

## **THE MOTOR VEHICLES ORDINANCE, 1983**

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<sup>1</sup>**THE MOTOR VEHICLES ORDINANCE, 1983**

ORDINANCE NO. LV OF 1983

[22<sup>nd</sup> September, 1983]**An Ordinance to consolidate and amend the law relating to motor vehicles.\***

WHEREAS it is expedient to consolidate and amend the law relating to motor vehicles in Bangladesh;

NOW, THEREFORE, in pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the Chief Martial Law Administrator is pleased to make and promulgate the following Ordinance:-

**CHAPTER I****PRELIMINARY**

Short title and  
commencement

**1.** (1) This Ordinance may be called the Motor Vehicles Ordinance, 1983.

(2) It shall come into force on such date as the Government may, by notification in the *official Gazette*, appoint.

Definitions

**2.** In this Ordinance, unless there is anything repugnant in the subject or context,-

- (1) “assembler” in respect of a motor vehicle, means an authorised establishment of the maker or manufacturer where different parts of a motor vehicle are assembled together and where a particular brand of motor chassis is produced under the authority of the maker or manufacturer, whether a body has been fastened to the chassis or not and whether the establishment performs any other functions in favour of the maker or manufacturer or not;

\* Throughout this Ordinance the words “Transport Committee” were substituted for the words “Transport Authority” or “Regional Transport Authority” by section 2 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>1</sup> The Ordinance was declared void by the Appellate Division of the Supreme Court of Bangladesh in Civil Appeal No. 48 of 2011 and subsequently the Ordinance has been made effective as an Act of Parliament by section 4 and Schedule of ১৯৮২ সনের ২৪ মার্চ হইতে ১৯৮৬ সালের ১১ নভেম্বর তারিখ পর্যন্ত সময়ের মধ্যে জারীকৃত কতিপয় অধ্যাদেশ কার্যকরণ (বিশেষ বিধান) আইন, ২০১৩ (২০১৩ সনের ০৭ নং আইন)।

<sup>1</sup>[(1a) “Authority” means the Bangladesh Road Transport Authority established under section 2A;]

(2) “axle weight” means, in relation to an axle of a vehicle, the total weight transmitted by the several wheels attached to that axle to the surface whereon the vehicle rests;

<sup>2</sup>[(2a) “bus” includes a mini-bus, microbus and an omni-bus;]

(3) “certificate of registration” means the certificate issued by a competent authority to the effect that a motor vehicle has been duly registered in accordance with the provisions of Chapter IV;

(4) “conductor” in relation to a stage carriage or a contract carriage, means a person engaged in collecting fares from passengers, regulating their entrance into, or exit from, the stage carriage or contract carriage and performing such other functions as may be prescribed;

(5) “conductor’s licence” means the document issued by a competent authority under Chapter III authorising the person specified therein to act as a conductor;

(6) “contract carriage” means a motor 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:

(i) on a time basis whether or not with reference to any route or distances, or

(ii) from one point to another,

(iii) and in either case 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;

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<sup>1</sup> Clause (1a) was inserted by section 3 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> Clause (2a) was inserted by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

- (7) “curb” includes the boundaries of the roadway whether marked by curb stone or not so marked;
- (8) “dealer”, in respect of a motor vehicle, means authorised agent or establishment of the maker or manufacturer or assembler that deals in motor vehicles or in their spare parts and also performs any other functions in favour of the maker or manufacturer or the assembler;
- (9) “driver” includes, where a separate person acts as steersman of a motor vehicle, that person as well as any other person engaged in the driving of the vehicle;
- (10) “driving licence” means the document issued by a competent authority, authorising the person specified therein to drive a motor vehicle or a motor vehicle of any specified class or description;
- (11) “express carriage” means a motor vehicle used for carrying or adapted for carrying passengers for hire or reward at separate fares where none of the fare shall be for less than twenty miles and where the vehicle shall not stop to pick up passengers at any stoppage less than twenty miles from the previous stoppage unless otherwise specified by the Transport Authority;
- (12) “fares” includes sums payable for a season ticket or in respect of the hire of a contract carriage;
- (13) “goods” includes live-stock, and anything (other than equipment ordinarily used with the vehicle) carried by a vehicle except living persons, but does not include luggage or personal effects carried in a motor car or in a trailer attached to a motor car or the personal luggage of passengers travelling in the vehicle;
- (14) “goods vehicle” means any motor vehicle constructed or adapted for use for the carriage of goods, or any motor vehicle not so constructed or adapted when used for the carriage of goods solely or in addition to passengers;

- (15) “heavy motor vehicle” means a transport vehicle<sup>1</sup>[\* \* \*] registered laden weight of which, or a motor car, tractor, road roller or a locomotive the unladen weight of which, exceeds 14,500 pounds avoirdupois;
- <sup>2</sup>[(15a) “helper-cum-cleaner”, in relation to a transport vehicle, means a person engaged to assist the driver or the conductor in performing his functions and also to clean a motor vehicle;]
- (16) “inter-section” includes the area bounded by side line, real or projected, of two or more public roads which meet or cross each other;
- (17) “invalid carriage” means a motor vehicle the unladen weight of which does not exceed five hundred weights, 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;
- <sup>3</sup>[(18) “Licensing authority” means an officer or authority prescribed by regulations to grant licences under this Ordinance;]
- (19) “light motor vehicle” means a transport vehicle<sup>4</sup>[\* \* \*] the registered laden weight of which, or a motor car or tractor the unladen weight of which, does not exceed 6,000 pounds avoirdupois;
- (20) “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 16,000 pounds avoirdupois; but does not include a road-roller;

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<sup>1</sup> The words and letter “or a mini-bus” were omitted by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>2</sup> Clause (15a) was inserted by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>3</sup> Clause (18) was substituted by section 3 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>4</sup> The words “or a mini-bus” were omitted by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

- (21) “maker or manufacturer”, in respect of a motor vehicle, means an establishment where one or more major parts, or all parts are manufactured and where a complete chassis of a motor vehicle is produced in the name of a particular brand whether a body has been fastened to it or not and where the establishment reserves all rights of products;
- (22) “medium motor vehicle” means any motor vehicle other than a motor cycle, invalid carriage, light motor vehicle, heavy motor vehicle or a road-roller;
- <sup>1</sup>[(22a) “micro-bus” means any motor vehicle constructed or adapted or used to carry not less than eight and not more than fifteen persons excluding the driver;]
- (23) “mini-bus” means any motor vehicle constructed or adapted or used to carry not more than <sup>2</sup>[thirty] persons excluding the driver;
- (24) “motor cab” means any motor vehicle constructed, adapted or used to carry not more than six passengers excluding the driver, for hire or reward;
- (25) “motor car” means any motor vehicle other than a transport vehicle, locomotive, road-roller, tractor, motor cycle <sup>3</sup>[\* \* \*] or invalid carriage;
- (26) “motor cycle” means a two wheeled motor vehicle, the unladen weight of which inclusive of the unladen weight of any detachable side car, having an extra wheel, attached to motor vehicle does not exceed 1,200 pounds avoirdupois;
- (27) “motor vehicle” means any mechanically propelled vehicle adapted for use upon roads whether the power of propulsion is transmitted thereto from an external or internal source and includes a chassis to which a body has not been attached and a trailer; but does not include a vehicle running upon fixed rails or used solely upon the premises of the owner;

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<sup>1</sup> Clause (22a) was inserted by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>2</sup> The word “thirty” was substituted for the word “sixteen” by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>3</sup> The comma and word “, mini-bus” were omitted by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

- (28) “non-professional driver” means a driver who drives a light motor vehicle otherwise than as a paid employee or drives a vehicle other than a transport vehicle;
- (29) “non-professional driving licence” means a driving licence issued by a competent authority, authorising the person specified therein to drive a light motor vehicle otherwise than as a paid employee or to drive a vehicle other than a transport vehicle;
- (30) “omni-bus” means any motor vehicle constructed, adapted or used to carry more than <sup>1</sup>[thirty] persons excluding the driver;
- (31) “one way traffic” means a vehicular traffic restricted in one direction;
- (32) “owner” includes, where the person in possession of a motor vehicle is a minor, the guardian of such minor, and in relation to a motor vehicle which is the subject of a hire- purchase agreement, the person in possession of the vehicle under that agreement, and the person holding power of attorney;
- (33) “parking zone” means the places determined by the competent authority where motor vehicles may stand either indefinitely or for a specified period of time;
- (34) “pedestrian” means all persons making use of public road or highways for foot passage;
- (35) “pedestrian crossing” includes that portion of a public road clearly indicated for pedestrian crossing by appropriate marking and signs and the extension of the side walk space across the intersecting streets;
- (36) “permit” means a document issued by a Transport Committee authorising the use of a transport vehicle as an express carriage, or a contract carriage, or a stage carriage, or authorising the owner as a private carrier or public carrier to use such vehicle;
- (37) “prescribed” means prescribed by <sup>2</sup>[regulations] made under this Ordinance;

