vehicles of that class ; and

(b) no person shall employ or permit any other person to drive a motor vehicle of any class on a highway unless the person so employed or permitted is the holder of an effective driving licence which is valid for motor vehicles of that class.

(2) For the purpose of learning or being permitted to drive a motor vehicle, a person, notwithstanding that he is not the holder of a driving licence, may—

(a) where he has completed the age of fifteen years, drive on a highway any motor vehicle, other than a motor tricycle van, motor coach, or lorry,

(b) where he has completed the age of twenty-one years, drive on a highway any motor tricycle van, motor coach or lorry,

provided, always that—

(i) no person other than the person learning to drive and the person instructing him and no goods, as the case may be, are carried in any such motor vehicle,

(ii) the holder of an effective driving licence which is valid for motor vehicles of that class accompanies him for the purpose of instructing him and is seated at his side ;

Provided, however, that the requirements herein shall not apply to motor cycles and tractors ;

(iii) there is carried above each identification plate fixed on the vehicle, in such manner as not to obstruct any such identification

plate, a white board or plate bearing the letter 'L' painted thereon in red, the dimensions of such letter being at least twice the corresponding dimensions of any letter forming part of the distinctive number on the identification plate."

48. Section 124 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

Amendment of section 124 of the principal enactment.

"(2) Every applicant for a driving licence which is to be valid for motor vehicles of any or every class referred to in paragraphs (a) to (e) of section 122 shall prove to the satisfaction of the Commissioner—

(a) that he has completed the age of twenty-one years ;

(b) that he possesses an adequate practical knowledge of the mechanism of a motor vehicle ;

(c) that he possesses such educational or other qualifications as may be prescribed ;

(d) that he is physically fit to drive vehicles of the classes referred to in this Part, and that his application is supported by a certificate from a medical practitioner registered under section 32 of the Medical Ordinance ; and

(e) that he possesses such physical requirements as may be prescribed. "

49. Section 125 of the principal enactment is hereby amended by the repeal of subsection (3) of that section and the substitution therefor of the following subsection :—

Amendment of section 125 of the principal enactment.

"(3) No driving licence which is to be valid for motor vehicles of any or every class referred to in paragraphs (a) to (e) of section 122 shall be issued to any person who is a registered criminal within the meaning of the Prevention of Crimes Ordinance unless the Commissioner, after considering any report made in respect of that person by the Inspector-General of Police, is satisfied that that person is a fit and proper person to be a holder of such a licence. " ;

50. Section 126 of the principal enactment is hereby repealed and the following sections substituted therefor :—

Replacement of section 126 of the principal enactment.

"Duration of driving licences.

126. (1) Subject to the provisions of subsections (2) and (3), every driving licence issued under this Part shall be valid for such period as may be prescribed, and every such driving licence may be renewed for such period or periods, upon the payment of such fee, as may be prescribed.

(2) A driving licence which is cancelled under the succeeding provisions of this Part shall cease to be effective on the date of cancellation thereof.

(3) A driving licence which is suspended for any period under the succeeding provisions of this Part shall not be effective during the period of such suspension."

51. Section 128 of the principal enactment is hereby amended by the repeal of subsection (3) of that section.

Amendment of section 128 of the principal enactment.

52. Section 129 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 129 of the principal enactment.

"Special provisions affecting licences to drive motor coaches, lorries and motor tricycle vans.

129. (1) No driving licence shall be valid for a motor coach, lorry or motor tricycle van unless the licence is, by entry made thereon under the hand of the Commissioner, expressed to be valid for motor coaches, lorries or motor tricycle vans, as the case may be.

(2) No driving licence shall, under subsection (1), be expressed to be valid for motor coaches, lorries or motor tricycle vans unless the Commissioner is satisfied that the applicant for the licence or the holder thereof, as the case may be, has attained the age of twenty-one years.

(3) Where the Commissioner is satisfied that an applicant for, or the holder of, a driving licence is unfit to drive a motor coach, lorry or motor tricycle van by reason of the fact that he habitually behaves in a riotous or

plate, a white board or plate bearing the letter 'L' painted thereon in red, the dimensions of such letter being at least twice the corresponding dimensions of any letter forming part of the distinctive number on the identification plate."

48. Section 124 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

Amendment of section 124 of the principal enactment.

"(2) Every applicant for a driving licence which is to be valid for motor vehicles of any or every class referred to in paragraphs (a) to (e) of section 122 shall prove to the satisfaction of the Commissioner—

- (a) that he has completed the age of twenty-one years ;
- (b) that he possesses an adequate practical knowledge of the mechanism of a motor vehicle ;
- (c) that he possesses such educational or other qualifications as may be prescribed ;
- (d) that he is physically fit to drive vehicles of the classes referred to in this Part, and that his application is supported by a certificate from a medical practitioner registered under section 32 of the Medical Ordinance ; and
- (e) that he possesses such physical requirements as may be prescribed. "

49. Section 125 of the principal enactment is hereby amended by the repeal of subsection (3) of that section and the substitution therefor of the following subsection :—

Amendment of section 125 of the principal enactment.

"(3) No driving licence which is to be valid for motor vehicles of any or every class referred to in paragraphs (a) to (e) of section 122 shall be issued to any person who is a registered criminal within the meaning of the Prevention of Crimes Ordinance unless the Commissioner, after considering any report made in respect of that person by the Inspector-General of Police, is satisfied that that person is a fit and proper person to be a holder of such a licence. " ;

disorderly manner or is habitually drunk or suffers from any disease of an infectious or contagious nature, or that such holder is unfit to drive any such vehicle by reason of the fact that he is a registered criminal within the meaning of the Prevention of Crimes Ordinance—

(a) the Commissioner may make order refusing the application that the licence be expressed to be valid for motor coaches, lorries or motor tricycle vans ; or

(b) where the licence has, by entry made under subsection (1), been expressed to be valid for motor coaches, lorries or motor tricycle vans, the Commissioner may make order that such entry should be cancelled or suspended and accordingly such entry may be cancelled or suspended by the Commissioner by endorsement made on the licence under his hand.

(4) Where a driving licence is cancelled or suspended or the validity of a driving licence is restricted, the holder of the driving licence shall forthwith surrender such licence to the Commissioner for necessary action.

(5) Where any court under any written law convicts the holder of a driving licence, which is valid for any particular class of motor vehicles, of any offence which shows him to be unfit to drive a vehicle of that class, the court may, in addition to any other punishment which it may lawfully impose for that offence, order the licensee to be produced to the court before the expiry of a period of five days from the date of the order and cancel the licence :

Provided that in any case where the court has not, after the conviction of such holder, considered the fitness of such holder to drive a vehicle of that class, the Commissioner or a police officer of the rank of a sergeant or above may at any time make representations to the

court that the holder is unfit to drive a vehicle of that class and the court may, if it thinks fit, cancel the licence :

And provided further that where the licence is not produced in compliance with such order, the court may make order disqualifying the holder of the licence from driving any motor vehicle until the production of the licence to the court.

(6) Where any entry made under subsection (1) on any driving licence is cancelled under subsection (3) or subsection (5) the Commissioner may, on application made by the holder of that licence in accordance with the provisions of section 128 (1) at any time after the expiry of two years from the date of such cancellation, make a fresh entry on that licence under subsection (1) of that section."

53. Section 130 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution thereof of the following subsection :—

Amendment of section 130 of the principal enactment.

" (2) No person who is the holder of a driving licence issued under subsection (1) shall drive on a highway any motor vehicle other than the motor vehicle specified in that licence or a motor vehicle of the weight or description specified in that licence, as the case may be :

Provided, however, that any person who is the holder of a driving licence expressed to be valid for any class of motor vehicles, other than invalid carriages, shall be entitled to drive a hand tractor. "

54. The following new section is hereby inserted immediately after section 133, and shall have effect as 133A, of the principal enactment :—

Insertion of section 133 A in the principal enactment.

"Demerit points,

133A. (1) Where the holder of a driving licence is convicted of any offence set out in Column I of the First Schedule to this Act and the court does not suspend or cancel the driving licence of such holder, the court may—

(a) if the driving licence of such holder is available, enter or cause to be entered upon such licence, or

- (b) if the driving licence of such holder is not available, direct the Commissioner to enter upon such licence,

such number of demerit points set out in Column II of the Schedule corresponding to the offence in respect of which the holder of such driving licence was convicted.

(2) Where the holder of a driving licence accumulates within the prescribed period such prescribed number of demerit points as would render such driving licence subject to cancellation or suspension by the Commissioner, the Commissioner shall cancel or suspend the driving licence, as the case may be.

(3) Where any court under subsection (1) enters demerit points on any driving licence, the court shall forward to the Commissioner a copy of the entry made on the licence.

(4) Immediately upon the suspension or cancellation of a driving licence under subsection (2) the accumulated demerit points shall be deleted."

Amendment of
section 134
of
the principal
enactment.

55. Section 134 of the principal enactment is hereby amended as follows :—

- (1) by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

"(2) The driving test referred to in subsection (1) shall be performed and the certificate shall be issued free of charge." ; and

- (2) by the substitution for the marginal note to that section, of the following marginal note :—

"Cancellation of driving licences."

Amendment of
section 135
of
the principal
enactment.

56. Section 135 of the principal enactment is hereby amended by the repeal of subsection (5) of that section and the substitution therefor of the following subsection :—

"(5) A permit issued under subsection (4) shall be deemed to be sufficient authority for the person to whom it is issued to drive a motor vehicle, notwithstanding that he is not in possession of a driving licence, for such period not exceeding sixty days as may be specified in the permit by the police officer, and for such further period or periods as the court before which he is charged may specify by endorsement made on the permit."

57. Section 136 of the principal enactment is hereby amended by the repeal of subsection (5) of that section and the substitution therefor of the following subsection :—

Amendment of section 136 of the principal enactment.

"(5) Where the holder of a driving licence is convicted before any court of any offence under this Act or of any offence under any other written law committed in connexion with the driving of a motor vehicle, the court shall endorse upon the licence the particulars of the conviction and of any order made under this section and the date of such endorsement ; and every such endorsement shall be initialled by the Judge or Magistrate of the court, or in the case of a conviction by the High Court or Court of Appeal, by the Registrar of that court."

