



National Highways Safety Ordinance 2000

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action.

NOW THEREFORE, in pursuance of the proclamation of Emergency of the fourteenth day of October, 1999. And Provisional Constitution Order No.1 of 1999. As well as order No.9 of 1999. And in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make promulgate the following Ordinance.

CHAPTER 1-PRELIMANRY

1.Short title, extent and commencement:-

- (1). This Ordinance may be called the National Highways Safety Ordinance,2000.
- 2). It extends to the whole of Pakistan.
- 3). It shall come into force at once.

2.Definitions:-

- (1) In this Ordinance, unless there is anything repugnant in the subject or context.
 - i. “**Ambulance**” means a vehicle designed for the carriage of sick, wounded or invalid persons or animals.
 - ii. “**Animal drawn vehicle**” means a road vehicle designed and constructed primarily for carrying persons or goods and is propelled solely by one or more domestic animals.
 - iii. “**Axle weight**” means in relation to an axle of a motor vehicle the total weight transmitted by the several wheels attached to the axle to the surface whereon the vehicle rests.
 - iv. “**Bicycle**” means any road vehicle having at least two wheels propelled solely by muscular energy of the person on that vehicle.
 - v. “**Board**” means the Medical Board constituted under sub-section (3) of section 4;
 - vi. “**Carriage way** ” means the part of the road normally used by vehicular traffic;
 - vii. “**Certificate of Registration**” means the certificate issued by a competent authority to the effect that a motor vehicle has been registered in accordance with law for the time being in force.
 - viii. “**Contract carriage**” means a road vehicle which carries a passenger or passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum and from one point to another without stopping to

- pick up or set down along the line of route passengers not included in the contract and includes a motor cab notwithstanding that the passengers may pay separate fares.
- ix. **“Cycle Track”** means the portion of road partitioned by curbing, guardrails and other similar structures or road making set aside for bicycle passage.
 - x. **“Delivery vehicle”** means any goods vehicle the registered laden weight of which does not exceed twenty-five hundred kilograms.
 - xi. **“Driver”** means any person who drives a motor vehicle or an animal drawn vehicle on a national highway.
 - xii. **“Fares”** means the amount prescribed or agreed for a journey by a stage carriage and includes sums payable for a season ticket or in respect of the hire of a contract carriage.
 - xiii. **“Footpath”** means the portion of a road partitioned by curbings, guardrails and other similar structures or road markings intended for pedestrian passage.
 - xiv. **“Good”** include livestock and anything (other than equipment ordinary used with the vehicle) carried by a vehicle except living persons but does not include luggage or personal effects carried in a road or in a trailer attached to a vehicle or the personal luggage of passengers traveling in the vehicle.
 - xv. **“Goods vehicles”** means any motor vehicle constructed or adapted for use for the carriage of goods or any motor vehicle including any animal drawn vehicle not so constructed or adapted when used for the carriage of goods, solely or in addition passengers.
 - xvi. **“Government”** means the Federal Government.
 - xvii. **“Gross vehicle weight”** means load of all axles of a goods vehicle transmitted by several wheels attached to all axle to the surface whereon wheels rest.
 - xviii. **“Heavy transport vehicle”** means a transport vehicle, the registered axle weight of which exceeds five thousand kilogram, or the registered laden weight of which exceeds six thousand five hundred kilograms.
 - xix. **“Intersection”** means any level crossroads, junction or fork including the open areas formed by such crossroads, junctions or forks.
 - xx. **“Invalid carriage”** means a motor vehicle the unladen weight of which does not exceed one thousand kilograms specially designed and constructed and not merely

- adapted, for the use of a person suffering from some physical defect or disability and used solely by or for such a person;
- xxi. **“Laden weight”** means the actual weight of the vehicle as loaded with the crew and passengers and the load carried on it;
 - xxii. **“Lane”** means any one the longitudinal strips into which the carriage way is divisible, whether or not defined by longitudinal road markings, which is wide enough for one moving line of motor vehicles other than motor cycles.
 - xxiii. **“Level crossing”** means any level intersection between a road and railway.
 - xxiv. **“License”** means the document issued by a competent authority authorizing person specified therein to drive a motor vehicle of any specified class or description or any animal drawn vehicle.
 - xxv. **“Licensing authority”** means an authority empowered to grant licences under this Ordinance.
 - xxvi. **“Light transport vehicle”** means any public service vehicle other than a motor cab, or any goods vehicle other than a heavy transport vehicle or a delivery van.
 - xxvii. **“Locomotive”** means a motor vehicle which is itself not constructed to carry any load (other than equipment used for the purpose of propulsion), the unladen weight of which exceeds seven thousand kilograms but does not include a road roller.
 - xxviii. **“Moped”** means any two-wheeled or three-wheeled vehicle which is fitted with an internal combustion engine having a cylinder capacity not exceeding fifty cubic centimeters and maximum design speed not exceeding fifty kilometers per hour.
 - xxix. **“Motor cab”** means any motor vehicle constructed, adapted or used to carry not more than four passengers excluding the driver, used for hire or reward, but does not include a motor cycle, an invalid persons carriage or a moped.
 - xxx. **“Motor car”** means any motor vehicle constructed, adapted or used to carry not more than six passengers excluding driver not used for hire or reward but does not include motor cycle, invalid persons carriage or a moped.
 - xxxi. **“Motor cycle”** means any two wheeled vehicle, with or without a side car, which is equipped with a propelling engine but does not include a moped.

- xxxii. **“Motor rickshaw”** means any motor vehicle with three wheels, constructed, adapted or used to carry not more than four persons including the driver, the unladen weight of which does not exceed eight hundred fifty kilograms.
- xxxiii. **“Motor vehicle”** means any mechanically propelled vehicle which is normally used for carrying persons or goods by road or for drawing, on the road vehicles used for the carriage of persons or goods.
- xxxiv. **“Motorway”** means a road especially designed and built for motor vehicles which does not serve the properties bordering on it except at special points and has separate carriage ways for the two directions of the traffic and does not cross at level with any road, railway, tramway, cycle tract or footpath;
- xxxv. **“National highway”** means a national highway as defined in the National Highway Authority Act, 1991(XI 1991); and includes a road declared to be a national highway under the said Act;
- xxxvi. **“Overtaking”** course means a manoeuvre when a vehicle passes the side of another vehicle by changing its course and then proceeding to the front of the said vehicle.
- xxxvii. **“Owner”** means the person in whose name the road vehicle is registered and include
- a. A transferee of the vehicle from such persons.
 - b. In relation to a road vehicle which is the subject of a hire purchase agreement, the person in possession of the vehicle under that agreement:
 - c. Where the person in whose name the road vehicle is registered or the person in possession of the road vehicle under a hire purchase agreement is
 - (i) A minor, the guardian of such a minor;
 - (ii) A company registered under the Companies ordinance. 1984 (XLVII of 1984) the directors of such company.
 - (iii) A society registered under the Societies Registration Act. 1860 (XXI of 1860) or under any law relating to co-operative societies, the principal officer of such society by whatever designation known;
 - (iv) A firm, all the partners of such firm, and
 - (v) Any other association of persons, all the members of such association.Provided that where such company, firm, society or other association of persons has given notice to the registering authority that it has nominated

A director, partner, office-bearer, member or officer, as the case may be of the company, firm, society or association to be the person nominated shall alone be deemed to be the owner for the purpose of this Ordinance.

- xxxviii. **“Parking”** means that a vehicle is stationary for any reason other than need avoid interference with another road user or collision or to comply with traffic regulations, and if the period during which the vehicle is stationary is not limited to the time required to pick up or set down persons or goods.
- xxxix. **“Passengers”** means every person including any employee of the owner or permit-holder travelling in the motor vehicle.
- xl. **“Pedestrians crossing”** means that portion of a road marked by road signs or road markings and set aside for pedestrians to use for crossing the road;
- xli. **“Patrol post”** means a police post on a national highway having jurisdiction within the area specified by the Government:
- xl.ii. **“Permit”** means the document issued by the Provincial Transport Authority, or a Regional Transport Authority, authorizing the use of a transport vehicle as a contract carriage or stage carriage, or authorizing the owner as a private carrier to use such vehicle.
- xl.iii. **“Police officer”** mean a police officer in uniform.
- xl.iv. **“Prescribed”** means prescribed by rules made under this Ordinance.
- xl.v. **“Private carrier”** means an owner of a transport vehicle other than public carrier who uses that vehicle solely for the carriage of goods which are property or the carriage of which is necessary for the purpose of his business not being a business providing a transport;
- xl.vi. **“Public carrier”** means an owner of a transport vehicle who transport or undertakes to transport goods, to any public whether for hire or reward and includes any person, body, association or company engaged in the business of carrying goods of persons associated with that person, body, association or company for the purpose of having their goods transported.
- xl.vii. **“Public service vehicle”** means any road vehicle used or adapted to be used for the carriage of passengers for hire or reward and includes a motor cab or contract carriage.
- xl.viii. **“Registered laden weight”** means in respect of any vehicle the total weight certified and registered by the registering authority as permissible for that vehicle.

- xlix. **“Registering authority”** means any authority empowered to register road vehicles under this Ordinance.
1. **“Road”** means any portion of the strip designed or ordinary used by vehicular traffic inclusive of shoulders,
 - li. **“Road marking”** means a marking which points out restrictions with reference to traffic on a road and the lines of tracks, points and stones drawn on the surface of a road.
 - lii. **“Road sign”** means a sign board which points out a regulation or direction concerning the traffic on a road.
 - liii. **“Road vehicle”** means any motor vehicle designed and constructed for operating on road including animal drawn vehicle and bicycle.
 - liv. **“Schedule”** means a schedule to this Ordinance.
 - lv. **“Shoulder”** means that long and narrow portion of ground separate from the vehicular road, at the edge of a road or a roadside where no side-walk is established or set aside as passage for pedestrians or reserved for stoppage of motor vehicle.
 - lvi. **“Signal”** means a device which is operated by electric power and gives indications for traffic control by appropriate lights.
 - lvii. **“Single axle weight”** means load of an axle of a goods vehicle transmitted by several wheels attached to that axle to the surface whereon the wheels rest;
 - lviii. **“Stage carrier”** means a road vehicle carrying or adapted to carry more than six persons excluding the driver which carries passengers for hire or reward at separate fares paid or for individual passengers either for the whole journey or stages of the journey:
 - lix. **“Tandem axle weight”** means load of a twin-axle (two axles centre-to-centre spaced between forty to forty-eight inches) of a goods vehicle transmitted by the several wheels attached to that twin-axle assembly to the surface whereon the wheels rest:
 - lx. **“Tractor”** means motor vehicle which is not itself constructed to carry any load other than equipment used for the purpose of propulsion the unladen weight of which does not exceed seven thousand kilograms but does not include a road-roller:
 - lxi. **“Traffic signs”** includes all signals, signs, posts or other devices for the information, guidance or direction of drivers of road vehicles:
 - lxii. **“Trailer”** means any vehicle other than a side-car and intended to be drawn by a goods vehicle for the carriage of goods:

- lxiii. **“Transport vehicle”** means a public service vehicle, a goods vehicle, a locomotive or a tractor then a tractor with or without trailer used solely for agricultural purposes:
 - lxiv. **“Tridem axle weight”** means the load of a tri-axle (three axles, the outer two axles centre-to-centre spaced between eighty to ninety-six inches) of a goods vehicle transmitted by the several wheels attached to tri-axle assembly to the surface whereon the wheels rest:
 - lxv. **“Tyre pressure”** means inflation pressure of tyres of goods vehicle:
 - lxvi. **“Unladen weight”** means the weight of a vehicle or trailer, including all equipment ordinarily used within the vehicle or trailer when working, but excluding the weight of the driver or attendant, and where alternative parts or bodies are used, the unladen weight of the vehicle means the weight of the vehicle with the heaviest such alternative part of body:
 - lxvii. **“Weigh station”** means stations incorporating static and weigh-in-motion(WIM) devices installed to measure and enforce legal load limits: and
 - lxviii. **“Weight”** means the total weight transmitted for the time being by the wheels of a vehicle to the surface on which the vehicle rests:
- 2) The words and expressions used, but not defined in this Ordinance, shall have the meanings respectively assigned to them in the Provincial Motor Vehicle Ordinance, 1965 (W.P Ord. XIX of 1965).

CHAPTER II-LICENSING

3.Prohibition on driving without license :- No person shall drive a road vehicle or animal drawn vehicle on a national highway unless he holds and carries on this person a valid driving license issued to drive the particular class and type of vehicle.

4.Age limit in connection with driving of road vehicle :-(1) No person shall drive on a national highway-

- (a) a motor cycle or a motor car, otherwise than as a paid employee unless he has attained the age of eighteen years;
 - (b) a transport vehicle, a public service vehicle, a motor car or an animal drawn vehicle as a paid employee unless he has attained the age of twenty-one years, and
 - (c) a transport vehicle above the age of sixty years.
- (2) No fresh license for a transport vehicle shall be issued unless the license bears an effective endorsement by the licensing authority that the person holding such a license

has furnished a certificate in form "B" signed by the Chairman of the Medical Board as specified in the First Schedule.

(3) The Government may constitute medical Boards as specified in the Second Schedule which shall meet periodically on a pre designated time, day and place to test and certify persons required under this Ordinance.

5. Owners of road vehicle not to permit any person to drive contravention of section 3 or section 4 :-No owner or person Incharge of a road vehicle shall cause or permit any person, who does not satisfy the provision of section 3 or section 4, to drive any vehicle.

6. Grant of license :- (1) Any person who is not disqualified under section 4 for driving a road vehicle, and who is not for the time being disqualified for holding or obtaining a license, may apply to the prescribed licensing authority for the issue of a license.

2). Every application under sub-section (1) shall be in Form "A" as set forth in the First Schedule and shall be signed by, or bear the thumb impression of the applicant in two places, and contain the information specified therein.

3). Where the application is for a license to drive a transport vehicle, or where in any other case the licensing authority for reasons to be stated in writing so requires. the application shall be accompanied by a medical certificate in Form "B" signed by the Chairman of the Medical Board as laid down in the First Schedule.

4). Every application for a license to drive a motor vehicle or an animal drawn vehicle shall be accompanied by three copies of recent passport size photograph of the applicant.