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<sup>1</sup> The word “thirty” was substituted for the word “sixteen” by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>2</sup> The word “regulations” was substituted for the word “rules” by section 3 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

- (38) “private carrier” means an owner of a transport vehicle other than a public carrier who uses that vehicle solely for the carriage of goods which are his property or the carriage of which is necessary for the purposes of his business not being a business of providing transport, or who uses the vehicle for any of the purposes specified in sub-section (2) of section 51;
- (39) “private service vehicle” means any motor vehicle constructed or adapted to carry more than eight persons excluding the driver and ordinarily used by, or on behalf of, the owner of such vehicle for the purpose of carrying persons in connection with his trade or business or otherwise than for hire or reward but does not include a motor vehicle used solely for the purposes of Government unconnected with any commercial enterprises;
- (40) “professional driver” means a driver who drives a transport vehicle or a heavy motor vehicle or a medium motor vehicle or drives any vehicles as a paid employee;
- (41) “professional driving licence” means a driving licence issued by a competent authority, authorising the person specified therein to drive a transport vehicle or a heavy motor vehicle or a medium motor vehicle or any vehicle as a paid employee;
- (42) “public carrier” means an owner of a transport vehicle who transports or undertakes to transport goods, or any class of goods, for another person at any time and in any public place for hire or reward, whether in pursuance of the terms of a contract or agreement or otherwise and includes any person, body, association or company engaged in the business of carrying the goods of persons associated with that person, body, association or company for the purpose of having their goods transported;
- (43) “public place” means a road, street, way or other place, whether a thoroughfare or not, to which the public have a right of access, and includes any place or stand at which passengers are picked up or set down by a stage carriage;

- (44) “public service vehicle” means any motor vehicle used or adapted to be used for the carriage of passengers for hire or reward, and includes a motor cab, contract carriage, express carriage, stage carriage and motor cab rickshaw;
- (45) “registered axle weight” in respect of the axle of any vehicle, means the axle weight certified and registered by the registering authority as permissible for the axle;
- (46) “registered laden weight” means in respect of any vehicle the total weight of the vehicle and load certified and registered by the registering authority as permissible for that vehicle;
- <sup>1</sup>[(47) “registering authority” means an officer or authority prescribed by regulations to register motor vehicles under Chapter IV;]
- (48) “route” means a line of travel which specifies the highways, that may be traversed by a motor vehicle between one terminus and another;
- (49) “safety zone” means the area or space specially set apart within a roadway for the exclusive use of pedestrians and which is projected, or is so marked or indicated by adequate signs as to be plainly visible at all times;
- (50) “silence zone” means the area or locality so notified by the competent authority where the use of sound signals are strictly prohibited;
- (51) “stage carriage” means a motor vehicle carrying or adapted to carry more than six persons excluding the driver which carries passengers for hire or reward at separate fares paid by or for individual passengers, either for the whole journey or for stage of the journey;
- (52) “tractor” means a motor vehicle which is not itself constructed to carry any load (other than equipment used for the purpose of propulsion), but excludes a road-roller;

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<sup>1</sup> Clause (47) was substituted by section 3 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).



- (53) “traffic signs” includes all signals, warning sign posts, direction posts or other devices for the information, guidance or direction of drivers of motor vehicles;
- (54) “trailer” means any vehicle other than a side-car drawn or intended to be drawn by a motor vehicle;
- (55) “tourist vehicle” means a contract carriage, motor cab, motor car <sup>1</sup>[or bus] constructed or adapted and equipped, maintained and operated in accordance with such specifications as the Government may, by notification in the *official Gazette*, specify in this behalf; or in relation to which a permit is granted to the effect that it is a tourist vehicle;
- (56) “Transport Committee” means any Transport Committee constituted under section 54;
- (57) “transport vehicle” means a public service vehicle, a private service vehicle, a tourist vehicle, a goods vehicle, <sup>2</sup>[a bus], a locomotive or a tractor other than a locomotive or a tractor used solely for agricultural purposes;
- (58) “unladen weight” means the weight of a vehicle, or a trailer including all equipment ordinarily used with the vehicle or trailer when working, but excluding the weight of a 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 or body;
- (59) “weight” means the total weight transmitted for the time being by the wheels of a vehicle to the surface on which the vehicle rests <sup>3</sup>;
- (60) “worker” means driver, conductor and helper-cum-cleaner.]

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<sup>1</sup> The words “or bus” were substituted for the commas and words “, mini-bus, or an omni-bus” by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>2</sup> The words “a bus” were substituted for the words “an omni-bus” by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>3</sup> The semi-colon (;) was substituted for the full-stop (.) and thereafter clause (60) was added by section 2 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>1</sup>[CHAPTER IA

BANGLADESH ROAD TRANSPORT AUTHORITY

**2A.** (1) There shall be established an Authority to be called the Bangladesh Road Transport Authority for carrying out the purposes of this Ordinance.

Bangladesh  
Road Transport  
Authority

(2) The authority shall consist of a Chairman and such number of other members, not exceeding eight, as may be appointed by the Government from time to time.

(3) The Chairman shall be appointed by the Government from among persons in the service of the Republic not below the rank of Joint Secretary to the Government or an officer having pay scale equivalent to that of a Joint Secretary, to the Government.

(4) The Chairman and other members shall hold office on such terms and conditions as the Government may determine.

(5) The Chairman shall be the chief executive officer of the Authority.

(6) The Chairman shall be a whole time officer of the Authority and shall exercise such powers and perform such functions as may be prescribed by rules or as may be assigned to him by the Government.

(7) If a vacancy occurs in the office of the Chairman or if the Chairman is unable to discharge the functions of his office on account of absence, illness or any other cause, the Government shall make such arrangement for discharging the functions of the office of the Chairman as it may consider necessary.

**2B.** (1) The meetings of the Authority shall be held at such times and places as may be prescribed by rules:

Meetings of the  
Authority

Provided that, until so prescribed, such meetings shall be held at such times and places as may be determined by the Chairman.

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<sup>1</sup> Chapter IA was inserted by section 4 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

(2) To constitute a quorum at a meeting of the Authority, the number of members present shall be two, if the Authority consists of not more than three members, and three, if the authority consists of more than three members.

(3) All meetings of the Authority shall be presided over by the Chairman and, in his absence, by a member authorised in writing by the Chairman in this behalf.

(4) At a meeting of the Authority, each member shall have one vote and, in the event of equality of votes, the person presiding shall have a second or casting vote.

(5) No act or proceeding of the Authority shall be invalid or be called in question on the ground of any vacancy in, or any defect in the constitution of, the Authority.

Appointment of officers

**2C.** (1) The Authority may, for the efficient performance of its functions, appoint such officers, including Inspectors of Motor Vehicles and other employees as it considers necessary.

(2) The officers and other employees of the Authority shall be persons in the service of the Republic.

Power to make rules

**2D.** The Government may make rules for the purposes of carrying into effect the provisions of this Chapter.]

## CHAPTER II

### LICENSING OF DRIVERS OF MOTOR VEHICLES

Necessity for driving licence

**3.** (1) No person shall drive a motor vehicle in any public place unless he holds an effective driving licence issued to himself authorising him to drive the vehicle; and no person shall so drive a motor vehicle as a paid employee or shall so drive a transport vehicle unless his driving licence specifically entitles him so to do.

(2) The <sup>1</sup>[Authority] may prescribe the conditions subject to which sub-section (1) shall not apply to a person receiving instruction in driving a motor vehicle.

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<sup>1</sup> The word "Authority" was substituted for the word "Government" by section 5 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

4. (1) No person under the age of eighteen years shall drive a motor vehicle in any public place.

Age limit in connection with driving of motor vehicles

(2) Subject to the provisions of section 15, no person under the age of twenty years shall drive any motor vehicle as a professional driver in any public place.

<sup>1</sup>[4A. (1) No owner of a transport vehicle shall employ any worker without giving such worker a letter of appointment in accordance with the provisions of the Road Transport Workers Ordinance, 1961 (XXVIII of 1961).

Appointment letter for worker

(2) No worker shall work in a transport vehicle unless he holds a letter of appointment issued under sub-section (1).]

5. No owner or person in charge of a motor vehicle shall cause or permit any person who does not satisfy the provisions of section 3 or section 4 to drive the vehicle.

Responsibility of owners of motor vehicles for contraventions of sections 3 and 4

6. (1) No person shall, while he holds any driving licence for the time being in force, hold any other driving licence except a driving licence issued in accordance with the provisions of section 15, or a document authorising, in accordance with the rules made under section 107, the person specified therein to drive a motor vehicle.