58. Section 137 of the principal enactment is hereby amended by the repeal of subsection (6) of that section and the substitution therefor of the following subsection :—

Amendment of section 137 of the principal enactment.

"(6) The court shall notify the Commissioner and the police of the receipt of any such application and shall afford the Commissioner and the police an opportunity of being heard and of making representations against the grant of the application and of adducing evidence in support of any representation so made. Notice on the police may for the purposes of this subsection be served on the Assistant Superintendent of Police of the area in which the court is situated."

59. Section 139 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 139 of the principal enactment.

"Appeals from orders of suspension, cancellation or disqualification.

139. Any person who is dissatisfied with any order, made under this Part by any court other than the Court of Appeal, suspending or cancelling a driving licence held by him or declaring him to be disqualified for obtaining a driving licence may, whether or not any other punishment is imposed by the court, appeal against the order to the Court of Appeal ; and the provisions of Chapter XXVIII of the Code of Criminal Procedure Act, No. 15 of 1979, shall, where not inapplicable, apply to every appeal under this section."

Replacement of
section 140 of
the principal
enactment.

60. Section 140 of the principal enactment is hereby repealed and the following new section substituted therefor :—

"Speed limits. 140. (1) A motor coach or a lorry shall not be driven—

(a) on any highway within an urban area, at a greater speed than thirty-two kilometres per hour, or

(b) on any highway outside an urban area, at a greater speed than fifty-six kilometres per hour.

(2) A land vehicle shall not be driven on any highway at a greater speed than twenty-four kilometres per hour.

(3) A motor tricycle or a motor tricycle van, shall not be driven on any highway at a greater speed than thirty-two kilometres per hour.

(4) A motor vehicle of any class or description to which subsections (1), (2) and (3) does not apply shall not be driven—

(a) on any highway within an urban area at a greater speed than fifty-six kilometres per hour, or

(b) on any highway outside an urban area at a greater speed than seventy-two kilometres per hour.

No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes if the observances of those provisions would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion."

61. Section 141 of the principal enactment is hereby amended as follows :—

Amendment of section 141 of the principal enactment.

- (1) by the repeal of subsection (1) of that section and the substitution thereof of the following subsection :—

“(1) Regulations may be made, as respects all highways or the highways in any specified area or any specified highway or part of a highway, prescribing for all motor vehicles or any specified class or description of motor vehicles or any specified motor vehicles, speed limits more stringent than, or in excess of, the limits set out in section 140.” ; and

- (2) by the substitution for the marginal note to that section of the following marginal note :—

“Regulations as to speed limits different from those set out in section 140”.

62. Section 144 of the principal enactment is hereby repealed and the following new section substituted therefor :—

Replacement of section 144 of the principal enactment.

“Restriction of motor traffic on highways outside Colombo.

144. (1) Regulations may be made—
 (a) declaring any specified highway outside Colombo to be suitable for use by—
 (i) motor coaches ; or
 (ii) lorries having a tare exceeding one and one-half metric tons ; or
 (iii) articulated vehicles, trailers or six-wheeled motor vehicles ; or
 (iv) any other class or description of motor vehicles having a tare exceeding two and one-quarter metric tons ; and
 (b) prescribing the conditions or restrictions subject to which such motor vehicles may be used on such highway.

(2) No motor vehicle of any class or description specified in subsection (1) shall be used on any highway outside Colombo, unless such highway has been declared by regulations under that subsection to be suitable for use by that class or description of motor vehicles, or otherwise than in accordance with such conditions or restrictions as may be prescribed by that regulation :

Provided, however, that any motor vehicle of any class or description specified in subsection (1) may be used on any highway outside Colombo, which is in charge of the Department of Highways or the Irrigation Department or any local authority, and which has not been declared by regulation under that subsection to be suitable for such traffic, if the use of such vehicle on such highway has been authorized by a permit issued by the Director of Highways or the Director of Irrigation or the Mayor or Chairman of the local authority or any officer authorized in that behalf by that Director, Mayor or Chairman, as the case may be, on the ground that such use is necessary—

- (a) for the purpose of carrying goods belonging to or intended for the exclusive use of the Government of Sri Lanka ;
- (b) for the purpose of carrying furniture or household goods to or from any premises to which such highway is the only means of access ;
- (c) for the purpose of proceeding to any other highway which had been declared by regulation to be suitable for such traffic ;
- (d) for the purpose of proceeding to or returning from places of pilgrimage ; or
- (e) for such other purpose as may be prescribed."

Amendment of section 146 of the principal enactment.

63. Section 146 of the principal enactment is hereby amended by the repeal of the subsection (2) of that section.

Amendment of section 148 of the principal enactment.

64. Section 148 of the principal enactment is hereby amended as follows :—

- (1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

"(1) A motor vehicle being driven shall be kept to the left or near side of the road except when such vehicle is overtaking other traffic or turning right:

Provided, however, that on a highway which permits the flow of traffic in the same direction in three or more parallel lanes which are demarcated, vehicles may be driven along two parallel lanes in the same direction except the lane closest to the centre of the road :

Provided further, that vehicles being driven on parallel lanes should not be driven from one parallel lane to another in such a manner as to cause obstruction to other traffic.”;

- (2) by the repeal of subsection (4) of that section and the substitution therefor of the following subsection :—

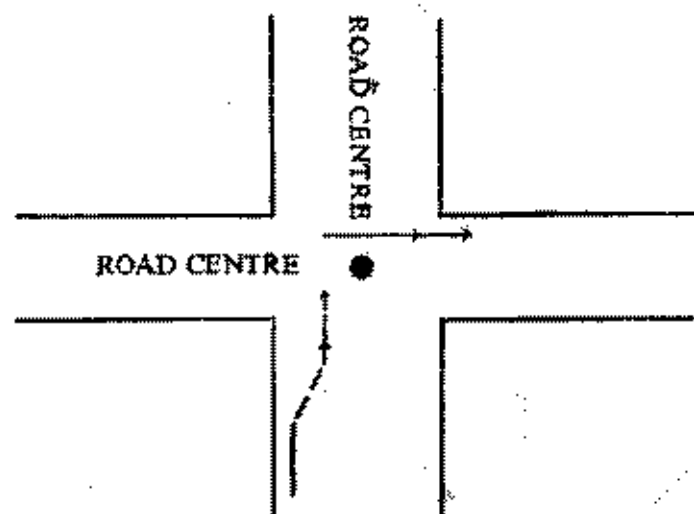
“(4) A motor vehicle overtaking other traffic shall be kept on the right off side of such other traffic :

Provided, however, that a motor vehicle may pass or overtake a vehicle, or an animal which is being led or driven, on the side which in all the circumstances appears reasonable to be the safe side at that time”; and

- (3) by the repeal of subsection (13) of that section and the substitution therefor of the following subsection :—

“(13) A motor vehicle turning to the right from any highway into any other highway shall, firstly, be positioned for the manoeuvre by being driven, ridden or pushed nearly parallel to the centre of the road. At the same time the driver shall signal his intention to turn right. On reaching the point of turn, which should be close to the centre of the intersection of the two highways he shall proceed to complete the manoeuvre by turning right into the other highway, having ascertained that his path is clear of on-coming traffic.

Where there is any structure at the above-mentioned intersection, the manoeuvre shall be completed keeping such structure on the right of the motor vehicle unless otherwise ordered by a police officer.



Amendment of section 150 of the principal enactment.

65. Section 150 of the principal enactment is hereby amended by the repeal of subsection (2) of that section and the substitution therefor of the following subsection :—

“(2) Warning notices, in such form as may be prescribed, shall be exhibited and maintained by the authority responsible for the highway at suitable places on intersecting highways for the purpose of indicating each main road declared under this section.”.

Amendment of section 152 of the principal enactment.

66. Section 152 of the principal enactment is hereby amended by the addition of the end of that section, of the following new subsection :—

“(4) The driver of a motor vehicle shall have continuously both hands on the steering wheel or hand bars, as the case may be, except when changing gears or when giving necessary hand signals or manipulating essential vehicle controls.”.

Replacement of section 153 of the principal enactment.

67. Section 153 of the principal enactment is hereby repealed and the following section substituted therefor :—

“ Signals by drivers. 153. (1) Signals given by drivers of motor vehicles shall be—

(a) operated by an electro-mechanical device which shall be illuminated both by day and by night ; such illumination shall be intermittent and be clearly visible both from the front and rear of the vehicle. The colour of the signal lights shall be amber or white with the express authority of the Commissioner;

b) operated by flashing the headlamps when indication of forward progress is intended.

(2) No lights of an intermittent or flashing pattern shall be used either outside or inside vehicle, other than those mentioned in subsection (1).

(3) In the event of an unexpected failure of the warning device as set out in subsection (1), manual signals as prescribed in the regulations under this Act shall be temporarily employed

(4) The driver of a motor vehicle which has no electrically operated signals shall, before commencing to turn to or change direction towards the left, extend his right arm and hand horizontally straight out from the right or off side with the palm turned to the front and rotate his arm from shoulder in an anti-clockwise direction. In the case of electrically operated vehicles such directions would be seen by operating the left hand indicator.

(5) The driver of a motor vehicle may if he thinks fit—

(a) in order to signal to an overtaking vehicle not to attempt to pass, extend his right arm and hand horizontally, straight out from the right or off side of the motor vehicle with the palm turned downwards and move the arm up and down ;

(b) in order to signal to an overtaking vehicle to pass, extend his right arm and hand below the level of the shoulder from the right or off side of the vehicle with the palm turned to the front and move the arm backwards and forwards or when electrical signals are being operated, activate the left signal.

(6) When approaching a police officer on duty at the intersection of two or more highways, the driver of a motor vehicle shall extend his arm, in the direction in which he wishes to proceed, so as to be visible to the police officer or activate the relevant electrically operated signals.

(7) Regulations may be made requiring or authorizing the use of any signals other than those referred to in subsections (1), (2), (3), (4), (5) and (6)."

