

THE KHYBER PAKHTUNKHWA MOTOR VEHICLES RULES, 1969

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**THE ¹[KHYBER PAKHTUNKHWA]
MOTOR VEHICLES
RULES, 1969**

Notification No. T-9/225-65, dated 3rd November, 1969: In exercise of the powers conferred by Sections 22, 43, 68, 69, 70, 74, 95 and 120 of the Provincial Motor Vehicles Ordinance, 1965 (Ordinance, XIX of 1965,) and in supersession of the Punjab Motor Vehicles Rules, 1940 the Khyber Pakhtunkhwa Motor Vehicles Rules, 1940, the Baluchistan Motor Vehicles Rules, 1940 and the Sind Motor Vehicles Rules, 1940 the Governor of West Pakistan is pleased, after taking into consideration the Draft Rules previously published with the Government of West Pakistan, Transport Department Notification No. T-9/225-65, dated the 26th July, 1968 in the Gazette of West Pakistan, Part I, dated the 6th December, 1968, to make the following rules:-

**CHAPTER 1
PRELIMINARY**

1. Short title, extend and commencement : (1) These rules may be called the

¹[Khyber Pakhtunkhwa], Motor Vehicles Rules, 1969 (West Pakistan Motor Vehicles Rules, 1969).

²[(2) They shall apply to the whole of the Khyber Pakhtunkhwa.]

(3) They shall come into force at once.

³[Note: For the word "Corporation" and the words "Road Transport Corporation" wherever occurring, the word "Board" and the words "Khyber Pakhtunkhwa Road Transport Board" shall respectively be substituted.]

2. Definitions: In these rules, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:

(a) "articulated vehicle" means a motor vehicle to which a trailer is attached in such a manner that part of the trailer superimposed on and part of the weight of trailer is borne by the principle vehicle;

(b) "Government": means the Government of West Pakistan;

(c) "Form" means a form set forth in the First Schedule to the Ordinance or appended to these rules;

¹ Subs, for the word "West Pakistan" by KHYBER PAKHTUNKHWA. Adaptation of Laws Order, 1975

² Vide Notification No. 1195/PTA KHYBER PAKHTUNKHWA, Extra. 20.10.1971

³ Vide Notification No. 1734-72/5505/TPT/XV-B-3, KHYBER PAKHTUNKHWA Gazette Extraordinary 19.4.1972

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- (d) "Forwarding Agent" means any registered firm or a company with limited liability engaged in the business of booking goods for transit from one place to another and permitted under Chapter VIII of the rules to use a place for the loading, unloading and halting of goods vehicles;
- (e) "Motor cab rickshaw" means a motor cab, with three wheels, the unladen weight of which does not exceed 900 pounds avoirdupois, constructed, adapted or used to carry not more than two passengers excluding the driver;
- (f) "Motor cycle rickshaw" means a motor vehicle with three wheels, the unladen weight of which does not exceed 900 pounds avoirdupois, constructed, adapted or used for private purposes, other than for hire or reward, to carry not more than two persons excluding the driver;
- (g) "Motor Vehicles Examiner" means an officer appointed by the Inspector-General of Police under rule 35;
- (h) "Ordinance" means the Provincial Motor Vehicles Ordinance, 1965 (Ordinance XIX of 1965);
- (i) "Passenger" for the purposes of the rules in Chapter IV means any person travelling in public service vehicle other than the driver or the conductor or an employee of the permit holder while on duty;
- (j) "pounds" means pounds avoirdupois;
- (k) "Province" means Province of West Pakistan;
- (l) "section" means a section of the Ordinance;
- (m) "urban area" means the area of a municipality, small town or cantonment, or other local area which may be specially notified by Government as an urban area.

CHAPTER II

LICENSING OF DRIVERS OF MOTOR VEHICLES

From Rule No.5 to Rule No.27 of this chapter belongs to Driving License (Traffic Police)

CHAPTER III

REGISTRATION OF MOTOR VEHICLES

28. Registering Authority: (1) The registering authority shall be the Excise and Taxation Officer of the District ⁴[or any other officer of the Excise & Taxation Department not below the rank of Assistant Excise & Taxation Officer, as may be duly authorized by Government.]

