Draft Road Safety Act
Version 1
3rd October 2019
Table of Contents

1. Introduction .................................................................................................................................................. 1

2. Scope of the model Road Safety Act ........................................................................................................ 2
   The model Road Safety Act .......................................................................................................................... 2
   The legislative scheme ................................................................................................................................. 5
   Repeal of existing provisions ...................................................................................................................... 5
   Related legislation ....................................................................................................................................... 10
   The project recommendations and the RSA ................................................................................................. 11

3. Implementation of the RSA ...................................................................................................................... 12
   National and Provincial RSAs .................................................................................................................... 12
   Legal instruments and administrative procedures under the RSA ........................................................... 13

Appendix 1 — Model Road Safety Act .......................................................................................................... 19
Appendix 2 — Implementation of policy reforms ...................................................................................... 50

Table of Figures

Figure 1: Suggested structure of Act and legal instruments .......................................................................... 13
Figure 2: Hazardous materials placard (flammable gases) ............................................................................ 17
Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
</tr>
<tr>
<td>ADR</td>
<td>Accord Dangereux Routier (Transport of Dangerous Goods Agreement)</td>
</tr>
<tr>
<td>DLA</td>
<td>driver licence authority</td>
</tr>
<tr>
<td>EMS</td>
<td>Emergency Management System</td>
</tr>
<tr>
<td>ICT</td>
<td>Islamabad Capital Territory</td>
</tr>
<tr>
<td>MVO</td>
<td>Motor Vehicles Ordinance, 1965</td>
</tr>
<tr>
<td>NHMP</td>
<td>National Highway and Motor Police</td>
</tr>
<tr>
<td>NHSO</td>
<td>National Highways Safety Ordinance, 2000</td>
</tr>
<tr>
<td>NRSA</td>
<td>National Road Safety Authority</td>
</tr>
<tr>
<td>RSA</td>
<td>Road Safety Act</td>
</tr>
</tbody>
</table>
1. Introduction

Road transport is of great importance for the economic and social development of Pakistan. There is much room for improvement: however, the challenges of improving road network function and simultaneously addressing the very high levels of injury and death caused by road use are substantial.

A significant difficulty in addressing these challenges is the outdated regulatory context in which road infrastructure is maintained and roads are used. The enactment of the National Highways Safety Ordinance, 2000 was an important advance. However, it addresses only the administration of national highways. For remaining roads the West Pakistan Motor Vehicles Ordinance, 1965 – with many amendments – remains in operation.

With the devolution of power to the Provinces, responsibility for administration is now divided. Local administration has important advantages in general: however, there is also a need for harmonisation of many aspects of road administration.

This report presents a proposal for the creation of a model Road Safety Act, to provide the basis for harmonisation of the regulatory environment throughout Pakistan. As its name suggests, it is developed around a central objective – to improve road safety. This objective affects all aspects of the law and its administration. For example, harmonisation of driver licence, which will be encouraged and facilitated by the RSA, will enhance the ability of agencies to enforce road safety laws. This will bring about improved compliance, and with that a reduction in injuries and deaths.
2. Scope of the model Road Safety Act

The model Road Safety Act

The model Road Safety Act deals comprehensively with roads – road infrastructure and road use. It addresses this wide range of issues by topic, arranged in chapters.

It is a model for legislation to be enacted by each of Pakistan’s jurisdictions – the National Government and each Provincial Government. As far as possible, it has been designed to be adopted with little modification, thereby making Pakistan’s laws in this area more easily understood, complied with and enforced. It encourages harmonisation of laws and of administration, for example encouraging standardisation of driver licences and enforcement procedures. Unavoidably, there will be some differences between the laws of the various jurisdictions. For example, only the National Government’s Act will establish a National Road Safety Authority and prescribe the constitution of the National Highway and Motorway Police. Correspondingly, each Province will need to consider whether to provide, in its application of the model law, whether to constitute statutory bodies such as transport regulation authorities. Provision in the model RSA which will differ between jurisdictions are indicated in the attached draft by colour – red for National Government and yellow for Provincial Government.

Chapter 1 – Preliminary

As in most Acts, Chapter 1 deals with formal issues. Important provisions in Chapter 1 include the commencement of the Act and its objectives.

The Chapter also sets out the Government’s power to appoint persons or bodies to be Authorities for the purposes of the Act. The Authorities to be appointed are: the Registration Authority, the Driver Licensing Authority, the Road Authority and the Road Transport Industry Regulatory Authority. If it will be necessary to constitute a new body it will be necessary for appropriate provisions to be included in the RSA or other legislation.

Many of the definitions are included to remove ambiguity or to point readers to the relevant provisions. However, some definitions are of importance:

Vehicle classification: Definitions of vehicle classes are mainly for the purposes of the graduated driver licensing system. A novice driver will initially obtain a motor car licence or a motor cycle licence (or both). Later, with age and experience, he or she will be able to apply for a licence to drive a bus, light rigid vehicle, medium rigid vehicle, heavy rigid vehicle or heavy combination vehicle. Each of these terms is defined in section 3.

Road transport industry: The model RSA includes some new terms, mainly for clarification. The RSA clearly distinguishes between driver licensing (authority to drive a motor vehicle of a specified classification) and driver accreditation (necessary to drive a commercial transport vehicle). In order to clarify the distinction, new terms are used: accredited commercial vehicle, accredited operator and accredited driver.

Chapter 2 Vehicles used on public roads

This Chapter sets out requirements which apply to the use of motor vehicles on public roads. With some exceptions, a motor vehicle must be registered to be used on a public road. The Chapter sets out the requirements for this to occur. If a vehicle meets the required standards for registration and has a prescribed identification plate or certificate it may be registered without conditions. In other circumstances the Authority may impose conditions on a vehicle’s registration.
Provisions of Chapter 2 deal with specific circumstances, including the making of substantial changes to a vehicle or a vehicle being written off following an insurance claim. The Authority may suspend or cancel a vehicle’s registration in specified circumstances, including failure to obtain insurance as required by the Act and failure to respond to a repair notice.

Chapter 3 Driver Licences

As recommended in the Guidelines for Driver Licensing, the model RSA lays the foundations for a graduated licensing system in Pakistan. This is established by section 26, which sets out the categories of driver licence. As set out in section 27, minimum age requirements increase commensurately with the increasing level of licence. The RSA enables the driver licence authority to issue a single licence document which indicates, by use of codes, the categories of vehicle which a person is licenced to drive on public roads.

Related regulatory requirements are:

- **learner drivers:** section 29 provides for the issue of learner licences to persons who have the required age and pass the required tests and assessments. Learner drivers will be authorised to drive on public roads under supervision. While driving on public roads they are to maintain a log book, which is to be submitted to the driver licensing authority at the time of applying for a driver licence;
- **commercial driving instructors:** under section 30 commercial driving instructor is required to obtain a commercial driving instructor licence;
- **drivers of commercial transport vehicles:** in addition to driver licence requirements, a commercial driver will be required to obtain accreditation under Chapter 6.

Chapter 4 Road Use

It is to be an offence to drive or be the owner of an uninsured motor vehicle used on a public road. The RSA is structured so that (at some time in the future) it will be possible for vehicle owners to renew registration and insurance simultaneously, in a single payment. For this to occur it will be necessary for registration authorities and insurers to reach agreement about collection and transfer of premiums.

The RSA does not set out all of the requirements for driving on a road – the rules of the road. Instead, it provides for the Rules to establish a road code, which can be published as a separate document. If the Provinces agree on a uniform road code this can be published as the “Pakistan Road Code (name of Province).” For example, the Pakistan Road Code as it applies in Sindh would be the Pakistan Road Code (Sindh).

In view of their importance, several requirements about use of roads are set out in the RSA:

- **Persons travelling in or on a vehicle:** section 39 sets out requirements applying to persons who travel in or on a vehicle (whether as driver or passenger). Importantly, it establishes the requirement that a passenger in a moving vehicle (or one that is for the moment stationary, but not parked) must wear a seat belt that is properly adjusted and fastened. For passengers in the rear seat of a vehicle this is to be a new requirement: for this reason, Rules under the Act may, during a transitional period (to January 2026) exempt rear seat passengers and passengers in seats which are not fitted with a seat belt;
- **Motor cycle helmets:** Section 40 requires a rider or passenger on a motor cycle to wear and strap a prescribed motor cycle helmet (that is, which complies with the Rules). The

---

1 Section 3.2.
2 See section 44.
rider of the motor cycle is to be responsible for ensuring that any passenger is complying with this requirement.

Chapter 5 Post-Crash Response
This Chapter implements recommendations of the National Guidelines for Post-Crash Response. At a national level there is to be an Emergency Care Council, which is to act as a peak body reporting to the Ministry of National Health Services Regulation and Coordination.

The RSA includes new provisions which provide protection to by-standers who provide First Responder intervention.

Chapter 6 Road Transport Industry
As at present, commercial transport vehicles will be subject to requirements which are additional to the general requirement for the vehicle to be registered and the driver to hold a licence for the vehicle type. Under the RSA, however, there will be new terms, and the requirements will be separated from the requirements for non-commercial vehicles.

The central requirement under the RSA for a commercial transport vehicle is that the operator, the driver and the vehicle will all require accreditation.

Under the MVO a “transport vehicle” is subject to additional requirements in order to be registered. Passenger transport vehicles must not be used except in accordance with a permit: a stage-carriage permit or a public carrier permit. Special particulars must be recorded and registration is not considered to be valid unless the vehicle carries a “certificate of fitness.”

Under the RSA, an accredited commercial transport vehicle will require a certificate of vehicle fitness. This is a requirement arising from its status as a vehicle used in providing a commercial transport service, and for that reason is included in Chapter 6 of the draft RSA, as shown in the following graphic.

Figure 1: Regulation of commercial transport services.

The requirements relating to registration of vehicles properly belong in the registration provisions of the RSA and the Rules relating to registration.

Provisions relating to the operation of commercial services are a form of industry regulation. If well administered they have road safety implications – in a developed system a licensed (or “accredited”) commercial operator should be required to establish systems. They do not

---

3 Section 38 of the MVO.
4 Section 39 of the MVO.
necessarily belong in an Act dealing with road use in general terms. However, they have been carried across from the MVO and NHSO in order to allow those laws to be repealed.

The result is that the RSA has Chapter 6 dealing with industry regulation. This sets out the major components of a scheme of regulation of commercial road transport services. It should be supported by Rules which:

- set out the requirements which apply to commercial transport operators, particularly with respect to management systems;
- set out procedures and fees in relation to operator and driver accreditation.

The legislative scheme

The draft Road Safety Act (RSA) has been prepared within the context of a federal constitutional system in which many legislative powers have been devolved to the Provinces. These include the power to make laws in respect of roads other than national highways. As a result of this constitutional arrangement the draft RSA has been designed to harmonise the road laws of Pakistan—but also to allow for variation between jurisdictions:

- **harmonisation**: with the increase in motorised road traffic in Pakistan there is a need to achieve harmonisation on a number of issues. These include driver licensing, vehicle registration and law enforcement;
- **local autonomy**: constitutional reform (the 18th amendment to the Constitution) has devolved power of administration of roads and road traffic. The draft RSA provides scope for local autonomy within the context of a harmonised law. This includes decisions as to the appointment of bodies to perform the functions of driver licence authority, vehicle registration authority, road authority, emergency care council and road transport industry regulation authority.

These two principles are consistent with a third: that an Act should deal with major issues which should be addressed and determined by the legislative arm of government (the Parliament), leaving implement issues to executive government (the relevant agencies with accountability to a Minister). Much of the administration will rely on Rules which are to be made under the RSA—however, the quality of administration will depend on the establishment of suitable administrative structures, co-ordination between agencies and transparent and consistent decision-making.

Finally, a major objective in the design of the legislative scheme is simplicity. Laws should be easily located, read and understood. The current laws dealing with roads are a tangled mess, the result of past failures to review and remake laws which date from many years ago. It should be possible for members of the public to read and understand laws, free from the uncertainty and complexity which is a characteristic of the current regulatory environment.

Repeal of existing provisions

It is proposed that the RSA will repeal several existing laws, notably the West Pakistan Motor Vehicles Ordinance 1965 (MVO) and the National Highway Safety Ordinance, 2000 (NHSO).

The proposed RSA differs in many respects from existing law—it that were not so there would be little benefit in enacting it. Some existing provisions (for example, the requirement that drivers carry a copy of the road rules) will not be re-enacted. Other provisions do not have corresponding provisions in current law.

It is useful, however, to note that the RSA will deal with issues which are currently dealt with in the MVO and the NHSO and other legislation. The following Table identifies major issues dealt
with in current legislation and indicates the location in the RSA of the provisions which deal with those issues.

