

**Government of Rajasthan
Transport Department**

S.No. F 7(495)(B)Trans/Rules/HQ/2016/Part/ 28011

Jaipur, Dated: 24/01/17

Rajasthan Bike Taxi Policy 2017

Section 2(27) of Motor Vehicles Act 1988 provides the definition of a Motor Cycle which "means a two-wheeled motor vehicle, inclusive of any detachable side-car having an extra wheel, attached to the motor vehicle". So number 1248(E) dated 05.11.2014 allows registration of "Motor Cycles" both under transport and non-transport categories. In terms of section 2(27) of the Act Transport Vehicle inter alia means a Public Service Vehicle and in terms of Section 2(35) of the Act "Public Service Vehicle" means any Motor Vehicle used or adapted to be used for the carriage of passenger for hire or reward.

In light of the above the State Government has allowed registration of two wheelers as a contract carriage vehicle for use in terms of provisions of the "Rent a Motor Cycle Scheme 1997" and for use as a taxi- bike registered as transport vehicle. The bike taxi shall require a contract carriage permit for the area within which it is to be operated. For ensuring last mile connectivity and for generating self employment for unemployed youth the State Government in public interest hereby makes the following scheme for regulating the use of motor cycles for hiring purposes and matters connected therewith, namely:-

1. Short title, commencement and application:-

- (1) This scheme may be called Rajasthan Bike Taxi Policy 2017.
- (2) It shall come into force on the date of its publication in the official Gazette.
- (3) It shall apply to a person who acts as an agent or a canvasser in the manner as provided in clause (i) of sub-section (1) of section 93 of the Motor Vehicles Act, 1988 and where such person is exclusively engaged in the business of providing motor cycle/bike to persons/passengers desiring to hire motor cycle/bike for undertaking a journey.

2. Definition:-

- (1) In this scheme unless the context otherwise requires:-
 - (i) "Act" means Motor Vehicles Act, 1988 (59 of 1988)
 - (ii) "Rule" means the rule of the Central Motor Vehicles Rules, 1989, the Rajasthan Motor Vehicles, Rules 1990 as the case may be.
 - (iii) "License" means a license granted or renewed under this scheme for principal establishment and includes the supplementary license

granted to the applicant for any establishment/branch office specified in such supplementary license.

- (iv) "Licensing authority" means the Regional Transport Officer of the region within whose jurisdiction the licensee resides or has a place of business.
- (v) "Licensee or operator" means the holder of a license under this scheme.
- (vi) "Area of operation" means the area as defined in rule 1.2(u) of the Rajasthan Motor Vehicles Rules, 1990.
- (vii) "Form" means a form appended to this scheme.

- (2) Words and expressions used but not defined in the scheme and defined in the Motor Vehicles Act, 1988, Central Motor Vehicles Rules, 1989 and Rajasthan Motor Vehicles Rules, 1990 shall have the meanings assigned to them therein.

3. Licensing of operator:-

- (1) No person shall engage himself in the business of operating a bike taxi or run a bike taxi agency unless he obtains a license under this scheme.
- (2) Any person who at present is engaged as an agent under a license issued under rule 5.28 of the Rajasthan Motor Vehicles Rules, 1990 or otherwise shall obtain a license within 60 days of the commencement of this scheme.
- (3) Any person who obtains a license under this scheme shall be deemed to be an agent under section 93 of the Motor Vehicles Act, 1988 and rule 5.73 of the Rajasthan Motor Vehicles Rules, 1990.

4. Application for grant or renewal of license:-

- (1) An application for the grant and renewal of a license under the scheme shall be made in Form 1 to the licensing authority having jurisdiction in the area in which he resides or has his principal place of business and shall be accompanied with appropriate application fees as provided in rule 5.87 of the Rajasthan Motor Vehicles Rule, 1990. The applicant shall also furnish the details of the branch offices (if any) located in the State to the licensing authority. In case any branch office is located outside the jurisdiction of the licensing authority than the licensing authority shall endorse a copy of the the license to all such licensing authorities within whose jurisdiction the branches are located.

(2) The applicant shall apply for grant/renewal of license in Form 2 to the licensing authority, who after being satisfied that the applicant fulfils all the conditions of the scheme, will intimate the applicant within 7 days of the application about approval of his application.