68. Section 155 of the principal enactment is hereby repealed and the following section substituted therefor :—

" Sound or
light
warnings.

155. (1) The driver of a motor vehicle on a highway shall give sufficient warning of the approach or position of the motor vehicle by

Replacement of
section 155 of
the principal
enactment.

sounding an efficient instrument whenever such warning is necessary for safety or by flashing the headlamp beams in a dipped position :

Provided, however, that when a motor vehicle is stationary on a highway, no warning instrument affixed to that vehicle shall be operated except for the purpose of preventing an accident or ensuring the safety of the vehicle or its occupants.

(2) No whistle or horn, other than a horn sounding a single note, shall, for the purposes of subsection (1), be sounded on any motor vehicle on any highway within the limits of an urban area.

(3) Regulations may be made prohibiting or restricting the use, for the purposes of subsection (1), of all warning instruments or any specified instrument, in any urban area or specified part thereof during any specified hours of the day.

(4) In any area in respect of which any regulations have been made under subsection (3), no person shall, notwithstanding the provisions of subsection (1), use any warning instrument in contravention of those regulations."

Replacement of section 157 of the principal enactment.

69. Section 157 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Number of persons in front seats of motor cars.

157. The owner or driver of a motor car on a highway shall not cause or permit more than two persons in addition to the driver to ride in the front seat or seats of the car."

Amendment of section 158 of the principal enactment.

70. Section 158 of the principal enactment is hereby amended as follows :—

(1) by the renumbering of that section as subsection (1) of that section ; and

(2) by the addition immediately after renumbered subsection (1), of the following new subsection :—

"(2) Every person who drives or is carried on a motor cycle shall wear securely on his head a protective helmet of a type approved by the Minister."

71. Section 160 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 160 of the principal enactment.

"Use of amplifying equipment and loudspeakers.

160. (1) The driver of a motor vehicle which is in motion shall not use or permit any person to use, and no person in the motor vehicle shall use, any amplifying equipment with loudspeaker fitted to or carried in the vehicle ;

Provided, however, that an amplifying equipment may be used in a motor vehicle which is in motion, if the volume of the sound emanating from such equipment is so regulated as to ensure that it is confined within the vehicle and intended for the hearing only of the occupants thereof.

(2) This section shall not apply in the case of any motor vehicle used for naval, military, air force or police purposes or for the purposes of the Department of Posts, the Department of Telecommunications or of any other prescribed department of Government or of the Sri Lanka Central Transport Board or any Regional Transport Board established by the Transport Board Law, No. 19 of 1978, or by the Ceylon Tourist Board or by any motor vehicle transporting tourists, if a permit authorizing the use of amplifying equipment with loudspeaker on such motor vehicle has been issued by the Commissioner."

72. Section 161 of the principal enactment is hereby amended as follows :—

Amendment of section 161 of the principal enactment.

(1) by the substitution for the word "headman" wherever that word occurs in that section, of the words "Grama Seva Niladhari" ; and

(2) by the substitution for paragraph (b) of subsection (1) of that section, of the following paragraph :—

"(b) The owner of the motor vehicle, whether or not he was present at the time of the accident, shall on demand by any police officer or Grama Seva Niladhari, furnish all information in his possession as to the name, address, description, antecedents and whereabouts of the driver of the vehicle and of every person in the vehicle at the time of the accident, and every such owner who, in compliance with any such demand, gives any information which to his knowledge is false or in any particular misleading, shall be guilty of an offence under this Act."

Replacement of
section 162 of
the principal
enactment.

73. Section 162 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Traffic directions and signals of police officer or traffic warden to be obeyed. 162. The driver of a motor vehicle shall obey all oral directions or hand signals, given by a police officer or a traffic warden in the execution of his duty, to stop or reverse the vehicle or to make it slow down or turn back or to pass on such side or to keep to such line of traffic as may be indicated by the police officer or traffic warden."

Amendment of
section 164 of
the principal
enactment.

74. Section 164 of the principal enactment is hereby amended as follows :—

(1) in subsection (1) of that section by the substitution for paragraphs (b) and (c) of that subsection, of the following paragraphs :—

"(b) by order of the local authority of any area in the case of a highway in charge of that local authority or in the case of a highway in charge of the Department of Highways by order of the Director of Highways—

(i) for the purpose of regulating the movement of traffic or indicating the route to be followed by traffic or for any other purpose relating to or connected with the use of motor vehicles on that highway ; or

(ii) for the purpose of prohibiting, restricting or regulating traffic over any bridge or any section of the highway, which is in a dangerous condition or in course of repair, construction or reconstruction ; or

(c) by order of the Sri Lanka Central Transport Board or a Regional Transport Board established under the Transport Board Law, No. 19 of 1978, in concurrence with the Department of Highways, local authority and the police for the purpose of indicating—

(i) places set apart for the parking of omnibuses belonging to any such Board ; and

(ii) stopping places for omnibuses belonging to any such Board."

- (2) by the repeal of subsection (4) of that section and the substitution therefor of the following subsection :—

"(4) In any prosecution for a contravention of subsection (3), every traffic sign or notice erected, exhibited or provided on, or so as to be visible from, any highway shall, unless the contrary is proved, be deemed to have been duly erected or exhibited under subsection (1)." ; and

- (3) by the repeal of subsection (7) of that section and the substitution therefor of the following subsection :—

'(7) In this section "local authority" includes a Village Council and any such board, institution or corporation as is empowered by law to construct and maintain roads and is declared by the Minister by notification published in the *Gazette* to be a local authority for the purposes of this section.'

75. Section 166 of the principal enactment is hereby amended as follows :—

Amendment of section 166 of the principal enactment.

- (1) in subsection (5) of that section, by the substitution for the word "headman" wherever that word occurs in that subsection, of the words "Grama Seva Niladhari" ; and

- (2) by the repeal of subsection (7) of that section and the substitution therefor of the following subsection :—

'(7) In this section "local authority" includes a Village Council and any such board, institution or corporation as is empowered by law to construct and maintain roads and is declared by the Minister by notification published in the *Gazette* to be a local authority for the purposes of this section.'

76. Section 167 of the principal enactment is hereby amended by the repeal of subsection (3) of that section and the substitution therefor of the following subsection :—

Amendment of section 167 of the principal enactment.

"(3) Where it is necessary to leave on any highway any motor vehicle which is disabled by an accident, mechanical breakdown or tyre failure, the driver of the vehicle so left on a highway at night, shall illuminate the front and rear of the vehicle so as to indicate clearly the position of the vehicle on the highway."

Replacement of section 169 of the principal enactment.

77. Section 169 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Hours of work.

169. (1) No person shall drive, or cause or permit any person employed by him or subject to his orders to drive, any motor tricycle van or motor coach or lorry—

(a) for any continuous period of more than four and a half hours ; or

(b) so that the driver has not at least ten consecutive hours for rest in any period of twenty-four hours calculated from the commencement of any period of driving.

(2) For the purposes of subsection (1), any two or more periods of time shall be deemed to be a continuous period, unless separated by an interval of not less than half an hour in which the driver is able to obtain rest and refreshment."

Amendment of section 170 of the principal enactment.

78. Section 170 of the principal enactment is hereby amended as follows :—

(1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

"(1) The local authority for any urban area may provide one or more public stands within that area for the use of motor tricycle vans, omnibuses or lorries, or any specified class or description of motor tricycle vans, omnibuses or lorries." ; and

(2) by the substitution for the marginal note to that section of the following marginal note :—

"Public stands for motor tricycle vans, omnibuses and lorries."

Repeal of sections 171 and 172 of the principal enactment.

79. Sections 171 and 172 of the principal enactment are hereby repealed.

Amendment of section 174 of the principal enactment.

80. Section 174 of the principal enactment is hereby amended by the repeal of subsections (1) and (2) of that section and the substitution therefor of the following subsections :—

"(1) No person shall be bound by any agreement entered into by him to pay in respect of any journey on an omnibus any fare in excess of the authorized fare referred to in section 173, and any person who has paid any fare in excess of any such authorized fare as may be applicable to the case shall be entitled to recover the sum paid in excess from the person to whom such sum was paid.

(2) Where any person is convicted by any court of a contravention of the provisions of paragraph (a) of section 173 the court may, in addition to any other punishment which it may lawfully impose for that contravention, order the repayment of any sum paid to that person in excess of the highest authorized fare, or the authorized fare, or the fare agreed upon, as the case may be, and such sum shall be recoverable in like manner as a fine imposed by the court, notwithstanding that it may exceed the amount of the fine which the court may in the exercise of its ordinary jurisdiction impose."

81. Sections 175 and 176 of the principal enactment are hereby repealed and the following sections substituted therefor :—

Replacement of sections 175 and 176 of the principal enactment.

"Recovery of fares.

175. (1) Where any person who is liable to pay any sum not exceeding twenty rupees justly due from him as the fare for a journey on any omnibus or claimed from him as damages for any injury wilfully caused by him to any omnibus during any such journey, fails or refuses to pay such sum on demand made by the owner of the omnibus, or any servant or agent authorized by the owner to receive such sum, the Magistrate's Court having jurisdiction over the place at which the journey began or ended or at which the injury occurred may, upon complaint made by the owner thereof, and upon summary proof of the facts alleged in that complaint, order such person to pay to the owner the sum so due as fare or such sum as damages for the injury and such costs and such compensation for loss of time incurred by the owner, driver or conductor of the omnibus in attending court, as the court may determine ; and every sum ordered to be paid under this section shall be recoverable in like manner as a fine imposed by the court notwithstanding that it may exceed the amount of the fine which the court may in the exercise of its ordinary jurisdiction impose.

(2) Any person dissatisfied with an order made by a Magistrate's Court under this section may prefer an appeal to the Court of Appeal in like manner as if the order was a final order pronounced by a Magistrate's Court in a criminal case or matter, and Chapter XXVIII of the Code of Criminal Procedure Act, No. 15 of 1979, shall, *mutatis mutandis*, apply to such appeal.

Property left in omnibuses.

176. Regulations may be made providing for the safe custody and redelivery or disposal of property accidentally left by passengers in omnibuses, and prescribing the charges which may be made in respect thereof and the sums which may be paid by way of reward to the finders of such property."

