

THE VEHICLES ACT, 1927

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THE VEHICLES ACT, 1927

ACT NO. I OF 1927

[20th October, 1927]

An Act to provide for the better control of horse-drawn vehicles in certain areas in Bangladesh.*

WHEREAS it is expedient to provide for the better control of horse-drawn vehicles in certain areas in Bangladesh.

It is hereby enacted as follows:—

PART I

PRELIMINARY

1. (1) This Act may be called the Vehicles Act, 1927.

Short title,
extent and
commencement

(2) [Omitted by the East Pakistan Repealing and Amending Ordinance, 1962 (Ordinance No. XIII of 1962) 1st Schedule.]

(3) It shall come into force on such date as the Government may, by notification, direct.

2. The Government may, by notification—

Further
provisions as to
extent

(a) extend this Act or any portion thereof, to any town or local area in Bangladesh; and

(b) exclude from, or include in, town or local area to which this Act is extended under clause (a), any local area in the vicinity of the same and defined in the notification:

¹[* * *]

* Throughout this Act, except otherwise provided, the words "Bangladesh", "Government" and "Taka" were substituted, for the words "East Pakistan", "Provincial Government" and "rupees" respectively by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

¹ First proviso was omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

Provided that, before finally publishing any notification under this section, Government shall publish a draft of the same in such manner as it may think fit, and any rate-payer or inhabitant of the area affected by such draft may, if he objects to the draft, submit his objection in writing to the Government within six weeks from its publication, and the Government shall take such objection into consideration.

Definitions

3. In this Act, unless there is anything repugnant in the subject or context,—

¹[* * *]

- (2) "notification" means a notification published in the "official Gazette";
- (3) "prescribed" means prescribed by rules under this Act;
- (4) "public place" means a road, street, way or other place, whether a thoroughfare or not, to which the public are granted access or over which they have a right to pass;
- (5) "vehicle" means any wheeled vehicle drawn by a horse or horses and used for the conveyance of human beings ²[* * *].

PART II

PROVISIONS OF GENERAL APPLICATION

Prohibition of driving vehicles by persons under eighteen

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

(2) No owner or person in charge of a vehicle shall allow any person under the age of eighteen years to drive the same in any public place; and in the event of a contravention of subsection (1), the court may presume that the vehicle was driven with the consent of the owner or person in charge.

¹ Clause (1) was omitted by 1st Schedule the East Pakistan Repealing and Amending Ordinance, 1962 (Ordinance No. XIII of 1962).

² Semi-colon, comma, words and figures "; but does not include a hackney-carriage as defined in section 4 of the Hackney-Carriage Act, 1919" were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

- 5.** The person in charge of a vehicle shall cause the vehicle to stop and to remain stationary so long as may be reasonably be necessary—
- (a) when required to do so by any police-officer for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this Act or for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder, or
 - (b) when he knows or has reason to believe that an accident has occurred to any person or to any animal or conveyance in charge of a person owing to the presence of the vehicle, and he shall also give his name and address and the name and address of the owner of such vehicle, to any police-officer in uniform present or to any person reasonably requesting such names and addresses.

Duty to stop vehicle for regulating traffic and in case of accident

6. Whoever drives a vehicle in a public place recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the place, and the amount of traffic which actually is at the time and which might reasonably be expected to be, in the place, shall, on conviction, be punishable with fine which may extend to five hundred Taka.

Reckless driving

PART III

LICENSING AND CONTROL

7. No person shall drive a vehicle in a public place unless he is licensed in the prescribed manner, and no owner or person in charge of a vehicle shall allow any person who is not so licensed to drive it.

Licensing of drivers

8. The holder of a licence shall not allow it to be used by any other person.

Transfer of licence

9. The driver of a vehicle shall produce his licence upon the spot when required by any police officer to do so.

Production of licence

10. Every licence to drive a vehicle shall be valid in such area as may be specified therein.

Extent of validity of licence to drive

Registration of
vehicles

11. (1) The owner of every vehicle shall cause it to be registered in the prescribed manner.

(2) Such registration shall be valid in such area as may be specified in the certificate of registration.