The applicant shall, thereafter, within 15 days of receiving such intimation apply for obtaining the license or for renewal of license as the case may be. Such application shall be accompanied with a fees for grant/renewal of license as provided in Rule 5.87 of the Rajasthan Motor Vehicles Rules, 1990. The grant/renewal of license fees shall be paid for the principal place of business and also for each branch office/establishment referred in the application.

(3) The application for renewal shall be made 30 days before the expiry of the license. In case of refusal to grant the license the licensing authority shall after giving the applicant an opportunity of hearing pass an order recording the reasons of refusing the license.

5. Period of validity of license:-

The license shall be valid for one year from the date of issue of license.

6. Security deposit:-

The licensee shall deposit cash security of Rs. 5000/- to the licensing authority as provided in sub-rule (11) of rule 5.73 of the Rajasthan Motor Vehicles Rules, 1990.

7. Conditions governing operation of Motor Cycle/Bike-Taxi services:

(a) Any service provider whether individual, firm/company or any legal entity registered under the applicable Laws of India desirous of providing such service may obtain license under the scheme.

(b) The taxi-bike shall be duly registered and shall require to obtain fitness certificate as per provisions of Section 56 of Motor Vehicles Act 1988 and rules made thereunder.

(c) The service provider must own a minimum of one motorcycle to undertake commencement of such services. The tax payable under the Rajasthan Motor Vehicles Act and rules made thereunder should be duly paid.

(d) Contract Carriage Permit for the specified area, for which the applicant has applied, shall be issued by the RTA having jurisdiction. Permits may be issued to the registered owner of the vehicle or to the persons/entities who have entered into an agreement of lease as per provision of Sec 2(30) of the Motor Vehicles Act.

- (e) Adequate facility for garage/ parking of all such motorcycles along with provision for their reasonable maintenance shall be a pre-condition.
- (f) The motor bike shall be duly insured under the provisions of Motor Vehicles Act, 1988.
- (g) Bike-taxi shall be used as a "Contract Carriage" as defined in section 2(7) of the Motor Vehicles Act, 1988.
- (h) Various measures on safety and security of the passenger as may be enumerated from time to time by Transport Department shall be complied with by the Service Provider.
- (i) The driver appointed by the service provider shall have Driving License authorizing him/her to drive a Bike-taxi.
- (j) Antecedents of all appointed drivers shall be thoroughly checked by the service provider and a report of antecedents of drivers engaged by him shall be forwarded to the Police Station of the area where the office of the service provider is located. In case any adverse report about the antecedents of a driver is received from the concerned Police Station then the services of the driver shall be terminated immediately by the service provider on receiving of such report.
- (k) Conduct of the Drivers towards passengers shall be courteous at all times and shall be considered as a primary criterion for the service providers.
- (l) Journeys preferred by any hirer shall be offered on a direct and shortest route basis only.
- (m) Carriage of minors as hirers shall not be allowed.
- (n) More than one pillion rider shall not be allowed.
- (o) Crash helmets for riders as per permissible specifications shall be provided by the service provider.
- (p) Carriage of personal effects by the hirer will be allowed on a very limited basis, like a normal size backpack or handheld briefcase, etc. of reasonable weight.
- (q) For conspicuity- colour of all such bike-taxis shall be painted in such a colour as specified by the Transport Commissioner. The words " Bike-Taxi" shall be painted prominently on the two sides of the fuel tank using reflective colours only and shall also display the words "Bike-Taxi" on additional plates on a white base colour both at the front and at the back of the vehicle.

8. Other Conditions:-

- (a) The Vehicle shall carry a first aid box.
- (b) The vehicle shall meet the emission standards as laid down from time to time.
- (c) Decent standards of comfort and cleanliness shall be maintained in the vehicle. Goods liable to make the vehicle insanitary shall not be carried in the vehicle.
- (d) The dangerous or hazardous goods as specified in rule 137 of the Central Motor Vehicles Rules, 1989 or any other goods as may be specified from time to time shall not be carried in the vehicle.
- (e) The owner of the vehicles shall have adequate parking space available with him.
- (f) The name and phone number of the driver and of the service provider shall be painted or otherwise firmly affixed on the exterior of the body of the bike in a color vividly contrasting to the color of such bike.
- (g) The licensee shall not charge a fare more than the maximum fare as specified by the State Government from time to time. The fare to be charged shall be displayed on the body of the vehicle.
- (h) The vehicles shall be run on such fuel which is permissible by competent authorities for operation in National Capital Region.
- (i) No advertisement shall be displayed in a manner that it becomes hazardous or a disturbance to the safety of traffic and must be strictly in accordance with the guidelines issued by the State Transport Authority in this regard from time to time.
- (j) The distance of the journey traveled by the hirer shall be measured on the basis of odometer fitted in the bike.
- (k) The service provider shall abide by all the conditions of the permit issued to it.

