

CHAPTER 529

MOTOR TRAFFIC (SPECIAL PROVISIONS)

Act No. 60 of 1979.

AN ACT TO PROHIBIT THE OPERATION OF MOTOR VEHICLES WITH LIQUID PETROLEUM GAS; TO REQUIRE OWNERS OF MOTOR VEHICLES OPERATED WITH KEROSENE OR WITH A MIXTURE OF KEROSENE AND ANY OTHER PETROLEUM PRODUCT TO REGISTER SUCH VEHICLES; TO IMPOSE A TAX ON SUCH VEHICLES; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[4th October, 1979.]

Short title.

1. This Act may be cited as the Motor Traffic (Special Provisions) Act.

specified in Column I of the Schedule hereto, the tax specified in the corresponding entry in Column II of that Schedule.

Prohibition of the use of liquid petroleum gas.

2. No person shall possess or use any motor vehicle which is operated with liquid petroleum gas.

6. (1) The tax payable under section 5 shall be paid to the appropriate licensing authority on or before December 31, 1979.

Date of payment of tax and penalty for non-payment.

Kerosene operated motor vehicles to be registered.

3. No person shall use kerosene or any mixture of kerosene with any other petroleum product for the purpose of operating any motor vehicle unless such vehicle is registered under the Motor Traffic Act as a vehicle which is operated with kerosene or with a mixture of kerosene and any other petroleum product.

(2) Every person who fails to pay the tax on or before the date specified in subsection (1) shall be guilty of an offence under this Act and shall on conviction before a Magistrate be liable to a fine not exceeding three thousand rupees, notwithstanding that such fine is in excess of the ordinary jurisdiction of such Magistrate.

Owner to apply for registration.

4. (1) Every owner of a motor vehicle referred to in section 3 shall, before the expiry of a period of thirty days from the date of coming into operation of this Act, apply to the Registrar for registration of such vehicle as a vehicle operated with kerosene or with a mixture of kerosene and any other petroleum product.

(3) Where the amount of the tax referred to in subsection (1) has not been paid to the appropriate licensing authority before the expiry of a period of three months from the date specified in subsection (1), the licensing authority shall issue a certificate containing particulars of such tax and the name and last known place of residence of the person who has failed to pay such tax, to a Magistrate having jurisdiction in the division in which such place is situated. The Magistrate shall order the tax to be recovered as though it were a fine imposed by a sentence of the Magistrate on such person.

(2) Where a person fails to comply with the provisions of subsection (1) he shall be guilty of an offence and shall, on conviction before a Magistrate, be liable to a fine of one thousand rupees.

Imposition of a tax on certain motor vehicles.

5. Notwithstanding any of the provisions of the Motor Traffic Act, there shall be payable to the appropriate licensing authority, for the period commencing on July 01, 1979, and ending on December 31, 1979, in respect of the motor vehicles

7. Where any police officer has a reasonable suspicion that a motor vehicle is being used by any person in contravention of the provisions of this Act, it shall be lawful for such police officer to stop and detain such vehicle until the examination of such vehicle is completed by an examiner.

Powers of police officer.

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Penalty for contravention of sections 2 and 3.

**8.** Any person who contravenes the provisions of section 2 or section 3 shall be guilty of an offence and shall, on conviction by a Magistrate, be liable to a fine not less than five thousand rupees, notwithstanding that such fine is in excess of the ordinary jurisdiction of such Magistrate.

Certificate of examination to be admissible in evidence.

**9.** Where, in any proceedings under this Act, any question arises as to whether kerosene or any mixture of kerosene with any other petroleum product has been used for the purpose of operating any motor vehicle, the certificate of any examiner to the effect that he has examined the vehicle and stating the result of his examination, shall be admissible in evidence and shall be sufficient prima facie evidence of any fact or opinion stated therein relating to the matter in question, and the court shall not permit the examiner to be called for cross-examination on the certificate unless contrary evidence is given which appears to the court to be credible, or unless for any reason the court considers such cross-examination to be necessary in the interests of justice.

**10.** Notwithstanding the preceding provisions of this Act, where the Minister in charge of the subject of Scientific Affairs is satisfied that any person assigned by him to conduct research into the use of liquid petroleum gas, kerosene or any other petroleum product in motor vehicles is conducting such research, he may, with the concurrence of the Minister, authorize in writing, subject to such conditions and restrictions as may be specified therein, such person to use liquid petroleum gas, kerosene or, any other petroleum product in motor vehicles in-furtherance of such research.

Use of liquid petroleum gas, kerosene or any other petroleum product permitted in certain circumstances.

**11.** In this Act, unless the context otherwise requires—

Interpretation.

" examiner ", " licensing authority ", " lorr-y ", " motor car ", " motor vehicle ", " Registrar " and " trailer", shall have the same meanings, respectively, as in the Motor Traffic Act; and

"petroleum product " means petrol, auto-diesel, heavy diesel, furnace oil and aviation turbine fuel.

[Section 5.]

## SCHEDULE

COLUMN I <i>Class or category of vehicle</i>	COLUMN II <i>Tax</i> Rs.    c.
Motor vehicles operated with kerosene or with a mixture of kerosene and any other petroleum product—	
(a) where such vehicle is a motor car, the tare of which does not exceed 20 cwts. (1,016 kilograms)	..    600 0
(b) where such vehicle is a motor car, the tare of which is 20 cwts. or exceeds 20 cwts. (1,016 kilograms)	..    1,200 0
(c) where such motor vehicle is a lorry (other than a trailer), the tare of which does not exceed 100 cwts. (5,080 kilograms)	..    1,200 0
(d) where such motor vehicle is a lorry (other than a trailer), the tare of which is 100 cwts. or exceeds 100 cwts. (5,080 kilograms)	..    2,400 0