<table>
<thead>
<tr>
<th>Existing provision</th>
<th>Issue</th>
<th>How dealt with</th>
</tr>
</thead>
</table>
| **West Pakistan Motor Vehicles Ordinance 1965**  
To be repealed | Chapter I | Preliminary | Chapter 1 of the RSA |
| | Chapter II | Driver licensing | Chapter 3 of the RSA (driver licences). |
| | Chapter III | Registration of motor vehicles | Chapter 2 of the RSA (Vehicles used on public roads). |
| | Chapter IV | Control of transport vehicles | Chapter 6 of the RSA (Road transport industry). |
| | Chapter V | Road transport corporation | The RSA provides for the appointment of a road transport industry regulator, but not a transport service provider. Chapter V of the MVO empowers Government to establish a Road Transport Corporation, to be exempt from control by transport authorities. It is proposed to delete these provisions. Punjab amendments establish a Punjab Road Transport Board for the purpose of operating road transport services. However, it appears that this has been superseded by the Punjab Motor Vehicles Act, 1988. and accordingly it is proposed to delete these provisions. |
| | Chapter VI | Construction, equipment and maintenance of motor vehicles | Chapter 2 of the RSA (Vehicles used on public roads). |
| | Chapter VII | Control of traffic | Chapter 4 of the RSA (Road use). Note that much of the law about movement of vehicles on roads (“road rules”) will be moved to Rules. In view of the importance of achieving acceptance and improved compliance, provisions requiring the use of seatbelts and helmets will be in the Act. |
| | Chapter VIII | Offences, penalties and procedure | Chapter 8 of the RSA (Offences and enforcement). |
| | Chapter IX | Miscellaneous | Chapter 9 of the RSA (Miscellaneous) |
| First Schedule | Forms | Forms are to be determined administratively (subject to the Rules), but note the harmonisation principle – it is desirable that, as far as possible, forms and procedures be similar in each jurisdiction. As technology develops it is likely that transactions will increasingly be conducted by |

---

5 Section 70 of the MVO.
<table>
<thead>
<tr>
<th>Existing provision</th>
<th>Issue</th>
<th>How dealt with</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second Schedule</td>
<td>Disqualifying diseases and disabilities</td>
<td>The Driver Licence Authority is to be empowered to require an applicant or driver to undergo medical examination, and (taking into consideration the medical opinion) to impose conditions or to refuse/cancel the licence. However, the Authority is to routinely conduct a simple eyesight test.</td>
</tr>
<tr>
<td>Third Schedule</td>
<td>Assessment of competence to drive a motor vehicle, knowledge test, physical fitness test</td>
<td>The Act empowers the Driver Licence Authority to conduct these assessments and tests, subject to the Rules.</td>
</tr>
<tr>
<td>Fourth Schedule</td>
<td>Registration of vehicles of the Central Government</td>
<td>If desired, military authorities can be appointed to be registration authorities in respect of military vehicles.</td>
</tr>
<tr>
<td>Fifth Schedule</td>
<td>Offences for which an endorsement is to be made on the person’s driver licence</td>
<td>Under section 70 of the RSA a court is empowered to make a disqualification order. For some offences disqualification is to be mandatory. The procedure for recording details on the driver licence register and the licence document are to be set out in Rules.</td>
</tr>
<tr>
<td>Sixth Schedule</td>
<td>Number plates</td>
<td>Administrative decision after consultation with other DLAs.</td>
</tr>
<tr>
<td></td>
<td>Form of application for registration, form of register, forms, certificates and other documents relating to registration</td>
<td>Administrative decision after consultation with other DLAs.</td>
</tr>
<tr>
<td>Seventh Schedule</td>
<td>Registration marks for consular and other vehicles</td>
<td>Administrative decision after consultation with other DLAs.</td>
</tr>
<tr>
<td>Eighth Schedule</td>
<td>Limits of speed by vehicle class</td>
<td>This will be provided for in the Road Code.</td>
</tr>
<tr>
<td>Ninth Schedule</td>
<td>Road signs</td>
<td>The legal effect of road signs (the obligation to comply with signs) will be set out in the Road Code.</td>
</tr>
<tr>
<td>Tenth Schedule</td>
<td>Driving Regulations</td>
<td>Rules</td>
</tr>
<tr>
<td>Eleventh Schedule</td>
<td>Signals</td>
<td>Rules</td>
</tr>
<tr>
<td>Twelfth Schedule</td>
<td>Penalties for traffic offences</td>
<td>Schedule 2 of the RSA (also section xx which provides an adjustment formula).</td>
</tr>
<tr>
<td>Thirteenth Schedule</td>
<td>Scale of Compensation</td>
<td>Re-enacted without amendment (xx) but should be relocated to compensation legislation.</td>
</tr>
<tr>
<td>Fourteenth Schedule</td>
<td>Repeals</td>
<td>Spent provision (see Schedule xx of the RSA for a new list of repeals).</td>
</tr>
<tr>
<td>Fifteenth Schedule (KPK)</td>
<td>Truck axle loads</td>
<td>Load limits will be set out in the Road Safety (Vehicles) Rules.</td>
</tr>
</tbody>
</table>

**Motor Vehicle Rules, 1969**
## 2. Scope of the model Road Safety Act

### Existing provision | Issue | How dealt with |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>To be revoked</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Rule 4               | Exemption of classes of motor vehicle | Road Safety (Vehicles) Rules. |

### Driver licences

| Rule 5               | Appointment of driver licensing authority | This is provided for in section 22 of the RSA. |
| Rule 6               | Authorisation to drive a public service vehicle (commercial passenger vehicle). | |
| Rule 6 (Sindh Amendments) | Requirement to attend a course conducted by the Drivers Training School conducted by the Government. | Driver training requirements are to be limited to log book requirements for motor vehicles. Additional requirements may be prescribed, but should not include attendance at a specific school. |
|                      | Local knowledge requirement for motor cab and motor rickshaw drivers in specified cities. | Under section 25 of the RSA the content of tests is to be determined by the DLA. This could include specific requirements of this type if the Authority considers it appropriate. |
| Rule 9A (Punjab amendment) | Minimum experience requirement (six weeks). | To be substituted by a log book requirement (50 hours of driving experience). |
| Rules 12-22          | Procedures relating to driver licences. | Each DLA will be able to determine its own procedures (subject to the Road Safety (Drivers) Rules). |
| Rule 23              | Motoring school to be licensed. | Commercial driving instructors will require a driving instructor licence. The requirement for the school to be licensed is to be substituted by a requirement for registration. |

### Vehicle registration

| Rule 28              | Vehicle registration authority | To be appointed under section xx RSA. |
| Rule 29 - 30         | Appellate authority and appeal procedure | [to be decided] |
| Rules 31 – 33        | Registration plates | Details to be decided administratively, subject to specific requirements in the Road Safety (Vehicles) Rules. |
| Rule 34              | Markings on a commercial goods vehicle | Road Safety (Vehicles) Rules |
| Rule 35              | Procedures relating to certificate of fitness | Details to be decided administratively, subject to specific requirements in the Road Safety (Vehicles) Rules. |
| Rules 35 – 35 (KP amendments) | Authority to issue certificate of fitness | Details to be decided administratively, subject to specific requirements in the Road Safety (Vehicles) Rules. |
## 2. Scope of the model Road Safety Act

### Existing provision | Issue | How dealt with
--- | --- | ---
Rule 36 | Temporary registration of newly-sold vehicles | Road Safety (Vehicles) Rules
Rules 36 – 40 | Lost/damaged certificates or number plates | Details to be decided administratively, subject to specific requirements in the Road Safety (Vehicles) Rules.
Rule 42 | Registration fees | Road Safety (Vehicles) Rules
Rule 45 | Cancellation of vehicle registration | Section 16 of the RSA. The power to cancel registration is given to the registration authority (which may delegate to an officer of the Authority). The police have power to...
Rule 46 | Loans secured against motor vehicles. | Section 14 RSA.
Rules 47 – 51 | Transfers and movements | Road Safety (Vehicles) Rules
Rule 52 | Exemption from registration – vehicles in possession of manufacturer or dealer | Section 10 RSA. The Road Safety (Vehicles) Rules should provide for “trade plates” as well as “trade certificates” so that vehicles can be identified by cameras.
Rule 53 | Other exemptions | Road Safety (Vehicles) Rules.

### Industry regulation

Rules 54 – 57 | Procedures for Regional Transport Authority | This will vary between jurisdictions (the model RSA provides only for the appointment of an industry regulator).
57-A, 57-B | Classification of routes for stage carriage permits | To be decided administratively, subject to the Rules.
64 | Classification of commercial transport permits | To be decided administratively, subject to the Rules.
Rules 98 - 101 | Conduct and duties of commercial passenger vehicle drivers | Road Safety (Road Transport Industry) Rules.

### National Highways Safety Ordinance, 2000

To be repealed

| Chapter | Preliminary | Chapter 1 of the RSA (Preliminary).
| --- | --- | ---
| Chapter II | Licensing | Chapter 3 of the RSA (Driver licences).
| Chapter III | Registration of Road Vehicles | Chapter x
| Chapter IV | Construction, equipment and maintenance of road vehicles | Rules under Chapter 2 will set out standards for registration.
| Chapter V | Control of traffic | Chapter 4 of the RSA provides for the creation of a Road Code. If agreement can be reached, there will be a Pakistan Road Code.
| Chapter VI | Offences, Penalties and Procedures | Chapter xx
## 2. Scope of the model Road Safety Act

<table>
<thead>
<tr>
<th>Existing provision</th>
<th>Issue</th>
<th>How dealt with</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter VII</td>
<td>Establishment the NHMP</td>
<td>This is incorporated (in revised form) in Chapter 9 of the RSA (the version to be enacted by the National Government) to enable the NHSO to be repealed in its entirety.</td>
</tr>
</tbody>
</table>

### Other legislation

<table>
<thead>
<tr>
<th>Topic</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance of Vehicles Against Third Party Risks Act, 1938</td>
<td>This Act makes it an offence to use a motor vehicle unless it is covered by a policy of insurance against third party risks. <strong>To be repealed.</strong> This requirement duplicates the requirement set out in section xx of the NHSO, re-enacted (with revisions) in Chapter xx of the RSA. It includes details of policies and handling of claims: to the extent that this is required, it can be dealt with in Rules to be made under the RSA.</td>
</tr>
<tr>
<td>Prevention of Road Accidents Order, 1978 (Sindh)</td>
<td>This Order imposes obligations in relation to public transport vehicles. The Government of Sindh is empowered to constitute one or more Boards to exercise functions under the Order. <strong>To be revoked.</strong> Requirements in relation to fitness certificates and vehicles are dealt with in the RSA.</td>
</tr>
<tr>
<td>Temporary Importation of Motor Vehicle Rules, 1979</td>
<td>Tourists are allowed to import vehicles for use in Pakistan for not longer than three months without payment of duty. <strong>To be revoked.</strong> Vehicle importation is dealt with in Part xx of the RSA.</td>
</tr>
<tr>
<td>National Highways and Motorways (Dimensions of Goods Transport Vehicles) Rules, 2017</td>
<td>These recent Rules can be used to form the basis for Rules dealing with the dimensions of loaded vehicles. <strong>To be revoked.</strong> The RSA provides for the regulation of vehicle mass and dimensions in two categories: permitted limits, and limits which can be allowed on an exceptions basis (overloaded/overweight vehicles).</td>
</tr>
</tbody>
</table>

### Related legislation

The administration of roads and road traffic involves the exercise of powers under many legal instruments. Not all are dealt with in this model law. The following table itemises some of these, with comment about how the issues should be addressed.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fatal Accidents Act, 1855</td>
<td>To be retained</td>
</tr>
<tr>
<td>Compensation to families of persons killed by an actionable wrong.</td>
<td>This is a compensation/liability issue. Compensation actions frequently arise from collisions on public roads: this is an issue related to roads but should be dealt with separately from the RSA.</td>
</tr>
<tr>
<td>Motor Vehicles (Drivers) Ordinance, 1942</td>
<td>To be retained</td>
</tr>
</tbody>
</table>
### 2. Scope of the model Road Safety Act

<table>
<thead>
<tr>
<th>Topic</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confers on the Government the power to requisition the services of persons capable of driving motor vehicles.</td>
<td>This has not been reviewed as part of the current project as it is not within the scope of a road law.</td>
</tr>
<tr>
<td><strong>West Pakistan Motor Vehicles Taxation Act, 1958</strong></td>
<td><strong>To be retained</strong></td>
</tr>
<tr>
<td>Consolidates the law (as at 1958) relating to the taxation of motor vehicles.</td>
<td>This is a taxation measure. It could be included in the repeals schedule, but it has not been reviewed as part of the current project as it is not within the scope of a road law.</td>
</tr>
<tr>
<td>Motor Vehicles Taxation Rules, 1959</td>
<td>Sets out procedures and exemptions in relation to motor vehicle taxation, in support of the Act.</td>
</tr>
<tr>
<td><strong>National Highway Authority Act 1991</strong></td>
<td><strong>To be retained</strong></td>
</tr>
<tr>
<td>Constitution and powers of the National Highway Authority</td>
<td>This Act operates on its own terms and need not be included in the RSA. However, if the National Government wishes, this could be added into the National RSA as Chapter 10.</td>
</tr>
<tr>
<td><strong>North-West Frontier Province Highways Authority Ordinance, 2001</strong></td>
<td><strong>To be retained</strong></td>
</tr>
<tr>
<td>Constitution and powers of the Frontier Highways Authority.</td>
<td>This Act operates on its own terms and need not be included in the RSA. However, if KPA Province wishes, this could be added into the KPA RSA as Chapter 10.</td>
</tr>
<tr>
<td><strong>Punjab Highways Authority Act, 1989</strong></td>
<td><strong>To be retained</strong></td>
</tr>
<tr>
<td>Constitution and powers of the Punjab Highways Authority</td>
<td>This Act operates on its own terms and need not be included in the RSA. However, if the Province wishes, this could be added into the Punjab RSA as Chapter 10.</td>
</tr>
</tbody>
</table>

**The project recommendations and the RSA**

The Consultant has issued a series of reports which recommend a series of policy reforms. Key recommendations are summarised in Appendix 2, along with a description of how the recommendations are addressed in the model legislation.
3. Implementation of the RSA

Law reform in this area is similar to law reform in any area – except for its complexity. Road laws are inherently complex as they involve multiple issues and multiple stakeholders – such as drivers, pedestrians, utility service providers, transportation companies, public transport users, manufacturers and repairers, post-collision service providers and others. In Pakistan the task has added complexity as a result of two other factors: legislation is outdated and complex, and the devolution of powers to the Provinces.

As with any major law reform project, it will be necessary to create a legal structure comprising an Act and the legal instruments made under it. It is also desirable to make provision for:

- high quality administration – with transparency and accountability;
- application of the law to a range of circumstances;
- harmonisation – of both laws and administration;
- as far as possible, future-proofing – with adequate adaptability to circumstances which may arise in the future.

These considerations indicate the need for the new Act to set out major objectives and principles, conferring discretions on administrators which are to be exercised in a manner which is transparent, and with accountability. They also indicate the need for more issues to be dealt with by Rules than is presently the case. An example of this is the relocation of road rules (the obligations of vehicle drivers) to the Rules.

National and Provincial RSAs

The implementation of harmonised national road safety laws must commence with each jurisdiction (national, territory and province) making a Road Safety Law. There will be some differences between these – but, consistently with the harmonisation principle, there should be consistency on key issues such asdriver licence categories.

There are presently differences between provinces in relation to many issues. During the current consultation process it is hoped that many of these will be eliminated by consensus. It should be noted that many differences relate to administration and arise below the level of an Act. For example, the model RSA does not deal with driving tests in any detail – it empowers driver licencing authorities to devise tests, so long as they are consistent with nationally agreed principles and the objective and requirements of the RSA.
Legal instruments and administrative procedures under the RSA

In order to bring the RSA into operation it will be necessary to establish legal instruments and administrative procedures under it. The required documents include rules dealing with the major areas covered by the RSA, as well as other documents (such as guidelines and handbooks) for the purposes of the Act. A suggested structure for legal instruments of a general nature to be made under the RSA is set out in Figure 2: Suggested structure of Act and legal instruments.

