

Date: 01 Aug 2022

**Circulation of Draft Road Safety Bill, 2022 on Public Domain for
Feedback and Comments**

In compliance to the Budget Declaration 2022-23, point no 24 (I), made by Hon'ble Chief Minister stated as:

सड़कों पर बढ़ते ट्रैफिक दबाव के कारण सड़क दुर्घटनाओं में वृद्धि होती जा रही है, जो चिन्ता का विषय है। इन दुर्घटनाओं से होने वाली जनहानि को रोकने की दृष्टि से वाहन चालकों की regular training के साथ-साथ नियम तोड़ने व नशे में वाहन चलाने पर कड़ी कार्यवाही आवश्यक है। सड़क सुरक्षा में और अधिक सुधार कर दुर्घटनाओं में कमी लाने की दृष्टि से –

- I. Road Safety Act लाया जा कर Rajasthan Public Transport Authority का गठन प्रस्तावित है। साथ ही, HCM RIPA, जयपुर में State Road Safety Institute खोला जाएगा।

In compliance to the stated budget declaration, a draft of Rajasthan Road Safety Bill, 2022 has been prepared by the Department of Transport and Road Safety, Government of Rajasthan.

The draft is hereby published for information of all persons and institutions which are likely to be affected; and brought into notice to inform that the said draft bill shall be taken into consideration after the expiry of fifteen days from the date on which the copies of this notification are made available to the public.

Feedback and comments to this draft bill, if any, may be sent to the **Commissioner Transport and Road Safety, Department of Transport and Road Safety, Parivahan Bhawan, Sahakar Marg, Jaipur – 302005** or may be sent on email id **addl.rs.tdr@rajasthan.gov.in** within latest by 31 Aug 2022.

The feedback and comments received from any person or institution in respect of the said draft bill, after due examination, before the expiry of the aforesaid period may be considered by the Department of Transport and Road Safety for inclusion or amendment in the bill. The document is hereby being published on the public portal for receiving feedback and comments to make it more contextual and purposeful.

Last Date of Submission: Wednesday, 31 Aug 2022



RAJASTHAN ROAD SAFETY BILL 2022

THE RAJASTHAN STATE ROAD SAFETY BILL, 2022

A

Bill

to provide for the implementation of Road Safety and for the establishment of a Rajasthan Road Safety Authority, Rajasthan Public Transport Authority, Dedicated Road Safety Fund and Public Transport Fund in the State of Rajasthan, and for matters connected therewith and incidental thereto.

Be it enacted by the Rajasthan State Legislature in the seventy third year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. Short title and commencement. - (1) This Act may be called the Rajasthan Road Safety Act, 2022.

(2) It shall extend to the whole of State of Rajasthan.

(3) It shall come into force on such date as the Government of Rajasthan may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. Definitions.- (1) In this Act, unless the context otherwise requires,-

- a) "**accident**" means any incident wherein, on account of the use of a motor vehicle on a public road, death, bodily injury or damage caused to any public properties, other vehicles, person, persons or property or to any public property or other vehicles, as the case may be;
- b) "**action plan**" means state level road safety action plan approved by the chairman of the Rajasthan Road Safety Authority;
- c) "**ambulance**" means a medically equipped vehicle having trained paramedic staff used to transport sick or injured person to a treatment facility, such as hospital or trauma centre;
- d) "**bal vahini**" refers to a motor vehicle including a bus, van or cab complying the guidelines as prescribed by the Rajasthan Road Safety Authority and used for carrying school or college children;
- e) "**basic life support**" refers to the type of care that first-responders, healthcare providers and public safety professionals provide to anyone in case of medical emergency situation;
- f) "**capacity building**" means road safety training programs designed for officers and staff of government and private stakeholders as referred to in section 68 of this Act;

- g) **"cell"** means State Road Safety Cell, also called as Lead Agency", referred to in **section 18 of this Act**;
- h) **"centre for excellence"** means the centre referred to in **section 22 of this Act**;
- i) **"cess"** means the cess levied under **section 36 of this Act**;
- j) **"chairman"** means the Chairman of the Rajasthan Road Safety Authority, Rajasthan Public Transport Authority, State Road Safety Council, or District Road Safety Council, as the case may be;
- k) **"council"** means the State Road Safety Council constituted **under section 17 of this Act**;
- l) **"district"** means a revenue district;
- m) **"division"** refers to the seven administrative divisions in the state of Rajasthan;
- n) **"expert"** means professional or individual working in the field of road safety having adequate qualification and experience as prescribed by the Cell;
- o) **"fund"** means dedicated road safety fund referred to in **section 35 of this Act**;
- p) **"good samaritan"** refers to a person who has informed the police of any accident involving a motor vehicle, or who has transported a victim of an accident involving a motor vehicle to the hospital without any thoughts of a reward or compensation;
- q) **"government"** means Government of Rajasthan;
- r) **"integrated traffic management system"** means solution making use of artificial intelligence and information technology for traffic management, traffic law enforcement and traffic information dissemination to provide informed road users and ensure road safety;
- s) **"local authority"** means a Panchayat constituted under the Rajasthan Panchayat Raj Act, or a Municipality constituted under the **Rajasthan Municipality Act,**;
- t) **"nodal department"** refers to the Department of Transport and Road Safety;
- u) **"non-motorized transport"** means active transportation including modes like walking, bicycling, skates, skateboards, push scooters, wheelchair, hand carts, bullock carts, camel carts, tanga or any other animal driven cart;
- v) **"passenger"** means a person who is traveling in an automobile, bus, train, airplane, or other conveyance, especially one who is not the driver or pilot;
- w) **"policy"** means the State Road Safety Policy approved by the Cabinet of Rajasthan;
- x) **"prescribed"** means prescribed by rules made under this Act;
- y) **"public road"** shall include, any private road to which public have access and also the traffic islands, medians and footpaths;

- z) **“research lab”** means road safety research lab referred to in section 21(2) of this Act;
 - aa) **“road owning agencies”** means government departments or public sector undertakings involved in works related to road construction and maintenance;
 - bb) **“stakeholders”** means to stakeholder departments for road safety referred to in **section of this 4 Act**;
 - cc) **“training centre”** means state road safety training centre to be developed under centre of excellence referred to in **section 22 of this Act**;
 - dd) **“transport authority”** means Rajasthan Public Transport Authority to be constituted referred to in **section 25 of this Act**;
 - ee) **“triage protocol”** means the process of sorting people based on severity of injury their need for immediate medical treatment as compared to their chance of benefiting from such care;
 - ff) **“scheme”** means scheme notified under section 135 of Motor Vehicle Act, 1988 for developing of wayside amenities, conducting road crash investigation and developing traffic aid posts on highways;
 - gg) **“state”** means the state of Rajasthan;
 - hh) **“traffic park”** means a park where students and public can learn rules of the road by means of demonstration of roads, road furniture, technology solutions or certain audio visual methods;
 - ii) **“region”** means transport regions headed by Regional Transport Officer in the state of Rajasthan;
 - jj) **“regulations”** means the regulations made under **section 90 of this Act**;
 - kk) **“road safety authority”** means Rajasthan Road Safety Authority referred to in **section 5 of this Act**;
 - ll) **“vehicle”** includes any contraption or device used or capable of being used for the carriage or movement of human beings, animals or goods;
- (2) Words and expressions used but not defined in this Act shall have the meanings respectively assigned to them in the Motor Vehicles Act, 1988 (Central Act 59 of 1988), Rajasthan Highway Protection Act, 1999 (6 of 2000) or the rules made thereunder.