(2) The area of jurisdiction of each registering authority shall be the area of the District.

(3) The registering authority, before cancelling or suspending the certificate of registration of a motor vehicle, shall give the owner an opportunity of being heard.

29. Appellate Authority: (1) The authority to hear appeals against any appealable order passed by a registering authority under Chapter III of the Ordinance shall be the ¹[Director General] Excise and Taxation having jurisdiction in the district.

(2) The authority to hear appeals against any order passed to suspend certificate of registration under Section 34 read with rule 45 shall be the ¹[Director General], Excise and Taxation having jurisdiction in the area.

(3) The authority to hear appeals against an order in respect of a certificate of fitness under Section 39 read with rule 35 shall be the Superintendent of Police having jurisdiction in the area to which the order was passed.

30. Conduct and Hearings of Appeals: (1) An appeal under rule 29 shall be preferred in duplicate in the form of a memorandum, setting forth concisely the grounds of objection to the order of the registering authority or the Motor Vehicles Examiner, as the case may be, and shall be accompanied by a fee of rupees five and a certified copy of that order. The Director, Excise and Taxation, or the Superintendent of Police, as the case may be, may, if the appeal succeeds, refund the fee in whole or in part, as he thinks fit.

(2) The appellate authority after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may deem necessary, may confirm, vary or set aside the order of the registering authority of the Motor Vehicles Examiner or the Court, as the case may be, and shall make an order accordingly.

(3) Any person preferring an appeal under rule shall be entitled to obtain a copy of any document filed with the registering authority or the Motor Vehicles Examiner or the Court in connection with any order against which he is preferring an appeal on the payment of a fee of rupees two in respect of each such document.

⁴ Substituted vide No.SO(Tax) 1-39/06 Vol.. VI dated 21.08.2006.

(4) Subject to the provision of sub-rule (3), the Director, Excise and Taxation or the Superintendent of Police may give any person interested in such appeal, copies of any document connected with the appeal, on payment of a fee of rupees two per copy of each document.

31. Assignment Registered Weights: In assigning any weight other than the unladen weight to a transport vehicle under section 28, the registering authority may, if the owner so desires, assign a weight less than the maximum permitted by the provisions of that section as the registered laden weight or the registered axle weight of any axle.

32. Assignment and Exhibition of Registration Marks: (1) The registration marks to be assigned under sub-section (3) of Section 25 are set forth in the Sixth Schedule to the Ordinance.

(2) The registration marks shall be clearly and legibly exhibited on a plane surface on a plate or part of the vehicle both at front and rear facing direct to the front or rear, as the case may be, in the manner hereinafter specified Motor Vehicles owned by Government Departments, except those of the Special Branch, shall carry the distinctive registration plate in the form illustrated in the Second Schedule to these rules. The name of the Department to which the vehicle belongs shall be shown in this plate. In the case of a public service vehicle, the registration mark shall also be exhibited on a plane surface inside the vehicle, above the wind screen.

(3) The registration mark shall be in English letters and numerals, and:-

(a) save in the case of a motor cycle or a motor cab rickshaw or a motor cycle rickshaw or an invalid carriage the letters shall be not less than two and-a-half inches high and a five-eighths of an inch thick at any part; the numeral shall not be less than three and a half inches high and three-quarter of an inch thick at any part, and there shall be space between any letter and any numeral, and the edge of the plane surface, of not less than half an inch and a space between any two letters and between any two-numerals of not less than three eight of an inch;

(b) in the case of a motor cycle or a motor cab rickshaw or a motor cycle rickshaw or an invalid carriage, letters shall be not less than one and two-third inches high and half an inch thick at any part, and there shall be space between any, letter and any numeral, and the edge of the plane surface, of not less than a third of an inch and a space between any two numerals of not less than a quarter of an inch.

(4) The plane surface aforesaid shall not be inclined from the vertical by more than thirty degrees. The letters and numerals shall be exhibited in the following manner-

(a) in the case of a transport vehicle, other than a motor cab excluding motor cab rickshaw, both registration marks assigned to the vehicle shall

exhibit the letters and numerals in two separate horizontal lines, the letters above and the numerals below;

- (b) in all other cases, the registration marks may exhibit the letters and numerals either in two horizontal lines as aforesaid or in one horizontal line.