5). If from the application, or from the medical certificate referred to in sub-section(3), it appears that the applicant is suffering from any disease or disability which is likely to be a source of danger to the public or the passengers the licensing authority shall refuse to issue the license, provided that the applicant may, except where he suffers from a disease or disability specified in the Third Schedule, request to be subjected to a test of his fitness or ability to drive a motor vehicle of a particular construction or design, and if he passes such test to the satisfaction of the licensing authority and is not otherwise disqualified, the licensing authority shall grant him a license to drive such vehicle as the licensing authority may specify in the license.

6). No license shall be issued to any applicant unless he passes to the satisfaction of the licensing authority the tests of competence specified in the Fourth Schedule and possesses a personal copy of the most recent official version of the Highway Motorway Code.

7). The test of competence of driving skills shall be carried out in a vehicle of the class to which the application refers and for the purposes of Part- IV of the Fourth Schedule a person who passes the test in driving-

(a) A heavy transport vehicle shall be deemed to have also passed the test in driving any motor vehicle other than a motorcycle or an earthmoving or road construction machinery; and

(b) A light transport vehicle shall be deemed also to have passed the test in driving a motor car, a motor cab and a delivery van.

8). No license shall be issued to any applicant to drive transport vehicle unless he has held for a period of not less than three years, immediately preceding the making of the application, an effective license to drive a road vehicle other than a motorcycle , an invalid persons carriage or a road-roller.

9). When application has been duly made to the prescribed licensing authority and the applicant has satisfied such authority of his knowledge of the signs, rules, physical fitness and of his competence to park and drive the vehicle of the class to which the applicant refers and has paid the prescribed fee, the authority shall grant the applicant a license unless-

(a) the applicant is disqualified under section 4 for driving a road vehicle or is for the time being disqualified for holding or obtaining a license.

(b) The licensing authority is satisfied that from the medical test it appears that he is suffering from any disease or disability specified in the Third Schedule or any other disease or disability which is likely to cause the driving by him of a road vehicle to be a source of danger to the public or to the passengers; and

(c) An endorsement refused under clause (a) shall be effective for a period of twelve months from the date thereof but the said period may, from time to time, be extended by the licensing authority by a further period of twelve months at any one time by recording reasons in writing.

(7). **Form and contents of license** :- (1) Every license to drive a road vehicle shall contain the information required in Form "C" of the First Schedule and shall have affixed thereto one of the photographs along with the signature or thumb impression given on the application for license.

(2) A license shall specify whether the holder is entitled to drive as a paid employee and whether he is entitled to drive a public service vehicle and shall further be expressed as entitling the holder to drive a road vehicle of one or more of the following classes, namely :-

a) Motorcycle upto 80 cc

b) Motorcycle more than 80 cc

- c) Three wheeler
- d) Invalid person's carriage
- e) Motorcar/motor cab
- f) Light transport vehicle
- g) Heavy transport vehicle
- h) Road construction machinery
- i) Tractor/agricultural machinery
- j) A vehicle of a specified description (description to be attached)

(8) Addition to license :- (1) Any person holding a license issued under this Ordinance who is not for the time being disqualified for holding or obtaining a license may apply in Form "D" as set forth in the First Schedule. To the licensing authority for the addition of any class of vehicle to the license specified in sub-section (2) of section 7.

- (2) The provisions of section 6 shall apply to an application under this section as if the application were for the grant of a license under that section to drive the class of vehicle which the applicant desires to be added to his license.
- (3) No fee, other than a fee for the test of competence to drive, shall be charged for an addition to a license under this section.

(9) Extent of validity of license :- a license issued under this Ordinance shall be effective throughout Pakistan.

(10) Currency of licenses :- A license issued under this Ordinance shall be effective initially for one year and for five years thereafter

(11) Renewal of license :- (1) The competent authority may, on an application made to it, renew a license issued under this Ordinance in accordance with the prescribed procedure.

(2) A license to drive a transport vehicle shall not be renewed so as to be effective for any period after the expiry of five years from the date of the medical certificate furnished by the license holder under section 4 unless he furnished a fresh medical certificate in Form "B" as specified in the First Schedule.

(3) An application for the renewal of a license shall be in Form "E" as set forth in the First Schedule, and shall contain the declaration required therein provided that if the applicant does not, or is unable to, subscribe to the said declaration, the provision of sub-section (5) of section 6 shall apply.

(4) The fee payable for the renewal of a license shall be as prescribed and enhanced fee may be prescribed where the application for renewal is made more than thirty days from the date of expiry of the licence. Provided that if the application for renewal is made more than one year after the expiry of the licence, the licensing authority may refuse to renew the licence unless the applicant undergoes, and passes to its satisfaction, the test of competence specified in the Fourth Schedule.

(5) When the authority renewing the licence is not the authority which issued the licence it shall intimate the fact of renewal to the authority which issued the licence.

12. Cancellation of licence on grounds of disease or disability : -

(1) notwithstanding anything contained in section 10 or section 111 the licensing authority may, at any time, require the holder of a licence.

(a) to furnish a fresh medical certificate in Form "B" as set forth in the First Schedule and signed by Chairman of the Medical Board as specified in the Fourth Schedule if the licensing authority has reasonable grounds to believe that the holder of the licence is due to any disease or disability, unfit to drive a road vehicle, and

(b) to undergo driving competence tests as set forth in Parts I to IV of the Fourth Schedule provided he has previously not been subjected to such test under this Ordinance, if he is not a paid employee and if he is a paid employee, the time elapsed is not less than a five years.

(2) If the holder of the licence fails to produce the medical certificate or is unable to pass the test, the licensing authority may cancel or refuse to renew his licence till such time the holder of the licence produces the medical certificate, or passes the said test, to the satisfaction of the licensing authority.

(3) When the authority canceling or refusing to renew the licence is not the authority which issued the licence, it shall intimate the fact of cancellation or refusal to renew the licence to the authority which issued the licence.

13. Order refusing to issue or renew a licence and appeals: -

(1) Where the licensing authority refuses to issue or renew a licence or cancels any license, it shall do so by an order communicated to the applicant or the licence holder, as the case may be, giving reasons in writing for such refusal or cancellation.

(2) Upon the issue of any such order the person affected, if he is the holder of a licence, shall forthwith surrender his licence to the licensing authority and the licensing authority shall, if no appeal is preferred against its order as provided in sub-section (3), or where any appeal has been preferred and dismissed, invalidate the licence cause it to be invalidated.

(3) Any person aggrieved by an order referred to in sub-section(1) may, within thirty days of the service on him of the order, prefer an appeal to the prescribed authority whose decision thereon shall be final.

14. **Power of licensing authority to disqualify for holding a licence:** -

- (1) If a licensing authority is satisfied, after giving an opportunity of being heard, that any person.
 - (a) is a habitual drug addict;
 - (b) is a habitual criminal
 - (c) is using or has used a motor vehicle in the commission of a cognizable offence.
 - (d) has by his previous conduct as driver of a road vehicle shown that his driving is likely to be attended with danger to the public or
 - (e) is a habitual drunkard,

it may, for reasons to be recorded in writing, by order disqualify that person for a specified period for holding or obtaining a licence. Upon the issue of any order the person affected, if he is the holder of a licence, shall forthwith surrender his licence to the licensing authority making the order, if the licence has not already been surrendered, and the licensing authority shall record the order of disqualification on the license and keep it in safe custody until the disqualification has expired or has been removed.

- (2) Any person aggrieved by an order of a licensing authority under this section may, within thirty days of the service on him of the order, prefer appeal to the prescribed authority and hear either party if so required by that party and make such inquiry into the matter as it thinks fit and an order made by any such appellate authority shall be final.

15. **Power of court to order disqualification:** - the court taking cognizance of any offence under this Ordinance may, in addition to imposing any other punishment authorized by law, disqualify the convict from driving any or all classes of road vehicles for such period as it may specify.

16. **Effect of disqualification order:** -

- (1) A person in respect of whom any disqualification order is made under this Ordinance shall be debarred to the extent, and for the period, specified in such order from holding or obtaining a licence and the licence, if any held by such person on the date of the order shall cease to be effective during such period.
- (2) The operation of a disqualification order made under section 15 shall not be suspended or postponed while appeal is pending against such order or against the conviction as a result of which such order is made unless the appellate court so directs.
- (3) Any person in respect of whom any disqualification order has been made for a period longer than six months, may at any time, after expiry of six months from the date of the order, apply to the court or other authority, by which the order was made, to remove the disqualification and the court or authority, as the case may be, having regard to all the circumstances of the case, remove or vary the order of disqualification:

Provided that, where an application has been made under this section, a second application thereunder shall not be entertained before the expiry of a further period of three months.

17. **Power to make rules** :-

(1) The Government may, in consultation with National Highways and Pakistan Motorway Police, by notification in the official Gazette, make rules for the purpose of carrying into effect the provisions of this Chapter.

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

(a) The appointment, establishment, jurisdiction, control and functions of licensing, renewal and other authorities;

(b) The conduct and hearing of appeals that may be preferred under this Chapter, the fees to be paid in respect of such appeals and the refund of such fees;

(c) The issue of duplicate license to replace lost, destroyed or mutilated, the replacement of photographs which have become obsolete and the issuance of temporary licenses to persons receiving instruction in driving and the fees to be charged thereof;

(d) Testing of applicant for licenses, the fees to be charged thereof and conditions of eligibility including educational qualification;

(e) The practical and physical tests as indicated in the Fourth Schedule;

(f) The exemption of persons or prescribed classes of persons from payment of all or any portion of the fees payable under this Chapter;

(g) The authorities which can suspend or cancel a license, and

(h) The licensing of schools and establishment for the instruction of drivers of motor vehicle, facilities to be provided, fees to be paid, syllabus to be taught and qualification of the instructional staff.

CHAPTER III . REGISTRATION OF ROAD VEHICLES

18. **Road vehicles not to be driven without registration** :- (1) No persons shall any road vehicle and no power of a road vehicle shall cause or permit the vehicle to be driven on any national highway for the purpose of carrying passengers or goods unless the vehicle is registered in accordance with this Chapter and the vehicle carries a registration mark displayed in the prescribed manner.

Explanation :- A road vehicle shall not be deemed to be registered in accordance With this Chapter if the certificate or registration has been suspended or cancelled.

(2). Nothing in this section shall apply to a road vehicle while being driven within the limits of jurisdiction of a registering authority or firm, the officially designated place of registration for the purpose of being registered under sections 19, 21, 35 or 36 or to a road vehicle exempted from the provisions of this Chapter while in the possession of a dealer in road vehicles.

19. **Registration where to be made** :- Subject to the provisions of sections 21, 35 and 36, every owner of a road vehicle shall cause the vehicle to be registered by the registering authority of the district unless the Government establishes such an authority by notification, in which he has residence or place of business or in which the vehicle is normally kept,

(2) Government may, by rules made under section 38, require that any certification of registration, issued under the provisions of this Ordinance, shall be presented, within a prescribed period to a specified registering, licensing and vehicle fitness authority for entry therein of such further particulars of the vehicle as such authority may be for the purpose of this Ordinance deem fit to record.

20. **Registration how to made** :- (1) An application by or on behalf of the owner of a road vehicle for registration shall be in Form 'F' as set in the First Schedule, and shall contain the information required therein and shall be accompanied by the prescribed fee.

(2) The registering authority shall issue to the owner of a road vehicle registered by it a certificate of registering in Form 'G' as set fourth in the First Schedule, and shall enter in a record to be kept by it particulars of such certificate.

(3) The registering authority shall assign to the vehicle for display thereon a distinguishing mark (in this Ordinance referred to as the registration mark) consisting of numerals, or of numerals and letters, subject to the condition that the registration mark has been duly notified in the official gazette.

(4) Government may, by a notification in the official Gazette, direct road vehicles registered before the commencement of this Ordinance shall assigned new registration marks within such period ad according to such procedure as may specified in the notification.

21. **Temporary registration:** - (1) notwithstanding anything contained in section 19 owner of a road vehicle may apply in the prescribed manner to any registering authority to have the vehicle temporarily registered and thereupon such registering authority shall issue to the owner of the vehicle a temporary certificate of registration and assign to the vehicle a temporary mark of registration.

(2) A registration made under sub-section (1) shall be valid only for a period of one month and shall not be renewable.

22 **Production of vehicle at the time of registration:** - The registering authority may, before proceeding to register a road vehicle, require the person applying for registration of the vehicle to produce the vehicle either before itself or such authority as Government may, by order, appoint for this purpose in order that the registering authority may satisfy itself that the particulars contained in the application are true and that the vehicle complies with the requirements of Chapter IV and the rules made thereunder.

23. **Refusal of registration:** -

- (1) The registering authority may, for reasons to be recorded in writing refuse to register any road vehicle, if
 - (a) The vehicle is mechanically so defective as to render its use unsafe;
 - (b) The vehicle does not comply with the requirements of Chapter IV, or the rules made thereunder;
 - (c) The applicant fails to furnish particulars of previous registration of the vehicle if any; or
 - (d) The applicant fails to produce before the registering authority: -
 - (i) Where the vehicle has been previously registered under law relating to the registering of road vehicles in force at any place in Pakistan, a letter of authority or a certificate of transfer from the person shown as owner in the last registration certificate in respect of such vehicle;
 - (ii) where the vehicle has been imported from any place out of Pakistan, has not been previously registered at any place in Pakistan, an import license for the vehicle; or
 - (e) Where the documents submitted by the applicant are suspected to be false.
- (2) Where a registering authority refuses to register a road vehicle, it shall furnish to the applicant free of cost a copy of the reasons for refusal.

24. **Validity of registration:** -

- (1) Subject to the provisions of section 25 and sub-section (4) of section 20, a road vehicle registered by a competent authority, in any part of Pakistan under any law relating to road vehicles in force in such part, shall not be required to be registered under this Ordinance. Provided that there is force in respect of the vehicle a certificate conforming to, and containing substantially the same particulars as, the certificate of registration issued by such competent authority in respect of such vehicle.
- (2) A certificate complying with the requirements of the proviso to sub-section(1) shall be effective throughout the country as if it were a certificate of registration issued under this Ordinance and the provisions of this Ordinance shall apply thereto.
- (3) Nothing in sub-section (1) shall apply to any road vehicle previously registered in the country if the certificate of registration of the vehicle is, for the time being, suspended or cancelled for any reason other than that of permanent removal of the vehicle from the country.

