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THE PROVINCIAL MOTOR VEHICLES (AMENDMENT) ACT, 2023.

SINDH ACT NO. XLIII OF 2023.

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[27^H SEPTEMBER, 2023.]

AN ACT to amend the Provincial Motor Vehicles Ordinance, 1965.

WHEREAS it is expedient to amend the Provincial Motor Vehicles Ordinance, 1965, in the manner hereinafter appearing;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Provincial Motor Vehicles (Amendment) Act, 2023.

Short title and commencement.

(2) It shall come into force at once.

2. In the Provincial Motor Vehicles Ordinance, 1965, hereinafter referred to as the said Ordinance, in section 2 –

Amendment of section 2 of the West Pakistan Ordinance No.XIX of 1965.

(i) for sub-section (9), the following shall be substituted:-

“(9) “fares” includes sums payable for a season ticket or in respect of the hire of a contract carriage, or includes a sums collected from a passenger travelling by any mode of mass transit vehicle through mandatory ticketing system, e-ticketing system, auto fare collection (AFC) system or any fare collection mechanism, as the case may be;”;

(ii) in sub-section (23), after the words “propelled vehicle”, the words “BRT” shall be inserted.

(iii) after sub-section (45), the following new sub-sections shall be added:-

“(46) “service contract” means a contract between the Provincial Transport Authority or any other relevant authority, as may be applicable, and a service provider;

“(47) “service provider” means a service provider engaged pursuant to a service on contract to provide services in respect of the bus rapid transit system and may include, without limitation, the BRTs vehicle operators automatic fare collection provider and operator, station manager, security personal, janitorial and housekeeping service provider.” .

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3. In the said Ordinance, in section 45, after sub-section (1), the following new sub-section shall be inserted:-

“(II-A). Government may, by notification, in the official gazette and in consultation with the Sindh Mass Transit Authority, fix the maximum or minimum fare or freight for BRT:

Provided that the children under three feet or not exceeding five years shall be exempted from the fare to travel in BRT vehicle.”.

Amendment of section 45 of West Pakistan Ordinance No.XIX of 1965.
4. In the said Ordinance, after section 116-A, the following shall be inserted:-

“116-B. Fines on Bus Rapid Transit System. (1) Notwithstanding anything contained in the Ordinance or any other law, for the time being in force, if a person commits an offence mentioned in Part B of the Twelfth Schedule, any person, including a Service Provider, authorized by the relevant Provincial Transport Authority or any other relevant authority, as may be applicable, may, at the spot, draw a charge against him stating the offence.

(2) If a person commits an offence under sub section (1), then the authorized person, including a Service Provider, authorized by the relevant Provincial Transport Authority or any other relevant authority, as may be applicable, may levy, impose and collect the fines and upon collection deposit such sums as may be prescribed.

(3) If the person failed to pay or deposit the fine at the spot or in the prescribed manner, then the authorized person duly **authorized** by the relevant Provincial Transport Authority or any other relevant authority, as may be applicable, shall file a complaint against the accused before the court of competent jurisdiction.”.

Insertion of section 116-B in West Pakistan Ordinance No.XIX of 1965.
5. In the said Ordinance, after section 121, the following new section shall be inserted:-

“121-A. Amendment of Schedules. Government may, by notification in the official gazette, amend or modify any of the Schedule to this Act.”.

Insertion of new section 121-A in West Pakistan Ordinance No.XIX of 1965.
6. In the said Ordinance, for existing Twelfth Schedule-Part-I (Moving Violations), the following shall be substituted:-

Amendment of Twelfth Schedule of West Pakistan Ordinance No.XIX of 1965.