CHAPTER II

INSTITUTIONAL ARRANGEMENTS FOR ROAD SAFETY

- 3. Rajasthan Road Safety Policy.** – (1) To reduce number of road accidents, resultant injuries and fatalities in the state, the Government shall issue Rajasthan State Road Safety Policy for well-coordinated, dedicated, and concentrated efforts from all stakeholder departments and other agencies engaged in road safety activities.

(2) The policy shall be issued for every five years and after completion of the specified time period the policy shall be updated and re-issued to

accommodate the prevailing road safety scenario at the time of updating the policy.

4. Road Safety Stakeholder Departments. – The departments involved in such activities related with regulation of motor vehicles, issue of driving license, traffic management, enforcement, road construction and maintenance, education, and emergency response which are primarily responsible to ensure safety of road users, namely:-

- a) Department of Transport & Road Safety
- b) Police Department
- c) Medical & Health Department
- d) Medical Education
- e) Road Owning and Managing Agencies
 - i. Public Works Department (PWD)
 - ii. Local Self Government (LSG)
 - iii. Urban Development & Housing (UDH)
 - iv. Rajasthan State Road Development Corporation (RSRDC)
 - v. Road Infrastructure Development Company of Rajasthan Ltd. (RIDCOR)
 - vi. Rajasthan Housing Board (RHB)
 - vii. National Highway Authority of India – Regional Office (NHAI)
 - viii. Ministry of Transport & Highways - Regional Office (MoRTH)
 - ix. Border Road Organization (BRO)
 - x. Any other agency involved in road construction and maintenance as deem fit
- f) Education Department including school education, college education, and technical education.

(3) The department by official order may include any other department as stakeholder department for road safety as and when it deemed fit.

5. Rajasthan Road Safety Authority. - (1) The State Government shall, within a period of six months from the date of commencement of this Act, by notification, establish a State Authority to be known as the Rajasthan Road Safety Authority to exercise the powers conferred on, and to perform the functions assigned to it under this Act.

(2) The Road Safety Authority shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue and be sued.

(3) The head office of the Rajasthan Road Safety Authority shall be in the State Capital, Jaipur.

(4) The Road Safety Authority may establish offices at other places in the State of Rajasthan.

6. Members of Rajasthan Road Safety Authority. - (1) The Road Safety Authority shall consist of the following members, namely:-

- (a) the Additional Chief Secretary or Principal Secretary, Department of Transport and Road Safety, who shall be the Chairman of the Road Safety Authority;
 - (b) the Additional Chief Secretary or Principal Secretary to Government, Home Department
 - (c) the Additional Chief Secretary or Principal Secretary to Government, Law Department;
 - (d) Additional Chief Secretary or Principal Secretary to Government, Finance Department;
 - (e) Additional Chief Secretary or Principal Secretary to Government, Public Works Department;
 - (f) Additional Chief Secretary or Principal Secretary to Government, Medical and Health Department;
 - (g) Additional Chief Secretary or Principal Secretary to Government, Education Department;
 - (h) Additional Chief Secretary or Principal Secretary to Government, Local Self Government Department;
 - (i) The Commissioner of Rajasthan Road Safety Authority, who shall be the Member of the Road Safety Authority;
 - (j) The Additional Commissioner of Rajasthan Road Safety Authority, who shall be the Member Secretary of the Road Safety Authority;
 - (k) The State Road Safety Cell, who shall be the implementing body and shall work as a secretariat for the Road Safety Authority.
- (2) Every member of the Road Safety Authority shall render its functions and fulfil its objectives under this Act.
- (3) The Chairman and other members of the Road Safety Authority shall be whole-time members.
- (4) Any nominated member may, at any time, resign his office by a letter addressed to the Chairman of the Authority, that may subject to the approval of the Chairman.

7. Officers and Employees of Road Safety Authority. - (1) The Road Safety Authority may, with prior approval of the Government, appoint such officers and other employees it may consider necessary, for the efficient discharge of functions under this Act.

- (2) The salaries and allowances payable to and other terms and conditions of service of the officers and employees of the Road Safety Authority and number

of such officers and employees shall be such as may be specified by the Road Safety Authority by regulations.

8. Technical Working Groups. – (1) The Rajasthan Road Safety Authority shall for the efficient discharge of its functions, constitute as many Technical Working Groups as it may consider necessary, which shall consist of independent technical experts, having the ability to maintain and exercise independent judgement in the discharge of their duties.

(2) Each Technical Working Group constituted under sub-section (1) shall be headed by such member of the Rajasthan Road Safety Authority designated by the Chairperson, having regard to his special knowledge and experience in the relevant field.

(3) The Technical Working Group for undertaking deliberations on the matters entrusted to it shall invite the relevant industry and consumer representatives to participate in its deliberations.

(4) The number of technical members and the procedure for constituting the technical working groups under sub-section (1) shall be such as may be specified by regulations by the Road Safety Authority.

(5) The Technical Working Group constituted under sub-section (1) may be entrusted with any of the following matters, namely:-

(a) road safety management including road safety policy making, strategy planning, formulation of schemes or programs to promote road safety in the state;

(b) transport infrastructure, safety and road standards;

(c) traffic management;

(d) crash investigation and forensics;

(e) data collection and analytics;

(f) motor vehicle standards;

(g) driving skill testing;

(h) development of technology, use of artificial intelligence to monitor and enhance road safety, testing standards for checking driving of motor vehicles under the influence of alcohol or intoxicating drugs or over speeding;

(i) vehicle fuel quality;

(j) vehicle noise standards;

(k) insurance relating to motor vehicle and third-party;

(l) any other matter that may be entrusted to such technical working group as may be considered necessary by the Road Safety Authority;

(6) The Rajasthan Road Safety Authority may from time to time reconstitute the Technical Working Groups by increasing or decreasing the number of experts or changing the subject matter entrusted to such Groups.

(7) The Rajasthan Road Safety Authority shall provide the administrative, financial and research support for smooth functioning of the Technical Working Groups.

9. Functions of the Rajasthan Road Safety Authority. - The Road Safety Authority shall have the following functions, namely:-

- (i) to formulate effective policies, schemes, projects, and programs for strengthening road safety in the state;
- (ii) to coordinate with stakeholder departments and agencies for discharging duties pertaining to road safety;
- (iii) to prescribe and enforce road safety standards, procedures and conduct or cause to be conducted with the standards and procedures prescribed;
- (iv) to ensure timebound compliance from the stakeholder departments regarding the directions issued by the Hon'ble Supreme Court Committee on Road Safety to the Government;
- (v) to liaise with Hon'ble Supreme Court Committee on Road Safety and to attend all meetings or reviews called upon by the committee and furnish all such information or reports or discussion or statistics or records etc., sought to comply with all such directions issued by the committee. All the stakeholder departments shall invariably implement the directions issued by the committee and furnish all data or information sought by the committee within the prescribed time as specified in the committee's direction;
- (vi) to implement road safety projects and programs through stakeholder departments and other agencies;
- (vii) to implement road safety training, education, awareness activities etc. for all community groups and staff and officers of government and private organizations to be conducted through agencies and non-profit organizations working in the field of road safety;
- (viii) to conduct research on road safety to evaluate information and statistics relating to road accidents for planning, policy research and development;
- (ix) to coordinate the functions of all the agencies and Government departments discharging duties related to road safety;
- (x) to collaborate with institutions to promote research and development on road safety by means of scientifically proven approach and methodology for effective policy planning, strategy building and development;

(xi) to liaise with national and international agencies working in the field of Road Safety and Traffic Management to adopt best practices in the State as per suitability and requirement of the State;

(xii) to administer the management and disbursal of Dedicated Road Safety Fund; and

(xiii) sanctioning expenditure for the implementation of road safety schemes, programmes, installation of equipment and devices connected with road safety, conduct of studies, projects and research on matters, trauma care program or activities, administrative expenditures of the Road Safety Authority, and on matters connected with road safety measures;

(xiv) to establish and maintain Comprehensive Road Accident Database Management System through Police department;

(xv) to ensure implementation of action plan and to revise it from time to time as per the directions of the Hon'ble Supreme Court Committee on Road Safety;

(xvi) to conduct special enforcement drives by heads of the stakeholder departments for the purpose of implementation of road safety measures;

(xvii) discharging such other functions, as may be prescribed, having regard to the objects of this Act;

10. Meetings. - (1) The Rajasthan Road Safety Authority and the District Road Safety Committee, shall meet at such time and place as may be decided by the Chairman of the Road Safety Authority or the District Road Safety Committee and shall observe such rules of procedure in relation to transaction of business at the meetings, as may be made by regulations.