![Figure 2: Suggested structure of Act and legal instruments](image)

In addition there will be a need for Rules dealing with specific issues:

- **NRSA:** This is constituted under the RSA as a legal entity. This should be supported by Rules dealing with issues such as meeting procedure and internal administration;

**Road Safety (Vehicles) Rules**

These Rules should set out procedures relating to registration and the standards which must be met for a vehicle to be registered. Issues which should be dealt with include those set out in the following table:

<table>
<thead>
<tr>
<th>Section of the RSA</th>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
<td>Objectives of the Rules</td>
<td>The Rules should set out the objectives of the Rules.</td>
</tr>
</tbody>
</table>
| See section 35 | Exemptions from the requirement for a vehicle to be registered. | Registration-exempt vehicles should be identified in the Rules, including:
- farm tractors, but only in limited circumstances (for example, moving from one field to another and not towing a trailer or providing transport services);
- a motor vehicle being towed;
- a trailer that is used only as an agricultural implement;
- a trailer being towed by a tow truck; |
- a light trailer (for example, which does not exceed the width of the towing vehicle and which weighs less than 200 kg unladen).

<table>
<thead>
<tr>
<th>The use of unregistered vehicles on public roads</th>
<th>This is to be permitted by the Rules in limited circumstances, for example, vehicles with trade plates (such as a vehicle travelling from a factory to a car dealer).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle registration procedures and procedures for renewal of registration</td>
<td>Procedures for vehicle registration (detailed procedures will be determined by the Authority and not set out in Rules).</td>
</tr>
<tr>
<td>Vehicle identification</td>
<td>Requirements relating to vehicle identification, including power for the Authority to require identification number to be fixed, displayed or substituted.</td>
</tr>
<tr>
<td>Procedures for transfer of ownership</td>
<td>Procedures for vehicle transfers (detailed procedures will be determined by the Authority and not set out in Rules).</td>
</tr>
<tr>
<td>Number plates</td>
<td>Any necessary details about number plates.</td>
</tr>
</tbody>
</table>

**See section 35**  
**Vehicle weight**  
The Rules should set out maximum vehicle weight. In accordance with the Act, this might vary according to road or vehicle category.

**See section 25**  
**Vehicle dimensions**  
The Rules should set out the major components of driver tests for each licence category. However, they should avoid excessive detail. Where appropriate, external documents should be referenced by the Rules. For example, the quality of eyesight required to obtain an unconditional licence would be prescribed by reference to an international standard, and the procedure for the eyesight test would be as set out in that standard.

**See section 25**  
**Vehicle loads**  
Details of loading rules, to replace Rule 224 of the Motor Vehicles Rules, 1969.

**Road Safety (Drivers) Rules**

The RSA will establish basic features of the driver licence system. This will need to be supported by legal instruments (Rules and other documents) and administrative arrangements. Issues which should be dealt with include those set out in the following table.

<table>
<thead>
<tr>
<th>Section of the RSA</th>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>Information to be available to learner drivers</td>
<td>A publication, suitable for each licence category, should be made widely available. Testing of applicants should be based on that publication. This can be determined by administrative decision and should not be set out in Rules.</td>
</tr>
<tr>
<td>35</td>
<td>Learner driver log book</td>
<td>The DLA should provide learner drivers with a log book which makes provision for recording details of driver training sessions, including the name, licence number and signature of the supervising driver. The information to be in the log book should be set out in the Rules, but not the form.</td>
</tr>
<tr>
<td>25</td>
<td>Tests to be undertaken by licence applicants</td>
<td>The Rules should set out the major components of driver tests for each licence category. However, they should avoid excessive detail.</td>
</tr>
</tbody>
</table>
Where appropriate, external documents should be referenced by the Rules. For example, the quality of eyesight required to obtain an unconditional licence would be prescribed by reference to an international standard, and the procedure for the eyesight test would be as set out in that standard.

**Medical fitness declaration:** All driver should be required to make a self-declaration as to medical fitness. The information to be required should be included in the Rules (but not the form, which can be determined by administrative decision).

**Colour blindness test:** This should not ordinarily be required, existing provisions should not be re-made.

### Vehicle categories

In order to facilitate the use of a single licence document, the categories of vehicle which a driver is authorised to drive. The following codes should be prescribed:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cycle</td>
<td>Motor Cycle</td>
</tr>
<tr>
<td>Car</td>
<td>Motor car</td>
</tr>
<tr>
<td>LR</td>
<td>Light rigid</td>
</tr>
<tr>
<td>MR</td>
<td>Medium rigid</td>
</tr>
<tr>
<td>HR</td>
<td>Heavy rigid</td>
</tr>
<tr>
<td>HC</td>
<td>Heavy combination</td>
</tr>
</tbody>
</table>

### Conditions of driver licences

The RSA provides the DLA with power to impose licence conditions. The Rules should facilitate standardisation of conditions and (at the same time) standardisation of driver licence documents by prescribing codes which can be used on driver licence documents to indicate those conditions. The following are suggested:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>the holder shall wear corrective spectacles or contact lenses when driving a motor vehicle;</td>
</tr>
<tr>
<td>A</td>
<td>automatic transmission;</td>
</tr>
<tr>
<td>P</td>
<td>passenger restriction;</td>
</tr>
<tr>
<td>D</td>
<td>driver aids or vehicle modifications;</td>
</tr>
<tr>
<td>Z</td>
<td>zero blood alcohol limit;</td>
</tr>
<tr>
<td>X</td>
<td>other condition or restriction which the DLA has provided in writing to the licence holder.</td>
</tr>
</tbody>
</table>

### Administration of driver licences

Procedure when a person moves from another jurisdiction.

Procedure when a person allows a licence to lapse, then applies for renewal. (One option: to establish guidelines under which the licence is issued for a fee, without a driving test, unless the person has not been driving for five years).

### Prescribed information to be kept in the demerit point register

The RSA provides for the recording of demerit points incurred for offences committed in the jurisdiction by the holder of a licence issued in the jurisdiction. As the system is developed the following information could also be included:

- demerit points incurred elsewhere in Pakistan by the holder of a driver licence issued in the jurisdiction;
demerit points for an offence committed in the jurisdiction by any driver.

Both the Act and the Rules will provide for the driver licensing authority to make administrative decisions. In many cases these decisions will be supported by guidelines. An example of this is a driver who does not renew his or her driver licence at the time it falls due for renewal, for example because he or she was overseas or changed address without notifying the Authority. In some cases the Authority may require the person to undergo testing and assessment, in other cases (for example, if only one week has passed) the Authority may decide to renew the licence without testing or assessment. The Act and Rules will confer this discretion on the Authority: the Authority may decide to ensure consistency of decision-making by issuing Guidelines to its staff.

Documents of this type (Guidelines) are useful for ensuring consistency of decision-making. Some documents which should be prepared, and some decisions which should be made, in order to implement the new legislation are:

- **approval of a motor cycle rider skills course:** Applicants for motor cycle licences should be encouraged to complete an approved rider skills course when one becomes available. The course should be provided by an approved motor cycle rider training provider;

- **eyesight test:** The RSA does not require all applicants to undergo a medical test – the cost of this (to government and applicants) is disproportionate to the benefit. However, the Authority should administer a simple eyesight test for driver licence applicants. A decision based on international good practice standards and evidence of effectiveness should be made about the nature of the test (such as the quality of visual acuity to be required). Then supporting documents should be obtained (eyesight chart), standard testing procedures established and a place should be established at each testing centre at which applicants are to be required to stand and read from the chart;

- **driver licence documents:** It is most desirable that uniform documents should be produced. A standardised minimum set of data and information should be included on all licences. Consideration should be given to:
  - **use of a single licence document:** this would be a single type of document for all licence categories, with codes indicating the vehicles which the person is authorised to drive and any conditions which have been imposed;
  - **national and international acceptance:** the form of the licence should be acceptable elsewhere in Pakistan. Consideration should be given to whether it is in an acceptable form for use elsewhere;

- **information documents:** A Driver Handbook should be developed to replace the Highway Motor Code. This should include information about the risks and responsibilities of the driver. It should be readily available, including in electronic form. Tests for driver licences should be drawn from the Handbook, so that licence applicants know what they must study in order to pass the test;

- **Driver handbooks for specific licence categories (motor cycle, motor car, heavy vehicle):** These should also be developed. All should be readily available, including in electronic format.

**Road Safety (Road Users) Rules**

These Rules will set out details about the use of roads, including:

- most requirements relating to driving of vehicles on a road, such as driving on the left and the signs which drivers must comply with;
• details about specific issues, such as carriage of dangerous goods, measurement of the weight and dimensions of vehicles.

International standards: Hazardous materials placards

The detail of some issues can be included by cross-reference to international agreements or international standards. An example is the incorporation of requirements about carriage of hazardous materials. The ADR Agreement sets out obligations relating to the carriage of hazardous materials, including signage. An example is set out below as Figure 3: Hazardous materials placard (flammable gases).

Figure 3: Hazardous materials placard (flammable gases)

International standards: Prescribed motor cycle helmets

Another example is motor cycle helmets. Technical standards have been established, so it would be possible to reference those standards rather than set out details of technical standards in the Rules. An example of this approach is Rule 270 of the Australian Road Rules, which uses the concept of “approved motor bike helmet”. This is defined to be a helmet made in compliance with specified standards – AS 1698, AS/NZ 1698 or the United Nations Economic Commission for Europe standard 22.05.

Similar issues arise in respect of several issues, including vehicle design, road signs, and medical tests.

Road Safety (Post Crash Response) Rules

These rules will operate in support of Chapter xx of the RSA in relation to:

- the regulatory requirements for emergency vehicles;
- the establishment of the PECC;
- protection of first responders.

Road Safety (Transport Industry) Rules

These Rules would operate in support of Chapter 6 of the RSA, and in particular the accreditation system (operators and drivers). The accreditation system, as set out in the Rules, should have two principal features – it should be largely self-administered (but subject to compliance audits), and it should encourage continuous improvement.

Road Infrastructure) Rules

In each jurisdiction there should be an entity which is the “road authority.” This can be determined for all roads in the jurisdiction, or responsibility can be allocated according to road type. This approach is often taken to allocate responsibility for long-distance roads to a national or sub-national government and for local roads to local government.

Under the RSA, the road authority is to have several responsibilities, including the erection of traffic signs, control over the erection of utility infrastructure and the creation access to the road.
The details of the nature of these powers and the procedures to be followed should be in the Rules or determined administratively.

In time, it is desirable that Codes of Practice be established in relation to works on road infrastructure. A Code of Practice would deal with issues such as co-ordination of works, establishment, maintenance and removal of utility infrastructure.
Appendix 1 — Model Road Safety Act

Draft 10 September 2019

Table of Contents

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 1</td>
<td>Preliminary</td>
<td>20</td>
</tr>
<tr>
<td>Chapter 2</td>
<td>Vehicles used on public roads</td>
<td>23</td>
</tr>
<tr>
<td>Chapter 3</td>
<td>Driver licences</td>
<td>26</td>
</tr>
<tr>
<td>Chapter 4</td>
<td>Road Use</td>
<td>31</td>
</tr>
<tr>
<td>Chapter 5</td>
<td>Post-Crash Response</td>
<td>34</td>
</tr>
<tr>
<td>Chapter 6</td>
<td>Road transport industry</td>
<td>34</td>
</tr>
<tr>
<td>Chapter 7</td>
<td>Road infrastructure</td>
<td>36</td>
</tr>
<tr>
<td>Chapter 8</td>
<td>Offences and enforcement</td>
<td>37</td>
</tr>
<tr>
<td>Chapter 8 A</td>
<td>National Road Safety Authority</td>
<td>40</td>
</tr>
<tr>
<td>Chapter 8 B</td>
<td>National Highway and Motorway Police</td>
<td>42</td>
</tr>
<tr>
<td>Chapter 9</td>
<td>Miscellaneous</td>
<td>43</td>
</tr>
<tr>
<td>Schedule 1</td>
<td>Additional powers, duties and functions of an Authority</td>
<td>44</td>
</tr>
<tr>
<td>Schedule 2</td>
<td>Penalties</td>
<td>45</td>
</tr>
<tr>
<td>Schedule 3</td>
<td>Membership and administration of the NRSA</td>
<td>47</td>
</tr>
<tr>
<td>Schedule 4</td>
<td>Repeals</td>
<td>49</td>
</tr>
</tbody>
</table>
An Act to provide for the safe, efficient and equitable use of roads.

Whereas it is desirable to make provision for the safe, efficient and equitable use of roads for the benefit of all road users and the people of Pakistan; to provide for the responsible use of roads; to improve and simplify procedures for registration of motor vehicles and licensing of drivers; to make equitable, safe and proper provision for post-crash response; and to provide for related matters;

It is hereby enacted as follows: —

Chapter 1

Preliminary

1. Short title, extent and commencement.—(1) This Act may be called the Road Safety Act, 2020.

(2) It extends to the whole of Pakistan.

(3) It extends to the whole of the Province/Territory of (name of Province/Territory).

(4) It shall come into force [commencement]

2. Objectives.—The objectives of this Act are:-

(a) to provide for safe, efficient and equitable road use;

(b) to provide for responsible use of roads;

(c) to improve and simplify procedures for the registration of motor vehicle and the licensing of drivers;

(d) to achieve reduction in death and serious injury caused by road traffic crashes.

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

(i) “accredited commercial goods vehicle” means xx;

(ii) “accredited commercial passenger vehicle” means xx;

(iii) “articulated bus” means a bus consisting of more than one rigid section in which passengers have access from one rigid section to another;

(iv) “Authority” means an Authority referred to in section xx;

(v) “bus” means a motor vehicle which (together with any trailer attached to it) seats more than 12 passengers (including the driver);

(vi) “corresponding authority” has the meaning given to it in section 5;

(vii) “corresponding law” has the meaning given to it in section 4;

(viii) “demerit point register” means the demerit point register referred to section 68;

(ix) “driver licence” means a driver licence issued under this Act;

(x) “driver licence database” means the record of driver licences kept as required by section xx;
“Driver Licence Authority” means the driver licence authority specified in section 5;

“EMS” means Emergency Management System;

hazardous materials” has the meaning set out in the Rules;

“heavy combination vehicle” means:

(a) a prime mover that is attached to a single semi-trailer that has a gross vehicle mass of more than 9 tonnes;

(b) a rigid motor vehicle to which is attached a trailer that has a gross vehicle mass of more than 9 tonnes;

“heavy rigid vehicle” means:

(a) a motor vehicle that has a gross vehicle mass of more than 8 tonnes and has 3 or more axles;

(b) a bus consisting of more than one rigid section;

“infringement penalty” means xx

“learner driver” means the holder of a learner licence;

“light rigid vehicle” means:

(a) a motor vehicle with a gross vehicle mass of more than 4.5 tonnes, but not more than 8 tonnes;

(b) a bus other than an articulated bus;

“medium rigid vehicle” means a motor vehicle with a gross vehicle mass of more than 8 tonnes, with not more than 2 axles;

“motor car” means a motor vehicle with a mass not exceeding 3,500 kg, other than a motor cycle or a bus;

“motor vehicle” means vehicle that is used or intended to be used on a road and that is built to be propelled by a motor that forms part of the vehicle but does not include—

(a) a vehicle intended to be used on a railway or tramway; or

(b) a motorised wheel-chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person

“national highway” means a national highway within the meaning of the National Highway Authority Act, 1991;

“NHMP” means the National Highways and Motorway Police established by this Act;

“NRSA” means the National Road Safety Authority of Pakistan established by this Act;

“prescribed” means prescribed by Rules made under this Act;

“public road” means a road open to and used by members of the public;

“public transport licence” means a licence issued under section xx;

“registration authority” means the registration authority appointed under section 5;

“repair notice” means a notice issued under section xx;

“rider,” in relation to a motor cycle, means the driver of the motor cycle;

“road” means a public road;

“route service permit” means a permit issued under section 51;
“standards for registration” means the standards for vehicle registration prescribed by the Rules;

“supervising driver” means a person who is seated in the passenger seat of a motor vehicle when it is being driven by a learner driver;

“trailer” means a vehicle that is built to be towed, or is towed, by a motor vehicle, but does not include a motor vehicle that is being towed;

“vehicle” means a conveyance that is designed to be propelled or drawn by any means, including a bicycle or other pedal-powered vehicle or trailer, but does not include a railway locomotive or carriage;

“vehicle defect notice” means a notice issued under section 60.