Repeal of section 177 of the principal enactment.

82. Section 177 of the principal enactment is hereby repealed.

Replacement of sections 178, 179 and 180 of the principal enactment.

83. Sections 178, 179 and 180 of the principal enactment are hereby repealed and the following sections substituted therefor :—

Carriage of persons in excess of authorized number in private coaches and of goods the than personal luggage in motor cars or private coaches.

178. (1) Where the number of persons found at any time in a private coach on a highway exceeds the maximum number specified in the revenue licence for that private coach or where goods other than such goods as may be prescribed or the personal luggage of a person are found in a motor car or private coach on a highway, the driver thereof shall be guilty of an offence under this Act :

Provided, however, that the preceding provisions of this subsection shall not apply in relation to the carriage of persons in any private coach on any day specified by the Minister by Order published in the *Gazette* if the coach is used on that day in an area and for a purpose so specified.

(2) Where the number of persons found at any time in a motor car on a highway exceeds nine (including the driver thereof), the driver thereof shall be guilty of an offence under this Act.

(3) For the purposes of this section—

- (a) a child under three years of age not occupying a separate seat in a motor car or private coach shall not be reckoned as a person ;
- (b) the driver of the car or coach, as the case may be, shall be reckoned as a person ; and
- (c) two children, being each over three years and under twelve years of age, shall be reckoned as one person.

(4) Regulations may be made defining the nature, description or weight of articles or packages which may be carried in motor cars and private coaches as personal luggage, and of goods other than personal luggage, which may be carried in motor cars and private coaches.

(5) Where any motor car, motor tricycle or private coach is authorized by permit issued under section 45 to be used for the carriage of articles of any description, no person shall be deemed to have contravened any provision of this section by reason only of the carriage on the motor car, motor tricycle or private coach of articles of that description.

Carriage of persons or passengers in excess of authorized number, and of goods other than personal luggage in omnibuses.

179. (1) Where the number of passengers found at any time in an omnibus on a highway exceeds the maximum number specified in the revenue licence for that omnibus, or where goods other than such goods as may be prescribed or the personal luggage of a passenger are found in an omnibus on a highway, the conductor of the omnibus shall be guilty of an offence.

(2) For the purposes of this section—

(a) the following persons shall not be reckoned as passengers :—

- (i) a child under three years of age not occupying a separate seat in an omnibus ;
- (ii) the driver of an omnibus ;
- (iii) the conductor of an omnibus ; and
- (iv) a ticket inspector employed by the owner of an omnibus and wearing a metal badge with the word "INSPECTOR" legibly marked thereon ;

(b) two children, being each over three years and under twelve years of age, shall be reckoned as one passenger.

(3) Regulations may be made defining the nature, description or weight of articles or packages which may be carried in omnibuses as personal luggage, and of the goods, other than personal luggage, which may be carried in omnibuses.

(4) Where any omnibus is authorized by permit issued under section 45 to be used for the carriage of articles of any description, no person shall be deemed to have contravened any provision of this section by reason only of the carriage on the omnibus articles of that description.

Persons not to enter omnibus or private coach when full.

180. Where the driver or conductor of an omnibus or private coach at any time requests any person not to enter the omnibus or coach on the ground that it is at that time carrying the full number of persons or passengers, as the case may be, which may be carried thereon in accordance with the revenue licence therefor, that person shall not enter or attempt to enter the omnibus or coach.

Replacement of section 182 the principal enactment.

84. Section 182 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Register to be kept by owners of omnibuses.

182. (1) The owner of every omnibus shall, unless exemption in respect of that omnibus has been granted in accordance with regulations, keep and maintain a register in the prescribed form and shall enter in the register the following particulars in respect of each occasion on which the omnibus is used on a highway—

- (a) the date on which and the time at which the omnibus leaves the owner's garage or premises and returns thereto ;
- (b) the name of the driver and the number of his driving licence ; and
- (c) the name of the conductor and the number of his conductor's licence.

(2) Every entry made in the register under subsection (1) shall be signed by the driver of the omnibus in respect of which the entry is made, and shall also be signed by the conductor.

(3) Every register kept under this section shall be open to inspection on demand made by an examiner or by a police officer."

Repeal of section 184 of the principal enactment.

85. Section 184 of the principal enactment is hereby repealed.

86. Section 185 of the principal enactment is hereby amended as follows :

Amendment of section 185 of the principal enactment.

- (1) by the repeal of subsection (3) of that section and the substitution therefor of the following subsection :—

“(3) The provisions of subsection (1) shall not apply in relation to an omnibus of the Sri Lanka Central Transport Board or any Regional Transport Board established under the Transport Board Law, No. 19 of 1978, at any time when the omnibus is being used for plying between two fixed places without stopping at any other place for the purpose of picking up or setting down passengers.”;

- (2) by the addition, at the end of that section, of the following new subsection :—

“(4) Save as is otherwise provided in subsection (3) the conductor of an omnibus shall issue to every passenger on payment of his fare a serially numbered ticket indicating the fare for the journey and either the starting point or destination of such passenger's journey, by name or by number of the fare stage.”; and

- (3) by the substitution for the marginal to that section, of the following marginal note :—

* Licensed conductor to be carried on omnibus and issue of tickets by him.”.

87. Sections 186 and 187 of the principal enactment are hereby repealed.

Repeal of sections 186 and 187 of the principal enactment.

88. Section 188 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 188 of the principal enactment.

* Carriage on lorry or motor tricycle van of goods in excess of maximum load or maximum axle load.

188. Where the weight of goods found at any time on a lorry or a motor tricycle van on a highway exceeds the maximum load or maximum axle load specified on the revenue licence for that lorry or motor tricycle van, or where the distribution of the load is such as to cause danger, the driver of the lorry or motor tricycle van shall, save as provided in section 214, be guilty of an offence under this Act.”.

Amendment of
section 189 of
the principal
enactment.

89. Section 189 of the principal enactment is hereby amended in subsection (1) of that section as follows :—

- (1) by the substitution for the words "three persons", of the words "five persons"; and
- (2) by substitution "any four or more of the persons", of the words "any six or more of the persons".

Amendment of
section 190 of
the principal
enactment.

90. Section 190 of the principal enactment is hereby amended as follows :—

(1) in subsection (1) of that section :—

(a) by the omission of paragraph (c) of that subsection :

(b) by the substitution for paragraph (g) of that subsection, of the following paragraph :—

"(g) prescribing the duties and regulating the conduct of drivers, conductors and ticket inspectors of omnibuses ;"

(c) by the substitution for paragraphs (f), (m) and (n) of that subsection, of the following paragraphs :—

"(f) providing that badges containing identification numbers be worn by drivers and conductors of omnibuses ;

(m) providing for the regulation and control of the conduct of passengers in omnibuses ;

(n) as respect omnibuses—

(i) authorizing the removal from such omnibuses of persons committing a breach of any provision of this Act or of any regulation by the drivers or conductors thereof or by any police officer on the request of the drivers or conductors thereof ;

(ii) requiring passengers in such omnibuses who are reasonably suspected by the drivers or conductors thereof of contravening any provisions of this Act or of any regulation to give their names and addresses to a police officer or to the drivers or conductors thereof on demand ;

- (iii) requiring passengers in such omnibuses to declare, if so requested by the drivers or conductors thereof, the journey they intend to take or have taken, and to pay the fare for the whole of such journey and to accept tickets provided therefor ;
- (iv) requiring, on demand being made for the purpose by the drivers or conductors of such omnibuses or by any other person authorized by the registered owners thereof, the production during the journey and the surrender at the end of the journey by the holders thereof of tickets issued to them ;
- (v) requiring passengers in such omnibuses, if so requested by the drivers or conductors thereof, to leave the omnibuses on the completion of the journey for which they have paid ;
- (vi) requiring the surrender of tickets by the holders thereof on the expiry of the period for which they are issued ;” ;

(d) by the omission of paragraph (p) of that subsection : and

(e) by the substitution for paragraphs (r) and (s) of that subsection, of the following paragraphs :—

“ (r) prescribing the circumstances in which and the conditions subject to which exemption from the provisions of sections 182 and 183 may be granted by the Commissioner in respect of any omnibus ;

(s) providing that any specified provision of this Part shall not apply in the case of any lorry or motor tricycle van which is for the time being used for the purposes of the Government of Sri Lanka.” ; and

(2) by the addition, immediately after subsection (2) of that section, of the following new subsection :—

“ (3) No regulation under section 141 or section 142 or section 143 or section 144 shall be made except with the concurrence of the Minister in charge of the subject of Highways.”

Replacement of
section 192 of
the principal
enactment.

91. Section 192 of the principal enactment is hereby repealed and the following section substituted therefor :—

"Disposal
of derelict
motor
vehicles.

192. (1) Where a derelict motor vehicle is so left on any part of a highway as to cause any obstruction or nuisance, the Commissioner or the licensing authority or the local authority or the police officer in charge of the station concerned may, by notice served either generally or by registered post, require the owner or person in charge of that vehicle to take steps to remove the obstruction or nuisance.

(2) Every owner or person in charge of the vehicle on whom a notice is served under subsection (1), shall comply with the requirements set out therein.

(3) If the owner or person in charge of any derelict motor vehicle cannot for any reason be found or he or the person in charge makes default in complying with any notice served under subsection (1), the Commissioner or the licensing authority or the local authority or the police officer may cause the vehicle to be removed and make such order as may be necessary for its disposal.

(4) No proceedings, civil or criminal, shall be instituted or maintained against the Commissioner or a licensing authority or a local authority or a police officer in respect of any order *bona fide* made under subsection (3)."

Amendment of
section 193 of
the principal
enactment.

92. Section 193 of the principal enactment is hereby amended by the repeal of subsection (5) of that section and the substitution therefor of the following subsection :—

"(5) For the purposes of this section "authorized officer" means—

- (a) any police officer of a rank of sergeant and above ;
- (b) any other police officer who is authorized in that behalf by the Inspector-General of Police ; or
- (c) any officer who is authorized in that behalf by the Commissioner."