(2) Every meeting of the Road Safety Authority shall be presided over by the Chairman or in his absence, Vice Chairman or as the case may be a member chosen by the members present.

(3) The Authority shall meet at least once in three months.

(4) The quorum for a meeting of the Authority shall be five.

11. Powers of Rajasthan Road Safety Authority. - (1) Power to give directions. - The Road Safety Authority may give directions to the government and private stakeholders on all such matters related to strengthen road safety in the state.

(2) Power to make rules.- The Road Safety Authority may, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(3) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

a) functions to be performed by the Road Safety Authority;

b) the manner in which the Dedicated Road Safety Fund shall be administered by the Road Safety Authority;

- c) the purposes for which the Road Safety Fund shall be utilized;
- d) the designation, method of appointment and other conditions of service of the officers and staff of the Road Safety Authority;
- e) the manner in which the accounts of the Fund to be maintained by the Commissioner, Department of Transport Road Safety;
- f) the form and time for preparation of annual reports **under section 78;**
- g) the time and fee for filing appeal **under section 83;**
- h) any other matter which is required to be, or may be, prescribed.

(3) Power to delegate.- The Road Safety Authority may, with the approval of the Government, delegate such its powers and functions as it may consider necessary, for the effective implementation of the road safety programs by general or special order, subject to such restrictions as it deems fit.

(4) Power to remove causes of accidents.- Notwithstanding anything contained in any other law for the time being in force, where the Road Safety Authority is satisfied on complaint, report by any person or otherwise that-

- a) the act of any person or persons on a public road; or
- b) the placement or positioning of any vehicle, animal, object built without the approval of any recognized administrative authority, structure or materials including arches, banners, display boards, hoardings, awnings, tents, pandals, poles, platforms, rostrums, statues, monuments, and other similar structures, on a public road; or
- c) the movement of animals or vehicles on a public road; or
- d) the condition of any tree, structure or building situated in the vicinity of a public road; or
- e) the entry or exit of any building or premise in the vicinity of a public road;
- f) which is likely to cause accidents or causes obstruction to free flow of traffic or distract the attention or obstruct the vision of the driver of any vehicle, the Chairman may, after recording reasons thereof, direct the person concerned, either by a general or special order, to take such measures within two months as it considers necessary and such person shall be bound to comply with the direction within such time, as may be specified by the Authority.

The Commissioner, Road Safety Authority may, after recording reasons thereof, direct to the person concerned, either by a general or special order, to take such measures within two months as it considers necessary and such person shall be bound to comply with the direction within such time, as may be specified by the Authority.

(5) Notwithstanding anything contained in sub-section (1), in case of urgency, the Commissioner, Road Safety Authority may take such action as may be necessary to prevent accident or obstruction, as the case may be, and recover the cost thereof from the person responsible in such manner as may be prescribed.

(6) Power to order works.- (i) Notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the Road Safety Authority to order any work or improvement on a public road, as it considers necessary, to secure safety on such roads and each concerned Government department or the local authority or any other authority shall be bound to carry out such works or improvement within such time, as may be specified by the Road Safety Authority.

(ii) Provided that no order under this sub-section shall be issued in respect of any highway with the prior consultation of the highway authority of the respective area appointed under the said Act. Provided further that it shall not be issued in respect of the roads under the control of the Local Self Government Institutions without prior consultation with the respective Local Self Government.

(iii) It shall be the duty of every officer of the Government, local authority or any other authority to act in aid of the Cell in enforcing the orders under **sub-section (i)**.

(8) Power to recover cost.- If any person on whom a written order is served under **section 71** refuses or fails to comply with the order, the Road Safety Authority may take such action as to prevent danger and ensure safety to the public and may recover the cost with legitimate interest thereof from such person.

(9) Power to carry out impact assessment.- The Road Safety Authority may by official order may hire services of third party experts or organizations to carry out impact assessment of an activity earlier organized by any of the stakeholder departments or organizations according to the norms as prescribed by the Road Safety Authority.

12. Disposal of Business. - Every matter to be decided by the Road Safety Authority shall be considered and disposed of at meetings of the Authority, as the case may be, in accordance with the decision of the majority of the members present.

13. Vacancies etc. not to Invalidate Proceedings of the Authority. - No Act or proceedings of the Authority shall be questioned or shall be invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Authority.

14. Road Safety Commissioner. - The Commissioner for Transport and Road Safety shall also be the Commissioner for Rajasthan Road Safety Authority. The

Additional Commissioner shall be the Additional Commissioner of the Authority.

15. Administrative Head of the Authority. - The Commissioner of Rajasthan State Road Safety Authority shall be the administrative head for the functioning of the Authority and the Additional Commissioner shall assist him.

16. Members and Employees of the Authority to be Public Servants. - All members and employees of the Road Safety Authority while acting or purporting to act under the provisions of this Act or any rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central) Act 45 of 1860.

17. State Road Safety Council. - (1) The State Government may, by notification in the Official Gazette, constitute a State Council to be called State Road Safety Council.

(2) The State Road Safety Council shall consist of the following members namely:-

- (a) The Minister of Transport, who shall be the Chairman of the Council;
- (b) the Additional Chief Secretary or Principal Secretary, Home Department;
- (c) the Additional Chief Secretary or Principal Secretary, Department of Transport and Road Safety;
- (c) the Additional Chief Secretary or Principal Secretary, Urban Development and Housing Department;
- (d) the Director General of Police, Rajasthan;
- (e) the Principal Secretary or Secretary, Finance Department;
- (f) the Principal Secretary or Secretary, Public Works Department;
- (g) the Principal Secretary or Secretary, Medical and Health Department;
- (h) the Principal Secretary or Secretary, Rural Development and Panchayati Raj Department;
- (i) the Principal Secretary or Secretary, Primary Education;
- (j) the Principal Secretary or Secretary, Secondary Education;
- (k) the Principal Secretary or Secretary, Disaster Management;
- (l) the Principal Secretary or Secretary, Department of Transport and Road Safety;
- (m) the Managing Director, Rajasthan State Road Transport Corporation;
- (n) the Additional Director General of Police (Traffic);
- (o) the Chief General Manager, National Highways Authority of India – RO Office Rajasthan;

- (p) one representative from two-wheeler manufacturer;
 - (q) one representative from four-wheeler manufacturer;
 - (r) one representative from two-wheeler dealers;
 - (s) one representative from four-wheeler manufacturer;
 - (t) one representative from truck operators;
 - (u) one representative from stage carriage operators;
 - (v) one representative from contract carriage operators;
 - (w) one representative from taxi / auto operators;
 - (x) one representative from non-profit organizations from each division of the State nominated by the Chairman of the State Road Safety Council for the specified time period;
 - (y) two persons who are experts in the field of road safety, nominated by the Additional Chief Secretary or Principal Secretary, Department of Transport and Road Safety for the specified time period;
- (3) The Rajasthan State Road Safety Council may invite other ministers, officers of the State Government and such other experts as it may deem necessary as special invitees.
- (4) No person shall be eligible for being a member if he, -
- (a) has been convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude; or
 - (b) is of unsound mind and stands so declared by a competent court; or
 - (c) is an un-discharged insolvent; or
 - (d) has been removed or dismissed from service of the Central Government or a State Government or a body or Corporation owned by the Central Government or a State Government; or
 - (e) has directly or indirectly by himself or as partner, has any share or interest in any work done by the order of the Road Safety Authority or in any contract or employment with or under or by or on behalf of the Council; or
 - (f) is employed as paid legal practitioner on behalf of the Road Safety Authority or accepts employment as legal practitioner against the Road Safety Authority;
- (5) The Council shall meet at least once in six months. The non-official members shall be entitled for prescribed sitting fee or travelling allowance or daily allowance for attending the meetings as prescribed by the Council.