9. General conditions to be observed by the Passenger.- While travelling or riding in the bike taxi the passenger or rider,-

- (1) shall not smoke and drink;
- (2) shall behave in civil and orderly manner towards driver;
- (3) shall not willfully or negligently damage the bike taxi or any of its fittings;
- (4) shall not cause a driver to drive the vehicle in contravention of the provisions of the notified speed limits.

10. Power of Licensing Authority to Suspend or Cancel License.-(1) If the licensing authority, after giving the licensee an opportunity to be heard, is of the opinion that,–

(a) a licensee has failed to comply with any of terms and conditions as detailed in the scheme; or

(b) the licensee has failed to maintain the Bike Taxi in compliance with the provisions of the Act and rules made thereunder;

The licensing authority may suspend the license for a specified period or cancel the license.

(2) Every licensee whose license has been cancelled shall be permitted to apply for another license to the licensing authority after a period of six months from the date of cancellation.

(3) When the license is suspended or cancelled under sub-clause (1) the holder of the license shall surrender the license to the licensing authority and discontinue the service.

11. Forfeiting of Security.– If the holder of a license fails to comply with the terms and conditions as mentioned under these rules or any employee of licensee is guilty of any misbehavior or misconduct with any passenger travelling. then the licensing authority will be free to suspend or revoke the license or/and forfeit the security of rupees 5,000 or appropriate portion looking to the seriousness of the offence.

12. Issue of duplicate license.– (1) If at any time the license is lost or destroyed, the holder shall report to the police station in the jurisdiction of which the loss or destruction has occurred and intimate the fact in writing to the licensing authority and apply in writing to the said licensing authority for a duplicate license/supplementary license accompanied by the fees as specified in rule 5.87 of the Rajasthan Motor Vehicles Rules, 1990.

(2) On receipt of an application along with the specified fee in sub-clause (1), the licensing authority may issue a duplicate license clearly marked “Duplicate”.

(3) If after the issue of a duplicate license the original is traced, the same shall be surrendered forthwith to the licensing authority.

13. **Appeal.-** Any person aggrieved by any order of the licensing authority under clause 10 of the scheme may file within thirty days of the receipt of the order, appeal to the Transport Commissioner.
14. **Procedure for appeal.-** (1) An appeal under rule 15 shall be preferred in two copies in the form of a memorandum setting forth the ground of objection, to the order of the licensing authority and shall be accompanied by a fee as specified in rule 5.87 of the Rajasthan Motor Vehicles Rules, 1990.

(2) The Transport Commissioner may after giving an opportunity to the parties to be heard and after such enquiry as it may deem necessary, pass appropriate orders.
15. **Voluntary surrender of the license.-** The holder of a license may at any time surrender the license issued to him by the licensing authority which granted the license and on such surrender the licensing authority shall cancel the license. The holder of the license before surrendering the license shall clear all the dues if any under this scheme.
16. The State Government may at any time attach additional conditions to be followed by the licensee and may also direct the licensee to furnish such returns as directed by it from time to time.

Form Number- 1

[See clause 4(1)]

Form of application for Bike Taxi under Rajasthan Bike Taxi Policy 2017

To,

The Regional Transport Officer,

.....

I, the undersigned hereby apply for grant of a license for operation as a Bike Taxi operator under the Rajasthan Bike Taxi Policy 2017.

1.	Full Name	
2.	Address of the main office	
3.	Number of branches and their addresses	
4.	(a) If a registered company, enclose a copy of certificate of incorporation/registration along with a copy of memorandum of association. (b) If a firm, enclose a copy of certificate of registration of the firm.	
5.	Mobile and Landline Telephone number, web address and e-mail id	
6.	Number of Bike Taxis proposed to be operated. (Enclose a separate list containing vehicle numbers, fitness validity and permit particulars of each vehicle)	
7.	Details of other infrastructure and parking space	
8.	Details of fee paid	

I hereby declare that the information given above and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at any point of time, the license granted to me is liable to be cancelled, besides initiating other legal action/actions against me. I have gone through the provisions of the Rajasthan Bike Taxi Policy 2017; I accept the same and agree to abide by the said rules.