Restrictions on the holding of driving licences

(2) No holder of a driving licence shall permit it to be used by any other person.

(3) Nothing in this section shall prevent a licensing authority having the jurisdiction referred to in sub-section (1) of section 7 from granting a professional or a non-professional driving licence if the person is found fit for the said driving licence or from adding to the classes of vehicles which the driving licence authorises the holder to drive.

7. (1) Any person who is not disqualified under section 4 for driving a motor vehicle and who is not for the time being disqualified for holding or obtaining a driving licence may apply to the licensing authority having jurisdiction in the area in

Grant of driving licence

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<sup>1</sup> Article 4A was inserted by section 3 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

which he ordinarily resides or carries on business or in which the school or establishment where he is receiving or has received instruction in driving a motor vehicle is situated or, if the application is for a driving licence to drive as a paid employee, in which the employee resides or carries on business, for the issue to him of a driving licence.

(2) Every application under sub-section (1) for driving licence to drive a motor vehicle as a professional driver shall be in 'Form A' and every application to drive a motor vehicle as a non-professional driver shall be in 'Form B' as set forth in the First Schedule, shall be signed by or bear the thumb impression of the applicant in two places and shall contain the information required by the form.

(3) Every application for a driving licence shall be accompanied by a medical certificate in 'Form C' as set forth in the First Schedule, signed by a registered medical practitioner.

(4) Every application for a driving licence shall be accompanied by three clear copies of a recent 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 specified in the Second Schedule or any other disease or disability which is likely to cause the driving by him of a motor vehicle of the class which he would be authorised by the driving licence applied for to drive to be a source of danger to the public or to the passengers, the licensing authority shall refuse to issue the driving licence:

Provided that,-

- (a) a driving licence limited to driving an invalid carriage may be issued to the applicant, if the licensing authority is satisfied that he is fit to drive such a carriage;
- (b) the applicant may, except where he suffers from a disease or disability specified in the Second Schedule, claim 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 driving licence to drive such motor vehicle as the licensing authority may specify in the driving licence.

(6) No driving licence shall be issued to any applicant unless he passes to the satisfaction of the licensing authority the test of competence to drive specified in the Third Schedule:

Provided that, where the application is for a non-professional driving licence to drive a motor cycle or a motor car, the licensing authority shall exempt the applicant from Part I of the test specified in the Third Schedule if the licensing authority is satisfied:-

- (a) that the applicant has previously held a driving licence and that the period between the date of expiry of that driving licence and the date of such application does not exceed three years; or
- (b) that the applicant holds a valid driving licence issued by a competent authority of any country outside Bangladesh:

Provided further that where the applicant, being a serving member of the armed forces of Bangladesh, is in possession of a valid army driving licence and has been actually driving one or more classes of motor vehicles for not less than three years immediately before the date of his application, the licensing authority shall, subject to the prescribed condition, exempt him from the test specified in the Third Schedule and issue to him a driving licence for class or classes of motor vehicles he has been so driving.

(7) No applicant shall be entitled to appear in the test of competence to drive unless he holds a valid learner's driving licence authorising him to drive the vehicle of the type to which the application refers for not less than three months immediately before the date of the test or holds a valid driving licence issued by a competent authority.

(8) The test of competence to drive shall be carried out in a vehicle of the type to which the application refers, and for the purpose of Part I of the test,-

- (a) a person who passes the test in driving a heavy motor vehicle shall be deemed also to have passed the test in driving any medium or light motor vehicle other than a

motor cycle, motor cab rickshaw, road-roller, tractor, locomotive, scraper, grader, crane or bulldozer;

- (b) a person who passes the test in driving a medium motor vehicle shall be deemed also to have passed the test in driving a light motor vehicle other than a motor cycle, motor cab rickshaw, road-roller, tractor, locomotive, scraper, grader, crane or a bulldozer.

(9) When an application has been duly made to the appropriate licensing authority and the applicant has satisfied such authority of his physical fitness and of his competence to drive and has paid to the authority a fee of <sup>1</sup>[<sup>2</sup>two hundred and fifty Taka]], the licensing authority shall grant the applicant a driving licence unless the applicant is disqualified under section 4 for driving a motor vehicle or is for the time being disqualified for holding or obtaining a driving licence:

Provided that, a licensing authority may issue a driving licence not being a professional driving licence to drive a motor cycle or motor car notwithstanding that it is not the appropriate licensing authority, if the licensing authority is satisfied that there is good reason for the applicant's inability to apply to the appropriate licensing authority:

Provided further that, the licensing authority shall not issue a new driving licence to the applicant, if he had previously held a driving licence issued under this Ordinance, unless it is satisfied that there is good reason for his inability to obtain a duplicate copy of his former driving licence.

Form and  
contents of  
driving licence

**8. (1)** Every professional driving licence except a driving licence, issued under section 15, shall be in 'Form D' and every non-professional driving licence, except a driving licence issued under section 15, shall be in 'Form E' as set forth in the First Schedule and that every driving licence shall have affixed thereto a signature or thumb impression of the applicant and a photograph referred to in sub-section (4) of section 7.

<sup>1</sup> The words "one hundred and fifty Taka" were substituted for the words "one hundred and five Taka" by section 25 of অর্থ আইন, ২০০২ (২০০২ সনের ১৪ নং আইন)।

<sup>2</sup> The words "two hundred and fifty Taka" were substituted for the words "one hundred and fifty Taka" by section 10 of অর্থ আইন (২০০৮-০৯ অর্থ আইন), ২০০৯ (২০০৯ সনের ১০ নং আইন), (With effect from 1st July, 2008).

(2) The <sup>1</sup>[Authority may by regulations] made under section 22 lay down the procedures for the granting of professional and non-professional driving licence.

**9.** (1) Any person holding a driving licence issued under this Chapter who is not for the time being disqualified for holding or obtaining a driving licence may apply in 'Form F' as set forth in the First Schedule to the licensing authority having jurisdiction in the area in which he ordinarily resides, or carries on business or, if the application relates to a driving licence to drive as a paid employee, in which the employer resides or carries on business, for the addition of another class of motor vehicle to the driving licence.

Addition to  
driving licence

(2) The provisions of section 7, except sub-sections (3) and (4) thereof, shall apply to an application under this section as if the application were for the grant of a driving licence under that section to drive the class of motor vehicle which the applicant desires to be added to his driving licence.

(3) No fee other than a fee for the test of competence to drive and a fee equal to half of the fee provided under sub-section (9) of section 7 shall be charged for an addition to a driving licence under this section.

**10.** (1) Subject to any <sup>2</sup>[regulations made by the Authority] under sub-section (3), a driving licence issued under the foregoing sections shall be effective throughout Bangladesh.

Extent of  
validity of  
driving licence

(2) Subject, in the case of international driving permits issued in pursuance of the International Convention relating to motor traffic concluded at Paris on the 24th day of April, 1926, or of any Convention modifying the same, to any <sup>3</sup>[regulations made by the Authority] under section 107, a driving licence to

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<sup>1</sup> The words "Authority may by regulations" were substituted for the words "Government may by rules" by section 6 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The words "regulations made by the Authority" were substituted for the words "rules made by the Government" by section 7 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>3</sup> The words "regulations made by the Authority" were substituted for the words "rules made by the Government" by section 7 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).



drive a motor vehicle issued by a competent authority shall be valid throughout Bangladesh as if it were a driving licence issued under this Ordinance:

Provided that, such holder of driving licence is not disqualified under any of the provisions of this Ordinance for holding or obtaining a driving licence in Bangladesh.

(3) The <sup>1</sup>[Authority may by regulations] made under section 22,-

- (a) provide that a specification entitling the holder of a driving licence to drive a transport vehicle shall be made in the driving licence only by or under the authority of the Transport Committee constituted under Chapter V,
- (b) regulate the submission of applications for such driving licences to the <sup>2</sup>[said Committee], or
- (c) require as a condition of its validity in Bangladesh that a driving licence entitling the holder to drive a transport vehicle shall be countersigned by a prescribed authority in Bangladesh.

Currency of  
driving licences

**11.** A driving licence issued or renewed under this Ordinance, shall, subject to the provisions contained in this Ordinance as to the cancellation of driving licences and disqualification of holders of driving licences for holding or obtaining driving licences, be effective without renewal for a period of twelve months only from the date of issue of the driving licences or, as the case may be, from the date with effect from which the driving licences are renewed under section 12, and the driving licences shall be deemed to continue to be effective for a period of fifteen days after the date of its expiry:

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<sup>1</sup> The words "Authority may by regulations" were substituted for the words "Government may by rules" by section 7 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The words "said Committee" were substituted for the words "said Authority" by section 7 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

Provided that if the licensing authority has reasons to believe that the applicant has been employed abroad or has signed a contract for employment abroad, it may renew a professional driving licence for a period not exceeding three years at a time on payment of the fees specified under sub-section (4) of section 12 for each such year:

Provided further that where the applicant so desires, a non-professional driving licence may be renewed for a period of three years at a time on payment of fees provided under sub-section (4) of section 12 for each such year subject to the condition that, on becoming unfit to drive by virtue of disease or disability, the holder shall surrender the driving licence within fifteen days, to the licensing authority within whose jurisdiction he resides or, to the licensing authority which issued it.