25. **Assignment of fresh registration mark on removal to another Province: -**

(1) When a road vehicle, not required to be registered in any part of Pakistan by virtue of sub-section(1) of section 29 is kept in the area for a period exceeding twelve months, the owner of the vehicle shall apply to the registering authority, within whose jurisdiction the vehicle then is, for the assignment of a new registration mark and shall present the certificate of registration of the vehicle to the registering authority.

(2) The registering authority, to which application is made under sub-section(1) shall assign the vehicle a registration mark in accordance with sub-section(3) of section 30 to be carried thenceforth on the vehicle and shall enter the mark upon the certificate of registration of the vehicle before returning to the applicant and shall also, in communication with the registering authority by whom the vehicle was previously registered, arrange for the transfer or the registration of the vehicle from the records of that registering authority to its own records.

26. **Change of residence or place of business: -**

(1) If the owner of the road vehicle ceases to reside or has shifted place of the business at the address in the certificate of registration of the vehicle, he shall, within thirty days of any such change of address, intimate his new address to the registering authority by which the certificate of registration was issued, or if the new address is within the jurisdiction of another registering authority, to that other registering authority and shall at the same time forward the certificate of registration to the registering authority in order that the new address may be entered therein.

(2) A registering authority other than the original registering authority making any such entry, shall communicate the altered address to the original registering authority.

(3) Nothing in sub-section(1) shall apply where the change of the address recorded in the certificate of registration is due to a temporary absence not intended to exceed one year in duration or where the road vehicle is neither used nor removed for the address recorded in the certificate of registration.

27. **Transfer of ownership: -** Within thirty days of the transfer of ownership of any road vehicle registered under this chapter, the transferor shall initiate, through a registered letter, the transfer to the original registration authority and the transferee shall forward the certificate of registration of the vehicle to that registering authority within whose jurisdiction he ordinarily resides together with the prescribed fee in order that particulars of the transfer of ownership may be entered therein.

(2) A registering authority other than the original registering authority making any such entry shall communicate the transfer of ownership to the original registering authority.

28. **Alteration in road vehicle:** -

(1) If a road vehicle is so altered that the particulars contained in the certificate of registration are no longer accurate, the owner of the vehicle shall, within fourteen days of the making of any such alteration, report the alteration to the registering authority within whose jurisdiction he resides and shall forward the certificate of the registration of the vehicle to that registering authority with the prescribed fee in order that particulars of the alteration may be entered therein.

Provided that it shall not be necessary to report any change in unladen weight of the road vehicle consequent on the addition or removal of fittings or accessories, if such change does not exceed two per cent of the weight entered in the certificate of registration.

(2) A registering authority other than the original registering authority making any such entry shall communicate the details of the entry to the original registering authority.

29. **Suspension of registration** :-

(1) A registering authority or any other prescribed authority may, after giving the owner an opportunity of being heard and for reasons to be recorded in writing, suspend the registration certificate of a road vehicle if;

- (a) the vehicle is not insured as required under this ordinance.
- (b) Any fees or taxes payable in respect of the vehicle under this Ordinance or the rules made thereunder, or under any other law have remained unpaid for a period exceeding three months from the date of such fees or taxes were due;
- (c) In the case of a transport vehicle, if it is not covered by a valid certificate of fitness,
- (d) The authority has reasons to believe that the vehicle is in such a condition that its used in a public place would constitute a danger to the public, or that it fails to comply with the requirement of Chapter IV or of the rules made thereunder;
- (e) A substantially false statement has been made in the application for registration of the vehicle; or
- (f) The registration certificate has been deliberately defaced or mutilated or unauthorized additions or alterations have been made therein,

And such suspension shall remain in force till such time the deficiencies have been rectified and the grounds, on which suspension was made, no longer exist.

- (2) A registering authority, or any prescribed authority may after giving the owner an opportunity of being heard and for reasons to be recorded in writing suspend for a period not exceeding six months, the certificate of registration of a vehicle if-
- (a) It is satisfied that the vehicle is used for subversive activities against the State,
 - (b) The vehicle is used for hire or reward without obtaining a permit from the competent authority; or
 - (c) It is established in a court that the vehicle has been used by the owner or with its knowledge or connivance in the commission of a cognizable offence punishable with imprisonment of five years or more.
- (3) An authority other than a registering authority, shall when making a suspension order under sub-section (1), intimate in writing the fact of suspension and the reasons therefor to the registering authority within whose jurisdiction the vehicle is at the time of the suspension.
- (4) A registration authority, or other prescribed authority suspending the registration certificate of a road vehicle under this section shall communicate the fact of suspension together with the reasons therefor in writing to the owner of the vehicle, and the owner shall thereupon forthwith surrender to that authority the certificate of registration and any other document issued to authorized the use of the vehicle in a public place.
- (5) Where the registration of a road vehicle has been suspended under sub-section (1) for a period of not less than one month, the registering authority, within whose jurisdiction the vehicle was at the time the registration was suspended, shall if is not the original registering authority, inform the original authority about the suspension, and when the suspension is continued without interruption for a period of not less than six months, the registering authority within whose jurisdiction the vehicle was at the registration was suspended, may if it is the original registering authority cancel the registration and I it is not the original registering authority shall forward the certificate of registration and any other document surrendered under sub-section (4) to that authority which may cancel it forthwith.
- (6) The certificate of registration and any other document surrendered under sub-section (4) shall be returned to the owner when the order suspending registration is rescinded.

30. Cancellation of registration :-

- (1) If a road vehicle has been destroyed, or has been rendered permanently incapable of use, the owner shall within a period not exceeding fifteen days report the fact to the registering authority, within whose jurisdiction he resides, and shall forward to that authority the certificate of the vehicle together with any document issued to authorize the use of the vehicle in a public place.

(2) The registering authority shall, if it is the original registering authority, cancel the registration and the certificate of registration or, if it is not the original authority shall forward the report and the certificate of registration to the original registering authority and that authority shall cancel the registration and the certificate of registration forthwith.

(3) Any registering authority may order the examination of a road vehicle within its jurisdiction by such authority as it may appoint, and if upon such examination and after giving the owner an opportunity of being heard, it is satisfied that the vehicle is in such a condition that its use in a public place would constitute a danger to the public and that it is beyond reasonable repair, may for reasons to be recorded in writing, cancel the registration of the vehicle.

(4) If the registering authority is satisfied that a road vehicle has been permanently removed out of the Province, it shall cancel the registration of the vehicle and inform the owner of such vehicle accordingly.

(5) A registering authority or any prescribed authority canceling the registration of a road vehicle under this section shall communicate the fact, together with the reasons therefor in writing to the owner of the vehicle, and the owner of the vehicle shall thereupon forthwith surrender to that authority the certificate of registration of the vehicle and any other document issued to authorize the use of the vehicle in a public place.

(6) A registering authority making an order of cancellation under this section shall if it is the original registering authority cancel the certificate of registration and the entry relating to the vehicle in its record, and if it is not the original registering authority, intimate in writing the fact of cancellation, and the reasons therefor, and forward the certificate of registration and any other document surrendered to it to the original authority and that authority shall cancel the certificate of registration and the entry to the road vehicle in its records forthwith.

Explanation :- The expression “original registering authority” hereinafter used, means the registering authority in whose records the registration of the vehicle is recorded.

31. Appeals :-

(1) Any owner of a road vehicle aggrieved by an order of refusal to register a road vehicle made under section 23 or by an order of suspension or cancellation of registration made under section 29 or 30 or to issue a certificate under sub-section(1) of section 34 or by an order of cancellation of the fitness certificate made sub-section(3) of section 34 may, within thirty days of the date on which he has received notice of such order, prefer appeal against the order in the prescribed manner to the prescribed authority.

(2) The appellate authority shall give notice of the appeal to the original authority, and after giving opportunity of being heard to the original authority and the appellant either personally or by pleader pass such orders, as it may think fit.

32. Special requirement for registration of transport vehicles: -

(1) A registering authority shall refuse to register a transport vehicle, other than a motor cab unless the application for registration is accompanied by a document in Form "H" as set forth in the First Schedule, signed by the maker of the vehicle or an assembler duly authorized by the maker in this behalf stating the maximum laden weight and maximum weights for which the vehicle is and the several axles are designed.

(2) Where a transport vehicle or chassis, as the case may be, has affixed to it a metal plate, bearing the stamp of the maker or assembler and identified as appertaining to the particular vehicle or chassis to which it is attached, which contains the particulars specified in sub-section(1), that plate may at the discretion of a registering authority be deemed to be the document referred to in that sub-section.

33. **Special particulars to be recorded on registration of transport vehicles:** - A registering authority, when registering a transport vehicle other than a motor-cab, shall enter in the record of registration and shall also enter in the certificate of registration of the vehicle the following particulars, namely: -

- (a) The unladen weight of the vehicle;
- (b) The number, nature and size of the tyres attached to each wheel;
- (c) The laden weight of the vehicle and the axle weights pertaining to the several axles thereof, determined in accordance with the load ratings approved by the Provincial Transport Authority;
- (d) If the vehicle is used or adapted to be used for the carriage of passengers solely, or in addition to goods, the number of passengers for whom accommodation is provided.

33. Certificate of fitness of transport vehicles: -

(1) Subject to the provisions of section 35, a transport vehicle shall not be deemed to be validity registered for the purposes of section 18 unless it carries a certificate of fitness in Form "I" as set forth in the First Schedule, issued by the prescribed authority, to the effect that the vehicle complies for the being with all requirements of Chapter IV and the rules made thereunder; and where the prescribed authority refuses to issue such certificate it shall supply the owner of the vehicle with its reasons in writing for such refusal free of any charge.

(2) Subject to the provisions of sub-section(3), a certificate of fitness shall remain effective for one year unless a shorter period, not being in any case less than six months, is specified in the certificate by the authority issuing the certificate.

(3) The prescribed authority may, for reasons to be recorded in writing, cancel certificate of fitness at any time, if satisfied that the vehicle to which it relates no longer complies with any one or more of the requirements of this Ordinance and the rules made thereunder and on such cancellation the certificate of registration of the vehicle and any permit granted in respect of the vehicle shall be deemed to be suspended until a new certificate of fitness has been obtained.

(4) The certificate of fitness shall automatically become invalid if the vehicle is involved in an accident resulting in loss of property damage exceeding five thousand rupees or personal injuries requiring hospitalization or death.

34. Registration of vehicles being the property of the Government: -

(1) Authority designated by the Government may register any road vehicle which is the property, or for the time being under the exclusive control of the Government and any vehicle so registered shall not so long as it remains the property or under the exclusive control of the Government require to be registered otherwise than under this Ordinance.

(2) A transport vehicle registered under this Ordinance shall carry a certificate of fitness issued by prescribed authority.

(3) An authority registering a vehicle under sub-section (1) shall assign it a registration mark and shall issue a certificate in respect of the vehicle that the vehicle has been registered under this section.

(4) If a vehicle registered under this section ceases to be the property or under the exclusive control of the Government, the provisions of section 19 shall thereupon apply.

(5) The authority registering a vehicle under sub-section (1) shall furnish to the Government all information regarding the nature, overall dimensions and axle weight of the vehicle as the Government may require.

36. Special registration of vehicles: - Notwithstanding anything contained in this Chapter Government may, by rules, prescribe a special procedure for the registration of any class, or type or category of road vehicles, or road vehicles belonging to a specified class of persons, or individuals.

37. Application of Chapter III to trailers: -(1) The registration mark assigned to a trailer shall be displayed in the prescribed manner on the vehicle.

(2) No person shall drive a road vehicle to which a trailer or trailers are attached unless the registration mark of the vehicle so driven is displayed in the prescribed manner on the trailer or on the last trailer in the train, as the case may be.

38. Power to make rules: -

(1) Government may in consultation with National Highways and Pakistan Motorway Police, by notification in the official Gazette, make rules for the purpose of carrying into effect the provision of this Chapter.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: -

- (a) The appointment establishment, functions and jurisdiction of registering and other prescribed authorities;
- (b) The conduct and hearing of appeals that may be preferred under this chapter, the fees to be paid in respect of such appeals and the refund of such fees;
- (c) The issue of certificates of registration and certificates of fitness and duplicate of such certificates to replace certificates lost, destroyed or mutilated;
- (d) The temporary registration of road vehicles and the issue of temporary certificates of registration marks;
- (e) The manner in which registration marks and the particulars referred to in section 33 and other prescribed particulars shall be exhibited.
- (f) The authorizing of workshops of the authorized dealers to issue certificates of fitness in respect of vehicles handled by them, the licensing of such workshops, their inspection, the terms and conditions and the period for which, and the authorities by whom, the license may be granted and renewed and the fees to be paid for grant and renewal of the licenses;
- (g) The fees to be charged for the issue or alteration of certificates of registration, for certificates of fitness, for registration marks and for the examination or inspection of road vehicles and the refund of such fees;
- (h) The exemption of prescribed persons or prescribed classes of persons from payment of all or any portion of the fees payable under this Chapter;
- (i) The forms, other than those set-forth in the First Schedule, to be used for the purpose of this Chapter;
- (j) The communications between registering authorities of particulars of certificates of registration and by owners of vehicles registered outside the federal territory of particulars of such vehicles and of their registration;
- (k) The particulars to be furnished by the owner of any road vehicle to the registering authority, upon the transfer of possession of the road vehicle under the terms of a hiring agreement;
- (l) The extension of the validity of certificates of fitness pending consideration of application for their renewal.
- (m) The exemption for the provisions of this Chapter and the conditions and fees for exemption of the fees in the possession of dealers;

- (n) The exemption of road-rollers, graders and other vehicles designed and used solely for the construction, repair and cleaning of roads from all or any of the provisions of this chapter and the rules made thereunder, and the conditions governing such exemption of light goods vehicles from the provisions of section 34 and the conditions governing such exemption;
- (o) Requiring the owner of a road vehicle not registered within Federal Territory, which is brought into or is for the time being in the territory, to furnish to the prescribed authority such information with respect to the road vehicles and its registration as may be prescribed;
- (p) Licensing of the dealers of the road vehicles, fee to be paid, facilities to be provided, forms to be filled and returns to be submitted.