93. Section 194 of the principal enactment is hereby amended as follows—

Amendment of section 194 of the principal enactment.

- (1) in subsection (1) of that section, by the substitution for paragraph (d) of that subsection of the following paragraph :—

“(d) that the weight, dimensions, character or seating accommodation of the motor vehicle has been altered after registration without the prior approval of the Commissioner.” ;

- (2) by the repeal of subsection (2) of that section and the substitution therefor, of the following subsection :—

“(2) Where the Commissioner is satisfied, after the inspection and examination of a motor vehicle under subsection (1), that such vehicle does not comply with the requirements of this Act or of any regulation, or that such vehicle is not in a serviceable condition or that the weight, dimensions, character or seating accommodation of that vehicle has been altered after registration without prior approval thereof, he may, by written notice served on the owner thereof, prohibit the use of the vehicle until the Commissioner is satisfied, after further inspection and examination under that subsection, that the defects specified in the notice have been removed. Where the Commissioner is so satisfied he shall revoke the notice.” ; and

- (3) by the addition, at the end of that section, of the following new subsections :—

“(4) Where the use of a motor vehicle has been prohibited by a notice under subsection (2), the Commissioner may in writing order the registered owner of such vehicle to surrender the revenue licence so that he may impound it until the notice is revoked, and if such order is made, such registered owner shall comply with it within fourteen days after it is communicated to him.

(5) Any person who is guilty of the offence of contravening the provisions of subsection (3) shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding one thousand rupees and on a second or subsequent conviction, to a fine not exceeding two thousand rupees.”.

Replacement of
sections 195 and
196 of the
principal
enactment.

94. Sections 195 and 196 of the principal enactment are hereby repealed and the following sections substituted therefor:—

'Approved
garages and
approved
examiners.

195 (1) The Commissioner may, upon application in that behalf in the prescribed form made by a garage owned by the State, a Government or Semi-Government or a local body and upon payment of the prescribed fee, by order declare—

(a) that every garage or other place of business of such person, specified in the order, shall be an approved garage for the purposes of the yearly examination and certification of motor coaches and lorries required by section 29 prior to the issue of licences in respect thereof; and

(b) that such person, and every other person employed at any such garage and specified in the order, shall each be an approved examiner for the purposes of such examination and certification of motor coaches and lorries at that garage.

The Commissioner may revoke or alter any order made under this section if there is a contravention of any of the conditions stipulated in the letter of authority issued to any approved garage or approved examiner.

(2) The Commissioner may, in an order under subsection (1), fix, in relation to each approved garage specified in that order, the maximum number of vehicles which during the course of a year may be examined and certified at that garage.

Issue of
certificates
for motor
coaches, &c.

196. (1) Upon the production before a competent authority of a motor coach, motor tricycle van, lorry, motor hearse or motor ambulance for the purpose of obtaining in respect thereof the certificate referred to in section 29, that authority shall examine it upon payment of the prescribed fee for such examination and shall in writing certify whether or not it is fit for use. A certificate that any motor vehicle examined under this section is fit for use is referred to in this Act as a "certificate of fitness".

(2) In issuing a certificate of fitness in respect of any motor vehicle a competent authority may insert therein such conditions relating to the use of that motor vehicle as he may deem necessary in the interests of public safety.

(3) In certifying that any motor coach, motor tricycle van, lorry, motor hearse or motor ambulance is unfit for use, the competent authority shall state his reasons therefor.

(4) A certificate of fitness in respect of any motor vehicle shall—

(a) if that motor vehicle is a lorry, motor hearse or motor ambulance, remain in force for one year from the date of its issue, and

(b) if that motor vehicle is a motor coach, remain in force for one year from the date of its issue or for such shorter period, not less than three months, as may be specified in such certificate.

(5) The registered owner of any motor coach, motor tricycle van, lorry, motor hearse or motor ambulance which is certified after examination under the preceding provisions of this section, to be unfit for use may, on payment of the prescribed fee, appeal to the Commissioner against the issue of that certificate and the decision of the Commissioner on such appeal shall be final.

(6) The certificate of fitness issued in respect of any motor vehicle under this section—

(a) shall be carried in that motor vehicle; and

(b) shall be made available for inspection on demand made by a police officer, Grama Seva Niladhari or examiner or certifying officer appointed under this Act, or by any person authorized in writing by the Commissioner :

Provided, however, that such certificate shall be removed from such motor vehicle and produced when required by a court or the Commissioner or a licensing authority.

(7) In this section, the expression "competent authority" means a certifying officer or an examiner of motor vehicles appointed under this Act or an examiner approved for the purposes of section 195 and this section by the Commissioner.

Replacement of section 196A of the principal enactment.

95. Section 196A of the principal enactment (inserted therein by Law No. 22 of 1973) is hereby repealed and the following section substituted therefor :—

"Yearly examination and certification in respect of vehicles of the Sri Lanka Central Transport Board or any Regional Transport Board.

196A. Notwithstanding anything to the contrary in section 196, the yearly examination and certification, prior to the issue of a licence, of such motor vehicle as is referred to in section 29, shall, in the case of a motor vehicle belonging to the Sri Lanka Central Transport Board or a Regional Transport Board established under the Transport Board Law, No. 19 of 1978, as the case may be, be carried out by an officer authorized in that behalf by the respective Board and any certificate of fitness issued by any such officer in respect of any such vehicle shall, for the purposes of this Act, be deemed to be a certificate issued under section 196."

Amendment of section 197 of the principal enactment.

96. Section 197 of the principal enactment is hereby amended as follows :—

(1) by the repeal of subsection (1) of that section and the substitution therefor of the following subsection :—

"(1) This section shall apply to all motor vehicles of the following classes or descriptions, namely, motor tricycle vans, motor coaches and lorries, and the expression "motor vehicle to which this section applies", wherever it occurs therein shall be construed accordingly."

(2) by the repeal of subsection (9) of that section and the substitution therefor of the following subsection :—

"(9) Where the use of a motor vehicle to which this section applies is prohibited by a notice under subsection (5)—

(a) no person shall use such vehicle or cause it to be used until the notice is revoked under subsection (8), and

(b) the licensing authority who issued the revenue licence for such vehicle may in writing order the registered owner of such vehicle to surrender the revenue licence to him so that he may impound it until the notice is so revoked, and, if such order is made, such registered owner, shall comply with it within fourteen days after it is communicated to him." ; and

(3) by the substitution for the marginal note to that section of the following marginal note :—

" Examination
of motor tricycle
vans, motor
coaches and
lorries and
prohibition of
use thereof.",

97. Sections 198, 199, 200 and 201 of the principal enactment are hereby repealed and the following sections substituted therefor :—

" Inspection of
lorries and
motor tricycle
vans and
prohibition
of use.

198. (1) An examiner shall at any time, on production if so required of his authority, be entitled to enter and inspect any lorry or motor tricycle van, and for that purpose to stop the lorry or motor tricycle van, and to detain the lorry or motor tricycle van during such time as is reasonably required for the inspection, and may at any time which is reasonable having regard to the circumstances of the case, enter any premises on which he has reason to believe that a lorry or a motor tricycle van is kept. If any person obstructs an examiner in the performance of his duty or where required so to do fails to stop the lorry or motor tricycle van, he shall be guilty of an offence under this Act.

(2) If, on the inspection of a lorry or motor tricycle van under subsection (1), it appears to the examiner that the lorry or motor tricycle van owing to any defects therein, is, or is likely to become, unfit for service until the defects have been remedied, he may prohibit the use of the lorry or motor tricycle van :

Provided that, where in the opinion of the examiner, the defects are such as can be remedied within any period not exceeding ten days and are not defects which involve immediate risk to

Replacement of
sections 198, 199,
200 and 201 of
the principal
enactment.

public safety, the prohibition shall not come into operation before the expiration of that period, and shall not come into operation upon the expiration of that period if any examiner, being satisfied that the defects have been or are in the course of being remedied, withdraws the prohibition before the expiration of that period.

(3) Where under this section an examiner prohibits the use of a lorry or motor tricycle van as aforesaid, he shall forthwith give notice in the prescribed form of the prohibition to the registered owner of the lorry or motor tricycle van, the person in charge thereof at the time of the inspection, and to the Commissioner.

In the case of a prohibition on the ground of such defects as are specified in the proviso to the last foregoing subsection a notice given under this subsection shall specify the period within which the defects can, in the opinion of the examiner, be remedied.

(4) Subject as provided in subsection (2) a prohibition under this section shall become operative as soon as notice thereof has been given either to the registered owner, or to the person in charge of the lorry or motor tricycle van, and shall thereafter continue in force until it is removed in accordance with the provisions hereinafter contained.

(5) A prohibition under this section which has become operative may be removed by any examiner if he is satisfied that the lorry or motor tricycle van is fit for service.

(6) A person aggrieved by the refusal of an examiner to remove a prohibition may make application to the Commissioner to have the lorry or motor tricycle van inspected by an officer authorized in that behalf in writing by the Commissioner, and, where any such application is made, such officer, on the matter being referred to him, shall, if he considers that the lorry or motor tricycle van is fit for service, remove the prohibition.

(7) A person aggrieved by the refusal of an officer authorized by the Commissioner to remove a prohibition may, within the prescribed time and in the prescribed manner, appeal to

the Commissioner, who shall have power to make such order on the appeal as he thinks fit, and any such order shall be binding on such officer.

(8) Where any examiner or an officer authorized by the Commissioner withdraws or removes a prohibition he shall forthwith give notice of the withdrawal or removal to the registered owner of the lorry or motor tricycle van and to the Commissioner.

(9) No person shall use a lorry or motor tricycle van or cause or permit a lorry or motor tricycle van to be used, at any time whilst a prohibition under this section is operative in relation to the lorry or the motor tricycle van.

(10) Any person who is guilty of the offence of contravening the provisions of subsection (9) shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred and fifty rupees in the case of a first offence, and in the case of a second or subsequent offence, to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding three months or both such fine and imprisonment.

Power to ascertain the laden weight of lorries and motor tricycle vans and number of persons or passengers carried on motor vehicles.