Place:

Date:

Signature of the Applicant/
Authorized signatory

FORM-2
[see clause 4(2)]
License for Bike Taxi operator

Mr./Mrs./Mrs.----- is hereby licensed to function as a Bike Taxi operator under the Rajasthan Bike Taxi Policy 2017, subject to the conditions contained in this scheme.

1.	Name of the Bike Taxi operator in full	
2.	Addresses of the main office	
3.	Address of branches	
4.	Mobile and Landline Number, web address and e-mail id	
5.	Number of Bike Taxis (As per the list enclosed)	
6.	Details of fee Paid*	
7.	Details of bank guarantee	

* Fees shall be paid for each branch in addition to principal place of business.

The licensee shall observe all the conditions contained in the Rajasthan Bike Taxi Policy 2017.

This license is valid from-----to-----

Place:

Date:

Regional Transport Officer
.....

Renewals

Renewed from to

Regional Transport Officer
.....

Renewed from to

Regional Transport Officer
.....

Renewed from to

Regional Transport Officer
.....

By order of the Governor,

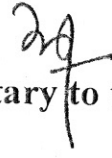
(Dr. Manisha Arora)

Joint Secretary to the Government

S.No. F 7(495)(B)Trans/Rules/HQ/2016/Part/280/2 - 19 Jaipur, Dated: 24/01/17

Copy forwarded to the following for information and necessary action:-

1. The Superintendent, Government Central Press, Jaipur. This notification may kindly be published in the extra-ordinary Gazette dated 24.01.17.. and a copy thereof may be sent to this department.
2. P.S. to Principal Secretary, Hon'ble Chief Minister, Rajasthan, Jaipur.
3. S.A. to Hon'ble Transport Minister, Rajasthan, Jaipur.
4. P.S. to Principal Secretary and Transport Commissioner to the Government of Rajasthan, Jaipur.
5. All Head Quarter Officers of Transport Department, Jaipur.
6. Shri Sanjay Singhal, S.A. for updating departmental website.
7. All Regional/Addl. Regional /District Transport Officers.
8. Guard file.


Joint Secretary to the Government

RENT A MOTOR CYCLE SCHEME, 1997¹

In exercise of powers conferred by section 75 of the Motor Vehicles Act, 1988 (59 of 1988), Central Government hereby makes the following scheme for regulating the business of renting of Motor Cycles to persons desiring to drive the motor cycles for their own use and matters connected therewith, namely:—

1. Short title, commencement and application.—(i) This scheme may be called Rent a Motor Cycle Scheme, 1997.

(ii) It shall come into force on the date² of its publication in the Official Gazette.

(iii) It shall apply to motor cycles to which permits have been issued under sub-section (1) of section 74 of the Act and operating under a licence granted in terms of para 6.

2. Definitions.—In this scheme unless the context otherwise requires:—

(i) "Act" means Motor Vehicles Act, 1988 (59 of 1988);

(ii) "Form" means a Form appended to this scheme;

(iii) "licence" means a licence granted or renewed under paragraph 6 to engage in the business of renting of motor cycles to persons desiring to drive the motor cycles themselves for their own use;

(iv) "licensing authority" means the State Transport Authority constituted under sub-section (1) of section 68 of the Act;

(v) "operator" means the holder of permit issued under sub-section (1) of section 74 of the Act in respect of not less than 5 motor cycles;

(vi) "scheme" means the Rent a Motor Cycle Scheme, 1997.

3. Licensing of operator.—No person shall engage himself in the business of renting a motor cycle under this scheme without a licence.

4. Application for grant or renewal of licence.—An application for the grant or renewal of a licence under paragraph 6 shall be made in Form 1 to the licensing authority having jurisdiction in the area in which he resides or has his principal place of business and shall be accompanied by a fee of rupees one thousand.

5. Scrutiny of application.—A licensing authority shall, before granting or renewing a licence take into consideration the following, namely:—

(i) That the applicant has a good moral character and has intimate knowledge of passenger transport business;

(ii) That the applicant has necessary facilities for the housing, maintenance and repair of his vehicles, sanitary block and reception room;

(iii) That the applicant has at least one telephone which is accessible throughout day and night;

(iv) That the financial resources of the applicant are sufficient to provide for the continued maintenance of motor cycle and for the efficient management of the establishment;

1. *Vide* S.O. 375(E), dated 12th May, 1997, published in the Gazette of India, Extra., Pt. II, Sec. 3(ii), dated 12th May, 1997.

2. Came into force on 12-5-1997.