(6) The Rajasthan State Road Safety Council shall be advisory in nature and advice Rajasthan Road Safety Authority for implementation of road safety measures in the state of Rajasthan.

18. State Road Safety Cell. – (1) The State Government shall, by notification in the Official Gazette, constitute a State Road Safety Cell, may be called as Lead Agency for road safety in the state, within the Department of Transport and Road Safety by deputing officers from stakeholder departments.

(2) The State Road Safety Cell shall comprise the officers namely:-

- (a) Additional Transport Commissioner (Road Safety);
- (b) Joint Transport Commissioner (Road Safety);
- (c) Additional S.P. or Deputy S.P. (Police Department);
- (d) Senior Medical Officer (Medical & Health Department);
- (e) Executive Engineer (Public Works Department);
- (f) Executive Engineer (Local Self Government);
- (g) Executive Engineer (Urban Housing & Development);
- (h) District Education Officer (Education Department);
- (i) District Transport Officer (Road Safety);
- (j) Motor Vehicle Inspectors or Sub Inspectors – Four;
- (i) Administrative Officers – Four;
- (j) Assistant Secretary;
- (k) Additional Statistics Officer;
- (l) Deputy Director;
- (m) Assistant Accounts Officer – I;
- (n) Assistant Accounts Officer – II;
- (o) Programmer;
- (p) Informatics Assistant – Four;
- (q) Road Safety Consultants or Experts – as prescribed by Road Safety Authority.

(3) The Rajasthan Road Safety Authority may from time to time reconstitute the State Road Safety Cell by increasing or decreasing the number of consultants or experts.

(4) The designation, method of appointment and other conditions of service of the Consultants or Experts shall be such, as may be prescribed by the Road Safety Authority

(5) The Rajasthan Road Safety Authority shall provide the administrative, financial and research support for smooth functioning of the State Road Safety Cell.

19. Functions of State Road Safety Cell. – The State Road Safety Cell shall have the following functions namely:-

- (a) To work as secretariat for the State Road Safety Council headed by Hon'ble Transport Minister;
- (b) To work as executive body for the Road Safety Authority chaired by Additional Chief Secretary or Principal Secretary to the Government, Department of Transport and Road Safety;
- (c) To ensure time bound compliance of directions issued by the Hon'ble Supreme Court Committee on Road Safety;
- (d) To coordinate with all stakeholder department/agencies concerned with road safety;
- (e) To ensure compliance of provisions of State Road Safety Policy through formulation and implementation of target-oriented Road Safety Action Plan;
- (f) To prepare proposal for budget allocation and judicious expenditure on road safety measures;
- (g) To convene regular meetings for Road Safety Authority, State Road Safety Council or as prescribed by Road Safety Authority for compliance of directions issued by Hon'ble Supreme Court Committee on Road Safety as and when directed;
- (h) To ensure holding of regular meetings of District Road Safety Committees and compliance of decisions taken at State Level through them; and
- (i) To monitor and ensure implementation of all other activities related to road safety in the state.

20. Road Safety War Room.– (1) The Government shall, by official order, constitute a Road Safety War Room with effect from such date as may be specified therein, for strengthening emergency response system for road accidents in Rajasthan.

(2) The War Room shall function to provide immediate relief to the road accident victims within the Golden Hour.

(3) The War Room shall handle emergency calls made to report a road accident by the driver or occupant of the vehicle or by a third person who witnesses the road accident.

(4) The War Room after registering the incident shall also coordinate with concerned stakeholders including Transport, Police, Medical & Health and Road Owning Agencies at both levels where the incident has taken place and at the State level.

21. Road Safety Task Force. – (1) The Road Safety Authority shall, by official order, may constitute, Road Safety Task Force at region or district level with effect from such date as may be specified therein, consisting of such number of representatives from road safety stakeholder departments, and such other members as it may consider necessary on such terms and conditions as prescribed by the Road Safety Authority.

(2) The Road Safety Authority, as may deem fit, by official order may constitute Task Force at district level consisting such number of representatives from industry, firms, independent subject matter experts, non-profit organizations having such experience in the field of road safety or working in the field of road safety and such other members for such duration and terms and conditions as may be prescribed by the Road Safety Authority to provide handholding support to the existing institutional framework in the district on such terms and conditions as prescribed by the Road Safety Authority.

(3) The Rajasthan Road Safety Authority shall provide the administrative, financial and research support to Road Safety Task Force specified in sub-section (2) for providing handholding support for implementing such road safety initiatives as decided by the Road Safety Authority or the District Road Safety Committee.

22. Road Safety Centre for Excellence. – (1) The Road Safety Authority, by official order shall set up a Road Safety Centre for Excellence in the state. The Centre shall facilitate as knowledge bank, knowledge delivery and research & development and other activities pertaining to the field of road safety.

(2) The Centre for Excellence shall establish a Road Safety Research Laboratory within the Centre which shall work towards research and development activities covering all aspects of road safety such as road engineering, vehicle engineering, enforcement, education, and emergency care etc.

(3) The Centre shall establish a State Level Road Safety Training Institute within the Centre to impart road safety training and capacity building programs for staff and officers of various Government Departments, institutions, and other agencies. The Training Institute shall be developed as a state of the art facility for delivering knowledge to participants across the country.

(4) The Centre shall engage or nominate such subject matter experts or consultants for knowledge delivery, research and development and other activities, for such duration, terms and conditions specified by the Road Safety Authority to improve road safety scenario in the state.

23. District Road Safety Committee. – (1) The Road Safety Authority by official order shall constitute District Road Safety Committee in each district comprising officers from road safety stakeholder departments in each district according to the provisions specified under sub-section (3) of section 215 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988). The District Road Safety

Committee shall exercise such powers and performs such functions, as may be prescribed by the Road Safety Authority.

(2) The Road Safety Authority may, with prior approval of the State Government, appoint such officers and staff in the District Road Safety Committee as it deems necessary for the discharge of its functions under this Act.

(3) The designation, method of appointment and other conditions of service of the staff shall be such, as may be prescribed by the Road Safety Authority.

24. Delegation of Powers. - The Road Safety Authority may, with the previous approval of the State Government, delegate to the Road Safety Commissioner, Additional Road Safety Commissioner or District Road Safety Committee such of its powers and functions, as it may consider necessary, for the effective implementation of the road safety programmes by general or special order, subject to such restrictions as it deems fit.

25. Rajasthan Public Transport Authority. - (1) The State Government shall, within a period of six months from the date of commencement of this Act, by notification, establish a State Authority to be known as the Rajasthan Public Transport Authority to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.

(2) The Transport Authority shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue and be sued.

(3) The head office of the Rajasthan Public Transport Authority shall be in the State Capital, Jaipur.