CHAPTER IV : - CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF ROAD VEHICLES

39. General provision regarding construction and maintenance: - Every motor vehicle, bicycle or animal drawn vehicle shall be so constructed as to be at all times conforming to the specifications laid down under law.

40. Power to make rules: -

(1) Government may, in consultation with National Highways and Pakistan Motorway Police, by notification in the official Gazette, make rules regarding the construction, equipment and maintenance of motor vehicles, trailers, bicycles and animal drawn vehicles.

(2) Without prejudice to the generality of the foregoing power, Government may make rules governing any of the following matters either generally in respect of motor vehicles, trailers, bicycles and animal drawn vehicles or in particular circumstances, namely:-

- (a) the width, height, length and overhead of vehicles and of the loads to be carried therein;
- (b) seating arrangements in public service vehicles and the protection of passengers against the weather and collision;
- (c) the size, nature and condition of tyres;
- (d) brakes and steering mechanism;
- (e) the use of safety glass;
- (f) signaling appliances, lamps and reflectors;
- (g) speed governors;
- (h) the emission of smoke, visible gases, ashes, grit or oil;
- (i) the reduction of noise emitted by or caused by vehicles;
- (j) prohibiting or restricting the use of audible signals at certain times or in certain places
- (k) prohibiting the carrying of appliances likely to cause annoyance or danger;

- (l) the periodical testing and inspection of vehicles by prescribed authorities;
- (m) the particulars, other than registration marks, to be exhibited;
- (n) the use of the trailers or semi-trailers with motor vehicles;
- (o) prohibiting or requiring the painting in particular description or for particular purposes or in particular areas;
- (p) registration, control and supervision of vehicle repair establishments; and
- (q) the use of safety belt;

CHAPTER V: - CONTROL OF TRAFFIC

41. No fault accident compensation insurance: -

(1) No owner of a road vehicle shall use or permit to be used, and no driver of such vehicle shall drive, or cause or permit to be driven, the vehicle on a national highway unless it is covered by an insurance of "No Fault Accident Compensation" by a registered insurance company. This will not apply to a road vehicle covered by the Pakistan Transporter's Mutual Assistance Co-operative Society, Pakistan Automobile Association or any other road transport co-operative society so recognized by the prescribed authority in this behalf.

(2) The claimant for compensation under this section shall not be required to plead and establish that the death or permanent disablement resulted from the fault of the owner/driver of the vehicle.

42. Limits of speed: -(1) No person shall drive a road vehicle, or cause or allow a road vehicle to be driven, on a national highway at a speed exceeding the maximum speed fixed for the type of vehicle by or under this ordinance, or by or under any other law for the time being in force.

Provided that such maximum speed shall in no case exceed the maximum fixed for the vehicle in the Fifth Schedule.

(2) The Government, or any agency authorized in its behalf may, on a report from the National Highways and Pakistan Motorway Police restrict the speed of motor vehicles in the interest of public safety, or convenience or because of the nature of any road or bridge fix such lower speed limit as it thinks fit, for road vehicles or any specified class of motor vehicles either generally or in appropriate traffic signs to be placed or erected under section 46 at suitable places in such area or on or near such road or bridge, as the case may be.

42. Limits of weight and limitation on use: -

(1) No transport vehicle shall be driven in such a state that the total weight of the vehicle and its load including the weight of any trailer drawn by the vehicle and the load carried thereon or in such state that the weight carried on any axle of the vehicle or trailer exceeds the limits specified in the Sixth Schedule.

(2) The Government may prescribe conditions for the issue of permits for heavy transport vehicles and may prohibit or restrict the use of such vehicles in any area or route within the area.

(3) Except as may be otherwise prescribed, no person shall drive, or cause or allow to be driven, on a national highway any road vehicle which is not fitted with pneumatic tyres or fails to carry reflective emergency warning triangle signs.

(4) No person shall drive or cause or allow to be driven on a national highway any motor vehicle or trailer: -

(a) The unladen weight of which exceeds the unladen weight specified in the certificate of registration.

(b) The laden weight of which exceeds the maximum laden weight specified in the certificate of registration; or

(c) any axle weight which exceeds the maximum axle weight specified for that axle in the certificate of registration.

(5) Where the driver, or person in charge, of a motor vehicle or trailer, drives it in contravention of sub-sections(2), (3) or (4) and is not the owner, the court adjudicating the matter may, on proper evidence, presume that the offence was committed with the knowledge, or under the orders, of the owner of the motor vehicle or trailer.

44. Power to have vehicle weighted: - Any police officer in uniform, or any person authorized by the Government in this behalf, may if he has reason to believe that a good vehicle or trailer is being used in contravention of sub-section (40) of section 43, require the driver to convey the vehicle to the nearest weighing device for weighment ; and if the vehicle is found to contravene the provisions of that sub-section, he may, by order in writing, direct the driver to convey the vehicle or trailer to the nearest place, where facilities exist for the storage of goods, and not to remove the vehicle or trailer from that place until the laden weight or axle weight has been reduced or the vehicle has otherwise been treated so that it complies with the aforesaid provisions.

45. Power to restrict the use of vehicle: - The Government, or any agency authorized by it in this behalf, if satisfied that it is necessary in the interest of public safety or convenience, or because of the nature of any road or bridge, may prohibit or restrict, subject to such exceptions and conditions as may be specified, the driving of motor vehicles or of any specified road or bridge and when any such prohibition or restriction is imposed, shall cause appropriate traffic signs to be placed or erected under section 46 at suitable places in such places in such area or on or near such road or bridge as the case may be.

46. Power to erect traffic signs :- (1) The Government, or any agency authorized by it in this behalf, may cause or permit traffic signs to be placed or erected on any national highway for the purpose of regulating road vehicle traffic.

(2) Traffic signs erected under this Chapter shall be of the size, color and type and shall have meanings set forth in the Seventh Schedule but the Government or any authority empowered by it in this behalf, may make or authorize the addition to may sign set forth in the said Schedule of transcription of the words, letters or figures thereon in such script as the Government may deem fit.

Provided that the transcriptions shall be of similar size and color to the words, letters or figures set forth in the said Schedule.

(3) The Government or any agency authorized under sub-section(1). May erect additional signs which in its opinion are necessary for regulating road vehicle traffic and ensuring road safety.

(4) The Government, a police officer in uniform or any agency, authorized under sub-section (1) may remove or cause to be removed any sign or advertisement which in its opinion is so placed as to obscure any traffic sign from view, or is so similar in appearance to a traffic sign as to be misleading or is otherwise considered a traffic hazard.

47. **Parking places and halting stations** :- The Government or any agency authorized by it in this behalf, may on the recommendation of the National Highways and Pakistan Motorway Police determine places at which motor vehicles including animal drawn vehicles and bicycles may stop either indefinitely, or for a specified period of time, and may determine the places and services areas on national highways at which public service vehicle may stop for a longer time than is necessary for taking up and setting down of passengers.

48. **Power to remove vehicle obstructing traffic**:-

(1) A police officer in uniform may remove, or cause to be removed, in the prescribed manner, any motor cycle, animal drawn vehicle any bicycle parked or standing in a position or at a place in contravention of the provisions of the Eighth Schedule relating to parking which in this opinion may obstruct or cause danger to other road users.

(2) No obstruction in any form, manner or mode including unauthorized barrier shall be placed on any national highway except connection with an authorized public work undertakes after approval of National Highways and Pakistan Motorway Police of the area and after following the instructions laid down by it for sign posting, placing visible lighted markings. Any police officer in uniform shall have the same powers in powers in removing these obstructions as in the case of motor vehicles under sub-section(1).

49. **Duty to obey traffic signs** :-

(1) Every driver of a motor vehicle, in charge of a animal drawn vehicle rider of a bicycle or a pedestrians shall drive the vehicle and use the national highways in conformity with any indication given by a mandatory or a regulatory sign including road markings set forth in parts II , III and V of the Seventh Schedule applicable to it and

shall comply with all directions given by any electrical traffic signaling device or by any police officer in uniform engaged in the regulation of traffic.

(2) In sub-section (1) mandatory traffic sign and “regulatory traffic sign” shall include any circular disk displaying a device, word or figure and having a red border, erected for the purpose of regulating road vehicle, traffic under sub-section(1).

(3) Provisions of this section shall not apply to a fire engine and ambulance on emergency run or a police vehicle on duty.

50. Signals and signaling devices: - The driver of a road vehicle driving on a national highway shall on the occasions specified in the Ninth Schedule make the signal specified therein;

Provided that the signals of an intention to turn to the right or left or to stop may be given by a mechanical or an electrical device of a prescribed nature affixed to the vehicle.

50. Emission of smoke, vapour or grease and noise: -

(1) No road vehicle shall be driven on a national highway which emits any smoke, visible vapour, girt, sparks, ashes, cinders, or oily substance the emission of which could be prevented or avoided by taking reasonable steps or the exercise of reasonable care or the emission of which might cause damage or annoyance to other persons or property or endanger the safety of any other user of a national highway.

(2) No motor vehicle shall be driven on a national highway fitted with a multi-toned horn giving a succession of different notes or with any other sound-producing device giving an unduly harsh, shrill, loud or alarming noise.

52. Vehicle with left hand control: - No person shall drive, or cause to be driven on a national highway any road vehicle with left hand steering control unless it is fitted with a plate indicating “Left hand Drive” at the rear of the vehicle.

53. Leaving vehicle in dangerous position: - No person in charge of a road vehicle shall cause or allow the vehicle or any trailer to remain at rest on any national highway in such a position or in such a condition or in such circumstances as to cause danger, obstruction or undue inconvenience to other users of the national highway.

54. Riding on running boards: - No person driving, or charge of a motor vehicle, on a National Highway shall carry any person or permit any person to carry, and no person shall permit himself to be carried, on the running board or otherwise than within the body of the vehicle.

55. Obstruction to driver:- No person driving a road vehicle on a national highway shall allow any person to stand or sit or be placed in such manner or position as to hamper the driver in control of the vehicle.

56. **Stationary vehicles** :- No person driving or being in charge of a motor vehicle on a national highway shall cause or allow the vehicle to remain stationary in any public place unless there is in the driver's seat a person duly licensed to drive the vehicle or unless the mechanism has been stopped and brakes applied or such other measure taken to ensure that the vehicle cannot be accidentally put into motion in the absence of the driver.

57. **Two wheeled motor vehicles** :- No driver of motorcycle driving on a national highway shall carry more than one person in addition to himself and no person shall allow himself to be carried otherwise than sitting on a proper seat securely fixed to the motorcycle behind the driver's seat.

(2) No person shall driver or to be carried on a motorcycle except when he is wearing a crash helmet.

58. **Duty to produce license and certificate of registration** :-

(1) The driver of a road vehicle on a national highway shall, on demand by any police officer in uniform or any person authorized by the government in this behalf, produce his driving license, certificate of insurance and the certificate of registration of the vehicle and where the vehicle is a transport vehicle, the certificate of fitness and the permit of the vehicle for examination.

(2) If the certificate of registration, certificate of insurance or license is not at the time in possession of the person on whom demand is made, it shall be a sufficient compliance with this section if such provides the original documents referred to in sub-section (1) within fifteen days at the concerned patrol post or to the same police officer.

Provided that the provision of this sub-section (2) shall not apply to a driver driving as a paid employee or to the driver of a transport vehicle or to any person required to produce the certificate of registration or the certificate of fitness of a transport vehicle.

59. **Duty of driver to stop in certain cases** :- The driver of a road vehicle driving on a national highway shall cause the vehicle to stop and remain stationary so long as may reasonably be necessary-

(a) When required to do so by any police officer in uniform;

(b) When the vehicle is involved in the occurrence of an accident to a person, animal drawn vehicle damage to any property, whether the driving or management of the vehicle was or was not the cause of the accident or damage; or

(c) At road works or in emergencies when stoppage of traffic might become necessary and he shall give his name and address and the address of the owner of the vehicle to any person affected by the accident provided that such person also furnished his name and address to that person.

60. **Duty to give information :-**

1) The owner of a road vehicle the driver of which is accused of an offence under this Ordinance shall, on demand by a police officer in uniform or any address and the license held by the driver which is in this possession or could be by the exercise of due diligence be ascertained by him.

(2) The driver of a road vehicle shall on the demand by a person giving his own name and address and alleging that the driver has committed an offence punishable under this Ordinance, give his name and address to that person.

61. **Duty of driver in case of accident and injury to a person or damage to property:-**

When any accident occurs on a national highway in which a road vehicle is involved, the driver of the vehicle or other person in charge of the vehicle shall: -

- (a) If any person is injured as a result of such accident, take all reasonable steps to secure medical attention for the person so injured, and if necessary, convey him to the nearest hospital, unless the injured person or his guardian, in case he is minor, desires otherwise;
- (b) If any animal is injured as result of such accident, take steps and endeavor to locate and report the matter to the owner or custodian of the animal so injured and take all reasonable steps to secure medical aid, if necessary, for the animal.
- (c) If any damage has been caused to any property as a result of such accident, take reasonable steps to report the damage to the party sustaining the damage;
- (d) Give on demand by a police officer in uniform any information required by such officer relating to the occurrence; or if no such officer is present, report the circumstances of occurrence at the nearest patrol post as soon as possible and in any case within twenty-four hours of the occurrence and
- (e) Part his vehicle in such a manner and also erect warning signs so that his vehicle does not pose any hazard or danger to other users of the national highway.

62. **Inspection of vehicle in accident:-** When any accident occurs on a national highway in which a road vehicle is involved, any police officer in uniform or any person authorized in this behalf by the Government, may inspect the vehicle and for that purpose enter at any reasonable time any premises where the vehicle is stationed and may remove the vehicle for examination:

Provided that the place to which the vehicle is removed shall be intimated to the owner of the vehicle and the vehicle shall be returned without unnecessary delay and in no case later than forty-eight hours of its removal.

63. **Railway crossing:-** The driver of a road vehicle who desires to pass over a Railway Level Crossing shall cause the vehicle to come a complete stop before the crossing and shall not attempt to pass over the crossing unless he has made sure by looking both ways, to the left and

right, and listening to the audible signal or siren of the train, that no train is likely to approach from either side, when his vehicle is going over the crossing.

64. Power to make rules: - (1) The Government may, in consultation with National highways and Pakistan Motorway Police, by notification in the official gazette, make rules for carrying into effect the provisions of this Chapter.