4. **Corresponding law.**—The Government shall publish in the Gazette a notice which specifies a law or laws of each Province or Territory which corresponds with this Act or part of this Act.

5. **Authorities.**—(1) The Government shall appoint persons or bodies to be:

   (a) the Registration Authority for the purposes of Chapter 2;
   
   (b) the Driver Licensing Authority for the purposes of Chapter 3;
   
   (c) the Road Transport Industry Regulation Authority for the purposes of Chapter 6;
   
   (d) the Road Authority for the purposes of Chapter 7.

   (2) The road authority for a national highway is the National Highway Authority in accordance with the National Highway Authority Act, 1991.

6. **Corresponding Authorities.**—(1) The Government shall publish in the Gazette a notice which specifies:

   (a) the authority in each Province or Territory which has functions under a corresponding law similar to those of the Registration Authority;
   
   (b) the authority in each Province or Territory which has functions under a corresponding law similar to the functions of the Driver Licence Authority;
   
   (c) the authority in each Province or Territory which has functions under a corresponding law similar to those of the Road Transport Regulation Authority;
   
   (d) the authority in each Province or Territory which has functions under a corresponding law similar to those of the Post-Crash xx;
   
   (e) specifies the authority in each Province or Territory which has functions under a corresponding law similar to those of the Road Authority.
7. **Additional powers, functions and responsibilities.**—An Authority under this Act has the additional powers, functions and responsibilities set out in Schedule 1 to this Act.

---

**Chapter 2**

**Vehicles used on public roads**

8. **Offence to use unregistered vehicle on a public road.**—(1) A person shall not drive a motor vehicle on a public road if:-
   (a) the motor vehicle is not registered, unless it is exempt from the requirement to be registered under this Act;
   (b) the motor vehicle is towing trailer which is required to be registered under this Act and is not registered.

9. **Purposes of registration.**—(1) The purposes of registration are:-
   (a) to ensure that the design, construction and equipment of vehicles and trailers which are used on public roads meet safety and environmental standards; and
   (b) to enable the use of motor vehicles and trailers on public roads to be regulated for reasons of safety, protection of the environment and law enforcement; and
   (c) to provide a method of establishing the identity of motor vehicles and trailers which are used on public roads.

10. **Functions of the Registration Authority.**—(1) The functions of the Authority are:-
   (a) to administer the registration system;
   (b) to maintain a register of motor vehicles and trailers in accordance with the Rules;
   (c) to maintain a register of written-off vehicles in accordance with the Rules;
   (d) to collect registration fees; and
   (e) to provide information about vehicles in accordance with this Act.

   (2) In exercising its functions the registration authority shall:-
   (a) endeavour to harmonise the administration of the registration system with the registration systems established under corresponding laws;
   (b) consult with corresponding authorities with the objective of harmonising administration and integrating databases.

11. **Registration Authority not to register vehicles based elsewhere.**—The Authority shall not register a vehicle unless it is satisfied that the vehicle's garage address is in [name of Province or Territory]

12. **Application for registration.**—(1) A person may apply to the Authority for the registration of a motor vehicle or a trailer which is required to be registered.

   (2) An applicant shall:-
   (a) pay the prescribed fee;
   (b) provide the prescribed information, documents and certification;
Appendix 1 — Model Road Safety Act

(c) if required by the Authority or the Rules, produce the vehicle for inspection;
(b) make the application in accordance with the Rules.

13. **Vehicles which meet the standards for registration.**—(1) A vehicle is eligible to be registered without conditions if it meets the standards for registration.

(2) The Authority may accept, as evidence that a vehicle meets the standards for registration, a prescribed identification plate or a prescribed certificate.

(3) This section is subject to section 16.

(4) A person shall not:

(a) affix a prescribed identification plate or a facsimile of a prescribed identification plate unless authorised to do so in accordance with the Rules;

(b) produce to the Authority a document which purports to be a prescribed certificate unless authorised to do so in accordance with the Rules.

14. **Conditions of registration.**—(1) The Authority may register a motor vehicle or trailer which does not meet the standards for registration.

(2) The Authority may impose conditions on the registration of a motor vehicle or trailer under this section.

(3) A person shall not:

(a) use a motor vehicle or trailer in breach of a condition of its registration; or

(b) being the registered owner of a motor vehicle or a trailer:

(i) allow it to be used in breach of a condition of its registration by another person; or

(ii) employ another person to use it in breach of a condition of its registration.

(4) The owner and driver of a motor vehicle are guilty of an offence if the motor vehicle is driven on a public road and:

(a) a condition of the registration of the motor vehicle is not complied with; or

(b) the motor vehicle is towing a trailer and a condition of the registration of the trailer is not complied with.

15. **Vehicle register.**—(1) The Authority shall maintain a vehicle register.

(2) Subject to the Rules, the Authority shall determine the form of the vehicle register.

(3) If the Authority registers a vehicle it shall:

(a) record the vehicle in the Register;

(b) assign a unique registration number to the vehicle;

(c) record prescribed information about the vehicle.

(4) If the Authority records information about a finance agreement relating to a registered motor vehicle, that record does not constitute evidence of the ownership of the vehicle.

(5) The Authority may, in accordance with the Rules, make information from the Register available to the Police and other persons.

16. **Refusal to register.**—(1) The Authority may refuse to register a vehicle if:

(a) the vehicle has been manufactured in contravention of required standards;
Appendix 1 — Model Road Safety Act

(b) is not eligible for registration;
(c) the applicant has not complied with this Act or the Rules in relation to the application, or has failed to make a required payment;
(d) the vehicle is not fitted with an identification plate;
(e) the Authority reasonably believes that the vehicle or part of the vehicle is, or may be, stolen;
(f) information given in in the application is false or misleading;
(g) there are unpaid fines arising out of the use of the vehicle in Pakistan;
(h) it appears that the vehicle, or part of the vehicle, has been illegally imported or manufactured.

(2) If the Authority refuses to register a vehicle it shall provide to the applicant free of charge a statement of the reasons for refusal.

17. Suspension or cancellation of registration.—(1) The Authority may suspend or cancel the registration of a vehicle if:
   (a) insurance as required by this Act has not been paid;
   (b) it appears to the Authority that the vehicle is in a dangerous condition;
   (c) a repair notice has been issued in respect of the vehicle requiring repairs within a specified time and those repairs have not been carried out within that time;
   (d) in the case of a commercial vehicle, it is not covered by a current certificate of fitness;
   (e) information in a document provided in relation to the registration of the vehicle is false or misleading;

(2) If the Authority suspends or cancels the registration of a vehicle it shall provide to the registered owner free of charge a statement of the reasons for the suspension or cancellation.

18. Substantial changes to a vehicle.—(1) If a registered vehicle is altered so substantially that the particulars contained in the certificate of registration are no longer accurate, the owner shall, within 14 days, report the alteration to the Authority in accordance with the Rules.

19. Written-off vehicles.—(1) The purposes of this section are:
   (a) to curtail trade in stolen motor vehicles by preventing vehicle information about written-off vehicles, particularly vehicle identifiers, being used to register stolen motor vehicles;
   (b) to facilitate inspections of written-off vehicles that have been repaired;
   (c) to make information available to prospective purchasers about whether a motor vehicle has previously been written off.

(2) A vehicle is written-off if a registered insurer has declined to authorise repairs to the vehicle on the basis that the cost of the repairs would be uneconomic.

The Authority may, in accordance with the Rules, record a vehicle as being:
   (a) a repairable write-off;
   (b) an unrepairable write-off.

(3) The Authority shall suspend the cancellation of a vehicle which is a repairable write-off until it is satisfied that the vehicle has been repaired to a sufficient standard.
(4) The Authority shall cancel the registration of a vehicle which is an unrepairable write-off, and shall not re-register it.

(5) Sub-section (3) does not apply if the Authority decides that a vehicle was recorded in error as an unrepairable write-off.


(2) Without limiting subsection (1), the Rules may be made for or with respect to:
   (a) trailers which are required to be registered;
   (b) vehicles which are exempt from:
       (i) the requirement to be registered;
       (ii) the requirement to have a certificate of fitness;
   (c) the use of unregistered vehicles on public roads;
   (d) standards for vehicle registration;
   (e) the fixing of identification plates;
   (f) vehicle inspections, including:
       (i) the licensing of inspection facilities;
       (ii) the standards for technical inspections;
       (iii) the audit of inspection facilities, including the qualifications of auditors;
   (g) certificates of fitness;
   (h) written-off vehicles, including unrepairable write-offs;
   (i) the recording of information on the registration database and the provision of that information to prescribed entities and conditions subject to which that information is made available);
   (j) fees and charges, including the amount payable for:
       (i) the registration of a motor vehicle or trailer;
       (ii) the issue or replacement of registration plates;
       (iii) certificates or information from the vehicle register.

Chapter 3

Driver licences

21. Purposes of driver licensing. — (1) The purposes of driver licensing are:-
   (a) to ensure that people who drive motor vehicles on public roads are competent drivers;
   (b) to ensure that drivers are aware of safe driving practices and road law;
   (c) to ensure that people who are, or who become, unfit to drive are not permitted to drive on roads; and
   (d) to enable the identification of drivers for the purposes of law enforcement and accident investigation.
22. Functions of the Driver Licence Authority.—(1) The functions of the Authority are:-
   (a) to administer the driver licensing system;
   (b) to maintain a records of driver licences in accordance with the Rules;
   (c) to keep records of driver demerit points;
   (d) to cancel or suspend driver licences consistently with the demerit point system and in accordance with this Act and orders by Courts made in accordance with this Act;
   (e) to collect driver licence fees;
   (f) to provide information about holders of driver licences in accordance with this Act.

   (2) In exercising its functions the Authority shall:-
       (a) endeavour to harmonise the administration of the driver licence system with the driver license systems established under corresponding laws;
       (b) consult with corresponding authorities with the objective of harmonising administration and integrating databases.

23. Scope of this Chapter.—(1) This Chapter applies to the driving of motor vehicles (and trailers towed by motor vehicles) on public roads.

   (2) The requirements of this Chapter are in addition to other requirements which apply to the use of vehicles, including:-
       (a) the requirements which apply under Chapter 6 in relation to the driving of commercial vehicles;
       (b) requirements which apply to the operation of industrial machinery.

24. Offence to drive on a road without a valid driver licence.—(1) A person shall not drive a motor vehicle on a public road:-

   (a) without being the holder of a valid driver licence which authorises the person to drive that motor vehicle;
   (b) in breach of a condition of the driver licence which authorises the person to drive that motor vehicle.

   (2) A driver licence is valid if:
       (a) it is a current driver licence issued to the person by the Driver Licence Authority;
       (b) is it a current driver licence issued to the person by a corresponding authority; or
       (c) it is a driver licence issued by another country which, in accordance with the Rules, authorises the person to drive a motor vehicle in Pakistan.

25. Driver licence authority may issue driver licences.—(1) The Authority may, on application by a person, issue a driving licence to that person if he or she:-

   (a) has attained the minimum age required for a person to hold that category of driving licence;
   (b) has passed the required tests and assessments;
   (c) satisfies the required pre-conditions for obtaining a licence of that category;
   (d) has complied with the required procedures and requirements.
26. Categories of driver licence. — (1) For the purposes of this Chapter the Authority may issue driver licences as follows:

(a) motorcycle driver licence;
(b) motor car driver licence;
(c) heavy vehicle licences, as follows:
   (i) light rigid vehicle driver licence;
   (ii) medium rigid driver vehicle licence;
   (iii) heavy rigid driver vehicle licence;
   (iv) heavy combination vehicle driver licence;
   (v) multi-combination vehicle driver licence.

(2) The Authority may, in accordance with the Rules, issue to a person who has qualified to be issued with the relevant licences a driver licence document which specifies licence types by use of codes or other description.

(3) If the holder of a driver licence is granted an additional category of driver licence, the Authority may (instead of issuing an additional licence document) require the person to surrender the licence document to enable a replacement document to be issued showing the additional driver licence.

27. Vehicles which a licensed driver is authorised to drive. — (1) A motor cycle driver licence authorises the holder to drive a motor cycle or motor rickshaw.

(2) A motor car driver licence authorises the holder to drive a motor car.

(3) A light rigid vehicle driver licence authorises the holder to drive:

(a) a motor car;
(b) a light rigid vehicle;
(c) a motor vehicle referred to in paragraph (a) or (b) that is towing a single trailer that has a gross vehicle mass of not more than 9 tonnes;
(d) a tractor, including a tractor that is towing a trailer of any size;

(4) A medium rigid vehicle driver licence authorises the holder to drive:

(a) a motor car;
(b) a light rigid vehicle;
(c) a medium rigid vehicle;
(d) a motor vehicle referred to in paragraph (a), (b) or (c) that is towing a single trailer that has a gross vehicle mass of not more than 9 tonnes;
(e) a tractor, including a tractor that is towing a trailer of any size;

(5) A heavy rigid vehicle driver licence authorises the holder to drive:

(a) a motor car;
(b) a light rigid vehicle;
(c) a medium rigid vehicle;
(d) a heavy rigid vehicle.
(e) a motor vehicle referred to in paragraph (a), (b), (c) or (d) that is towing a single trailer that has a gross vehicle mass of not more than 9 tonnes;
(f) a tractor, including a tractor that is towing a trailer of any size;
(6) A heavy combination vehicle driver licence authorises the holder to drive:
(a) a motor car;
(b) a light rigid vehicle;
(c) a medium rigid vehicle;
(d) a heavy rigid vehicle.
(e) a heavy combination vehicle;
(f) a motor vehicle referred to in paragraph (a), (b), (c), (d) or (e) that is towing a single trailer that has a gross vehicle mass of not more than 9 tonnes;
(g) a tractor, including a tractor that is towing a trailer of any size;

(7) A multi combination vehicle driver licence authorises the holder to drive any motor vehicle or combination of vehicles other than a motor cycle.