(4) The Public Transport Authority may establish offices at other places in the State of Rajasthan.

26. Members of Rajasthan Public Transport Authority. - (1) The Public Transport Authority shall consist of the following members, namely:-

(a) the Chief Secretary who shall be the Chairman of the Public Transport Authority

(b) the Additional Chief Secretary or Principal Secretary to Government, Home Department

(c) the Additional Chief Secretary or Principal Secretary to Government, Department of Transport and Road Safety;

(d) the Additional Chief Secretary or Principal Secretary to Government, Law Department;

(e) the Additional Chief Secretary or Principal Secretary to Government, Finance Department;

- (f) the Additional Chief Secretary or Principal Secretary to Government, Public Works Department;
 - (g) the Additional Chief Secretary or Principal Secretary to Government, Local Self Government Department;
 - (h) the Additional Director General of Police (Traffic);
 - (i) The Commissioner of Rajasthan Public Transport Authority, who shall be the Member Secretary of the Public Transport Authority;
 - (j) two persons who are experts in the field of public transport, nominated by the Chairman of the Public Transport Authority.
- (2) Every member of the Public Transport Authority shall render its functions and fulfil its objectives under this Act.
 - (3) The Chairperson and other members of the Public Transport Authority shall be whole-time members.
 - (4) Any nominated member may, at any time, resign his office by a letter addressed to the Chairman of the Authority, that may subject to the approval of the Chairman.

27. Functions of the Rajasthan Public Transport Authority. - The Public Transport Authority shall have the following functions, namely:-

- (i) to formulate effective policies, schemes, projects, and programs for strengthening public transport in the state;
- (ii) to achieve objectives prescribed in the Rajasthan State Public Transport Policy, as and when issued by the Government;
- (iii) to improve public transportation in urban and rural areas in the State by achieving last mile connectivity;
- (iv) to develop infrastructure required to strengthen public transportation facilities;
- (v) to coordinate with stakeholder departments and agencies for discharging duties pertaining to public transport;
- (vi) to prescribe and enforce public transport standards, procedures and conduct or cause to be conducted with the standards and procedures prescribed;
- (vii) implementation of public transport projects and programs through stakeholder departments and agencies;
- (viii) implementation of education, awareness activities and training programs stakeholder departments to strengthen public transport scenario in the State;
- (ix) to collaborate with institutions to promote research and development on public transport by means of use scientifically proven approach and

methodology for effective policy planning, strategy building and development;

- (x) to liaise with national and international agencies working in the field of Public Transport and Traffic Management to adopt best practices in the State based on requirement which can be customized as per suitability;
- (xi) to administer the management and disbursal of Public Transport Fund; and
- (xii) discharging such other functions, as may be prescribed, having regard to the objects of this Act.

28. Meetings of Rajasthan Public Transport Authority. - (1) The Rajasthan Public Transport Authority shall meet at such time and place as may be decided by the Chairman of the Authority and shall observe such rules of procedure in relation to transaction of business at the meetings, as may be made by regulations.

(2) Every meeting of the Public Transport Authority shall be presided over by the Chairman or in his absence, Vice Chairman or as the case may be a member chosen by the members present.

(3) The Public Transport Authority shall meet at least once in three months.

(4) The quorum for a meeting of the Public Transport Authority shall be five.

29. Powers of Rajasthan Public Transport Authority. - (1) Power to give directions. - The Public Transport Authority may give directions to the government and private stakeholders on all such matters related to strengthen public transport in the state.

(2) Power to make rules.- (1) The Public Transport Authority may, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(3) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- a) functions to be performed by the Public Transport Authority;
- b) the manner in which the Public Transport Fund shall be administered by the Road Safety Authority;
- c) the purposes for which the Public Transport Fund shall be utilized;
- d) the designation, method of appointment and other conditions of service of the officers and staff of the Public Transport Authority;
- e) the manner in which the accounts of the Public Transport Fund to be maintained by the Chairman;
- f) the form and time for preparation of annual reports **under section 78;**
- g) the time and fee for filing appeal **under section 83;**

h) any other matter which is required to be, or may be, prescribed.

(3) Power to delegate.- The Public Transport Authority may, with the approval of the Government, delegate such its powers and functions as it may consider necessary, for the effective implementation of the road safety programs by general or special order, subject to such restrictions as it deems fit.

(5) Notwithstanding anything contained in sub-section (1), in case of urgency, the Commissioner, Public Transport Authority may take such action as may be necessary to prevent obstruction, as the case may be, and recover the cost thereof from the person responsible in such manner as may be prescribed.

(6) Power to order works.- (1) Notwithstanding anything contained in any other law for the time being in force, it shall be lawful for the Public Transport Authority to order any work or improvement on a public road, as it considers necessary, to secure safety on such roads and each concerned Government department or the local authority or any other authority shall be bound to carry out such works or improvement within such time, as may be specified by the Public Transport Authority.

(7) It shall be the duty of every officer of the Government, local authority or any other authority to act in aid of the Public Transport Authority in enforcing the orders under **sub-section (1)**.

(8) Power to recover cost.- If any person on whom a written order is served or refuses or fails to comply with the order, the Public Transport Authority may take such action as to prevent danger and ensure safety to the public and may recover the cost with legitimate interest thereof from such person.

30. Disposal of Business. - Every matter to be decided by the Public Transport Authority shall be considered and disposed of at meetings of the Public Transport Authority, as the case may be, in accordance with the decision of the majority of the members present.

31. Vacancies etc. not to invalidate proceedings of the Authority. - No Act or proceedings of the Public Transport Authority shall be questioned or shall be invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Authority.

32. Public Transport Commissioner. - The Commissioner for Transport and Road Safety shall also be the Commissioner for Rajasthan Public Transport Authority. The Additional Commissioner shall be the Additional Commissioner of the Authority.

33. Administrative Head of the Public Transport Authority. - The Commissioner of Rajasthan Public Transport Authority shall be the administrative head for the functioning of the Authority and the Additional Commissioner shall assist him.

34. Members and Employees of the Authority to be Public Servants. - All members and employees of the Authority while acting or purporting to act

under the provisions of this Act or any rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central) Act 45 of 1860.

CHAPTER III

DEDICATED ROAD SAFETY FUND

35. Dedicated Road Safety Fund. - (1) After the constitution of the Road Safety Authority, there shall be established a non-lapsable state level fund for road safety to be called as the Dedicated Road Safety Fund.

(2) There shall be credited to the Fund,-

- a) The State Government shall contribute to the fund every year, an amount equal to twenty-five percent of the compounding fee collected in the previous year under section 200 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988).
- b) Compounding fee collected under **section 73** of this act;
- c) payment of a nature notified and approved by the Government;
- d) any grant, loan, contribution or advances made by the Central or the State Government;
- e) any other source of income as may be prescribed by the Central or the State Government;
- f) Contributions from public and private institutions or organizations;
- g) Fee amount collected by issue of smart cards.

(3) Such other sources of funding-as may be prescribed by the Government.

36. Levy and Collection of Cess. - (1) There shall be levied and collected one time CESS at the time of vehicle registration, at such rate not more than one thousand rupees, as may be notified, by the State Government. Different rates may be levied for different class of motor vehicles.

(2) Every notification issued under sub section (1) shall be laid before each house of the State Legislature.

(3) The registration authority shall at the time of registration collect the cess so levied and remit the same to the Dedicated Road Safety Fund, in such manner as may be prescribed.

37. Vesting and Administration of the Road Safety Fund. - (1) The Road Safety Fund shall vest in and be administered by the Road Safety Authority.

(2) The Road Safety Authority shall administer the fund vested in such a manner, as may be prescribed.