**12.** (1) Any licensing authority may, on application made to it, renew a driving licence issued under the provisions of this Ordinance with effect from the date of its expiry:

Renewal of  
driving licences

Provided that, in any case where the application for the renewal of a driving licence is made more than fifteen days after the date of expiry, the driving licence shall be renewed with effect from the date of its renewal:

Provided further that every application for the renewal of professional licence shall be accompanied by a fresh medical certificate in 'Form C' as set forth in the First Schedule signed by a registered medical practitioner and the provisions of sub-section (5) of section 7 shall apply to every such case.

(2) Every professional driving licence holder shall undergo and pass the test as set forth in the Third Schedule, on the expiry of every three years from the date of issue of the driving licence or, at the time of third renewal, whichever occurs earlier, and if he fails to pass the specified test, his driving licence shall be deemed to have been revoked. Such holder of driving licence shall, however, be entitled to appear in the test once after every three months till he passes the test, on payment of fee for each such test of competence to drive.

(3) An application for the renewal of a driving licence shall be made in 'Form G' as set forth in the First Schedule and shall contain the declaration required by that form:

Provided that, where the applicant does not or is unable to subscribe to the said declaration the provisions of sub-section (5) of section 7 shall apply.

(4) Where an application for the renewal of a driving licence is made previous to, or not more than fifteen days after the date of its expiry, the fee payable for such renewal shall be <sup>1</sup>[<sup>2</sup>one hundred and fifty Taka]] for each twelve months from the date of expiry.

(5) Where an application for the renewal of a driving licence is made more than fifteen days after the date of its expiry, the fee payable for such renewal shall be <sup>3</sup>[<sup>4</sup>two hundred Taka]] for each twelve months from the date of expiry:

Provided that, the fee referred to in sub-section (4) may be the licensing authority, if it is satisfied that the applicant was prevented by good cause from applying within the time specified in that sub-section:

Provided further that, if the application is made more than three years after the driving licence has ceased to be effective, the licensing authority may refuse to renew the driving licence, unless the applicant undergoes and passes to its satisfaction the test of competence to drive as set forth in the Third Schedule.

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

Revocation of driving licence on grounds of disease or disability

**13.** Notwithstanding anything contained in the foregoing sections, any licensing authority or any other prescribed authority may at any time revoke a driving licence, or may require, as a condition of continuing to hold such driving licence, the holder thereof to furnish a fresh medical certificate

<sup>1</sup> The words “one hundred Taka” were substituted for the words “sixty-five Taka” by section 26 of অর্থ আইন, ২০০২ (২০০২ সনের ১৪ নং আইন)।

<sup>2</sup> The words “one hundred and fifty Taka” were substituted for the words “one hundred Taka” by section 11 of অর্থ (২০০৮-০৯ অর্থ বৎসর) আইন, ২০০৯ (২০০৯ সনের ১০ নং আইন), (with effect from 1st July, 2008).

<sup>3</sup> The words “one hundred and fifty Taka” were substituted for the words “eighty-five Taka” by section 26 of অর্থ আইন, ২০০২ (২০০২ সনের ১৪ নং আইন)।

<sup>4</sup> The words “two hundred Taka” were substituted for the words “one hundred and fifty Taka” by section 11 of অর্থ (২০০৮-০৯ অর্থ বৎসর) আইন, ২০০৯ (২০০৯ সনের ১০ নং আইন), (with effect from 1st July, 2008).

in 'Form C' as set forth in the First Schedule, signed as required by sub-section (3) of section 7, if the licensing authority has reasonable grounds to believe that holder of the driving licence is, by virtue of any disease or disability, unfit to drive a motor vehicle; and where the authority revoking the driving licence is not the authority which issued the same, it shall intimate the fact of revocation to the authority which issued that driving licence.

**14.** (1) Where a licensing authority refuses to issue or renew or revokes any driving licence, or refuses to add a class of motor vehicle to any driving licence, or refuses to make a specification or countersignature such as is referred to in sub-section (3) of section 10, it shall do so by an order communicated to the applicant or the holder, as the case may be, giving the reasons in writing for such refusal or revocation.

Orders refusing or revoking driving licences and appeals therefrom

(2) Any person aggrieved by an order made under sub-section (1) may, within thirty days of the service on him of the order, appeal to the prescribed authority which shall decide the appeal after giving such person and the authority making the order an opportunity of being heard and the decision of the appellate authority shall be binding on the authority making the order.

(3) The order of a licensing authority shall, unless the appellate authority, conditionally or unconditionally, direct otherwise, be in force pending the disposal of an appeal under sub-section (2).

**15.** (1) The authority specified in Part A of the Fourth Schedule may grant driving licences valid throughout Bangladesh, to persons who have completed their eighteen years of age, to drive motor vehicles which are the property of the Defence Services or, for the time being under the exclusive control of the Defence Services and are used solely for the purposes of the Defence Services unconnected with any commercial enterprises.

Driving licences to drive motor vehicles, the property of the Defence Services

(2) A driving licence issued under this section shall specify the class or classes of motor vehicle which the holder is entitled to drive and the period for which he is so entitled.

(3) A driving licence issued under this section shall not entitle the holder to drive any motor vehicle except a motor vehicle which is the property or for the time being under the exclusive control of the Defence Services.

(4) The authority issuing any driving licence under this section shall furnish such information respecting any person to whom a driving licence is issued as the Government may at any time require.

Power of  
licensing  
authority to  
disqualify for  
holding a  
driving licence

**16.** (1) If a licensing authority is satisfied after giving him an opportunity of being heard that any person-

- (a) is a habitual criminal or a habitual drunkard, or
- (b) is using or has used a motor vehicle in the commission of a cognizable offence, or
- (c) has by his previous conduct as driver of a motor vehicle shown that his driving is likely to be attended with danger to the public, or
- (d) has committed an offence specified in the Fifth Schedule,

it may, for reasons to be recorded in writing, make an order disqualifying that person for a specified period for holding or obtaining a driving licence.

(2) Upon the issue of any such order, a person affected, if he is the holder of a driving licence, shall forthwith surrender his driving licence to the licensing authority making the order, if the driving licence has not already been surrendered, and the licensing authority shall-

- (a) if the driving licence is a driving licence issued under this Ordinance keep it until the disqualification has expired or has been removed, or
- (b) if it is not a driving licence issued under this Ordinance endorse the disqualification upon it and send it to the licensing authority by which it was issued.

(3) Any person aggrieved by an order made by a licensing authority under this section may, within thirty days of the receipt of the order, appeal to the prescribed authority, and such

appellate authority shall give notice to the licensing authority and hear either party if so required by that party and may make such inquiry into the matter as it thinks fit. An order made by any such appellate authority shall be final.

**17.** (1) Any Transport Committee constituted under Chapter V may, for reasons to be recorded in writing and subject to any prescribed conditions, declare any person disqualified, for a specified period, for holding or obtaining a driving licence to drive any transport vehicle or a transport vehicle of particular description in Bangladesh.

Power of  
Transport  
Committee to  
disqualify

(2) Any person aggrieved by an order of a Transport Committee made under sub-section (1), may within thirty days of the receipt of intimation of such order appeal against the order to the prescribed authority.

**18.** (1) Where a person is convicted of an offence under this Ordinance or of an offence in the commission of which a motor vehicle was used, the Court by which such person is convicted, may, subject to the provisions of this section, in addition to imposing any other punishment authorised by law, declare the person so convicted to be disqualified, for such period as the Court may specify, for holding any driving licence or for holding a driving licence to drive a particular class or description of vehicle.

Power of Court  
to disqualify

(2) A Court shall order the disqualification of an offender, convicted of an offence punishable under section 143, and such disqualification shall be for a period of not less than one year.

(3) A Court shall order the disqualification of an offender, convicted of an offence against the provisions of clause (c) of sub-section (1) of section 102 or of section 104, and such disqualification shall be for a period of not less than six months.

(4) A Court shall, unless for special reasons to be recorded in writing it thinks fit to order otherwise, order the disqualification of an offender-

- (a) who having been convicted of an offence punishable under section 143 is again convicted of an offence punishable under that section;

- (b) who is convicted of an offence punishable under section 148, or
- (c) who is convicted of an offence punishable under section 152:

Provided that, the period of disqualification shall not exceed, in the cases referred to in clauses (a) and (b), two years or, in the case referred to in clause (c), one year.