28. Minimum age requirements.—(1) The minimum age requirements for obtaining a driver licence are:
(a) for a motorcycle driver licence: 18 years;
(b) for a motor car driver licence: 18 years;
(c) for a light rigid vehicle driver licence: 21 years;
(d) for a rigid vehicle, heavy combination vehicle or a multi-combination vehicle driver licence: 22 years.

29. Learner driver.—(1) The Authority may, on application by a person, issue a learner licence to that person.
(2) The Authority may issue to an applicant a learner licence authorising the person to drive a specified category of vehicle if the applicant:
(a) has completed all the requirements of a learner licence application in person;
(b) has attained the minimum age required for a person to hold a driver licence for the category of motor vehicle;
(c) resides in [name of Province or Territory];
(d) has passed the required tests and assessments;
(e) satisfies the prescribed pre-conditions for obtaining a learner permit authorising the driving of that category of vehicle;
(f) has complied with the required procedures and has made the required payments.
(3) A person who holds a learner licence shall comply with the following conditions:
(a) the person shall not drive on a public road a motor vehicle which is not of the category specified in the licence;
(b) except in the case of a motor cycle learner licence, the person shall not drive a motor vehicle on a public highway unless a qualified driver is seated in the passenger seat of the vehicle;
(c) when driving a motor vehicle on a public highway the vehicle shall display an “L” plate;
(d) any other condition specified in writing by the licensing authority.
(4) In this section:
“qualified driver” means a person who holds a valid driver licence, and has held that licence for not less than two years;

(b) “valid licence” means a driver licence which authorises the holder to drive a motor vehicle of the same category as the vehicle being driven.

30. Commercial driving instructors.—(1) A person shall not accept payment (in money or in any other form) for supervising a learner driver unless the person has a commercial driving instructor licence which authorises the person to supervise the driving of a car of a specified category.

(2) The Authority may, on application by a qualified person, issue a commercial driving instructor licence to that person if:

(a) the applicant has held a driver licence for not less than xx years;

(b) in the case of an application for a licence to supervise the driving of a xx or xx motor vehicle, the applicant has held a driver licence of that category for not less than xx years;

(c) the applicant has passed the required tests and assessments;

(d) the applicant has complied with the required procedures and has made the required payments.

31. Driving schools.—(1) A person shall not conduct the business of a driving school unless the driving school is registered with the Authority.

(2) If a person complies with the required procedures and makes the prescribed payment the Authority shall register the driving school.

(3) The Authority may cancel the registration of driving school if the driving school or a manager has committed a relevant offence.

(4) In this section:

(i) “manager” includes a director, chief executive officer or other person who exercises control;

(ii) “relevant offence” means an offence under this Act or the Rules or other offence relating to the training of learner drivers.

32. Licence conditions.—(1) The Authority may specify conditions on a learner licence, driver licence or commercial driving instructor licence, including:

(a) conditions requiring the use of corrective spectacles or contact lenses;

(b) conditions which impose limitations as to the vehicle which the person may drive or conduct training in (as the case may be);

(c) which have been specified by a court order made under section xx;

(d) which are prescribed by the Rules.

(2) The conditions may be specified by use of prescribed codes on the licence document.

33. Currency of licence.—(1) Subject to the Rules, the Authority may determine the currency period of a driver licence which it issues or renews.

(2) The Authority may decide to issue or renew a driver licence for a reduced period in the case of a person who is over the age of 60 years.
34. **Suspension or cancellation on medical grounds.**—(1) The Authority may, by written notice to a person who holds a driver licence, require that person to undergo a medical test.

(2) If the Authority, taking into consideration a medical report, considers that a person who holds a driver licence is unfit to drive a motor vehicle of the relevant category:

(a) impose conditions on the driver licence;
(b) after considering the possibility of imposing condition, cancel the driver licence.

35. **Suspension or cancellation on other grounds.**—(1) The Authority shall suspend or cancel a person’s driver licence as follows:

(a) if a court convicts a person for a mandatory cancellation offence – the Authority shall cancel any driver licence held by the person;
(b) if a court makes an order under section xx cancelling or suspending a person’s driver licence – the Authority shall cancel or suspend any driver licence held by the person in accordance with the court order;
(c) if a person has accumulated sufficient demerit points to incur mandatory licence suspension in accordance with section xx – the Authority shall suspend the person’s driver licence for the relevant period.


(2) Without limiting subsection (1), the Rules may be made for or with respect to:-

(a) information to be made available to licence applicants;
(b) learner driver log books;
(c) the procedure for applying for a driver licence;
(d) driver licence documents, including the use of codes to indicate licence categories and licence conditions;
(e) fees payable for the issue or renewal of a driver licence;
(f) persons who hold driver licences issued in another country, including the duration of the authority to drive, conditions as to the category of vehicle which may be driven, other conditions and fees which are payable.

### Chapter 4

**Road Use**

37. **No fault accident compensation insurance.** — (1) If a motor vehicle is used on a public road without prescribed no-fault compensation insurance the following persons are guilty of an offence:

(a) the owner of the vehicle;
(b) the driver of the vehicle.

38. **Pakistan Road Code.**—(1) The Authority shall endeavour to reach agreement with corresponding authorities about requirements which apply to road users:

(a) the obligations of drivers;
(b) the obligations of persons in vehicles on public roads (including passengers);
(c) the obligations of pedestrians.
(2) If the Authority reaches agreement with one or more corresponding authorities under subsection (1), the agreed requirements may be styled the Pakistan Road Code ([name of Province]).

39. **Persons travelling in or on a vehicle.**—(1) A passenger in a motor vehicle on a public road which is moving or is stationary but not parked shall wear a seatbelt that is properly adjusted and fastened.

(2) Sub-section (1) does not apply if a person:
   (a) is a child to whom subsection (3) applies; or
   (b) is exempted by the Rules.

(3) A child under three years of age may travel in a motor vehicle on a public road without restraint if the child:
   (a) is held by an adult; and
   (b) is travelling in the rear of the vehicle. [child between 3 and 12 and not over 125 cm?]

(4) A person shall not travel in or on a part of a motor vehicle that is designed primarily for the carriage of goods unless:
   (a) the part is enclosed; and
   (b) he or she occupies a seating position that is suitable for the size and weight of the person.

(5) This section does not apply to a person who is:
   (a) in or on a police or emergency vehicle;
   (b) on a motor cycle;
   (c) engaged in delivery or collection of goods or collection of waste or garbage and the vehicle is travelling at not more than 25 kilometres per hour;
   (d) [in or on a three wheeler?].

40. **Persons on motor cycles.**—(1) The rider of a motor cycle on a public road that is moving or is stationary but not parked is guilty of an offence if:
   (a) he or she is not wearing a prescribed motor cycle helmet that is securely fitted and fastened on the rider’s head; and
   (b) a passenger on the motor cycle is not wearing a prescribed motor cycle helmet that is securely fitted and fastened on the passenger’s head.

(2) A passenger on a motor cycle on a public road that is moving or is stationary but not parked is guilty of an offence if he or she is not wearing a prescribed motor cycle helmet that is securely fitted and fastened on the person’s head.

(3) The rider of a motor cycle on a public highway shall not ride with more passengers than the motor cycle is designed to carry [persons under the age of 8 years?]

41. **Weight and dimension limits.**—(1) The Rules may establish weight and dimension limits for vehicles on roads.

(2) Limits established under this section may be set by reference to one or more of:-
   (a) road classification;
   (b) road design;
   (d) type of vehicle;
(e) vehicle mass;
(f) the load on the axle, axle group or tyres of a vehicle;
(g) axle spacing.

(3) The limits may apply to:-
(a) the weight of a vehicle, either as loaded or without a load;
(b) the weight on components of a vehicle.

(3) The Government shall publish notice in the Gazette of limits which are established under subsection (2).

(4) The Government may establish limits for specific roads or parts of roads, including bridges, whether of a permanent or temporary nature.

(5) Permanent limits which are set in accordance with subsection (4) shall be notified in the Gazette and by signage on the road.

(6) Temporary limits which are set in accordance with subsection (4) shall be notified by road signs.

42. Overweight and over dimension vehicles—(1) A person may apply to the Road Authority for a permit allowing a vehicle to be used on a road with a load which exceeds the applicable limits on vehicle weight or dimensions.

(2) The application must be made in accordance with the Rules, and be accompanied by the prescribed fee.

(3) The Road Authority may issue a permit if it is satisfied that the proposed vehicle use will not cause damage to the road.

(4) A permit may be issued subject to conditions, including conditions:-
(a) specifying the route to be used;
(b) specifying requirements in relation to the vehicle and the loading of a vehicle;
(c) specifying dates and times when the load may be carried;
(d) requiring the person to make payment to the Authority, taking into account any need to monitor and supervise the transportation of the load;
(e) requiring the payment of a bond, to be refunded if the transportation occurs in accordance with the permit and does not cause damage to the road.

43. Carriage of hazardous materials — (1) If a vehicle is transporting hazardous materials, driver and operator of the vehicle shall ensure that the prescribed requirements relating to the carriage of hazardous materials are complied with.

44. Rules.—(1) The Government may make rules about the use of roads.

(2) Without limiting subsection (1), the Rules may be made for or with respect to:-
(a) compulsory no-fault accident compensation insurance required by this Act;
(b) exemptions from the requirement to wear a seat belt in the following cases:
   (i) on or before 1 January 2026, the person is seated in a rear seat of the motor vehicle;
   (ii) on or before 1 January 2026, the seat is not fitted with a seat belt;
   (iii) the person carries a medical certificate certifying that the person has a medical condition which requires that the person not be restrained by a seat belt;
(c) the use of child restraint devices in motor vehicles;
(d) prescribing motor cycle helmets which may be worn, including identifying marks on motor cycle helmets;
(e) conduct of persons who use public roads, including any matter referred to in section 38, and related offences.

Chapter 5

Post-Crash Response

45. **Objectives of post-crash response.**—(1) The objectives of this Chapter are to:

(a) avoid preventable death and disability;
(b) limit the severity and suffering caused by a road traffic injury, including both physical injury and mental health issues such as post traumatic stress disorder (PTSD) and other disabling conditions;
(c) ensure optimal functioning of crash survivors and their re-integration with the local community.

46. **Emergency assistance.** — (1) A person who is at the scene of a road crash emergency shall provide reasonable emergency assistance to any person who is exposed to or has suffered grave physical harm.

(2) A person who, without compensation or the expectation of compensation, provides emergency assistance at the scene of a road crash emergency or during transit to a place where professional medical care can be provided is not liable for any civil damages as a result of acts or omissions by that person in providing that assistance, unless the person acts in a reckless manner.

(3) In this section “emergency assistance” includes providing emergency care, advice or assistance and attempting to obtain aid from law enforcement or medical personnel.

47. **Emergency Care Council.** —(1) There shall be an Emergency Care Council.

(2) The functions of the Emergency Care Council are:

(a) xx

Chapter 6

Road transport industry

48. **Safety objectives and responsibilities.** — (1) The objectives of this Chapter are:-

(a) to promote the safe operation of road transport services;
(b) to ensure that safety risks in road transport services are identified and managed;
(c) provide for the continuous improvement of road transport services;
(d) improve public confidence in the safety of road transport services;
(e) to develop a safety culture among persons who participate in the provision of road transport services.
The responsibilities and accountabilities set out in this Chapter are based on the principle that the safe operation of road transport services is the shared responsibility of:

(a) the operator;
(b) persons responsible for the construction, alteration and maintenance of road transport vehicles;
(c) vehicle drivers;
(d) persons responsible for designing and establishing road infrastructure;
(e) users of transport services, including consignors and consignees of goods and passengers on passenger transport vehicles.

49. **Functions of Road Transport Industry Regulatory Authority.** — (1) The functions of the Authority are:

(a) to administer this Chapter;
(b) take action to ensure that commercial transport services are provided efficiently, effectively and safely;
(c) to administer the accreditation of commercial transport vehicles, commercial transport operators and commercial transport drivers with the objective of continuous improvement.

50. **Commercial road transport services.** — (1) A person shall not operate a commercial transport service for the carriage of goods unless:

(a) the person is an accredited commercial goods transport operator;
(b) the vehicle is an accredited commercial goods transport vehicle.

(2) A person shall not operate a commercial transport service for the carriage of passengers unless:

(a) the person is an accredited commercial passenger transport operator;
(b) the vehicle is an accredited commercial passenger transport vehicle.

51. **Provision of route services.** — (1) A person shall not operate a route service other than in accordance with a route service permit issued by the Authority.

52. **Accredited drivers.** — (1) A person shall not drive a commercial passenger vehicle unless the person is an accredited commercial passenger service driver.

(2) A person shall not drive a commercial goods vehicle unless the person is an accredited commercial goods service driver.

(3) The Rules may specify exemptions from the application of this section.

(4) A qualified person may apply to the Authority for accreditation as a commercial driver.

(4) A person is a qualified for the purposes of sub-section (3) if the person:

(a) has attained the age of [xx] years;
(b) has held a [xx] licence for [xx].

(5) [procedure and tests].

(6) The requirements of this section are additional to the requirements of Chapter 3.
53. **Safety inspections of commercial vehicles.** — (1) It is a condition of the accreditation of a commercial transport vehicle that there is a current certificate of roadworthiness in respect of the vehicle.

(2) A certificate of roadworthiness in respect of a commercial transport vehicle is current for one year from the date of its issue.

(2) The driver of a commercial transport vehicle shall ensure that the current certificate of roadworthiness is kept in the vehicle.

54. **Rules.**—(1) The Government may make rules about the road transport industry.

(2) Without limiting subsection (1), the Rules may be made for or with respect to:-

(a) the requirements and procedures for becoming an accredited operator or an accredited driver;

(b) the obligations of accredited operators and drivers;

(c) fees and charges relating to accreditation of operators, drivers and vehicles.