199. (1) For the purpose of ascertaining the total laden weight or axle load of any lorry or motor tricycle van, any examiner or police officer not below the rank of sergeant may at any time on the production, if so required of his authority, stop any lorry or motor tricycle van on a highway and may thereupon take reasonable steps to ascertain the laden weight or axle load of the lorry or motor tricycle van, whether by the use of wheel weighers, weighbridge, or other machine for weighing motor vehicles, and may for that purpose require the person for the time being in charge of the lorry or motor tricycle van to drive it or permit it to be driven to the nearest wheel weigher, weighbridge or other machine for weighing motor vehicles.

(2) For the purpose of ascertaining the number of persons or passengers, as the case may be, carried in any motor vehicle, an authorized officer may, on the production if so required of his authority, stop that vehicle on any highway and may thereupon take all reasonable steps as may be necessary for that purpose.

(3) Where any lorry or motor tricycle van is weighed for the purposes of subsection (1), it shall be the duty of every person on that lorry or motor tricycle van, if required so to do, to alight from the lorry or motor tricycle van before it is weighed.

(4) Where any lorry or motor tricycle van is weighed laden under subsection (1) the amount of the difference between the weight of lorry or motor tricycle van when laden and the tare of the lorry or motor tricycle van as specified in the licence for the time being in force therefor shall be deemed, until the contrary is proved, to be the weight of the goods carried thereon.

(5) The preceding provisions of this section shall apply in relation to a certifying officer and a police officer as they apply to an examiner except that it shall not be necessary for a police officer in uniform to produce any authority.

Production
of documents
carried in
lorries or motor
tricycle vans.

200. (1) An examiner or police officer not below the rank of sergeant may at any time, on production if so required of his authority, require the person in charge of any lorry or motor tricycle van to produce, and to permit him to inspect and copy, any document which by or by regulations made under this Act is required to be carried on, or by the driver of, the lorry or motor tricycle van and for that purpose may stop and detain the lorry or motor tricycle van for such time as is required for the inspection and copying and, if any person, when required by an examiner or a police officer so to do, fails to produce to the examiner or police officer any such document as aforesaid, or to permit him to inspect or copy any such document, that person shall be guilty of an offence under this Act.

(2) The provisions of subsection (1) shall apply in relation to an officer authorized by the Commissioner or a certifying officer or a police officer as they apply in relation to an examiner, except that it shall not be necessary for a police officer in uniform to produce any authority.

Inspection of
motor coaches
and prohibition
of use.

201. (1) Any certifying officer or any examiner shall at any time, on the production if so required of his authority, be entitled to enter and inspect any motor coach and for that purpose to stop the motor coach and to detain it during such time as is required for the inspection, and may at any time which is reasonable having regard to the circumstances of the case, enter any premises on which he has reason to believe that such motor coach is kept. If any person obstructs any such officer or examiner in the performance of his duty, or when required so to do fails to stop a motor coach, he shall be guilty of an offence under this Act.

(2) If on the inspection of a motor coach under subsection (1), it appears to the certifying officer or examiner that the motor coach owing to any defects therein, is, or is likely to become, unfit for service, until the defects have been remedied, he may prohibit its use on any highway :

Provided that, where in the opinion of the certifying officer or examiner, as the case may be, the defects are such as can be remedied within any period not exceeding forty-eight hours and are not defects which involve immediate risk to public safety, the prohibition shall not come into operation before the expiration of that period, and shall not come into operation upon the expiration of that period, if any certifying officer or any examiner referred to in subsection (1), being satisfied that the defects have been or are in the course of being remedied, withdraws the prohibition before the expiration of that period.

(3) Where under this section any certifying officer or examiner prohibits the use of a motor coach, he shall forthwith give notice in the prescribed form of the prohibition to the registered owner thereof, to the person in charge thereof at the time of the inspection and to the Commissioner. In the case of a prohibition on the ground of such defects as are specified in the proviso to the last foregoing subsection a notice given under this subsection shall specify the period within which the defects can, in the opinion of the certifying officer or examiner, as the case may be, be remedied.

(4) Subject as provided in subsection (2) a prohibition under this section shall become operative as soon as notice thereof has been given to the registered owner, or to the person in charge of the motor coach in respect of which the prohibition has been imposed and shall thereafter continue in force until it is removed in accordance with the provisions hereinafter contained.

(5) A prohibition under this section which has become operative may be removed by any certifying officer, or any examiner referred to in subsection (1), if he is satisfied that the motor coach in respect of which the prohibition has been imposed is fit for service.

(6) A person aggrieved by the refusal of any certifying officer or examiner to remove a prohibition under this section may make an application to the Commissioner to have the motor coach in respect of which the prohibition is operative inspected by an officer authorized in that behalf in writing by the Commissioner, and, where any such application is made, such officer, on the matter being referred to him, shall, if he considers that it is fit for service, remove the prohibition.

(7) A person aggrieved by the refusal of an officer authorized by the Commissioner to remove a prohibition imposed under this section may, within the prescribed time and in the prescribed manner, appeal to the Commissioner who shall have power to make such order on the appeal as he thinks fit, and any such order shall be binding on such officer.

(8) Where any certifying officer, examiner or an officer authorized by the Commissioner withdraws or removes a prohibition under this section, he shall forthwith give notice of the withdrawal or removal to the registered owner of the motor coach to which the prohibition relates and to the Commissioner.

(9) No person shall use a motor coach or cause or permit such motor coach to be used, on a highway at any time whilst a prohibition under this section is operative in respect thereof.

(10) Any person who is guilty of the offence of contravening the provisions of subsection (9) shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred and fifty rupees in the case of a first offence, and in the case of a second or subsequent offence, to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment. ”.

98. Section 203 of the principal enactment is hereby repealed and the following section substituted therefor :—

“ Service of notices, &c.

203. Every notice or order for the purposes of this Part may be served on or communicated to the registered owner of the motor vehicle to which it relates personally or by being sent by registered letter through the post to his usual or last known place of abode and shall in the latter case be deemed to have been served on or communicated to such registered owner on the third day succeeding the day on which the letter was posted and for proof of the service of such notice or of the communication of such order it shall be sufficient to prove that the letter containing the notice or order was properly addressed and posted. ”.

Replacement of section 203 of the principal enactment.

99. Section 204 of the principal enactment is hereby amended as follows :—

(1) in subsection (1) of that section, by the omission of paragraph (c) of that subsection

Amendment section 204 of the principal enactment.

- (2) by the repeal of subsection (3) of that section and the substitution therefor of the following subsection :—

“(3) Any power, duty or function of the Commissioner under this Act may be exercised, performed or discharged by any Deputy Commissioner under the directions of the Commissioner or other officer who is authorized so to do by writing under the hand of the Commissioner.” ;

- (3) by the repeal of subsection (4) of that section ; and

- (4) by the repeal of subsection (5) of that section and the substitution therefor of the following subsection :—

“(5) All persons, officers and servants exercising powers or performing duties or discharging functions under this Act shall be deemed to be public servants within the meaning of the Penal Code.”.

190. Section 205 of the principal enactment is hereby amended as follows :—

- (1) by the substitution for paragraph (b) of that section, of the following paragraph :—

“(b) the other powers, duties and functions conferred or imposed on the Commissioner by or under this Act or any other written law.” ; and

- (2) by the omission of paragraph (c) of that section.

101. Sections 206, 207, 208, 209, 210, 211 and 212 of the principal enactment are hereby repealed.

102. Section 213 of the principal enactment is hereby amended by the repeal of subsection (1) of that section and the substitution therefor, of the following subsection :—

“(1) There shall be a Motor Traffic Advisory Council consisting of the Commissioner as Chairman and such other persons not exceeding ten in number as may be appointed by the Minister which shall include a representative from each of the following :—

- (a) the Police Department,
- (b) the Highways Department,
- (c) the Sri Lanka Central Transport Board,
- (d) the Ceylon Society for the Prevention of Accidents,
- (e) the Automobile Association of Ceylon,
- (f) the Ceylon Tourist Board,

Amendment of section 205 of the principal enactment.

Repeal of sections 206 to 212 of the principal enactment.

Amendment of section 213 of the principal enactment.

- (g) the Local Government Department,
- (h) the Colombo Municipal Council."

103. The following new section is hereby inserted immediately after section 215, and shall have effect as section 215A, of the principal enactment :—

Insertion of new section 215A in the principal enactment.

"On the spot fines.

215A. (1) Any person who contravenes the provisions of any section set out in Column I of the Second Schedule to this Act or fails to comply with any order, direction, demand, requirement or notice lawfully issued or given under the provisions of any such section, shall be guilty of an offence under this Act.

(2) Any person who, on detection by a police officer, admits liability for any contravention of the provisions of any section set out in Column I of the Second Schedule to this Act or the failure to comply with any order, direction, demand, requirement or notice lawfully issued, made or given under the provisions of any such section, if he so desires, may, in lieu of prosecution for the offence, make payment of a fine of the amount set out in Column III of that Schedule corresponding to the section specified in Column I in respect of which he has admitted liability. Such payment shall be made at any Kachcheri or Post Office and proof of such payment shall, within two weeks of the detection, be forwarded either by personal delivery or registered post to the officer-in-charge of the police station named by the police officer making the detection."

104. Section 217 of the principal enactment is hereby amended as follows :—

Amendment of section 217 of the principal enactment.

- (i) in subsection (1) of that section, by the substitution for the expression "five hundred rupees," of the expression "one thousand rupees,"; and
- (ii) in subsection (2) of that section, by the substitution for the expression "two hundred rupees," of the expression "five hundred rupees."

Replacement of sections 218, 219, 220 and 221 of the principal enactment.

105. Sections 218, 219, 220 and 221 of the principal enactment are hereby repealed and the following sections substituted therefor :—

"Penalty for driving without insurance or security against third-party risks or certificate of fitness.

218. Any person who is guilty of the offence of contravening the provisions of section 99 or section 196 (6) shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Penalty for giving false information.

