

THE PROVINCIAL MOTOR VEHICLES (AMENDMENT) ACT, 2018
SINDH ACT NO. XXXVIII OF 2018

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THE PROVINCIAL MOTOR VEHICLES (AMENDMENT) ACT, 2018

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[29th May, 2018]

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, 2018. **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.**
 - (a) after sub-section (1), the following shall be inserted:-
 “(1-A) “ambulance” means a vehicle designed or adapted primarily for the purpose for carriage of sick, wounded or invalid persons or animals;”;
 - (b) after sub-section (8), the following shall be inserted:-
 “(8-A) “emergency vehicle” means a motor vehicle used solely, “as a law enforcement vehicle”, fire-brigade or ambulance to relieve distress;”;
 - (c) after sub-section (23), the following shall be inserted:-
 “(23-A) “Obstruction” means any action by a person, vehicle or otherwise that would impede the progress of another vehicle. The words “obstruct” and “obstructing” shall be construed accordingly.”.
3. In the said Ordinance, after section 82, the following new sections shall be inserted:- **Insertion of new section 82-A and 82-B in the West Pakistan Ordinance No.XIX of 1965.**
 “82-A. **Duty to make way for emergency vehicle.** – (1) A driver of a vehicle or any other person, to the extent practicable, shall slow down, move to the left, or otherwise make all possible efforts to give clear uninterrupted and safe passage to an emergency rescue vehicle or an ambulance with active warning lights and sirens.

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(2) The driver of the vehicle giving way as in sub-section (1) is not liable for an offence under this Act and other road traffic rules as long as his actions are necessary, reasonable and do not endanger the safety of others.

82-B. Duty to stay clear of emergency vehicles.- A driver of a vehicle or any other person, to the extent practicable, shall stay clear of a passing emergency vehicle and, in particular, leave a safe distance between the emergency vehicle and himself.”.

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| <p>4. In the said Ordinance, after section 87, the following new section shall be inserted:-</p> <p>“87-A. Obstruction of emergency vehicles. No person driving a motor vehicle, or any other person, shall impede the progress of an emergency vehicle, with their vehicle or otherwise.”.</p> | <p>Insertion of new section 87-A in the West Pakistan Ordinance No.XIX of 1965.</p> |
| <p>5. In the said Ordinance, in section 94, for clause (a), the following shall be substituted:-</p> <p>“(a) if any person is injured as a result of such accident, take all reasonable steps to secure medical attention for the person so injured, in particular, calling an ambulance, and only if necessary and if further delay would compromise the health or wellbeing of the person so injured, convey him to the nearest hospital, unless the injured person or his guardian, in case he is a minor, desires otherwise;”.</p> | <p>Amendment of section 94 in the West Pakistan Ordinance No.XIX of 1965.</p> |
| <p>6. In the said Ordinance, in section 98, after sub-section (4), the following shall be added:-</p> <p>“(5) No driver of an emergency vehicle shall be convicted of an offence punishable under sub-section (1) if he was responding to an emergency and was not exceeding the limit of 80 km/hour.”.</p> | <p>Amendment of section 98 in the West Pakistan Ordinance No.XIX of 1965.</p> |
| <p>7. In the said Ordinance, for section 101-A, the following new section shall be substituted:-</p> <p>“101-A. Use of mobile telephones. (1) A person shall not drive a motor vehicle if he is using a hand-held mobile telephone or a device which performs an interactive communication function of transmitting and receiving data.</p> | <p>Substitution of new section 101-A in the West Pakistan Ordinance No.XIX of 1965.</p> |

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(2) A person shall not be guilty of contravention of sub-section (1) if, at the time of the alleged contravention, he is –

- (a) using the mobile telephone or the device to call the police, fire brigade, ambulance or other emergency service; or
- (b) responding to or acting in response to an emergency.”.

8. In the said Ordinance, in the Twelfth Schedule -

- (a) after serial No.6, the following shall be inserted:-

“6-A. Failure to give way to emergency vehicle. Rs.600/-“;

- (b) in serial No.7, in the third column for the figures “150”, the figures “600”;

- (c) after serial No.7, the following new entry shall be added:-

“7-A. Following an emergency vehicle closer than a safe distance. Rs.600/-“;

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

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