(5) Notwithstanding anything contained in sub-rule (2), the registration mark exhibited at the front of a motor cycle of an invalid carriage may be displayed on a plate in a line with the axis of the vehicle and shall in such case be displayed on both sides of roof plate.

(6) The front and rear registration mark exhibited on a public service vehicle shall be affixed at a distance of not less than eighteen inches from the ground level.

(7) If the letters and numerals are exhibited in any polished metallic surface they shall have plane and not rounded surfaces

33. Registration Mark on a Trailer: (1) The registration mark of a trailer shall be exhibited on a plane plate or surface on the left hand side of the trailer. The letters, figures, space and margin shall be of dimensions not less than those prescribed in (b) of sub-rule (3) of rule 32.

(2) The registration mark of the drawing motor vehicle required by the Ordinance to be affixed to the rear of a trailer shall be in conformity with all the provisions of these rules applicable to the registration mark affixed to the rear of a motor vehicle.

34. Particulars to be Printed on Transport Vehicles: (1) Save in the case of motor cabs, delivery vans or trailers of the nature specified in clause (h) of sub-section (3) of Section 44, the particulars set forth below shall be exhibited in a fixed frame inside the vehicle in the driver's cab, in English letters and numerals:

1. Registered No. of vehicle
2. Name and address of owner as set forth in the Certificate of Registration
3. The Registered Unladen Weight in lbs denoted by U.W.
4. The Registered Laden weight in lbs. denoted by R.L.W.
5. Carrying capacity:-
 - (a) If a stage or a contract carriage, the number of the passengers of whom accommodation is provided
 - (i) Upper class
 - (ii) Lower class

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- (b) and (b) if a goods vehicle, in lbs
- 6. Registered Front Axle Weight
in lbs. denoted by FAW.
- 7. Registered Rear Axle Weight
in lbs. denoted by RAW
- 8. Number and size of tyres-
 - (a) Front Axle
 - (b) Rear Axle
 - (c) Intermediate Axle, if any

Signature and name of the
Motor Vehicle Examiner.

[Signature of the authorised person

Seal of the licensed Automobile Workshop

Licence No

Place of issue

(2) The full name of the company, society, firm or person owning the vehicle as set forth in its registration certificate shall be exhibited on both sides, of every transport vehicle other than motor cabs, delivery vans and trailers, in block letter measuring four inches in height and three-fourths of an inch in thickness:

Provided that with the approval of the Regional Transport Authority concerned abbreviation of names may be used.

(3) In case of a motor cab, or a motor cab rickshaw, the word "TAXI" shall be painted in white in the middle of the wind screen as well as of the rear glass. The letters shall be not less than 2-1/2 inches high and 5/8th of an inch thick at any part. The word "Private" in block letters not less than 2-1/4 inches high and 5/8th of an inch thick at any part shall be painted in red in the middle of the wind-screen of a motor cycle rickshaw.

(4) This rule shall not apply to any vehicle registered under section 40 or 41].

35. Issue and Renewal of Certificate of Fitness—(1) (a) The authority prescribed to issue or renew a certificate of fitness and to perform all other functions which are to be discharged by a prescribed authority under section 36, shall be:-

(i) In the case of vehicles owned and operated by the Road Transport Corporation established under section 70, the Work Manager of the

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- corporation or any other officer appointed by it for the purpose; and
- (ii) In the case of other vehicles, the Motor Vehicles Examiner appointed by the Inspector-General Police, West Pakistan.
- (b) The authority granting a certificate of fitness shall send a copy thereof to the registering authority concerned.

⁵[Provided that the Regional Transport Authority may authorise any licensed Automobile Workshop to perform the functions of a Motor Vehicles Examiner]

(2) An application for the issue or renewal of certificate of fitness shall be made in Form C. F.A., Form C. F. R. A., respectively to the Motor Vehicles Examinee ⁶[or a licensed Automobile Workshop] of the area where the owner has his principle office of business.