219. Any person who—

(a) in or in connection with any application—

(i) for the registration of a motor vehicle ; or

(ii) for a driving licence or for the extension of the validity of such driving licence ; or

(iii) for a conductor's licence or any other licence required by any regulation or any renewal thereof ; or

(iv) for any alteration or correction of any such licence ; or

(b) in or in connection with any application made under Part III or Part IV ; or

(c) in giving any information lawfully demanded or required under this Act or any regulation,

makes any statement which to his knowledge is false or in any material respect misleading, shall be guilty of an offence under this Act, and on conviction after summary trial before a Magistrate shall be liable to a fine not exceeding one thousand rupees, or to imprisonment of either description for a period not exceeding six months, or to both such fine and imprisonment.

Penalty for imitation of revenue licences, &c.

220. (1) Any person who—

(a) fraudulently uses or allows any other person to use ; or

(b) imitates, alters, mutilates, defaces or destroys,

any identification plate, any certificate of registration, certificate of fitness, revenue licence for a motor vehicle, driving licence, permit issued under section 135 (4) or under Part IV, conductor's licence or any other certificate or licence, or any duplicate of any such permit, certificate or licence, issued or deemed to have been issued under this Act or any regulation, shall be guilty of an offence under this Act and shall on conviction after summary trial before a Magistrate be liable to a fine not exceeding five hundred rupees, or to imprisonment of either description for a term not exceeding six months, or to both such fine and imprisonment.

(2) Any person who—

(a) forges or imitates or alters any certificate of insurance or certificate of security, or uses or causes or permits any other person to use any such certificate knowing it to be forged or imitated or altered ; or

(b) fraudulently uses or causes or permits any other person to use fraudulently any certificate of insurance or security ; or

(c) knowingly makes any false statement or withholds any material information for the purpose of obtaining a certificate of insurance or a certificate of security,

shall be guilty of an offence under this Act, and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment.

(3) Any person who issues a certificate of insurance or a certificate of security which he knows to be false in any material particular shall be guilty of an offence under this Act, and shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

Penalty for
contravention
of Part III.

221. Any person—

(a) who is guilty of the offence of using any motor vehicle in contravention of any provision of Part III ; or

(b) who is guilty of the offence of failing to comply with any condition attached to a permit granted under such Part,

shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred and fifty rupees, and on a second or subsequent conviction to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment.”.

Amendment of
section 223 of
the principal
enactment.

106. Section 223 of the principal enactment is hereby amended by the substitution for the expression “ five hundred rupees ”, of the expression “ one thousand rupees ”.

Replacement of
section 224 of
the principal
enactment.

107. Section 224 of the principal enactment is hereby repealed and the following new section substituted therefor :—

“ General
penalty.

224. Any person guilty of any offence, for which no other punishment is expressly provided in this Act, shall, on conviction after summary trial before a Magistrate, be liable to a fine not exceeding two hundred rupees, and on a second or subsequent conviction, to a fine not exceeding four hundred rupees.”.

Insertion of new
section 224A in
the principal
enactment.

108. The following new section is inserted immediately after section 224, and shall have effect as section 224A, of the principal enactment :—

‘ Procedure
to be
followed by
court in respect
of certain
offences.

224A. (1) Where proceedings have been instituted against any person in any Magistrate's Court in respect of any such offence under this Act as may be prescribed and where no accident involving damage to any property or injury to any other person has resulted from, or was occasioned by, the commission of that offence, the court may, notwithstanding anything in the Code of Criminal Procedure Act, No. 15 of 1979, to the contrary, issue to the first-mentioned person together with the summons a notice

stating that it will not be necessary for such person to appear at the time and place specified in the summons if he on or before the date specified in the notice—

- (a) by letter addressed to the Registrar of that court admits the commission of the offence,
- (b) pays to the Registrar the amount specified in the notice, and
- (c) sends to the Registrar his driving licence to enable the court to make an endorsement under section 136.

(2) The amount to be specified under paragraph (b) of subsection (1) in the notice issued to any person under that subsection shall not exceed the amount which the court may lawfully impose as a fine for the offence referred to in the summons issued to that person.

(3) Where a person to whom a notice has been issued by a court under subsection (1) complies with the provisions of the notice, the court shall record a verdict of guilty in relation to the offence specified in the summons issued to that person and sentence him to a fine equivalent to the amount paid by him in accordance with that notice and record that such fine was paid by him.

(4) In this section "Magistrate's Court" includes a Municipal Magistrate's Court.

109. Sections 225 and 226 of the principal enactments are hereby repealed and the following sections substituted therefor :—

Power of court to order recovery of licence fee.

225. (1) Where any court convicts any person of the offence of possessing or using a motor vehicle in contravention of section 25 (1), and a certificate is produced, signed by the licensing authority and stating the amount of fee due and surcharge, if any, the court shall, in addition to any other punishment which it may impose for that offence, order a sum equal to that amount to be recovered from that person as though it were a fine imposed by the court; and any such sum may be so recovered notwithstanding that it may exceed the amount of the fine which the court may in the exercise of its

Replacement of sections 225 and 226 of the principal enactment.

ordinary jurisdiction impose. Every such sum when recovered by the court shall be remitted to the licensing authority and shall be disposed of under this Act by such licensing authority in like manner as the fee payable on a revenue licence for that motor vehicle.

(2) Any person who is dissatisfied with any order made under subsection (1) may, if he appeals against the conviction in consequence of which the order was made, appeal against the order to the Court of Appeal and the provisions of Chapter XXVIII of the Code of Criminal Procedure Act, No. 15 of 1979, shall apply to such appeal.

(3) Where a sum equal to the fee payable on the revenue licence required for any motor vehicle in respect of any year or part of a year and the surcharge, if any, is recovered from any person in pursuance of any order made under subsection (1) or by the Court of Appeal under subsection (2), and that motor vehicle is fit to be used on a highway and all other requirements of this Act relating to the licensing of motor vehicles have been complied with in respect of that motor vehicle, the licensing authority shall issue a revenue licence for that motor vehicle in respect of that year or part of a year in like manner as if the application for such licence had been duly made under Part III and accompanied by the amount of the fee payable on such licence.

Motor vehicle
to be deemed
to be property
of registered
owner for
purposes of
section 60 of
the Code of
Criminal
Procedure
Act, No. 15
of 1979.

226. For the purposes of section 60 of the Code of Criminal Procedure Act, No. 15 of 1979, a motor vehicle shall be deemed to be the property of the person who for the time being is the registered owner of that vehicle."

110. Section 227 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 227 of the principal enactment.

* Fees.

227. (1) Where in any case reference is made in this Act to a prescribed fee, reference shall be deemed to be made to such of the fees prescribed by regulation as may be appropriate to the case ; and unless otherwise expressly provided by this Act or by regulation made under the Revenue Collection Ordinance every such fee—

(a) may—

(i) be paid by means of revenue stamps to be provided by the person by whom the fee is payable and to be cancelled by the Commissioner or by any officer authorized in that behalf by the Commissioner, or by means of cheque, money order or postal order ; or

(ii) if the fee is for a stage carriage permit be paid as provided in the preceding sub-paragraph (i) or in cash or by means of cheque, money order or postal order ; and

(b) shall be credited to the Consolidated Fund :

Provided, however, that no fee shall be payable in respect of—

(i) the registration of any motor vehicle belonging to or exclusively used in the service of the Government of the Republic of Sri Lanka or belonging to such other foreign state as the Minister may from time to time specify by Notification published in the Gazette or belonging to the representative in Sri Lanka (by whatsoever name, title or designation called) of any foreign Government or any other foreign state specified or the Trade Commissioner or consular officer in Sri Lanka

of any such Government or persons on the staff of any such representative or Commissioner or consular officer ; or

(ii) the issue of a driving licence to, or the extension of the validity of the driving licence of, any member of the Sri Lanka Army for the purpose of authorizing such member to drive within Sri Lanka, on military duty, any type or description of motor vehicles used for military purposes ; or

(iii) the issue of a driving licence to or extension of the validity of any such licence of the representative in Sri Lanka (by whatsoever name, title or designation called) of any foreign Government or any other foreign state specified by Notification published under paragraph (i) of this proviso or the Trade Commissioner in Sri Lanka of any Government or the consular officer in Sri Lanka of any such Government or person on the staff of any such representative or Commissioner or consular officer.

(2) The Commissioner may authorize an examiner approved under sections 195 and 196 to appropriate the fee paid for the examination of a motor coach, motor tricycle van or lorry.

(3) When an applicant for the registration of a motor vehicle or for a permit under this Act pays the fee for such registration or permit and, for any reason other than failure on the part of the applicant to conform to the requirements of this Act, that motor vehicle is not registered or that permit is not issued, he shall be entitled to obtain from the Commissioner a refund of the fee paid by him.

(4) Where an applicant for the registration of a motor vehicle or for a permit under this Act pays as the fee for such registration or permit a sum in excess of that fee, he shall be entitled to obtain from the Commissioner a refund of such excess."

111. Section 229 of the principal enactment is hereby repealed.

Repeal of section 229 of the principal enactment.

112. Section 232 of the principal enactment is hereby amended by the substitution for the words "headman", wherever that word occurs in that section, of the words "Grama Seva Niladhari".

Amendment of section 232 of the principal enactment.

113. The following new section is hereby inserted immediately after section 232, and shall have effect as 232A of the principal enactment :—

Insertion of new section 232A in the principal enactment.

"Duty of driver to give information as to his name and address.

232A. Where any police officer or Grama Seva Niladhari has reason to suspect that an offence in connection with the driving of a motor vehicle has been committed, such police officer or Grama Seva Niladhari may require the driver of that motor vehicle to furnish his name and address, and if such driver fails or refuses to do so or gives a false name or address, he shall be guilty of an offence under this Act."

114. Section 236 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 236 of the principal enactment.

"Certificate of examination to be admissible evidence.

236. Where, in any proceedings under this Act, any question arises as to whether or not in respect of a motor vehicle there is a compliance with any provision of this Act or any regulation, or as to whether or not any wheel weigher, weighbridge or other weighing machine for weighing motor vehicles is accurate, the certificate of any examiner, certifying officer, or other prescribed person to the effect that he has examined the vehicle or wheel weigher or weighbridge or other machine for weighing motor vehicles, as the case may be, and stating the result of his examination, shall be admissible in evidence and shall be sufficient prima facie evidence of any fact or opinion stated therein relating to the matter in question, and the court

shall not permit the examiner, officer or other person to be called for cross-examination on the certificate unless contrary evidence is given which appears to the court to be credible, or unless for any reason the court considers such cross-examination to be necessary in the interests of justice."