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“TWELFTH SCHEDULE

(See section 116-A)

Part-A

Moving Violations

S.#	VIOLATIONS	PENALTY
1.	Exceeding prescribed speed limit.	
	(i) Motorcycle	700
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
2.	Carrying passengers in public service vehicle exceeding permissible limit.	
	(i) Car / Jeep	600
	(ii) PSV / LTV	1,500
	(iii) HTV	2,000
3.	Violation of Traffic Signals (Manual/Electrical)	
	(i) Motorcycle	500
	(ii) Car / Jeep	500
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
4.	Over loading by public transport vehicle (good carriers).	
	(i) LTV	1,000
	(ii) HTV	1,500
5.	Overtaking where prohibited.	
	(i) Motorcycle	500
	(ii) Car / Jeep	400
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
6.	Failure to yield the right of way to other vehicles	
	(i) Motorcycle	500
	(ii) Car / Jeep	400
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
	(6-A) Failure to give way of emergency vehicles	12,000/-
7.	Obstructing movement of emergency vehicles.	
	(i) Motorcycle	600
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
	(7-A) Following an emergency vehicle closer than a safe distance	
8.	Loading in excess of the restriction of dimension of goods.	
	(i) LTV	1,000
	(ii) HTV	1,000
9.	Driving at night without proper lights.	
	(i) Motorcycle	600
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000

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10.	Driving on the wrong side of the road.	
	(i) Motorcycle	2,000
	(ii) Car / Jeep	3,000
	(iii) PSV / LTV	4,000
	(iv) HTV	5,000
11.	Disobeying traffic signals (Stop Sign)	
	(i) Motorcycle	500
	(ii) Car / Jeep	500
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
12.	Improper crossing of railway track.	
	(i) Motorcycle	600
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
13.	Following too closely or cutting in too sharply	
	(i) Motorcycle	500
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
14.	Driving with tinted/covered glasses obstructing visibility from within the vehicle	
	(i) Car / Jeep	1,200
	(ii) PSV / LTV	1,500
	(iii) HTV	2,000
15.	Jumping traffic queue.	
	(i) Motorcycle	600
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1,000
	(iv) HTV	1,200
16.	Failing to dip Head Lights for other traffic	
	(i) Motorcycle	600
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
17.	Driving wrong way in one way street.	
	(i) Motorcycle	2,000
	(ii) Car / Jeep	3,000
	(iii) PSV / LTV	4,000
	(iv) HTV	5,000
18.	Using turn indicator for any purpose other than those prescribed.	
	(i) Motorcycle	500
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1000
	(iv) HTV	1500
19.	Plying where prohibited.	
	(i) Motorcycle	500
	(ii) Car / Jeep	1,000

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	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
20.	Improper loading of goods / improper loaded goods. (i) LTV	2,000
	(ii) HTV	2,500
21.	Failing to observe lighting hours. (i) Motorcycle	500
	(ii) Car / Jeep	500
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
22.	Obstructing traffic. (i) Motorcycle	400
	(ii) Car / Jeep	500
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
23.	Failure to observe low sign. (i) Motorcycle	250
	(ii) Car / Jeep	500
	(iii) PSV / LTV	1,000
	(iv) HTV	1,500
24.	Riding motorcycle without safety helmet.	500
25.	Failure to stop for a school bus. (i) Motorcycle	1,000
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
26.	Turning where prohibited. (i) Motorcycle	600
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
27.	Failure to protect learner drivers. (i) Motorcycle	400
	(ii) Car / Jeep	500
	(iii) PSV / LTV	800
	(iv) HTV	800
28.	Failure to yield right of way to pedestrians (i) Motorcycle	400
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1000
	(iv) HTV	1200
29.	Reckless and negligent driving. (i) Motorcycle	1,200
	(ii) Car / Jeep	1,500
	(iii) PSV / LTV	2,000
	(iv) HTV	2,500
30.	Driving without Driving Licence. (i) Motorcycle	1,000
	(ii) Car / Jeep	1,500