(3) The Motor Vehicles Examiner or a licensed Automobile Workshop by whom a certificate of fitness was issued or if it has been renewed, the Examiner or a licensed Automobile, Workshop by whom it was last renewed, may endorse thereon the date, appointed for the next inspection of the vehicles and the owner shall cause the vehicle to be produced accordingly.

(4) If the owner finds that the vehicle cannot be produced for the next inspection on the date endorsed on the certificate of fitness, he shall, not less than fifteen days before the aforesaid date, apply to the Motor Vehicles Examiner ⁷[or a licensed Automobile Workshop] for the change in the date of inspection stating the reasons for such a change. When date of inspection is extended by the Examiner ⁸[or a licensed Automobile Workshop] no penalty as provided in sub-rule (9) shall be chargeable for the period for which extension is granted.

(5) If no date for the next inspection is endorsed on the certificate of fitness as provided in sub-rule (3), application for the renewal of a certificate of fitness shall be made in Form C. F. R. A. not less than fifteen days before the date of expiry of the certificate and the owner of a vehicle in respect of which such application is made shall cause the vehicle to be produced for inspection on such date as the Motor Vehicles Examiner or a licensed Automobile Workshop may appoint.

(6) There shall not be more than one certificate of fitness in respect of any vehicle which shall be bound in registration certificate of the vehicle.

(7) If, owing to mechanical break-down or other cause, a motor vehicle is, after the expiry of the certificate, outside the area in which the Motor Vehicles Examiner or a licensed Automobile Workshop by whom the certificate is to be renewed has jurisdiction the Motor Vehicles Examiner ¹[or a licensed Automobile Workshop] may

⁵ Ins. by notification , published in Gaz. W.P. Extraordinary ,2nd June, 1970.

⁶ Ins. by notification , published in Gaz. W.P. Extraordinary ,2nd June, 1970.

⁷ Ins. by notification , published in Gaz. W.P. Extraordinary ,2nd June, 1970.

⁸ Ins. by notification , published in Gaz. W.P. Extraordinary ,2nd June, 1970.

without prejudice to any penalty to which the owner a driver may have become liable, if the vehicle is in his opinion fit for use, by endorsement in Form C. F. Sub. and subject to such condition as he may specify, authorise its continued use for such time not exceeding one week as may be reasonably necessary for the vehicle to return to the area of the Examiner by whom the certificate should be renewed, and the vehicle may be driven to such area in accordance with such endorsement but shall not be used after return to that area until the certificate has been renewed.

(8) If a vehicle is damaged at any time so as to be unfit for ordinary use and may in the opinion of any Motor Vehicle Examiner ¹[or a Licensed Automobile Workshop] safely be driven at a reduced speed to a place of repair, and if the Examiner ¹[or a licensed Automobile Workshop] is satisfied that it is necessary that the Vehicle should be so driven any Motor Vehicles Examiner ¹[or a licensed Automobile Workshop] may, by endorsement in Form C. F. X. specify the time within which, and the condition subject to which, the vehicle may be driven to a specified destination for the purpose of repair and the limit of speed beyond which this all not be driven.

(9) The fee for: -

- (i) the grant of a certificate of fitness shall be rupees twenty; and
- (ii) for the renewal of such certificate:--

(a) in cases where the vehicle in respect of which the certificate is required, is produced for inspection within fifteen days of the expiry of the certificate, rupees ten, and

(b) in case where the vehicle is not produced for inspection within the aforesaid period of fifteen days, rupees ten, plus a penalty not exceeding rupees twenty:

⁹[Provided that the fees for the grant or renewal of a certificate of fitness payable to a licensed Automobile Workshop shall be rupees ten].

(10) Any Motor Vehicle Examiner or any Police Officer not below the rank of Deputy Superintendent of Police may after giving the owner an opportunity of being heard cancel the certificate of fitness of transport vehicles under sub-section (3) of Section 39 or may suspend the certificate for a period not exceeding two months if in his opinion the vehicle does not comply with the provisions of Chapter VI of the Ordinance or the rules thereunder.