**Chapter 7**

**Road infrastructure**

55. **Functions of the Road Authority.**—(1) The functions of the Road Authority are:-

(a) to administer the registration system;

(b) to maintain a register of motor vehicles and trailers in accordance with the Rules;

(c) to maintain a register of written-off vehicles in accordance with the Rules;

(d) to collect registration fees; and

(e) to provide information about vehicles in accordance with this Act.

(2) In exercising its functions the road authority shall:-

(a) endeavour to harmonise the administration of the registration system with the registration systems established under corresponding laws;

(b) consult with corresponding authorities with the objective of harmonising administration and integrating databases.

56. **Powers and functions of road authority.**—(1) The road authority has power to do all things necessary or convenient to be done for or in connection with the performance of its functions under this Act.

(2) This section is not limited by the conferring of specific powers on a road authority by or under this Act or any other Act.

57. **Erection of traffic control signs and devices.**—(1) Except as provided in this Act or the Rules, a person shall not erect a traffic control sign or traffic control device on a road.

(2) The following persons are authorised to erect a traffic control sign or traffic control device on a road:-

(a) the road authority;

(b) a person who is authorised to do so by the Rules.
Chapter 8

Offences and enforcement

58. **General obligations of a driver.**—(1) The driver of a motor vehicle on a public road shall:-
   (a) carry his or her driver licence when driving a motor vehicle on a public road;
   (b) stop the motor vehicle, produce for inspection his or her driver licence and state his or her name and address if requested or signalled to do so by a police officer;
   (c) obey any lawful direction given to him or her by a police officer or authorised officer under subsection (2).

59. **Vehicle inspection.**—(1) An authorised officer or a police officer may at any reasonable time conduct an inspection of a motor vehicle or trailer which is being used on a public road if the authorised officer or police officer believes on reasonable grounds that it does not comply with this Act.
   (2) An authorised officer or a police officer may direct the driver of a vehicle:
       (a) to move the vehicle to a place specified by the police officer;
       (b) to co-operate in the inspection or weighing of the vehicle;
       (c) park the vehicle and not move it until sufficient load is removed from it that it does not exceed the applicable weight limit for a road.
   (3) The driver of a motor vehicle shall comply with a direction under subsection (2).

60. **Vehicle defect notice.**—(1) An authorised officer or a police officer may issue a vehicle defect notice if it appears to the officer that a motor vehicle or trailer which is being used on a public road does not comply with this Act.
   (2) If an authorised officer or a police officer issues a vehicle defect notice, the officer shall:
       (a) if the vehicle driver is present – give a copy of the notice to that person;
       (b) affix a prescribed notice to the vehicle in the prescribed manner;
       (c) notify the Registration Authority.
   (3) It is an offence to drive a vehicle in respect of which there is a current vehicle defect notice.

61. **Dangerous driving.**—(1) A person shall not drive a motor vehicle at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case.
   (2) In addition to any other penalty, a person who commits an offence against this section is liable to imprisonment for a term not exceeding [xx].

62. **Careless driving.**—(1) A person shall not drive a motor vehicle on a public road carelessly.
   (2) A person shall not drive a vehicle on a public road carelessly.
   (3) This section does not apply to:
       (a) a wheel chair (whether or not motorised);
       (b) a vehicle prescribed for the purposes of this section.
63. **Driving under the influence of alcohol or drugs.**—(1) It is an offence to drive a motor vehicle on a public road:-

(a) while under the influence of alcohol to such an extent as to be incapable of having proper control of the motor vehicle;

(b) while the prescribed concentration of alcohol or more or than that concentration is present in his or her blood or breath;

(c) while impaired by a drug;

(d) while the prescribed concentration of drugs or more than that concentration is present in his or her blood or oral fluid.

(2) A person who refuses to undergo a test for alcohol or drugs when required under this Act to do so is guilty of an offence.

(3) If a motor vehicle (other than a motor cycle) is being driven by a learner driver, this section applies to both the supervising driver and the learner driver as if each of them was the driver of the motor vehicle.

(4) In addition to any other penalty, a person who commits an offence against this section is liable to imprisonment for a term not exceeding [xx].

64. **Offences relating to driver licences.**—(1) A person is guilty of an offence if he or she:-

(a) applies for a driver licence or learner licence in a name other than his or her own name;

(b) impersonates another person in relation to a driver licence or learner licence application, test or assessment

(b) acts as an agent for another person in relation to a driver licence or learner licence application;

(c) authorises another person to act as an agent or to impersonate him or her in relation to a driver licence or learner licence application, test or assessment;

(d) being a learner driver, drives a motor vehicle which does not have an “L” plate displayed as required by the Rules;

(c) not being a learner driver, drives a motor vehicle which displays an “L” plate.

65. **Offences relating to vehicle registration.**—(1) A person is guilty of an offence if he or she:-

(a) sells, or advertises for sale for use on a public road, an unregistered motor vehicle;

(b) sells, or advertises for sale for use on a public road, a trailer which is required to be registered for use on a public road if the trailer is not registered;

(c) buys or sells a registered motor vehicle or trailer and does not, in accordance with the Rules, comply with the applicable prescribed requirements for transfer of a registered vehicle.

66. **Encouragement to engage in unsafe behaviour.**—(1) A person shall not in a public broadcast, newspaper or magazine depict behaviour which would be an offence under any of the following provisions:-

(a) [fail to wear helmet];

(b) [fail to wear seatbelt];

(c) [speeding on a public road]

(2) In this section “public broadcast” includes:

(a) television transmission;
Appendix 1 — Model Road Safety Act

(b) radio transmission;
(c) internet broadcast which is available to internet users generally or to users of a website which members of the public are able to access.

(3) It is a defence to a prosecution under this section if:
(a) the depiction was in the course of a news item;
(b) the event depicted is an actual event in which the illegal behaviour occurred; or
(b) it is explained to persons who view the depiction that the behaviour is illegal.

67. Penalties for offences.—(1) The penalties for offences against this Act and Rules made under this Act are set out in the table of penalties in Schedule 2.
(2) In the table of penalties, in an item relating to an offence:
(a) the amount set out in Column 3 is the maximum penalty which may be imposed for a first offence;
(b) the amount (if any) set out in Column 4 is the infringement penalty for that offence;
(c) the number of points (if any) set out in Column 5 is the number of demerit points to be recorded for the offence.

(3) For the purposes of this Act, demerit points are incurred by a driver on the date of the offence, without regard to the date on which the person is convicted of the offence.

68. Demerit points register.—(1) The Driver Licence Authority shall keep a demerit points register and record in it:
(a) the prescribed information about demerit points incurred due to an offence committed in [this jurisdiction] by the holder of a driver licence issued by the authority;
(b) other prescribed information;
(c) any additional information which the Authority considers to be appropriate.

(2) The Authority:-
(a) shall determine the form of the register, which may be electronic or as data included in the driver licence database;
(b) shall consult with corresponding authorities as to the form of the register and the information to be recorded in it.

(3) The Authority may, in accordance with the Rules:
(a) share data in the Demerit Points Register with corresponding authorities;
(b) record in the Demerit Points Register data which has been obtained from the police, other government agencies or corresponding authorities;
(c) make data from the Demerit Points Register available to the police and other government agencies.

(4) The Authority shall, in accordance with the Rules:-
(a) issue a warning notice to a person against whom the prescribed number of demerit points has been incurred in the prescribed period;
(b) issue a suspension notice to a person if the person’s driver licence is to be suspended in accordance with section 69.
69. **Driver licence suspension – demerit points.** — (1) The driver licence of a person who accrues the prescribed number of demerit points during the prescribed period is suspended for the prescribed period.

(2) The period of suspension of a driver licence under this section commences on the day specified in the suspension notice.

70. **Mandatory cancellation order.** — (1) A court which convicts or finds a person guilty of any of the following offences shall order the cancellation of any driver licence held by that person:

(a) the offence of dangerous driving under section 60;
(b) an offence under section 63;
(c) the offence of refusing to undergo a test for alcohol or drugs under section 63 (3).

(2) A court which makes an order under this section shall specify in the order the period during which the persons is disqualified from driving, being a period not less than:

(a) for the offence of dangerous driving – one year;
(b) for an offence under section 63 – the prescribed period.

71. **Driver licence cancellation or suspension by a court.** — (1) A Court which finds person guilty of an offence involving the driving of a vehicle may, in addition to any other penalty, cancel or suspend the person’s driver licence for a period specified by the Court.

(2) The Court shall notify the Driver Licence Authority of an order made under this section.

72. **Commercial driving offences.** — (1) For the purposes of this section, the following are commercial driving offences:-

(a) driving a commercial vehicle which exceeds applicable weight or dimension limits;
(b) driving a commercial vehicle in which is not loaded correctly;
(c) a driver fatigue offence.

(2) If a commercial driving offence is committed the following persons are guilty of an offence in addition to the driver of the vehicle:

(a) the consignor of the goods which are on the vehicle;
(b) the vehicle operator;
(c) the driver of the vehicle.

(2) A person is not guilty of an offence against this section if the person is the consignor of goods by mail or by means of a parcel service.

**Chapter 8 A**

**National Road Safety Council**

73. **Establishment of the NRSC.** — (1) The National Road Safety Council is hereby established.

(2) The NRSC:-

(a) is a body corporate with perpetual succession;
(b) shall have a common seal;
(c) may sue or be sued in its corporate name;
(d) is capable of acquiring, holding, dealing with or disposing of property for the purpose of performing its functions and exercising its powers; and
(e) is capable of doing and suffering all acts and things which bodies corporate may by law do and suffer and which are necessary or expedient for performing its functions and exercising its powers.

(3) The membership, administration and funding of the NRSC shall be as set out in Schedule xx and the Rules.

74. **Objectives and functions of the NRSC.**—(1) The objectives of the NRSC are:

(a) to provide a safe environment for all road users;
(b) to reduce death and injury occurring on the roads of Pakistan;
(c) to ensure that the reduction of death and injury is a central objective of stakeholders when making decisions about the administration of roads and the management of road trauma.

(2) The functions of the NRSC are:

(a) to set the national vision and goals for road safety improvements;
(b) to fix national road safety targets to be achieved over a well-defined time period;
(c) to establish a comprehensive national road safety policy and road safety improvement strategy;
(d) to create a policy framework for generation of funds for road safety and recommend funding levels;
(e) to co-ordinate the road safety actions of Province and Territory governments;
(f) to monitor road safety performance and the performance of agencies;
(g) to develop guidelines, policies, procedures, technical manuals and engineering instructions including:
   (i) road safety audit guidelines;
   (ii) [other functions]
(h) to advocate for improvements to road safety legislation.

75. **National Road Safety Fund**—(1) There shall be established a fund to be known as the National Road Safety Fund.

(2) The Fund shall vest in the NRSA and shall be administered by it.

(3) Into the Fund shall be paid:

(a) such funds as the Federal, Province and Territory Governments may from time to time allocate to it;
(b) money borrowed or otherwise raised by the NRSA for the purpose of performing its functions;
(c) donations from national or international agencies or groups;
(d) fees or charges levied by NRSA;
(e) all other money which may become payable to, or vested in, NRSA in respect of the performance of its functions or the exercise of its powers.
Appendix 1 — Model Road Safety Act

(4) From the fund shall be paid expenditure lawfully incurred by NRSA in the performance of its functions or the carrying out of its powers, including remuneration, repayment of loans (including interest) and funding provided to Province, Territory and District Governments for implementation of road safety programs.

76. Power to make rules. — (1) The Government may make Rules about the NRSC.

(2) Without limiting sub-section (1), the Rules may make provision for or with respect to:-

(a) the financial management of NRSC including investment, accounts, budgeting and audits;

Chapter 8 B

National Highway and Motorway Police

77. National Highway and Motorway Police. — The National Highway and Motorway Police established under the National Highways Safety Ordinance, 2000 continue in existence as though it was established under this Act.

78. Functions of the NHMP. — (1). The functions of the NHMP are:

(a) to regulate and control traffic on national highways;
(b) to prevent obstructions on national highways;
(c) to keep order on national highways and prevent contravention of laws on national highways;
(d) to determine and regulate the category and type of traffic permitted on national highways at particular times, taking into consideration road conditions, weather and other considerations;
(e) to render all possible assistance to users of national highways;
(f) to undertake initial investigation of offences committed on national highways and then transfer the cases to the concerned police station for investigation, and to restrict or stop investigation by local police and direct the local police to transfer the case back to NH&M;
(g) in co-ordination with the National Road Safety Authority, to plan, budget and manage publicity, information and education campaigns for the purpose of maintaining good order and safety on national highways;
(h) to keep national highways clear of encroachments;
(i) to keep a look-out for suspicious persons or suspicious activity on national highways;
(j) to take into possession any abandoned property and attend to its lawful disposal;
(k) to develop and maintain a transport research cell and laboratory;
(l) to provide advice to the National Highway Authority in relation to the planning, construction, development and maintenance of national highways;
(m) to consider the feasibility, desirability and necessity of non-road infrastructure on, or in the vicinity of, national highways and to provide appropriate advice and undertake appropriate enforcement activity in relation to it;
(n) to appoint motor vehicle examiners to check the roadworthiness of transport vehicles and to issue, or refuse to issue, no objection certificates for registration and route permits applications;

(o) in co-ordination with the Provinces, to act as a driver licensing authority and to promote the proper training of novice drivers;

(p) to perform such other functions as the Government may require.

79. Powers of the NHMP.—(1) The NH&MP has the powers of a Station House Officer under the Code of Criminal Procedure, 1898 (Act V of 1898) and the Police Act, 1861 (Act V of 1861).

(2) The NH&MP has power to undertake actions necessary or appropriate to perform its functions.

80. Superintendence and administration of NHMP. — The chief executive of the NH&MP:

(a) has the powers of an Inspector General of Police under the Police Act, 1861 (Act V of 1861); and

(b) shall administer the NH&MP in accordance with this Act and the Rules.

81. Assistance to NH&MP. — All officers of the police and civil armed forces are empowered and required to assist the NH&MP in the carrying out of its functions under this Act.

82. Rules.—The Government may make Rules for the proper administration of the NHMP.

Chapter 9

Miscellaneous

83. Application of Rules.—(1) Rules made under this Act may incorporate technical standards, guidelines or other material in a document made by a specified person or body, whether as at a specified date or as in force from time to time.

(2) The Rules may make provision for the enforcement of this Act and the Rules, including:

(a) specifying offences for which the owner of a vehicle is guilty of an offence which has been committed by a person driving the vehicle;

(b) evidentiary provisions, including evidence of ownership of a vehicle;

(c) specifying a procedure for the owner of a vehicle to identify the person who was driving the vehicle at the time of an offence and the procedure to be followed in respect of that person;

(d) the use of infringement notices.