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters relating to national highways or road vehicles to be driven on a national highway, namely: -

- (a) The nature of the mechanical or electrical signaling devices which may be installed on road vehicles;
- (b) Erection of electrical traffic signaling devices, and the types of such devices that may be installed;
- (c) Removal and the safe custody of vehicles including their loads which have broken down or which have been left standing or have been abandoned on roads;
- (d) Installation and use of weighing devices;
- (e) Exemption from all or any of the provision of this Chapter of emergency vehicles and other special classes of vehicles subject to such conditions as may be prescribed;
- (f) Standardization of limits of load and passengers for animal drawn vehicles;
- (g) Prohibiting movement of certain dangerous cargoes until specific safety conditions for transportation have been fulfilled;
- (h) Prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property or of obstruction to traffic.
- (i) Terms and conditions for societies and associations to provide exemption from the provision of ‘No fault Accident Compensation Insurance Coverage’ for its members under section 41, determine the procedure for ‘no fault compensation’ and
- (j) Fix speed limits within the parameters as laid down in the Fifth Schedule.

CHAPTER VI: - OFFENCES, PENALTIES AND PROCEDURE

65. Offence relating to licenses:-

(1) Whoever, being disqualified for holding or obtaining a license, drives a motor vehicle or animal drawn vehicle, without valid license, on a national highway shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees, or with both.

(2) The police officer taking cognizance of the offence under sub-section (1) may bar the driver from driving the vehicle and impound the vehicle.

66. **Driving at excessive speed** :-

(1) Whoever drives a road vehicle on a national highway in contravention of the speed limits specified in the Fifth Schedule shall be punished with imprisonment, or with fine, or with both, as specified in the tenth and the Twelfth Schedules, as the case may be,

(2) No person shall be convicted of an offence punishable under sub-section (1) unless the estimate of the speed is obtained by the use mechanical or electronic device.

67. **Driving recklessly or dangerously** :- Whoever drives a road vehicle on a national highway at a speed or in a manner which is dangerous to human life or property having regard to traffic, road, weather or other prevailing conditions, shall be punishable with imprisonment for a term which may extend to one month to with fine which shall not be less than five hundred rupees and may extend to one thousand rupees, or with both.

68. **Driving while under the influence of alcohol or drugs** :-

(1) Whoever drives or attempts to drive a road vehicle on a national highway while under the influence of a alcohol or a drug to such an extent as to be incapable of exercising proper control over the vehicle, shall be punishable with imprisonment for a term which may extend to one month or with fine which shall not be less then five thousand rupees and may extend to ten thousand rupees, or with both.

(2) No person shall be convicted of an offence punishable under sub-section (1) unless the extent of the influence is determined by a medical practitioner authorized by the Government.

69. **Driving when mentally or physically unfit**:-

(1) Whoever drives a road vehicle on a national highway when he is suffering from a disease or disability to render his driving of the vehicle to be a source of danger to the public shall be punishable with imprisonment for a term which may extend to one month or fine which shall not be less than five hundred rupees and may extend to one thousand rupees, or with both.

(2) No person shall be convicted of an offence punishable under sub-section(1) unless so determined by the Medical Board as set out in the Second Schedule.

70. **Racing and trial of speed**:- Whoever without the written consent of the prescribed authority, permits or takes part in a race or trial of speed on a national highway between road vehicles shall be punishable with imprisonment for a term which may extend to one month or with fine which shall not be less than one thousand rupees and may extend to two thousand rupees, or with both.

71. Punishment for abatement of certain offences:- Whoever abets the commission of an offence under section 60,65,66,67,68,69 and 70 shall be punishable with the punishment provided for the offence.

72. Using vehicle in unsafe condition:- Whoever drives or causes or allows to be driven on any national highway a road vehicle or a trailer in a condition which is liable to render the vehicle unsafe, and a source of danger to himself and other users, shall be punishable with imprisonment for a term which may extend to one month or with fine which shall be less than five hundred rupees and may extend to one thousand rupees, or with both.

73. Using vehicle with shaded glass:- whoever drives or causes or allows to be driven on a national highway, a road vehicle with shaded glass shall be punishable with imprisonment for a term which may extend to one month or with fine which shall not be less than five hundred rupees and may extend to two hundred rupees, or with both.

74. Offences relating construction of vehicle:- Whoever being a fabricator, assembler, dealer or importer of road vehicles, fabricates, assembles, sells or delivers a road vehicle or trailer in such a condition that the user thereof on a national highway would be dangerous or unsafe shall be punishable with imprisonment for a term which may extend to six months or with fine which shall not be less than five hundred rupees and may extend to one thousand rupees, or with both.

Provided that no person shall be convicted under this section if he proves that he had reasonable cause to believe that the vehicle would not be used on a national highway until it had been put into a condition in which it might lawfully be so used.

75. Offences relating to weights:-

(1) Whoever drives a transport vehicle or causes or allows a transport vehicle to be driven on a national highway carrying in excess of fifteen percent of the permissible load for a goods vehicle as laid down in the Sixth Schedule and in excess of thirty percent of the number of passengers prescribed for a passenger carrier, shall be punished with imprisonment for a term which may extend to one month or with fine which shall not be less than one thousand rupees and may extend to five thousand rupees, or with both.

(2) The police officer in uniform, taking cognizance of an offence under sub-section(1), shall direct unloading of the excessive goods and passengers before allowing the vehicle to proceed.

76. Offences relating to accidents:-

(1) Whoever contravenes the provisions of clause(b) of sub-section(1) of section 59 or any of the provisions of section 61 or furnishes any information required to be furnished thereunder which he knows to be false shall be punishable with imprisonment for a term which may extend to six months or with fine which shall not be less than one thousand rupees and may extend to two thousand rupees, or with both

(2) Whoever is proved guilty of causing an accident by committing violation of any provision of this Ordinance which results in only property damage of less than two thousand rupees shall pay compensation equal to the cost of the property thus damaged or twice the cost of repair to the aggrieved person.

(3) Whoever suffers a property damage exceeding two thousand rupees or injury requiring medical treatment due to an accident shall report to the nearest patrol post the details of the accident within forty-eight hours, failing which he shall be punishable with a fine which may extend to five hundred rupees.

(4) The driver of a road vehicle or other person in charge of the vehicle involved in the accident resulting in death, bodily injury or property damage to other users of a national highway shall report the accident to the nearest patrol post and police station within twenty-four hours failing which he shall be punishable with imprisonment for a term which may extend to one month or with fine which shall not be less than one thousand rupees and may extend to two thousand rupees, or with both.

77. Offences relating to disobedience of orders, obstruction and refusal of information:- Whoever willfully disobeys any direction lawfully given by a police officer in uniform or any person or authority empowered under this Ordinance to give such direction or obstructs any person or authority in the discharge of any functions which such person or authority is required or empowered under this Ordinance to discharge or being required by, or under, this Ordinance to supply any information withholds such information or gives information which he knows to be false, if no other penalty is provided for the offence, shall be punishable with imprisonment for a term which may extend to six months or with fine which shall not be less than one thousand rupees and may extend to two thousand rupees, or with both.

78. Offences relating to prohibited appliances:- Whoever carries in a road vehicle on a national highway any appliance the carrying of which is prohibited by rules made under section 64, shall be punished with fine which shall not be less than five hundred rupees and may extend to one thousand rupees and such appliances shall be forfeited to the Government.

79. Offences relating to traffic safety rules:- (1) No person shall drive a road vehicle on a national highway in contravention of rules laid down in the Eighth Schedule or as laid down by the Government.

(2) Whoever drives a road vehicle on a national highway in contravention of the provisions of the Tenth Schedule shall be liable to punishment as specified in the said Schedule.

(3) Any person who drives or operates a vehicle in contravention of sub-section(1) and the provisions of the Twelfth Schedule shall be punishable with such fine as laid down in the said Schedule:

(4) The Government may in consultation with national Highways and Pakistan Motorway Police, by notification in the official Gazette, amend the provisions of the Twelfth Schedule so as to add any thereto or modify any entry therein.

(5) A police officer in uniform, or any other person so authorized by the Government, acting under sub-section(2) and (3) shall draw a charge sheet in quadruplicate specifying the amount of fine therein, and shall

- (a) Forthwith deliver one copy thereof to the offender and obtain his signature or thumb impression or mark, as the case may be, as token of its receipt, whenever possible;
- (c) Within twenty-four hours forward the second copy of the charge sheet to the prescribed agency where the offender has to deposit the fine;
- (d) Within twenty-four hours forward the third copy of the charge sheet to the central accounting office, and
- (e) Retain the fourth copy for record.

6. Whoever is accused of violation of the Twelfth schedule by a police officer in uniform, or any person authorized by the Government in this behalf, may within ten days, if he does not want to contest the charge, pay the prescribed fine in the manner specified in the citation paper and obtain the necessary receipt thereof.

7. Where an accused person pleads guilty and pay the prescribed fine and has complied with the provisions of sub-section (6), no further action in respect of the offence shall be taken against him.

8. If the fine is not paid in the manner provided in sub-section (6), the police officer drawing up the charge shall take registration or license into custody and lodge a complaint against the offender before the court having jurisdiction to try the offence.

80. **General provision for punishment of offences not otherwise provided for** :- whoever contravenes any provision this Ordinance or of any rules made thereunder shall, if no other penalty is provided for the offence under this Ordinance, be punished with fine which may extend to five hundred rupees, and if having been previously convicted of such an offence, for every such subsequent offence to a fine which may extend to one thousand rupees.

81. **Power of arrest without warrant** :- (1) A police officer in uniform, may arrest without warrant any person who commits in his view any of the following offences, namely:-

- (a) Driving when disqualified;
- (b) Fleeing the scene of accident involving his vehicle;
- (c) Willful disobedience or obstruction of lawful orders;
- (d) Driving a transport vehicle without a valid license, fitness certificate, registration certificate, route permit or certificate of insurance;

- (e) Taking part in an unauthorized race or trail speed;
- (f) Overtaking by heavy transport vehicles dangerously or where prohibited;
- (g) Driving at a speed thirty percent in excess of the specified speed limit;
- (h) Failing at a stop when directed by a police officer in uniform to do so; and
- (i) Driving recklessly, dangerously or under influence of drugs or alcohol.

(2) A police officer arresting without warrant, the driver of a goods vehicle shall, if the circumstances so require, take or cause to be taken any steps he may consider proper for the temporary disposal and safe custody of the vehicle and goods.

(3) A police officer arresting without warrant the driver of a passenger vehicle shall, if the circumstances so require, take or cause to be taken any steps he may consider for the temporary disposal and safe custody of the vehicle and for the transportation of passengers in the same vehicle to their destination.

82. **Power of police officer to seize documents** :- No police officer shall seize documents of any vehicle for any minor violation of the provisions of this Ordinance unless so ordered by a court or under written orders of an officer of not below the rank of Superintendent of Police of the National Highways and Pakistan Motorway Police, unless he has sufficient reasons to believe that the document is forged.

83. **Power to detain vehicle** :- Any police officer in uniform, or other person authorized in this behalf by the Government, may if he has reason to believe that a motor vehicle has been, or is being, used without a valid registration, a valid permit or in contravention of any provision of sections 27, 41, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 and 78 may seize and detain the vehicle and for this purpose take, or cause to be taken, any steps he may consider proper for the temporary safe custody of the vehicle.

84. **Particulars of summons** :- The court taking cognizance of an offence under sub-section (8) o section (79) shall, except for reasons to be recorded in writing state upon the summons to be served on the accused person that he-

- (a) Shall appear in person, with or without an advocate; or
- (b) May, at specified date to the hearing of the charge, plead guilty to the charge by registered letter and remit the fine to the court.

85. **Presumption of negligence** :-

(1) In the case of an accident caused by a public transport vehicle resulting in grievous injury or loss of life, it shall be presumed that there has been negligence of the

obligation to observe safety procedures on the part of the public transport driver unless the contrary is proved.

(2) In the event of such an accident the public transport vehicle shall be impounded by a police officer in uniform and not given on supardari. Except in exceptional cases by the National Highways and Pakistan Motorway Police.

86. **Point system for traffic violations :-**

(1) Whoever is proved guilty of contravention of the rules specified in the Eighth Schedule shall, in addition to penalties provided under this Ordinance, also be charged with points indicated against each offence under the Eleventh Schedule.

(2) When points accumulated against any person exceed ten within two year's period, he shall be issued a warning listing the reported violations.

(3) When points accumulated within a two years period exceed twenty, the license of such person shall be suspended by a Superintendent Police of the National Highways and Pakistan Motorway Police for a period of six months extendable by another six months.

87. **Compensation for death, injury or damage, etc :-**

(1) If a person suffers death, or injury to this person or damage to his property on account of the use of a road vehicle on a national highway, the insurance company, or as the case may be, the Pakistan Transporters Mutual Assistance Co-operative Society, the Pakistan Automobile Association, or any other road transport co-operative society referred to in section 41 and in case the vehicle is not covered by any of the above insurers, the owner of such vehicle shall pay such compensation as may be prescribed by the Government,-

(a) In the case of death, to the legal heirs of the deceased person; or

(b) In the case of injury to person or damage to the property, to the person who suffered the injury or damage, within thirty days of the accident.

(2) If the insurer of the owner of the vehicle fails to pay the compensation under sub-section (1), the compensation shall be recoverable in accordance with the provisions of sections (67 A) and (67 G) of the Provincial Motor Vehicle Ordinance, 1965 (W . P Ord No XIX of 1965).

(3) The compensation payable under sub-section (1) shall not debar the person to receive any additional sum which the person may be entitled to receive under any other law for the time being in force.

(4) Any contract for the conveyance of a passenger in any motor vehicle shall, so far as it purports to negate or restrict the liability of any person of any claim made against that person in

respect of the death of, or bodily injury to, the passenger who is being carried in, any conditions shall, with respect of the enforcement of any such liability, be null and void.

88. Jurisdiction and procedure :- Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1998),-

- (a) An offence under this Ordinance shall be cognizable;
- (b) No Magistrate other than a Magistrate of the first class shall try an offence under this Ordinance; and.
- (c) Magistrate tarrying offence under this ordinance shall have power try such offence summarily in accordance with the procedure laid down for summary trial in the said Court.