(3) All amounts forming part of the Fund shall be deposited in any nationalized bank, as may be decided by the Road Safety Authority and the account shall be operated by the Road Safety Commissioner and Additional Road Safety

Commissioner of the Road Safety Authority jointly in such manner, as the Authority may decide.

38. Utilization of the Road Safety Fund. - (1) The fund shall be utilized for all or any of the following purposes, namely:-

- a) sanctioning expenditure for the implementation of road safety schemes and programs;
- b) sanctioning expenditure for road safety projects and for procurement and installation of equipment / devices used to promote road safety;
- c) sanctioning of expenditure for minor road rectification works required to prevent crashes on state owned roads;
- d) sanctioning expenditure for strengthening trauma-care in the state and conducting programmes or activities related to trauma care;
- e) sanctioning expenditure for the conduct of research and development, studies, projects and on matters relating to road safety;
- f) sanctioning expenditure on matters connected with road safety measures;
- g) sanctioning administrative expenditure of the Road Safety Authority or the State Road Safety Council or the State Road Safety Cell or District Road Safety Committees;
- h) sanctioning expenditure for road safety training, education and awareness programmes;
- i) expenditure on matters connected with road safety, as the Road Safety Authority may deem fit; and
- j) any other purpose as may be prescribed by the Road Safety Authority.

39. Expenses. - All expenses of administration of the fund including the salary and allowances of the staff and other employees shall be met from the Fund.

40. Accounts. - The accounts of the Fund shall be maintained by the Road Safety Commissioner in such manner, as may be prescribed.

41. Audit. - (1) The accounts of the Road Safety Authority shall be audited by the Accountant General.

(2) The Authority may carry out internal audit of the accounts every year by such officials as it deems fit.

(3) The accounts of the Road Safety Authority, as certified by the auditor, together with the audit report thereon shall be submitted to the State Government shall cause the same to be laid before the Legislative Assembly.

(4) The Road Safety Authority shall take such corrective steps as may be ordered by the State Government on the basis of the report.

- 42. Administration of Road Safety Fund.-** (1) The fund shall be administered by the Road Safety Authority for road safety activities undertaken by government stakeholders and private stakeholders.
- (2) The Road Safety Authority shall examine proposals received from stakeholder departments and provide approvals for budget allocation and financial sanctions to carry out works.
- 43. Flexi Pool Mechanism.-** The fund shall have flexi pool mechanism by which if the Road Safety Authority requires to execute such road safety activity for which budget is not available in the designated budget head, it could be transferred or utilized from another budget head provided that there is no pending activity to be executed or there is no financial sanction has been issued for allocation from that budget head to other stakeholder department.
- 44. PD account.-** All Government Stakeholder departments shall open a PD account for allocation of budget for conducting road safety activities as approved by the Road Safety Authority.
- 45. Utilization of Road Safety by the State Road Safety Cell.-** By the powers conferred under this Act, the State Road Safety Cell shall be authorized to utilize the fund for such activities as prescribed by the Road Safety Authority.
- 46. Power to Make Rules.-** In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
- a) the manner in which the Fund shall be administered by the Road Safety Authority;
 - b) the purposes for which the Fund shall be utilized;
 - c) the manner in which the accounts of the Fund to be maintained by the Commissioner, Road Safety Authority;

CHAPTER IV

ROAD SAFETY ACTION PLAN

- 47. Road Safety Action Plan.-** (1) The Road Safety Authority in consultation with State Road Safety Cell, stakeholder departments and Technical Working Groups shall develop Road Safety Action Plan for every five years comprising short term, medium term and long term measures and activities to be undertaken by stakeholder departments and others.
- (2) The Action Plan shall necessarily incorporate the State Road Safety Policy objectives, measures according to five pillars of road safety, Safe Systems Approach, directions issued by Supreme Court Committee on Road Safety, State Road Safety Council and any other state level road safety committees constituted under provisions of this Act.
- (3) The Action Plan shall be approved by the Chairman of Road Safety Authority.

(4) The Action Plan shall clearly define annual targets, expected financial implications with budgetary provisions.

(5) The measures defined in the Action Plan may cover initiatives and activities that can be fulfilled by existing budget provision of stakeholder department or through the Dedicated Road Safety Fund.

48. Compliance of Action Plan.- The initiatives and activities defined in the Action Plan approved by the competent authority shall essentially be complied by the Stakeholders in a timebound manner.

49. Monitoring of Activities.- The initiatives being implemented by stakeholders shall be monitored by the Road Safety Authority or the State Road Safety Council or the State Road Safety Cell at state level and by District Road Safety Committee and district level Task Force at district level.

CHAPTER V

ROAD OWNING AGENCIES

50. Road Safety Audit.- All road owning agencies shall conduct third party road safety audit (stage 5) of existing roads including expressways, highways, major district roads, other roads, and urban roads to adhere standards as specified by Indian Road Congress (IRC). Certified road safety auditor of a road owning agency shall be deemed as third party auditor for another road owning agency.

51. Facilities by Highway Authorities.- The highway authorities in the state shall provide essential facilities for commuters at toll plazas and at a distance as specified by the Road Safety Authority or specified. The facilities shall include male and female rest rooms, drinking water, and first aid box. The highway authorities shall also keep equipment and machinery to deal with emergency situation such as patrolling vehicles, heavy duty crane, ambulance with life-saving equipment, fire fighting vehicle and fire-fighting equipment with adequate and trained manpower to use them.

52. Wayside Amenities.- The highway authorities shall develop wayside amenities alongside highways as specified in the scheme made under 135 of Motor Vehicles Act, 1988 notified by the Government.

53. Stray Animals on Roads.- (1) The Road Owning Agencies shall implement measures to prevent or restrict movement of stray or domestic animals on all categories of roads to prevent road crashes caused due to animals. The Road Safety Authority may delegate power to Road Owning Agencies to remove obstruction caused in movement of traffic due to animals. The Road Safety Authority, or by delegation of powers to Road Owning Agencies, shall impose penalty, as prescribed by this Act, on owners of domestic animals leaving them to stray on roads.

(2) Any stray animals not owned by a person, shall be removed from road and kept in a barn or stable. Road Owning Agencies shall identify locations where such place for keeping animals is not available, the animals shall be worn retro-

reflective belts or any such device which can be seen from a distance during night or low light without harming or injuring the animal.

CHAPTER VI

TRAUMA & EMERGENCY CARE

54. Trauma Care Policy.- (1) The Government shall develop Rajasthan State Trauma Care Policy to assess trauma care needs pertaining to road crashes according to districts, major highways prone to accidents and difficult geographical terrain wherein response time is higher as compared to urban and rural areas.

(2) The Trauma Care Policy shall address the issues to strengthen trauma and emergency care services to provide time bound definitive care to road crash victims to save lives. The policy shall cover the following objectives namely:-

- a) Assessment of trauma care services in all districts.
- b) Development of Level I, II, III or IV Trauma Centres in cities or alongside highways as per the assessment.
- c) Implementation of TRIAGE protocol at all levels of Trauma Centres.
- d) Conduct gap analysis pertaining to ambulance services and ensure adequate number of ALS and BLS ambulances in the state.
- e) Identify accident prone locations and stretches and place ambulances according to severity of crash locations.
- f) Develop pre-arrival intimation system so as the Trauma Centre may be informed before the victim is brought to the hospital to ensure definitive treatment in minimum time.
- g) Plan to upgrade Community Health Centres near highways as Trauma Stabilization Unit.
- h) Free treatment of road crash victims in government and private hospitals.

55. Ambulances.- (1) The Road Safety Authority in collaboration with the Medical & Health Department shall ensure number of ambulances of each category in the State including Type A, B, C and D confirming to AIS-125 standards.