84. Repeals.—(1) An Act or Ordinance specified in Schedule 3 is repealed.

(2) In this section “repealed law” means and Act, Ordinance or provision of an Act or Ordinance repealed by this Act.

(2) The repeal of a repealed law does not affect the validity of anything done prior to its repeal.

(3) Anything of a continuing nature done under a repealed law which could be done under this Act may be continued as if done under this Act.

(4) The police force established under section 90 of the National Highways Safety Ordinance, 2000 is to be taken for all purposes to be the same entity as the NHMP, and anything done by that police force is to be taken to have been done by the NHMP.
Schedule 1:

Additional powers, duties and functions of an Authority

1. **Delegation**—An Authority may delegate any power, duty or function to a person engaged or employed by the Authority, other than this power of delegation.

2. **Access to information**—(1) An Authority shall endeavour to make information about its procedures, including required documents, available to the public, including by providing information and document downloads on its internet site.

3. **Investigation powers.**— (1) An Authority, its employees and agents, for the purpose of carrying out the Authority’s functions may, subject to this Act and the Rules:
   (a) establish procedures in relation to the performance of its functions;
   (b) enter into contract or other arrangements in relation to:
      (i) the gathering of information relevant to its functions;
      (ii) the dissemination or sharing of information to prescribed persons in accordance with the Rules;
   (c) enter onto premises and as necessary make enquiries, inspect and take away documents or other material found on the premises, in relation to compliance with this Act or a possible offence against this Act;
   (d) generally, take actions as it considers appropriate for the carrying out if its functions.

4. **Annual report**—(1) An Authority submit to the Government not later than 1 March in each year a report of its activities under this Act during the previous calendar year.
   (2) The annual report shall set out:
      (a) an analysis of the performance of the Authority with reference to its functions and objectives and the objectives of this Act;
      (b) a year-on-year analysis of progress towards achievement of safe roads in the [Province/Territory]
## Schedule 2:

### Penalties

**Table of Penalties**

<table>
<thead>
<tr>
<th>Column 1 Provision</th>
<th>Column 2 Short description of offence</th>
<th>Column 3 Maximum penalty</th>
<th>Column 4 Infringement penalty</th>
<th>Column 5 Demerit points</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>Drive without a licence or in breach of a licence condition</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>30</td>
<td>Act as a commercial driving instructor without a commercial driving instructor licence</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>31</td>
<td>Conduct an unregistered driving school</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>39(1)</td>
<td>Fail to wear properly adjusted and fastened seatbelt</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>39(3)</td>
<td>Travel in part of motor vehicle designed for carriage of goods, not being in a suitable seating position</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>39(4)</td>
<td>Drive a motor vehicle when passengers not in compliance</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>40(1)(a)</td>
<td>Rider a motor cycle not wearing securely fitted and fastened prescribed helmet</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>40(1)(b)</td>
<td>Ride a motor cycle with a passenger who is not wearing a securely fitted and fastened prescribed helmet</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>40(3)</td>
<td>Ride a motor cycle with more passengers than the motor cycle is designed to carry</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>43</td>
<td>Operator of a vehicle transporting hazardous materials, not complying with prescribed requirements</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>43</td>
<td>Drive a vehicle transporting hazardous materials, not complying with prescribed requirements</td>
<td>[amount – less than for operator]</td>
<td>[amount – less than for operator]</td>
<td>[amount]</td>
</tr>
<tr>
<td>44</td>
<td>Offence relating to conduct of persons who use public roads</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>46</td>
<td>Fail to render emergency assistance</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------------</td>
<td>----------</td>
<td>----------</td>
<td>-----</td>
</tr>
<tr>
<td>50(1)(a)</td>
<td>Operate a commercial transport service for the carriage of goods without being accredited</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>50(1)(b)</td>
<td>Operate a commercial transport service for the carriage of goods with a vehicle that is not accredited</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>50(2)(a)</td>
<td>Operate a commercial transport service for the carriage of passengers without being accredited</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>50(2)(b)</td>
<td>Operate a commercial transport service for the carriage of passengers with a vehicle that is not accredited</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>51</td>
<td>Operate a route service other than in accordance with a route service permit</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>57</td>
<td>Erect a traffic control sign or traffic control device on a road</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>58</td>
<td>Fail to comply with general obligations of a driver</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>59(3)</td>
<td>Fail to comply with a direction</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>60(3)</td>
<td>Drive a vehicle in respect of which there is a current vehicle defect notice</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>64(1)(a)</td>
<td>Apply for a licence in a another person’s name or as an agent</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>64(1)(c)</td>
<td>Learner driver failing to display an “L” plate</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>65</td>
<td>Offence relating to vehicle registration</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
<tr>
<td>66</td>
<td>Encouragement to engage in unsafe activity</td>
<td>[amount]</td>
<td>[amount]</td>
<td>Nil</td>
</tr>
<tr>
<td>72</td>
<td>Commercial driving offence</td>
<td>[amount]</td>
<td>[amount]</td>
<td>[number]</td>
</tr>
</tbody>
</table>
Schedule 3:

Membership and administration of the NRSC

1. The Authority shall have:
   (a) a Council, which shall control, direct and regulate the affairs of NRSA; and
   (b) a Steering Committee, which shall, subject to control direction and regulation by the Council, make the decisions, perform the functions and exercise the powers of the NRSA.

2. Membership of the Council—(1) The Council shall consist of:
   (a) the Minister for Communications, who shall be the President of the NRSA and Chairperson of the Council;
   (b) the Minister for Health;
   (c) the Minister for Education;
   (d) The Minister for Transport (Punjab);
   (e) the Minister for Transport (Sindh);
   (f) the Minister for Transport (Khyber Pakhtunkhwa);
   (g) the Minister for Transport (Baluchistan);
   (h) the Secretary for Communications;
   (i) the Chief Executive of the NRSA, who shall act as Secretary to the Council;
   (j) not more than two members appointed by the Government under sub-clause (2);
   (k) any person co-opted by the President under sub-clause (3).

   (2) The Government, after consulting with the NRSC, shall appoint to the Council not more than two persons who have:
   (a) knowledge or experience in road safety;
   (b) standing in the community; or
   (c) experience in the private sector.

   (3) the President may co-opt additional members to the Council.

   (4) A member of the Council shall hold office for the period specified in his or her instrument of appointment, and may be re-appointed.

   (5) A member other than an ex officio member may, by instrument in writing, resign from the Council.

3. Membership of the Steering Committee—(1) The Steering Committee shall consist of:
   (a) the Secretary Communications, who shall be Chairperson;
   (b) the Secretary Health;
   (c) the Secretary Education;
   (d) the Inspector-General of the NHMP;
   (e) Inspector-General of the Islamabad Capital Territory;
(f) Inspector-Generals of four Provinces appointed by the Government;

(g) the President of the NRSC;

(h) the following officers of the NRSA:
   (i) the Chief Executive of the NTRC;
   (ii) an officer with responsibility for engineering;
   (iii) an officer with responsibility for health and safety;
   (iv) an officer with responsibility for education;
   (v) an officer with responsibility for finance;
   (vi) an officer with responsibility for administration
   (i) not more than three persons appointed by the Government in accordance with sub-clause (2).

(2) The Government, after consulting with the NRSA, shall appoint to the Council not more than three persons who have:
   (a) knowledge or experience in road safety;
   (b) standing in the community; or
   (c) experience in the private sector.

(4) A member of the Steering Committee shall hold office for the period specified in his or her instrument of appointment, and may be re-appointed.

(5) A member other than an ex officio member may, by instrument in writing, resign from the Steering Committee.

4. Meetings of the Council and the Steering Committee shall be held in accordance with the Rules.

5. Chief Executive—(1) The Government shall appoint a suitably qualified person to be Chief Executive of the NRSA.

   (2) The Chief Executive shall hold office for the term, and subject to the conditions, specified in the instrument of appointment.

   The Chief Executive is responsible for:-

   (a)

6. Delegation to the Chief Executive—(1) The Steering Committee may, by instrument of delegation, delegate any of its powers and functions other than this power of delegation.
Schedule 4

Repeals

Insurance of Vehicles Against Third Party Risks Act, 1938
West Pakistan Requisitioning of Motor Vehicles (Temporary Powers) Ordinance 1970
West Pakistan Motor Vehicles Ordinance, 1965
National Highway Safety Ordinance, 2000
Appendix 2 — Implementation of policy reforms

Driver licensing

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>How implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Administration of the driver licensing system</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Driver licence issue management</strong></td>
<td>These recommendations require effective and harmonised administration. The draft RSA provides for the following:</td>
</tr>
<tr>
<td>DLAs should implement a driver licence system that has the following attributes:</td>
<td></td>
</tr>
<tr>
<td>• automated system with a central database;</td>
<td>• harmonisation of driver licence data bases;</td>
</tr>
<tr>
<td>• documented and transparent process for licence application, issue and renewal which is easily available to the public;</td>
<td>• consistent principles for the handing of data;</td>
</tr>
<tr>
<td>• centralised database which automatically stores information on all aspects of the driver testing and licence issue process, all related personal information and traffic rule violations at a national or subnational level;</td>
<td>• flexibility in the administration of tests;</td>
</tr>
<tr>
<td>• automation of driving tests to ensure transparent licensing;</td>
<td>• harmonisation of traffic violation procedures and penalties;</td>
</tr>
<tr>
<td>• management of licence renewals;</td>
<td>• a uniform national approach to infringement notice (Challan) penalties and traffic law enforcement.</td>
</tr>
<tr>
<td>• tracking and on-the-spot verification of licences;</td>
<td></td>
</tr>
<tr>
<td>• monitoring traffic violation penalties and revenues;</td>
<td></td>
</tr>
<tr>
<td>• centralised issuance and management of Challan ticketing system to enable effective enforcement of traffic rules.</td>
<td></td>
</tr>
<tr>
<td><strong>Management performance</strong></td>
<td>Authorities under the RSA are required to report annually on their performance against with reference to their functions and objectives and the objectives of the Act: Schedule 1 to the model RSA.</td>
</tr>
<tr>
<td>DLAs should report annually on their performance measured against key performance indicators.</td>
<td></td>
</tr>
<tr>
<td><strong>Mutual recognition of licences</strong></td>
<td>A driver licence issued by a “corresponding authority” is sufficient authority to drive a motor vehicle of the relevant category – section 22 of the model RSA.</td>
</tr>
<tr>
<td>DLAs should be required (by legislation) to recognise driver licences issued by any DLA which has adopted these Guidelines.</td>
<td>Note that it is to be an offence for a person who moves to another Province or Territory to fail to apply for the issue of a driver licence in that Province or Territory.</td>
</tr>
</tbody>
</table>
### Appendix 2 — Implementation of policy reforms

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>How implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Driver licence categories</strong></td>
<td></td>
</tr>
<tr>
<td>Licence categories</td>
<td>Licence categories should be reviewed and updated to harmonise.</td>
</tr>
<tr>
<td>Licence categories</td>
<td>Licence categories are set out in section 26.</td>
</tr>
<tr>
<td>Minimum age</td>
<td>Minimum ages are set out in section 27.</td>
</tr>
<tr>
<td>The minimum age for each licence category should be reviewed and standardised.</td>
<td></td>
</tr>
<tr>
<td><strong>Entry to the driver licensing system — learner drivers</strong></td>
<td></td>
</tr>
<tr>
<td>Identification requirements</td>
<td>An applicant should be required to provide identification and proof of age. Identification and proof of age requirements should be transparent and consistent. Applications should be made personally: it should be an offence to act as an agent for an applicant.</td>
</tr>
<tr>
<td>It is to be an offence under the RSA for a person to apply for a driver licence or learner licence in a name other than his or her own name, or as agent for another person: section 65.</td>
<td></td>
</tr>
<tr>
<td>Learner theory test</td>
<td>Applicants for a learner licence should be required to successfully complete a theory test comprising 50 questions on road signs, road rules and road safety. No time limit should be imposed on the completion of the learner theory test.</td>
</tr>
<tr>
<td>This is to be determined administratively by the Driver Licence Authority (see section 25(1)(b)).</td>
<td></td>
</tr>
<tr>
<td>Learner driver log book</td>
<td>The DLA should provide learner drivers with a log book which makes provision for recording details of driver training sessions including the name, licence number and signature of the supervising driver.</td>
</tr>
<tr>
<td>Supervision of driving</td>
<td>It should be a requirement that supervisors of learner drivers have held a valid licence for the type of vehicle being driven for at least two years.</td>
</tr>
<tr>
<td>Minimum hours of driving experience</td>
<td>A learner driver should complete at least 50 hours of supervised driving before undergoing the practical test.</td>
</tr>
<tr>
<td>Display of “L” plate</td>
<td>Learner drivers on public roads should be required to display standardised L plate. It should be an offence for any person other than a learner driver to drive a vehicle displaying an L plate.</td>
</tr>
<tr>
<td>This should be provided for in the proposed Pakistan Road Law (see section 38).</td>
<td></td>
</tr>
</tbody>
</table>
# Appendix 2 — Implementation of policy reforms

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>How implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commercial driving instructors</strong></td>
<td>See section 30.</td>
</tr>
</tbody>
</table>
| It should be an offence to accept fee or reward for supervising a learner driver unless the person has a driving instructor licence endorsement.  
Candidates for this endorsement should be required to provide evidence of completion of a course of instruction and that they meet the experience and other requirements based on the Minimum requirements for Driving Instructors Training (MERIT).1 | |
| **Registration of driving schools** | See section 31. |
| Driving schools should be registered with the DLA to facilitate supervision. Registration should not require approval. It should be possible, however, to cancel the registration of a driving school where it has been a party to an offence against the Act. | |

## Entry to the driver licensing system — full driver licence

<table>
<thead>
<tr>
<th>Minimum period of holding learner licence</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>An applicant for a driver licence should be required to have held a learner licence for a not less than two months before being able to take the practical driving test (currently 42 days), nor more than six months.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Learner driver log book</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>An applicant for a driver licence should be required to submit a completed learner driver log book prior to undertaking the practical driving test.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Identification requirements</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>An applicant should be required to provide identification and proof of age. Identification and proof of age requirements should be transparent and consistent.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Driver theory test</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicants for a motor vehicle licence should be required to successfully compete a theory test comprising 50 questions on high risk behaviour and road safety.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>On-road driving test</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The off-road test should no-longer be a requirement for the issue of driver licence. Driving licence applicants should be required to pass a practical on-road driving test.</td>
<td></td>
</tr>
</tbody>
</table>