89. Power to make rules:- (1) The Government may in consultation with National Highways and Pakistan Motorway Police, by notification in the official Gazette, make rules for the carrying into effect the provisions of this chapter.

(2) Without prejudice to the generality of the foregoing powers, rules under this section may be made with respect to all or any of the following matters, namely.s

- (a) The procedure for deposit of fine under section 79 and its disbursement as reward to the National Highways and Pakistan Motorway Police.
- (b) The procedure to be adopted for operation of the provision of section 87.
- (c) Fitness period for all classes of vehicles : and
- (d) Any other matter which may be prescribed.

CHAPTER VII:- ESTABLISHMENT OF A POLICE FOR MOTORWAYS AND NATIONAL HIGHWAYS

90. Establishment of a Police for National Highways:-

(1) The Government may establish a police force for performing police and traffic control functions on motorways and national highways and within such other territorial limits as it may, by notification in the official Gazette, specify.

(2) The police force established under sub-section(1) shall exercise all powers of a Station House Officer under the Code of Criminal Procedure, 1898 (Act V of 1898), Police Act 1861 (V of 1861) and shall-

- (a) Regulate and control traffic on the national highways and prevent obstructions thereon;
- (b) Keep order on the national highways and prevent the contravention of any rule, regulation or order made under this Ordinance or any other law in force;

- (c) Maintain law and order on the national highways and take cognizance of offences committed thereon;
 - (d) Determine and regulate the category and type of traffic permissible at particular times keeping in view the road, weather and other conditions;
 - (e) Render all possible assistance to national highways users;
 - (f) Undertake initial investigation in respect of offences committed on national highways and then transfer the cases to the concerned police station for investigation. Restrict or stop local police from investigation and transfer of case back to National Highways and Pakistan Motorway Police.
 - (g) Plan, budget and manage publicity, information and education campaigns for the purposes of maintaining good order and safety on the national highways;
 - (h) Keep the highways clear from any encroachment and keep a look out for suspicious persons and criminals;
 - (i) Take into possession any abandoned property for its disposal under the law;
 - (j) Provide security to the travelers;
 - (k) Develop and maintain a transport research cell and laboratory for the purpose of carrying into effect the provisions of this Ordinance;
 - (l) Act as the advisory body to the National Highway Authority for proper planning building and development of national highways;
 - (m) Examine the feasibility, desirability and necessity of various facilities, hoarding, advertisements, etc. on or along the national highways from the security and traffic standpoint in order to achieve the objectives of this Ordinance, and take appropriate measures for its removal, closure or regulation;
 - (n) Enlist and maintain motor vehicle examiners for checking mechanical fitness of transport vehicles and issue no objection certificates for registration and route permits in respect of vehicles plying on national highways.
 - (o) Inspect and oversee installation of such other facilities on or along the national highways as are necessary for ensuring good order and safety of the public;
 - (p) Employ experts and enter into contracts including service contracts for the purposes of this Ordinance;
 - (q) Establish a competent licensing authority and driver testing facility;
 - (r) Promote the setting up of proper driver training schools in the private sector and co-ordinate their inspection and supervision through Provinces.
 - (s) Assist the Provinces in setting up such driving schools; and
 - (t) Perform such other functions as the Government may, from time to time, require;
- (3) Without prejudice to the powers conferred on it or under this Ordinance the Government may, in relation to the National Highways and Pakistan Motorway Police exercise all powers, which under the Police Act, 1861 (V of 1861), and the Code of Criminal Procedure, 1898 (Act V of 1898), are exercisable by a Provincial Government in relation of the provincial police.

91. Assistance to National Highways and Pakistan Motorway Police:- All officers of the Police and Civil Armed Forces are empowered and required to assist the National Highways and Pakistan Motorway Police in discharge of its functions under this Ordinance.

92. Superintendence and administration of National Highways and Pakistan

Motorway Police:- The head of the National Highways and Pakistan Motorway Police shall be an inspector General, who shall exercise all powers of an inspector General of Police under Police Act, 1861(V of 1861), and administer the force in accordance with the provision of this Ordinance and rules made thereunder.

93. **Power to make rules** :-

(1) The Inspector General of Police, in consultation with the Government, may by notification in the official Gazette, make rules for carrying into effect the provision of this Chapter.

(2) Without prejudice to the generally of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

- (a) For the efficient and effective discharge of duties by the force;
- (b) Discipline, apparel, recruitment, induction, promotion, transfer and appointment;
- (c) Procedure for employing experts and entering into contracts with various agencies;
- (d) Procedure for investigation of offences, regulation of traffic and evaluation of facilities, boarding and route permits;
- (e) Manner, mode and type of licenses for the national highways;
- (f) The manner in which rewards may be given to the members of the National highways and Pakistan Motorway Police for rendering commendable services; and
- (g) Any other matter which may be prescribed

CHAPTER VIII MISCELLANEOUS

94. **Appointment of magistrate** :- Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898). The Government may, for the purpose of this Ordinance, appoint any person to be a Magistrate of the first class within the meaning of the said Code for carrying into effect the provisions of this Ordinance.

95. **Licensing malpractice** :- If during the course of trial of an offence relating to an accident, the court is of opinion that the accident took place because of the incompetence on the part of the driver with regard to his driving skills, knowledge of rules and lack of physical fitness or due to mechanical defects of the vehicle, it may, in addition to legal action, charge the authority issuing the driving license, mechanical fitness certificate with negligence of duty and report the matter to the head of the department of the delinquent authority for disciplinary action.

96. **Indemnity** :- No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or purposed to be done under this Ordinance or the rules made thereunder.

97. **Ordinance not to derogate other laws** :- The provisions of this Ordinance shall be in addition to, and not in derogation of any other law for the time being in force.

98. **Power to make rules** :- The Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Chapter.

99. **Removal of difficulties** :- If any difficulty arises in given effect to any of the provisions of this Ordinance, the Federal Government may make such orders not inconsistent with the provisions of this Ordinance, as may appear to it to be necessary for the purpose of removing the difficulty.

THE FIRST SCHEDULE

FORM A

[See section 6(2)]

FORM OF APPLICATION FOR LICENSE TO DRIVE A ROAD VEHICLE

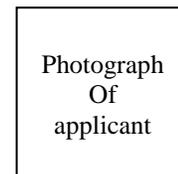
**Section A
APPLICATION**

I apply for a license to drive as paid employee/otherwise than as paid employee including/excluding public service vehicle/vehicles of the following description:-

- (a) Motorcycle up to 80cc
- (b) Motorcycle more than 80 cc
- (c) Three wheeler
- (d) Invalid person's carriage
- (e) Motor car/motor cab
- (f) Light transport vehicle
- (g) Heavy transport
- (h) Road construction machinery
- (i) Tractor/agricultural machinery
- (j) A vehicle of a specified description (description to be attached)

**Section II
PARTICULARS TO BE FURNISHED BY THE APPLICANT**

- 1. Name.....
- 2. Father's name.....
- 3. Date of birth.....
- 4. Identity card No.....
- 5. Permanent address.....
- 6. Present address.....



7. Particulars of any license previously held:
 No.....Date.....Place of issue type.....
8. Particulars of every previous major conviction.....

9. Particulars of every previous disqualification.....

10. Detail of any disease/debility, physical, mental or otherwise
 likely to render one unfit for driving or impairment of vision,
 depth perception, hearing, night vision,
 color distinction, etc

I declare that to the best of my knowledge, information and belief the above particulars and declaration are true.

.....
 Signature and thumb impression of applicant

Section III
FORM OF MEDICAL CERTIFICATE FOR A LICENSE TO DRIVE A VEHICLE
OTHER THAN A TRANSPORT VEHICLE

1. Is the applicant suffering from epilepsy/vertigo
 or any mental ailment likely to impair _____
 his driving ability?
2. Does the applicant suffer from any heart
 or lung disorder which might hinder his _____
 performance as a driver?
3. (a) Is there any defect of vision?
 If so, has it been corrected? _____
- (b) Can the applicant readily distinguish
 the pigmentary colors red, amber and green? _____
- (c) Does the applicant suffer from



night blindness? _____

(e) Does the applicant suffer from a degree of deafness which would prevent his hearing the ordinary sound blindness? _____

4. Has the applicant any deformity or loss of limbs which would interface with the efficient performance of his duties as driver? _____

5. Does he show any evidence of being addicted to the excessive of alcohol or drugs? _____

6. Is he generally fit as regards (a) bodily health and (b) eyesight? _____

7. Marks of identification _____

8. Blood group _____

.....
Signature of registered medical practitioner
Name.....
Seal.....

**SECTION IV
CERTIFICATE OF TEST OF DRIVING COMPETENCE**

The applicant has passed/failed in the test specifies in the Fourth Schedule in the National Highways Safety Ordinance 2000. The test was conducted on a road vehicle of the type.....on.....day of the month of.....20.....

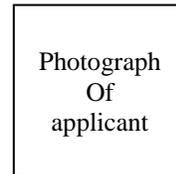
.....
Signature of testing authority

FORM B
FORM OF MEDICAL CERTIFICATE FOR A LICENSE
TO DRIVE ANY TRANSPORT VEHICLE

Medical Board to conduct the medical examination and issue a certificate under its signature and seal on the form prescribed at Section III of Form A to be signed by the Chairman and Members of the medical Board.

FORM C
[See section 7(1)]
PARTICULARS TO BE RECORDED ON LICENSE

1. License No.....
2. Name.....
3. Father's Name.....
4. Permanent address.....
5. Present address.....
6. Identity Card No.....
7. Date of birth.....
8. Type of vehicle allowed to drive
.....
9. Whether or not allowed to drive
as paid employee
10. Whether or not allowed to drive a public
service vehicle



Blood group.....

Phone No.....

Emergency, precautions
.....

.....
Specimen thumb impression
And signature of the holder

.....
Signature, Seal and Designation
of Licensing Authority

[See section 86]
ENDORSEMENT

Endorsement of punishment to be made by punching the license as prescribed under law and rules.

[See section 11]

RENEWAL

On expiry of a license shall apply to the competent authority for renewal on Form E and pay the prescribed fee

FORM D

[See section 8(1)]

FORM OF APPLICATION FOR THE ADDITION OF A NEW CLASS OF VEHICLE TO A DRIVING LICENSE

1. Name
2. Father's name
3. Class of vehicle(s) for which license required
4. Any information/particulars at variance with that Provided in Section II of Form A.
5. Previous license No. (to be attached)

Note:

- (a) Three passport size photographs to be attached.
- (b) In case the license is for additional class of vehicle(s), the original license will be retained by the Licensing Authority and a fresh license issued.

.....
Signature and thumb impression
Of the applicant.

FORM E

[See section 11(3)]

FORM OF APPLICATION FOR RENEWAL OF DRIVING LICENCE

I hereby apply for a renewal of the licence, which was issued to me the Day of by the Licensing Authority titled.....

1. No. and particulars of the licence being surrendered

2. Name.....
3. Father's name.....
4. Permanent address.....
5. Present address.....
6. Identity Card No.....
7. Date of birth..... Blood group.....
8. Type of licence required..... Ph: NO.....
9. Particulars of every previous major conviction..... Emergency precautions.....
10. Particulars of every previous disqualification.....
11. Detail of any disease/debility, physical, mental or otherwise likely to render one unfit for driving or impairment of vision, depth perception, hearing, night vision, color distinction etc.....

I declare that to the best of my knowledge information and belief the above particulars and declaration are true.

.....
Signature and thumb impression
Of the applicant.

FORM F
FORM OF APPLICATION FOR THE REGISTRATION OF ROAD VEHICLE

1. Name.....
2. Father's name.....
3. Address
 - (a) Permanent.....

-
- (b) Temporary
.....
.....
- (c) Business
.....
.....
4. Identity Card No
5. Class of vehicle
6. Type of body
7. Maker's name
8. Year of manufacture
9. Numbers of cylinders
10. Horse power
11. Wheel base
12. Chassis number
13. Engine number
14. Seating capacity
15. Unladen weight

Particulars to be completed only in the case of transport vehicle other than motor cabs.

16. Number, description and size of tyre;
(a) front axle
(b) rear axle
(c) any other axle
17. Maximum laden weight

18. Maximum axle weight
- (a) front axle
- (b) rear axle
- (c) any other axle

Where a second trailer or additional trailers are to be registered with an articulated motor vehicle, the following particulars are to be furnished for each trailer;

20. Type of body
21. Unladen weight
22. Number, description and size of tyres on the axle
23. Maximum axle weight

Date.....20

.....
Signature and thumb impression of

applicant

FORM G

[See section 20(2)]

FORM OF CERTIFICATE OF REGISTRATION OF VEHICLE

Registered No

Name

Permanent address

Identity Card No

Detailed description:

1. Class of vehicle

2. Maker's name

3. Type of body

4. Year of manufacture
5. Number of cylinders
6. chassis number
7. Engine number
8. Horse power
9. Wheel base
10. Seating capacity(including driver)
11. Unladen weight

Additional particulars in the case of all transport vehicles other than motor cabs.

12. Registered laden weight
13. Number, description and size of tyre-
 - (a) front axle
 - (b) rear axle
 - (c) any other axle
14. Registered axle weight
 - (a) front axle
 - (b) rear axle
 - (c) any other axle

Additional trailers registered with an articulated vehicle:

15. Type of body
16. Unladen weight
17. Number, description and size of tyres on the axle

18. Maximum axle weight

Date.....20

.....
Signature of registering authority

FORM II

[See section 32 (1)]

DOCUMENT TO BE FURNISHED BY THE MAKER OR AUTHORIZED ASSEMBLER IN THE CASE OF TRANSPORT VEHICLES OTHER THAN MOTOR CABS

Certificate that the vehicle Chassis No.....,Engine No.....,manufactured byin thehas a wheel base ofand is designed for maximum weights as follows when fitted with the tyre-equipment specified below:-

- Maximum laden weight.....kgs.
- Maximum weight front axlekgs.
- Maximum weight rear axlekgs.
- Maximum weight any other axlekgs.

Tyres:-

- Front wheels
- Rear wheels
- Other wheels

Date.....20

.....
Signature of Authorized Assembler/Maker

FORM I

[See section 34 (1) and section 39]

CERTIFICATE OF FITNESS FOR TRANSPORT VEHICLES

Vehicle No.....is certified as complying with the provisions of Chapter III and IV of the National Highways Safety Ordinance, 2000 and the rules made thereunder. This Certificate will expire on.....