(5) A Court ordering the disqualification of an offender convicted of an offence punishable under section 143 may direct that the offender shall, whether he has previously passed the test of competence to drive specified in the Third Schedule or not, remain disqualified until he has, subsequent to the making of the order of disqualification, passed that test to the satisfaction of the licensing authority.

(6) The Court to which an appeal lies from any conviction of an offence of the nature specified in sub-section (1) may set aside or vary any order of disqualification made by the Court below, and the Court to which appeals ordinarily lie from any Court, may set aside or vary any order of disqualification made by that Court, notwithstanding that no appeal lies against the conviction in connection with which such order was made.

Effect of  
disqualification  
order

**19.** (1) A person of whom any disqualification order is made shall be debarred to the extent and for the period specified in such order from holding or obtaining a driving licence and the driving licence, if any, held by such person at the date of the order shall cease to be effective during such period.

(2) The operation of a disqualification order made under section 18 shall not be suspended or postponed while an 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, may, at any time after the 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, may, having regard to all the circumstances, either 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.

**20.** (1) The Court or authority making an order of disqualification shall endorse or cause to be endorsed upon the driving licence, if any, held by the person disqualified, particulars of the order of disqualification and of any conviction of an offence in respect of which an order of disqualification is made; and particulars of any removal or variation of an order of disqualification made under sub-section (3) of section 19 shall be similarly so endorsed. Endorsement

(2) A Court by which any person is convicted of an offence specified in parts A and B of the Fifth Schedule shall, whether or not an order of disqualification is made in respect of such conviction, endorse or cause to be endorsed, particulars of such conviction, on any driving licence held by the person convicted.

(3) Any person accused of an offence specified in the Fifth Schedule shall, when attending the Court, bring with him his driving licence if it is in his possession.

**21.** (1) An endorsement on any driving licence shall be transferred to any new or duplicate driving licence obtained by the holder thereof until the holder becomes entitled under the provisions of this section to have a driving licence issued to him free from endorsement. Transfer of endorsement and issue of driving licence free from endorsement

(2) Where a driving licence is required to be endorsed and the driving licence is at the time not in the possession of the Court or authority by which the endorsement is to be made then-

- (a) if the person in respect of whom the endorsement is to be made is at the time the holder of a driving licence, he shall produce the driving licence to the Court or authority within five days, or such longer time as the Court or authority may fix, or



- (b) if, not being then the holder of a driving licence, he subsequently obtains a driving licence, he shall within five days after obtaining the driving licence produce it to the Court or authority; and if the driving licence is not produced within the time specified it shall on the expiration of such time be of no effect until it is produced for the purpose of endorsement.

(3) A person whose driving licence has been endorsed shall, if during a continuous period of three years since the last endorsement was made no further order of endorsement has been made against him, be entitled on surrendering his driving licence and on payment of a fee of <sup>1</sup>[thirty five Taka] to receive a new driving licence free from all endorsements. If the endorsement was only in respect of exceeding a speed limit, he shall be entitled to have a clean driving licence issued on the expiration of one year from the date of the order:

Provided that in reckoning the said period of three years and one year, respectively, any period during which the said person was disqualified for holding or obtaining a driving licence shall be excluded.

(4) When a driving licence is endorsed by or an order of endorsement is made by any Court, the Court shall send particulars of the endorsement or order, as the case may be, to the licensing authority by which the driving licence was last renewed and to the licensing authority which granted the driving licence.

(5) Where the holder of a driving licence is disqualified by the order of any Court for holding or obtaining a driving licence, the Court shall take possession of the driving licence and forward it to the licensing authority by which it was granted or last renewed and that authority shall keep the driving licence until the disqualification has expired or has been removed and the person entitled to the licence has made a demand in writing for its return to him:

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<sup>1</sup> The words “thirty five Taka” were substituted for the words “thirty Taka” by section 11 of অর্থ আইন, ১৯৮৯ (১৯৮৯ সনের ৩৬ নং আইন)।

Provided that, if the disqualification is limited to the driving of a motor vehicle of a particular class or description, the Court shall endorse the driving licence to this effect and shall send a copy of the order of disqualification to the licensing authority by which the driving licence was granted and shall return the driving licence to the holder.

(6) Where, on an appeal against any conviction or order of a Court which has been endorsed on a driving licence, the appellate Court varies or sets aside the conviction or order, the appellate Court shall inform the licensing authority by which the driving licence was last renewed and the licensing authority which granted the driving licence, and shall amend or cause to be amended the endorsement of such conviction or order.

**22.** (1) The <sup>1</sup>[Authority may make regulations] for the purpose of carrying into effect the provisions of this Chapter. <sup>2</sup>Power to make [regulations]

(2) Without prejudice to the generality of the foregoing power, <sup>3</sup>[such regulations] may provide for-

- (a) the appointment, jurisdiction, control and functions of licensing authorities and their supervisory authorities and other prescribed authorities;
- (b) the minimum qualification and the conduct of persons to whom driving licences to drive transport vehicles;
- (c) 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:

Provided that no fee so fixed shall exceed fifteen Taka;

- (d) the issue of duplicate driving licences to replace driving licences lost, destroyed or mutilated, the replacement of photographs which have become obsolete and the issue

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<sup>1</sup> The words "Authority may make regulations" were substituted for the words "Government may make rules" by section 8 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The word "regulations" was substituted for the word "rules" by section 8 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>3</sup> The words "such regulations" were substituted for the words "such rules" by section 8 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

of temporary driving licences to persons receiving instruction in driving or to persons whose driving licences have been surrendered, and the fees to be charged therefore;

- (e) the conditions subject to which any Transport Committee or any other prescribed authority may disqualify a person for holding a driving licence or to drive a transport vehicle;
- (f) the badges and uniform to be worn by drivers of transport vehicles and the fees to be paid in respect of badges and uniform;
- (g) the medical examination and testing of applicants for driving licences and drivers and the fees to be charged therefore;
- (h) the refund of fees paid under the provisions of this Chapter, 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 granting by registered medical practitioners of the certificates referred to in sub-section (3) of section 7 ;
- (j) the communication of particulars of driving licences granted by one licensing authority to other licensing authorities;
- (k) the control of schools or establishments for the instructions of drivers of motor vehicles (including the registration of such schools or establishments) and the acceptance of driving certificates issued by such schools or establishments as qualifying the holder for exemption from Part I of the test specified in the Third Schedule;
- (l) the exemptions of drivers of road-rollers from all or any of the provisions of this Chapter or of the <sup>1</sup>[regulations] made thereunder; and
- (m) any other matter which is to be or may be prescribed.

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<sup>1</sup> The word “regulations” was substituted for the word “rule” by section 8 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

### CHAPTER III

#### LICENSING OF CONDUCTORS OF STAGE CARRIAGE OR CONTRACT CARRIAGE

**23.** (1) No person shall act as a conductor of a stage carriage or contract carriage unless he holds an effective conductor's licence issued to him authorising him to act as such conductor; and no person shall employ or permit any person who is not so licensed to act as a conductor of a stage carriage or contract carriage.

Necessity for  
conductor's  
licence

(2) The <sup>1</sup>[Authority] may prescribe conditions subject to which sub-section (1) shall not apply to a driver of a stage carriage or a contract carriage performing the functions of a conductor or to a person employed to act as a conductor on probation with a conductor's licence for a period not exceeding one month.

**24.** (1) Any person who is not disqualified under section 25 and who is not for the time being disqualified for holding or obtaining a conductor's licence may apply to the licensing authority having jurisdiction in the area, in which he ordinarily resides or carries on business, for the issuance to him of a conductor's licence.

Grant of  
conductor's  
licence

(2) Every application under sub-section (1) shall be in such form as may be prescribed and be signed by, or bear the thumb-impression of, the applicant in two places and shall contain the information required by the form.

(3) Every application for a conductor's licence shall be accompanied by a medical certificate in such form as may be prescribed, signed by a registered medical practitioner and shall also be accompanied by three clear copies of recent photograph of the applicant.

(4) A conductor's licence issued under this Chapter shall be in such form and contain such particulars as may be prescribed.

(5) The fee for conductor's licence and for the renewal thereof shall be one-half of that for a driving licence.

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<sup>1</sup> The word "Authority" was substituted for the word "Government" by section 9 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

(6) No licensing authority shall issue a conductor's licence to the applicant if he previously held a conductor's licence issued under this Ordinance unless it is satisfied that there are good reasons for his inability to obtain a duplicate copy of his former conductor's licence.