---

1Minimum Requirements for Driving Instructors Training MERIT downloaded from: https://www.cieca.eu/sites/default/files/documents/projects_and_studies/7MERITMinReqEn.pdf
<table>
<thead>
<tr>
<th>Recommendation</th>
<th>How implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Medical test</strong></td>
<td></td>
</tr>
<tr>
<td>A medical test should be required only:</td>
<td></td>
</tr>
<tr>
<td>• for an application for a licence to drive a LTV;</td>
<td></td>
</tr>
<tr>
<td>• for persons over the age of 60 years;</td>
<td></td>
</tr>
<tr>
<td>• where the DLA considers that the assessment is,</td>
<td></td>
</tr>
<tr>
<td>in all the circumstances, desirable.</td>
<td></td>
</tr>
<tr>
<td>A medical test (when required) should be administered by a medical practitioner approved by the DLA.</td>
<td></td>
</tr>
<tr>
<td><strong>Eyesight test</strong></td>
<td></td>
</tr>
<tr>
<td>The DLA should administer a standard, accepted eyesight test for an applicant for a driver licence.</td>
<td></td>
</tr>
<tr>
<td><strong>Motor cycle learner licence applicants</strong></td>
<td></td>
</tr>
<tr>
<td>Applicants for motor cycle licences should be encouraged to complete an approved rider skills course when one becomes available. The course should be provided by an approved motor cycle rider training provider.</td>
<td></td>
</tr>
<tr>
<td>This should not, however, be compulsory.</td>
<td></td>
</tr>
<tr>
<td><strong>Training and certification of driving examiners</strong></td>
<td></td>
</tr>
<tr>
<td>Trainers and supervisors of driving examiners should be required to complete training and be certified by an approved training provider.</td>
<td></td>
</tr>
<tr>
<td><strong>Test fees</strong></td>
<td></td>
</tr>
<tr>
<td>A fee should be set and charged for each on-road test.</td>
<td></td>
</tr>
<tr>
<td>The fee should cover the real cost to the agency of conducting the test and be set at a level that creates an incentive to undertake training and practice in order to pass the practical driving test.</td>
<td></td>
</tr>
<tr>
<td><strong>Driver licence documents</strong></td>
<td></td>
</tr>
<tr>
<td>A standardised minimum set of data and information should be included on all licences.</td>
<td></td>
</tr>
<tr>
<td>This reform is facilitated by the RSA, but will require administrative implementation.</td>
<td></td>
</tr>
<tr>
<td><strong>Driver Handbook</strong></td>
<td></td>
</tr>
<tr>
<td>The Highway Motorway Code should be updated and renamed as a handbook.</td>
<td></td>
</tr>
<tr>
<td>The Handbook should be updated to include more information about the risks and responsibilities of the driver. Specialist Handbooks should be developed for licences for the following vehicle categories: LTV, HTV, PSV and Motorcycle.</td>
<td></td>
</tr>
<tr>
<td>The RSA provides for a Road Code, setting out requirements for use of roads. A Driver Handbook should be consistent with this, but with additional information (preparation and dissemination of this is within the functions of Driver Licence Authorities).</td>
<td></td>
</tr>
<tr>
<td><strong>Availability of Handbook</strong></td>
<td></td>
</tr>
<tr>
<td>The current requirement for possession of road rules when driving a vehicle should be abolished.</td>
<td></td>
</tr>
<tr>
<td>The DLA should ensure that the Handbook is readily available, including in electronic form.</td>
<td></td>
</tr>
</tbody>
</table>
### Higher levels of licence

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>How implemented</th>
</tr>
</thead>
</table>
| Harmonisation of categories and progression | The proposed review and harmonization of licence categories should include requirements for progression from one category to another. See Chapter 3. Additional requirements (including minimum age) apply to drivers of commercial transport vehicles – see Chapter 6.

<table>
<thead>
<tr>
<th>Training for HTV drivers</th>
<th>This can be added to the requirements for industry accreditation (Chapter 6) at a later time by amendment to the Rules.</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is a long-term objective that HTV drivers complete an approved Certificate of Professional Competence course conducted by an approved training provider. However, this is not a requirement which should be imposed in the short term.</td>
<td></td>
</tr>
</tbody>
</table>

| Carriage of dangerous goods | The OGRA (Road Transport) Technical Standards legislation requires updating to ADR 2017. In addition, new legislation is required to include ADR 2017 standards as the minimum requirement for the transport of dangerous goods in Pakistan. |

| Commercial fleet safety | DLAs should actively encourage fleet safety initiatives by providing resources and an education program that includes adopting a workplace driver safety policy. |

### Review, suspension and cancellation of licences

<table>
<thead>
<tr>
<th>National demerit point system</th>
<th>Section 68 provides for the Driver Licence Authority to keep a demerit points register and to record prescribed information about offending drivers. The section also provides that the Authority may, in accordance with the Rules, share information with corresponding authorities.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The demerit point system (currently provided for in the NHSO 2000, Eleventh Schedule) should be developed into a national system: Each DLA should maintain a record of demerit points accumulated by licenced drivers in any jurisdiction in Pakistan, suspend licences in accordance with the system, and share information with other DLAs.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Schedule of violations and penalties</th>
<th>Offences and their penalties are tabulated in Schedule 2 to the model RSA. The Act includes provision for penalties to be adjusted in line with inflation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A national schedule for major violations and penalties should be adopted which reflects the severity of the offences. DLAs should be required to record offences and penalties in their driver licence register and share this information with other DLAs and enforcement agencies.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Older drivers</th>
<th>Licensed drivers over the age of 60 years should be required to undergo medical examination when they renew their licences.</th>
</tr>
</thead>
</table>
### Medical assessment (all drivers)
DLAs should be empowered to require any licensed driver to undergo medical assessment if it considers that the assessment is, in all the circumstances, desirable.
DLAs should be empowered to suspend or cancel the driver licence of a person who:
- fails to undergo a medical test as required;
- in the opinion of the DLA, taking into consideration a medical report, is unfit to drive motor vehicles of the relevant category. In making this assessment, the DLA is to take into consideration the possibility of imposing conditions on the licence, such as a driving curfew (for a person with restricted night vision).

### Commercial drivers
Current requirements for a medical examination for transport drivers be retained.

## Vehicles

### Standards for Registration (SFR)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFR to be the central technical requirement</td>
<td>The Road Safety Act should establish the SFR as the central technical document for vehicle standards. The structure and content of the SFR to be elaborated in the Rules. The SFR is to be a stand-alone technical document established in consultation with industry. It should, as appropriate, reference technical standards including (as appropriate) standards established by WP29, PSQCA and OGRA.</td>
</tr>
<tr>
<td>Compliance with SFR</td>
<td>A VIN should be applied to a vehicle only if it conforms with the Standards for Registration. Similarly, periodic inspections of commercial vehicles should confirm ongoing compliance with the SFR.</td>
</tr>
<tr>
<td>Three-wheel vehicles</td>
<td>If three-wheelers are not to be phased out, the SFR should apply the technical standards for locally-manufactured three-wheel vehicle developed by the PSQA (the WP 29 standards do not address these vehicles).</td>
</tr>
</tbody>
</table>
### Vehicle identification

<table>
<thead>
<tr>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unique identification number</td>
<td>All locally manufactured motor vehicles should have a vehicle identification plate which conforms with the Standards for Registration (SFR). Vehicles with VINs can ordinarily be registered without conditions. The requirement to have a VIN can be imposed by Rules, following consultation with industry.</td>
</tr>
<tr>
<td>VIN plate and SFR</td>
<td>VIN plates are to be acceptable evidence of compliance with the SFR. Ordinarily therefore registration of a new vehicle should occur without the registration authority conducting an inspection. Under section 13 a vehicle is eligible to be registered without conditions if it meets the standards for registration. Under that section the registration authority may accept a “prescribed identification plate or certificate”. Measures should be taken against manufacturers who apply VIN plates to vehicles which do not comply with the SFR. This should include monetary penalties. Compliance should be verified by audits.</td>
</tr>
</tbody>
</table>

### Vehicle transactions and consumer protection

<table>
<thead>
<tr>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle to be registered before sale</td>
<td>To protect consumers and support the requirement that motor vehicle used on roads should be registered, it should be a offence to sell a motor vehicle for use on a public road if it is unregistered. This offence is included in section 65.</td>
</tr>
</tbody>
</table>

### Vehicle registration

<table>
<thead>
<tr>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles based in the jurisdiction</td>
<td>The Registration Authority should not register a vehicle unless it is satisfied that the vehicle’s garage address (principal depot or base of operations) is in the jurisdiction in which it is to be registered. This is provided for in section 11 (the term used is “garage address”).</td>
</tr>
<tr>
<td>Number plates</td>
<td>Registration authorities should issue nationally standard number plates. The use of standard number plates should be supported by appropriate penalties for owning or driving a motor vehicle with non-conforming number plates. The form of number plates is to be determined by Registration Authorities, taking into account their objectives (which include harmonisation). The offence of owning or driving a vehicle with a non-conforming number plate is set out in xx.</td>
</tr>
<tr>
<td>Registration procedures</td>
<td>The proposed Road Safety Act should encourage registration authorities to innovate, harmonise and simplify registration procedures. The rigidity of current legislation has been an impediment to this. The new Act should not set out detail, but rather leave this to Rules, guidelines and administrative decisions. See section 10 (2) of the model RSA.</td>
</tr>
<tr>
<td>Access to the registration database</td>
<td>Registration authorities are empowered to make arrangements for the dissemination or sharing of information on the vehicle register (section</td>
</tr>
<tr>
<td>Issue</td>
<td>Comment</td>
</tr>
<tr>
<td>-------</td>
<td>---------</td>
</tr>
<tr>
<td>Registration authorities should be authorised to make information from the database available to prescribed entities, including enforcement agencies. This should be subject to conditions. The new legislation should be designed to provide information privacy consonant with the EU Information Privacy Principles.</td>
<td>3). This is subject to requirements to be set out in the Rules (see section 20).</td>
</tr>
<tr>
<td><strong>Periodic inspections</strong></td>
<td></td>
</tr>
<tr>
<td>Commercial vehicles</td>
<td>Section xx requires that a commercial vehicle have a current certificate of roadworthiness.</td>
</tr>
<tr>
<td>The requirement for periodic inspection of commercial vehicles should be retained. The requirements and procedures for the inspection, as well as the intervals, to be set out in Rules to be made under the RSA.</td>
<td></td>
</tr>
<tr>
<td>Standards for inspection</td>
<td>There is provision in the rule-making power (section 20) for Rules on this issue.</td>
</tr>
<tr>
<td>A timetable should be developed for introduction of a new standard for vehicle inspection based on the international standard for periodic inspections: ECE/TRANS/WP.29/2009.</td>
<td></td>
</tr>
<tr>
<td>Inspection facilities</td>
<td>There is provision in the rule-making power (section 20) for Rules on this issue.</td>
</tr>
<tr>
<td>As at present there should be provision for licensing of inspection facilities. These should be required to comply with ECE/TRANS/WP.29/2009/13, the WP.29 standard for periodic technical inspections.</td>
<td></td>
</tr>
<tr>
<td>Auditing of inspection facilities</td>
<td>There is provision in the rule-making power (section 20) for Rules on this issue.</td>
</tr>
<tr>
<td>Inspection facilities should be audited by an independent designated authority. Auditors should have prescribed qualifications (that is, qualifications to be prescribed by Rules made under the RSA).</td>
<td></td>
</tr>
<tr>
<td>Non-commercial vehicles</td>
<td></td>
</tr>
<tr>
<td>There should be no requirement for periodic inspection of non-commercial vehicles. However, the RSA should empower the police and the registration authority to require a vehicle to be inspected on a case-by-case basis.</td>
<td></td>
</tr>
<tr>
<td><strong>Specific vehicle types</strong></td>
<td></td>
</tr>
<tr>
<td>Three-wheel vehicles used as commercial vehicles</td>
<td>The draft RSA provides the means by which these recommendations can be implemented.</td>
</tr>
<tr>
<td>As part of its current review, MoC should consider whether three-wheel commercial vehicles should:</td>
<td></td>
</tr>
<tr>
<td>• be phased out;</td>
<td></td>
</tr>
<tr>
<td>• limited to law-speed environments (roads with speed limits of 30 – 40 km/h);</td>
<td></td>
</tr>
<tr>
<td>• made subject to enhanced technical standards.</td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 2 — Implementation of policy reforms

<table>
<thead>
<tr>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tractors used on public roads should be registered as farm vehicles.</td>
<td></td>
</tr>
</tbody>
</table>

#### Commercial fleet operations

**Responsibilities of commercial fleet operator**

The proposed model Road Safety Act should provide statutory recognition of the responsibility of commercial vehicle operators to ensure that the commercial vehicles they manage are operated safely and comply with vehicle safety requirements.

**Shared responsibility (“chain of responsibility”)**

Penalties for many offences are excessively low: one reason is that liability is primarily imposed on drivers. The proposed Road Safety Act should introduce shared responsibility (sometimes referred to as “chain of responsibility”) so that others in the supply chain can also be liable for commercial offences (such as overloading, over-dimension and driver fatigue offences).

**Transport of hazardous substances**

The OGRA (Road Transport) Technical Standards require updating to ADR 2017 (32). ADR 2017 standards should be specified as the minimum requirement for the transport of dangerous goods in Pakistan.

**Axle load limits**

Develop new axle load limits to complement the recently introduced National Highways and Motorways (Dimensions of Goods Transport Vehicles) Rules, 2017. This should be supported by shared responsibility (“chain of responsibility”) offence provisions.

#### Offences and penalties

**Review and increase**

Penalty levels should be reviewed and generally increased. The model Road Safety Act should include provision for periodic increases in penalties based on inflation, as well as application of other penalty provisions (demerit points, infringement notices).

New offences should be created to target problematic behaviour, including shared responsibility (“chain of responsibility”) offences and penalties for manufacturers who apply VINs to vehicles which do not meet the SFR.

The RSA has a table of penalties for offences against the Act. There is provision for the penalties to be revised without need to amend the Act.

The RSA contains new offences targeted at problematic behaviour.
### Third party insurance

<table>
<thead>
<tr>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verification of insurance</td>
<td>The model Road Safety Act should empower registration authority to verify that third-party insurance cover applies to a vehicle by contacting the registered insurance provider.</td>
</tr>
<tr>
<td>Compensation</td>
<td>Registration authorities are given this power by section 3 of the RSA).</td>
</tr>
<tr>
<td>Current provisions for compensation under no fault accident insurance scheme should also be reviewed. In addition, fines for non-compliance should be substantially increased from the current level of 500 rupees.</td>
<td></td>
</tr>
</tbody>
</table>