Affidavit: If during the course of trial of an offence relating to an accident by the court it is established that the accident took place because of the mechanical defect in the vehicle, which

was deliberately/ignored/overlooked by me, I shall be charged with negligence of the duty and abatement of the offence, I shall be punishable with a fine which may extend from Rs, 500 to Rs, 1000 and/or imprisonment which may extend up to six months.

Date.....20

.....
Signature and designation of

Inspecting Authority

THE SECOND SCHEDULE

[See section 4(3)]

MEDICAL BOARD

For the purpose of section 4, the medical Board shall consist of the following, namely:-

- | | | |
|-----|------------------------|-----------------|
| (a) | Medical Superintendent | <u>Chairman</u> |
| (b) | Physician | <u>Member</u> |
| (c) | Optometrist | <u>Member</u> |

THE THIRD SCHEDULE

[See section 6 (5)]

DISEASES AND DISABILITIES DISQUALIFYING A PERSON FOR OBTAINING A LICENSE TO DRIVE A ROAD VEHICLE

1. Epilepsy
2. Lunacy
3. Heart disease likely to produce sudden attack of giddiness or fainting.
4. Inability to distinguish with each eye at a distance of twenty-five meters in good daylight (with the aid of glasses, if worn) a series of seven letters and numerals in white on black ground of the same size and arrangement as those of the registration mark of a motor car.
5. A degree of deafness, which prevents the applicant from hearing without hearing aids, the ordinary sound, signals;

6. Color blindness or inability to distinguish the pigmentary colors red, amber and green.
7. Night blindness
8. Addiction to excessive use of alcohol or drugs.

THE FOURTH SCHEDULE

[See section 6 (6) and section 11 (4)]

TEST OF COMPETENCE TO DRIVE

Sign test:- The candidate shall satisfy the examiner that he knows the meaning of the traffic signs specially in the Seventh Schedule by giving nine correct answers to ten questions asked

PART II

Rule test:- The candidate shall satisfy the examiner that he is cognizant of the provisions of the Eighth Schedule and rules laid down by the Government and can give correct answers to questions pertaining to the traffic safety rules and regulations. The candidate if he can read and write shall give written answers and if he is not literate he shall be tested orally.

PART III

Physical fitness:- The candidate shall satisfy the examiner that he does not suffer from any disease or disability whereby his driving is likely to be a source of danger to the public, particularly vision, color blindness, field vision, depth perception and hearing.

PART IV

Driving test:- The candidate shall satisfy the examiner that he is well conversant with all the instructions and rules governing parking, road test, starting, stopping, turning, backing, traffic signals, signs and road markings, overtaking up or down hill, speed, attitude towards other road users, etc.

THE FIFTH SCHEDULE

[See section 42]

MAXIMUM PERMISSIBLE SPEED LIMITS

Type of Highways	Maximum Kilometer per Hour	Minimum kilometer per Hour
(A) Rural Area		
Motorway	upto 130	65
4-lane highway	“ 110	--
3-lane highway	“ 90	--
2-lane road	“ 80	--
Single lane road	“ 70	--
Gravel road	“ 50	--
(B) Urban Area		
Motorway	upto 110	50
4-lane highway	“ 90	--
3-lane highway	“ 80	--
2-lane road	“ 70	--
Single lane road	“ 55	--
Gravel road	“ 40	--

THE EIGHTH SCHEDULE

[See sections 48(1) and 79(1)]

PART I

FOR ALL NATIONAL HIGHWAY USERS

- (1) No person shall push another person while boarding or alighting a bus or other vehicle.
- (2) No passenger shall board or alight a bus or other transport vehicle at a place other than recognized bus stop and till the vehicle has come to a complete stop except at an intersection.
- (3) The guardian of minor children shall make sure that a minor child does not play on or near a national highway or crosses the national highway alone.
- (4) The passenger in a transport vehicle shall not distract the attention of the driver in any way that may hamper his driving.
- (5) The passenger in a transport vehicle, other than the driver, shall always enter on get off from the left side.

- (6) No road user shall act in a manner, which is likely to cause inconvenience or obstruction to another road user or damage to property.

PART II FOR DRIVES OF ROAD VEHICLES

The driver of a road vehicle shall:-

- (i) Not drive or cause to be driven, a motor vehicle unless it is in fit mechanical and technical condition and fulfils body building requirements as per rules.
- (ii) Observe the prescribed limits while hauling wide and protruding loads and marks the ends of the load with red flag by day and red light by night.
- (iii) Observe the speed limits as indicated by an appropriate sign or as laid down in the Fifth Schedule.
- (iv) Give appropriate light or manual signals before starting, stopping, slowing down, turning or changing lanes, clearly, correctly and well in time as laid down in the Ninth Schedule.
- (v) Not drive a vehicle without seat belts and properly functioning lights and indicators.
- (vi) Ensure that his view through the rear-view mirror is not obstructed in any way.
- (vii) Keep the rear screen of the vehicle, if installed, clear at all times.
- (viii) Not engage in any action which is likely to distract his attention or impair his driving concentration in any manner.
- (ix) Keep well to the left of the road on a two lane road but give pedestrians, cyclists and other slow moving traffic sufficient room.
- (x) Keep a slow moving vehicle in the extreme left lane.
- (xi) When passing on-coming traffic on a two-way road move over to the left half of the road and yield right-of-way on the right half to the traffic approaching from the opposite direction.
- (xii) Drive the vehicle on the left of the road on two lane two-way road except when making a legitimate overtaking maneuver.
- (xiii) While following another vehicle maintain a minimum safe distance equal to one meter for every two km per hour of speed, i.e. thirty meters if the speed is sixty kilometers per hour.
- (xiv) Before crossing a level crossing with no gates bring his vehicle to a complete stop, look both ways and listen to make sure no train is approaching.
- (xv) Not attempt to cross a level crossing when the gates or barriers are closed and shall not attempt to pass through half opened gate.
- (xvi) Not attempt to gain a forward position by “jumping the Queue” if traffic in front is held-up.
- (xvii) Give way to ambulance, fire engine and police vehicle, funeral procession and other emergency vehicle on emergency run.
- (xviii) Not cross a single or double unbroken continuous lines “marked on the road under any circumstances except when getting in or out of premises or a side road.

- (xix) May cross a pair of parallel lines, one continuous and one broken, provided the line near to driver side is broken, there is no vehicle approaching from the opposite direction and overtaking can be safely completed.
- (xx) Not cross parallel lines for overtaking if the continuous line is near to driver side even if no vehicle is approaching from the opposite direction.
- (xxi) Not use indicators for any purpose other than to signal turning, lane changing maneuver or emergency.
- (xxii) Not overtake another vehicle by crossing the center line on multi-lane road with no central reserve(median) whether or not marked on the road.
- (xxiii) Not occupy the extreme right lane for overtaking purposes on a three-lane road with two-way traffic.
- (xxiv) On a multi-lane road before overtaking make sure: -
 - (a) that no driver who is following him has begun to overtake him,
 - (b) that the driver ahead of him in the same lane has not given indication to overtake the vehicle in front of him, and
 - (c) that the lane he is about is clear for a sufficient distance, having regard to the difference between the speed of his vehicle and the vehicle being overtaken.
- (xxv) Overtake only on the right except when the driver in front has signaled right turn.
- (xxvi) Stop and give way to vehicles proceeding up hill while going down a narrow hill road.
- (xxvii) Not pull out sharply from behind or cut in front immediately while overtaking another vehicle.
- (xxviii) Obey and observe all traffic signs and signals
- (xxix) Obey the signals of the traffic police officer in uniform even if they are in contraction of any rule.
- (xxx) While turning right, give way to the traffic approaching from opposite direction.
- (xxxi) Give way to traffic approaching from his immediate right.
- (xxxii) Give way to the traffic in the round about.
- (xxxiii) Not operate a radio, tape/cassette recorder, etc. while driving in a public place. If the vehicle is fitted with television-type receiving equipment, it should be so located that the viewer of screen is not visible from the driver's seat.
- (xxxiv) Not reverse his vehicle on a main road or within a school zone.
- (xxxv) Not use full headlight from dusk to dawn on undivided roads within built-up areas.
- (xxxvi) Turn on the lights from sunset to sunrise or when there is insufficient natural light due to mist, fog, rain, dust storm or snow.
- (xxxvii) Not turn on the headlights if the vehicle is stationed or parked.
- (xxxviii) Dip his headlights when approaching on-coming vehicle on undivided road or driving close behind another vehicle at nighttime.
- (xxxix) Give signal of his intention by flashing headlights a few times at night time before overtaking a vehicle.
- (xl) Not drive a vehicle fitted with lights, except those specified in this rules.
- (xli) Not stop his vehicle where it endangers or obstructs the traffic and shall not park on the black top portion of the highway outside the city limits.

- (xlii) Not open the door of a vehicle until the vehicle has stopped and has made sure that it shall not cause any danger or inconvenience to other road users on the road or footpath. This also applies passengers.
- (xliii) Switch on parking lights while parking outside the city limits at night.
- (xliv) In case of a breakdown or other emergency stop outside the city limits, park his vehicle on the shoulders if one exists; turn on hazard lights and place an advance warning sign (a red reflecting triangle) 50-100 meters before the place of stopping.
- (xlv) On a four lane highway keep in the left hand lane unless he is going to over take, or turn right, or pass parked vehicles.
- (xlvi) While joining a multi lane national highway give way to traffic already on that highway and merge with the traffic on the national highway so as not to hamper or endanger the flow of traffic.
- (xlvii) Remain in the extreme left lane while driving heavy transport vehicle or any vehicle drawing a trailer, on a multi-lane highway.
- (xlviii) While driving a motorcycle, scooter or moped and the pillion rider wear a safety helmet.
- (xlix) Not be without a warning triangle.

PART III PARKING

The driver of a road vehicle, motorcycle, animal drawn vehicle, moped or bicycle shall not park or let his vehicle stand: -

- (i) within ten meters of a road intersection
- (ii) within three meters of a fire hydrant.
- (iii) More than 0.5 meter from a curb.
- (iv) Less than 0.5 meter behind or in front of another parked vehicle.
- (v) On a footpath.
- (vi) At a bus stop.
- (vii) In front of any drive way or blocking passage to a premises.
- (viii) In "No Parking" zone.
- (ix) On the black topped part of the road where there is a shoulder.
- (x) Opposite or nearly opposite another standing vehicle or other obstruction(e.g. road repairs).
- (xi) On the wrong side of the road.
- (xii) Near the crest of a hill.
- (xiii) On a bridge
- (xiv) Within ten meters of railway level crossing
- (xv) On the grass verge.

**PART IV
FOR DRIVERS OF ANIMAL DRAWN VEHICLES**

(1) The driver of cycle shall:-

- i. Not ride a bicycle unless he has made sure the cycle is in good mechanical condition particularly the brakes and tyres.
- ii. hold the handle bar of the bicycle with both hands except while signaling to turn keep his feet on the pedals.
- iii. Not hold on to another road vehicle, animal drawn vehicle or another cyclist.
- iv. Not carry any passenger except a minor child less than twelve years.
- v. Not lead an animal while riding his bicycle.
- vi. Use the cycle path where provided, if there is no cycle track, the driver of a bicycle shall ride along the left edge of the road. The driver of a cycle, may however use a footpath if specially permitted by a traffic sign.
- vii. Stop, change course or turn only after giving proper signals well time.
- viii. Carry a white light in front and a clearly visible reflector in the rear while riding at nighttime.
- ix. Ride in a single file.
- x. Observe all traffic signs, signals and rules especially those regarding overtaking, turning, passing and crossing.
- xi. Get down while turning right at a major intersection in urban area and cross the road as a pedestrian.

**PART VI
FOR PERSONS INCHARGE OF ANIMALS**

The person Incharge of animals shall:-

- i. Make sure that the road is clear before he lets or take animals on the road.
- ii. Keep the animals bring led or driven as far to the left side of the road as possible.
- iii. Cause the animal to use the cattle creeps or overload ramp where provided.

- iv. Carry a light when herding, riding or leading animals after dark.

PART VII FOR DRIVING ON MOTORWAY

- (1) Entry of animal drawn vehicles, farm machinery including tractor, harvester, etc and construction machinery including roller and bulldozers on any part of the motorway including slip way and shoulders, etc is prohibited.
- (2) Do not walk along any part of the motorway including shoulders and slipway except:-
 - i. In case of emergency, walk on the shoulders to reach the nearest point for help;
 - ii. To retrieve an object which is a source of hazard to the traffic, provided approaching traffic is at a safe distance and it is not a very busy motorway;
- (3) Do not enter the motorway except at the designated points. When joining the motorway, approach from the slip road on the left, check the traffic already on the motorway, adjust your speed, look over the right shoulder or outside mirror and join only when there is a safe gap between you and the approaching traffic.
- (4) always drive in the assigned lane except when necessary to overtake. Do not weave in and out of lanes.
- (5) Transport vehicles and vehicles drawing a trailer are prohibited to use any lane other than the extreme left lane except for overtaking or when otherwise unavoidable in the interest of safety.
- (6) Park only in the areas specially designated for the purpose and in the service areas.
- (7) Do not park on any part of the motorway including shoulder, slip way or central reserve.
- (8) In case of breakdown, move the vehicle immediately on to the shoulder, turn on the hazard warning lights and place the red warning triangle 50-100 meters back from the rear of the vehicle.
- (9) Change lane only when it is necessary and do not change more than one lane at a time.
- (10) Never reverse or drive in the direction opposite to the traffic, even on the shoulders or slip way.
- (11) Do not cross the central reserve (median) to make U-turn.
- (12) Do not drive slower than the posted minimum speed limit unless dictated by the traffic conditions.

- (13) Don't overtake using extreme left lane or the shoulder.
- (14) Overtake only on the right unless traffic is moving in queues and the queue on your right is moving slower. Don't move to a lane on your left to overtake.
- (15) Take special care at road works. One or more lanes may be closed to traffic. Slow down and merge with traffic on adjoining lanes only when a safe gap becomes available. Don't force your way into other traffic.
- (16) Don't stop on a slip road or on any other part of the motorway (including shoulder) to pick up set down anyone.
- (17) Leave the motorway by a slip road on your left when a sign indicates so. Move into it well before reaching your exit and stay in it. Signal left in good time and slow down to the exit speed of the slip way or ramp.
- (18) All the rules other than those concerning particular class of road users or situations apply to motorway driving.
- (19) Don't use any kind of phone inside a vehicle in any manner, which is likely to adversely affect driving concentration.