115. Section 237 of the principal enactment is hereby amended as follows :—

Amendment of section 237 of the principal enactment.

- (1) by the repeal of subsection (2) of that section, and the substitution therefor, of the following subsection :—

"(2) Every regulation made by the Minister under subsection (1) shall be published in the *Gazette* and shall come into force on the date of such publication or on such later date as may be specified in the regulation."; and

- (2) by the addition, at the end of that section, of the following new subsections :—

"(3) Every regulation shall as soon as convenient after the publication in the *Gazette* be brought before Parliament for approval and any regulation which is not so approved shall be deemed to be rescinded as from the date of such disapproval but without prejudice to anything previously done thereunder.

(4) The date on which any regulation is deemed to be so rescinded shall be published in the *Gazette*."

116. Section 238 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement of section 238 of the principal enactment.

" Application of Act to persons and motor vehicles of the Government of Sri Lanka.

238. (1) Save as otherwise provided in this Act, the provisions of this Act shall apply in the case of persons and motor vehicles in the service of the Government of Sri Lanka.

Provided, however, that the provisions of sections 2, 21 and 25 shall not apply in the case of any motor vehicle ordinarily used by the President or the Prime Minister :

And provided further that regulations may, with the concurrence of the Minister in charge of the subject of Defence, be made exempting—

- (a) members, or any specified class or description of members, of the forces of the Republic of Sri Lanka; and
- (b) motor vehicles, or any specified class or description of motor vehicles, which belong to or are exclusively used for the purpose of the forces of the Republic of Sri Lanka,

from all the provisions, or any specified provision, of this Act or of any regulations made thereunder.

(2) For the purposes of facilitating any exercises of the Services, the Minister may, with the concurrence of the Minister in charge of the subject of Defence, by Order—

(a) declare that any specified highway or highways or part of any such highway shall be closed to traffic on any specified day or days or during any specified time on any specified day or days ; and

(b) declare that the provisions of this Act or any specified provision of this Act shall not apply to the members of the forces of the Republic of Sri Lanka participating in such exercises or to or in relation to the motor vehicles used for the purposes of such exercises.

(3) For the purposes of the preceding provisions of this section, the expression " exercises of the Services " includes any exercises, manoeuvres, training or movement of the forces of the Republic of Sri Lanka.

117. Section 240 of the principal enactment is hereby amended as follows :—

Amendment of section 240 of the principal enactment.

(1) by the omission of the definition of " Ceylon Transport Board " ;

(2) by the substitution for the definition of " driver ", of the following definition :—

" driver " means the person for the time being in charge of a motor vehicle for the purpose of operating such vehicle ;

(3) by the substitution for the definition of " headman ", of the following definitions :—

" Grama Seva Niladhari " means a Grama Seva Niladhari authorized by a Government Agent or Assistant Government Agent to perform police duties and wearing his authorized uniform or badge ;

" hand tractor " means a two-wheeled tractor fitted with a trailer adapted for the carriage of not more than six persons (including the driver) and goods ;

(4) by the omission of the definition of " hiring car " ;

- (5) by the substitution for the definition of "invalid carriage" of the following definition :—

"invalid carriage" means a motor vehicle and which is specially designed and constructed, or adapted, for the use of persons suffering from some physical defect or disability and intended for use solely by such persons ;"

- (6) by the substitution for the definition of "land vehicle", of the following definition :—

"land vehicle" means any mechanically propelled vehicle (including a trailer) intended for use on land in connexion with an agricultural or constructional purpose such as levelling, dredging, earth moving, forestry or any similar operation, but does not include a road-roller ;"

- (7) by the substitution for the definitions of "local authority" and "lorry", of the following definitions :—

"local authority" means any Municipal Council Urban Council, Town Council or Village Council and includes any Authority created and established by or under any law to exercise, perform and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council ;

"lorry" means a motor vehicle constructed or adapted wholly or mainly for the carriage of goods and includes a trailer so constructed or adapted and a tractor but does not include a land vehicle or a motor tricycle van ;"

- (8) by the insertion, immediately after the definition of "lorry", of the following new definition :—

"moped" means a vehicle with an internal combustion engine, the cubic capacity of which does not exceed fifty cubic centimetres and which is equipped with pedals by means of which it can be propelled ;"

- (9) by the omission of the definition of "motor cab" ;

- (10) by the substitution for the definitions of "motor car", "motor coach" and "motor cycle", of the following definitions :—

"motor car" means a motor vehicle, not being a motor cycle, motor tricycle, motor ambulance, motor hearse or invalid carriage, which is constructed or adapted for carriage of not

more than nine persons (including the driver) and their effects and which the Commissioner is satisfied cannot be adapted for the carriage of not more than nine persons (including the driver) and their effects and includes a trailer so constructed or adapted ;

“ motor coach ” means a motor vehicle, not being a motor ambulance or motor hearse, constructed or adapted for the carriage of more than nine persons (including the driver) and their effects, and includes a trailer so constructed or adapted ;

“ motor cycle ” means a motor vehicle other than a moped, motor tricycle or motor tricycle van, designed to travel on not more than three wheels, and having a tare which together with the tare of any side car attached thereto does not exceed two hundred and fifty kilogrammes ;

(11) by the insertion, immediately after the definition of “ Motor Traffic Advisory Council ”, of the following new definitions :—

“ motor tricycle ” means a motor vehicle designed to travel on three wheels and having a tare which does not exceed four hundred kilogrammes and which is constructed or adapted wholly or mainly for the carriage of persons ;

“ motor tricycle van ” means a motor vehicle designed to travel on three wheels, and having a tare which does not exceed four hundred and fifty kilogrammes, and which is constructed or adapted wholly or mainly for the carriage of goods ;

(12) by the substitution for the definition of “ motor vehicle ”, of the following definition :—

“ motor vehicle ” means—

(a) any mechanically propelled vehicle including a tractor or trailer which is intended or adapted for use on roads but does not include a road-roller or a moped ;

(b) any mechanically propelled vehicle intended for use on land in connection with an agricultural or constructional purpose such as levelling, dredging, earth-moving, forestry or any similar operation but does not include a road-roller or a moped ;

- (13) by the substitution for the definition of "passenger", of the following definition :—

"passenger" means a person carried in a omnibus, but does not include the driver or the conductor ;

- (14) by the omission of the definition of "private car" ;

- (15) by the substitution for the definition of "public stand", of the following definition :—

"public stand" means a place set apart under this Act as a place at which omnibuses or lorries or any specified class or description of omnibuses or lorries may be halted or may stand for hire ;

- (16) by the omission of the definition of "Registrar" ;

- (17) by the substitution for the definitions of "traffic" and "traffic signs", of the following definitions :—

"traffic" includes bicycles, tricycles, motor vehicles, vehicles of every description, pedestrians, processions, and bodies of troops, and all animals being ridden, driven or led ;

"traffic signs" includes all signals, operated electrically, mechanically or otherwise, warning sign posts, direction posts, signs, marks or devices, erected or provided on or about a highway for the guidance or direction of persons using the highway ;

- (18) by the insertion, immediately after the definition of "traffic signs", of the following new definition :—

"traffic warden" means a person appointed for the purpose of controlling traffic in writing by the Superintendent of Police or Assistant Superintendent of Police of a district and wearing a dress approved by the Inspector-General of Police ;

- (19) by the omission of the definitions of "tribunal" and "trolley vehicle" ; and

- (20) by the omission of the definition of "wireless set".

118. The Schedule to the principal enactment is hereby repealed and the following Schedules substituted therefor :—

Replacement of the Schedule to the principal enactment.

" FIRST SCHEDULE

(Section 133A)

I	Offences	II	Demerit points
1.	Causing death by rash and negligent act where the degree of responsibility is high	40	points
2.	Causing death by rash and negligent act where the degree of responsibility is low	30	"
3.	Causing injury where the degree of responsibility is high	30	"
4.	Causing injury where the degree of responsibility is low	25	"
5.	Failing to report an accident	25	"
6.	Failing to obey signals given by a police officer or traffic warden	15	"
7.	Failing to obey traffic light signals	15	"
8.	Using a mechanically defective vehicle	15	"
9.	Failing to obey rules of the road—section 148	15	"
10.	Failing to avoid an accident and driving negligently—sections 149 and 151	20	"
11.	All convictions resulting from the driving of a motor vehicle, other than those described above	10	"

SECOND SCHEDULE

(Section 215A)

I	II	III
Section of Act	Provisions	Amount of fine Rs.
21	.. Identification plates ..	25
22	.. Shape of identification plates ..	25
38	.. Revenue licence to be carried on motor vehicles and produced when required	25
45	.. Restrictions on use of motor vehicles in contravention of revenue licence	15
123 (1) (a)	.. Prohibition of driving without driving licence ..	50
123 (1) (b)	.. Employing person without driving licence ..	50
123 (2)	.. Driver under the age of 18 years old	50
140	.. Speeding ..	50
148	.. Rules of the road ..	25
152	.. Position of driver when driving motor vehicle ..	25
153	.. Signals by drivers when driving, &c. ..	25
154	.. Reversing of motor vehicles ..	20
155	.. Sound or light warnings ..	25
156	.. The riding, or permitting the riding, on running boards, &c., of motor vehicles	25
157	.. Number of persons in front seats of motor cars	25
158 (a)	.. Failure to wear protective helmet ..	25
159	.. Distribution of advertisements ..	25
162	.. Traffic directions and signals of police officers ..	50
165	.. Precautions to be taken when petrol is taken into tank	20
166	.. Halting or parking of motor vehicles on highway	50
167	.. Precautions to be taken when motor vehicle is halted or left, unattended or disabled on a highway	50
178	.. Carriage of passengers in excess ..	50
199	.. Persons who may be carried in a lorry ..	50 "

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