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	(iii) PSV / LTV	2,000
	(iv) HTV	2,500
31.	Driving an unregistered vehicle.	
	(i) Motorcycle	700
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
32.	Driving a motor vehicle without insurance coverage	
	(i) Motorcycle	700
	(ii) Car / Jeep	1000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
33.	Driving a transport vehicle without or with a defective speedo meter.	
	(i) Motorcycle	150
	(ii) Car / Jeep	300
	(iii) PSV / LTV	500
	(iv) HTV	500
34.	Carrying passengers in dangerous position in a transport vehicle/Passenger Traveling on Roof Top.	
	(i) PSV / LTV	1,200
	(ii) HTV	2,500
35.	Opening door dangerously.	
	(i) Car / Jeep	500
	(ii) PSV / LTV	1,000
	(iii) HTV	1,500
36.	Improper turning (Turn from wrong lane).	
	(i) Motorcycle	250
	(ii) Car / Jeep	500
	(iii) PSV / LTV	1,000
	(iv) HTV	1,500
37.	Improper lane usage.	
	(i) Motorcycle	1,200
	(ii) Car / Jeep	1,500
	(iii) PSV / LTV	2,000
	(iv) HTV	2,500
38.	Blowing horn in silence zone.	
	(i) Motorcycle	650
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1000
	(iv) HTV	1200
39.	Improper U-Turn.	
	(i) Motorcycle	500
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1,000
	(iv) HTV	1,200
40.	Refusal to produce licence.	
	(i) Motorcycle	400
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1,000
	(iv) HTV	1,200

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41.	Failing to stop when required by traffic police.	
	(i) Motorcycle	400
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
42.	Without Fitness Certificate or with Expired Fitness Certificate.	
	(i) PSV / LTV	2,500
	(ii) HTV	3,000
43.	Driving a vehicle exceeding prescribed weight limit.	
	(i) PSV / LTV	500
	(ii) HTV	1,000
44.	Using vehicle in unsafe condition.	
	(i) Motorcycle	600
	(ii) Car / Jeep	1,000
	(iii) PSV / LTV	1,500
	(iv) HTV	2,000
45.	Using pressure / musical horn.	
	(i) Motorcycle	1,000
	(ii) Car / Jeep	1,500
	(iii) PSV / LTV	2,000
	(iv) HTV	2,500
46.	Driving vehicle in violation of laws / rules not otherwise provided. (Misc / Others)	
	(i) Motorcycle	500
	(ii) Car / Jeep	800
	(iii) PSV / LTV	1,000
	(iv) HTV	1,000
47.	Smoke emitting vehicles.	
	(i) Motorcycle	1,200
	(ii) Car / Jeep	1,500
	(iii) PSV / LTV	2,000
	(iv) HTV	2,500
48.	Juvenile driving.	
	(i) Motorcycle	1500
	(ii) Car / Jeep	2,000
	(iii) PSV / LTV	3,000
	(iv) HTV	4,000
49.	Repeating the same violation.	
	(i) Motorcycle	2,500
	(ii) Car / Jeep	3,000
	(iii) PSV / LTV	3,500
	(iv) HTV	4,000
50.	Abatement of the above violation.	
	(i) Motorcycle	1,000
	(ii) Car / Jeep	1,500
	(iii) PSV / LTV	2,000
	(iv) HTV	2,500
51.	Driving without Route Permit or with Expired Route Permit.	
	(i) PSV / LTV	5,000
	(ii) HTV	5,000

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52.	Repetition of violation at Sr. No.42 & 51 (i) PSV / LTV	6,000
	(ii) HTV	6,000
53.	Driving Qingqi (CHIGCHI) Rickshaw other than designated Link Roads or Bypass/Highways with imprisonment which may extend to ten days.	2000/-
54.	Driving vehicle with sub-standard CNG Cylinder Kit with imprisonment which may extend to five days.	5000/-
55.	Using CNG as a fuel in Public Service Vehicles (PSV- Intercity) or school vehicles in contravention of Ban with imprisonment which may extend to ten days	7000/-
56.	Repetition of violation of Codes 53,54 and 55 with imprisonment which may extend to twenty days.	10,000/-
57.	Operation of School Vehicles in violation of color schemes, school safety rules.	2000/-
58.	Installation of CNG in violation of Rules/Law without HDIP Certificate.	10,000/-