Disqualification  
for the grant of  
conductor's  
licence

**25.** (1) No person under the age of eighteen years shall hold, or be granted, a conductor's licence.

(2) The licensing authority may refuse to grant a conductor's licence-

- (a) if the applicant does not possess the requisite qualifications;
- (b) if his knowledge of the provisions of the Ordinance and of the <sup>1</sup>[regulations] and of the duties and powers of a conductor thereunder is inadequate to enable him to perform the duties of a conductor;
- (c) if the medical certificate produced by the applicant discloses that he is unfit to act as a conductor;
- (d) if any previous conductor's licence or driving licence held by the applicant was revoked; and
- (e) if the character or physique or conduct of the applicant is such as to render him an unsuitable person to hold a conductor's licence.

Revocation of a  
conductor's  
licence on  
ground of  
diseases or  
disability or  
misconduct

**26.** (1) A conductor's licence may at any time be revoked by any licensing authority or any Transport Committee constituted under Chapter V or any other prescribed authority:-

- (a) if the authority has reasonable grounds to believe that the holder of the conductor's licence is suffering from any disease or disability which is likely to render him unfit to hold such conductor's licence.
- (b) if the character or conduct of the person is such as to render him an unsuitable person to hold a conductor's licence.

(2) Where the authority revoking a conductor's licence is not the authority which issued the same, it shall intimate the fact of revocation to the authority which issued that conductor's licence.

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<sup>1</sup> The word "regulations" was substituted for the word "rules" by section 10 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

**27.** (1) Where a licensing authority or other authority refuses to issue or renew, or revokes any conductor's licence, it shall do so by an order communicated to the applicant or the holder of conductor's licence, as the case may be, giving the reasons in writing for such refusal or revocation.

Order refusing, etc., conductor's licence and appeals therefrom

(2) Any person aggrieved by an order made under sub-section (1) may, within thirty days of the service on him of the order, appeal to the prescribed authority which shall decide the appeal after giving such person and the authority making the order an opportunity of being heard and the decision of the appellate authority shall be binding on the authority making the order.

**28.** (1) If any licensing authority or any Transport Committee constituted under Chapter V or any other prescribed authority is of opinion that it is necessary to disqualify the holder of a conductor's licence for holding or obtaining such a conductor's licence on account of his conduct as a conductor, it may, for reasons to be recorded in writing, make an order disqualifying that person for a specified period for holding or obtaining a conductor's licence.

Power of licensing authority and Transport Committee to disqualify

(2) Upon the issue of any such order the holder of the conductor's licence shall forthwith surrender the licence to the authority making the order, if the conductor's licence has not already been surrendered, and the authority shall keep the conductor's licence until the disqualification has expired or has been removed.

(3) Where the authority disqualifying the holder of a conductor's licence under this section is not the authority which issued the conductor's licence, it shall intimate the fact of such disqualification to the authority which issued the same.

(4) Any person aggrieved by an order made under sub-section (1) may, within thirty days of the service on him of the order, appeal to the prescribed authority which shall decide the appeal after giving such person and the authority making the order an opportunity of being heard and the decision of the appellate authority shall be binding on the authority making the order.

Power of the  
Court to  
disqualify

**29.** (1) Where any person holding a conductor's licence is convicted of an offence under this Ordinance, the Court by which such person is convicted may, in addition to imposing any other punishment authorised by law, declare the person so convicted to be disqualified for such period, as the Court may specify, for holding a conductor's licence.

(2) The Court, to which an appeal lies from any conviction of an offence of the nature specified in sub-section (1), may set aside or vary any order of disqualification made by the Court below, may set aside or vary any order of disqualification made by that Court notwithstanding that no appeal lies against the conviction in connection with which such order was made.

Certain  
provisions of  
Chapter II to  
apply to  
conductor's  
licence

**30.** The provisions of sub-section (2) of section 6, sub-section (1) of section 10, section 11, section 12 except sub-section (2), section 19, sub-section (1) of section 20 and section 21 shall, so far as may be, apply in relation to a conductor's licence, as they apply in relation to a professional driving licence.

Power to make  
<sup>1</sup>[regulations]

**31.** (1) The <sup>2</sup>[Authority may make regulations] for the purpose of carrying into effect the provisions of this Chapter.

(2) Without generality of the foregoing power, such <sup>3</sup>[regulations] may provide for,-

- (a) the appointment, jurisdiction, control and functions of licensing authorities and their supervisory authorities and other prescribed authorities;
- (b) the conditions subject to which drivers of stage carriages or contract carriages and persons temporarily employed (on probation) may be exempted from the provisions of this Chapter;

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<sup>1</sup> The word "regulations" was substituted for the word "rules" by section 11 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The words "Authority may make regulations" were substituted for the words "Government may make rules" by section 11 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>3</sup> The word "regulations" was substituted for the word "rules" by section 11 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

- (c) the form of application for conductor's licence or for renewal of such conductor's licences and the particulars it may contain;
- (d) the forms in which conductor's licence may be issued or renewed and the particulars it may contain;
- (e) the minimum qualification of conductors, their duties and the conduct of persons to whom conductor's licence are issued;
- (f) the issue of duplicate conductor's licence to replace licences lost, destroyed or mutilated, the replacement of photograph which have become obsolete and the fees to be charged therefore;
- (g) 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;
- (h) the badges and uniform to be worn by conductors of stage carriages or contract carriages and the fees to be paid in respect of such uniforms and badges;
- (i) the granting by registered medical practitioners of the certificate referred to sub-section (3) of section 24 and the form of such certificates;
- (j) the communication of particulars of conductor's licence from one authority to other authorities; and
- (k) any other matter which is to be or may be prescribed.

#### **CHAPTER IV**

##### **REGISTRATION OF MOTOR VEHICLES**

**32.** No person shall drive any motor vehicle and no owner of a motor vehicle shall cause or permit the vehicle to be driven in any public place or in any other place for the purpose of carrying passengers or goods unless the vehicle is registered in accordance with this chapter and the certificate of registration of the vehicle has not been suspended or cancelled and the vehicle carries a registration mark displayed in the prescribed manner.

Necessity for registration

**33.** Subject to the provisions of section 35, section 36, and section 48, every owner of a motor vehicle shall cause the

Registration, where to be made



vehicle to be registered by the registering authority of the area where he permanently resides or has place of business where the vehicle is normally kept.

Registration,  
how to be made

**34.** (1) An application by or on behalf of the owner of a motor vehicle for registration shall be in 'Form H' as set forth in the First Schedule, shall contain the information required by that form, and shall be accompanied by the prescribed fee:

Provided that where a motor vehicle is jointly owned by more persons than one, the application shall be made by one of them on behalf of all the owners and such applicant shall be deemed to be owner of the motor vehicle for the purpose of this Ordinance.

(2) The registering authority shall issue to the owners of a motor vehicle registered by it a certificate of registration in 'Form I' as set forth 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 in prescribed manner, a distinguishing mark (in the Ordinance referred to as the registration mark) consisting of group of letters allotted to the district or area of the district concerned in the Sixth Schedule followed by a letter or letters denoting the class of the vehicle and a number consisting of not more than 4 digit.

Registration of  
motor vehicles  
of diplomatic  
officers, etc.

**35.** (1) Where an application for registration of a motor vehicle is made by, or on behalf of, any diplomatic officer or consular officer or any other privileged person, then, notwithstanding anything contained in this Chapter, the special registering authority appointed by the Government in this behalf shall register the vehicle in such manner and in accordance with such procedure as may be provided by rules made in this behalf under sub-section (3) and shall assign to the vehicle for display thereon a special registration mark in accordance with the provisions contained in those rules and shall issue a certificate that the vehicle has been registered under this section; and the vehicle so registered shall not, so long it remains the property of any diplomatic officer or consular officer or any privileged person be required to be registered otherwise than under this Ordinance.

(2) If any vehicle registered under this section ceases to be the property of any diplomatic officer or consular officer or any other privileged person, certificate of registration issued under this section shall also cease to be effective and the provision of section 33 shall thereupon apply.

(3) The Government may make rules for the registration of motor vehicles belonging to diplomatic officers and consular officers and privileged persons regarding the procedure to be followed by the special registering authority for registering such vehicles, the form in which certificates of registration of such vehicles are to be issued, the manner in which certificates of registration are to be sent to the owners of the vehicles and the physical verifications are to be done and the special registration marks are to be assigned to such vehicles.

**Explanation.-** For the purposes of this section, “diplomatic officer”, “consular officers” or “privileged person” means any person who is recognised as such by the Government and if any question arises as to whether a person is or is not such an officer or person, the decision of the Government thereon shall be final.

**36.** (1) Notwithstanding anything contained in section 33, the owner of a motor vehicle may apply to any registering authority or other prescribed authority to have the vehicle temporarily registered in the prescribed manner and for the issuance in the prescribed manner of a temporary certificate of registration and a temporary registration mark.