(2) All the ambulances whether government, privately owned by individuals or by a hospital or a toll plaza shall essentially have installed Vehicle Location Tracking Device (VLTD) confirming to AIS-140 standards.

(3) All government and privately owned ambulances shall be integrated such that private ambulances may be utilized for emergency response especially related to road accidents.

(4) Road Safety Authority may hire services of an organization to develop such technology based solution to integrate, operate, and monitor all types of private ambulances.

(3) All ambulances shall be monitored through a centrally controlled command centre in the state. In case of an emergency, a private ambulance nearest to the incident location can be ordered to respond to the incident to provide in-time assistance on such terms and conditions as prescribed by the Road Safety Authority.

(4) Payment for responding to the incident and transporting the victim to the nearest hospital by such private ambulance, not including ambulances owned by toll plaza and private hospitals, shall be payable according to the terms and conditions prescribed by Road Safety Authority.

(5) Road Safety Authority with the help of Medical & Health Department shall conduct necessary training on Basic Life Support for ambulance drivers, paramedic and other staff deployed on all types and categories of ambulances.

(6) Failure to comply the terms and conditions and orders of the Road Safety Authority related by owner of a private ambulance including individual, hospital or toll plaza shall be punishable according to **section 72** of this Act.

56. Good Samaritan.- (1) The stakeholders, as prescribed in section 134A of Motor Vehicles Act, 1988 shall protect rights of a Good Samaritan.

(2) The Road Safety Authority shall by official notification shall launch scheme to recognize Good Samaritans in the state.

(3) The Road Safety Authority shall issue orders to necessarily display “Rights of a Good Samaritan” or “Directions for Police and Hospitals” at locations clearly visible and accessible to general public for creating awareness.

(4) The Road Safety Authority with the help of non-profit organizations and agencies shall conduct training for staff and officers of various departments, private organizations, and community groups for creating awareness about Basic Life Support and Good Samaritan Guidelines.

57. Compensation for Road Crashes.- The Government shall by notification in the Official Gazette launch a scheme for providing compensation to the family of road crash victim on such terms and conditions as prescribed therein.

58. Basic Life Support in School and College Curriculum.- (1) The Government shall include Basic Life Support (BLS) in school and college curriculum for students. The Road Safety Authority by official order shall issue the standard curriculum for imparting BLS training to students.

(2) The administration of the educational institutions shall ensure capacity building of teachers and lecturers on Basic Life Support by certified trainers so as they could impart education to students. Such institutions shall be required to conduct refresher training for teachers and lecturers in every two years.

CHAPTER VII

ROAD SAFETY EDUCATION

59. Road Safety in School and College Curriculum.- (1) The Government shall include road safety in school curriculum for class 1 to 12 and in college curriculum in all streams such as science, commerce, humanities, management, and engineering. The syllabus for school curriculum and college curriculum shall be issued by the Road Safety Authority by an official order.

(2) The Road Safety Authority by an official order shall issue standard training program for certifying teachers or lecturers on road safety. The educational institutions shall nominate up to five but not less than two teachers or lecturers per institution for Certified Teachers Training Program. Teachers or lecturers shall be trained through such organizations, experts or master trainers as prescribed by the Road Safety Authority. From such certified teachers or lecturers, the Road Safety Authority may identify and nominate as Master Trainers for road safety to impart Certified Teachers training for teachers and lecturers in the state.

(3) Refresher training shall be conducted for certified teachers in every two years to enhance their knowledge.

(4) All schools and colleges shall necessarily constitute Road Safety Club in accordance with official order issued by the Road Safety Authority at commencement of new academic session every year. The institutions shall prepare activities calendar and conduct road safety activities for students under the banner of Road Safety Club. Institutions may also take assistance from civil societies or experts working in the field of road safety for conducting activities or training program for students, teachers, and lecturers.

60. Traffic Parks.- (1) The Government shall develop traffic parks in all districts to educate school, college children and general public about road safety.

(2) The traffic parks shall be administered jointly by Police Department and Department of Transport and Road Safety.

(3) Police Department and Department of Transport and Road Safety shall ensure visit of school and college students to the traffic park round the year.

61. Bal Vahini Regulations.- The Road Safety Authority shall by notification in the Official Gazette issue Bal Vahini Regulations to ensure safe transportation of school children.

(2) Failure of compliance of Bal Vahini Regulations by driver or owner or the vehicle or the administration of the school or college shall be punishable according to the **section 72** of this Act.

CHAPTER VIII

ENFORCEMENT

62. Regulation of Non-Motorized Transport.- (1) The Road Safety Authority shall by notification in Official Gazette issue regulations for Non-Motorized mode of Transport including walking, bicycling, skates, skateboards, push scooters, hand carts and animal driven carts.

(2) The violation of regulations of Non-Motorized Transport shall be enforceable as prescribed by the Road Safety Authority.

63. Electronic Enforcement.- (1) To prevent crashes occurring on highways the Road Safety Authority shall identify accident prone stretches and prioritize them according to number of accidents and deaths. Automated Enforcement System shall be established on such highway stretches in a phased manner.

(2) Based on number of accidents and deaths occurring in cities or urban areas, the Road Safety Authority shall identify such cities or urban areas and shall implement Automated Enforcement System in such areas in a phased manner.

64. Highway Police.- Within the six months of commencement of this act the Government by notification in the Official Gazette shall establish Highway Police by conferring powers as desirable to regularize and enforce highway traffic. Highway Police shall conduct enforcement, accident investigation, patrolling on highways, regulate traffic, clear traffic in case of accident, and act as first responder as and when an emergency situation arises.

65. Traffic Aid Posts.- The Government shall establish Traffic Aid Posts on highways according to the scheme notified under section 135 of Motor Vehicles Act, 1988 issued by the Department of Transport and Road Safety.

CHAPTER IX

ROAD CRASHES

66. Investigation of Road Accident.- An accident shall be investigated as per the procedure specified in scheme notified under section 135 of Motor Vehicles Act, 1988 by the Department of Transport and Road Safety.

67. Joint Inspection.- (1) In case of a road crash occurred withing the state causing death of at least three or more persons irrespective of the nature of accident or location, and vehicles involved shall be inspected by a joint team comprising officers from Department of Transport and Road Safety, Police Department and concerning Road Owning Agency. A Joint Inspection Report (JIR) shall be prepared after the inspection which shall be forwarded to the Road Safety Authority and concerning stakeholders for implementation of recommendations to avoid repetition of accident.

(2) Recommendations or measures specified in the Joint Inspection Report shall be complied in timebound manner by the concerned stakeholders and a compliance report shall be forwarded to Road Safety Authority.

(3) The activities related to joint inspection shall necessarily be entered into Integrated Road Accident Database (iRAD) or a system prescribed by the Road Safety Authority in the specified time limit.

CHAPTER X

TRAINING & CAPACITY BUILDING

68. Training & Capacity Building.- The Road Safety Authority with the help of State Road Safety Cell shall regularly conduct capacity building and training

programs for staff and officers of stakeholder, other Government Departments and private stakeholders through the State Level Road Safety Training Institute established under the Centre of Excellence.

69. Traffic Counseling Centres.- Traffic Counseling Centre shall be set up in each district by Police Department. The Traffic Counseling Centre shall impart training of traffic rules, for duration not less than two hours, for the traffic offenders for the offences as prescribed by the Road Safety Authority. Traffic violators shall necessarily visit the counseling centre to attend the session. Challan for such traffic offenders shall only be compounded after having attended the session and received certificate of training from Traffic Counseling Centre by the offender.