7. In the said Ordinance, in the existing Twelfth Schedule as amended above, the following new Part-B shall be added:-

“Part-B
Parking Violations

**Addition of Part-B
in Twelfth
Schedule of West
Pakistan
Ordinance No.XIX
of 1965.**

Sr. No.	Violations	Fines
1.	Not being in possession of a valid fare car or ticked	Rs.500
2.	Non-payment of fare	Rs.500
3.	Enter or leave a BRT Vehicle other than by a door marked as entry or exit or emergency for the passengers.	Rs.1000
4.	Board or alight a BRT Vehicle other than at a designated station or stop	Rs.1000
5.	Occupying and not vacating seats marked for person with disabilities / special persons.	Rs.500
6.	Obstruct an authorize person of a Service Provider in the exercise of its duty.	Rs.1000
7.	Failure to supply proof of identity and any information when requested, in the event a passenger has committed or reasonably suspected of committing an offence	Rs.1000
8.	Commit any of following actions: Climb AFC; Jump from platform to road; Enter station via non authorized entry and / or without a ticket; and Affix anything, or put marks, paint, or write anything on bus, platforms, stairs, escalators, pedestrian bridges, toilets, or on the ancillary facilities.	Rs.1500

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9.	Interfere with BRT Vehicles, service equipment or passenger service	Rs.2500
10	Consume, spit or throw tobacco, pan, naswar or any similar substance while on the BRT Vehicle or at the station, stop or on Corridor	Rs.500
11	Create a nuisance or disturbance on a BRT Vehicle, station, stop or on Corridor	Rs.500
12.	Consume food or drink (except water) on a BRT Vehicle (Except Packed Food)	Rs.500
13	Smoke (including electronic cigarettes) in a BRT Vehicle, on stations or facility where smoking is prohibited.	Rs.2500
14.	Consume drugs in a BRT Vehicle, Stations, ancillary facilities or enter in any of the facility including the BRT Vehicles in a state of intoxication.	Rs.2500
15.	Bring pets or any other animals on a BRT Vehicle or stations, unless it is an approved guide, hearing or assistance animal.	Rs.2500
16.	Play a musical instruments or operate sound equipment (other than a mobile phone) on BRT Vehicle, station or stops unless the device is operated with the use of headphone or ear plug.	Rs.500
17.	Place or rest feet on seats or sleep in stations or stops	Rs.500
18.	Beg or loiter around in BRT Vehicle, at stations, stairs escalators, pedestrian bridges or system toilets.	Rs.500
19.	Bring excessive baggage onto BRT Vehicle and / or occupy more than one seat because of luggage.	Rs.2000
20.	Carry or put luggage at places or in such a manner which interferes with entry / exit of passengers at doors (including emergency exit doors), and / or compromise the safety and comfort of passengers.	Rs.500
21.	Carry/bring weapons (without license) or hazardous materials or smuggled items onto BRT Vehicles, stations, stops, ancillary facilities or on Corridor.	Rs.5000
22.	Carry sharp objects such as knives, scissors, blades, needles, axes, and other such items that are dangerous of fellow passengers	Rs.5000
23.	Posting of advertising material on the BRT Vehicle, stations, platforms, pedestrian bridges, toilets, Corridor or on any other ancillary facilities.	Rs.1500

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24.	Affix anything, or put marks, paints, or write anything on a BRT Vehicle, platform, stairs, escalators, pedestrian bridges, toilets, Corridor or on any other ancillary facilities.	Rs.2500
25	Sell anything in BRT Vehicle, on platforms, stairs, escalators, pedestrian bridges, and toilets, or at ticket office facility without prior approval.	Rs.1500
26.	Enter / cross a Corridor other than by an approved entry / crossing.	Rs.1000
27.	Leave Litter on the system other than in a container provided for that purpose.	Rs.500.".