The Motor Vehicles Bill for Road Safety

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This article is based on the **"The new Motor Vehicles bill paves the way for safer roads"** that appeared in The Hindu Business Line on 8th August. It talks about the provisions of the **Motor Vehicles (Amendment) Bill, 2019** and their utility in making India's Road safer.

- ***India sees more than five lakh road accidents a year leading to 1.5 lakh deaths.*** According to the Union Transport Minister, this could come down by half if the provisions of this Bill are implemented.
- The **Motor Vehicles (Amendment) Bill, 2019** is based on the recommendations of the Group of Transport Ministers (GoM) of States constituted by the Ministry of Road Transport & Highways to address the issue of road safety and to improve the access of the citizens while dealing with transport departments.
- The **amendments** in the Bill mainly focus on issues relating to improving road safety, citizens' facilitation while dealing with the transport department, strengthening rural transport, last mile connectivity and public transport, automation and computerization and enabling online services.

Key Features of the bill

- **Road safety:** Bill proposes to **increase penalties** to act as a deterrent against traffic violations.
- **Compensation for road accident victims:** Cashless treatment of road accident victims during the golden hour (first 1 hour after accident). The minimum compensation for death or grievous injury due to hit and run has been moved up substantially to ₹2 lakh and ₹50,000, respectively.
- **Road Safety Board:** The Bill provides for a National Road Safety Board, to be created by the central government through a notification. The Board will advise the central and state governments on all aspects of road safety and traffic management.

- **Protection of Good Samaritan:** To help road accident victims, Good Samaritan guidelines have been incorporated in the Bill. They will not be liable for any civil or criminal action for any injury to or death of an accident victim, caused due to their negligence in providing assistance to the victim.
- **Motor Vehicle Accident Fund:** The Bill requires the central government to constitute a Motor Vehicle Accident Fund, to provide compulsory insurance cover to all road users in India.
- **Third-party insurance** terms are friendlier with no cap on liability of insurers and quicker claims processing.
- To **reduce scope for manipulation and corruption** in transport departments, vehicle fitness tests will be automated and driving tests, computerised. Also, the driver training process for commercial driving will be strengthened and more training schools set up.
- **Recall of vehicles:** The Bill allows the central government to order for recall of motor vehicles if a defect in the vehicle may cause damage to the environment, or the driver, or other road users.
- **National Transportation Policy:** The central government may develop a National Transportation Policy, in consultation with state governments.
- **Taxi aggregators:** The Bill defines aggregators as digital intermediaries or market places which can be used by passengers to connect with a driver for transportation purposes (taxi services). These aggregators will be issued licenses by state. Further, they must **comply with the Information Technology Act, 2000.**

Issues and challenges

- There will be implementation challenges at all-India level.
- Road transport being a subject on the **Concurrent List,** State governments are also free to make their own laws and rules. Some states feel that the amendment infringes upon the rights of the states.
- For effective monitoring of traffic violations and accidents and ensuring that the perpetrators don't go scot-free, **electronic surveillance** is essential that needs installation of CCTVs, Speed guns, and other equipments.This could involve substantial investment, and it is not clear who will bear the cost.
- Laxity of vehicle-manufacturers in implementing safety features is also a concern.

Road safety Initiatives in India

- Ministry of Road Transport and highways took several steps in the past to improve road safety:
    - *National Road Safety Policy* outlines various policy measures such as promoting awareness, establishing road safety information database, encouraging safer road infrastructure including application of intelligent transport, enforcement of safety laws etc.
    - ***National Road Safety Council*** as the apex body to take policy decisions in matters of road safety.
    - A **dashboard for road accident data,** through which people can access related data and other information both state-wise and the national averages, has been introduced.
    - Comic books ***Swachha Safar*** and ***Surakshit Yatra*** have been been released, with an aim to create awareness among children about road safety.
    - **VAHAN** (an ICT-based solution for vehicle registration) and **SARATHI** (for licencing) app to curb malpractices in issuing licences and vehicle registration.
    - **Setu Bharatam programme** to make all national highways free of railway crossings by 2019.
- **Tamil Nadu model of integrated data-driven road safety initiatives:** the Supreme Court-appointed three-member road safety committee led by **Justice (retd) KS Radhakrishnan** praised Tamil Nadu's efforts in reducing fatalities in road accidents. NCRB data reveals that road accident deaths in TN came down in 2018 by 24.39%, the biggest decrease recorded in the country.

Way forward

- Strict and effective enforcement of the amended rules in Motor Vehicle Act would surely help in curbing road-accident related deaths in India.
- The central and state governments should work out proper plans to effectively implement the rules.
- State governments should ensure transparency and provide a hassle-free experience for citizens at the Regional Transport Offices.
- Vehicle manufacturers should update their technologies and adopt the best global practices regarding vehicles' and passengers' safety.
- Simultaneously, the rise of Internet of Things-enabled, connected cars in India, which international auto majors are heavily investing in currently, can give a digital edge to road safety. With an array of embedded sensors informing drivers of other on-road cars, onboard analytics can give them real-time driving suggestions to avoid collisions.
- The unprecedented pace of construction and infrastructure improvement is one more link in the journey to safer roads.

Drishti Input

"Recently the government had introduced the Motor Vehicles (Amendment) Bill 2019, with special focus on road safety. Critically examine if it will be able to address the issue of road safety in India?”