Temporary  
Registration

(2) A registration made under this section shall be valid only for a period not exceeding one month, and shall not be renewable:

Provided that where a motor vehicle so registered is a chassis to which body has not been attached and the same is detained in a workshop beyond the said period of one month for being fitted with a body, the period may, on payment of such fees, if any, as may be prescribed, be extended by such further period or periods so that the total period of such temporary registration may not exceed, in any case, four months.

**37.** The registering authority shall, before proceeding to register a motor vehicle, require the person applying for registration of the vehicle to produce the vehicle to the Inspector

Production of  
vehicle at time  
of registration

of Motor Vehicles <sup>1</sup>[or such other person as the Authority may specify in this behalf] 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 VI and of the <sup>2</sup>[regulations] made thereunder and that the vehicle is not mechanically defective.

Refusal of  
registration

**38.** The registering authority shall refuse to register any motor vehicle if the vehicle is mechanically defective or fails to comply with the requirements of Chapter VI or of the <sup>3</sup>[regulations] made thereunder, or if the applicant fails to furnish particulars of any previous registration of the vehicle or the chassis identification number or furnishes inaccurate particulars in the application for registration of such vehicles, and shall furnish, the applicant whose vehicle is refused registration, with the reasons in writing for such refusal.

Change of  
residence or  
place of  
business

**39.** (1) If the owner of a motor vehicle ceases to reside or have his place of business at the address recorded 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 and to the authority by which the certificate of fitness was issued or last renewed, 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 together with the prescribed fee 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 and to the authority which may require to issue or renew the certificate of fitness.

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<sup>1</sup> The words “or such other person as the Authority may specify in this behalf” were inserted by section 12 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The word “regulations” was substituted for the word “rules” by section 12 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>3</sup> The word “regulations” was substituted for the word “rules” by section 13 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

(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 three months in duration or where the motor vehicle is neither used nor removed from the address recorded in the certificate of registration.

**40.** (1) Where the ownership of any motor vehicle registered under this Chapter is transferred: Transfer of ownership

- (a) the transferor shall, within fourteen days of the transfer, report the transfer, to the registering authorities within whose jurisdiction the transfer is effected and shall simultaneously send a copy of the said report to the transferee;
- (b) the transferee shall, within thirty days of the transfer, report the transfer to the registering authority within whose jurisdiction he resides and shall forward the certificate of registration to that registering authority together with the prescribed fee and a copy of the report received by him from the transferor in order that particulars of the transfer of ownership may be entered in the certificate of registration;
- (c) the registering authority shall cause physical verification of particulars by the authority specified under section 37, and, if satisfied to the genuineness of transfer, may enter the particulars of the transfer of ownership in the certificate of registration <sup>1</sup>[within thirty days of the report made under clause (b)].

(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 and, to the authority which may require to issue or renew the certificate of fitness.

**41.** (1) Where an application for registration of a motor vehicle which is held under a hire-purchase agreement is made, the registering authority shall make an entry in the certificate of registration regarding the existence of the said agreement. Special provisions regarding motor vehicles subject to hire-purchase agreement

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<sup>1</sup> The words, brackets and letter “within thirty days of the report made under clause (b)” were substituted for the words “without any unnecessary delay” by section 4 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

(2) When the ownership of any motor vehicle registered under this Chapter is transferred and the transferee enters into a hire-purchase agreement with any person, the registering authority shall, on receipt of an application from the parties to that agreement, make an entry as to the existence of such hire-purchase agreement in the certificate of registration.

(3) Any entry made under sub-section (1) or sub-section (2) may be cancelled by the registering authority on proof of termination of the hire-purchase agreement by the parties concerned.

(4) No entry regarding the transfer of ownership of any motor vehicle which is held under a hire-purchase agreement shall be made in the certificate of registration except with the written consent of the person whose name has been specified in the certificate of registration as the person with whom the registered owner has entered into a hire-purchase agreement.

(5) Where the person whose name has been specified in the certificate of registration as the person with whom the registered owner has entered into a hire-purchase agreement, satisfies the registering authority that he has taken possession of the vehicle owing to the default of the registered owner under the provisions of the agreement and that the registered owner refuses to deliver the certificate of registration or has absconded, such authority may, after giving the registered owner an opportunity to make such representation as he may wish to make (by sending to him a notice by registered post acknowledgement due at his address entered in the certificate of registration) and notwithstanding that the certificate of registration is not produced before it, cancel the certificate and issue a duplicate thereof to the person aforesaid.

(6) The provisions of sub-sections (1) to (5) shall, so far as may be, apply to a motor vehicle which is subject to hypothecation as they apply to any motor vehicle which is held under a hire-purchase agreement.

Alteration in  
motor vehicle

**42.** (1) No owner of a motor vehicle shall so alter the vehicle that the particulars contained in the certificate of

registration are no longer accurate, unless:-

- (a) he has given <sup>1</sup>[notice in writing] to the registering authority within whose jurisdiction he resides, of the alteration he proposes to make, and
- (b) has obtained the approval of the registering authority to make such alteration:

Provided that it shall not be necessary to obtain such approval for making any change in the unladen weight of motor 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) No alteration which is likely to affect the chassis identification number, chassis construction or the make and model of the vehicle or the maximum limits in laden weight certified by the manufacturer shall be allowed.

(3) Any change where class of vehicle is effected shall be treated as new registration and the provisions of section 33 and section 34 shall thereupon apply.

(4) Where a registering authority has received notice under sub-section (1), it shall obtain the opinion of the concerned Inspector of Motor Vehicles on the proposed alteration and shall within fourteen days of the receipt of the notice communicate (by registered post acknowledgement due) to the owner of the vehicle its approval to the proposed alteration or otherwise.

<sup>2</sup>[(5) Notwithstanding anything contained in sub-section (1), the authority may, by notification in the *official Gazette*, authorise, subject to such conditions as may be specified in the notification, the owner of more than one vehicle of the same make and specifications to alter any such vehicle so as to replace the engine thereof by an engine of same make and specifications without the approval of the registering authority.]

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<sup>1</sup> The words “notice in writing” were substituted for the word “notice” by section 5 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

<sup>2</sup> Sub-section (5) was substituted by section 5 of the Motor Vehicles (Amendment) Act, 1990 (Act No. XIX of 1990).

(6) Where any alteration has been made in a motor vehicle with the approval of the registering authority or by reasons of any change in its engine number without such approval under sub-section (5), the owner of the vehicle shall, within fourteen days of the making of the alteration, report the alteration to the registering authority within whose jurisdiction he resides and shall forward the certificate of registration to that authority together with the prescribed fee in order that particulars of the alteration may be entered therein.

(7) A registering authority other than the original registering authority making any such entry shall communicate details of the entry to the original registering authority and to the authority which issued or last renewed the certificate of fitness.

Suspension of  
registration

**43.** (1) If any registering authority or other prescribed authority has reason to believe that any motor vehicle within its jurisdiction,-

- (a) is in such condition that its use in a public place would constitute a danger to the public, or that it fails to comply with the requirements of Chapter VI or of the<sup>1</sup>[regulations] made thereunder, or
- (b) has been or is being used, for hire or reward without a valid permit for being used as such, or has been or is being used without a valid certificate of fitness;

the authority may, after giving the owner an opportunity of making any representation he may wish to make (by sending to the owner a notice by registered post acknowledgement due at his address entered in the certificate of registration) for reasons to be recorded in writing, suspend the certificate of registration of the vehicle -

- (i) in any case falling under clause (a), until the defects are remedied to its satisfaction; and
- (ii) in any case falling under clause (b), for a period not exceeding six months.

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<sup>1</sup> The word “regulations” was substituted for the word “rules” by section 15 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

(2) 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 therefore to the registering authority within whose jurisdiction the vehicle is at the time of the suspension.

(3) Where the registration of a motor vehicle has been suspended under sub-section (1) for a continuous period of not less than one month, the registering authority, within whose jurisdiction the vehicle was when the registration was suspended, shall, if it is not the original registering authority, inform that authority of the suspension; and when the suspension has continued without interruption for a period of not less than six months, the registering authority within whose jurisdiction, the vehicle was when the registration was suspended, may, if it is the original registering authority, cancel the registration, and if it is not the original registering authority, shall forward the certificate of registration to that authority which may cancel it forthwith.

(4) The owner of a motor vehicle shall, on the demand of a registering authority or other prescribed authority which has suspended the certificate of registration of the vehicle under this section, surrender the certificate of registration and any token or card issued to authorise the use of vehicle in a public place.

(5) A certificate of registration and any token or card surrendered under sub-section (4) shall be returned to the owner when the order suspending registration has been rescind and not before.

**44.** (1) If a motor vehicle has been destroyed or has been rendered permanently incapable of use, the owner shall, within fourteen days or as soon as may be, report the fact to the registering authority within whose jurisdiction he resides and shall forward to that authority the certificate of registration of the vehicle together with any token or card issued to authorise the use of the vehicle in a public place, and shall simultaneously send a copy of the report to the authority which issued or last renewed the certificate of fitness.