70. Road Safety Training Centre.- The Department of Transport and Road Safety by an official order shall establish Road Safety Training Centre at each Regional or District Transport Office in the State. People visiting the RTO or DTO office for a purpose shall be provided awareness on road safety by physical or electronic means by a Motor Vehicle Inspector or a Sub Inspector.

CHAPTER XI

OFFENCES AND PENALTIES

71. Punishment for Failure to Comply with the Road Safety Authority's Order. -

(1) Whoever refuses or fails to comply with any order of the Road Safety Authority or the Road Safety Commissioner or any District Road Safety Committee under this Act, shall be punishable with imprisonment for a term of six months or with fine which may extend to fifty thousand rupees or with both.

(2) In the case of continuing offence a fine of five thousand rupees shall be imposed for each day for which the offence continues.

72. Punishment for Obstructing the Road Safety Authority. - Whoever obstructs the Road Safety Authority, the State Road Safety Council, the Road Safety Commissioner, the State Road Safety Cell, District Road Safety Committee, or any officer thereof or any person employed or engaged by them in the discharge of the functions under this Act, shall be punishable with imprisonment for a term of maximum three years or with fine which may extend to one lakh rupees or with both.

73. Compounding of Offences. - Any offence punishable under [section 72 and 73](#) may either before or after the institution of prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the Gazette, specify in the behalf.

74. Offences by Companies. - If an offence punishable under this Act is committed at any time by a company, every person who is in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence and the company shall be deemed to be responsible for the offence and shall be liable to be proceeded against and punished accordingly:

Provided that where any offence under this Act has been committed by a company and it is proved that the commission of the offence is with the consent and connivance attributable to any neglect on the part of any Director, Manager, Secretary or other officer of the company such Director, Manager, Secretary or other officer shall be deemed to be responsible for that offence and shall be liable to be proceeded against and punished accordingly.

Explanation: - For the purpose of this section:-

(a) 'company' means anybody corporate and includes a firm or other association of individuals; and

(b) 'Director' in relation to a firm means the partner in the firm.

75. Scheme for Road Safety Activities.- (1) The Road Safety Authority by issuing official circular shall launch a scheme for providing financial grant to non-government, non-profit organizations, trusts, societies, and firms working in the field of road safety for conducting road safety training, education, awareness campaigns, and other activities as prescribed by the Road Safety Authority.

(2) Initially the scheme shall be launched for a period of five years and shall be revised thereof on regular basis on an interval of five years.

CHAPTER XII

DATA ANALYSIS AND REPORTING

76. Collection of Road Crash Data. – Department of Transport and Road Safety, Police, Road Owning Agencies, Medical & Health Department, or other authorized department or agency shall collect data of road crashes using Integrated Road Accident Database (iRAD) or an application prescribed by Road Safety Authority. The stakeholders shall make use of designated software module to enter the relevant data related to a road accident in a timebound manner.

77. Analysis of Road Crash Data. – The Road Safety Authority shall carryout detailed analysis of road crash data on annual basis after completion of a calendar year. The Road Safety Authority shall also compile and publish annual report of road accidents using road accident data of iRAD or road accident data collected and maintained by the Police Department.

78. Annual Report. - (1) The Road Safety Authority during each financial year shall prepare annual report, in such form and at such time, as may be prescribed, giving a complete account of its activities of the previous year and submit such report to the State Government.

(2) The State Government shall cause every such report to be laid before the State Legislature as soon as may be, after the receipt of the same.

79. Publication of Report.- The Road Safety Authority shall upload the reports prescribed in section 77 and 79 on State's web portal and website of Department

of Transport and Road Safety or any other portal as prescribed by the Road Safety Authority to make it available on public domain.

80. Submission of Reports to the Road Safety Authority. - (1) The District Road Safety Committee shall during each financial year prepare, in such form and at such time, as may be prescribed, an annual report giving a complete account of its activities of the previous year and submit such report to the Road Safety Authority.

(2) The District Road Safety Committee shall also prepare and submit Quarterly Reports to the Road Safety Authority in compliance to the directions of Supreme Court Committee on Road Safety. The District Road Safety Committee shall also prepare and submit compliance reports as required by Road Safety Authority.

81. District Road Safety Committee to Submit Reports, etc. - Every District Road Safety Committee shall submit such reports and returns and furnish such information to the Road Safety Commissioner, as may be required from time to time, and the Road Safety Commissioner shall submit a consolidated report to the Road Safety Authority, as desired by the Road Safety Authority.

CHAPTER XIII

MISCELLANEOUS

82. Amounts Recoverable as Arrear of Land Revenue. - Any amount due to the Road Safety Authority under this Act shall, without prejudice to any other mode of recovery, be recoverable in the same manner as an arrear of revenue due on land.

83. Appeals. - (1) Any person aggrieved by an order passed by any officer of the Road Safety Authority or of the District Road Safety Committee under this Act may within such time as may be prescribed, may appeal to the Rajasthan Road Safety Appellate Tribunal. The State Government shall constitute by notification the Rajasthan Road Safety Appellate Tribunal consisting of a Judicial officer who is holding the post not below the rank of District Judge or held the post as such.

(2) Every appeal preferred under sub-section (1) shall be accompanied by such fees, as may be prescribed.

(3) On receipt of any appeal under sub-section (1) the Appellate Tribunal shall, after giving the appellant an opportunity of being heard in the matter dispose of the appeal as expeditiously as possible.

84. Protection of Action Taken in Good Faith. - No suit, prosecution or other legal proceedings shall lie against the State Government or Road Safety Authority or any officer of the State Government or any member or other employees of the Road Safety Authority for anything, which is done in good faith or purported to be done under or in pursuance of this Act or the rules made thereunder.

- 85. Cognizance of Offences.** - No court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence submitted with the prior permission of the Road Safety Commissioner.
- 86. Bar of Jurisdiction of Civil Courts.** - No civil court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which is by or under this Act required to be settled, decided, or dealt with or to be determined by the State Government or the Road Safety Authority or any officer authorized by the State Government or the Road Safety Authority.
- 87. Act Not in Derogation of the Rajasthan Highway Act, 1964.** - The provisions of this Act shall be in addition to, and not in derogation of, the provisions of the Rajasthan Highway Act, 1964 (44 of 1964).
- 88. Power to Give Directions.** - The State Government may give directions to the Authority in matters of policy of the Road Safety Authority and the Road Safety Authority shall be bound to give effect to such directions.
- 89. Power to Make Rules.** - (1) The State Government may, after previous publication by notification in the official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely:-
- (a) Functions to be performed by Road Safety Authority;
 - (b) The manner in which cess has to be collected and remitted to the fund;
 - (c) The purposes for which the Fund shall be utilized;
 - (d) The designation, method of appointment and other conditions of service of the officers and staff of the Authority;
 - (e) The manner in which the accounts of the Fund to be maintained by the Road Safety Commissioner under section 24;
 - (f) The form and time for preparation of annual report under section 26;
 - (g) The time and fee for filing appeal under section 32; and
 - (h) Any other matter which is required to be, or may be, prescribed.
- (3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislature of the State, while it is in session, immediately following for a total period of fourteen days, which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following the Legislature making any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or stand annulled, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

90. Regulations. - The Road Safety Authority may make regulations with the prior approval of the State Government in respect of the procedure to be adopted by the Road Safety Authority and the District Road Safety Committee for meetings and disposal of matters coming up before the authority or the District Road Safety Committee, as the case may be.

91. Removal of Difficulties. - (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do anything not inconsistent with this Act or the rules made thereunder, which appears to it necessary for the purpose of removing the difficulty:

Provided that, no such order shall be issued after two years from the date of commencement of this Act.

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