Power of
Government to
make rules

12. (1) The Government, subject to the condition of previous publication, shall make rules for the purpose of carrying into effect the provisions of this Act and of regulating, in the whole or any part of Bangladesh, except the district of Sylhet, the use of vehicles or any class of vehicles in public places.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Government may make rules for all or any of the following purposes, namely:—

- (a) Providing for the registration of vehicles, and the conditions subject to which they may be registered, the fees payable in respect of an incidental registration, the notification of any changes of ownership, and the area in which, and the duration for which, certificates of registration shall be valid;
- (b) providing for facilitating the identification of vehicles by the assignment to them of distinguishing numbers and the displaying upon them of number and name plates, or in any other manner;
- (c) regulating the construction and equipment of vehicles, including the provision and use of lights, bells or other appliances;
- (d) prescribing the authority by which, and the conditions subject to which, drivers of vehicles or any class of such drivers may be licensed, the fees payable in respect of such licences, and the area within which, and the duration for which licences shall be valid;
- (e) prescribing the authority by which, and the conditions and limitations subject to which, licenses may be suspended or cancelled;
- (f) prescribing the precautions to be observed when vehicles are standing in any public place;

- (g) prohibiting or regulating the driving of vehicles in public places, where their use may, in the opinion of the Government, be attended with danger or inconvenience to the public;
- (h) prescribing the authority who shall give and the manner of giving the notice referred to in section 13; and
- (i) providing generally for the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property, or of obstruction to traffic.

(3) All rules made under this section shall be published in the official Gazette; and, on such publication, shall have effect as if enacted in this Act.

13. The prescribed authority shall give, in the prescribed manner, public notice of any rule, made by the Government under section 12, prohibiting or regulating the driving of vehicles in any public place; and for the purpose of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers.

Posting of notices

14. The Government may, by notification, exclude any area specified in such notification from the operation of this Part; and may, by a like notification, exempt either generally or for a specified period any class of vehicles from the operation of all or any of the provisions of this Part.

Power to Government to exclude areas and to exempt vehicles from this Part

PART IV

MISCELLANEOUS

15. Whoever contravenes any of the provisions of this Act or of any rule made thereunder shall, if no other penalty is elsewhere provided in this Act for such contravention, be punishable with fine which may extend to one hundred Taka, and, in the event of such person having been previously convicted of an offence under this Act or any rule made thereunder, with fine which may extend to two hundred Taka.

Penalties

16. No Court inferior to that of a Magistrate of the second class shall try any offence punishable under this Act or any rule made thereunder.

Cognisance of offences

Cancellation
and suspension
of licence and
disqualification
for obtaining
licence

17. (1) The Government may, declare any person disqualified for obtaining a licence under this Act either permanently or for such period as it thinks fit.

(2) The prescribed authority may, subject to such conditions and limitations as may be prescribed, cancel or suspend any licence granted under this Act.

(3) Any Court by which any person is convicted of an offence against the provisions of this Act or any rule made thereunder or of any offence in connection with the driving of a vehicle shall, if such person holds a licence under the Act, cause particulars of the conviction to be endorsed thereon and may, in respect of such person and of his licence, if any, exercise the like powers as are conferred by sub-section (1) on the Government and by sub-section (2) on the prescribed authority:

Provided that no order made by a Court under this sub-section shall affect any person or licence for a period exceeding one year from the date of such conviction.

(4) Any Court before which the holder of a licence under this Act is accused of any offence mentioned in sub-section (3) may suspend such licence until the termination of the proceedings before it.

(5) A copy of every order of cancellation, suspension or disqualification made under this section in respect of a licence or the holder of a licence shall be endorsed on the licence, and a copy of every endorsement, in accordance with the provisions of this section, shall be sent to the authority by which such licence has been granted.

(6) Every holder of a licence shall, when called upon to do so, produce his licence before any authority acting under this section.

(7) A person whose licence has been cancelled or suspended in accordance with the provisions of this section, shall, during the period for which such order of cancellation has effect, or during the period of such suspension, as the case may be, be disqualified for obtaining a licence.

(8) No person whose licence has been endorsed or who has been disqualified for obtaining a licence shall apply for, or obtain, a licence without giving particulars of such endorsement or disqualification.