THE NINTH SCHEDULE

[See section 50]

HAND SIGNALS

1. Right turn:- When about to turn to the right or to drive tot the right hand side of the national highway a driver shall extend his right arm in a horizontal position outside of and to the right of his vehicle with the palm of the hand turned to the front.
2. Left turn:- When about to turn to the left or to drive on the left-hand side of the national highway, a driver shall extend his right arm and rotate it in an anti-clockwise direction.
3. Slow down:- When about to slow down, a driver shall extend his right arm with the palm downward and to the right of the vehicle and shall move the arm so extended up and down several times in such a manner that the signals can be seen by the driver of any vehicle which may be behind him.
4. Stop:- When about to stop, a driver shall raise his right forearm vertically outside of and to the right of the vehicle, palm to the front.

THE TENTH SCHEDULE

MAJOR VIOLATIONS AND PENALTIES

Sr.No	Violation	Fine	Imprisonment
1.	Driving when disqualified	upto Rs 1000	Upto six months
2.	Obtaining or applying for A driving license without Disclosing particulars of Endorsement	Rs 500-1000	Upto six months
3.	Offences relating to Construction of vehicle.	Rs 500-1000	Upto six months
4.	Offence relating to permits	Rs 1000-2000	Upto six months
5.	Overloading of goods 15% in excess of permissible limits	Rs 1000-5000	Upto one month
6.	Overloading of passengers 30%	Rs 1000-5000	Upto one month
7.	Offences relating to accidents	Rs 1000-2000	Upto six months
8.	Taking vehicle without lawful authority	Rs 1000-2000	upto six months
9.	Unauthorized interference with vehicles.	Rs 500-1000	Upto six months
10.	Willful disobedience or obstruction of lawful orders.	Rs 1000-2000	Upto six months
11.	Altering a license or using an altered or forged license.	Rs 1000-2000	Upto six months
12.	Driving a transport vehicle without Obtaining a license or without a License which is effective or without a License applicable to the vehicle driven.	Rs 500-1000	Upto one month
13.	Taking part unauthorized race or trail or speed	Rs 1000-2000	Upto one month
14.	Overtaking by transport vehicle	Rs 500-1000	Upto one month

	dangerously Where prohibited		
15.	Driving at speed forty kph Higher then specified	Rs 750-1500	Upto one month
16.	Driving a transport vehicle not covered by a certificate of fitness	Rs 500-1000	Upto three months
17.	Failing to stop when ordered by a police officer in uniform	Rs 500-1000	Upto one month
18.	Driving when mentally or physically unfit to drive or under Influence of drug or alcohol	Rs 5000-10,000	Upto one month
19.	Driving recklessly	Rs 500-1000	Upto one month

THE ELEVENTH SCHEDULE
[See section 86]
POINT SYSTEM FOR TRAFFIC VIOLATIONS

Sr.No	Violation	Points
1.	Causing an accident which results in:	
	(a) Death	15
	(b) Serious bodily injury	10
	(c) Minor bodily injury	8
	(d) Property damage	6
2.	Failing to stop the occurrence of an accident	10
3.	Driving with a suspended license	10
4.	Overloading passenger or goods in excess of permissible limit, to the extent of 30%	6
5.	Driving without a license valid for the vehicle driven.	6
6.	Driving under influence of drugs or alcohol	8
7.	Failure to observe traffic signals	6
	(a) Red light	
	(b) Amber light	4

8.	Driving at speed in excess of permissible limits by 40km/hr	6
9.	Overtaking dangerously or where prohibited	6
10.	Reckless driving	6
11.	Failure to stop when ordered by a Police officer in uniform	6
12.	Driving wrong way in one-way road	4
13.	Failure to stop at a stop sign	4
14.	Improper crossing of railway tracks	4
15.	Failure to yield the right-of-way to other vehicles	4
16.	Driving at night without proper lights	4
17.	Interfering, etc, with an emergency vehicle	4
18.	Driving a vehicle without proper authority	4
19.	Taking prohibited U-turn	2
20.	Disobeying yield sign	2
21.	Failure to yield the right-of-way to pedestrian	2
22.	Following too closely or cutting in too sharply	2
23.	Driving with rear screen covered	2
24.	Jumping traffic queue	2
25.	Driving on the wrong side of the road	2
26.	Failing to dip headlight for other traffic	2
27.	Using turn indicator for any purpose other than turning	2
28.	Reversing where prohibited	2
29.	Failing to observe lighting hours	2

30.	Failure to observe silence zone	2
31.	Loading in excess of the restriction on dimension of goods	2
32.	Towing violations	2
33.	Failure to protect beginner drivers, etc	2
34.	Changing lane or turning without giving proper signal	2
35.	Careless driving	2
36.	Obstructing traffic	2
37.	Improper turn (turn from wrong lane	2
38.	Failure to stop for a school bus or emergency vehicle	2
39.	Improper loading of goods	2
40.	Other violations as listed in Part I and Part VII of Eighth Schedule	1
41.	Defective brakes	3
42.	Defective steering	3
43.	Tyre – unsuitable type	3
44.	Tyre – over/under inflated	3
45.	Tyre – tread less than prescribed	3
46.	Tyre – different types on different axles	3
47.	Condition/load likely to cause nuisance	3
48.	Provisional license holder driving on national highway	3
49.	Contravening double white lines	3
50.	Contravening height restriction	3
51.	Stopping on zebra crossing	3
52.	Motorcycle passenger not sitting astride	3

THE TWELFTH SCHEDULE

[See section 79(3) and (4)]

STANDARD PENALTIES

PART I

MOVING VIOLATIONS

Sr.No	Violation	Fine
1.	Exceeding speed limits by less than forty kph	Rs 750/-
2.	Carrying passenger in a public service vehicle less than 30% in excess of the permissible limits	Rs 1500/-
3.	Failure to observe traffic signals:	
	- Amber flashing	Rs 200/-
	- Red flashing	Rs 200/-
	- Red light	Rs 300/-
4.	Carry goods less than 15% in excess of permissible load	Rs 1000/-
5.	Overtaking where prohibited	Rs 300/-
6.	Failure to yield the right-of-way to other vehicles	Rs 300/-
7.	Interfering with an emergency vehicle	Rs 500/-
8.	Loading in excess of the restriction of dimension of goods	Rs 500/-
9.	Driving at night without proper lights	Rs 1000/-
10.	Driving on the wrong side of the road	Rs 500/-
11.	disobeying stop sign	Rs 500/-
12.	Improper crossing of railway track	Rs 500/-
13.	Following too closely or cutting in too sharply	Rs 300/-
14.	Driving with rear screen covered	
	(i) Partially	Rs 150/-
	(ii) Fully	Rs 300/-
15.	Jumping traffic queue	Rs 500/-
16.	Failing to dip headlight for other traffic	Rs 500/-
17.	Driving wrong way in one way street	Rs 500/-
18.	Using turn indicator for any purpose other than those prescribed	Rs 300/-
19.	Plying where prohibited	Rs 500/-
20.	Improper loading of goods	Rs 500/-
21.	Failing to observe lighting hours	Rs 500/-
22.	Obstructing traffic	Rs 500/-

23.	Failure to observe slow sign	Rs 200/-
24.	Driver of motor cycle without safety helmet	Rs 200/-
25.	Failure to stop for a school bus	Rs 200/-
26.	Prohibited lane changing	Rs 200/-
27.	Disobeying yield sign	Rs 200/-
28.	Failure to protect beginner drivers etc	Rs 200/-
29.	Failure to yield the right of way to pedestrian	Rs 300/-
30.	Careless driving	Rs 300/-
31.	Driving without driving license	Rs 750/-
32.	Driving an unregistered vehicle	Rs 500/-
33.	Driving a motor vehicle without a certificate of "No fault insurance" coverage	Rs 1000/-
34.	Carrying passengers in dangerous position in a transport vehicle	Rs 750/-
35.	Opening doors dangerously	Rs 200/-
36.	Improper turn (turn from wrong lane)	Rs 300/-
37.	Improper lane usage (lane straddling)	Rs 200/-
38.	Driving vehicle emitting smoke, visible vapors, grit, sparks, ashes or oily substance	Rs 500/-
39.	Using horn in silence zone	Rs 200/-
39.	Driving motor vehicle producing unduly harsh, shrill, loud or alarming noise	Rs 300/-
41.	Improper U-turn	Rs 300/-
42.	Other violations listed in Part I or II of the Eighth Schedule	Rs 300/-

**PART II
PARKING VIOLATIONS**

1.	More than 0.5 meter from the curb	Rs 200/-
2.	Parking on a sidewalk	Rs 200/-
3.	Less than 0.5 meter from another car	Rs 200/-
4.	Parking on a zebra crossing	Rs 300/-
5.	Less than 3 meters from fire-hydrant	Rs 200/-
6.	Less than 10 meters from a stop sign	Rs 200/-
7.	Less than 10 meters from intersection	Rs 300/-
8.	Parking in a "No Parking" Zone	Rs 300/-
9.	Parking in front of an entrance to premises	Rs 300/-
10.	Parking on a bus stop	Rs 200/-
11.	Parking on a bridge	Rs 300/-
12.	Parking on the road pavement outside municipal limit	Rs 200/-
13.	Parking on a footpath	Rs 200/-
14.	Parking on or near the brow of a hill	Rs 200/-

15. Parking on grass verge

Rs 200/-

MUHAMMAD RAFIQ TARAR,
President.

MR. JUSTICE
(FAQIR MUHAMMAD KHOKHAR)
Secretary.

ENCROACHMENT

Definition

- (i) To size on the right of others
- (ii) to intrude beyond boundaries
- (iii) to extend into the territory/spheres of other

West Pakistan High Way Ordinance 1959

High Way includes a Common and Public High way and all roads, carriage ways, cart ways, streets, and lanes along with footpaths, fences, bridges, and barns etc.

- Section: 3. No person shall except under the provision of sub section-3, make any encroachment on or above any high-way by.
- a) erecting any structure whether permanent or temporary, movable or immovable.
 - b) Setting up any fence, hedge, post, sign board, advertisement board or banners.
 - c) Depositing or causing to be deposited building material, goods for sale or any other article

On Contravention.

- (h) after notice of 24 hours by highway remove the encroachment.
- (i) May fix payment.

Section: 7. **Certain works on Highway** are not allowed but with the approval of Highway Authorities.

Section: 8. **Restrictions or ribbon development on certain Highway**

The following restrictions shall apply and it shall not be lawful without the consent of the Highway Authority.

- a) to construct or lay out any means of access to or from Highway.
- b) Erect any building upon land within two hundred any twenty feet from the middle of the Highway.

Section: 21 Driving of vehicle of animal in a way to endanger human life or be likely to cause hurt to any person.

Section: 24. **Cognizance of Offence.**

No court shall take cognizance of any offence except on the written report of Highway Authority or person so authorized by the Deptt.

Section: 25. **Penalties**

Whoever contravenes any provision of this Ordinance, shall be punished with fine of Rs. 500/- and imprisonment upto 3 months. It shall be cognizable.

Nuisance

- i) Some thing which annoys or hurts.
- ii) That which is offensive to the senses.
- iii) A person or some thing which is trouble some or obstruction in some way.
- iv) Hurt or injury to person, property or reputation.

Cr. PC Section.133

District magistrate or SDM or Magistrate on receiving a Police report or other information and on taking such evidence, as he thinks fit that obstruction or nuisance is required to be removed from:-

- i) Any property
- ii) Trade or occupation which is injurious to health
- iii) Construction of building or disposal of any substance is likely to explosion.
- iv) Well tank etc. needs to be fenced.
- v) Dangerous animal shall make conditional order for the removal of such obstruction etc.

Section :13.4 Order for removal .

Section 144. Temporary orders of public urgent cases of nuisance or apprehension of danger can be passed by DM/AC but for two months only at a time.

PPC

Section : 268. Public Nuisance

A person is guilty of a public nuisance who any act or is guilty of an illegal omission which causes any common injury, danger or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessary cause injury, obstruction, danger or annoyance to persons to persons who may have occasion to use any public right.

A common nuisance is not excused on the ground that it causes some convenience or advantage.

Section 269. Negligent act likely to spread infection of decease/dangers to life.

Section 272. Adulteration of food or drink intended for sale.

Section 273. Sale of Noxious food or drink.

Section 274. Adulteration of drugs.

Section 278. Making atmosphere noxious to health.

Section 290. Punishment of fine of Rs. 200/- if the Public nuisance is not punishable under PPC.

Tress Pass

- i. To enter into/upon property in possession of an other.
- ii. Having lawfully entered into/upon the property of other, unlawfully remains there.

Criminal Tress Pass

- i. To enter into/upon property in possession of an other with intent to commit an **offence** to **intimidate, Insult** or **annoy** any person in possession of such property.
- ii. Having lawfully entered into/upon such property, unlawfully remains there with intent thereby to **intimidate, insult** or **annoy any person** or with intent to **commit an offence**.

Essential ingredients : Section-441 PPC

- i. Entry into/upon property in possession of an other.
- ii. Having Lawfully entry, unlawfully remaining upon such property.
- iii. Such entry and unlawfully remaining there should be with intent
 - a) To commit an offence
 - b) To intimidate
 - c) To insult
 - d) To annoy

Intention

- i. Criminal intent can be gathered from the acts which accused does.
- ii. It has most cases to be inferred from the circumstances where the probable consequence of the act was to cause annoyance etc.
- iii. It may even be presumed from acts which are reasonably was susceptible of only one interpretation.
- iv. Trespasser knows that his act was practically certain in the natural course of events to cause annoyance etc.
- v. Intention is necessary for this purpose.

Section 441. Criminal Tress pass – Punishable u/s 447 PPC. 3 month. Fine Rs. 500)

Section 442. House tress Pass – Punishable u/s 448 PPC (1 year, Fine Rs. 1000/-)

Section 443. Lurking House Tress Pass – Punishable u/s 454 PPC (3-10 years)

Section 444. Lurking House Tress Pass by night – Punishable u/s 556 (3 years)