Cancellation of  
registration



(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, 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.

(3) Any registering authority may order the examination of a motor vehicle within its jurisdiction by such authority as the <sup>1</sup>[Authority] may by order appoint and, if upon such examination and after giving the owner an opportunity to make any representation he may wish to make (by sending to the owner a notice by registered post acknowledgement due at the address entered in the certificate of registration) it is satisfied that the vehicle is in such a condition that it is incapable of being used or its use in a public place would constitute a danger to the public and that it is beyond reasonable repair, may cancel the registration of the vehicle.

(4) If a registering authority is satisfied that a motor vehicle has been permanently removed out of Bangladesh, the registering authority shall cancel the registration.

(5) A registering authority cancelling the registration of a motor vehicle under section 43 or under this section shall communicate the fact in writing to the owner of the vehicle and the owner of the vehicle shall forthwith surrender to that authority the certificate of registration of the vehicle and any token or card issued to authorise 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 records, and, if it is not the original registering authority, forward the certificate of registration to that authority, and that authority shall cancel the certificate of registration and the entry relating to the motor vehicle in its records.

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<sup>1</sup> The word "Authority" was substituted for the word "Government" by section 16 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

(7) The expression “original registering authority” in this section and in sections 39, 40 and 43 means the registering authority in whose records the registration of the vehicle is recorded.

**45.** (1) Any owner of a motor vehicle aggrieved by an order of refusal under section 38 to register a motor vehicle or under sub-section (1) of section 47 to issue a certificate of fitness or by an order of suspension or cancellation made under section 43 or 44 or by an order of cancellation under sub-section (3) of section 47 may, within thirty days of the date on which he has received notice of such order, appeal against the order to the prescribed authority. Appeals

(2) The appellate authority shall give notice of the appeal to the original authority and after giving opportunity to the original authority and the appellant to be heard either personally or by pleader in the appeal pass such orders as it thinks fit:

Provided that orders of the original authority shall remain in force pending the disposal of the appeal unless the appellate authority otherwise directs.

**46.** (1) Having regard to the number, nature and the size of the tyres attached to the wheels of a transport vehicle, other than a motor cab, its make and model and other relevant consideration, the <sup>1</sup>[Authority] may, by notification in the *official Gazette*, specify in relation to each make and model of a transport vehicle the maximum safe laden weight of such vehicles and the maximum safe weight of each axle of such vehicle. Special requirements for registration of transport vehicle

(2) The registering authority, when registering transport vehicle, 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 tyres attached to each wheel;

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<sup>1</sup> The word “Authority” was substituted for the word “Government” by section 17 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

- (c) the registered laden weight of the vehicle and the registered axle weights pertaining to the several axle thereof; and
- (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;

and the owner of the vehicle, shall have the same particulars of registration and the registered address of the owner exhibited in the prescribed manner on the vehicle.

(3) There shall not be entered in the certificate of registration of any such vehicle any laden weight of vehicle or a registered axle weight of any of its axle different from that specified in the notification under sub-section (1) and in relation to the make and model of the vehicle and to the number, nature, and size of tyres attached to its wheels:

Provided that where it appears to the <sup>1</sup>[Authority] that heavier or lighter weights than those specified in the notifications under sub-section (1) may be permitted in a particular locality for vehicle of a particular type, the <sup>2</sup>[Authority] may, by order in the *official Gazette*; direct that the provisions of this sub-section shall apply with such modifications as may be specified in the order.

(4) When by reason of any alteration in such vehicle including an alteration in the number, nature or size of its tyres, the registered laden weight of the vehicle or the registered axle weight of any of its axles no longer accords with the provisions of sub-section (3), the provisions of section 42 shall apply and the registering authority shall enter in the certificate of registration of the vehicle revised registered weight which accords with the said sub-section.

(5) In order that registered weight entered in the certificate of registration of a vehicle may be revised in accordance with the provisions of sub-section (3), the registering authority may

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<sup>1</sup> The word "Authority" was substituted for the word "Government" by section 17 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The word "Authority" was substituted for the word "Government" by section 17 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

require, the owners of transport vehicle in accordance with such procedures as may be prescribed, to produce the certificate of registration within such time as may be specified by the registering authority.

(6) Till such time the notification under sub-section (1) is issued, the maximum safe laden weight of a transport vehicle and the maximum safe axle weight in respect of any of its axle may, however, be calculated in accordance with the Seventh Schedule.

**47.** (1) Subject to the provisions of section 48, no motor vehicle other than the motor vehicles as may be prescribed shall be deemed to be validly registered for the purposes of section 32, unless it carries a certificate of fitness in 'Form J' as set forth in the First Schedule, issued by the Inspector of Motor Vehicles or any other prescribed authority, to the effect that the vehicle complies for the time being with all the requirements of Chapter VI and the rules made thereunder; where the Inspector of Motor Vehicles or any other prescribed authority refuses to issue such certificate, it shall supply the owner of the vehicle with its reasons in writing for such refusal.

Certificate of  
fitness of motor  
vehicle

(2) The <sup>1</sup>[Authority] may make <sup>2</sup>[regulations] subject to which the certificate of fitness of motor vehicles may be renewed by the registered motor workshops specially authorised in this behalf by the <sup>3</sup>[Authority] by notification in the *official Gazette*.

<sup>4</sup>[(3) Subject to the provision of sub-section (4), a certificate of fitness shall remain effective for a period of one year to be specified in the certificate by the issuing authority.]

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<sup>1</sup> The word "Authority" was substituted for the word "Government" by section 18 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The word "regulations" was substituted for the word "rules" by section 18 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>3</sup> The word "Authority" was substituted for the word "Government" by section 18 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>4</sup> Sub-section (3) was substituted by section 2 of the Motor Vehicles (Amendment) Act, 1991 (Act No. VI of 1991).

(4) Any Inspector of Motor Vehicles or other prescribed authority may, for reasons to be recorded in writing, cancel a certificate of fitness at any time, if satisfied that the vehicle to which it relates no longer complies with all the requirements of this Ordinance and the <sup>1</sup>[rules or regulations] made thereunder; and on such cancellation or on the expiry of the certificate of fitness the certificate of registration of the vehicle and any permit granted in respect of the vehicle under Chapter V shall be deemed to be suspended until a new certificate of fitness has been obtained and the owner of such motor vehicle shall surrender to the registering authority within whose jurisdiction he resides any token or card issued to authorise the use of the vehicle in a public place.

(5) Any token or card surrendered under sub-section (4) shall be returned to the owner when a fresh certificate of fitness has been obtained.

(6) A Certificate of fitness issued under this Ordinance shall, while it remains effective, be valid throughout Bangladesh unless otherwise specified by the issuing authority.

Registration of  
vehicles, the  
property of the  
Defence  
Services

**48.** (1) The authority specified in Part B of the Fourth Schedule may register any motor vehicle which is the property or for the time being under the exclusive control of the Defence Services; and any vehicle so registered shall not, so long as it remains the property or under the exclusive control of the Defence Services, require to be registered otherwise under this Ordinance.

(2) A motor vehicle registered under this section unless otherwise prescribed shall carry a certificate of fitness in 'Form J' as set forth in the First Schedule issued by the authority referred to in sub-section (1).

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

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<sup>1</sup> The words "rules or regulations" were substituted for the word "rules" by section 18 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

(4) If a vehicle registered under this section ceases to be the property or under the exclusive control of the Defence Services, the provisions of section 33 shall thereupon apply.

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

**49.** (1) The registration mark assigned to a trailer shall be displayed in the prescribed manner on the side of the vehicle. Application of Chapter IV to trailers

(2) No person shall drive a motor vehicle to which a trailer is or trailers are attached unless the registration mark of the motor 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.

**50.** (1) The <sup>1</sup>[Authority may make regulations] for the purpose of carrying into effect the provisions of this Chapter. Power to make <sup>2</sup>[regulations]

(2) Without prejudice to the generality of the foregoing power, <sup>3</sup>[such regulations] may provide for-

- (a) 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;
- (b) the appointment, functions and jurisdiction of registering and other prescribed authorities and authorities for the supervision of the business of the registering authorities;
- (c) the issue of certificate of registration and the certificate of fitness and duplicate of such certificates to replace the certificates lost, destroyed or mutilated;
- (d) the temporary registration of motor vehicles, and the issue of temporary certificates of registration and marks;

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<sup>1</sup> The words "Authority may make regulations" were substituted for the words "Government may make rules" by section 19 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>2</sup> The word "regulations" was substituted for the word "rules" by section 19 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).

<sup>3</sup> The words "such regulations" were substituted for the words "such rules" by section 19 of the Motor Vehicles (Amendment) Act, 1988 (Act No. XXVII of 1988).