(11) The authority cancelling a certificate of fitness under sub-rule (10) shall give the owner or other person in charge of the vehicle a notice in Form C.F.C. for such cancellation and shall make a report of his action and toward the certificate to the (appropriate) Superintendent of Police.

⁹ Ins. by notification , published in Gaz. W.P. Extraordinary ,2nd June, 1970.

After the authority has cancelled the certificate of fitness, such authority may by endorsing in Form C.E.X. specify the time within which and the conditions subject to which the vehicle may be driven to a specified destination for the purposes of repair.

(12) Nothing in sub-rule (11) shall debar the owner or the person in charge of the vehicle, the certificate of fitness of which has been cancelled, from applying at any time for the restoration of the certificate of fitness if the vehicle has been repaired in such a manner that the provisions of Chapter VI of the Ordinance and of the rules made thereunder are complied with. If such a vehicle is inspected and passed within fourteen days of the date of cancellation of the certificate of fitness but before the date of expiry specified in such certificate the certificate shall be restored to its original date of expiry and no restoration fee shall be charged. If, however, the vehicle is brought for inspection at any other time, fresh certificate of fitness will require.

(13) While inspecting a motor vehicle, the Motor Vehicles Examiner ¹⁰[or a licensed Automobile Workshop] shall fill in Form MV. Ins., ¹¹[or] in duplicate, and shall on completion deliver the original copy to the owner or his authorised agent or his driver.

¹²**[35-A. Licensing of Automobile Workshops:** (1) Any automobile workshop may an application in Form C.F.L.A. to the Regional Transport Authority of the area, for the grant of a licence to issue or renew a certificates fitness of a vehicle.

(2) On receipt of application in Form C.F.L.A. the Regional Transport Authority may, after such enquiry as it may deem necessary, either reject the application or grant a licence in Form C.F.L. on the conditions specified therein:

Provided that no such licence shall be granted unless the Automobile Workshop is of the standard laid down by the Provincial Transport Authority in this behalf.

(3) The fee for such licence shall be rupees one thousand per annum.

[35-B. Suspension or cancellation of a licence for the establishment of an automobile workshop to grant and renew certificate of fitness: (1)

The Regional Transport Authority granting licence may at any time suspend or cancel the licence in case any condition thereof is contravened by the licensed Automobile Workshop; provided that the Regional Transport Authority before passing an order for cancellation of the licence may afford the licensee an opportunity of being heard.

(2) The licence granted under rule 35-A shall, unless he suspended or cancelled under sub-rule (1), be valid for a period of one year from the date of issue.

[35-C. Appellate Authority: Any person aggrieved by an order passed under sub-

¹⁰ Vide N-N.F.P Notification No.S.O.III (ind)8-6/79, dated 24th Feb, 1980.

¹¹ Ins. by notification CrI. W.P Extra. 2nd June, 1970.

¹² Rules. 35-A to 35-C ins. vide No. dated 2.6.1970 in W.P Gazette Ext.

rule (1) of rule 35-B, may within thirty days of the order prefer an appeal to the Chairman, Provincial Transport Authority, whose order shall be final].

36. Temporary Registration of Newly Sold Vehicles: (1) When for any reason it is impracticable for the purchaser of a newly sold vehicle to obtain registration certificate, in the ordinary course, owing to a temporary closure of the office of the registering authority or for other similar reason, of where the purchaser of a newly sold vehicle intends to take it immediately to the district where he has his permanent residence or a place of business, a temporary certificate of registration and a temporary registration mark may be issued his rule, and temporary certificate and registration marks shall for the time being serve all the purposes of a regular certificate and registration mark.

(2) For the purpose of issuing temporary certificates of registration and temporary registration marks any Revenue Officer of or above rank of Assistant Collector or any Police Officer of or above the rank of Inspector or any approved firm of motor dealers or association of persons, using motor vehicles may be appointed by Government to be a special registering authority. Where a firm of motor dealers or association of users of motor vehicles is so appointed the registering authority, may, from time to time, prescribe the names of the persons being members of employees of the firm or association, who shall be competent to sign the temporary certificate of registration, and no certificate signed on behalf of the firm or association by any other person shall be valid.

(3) A temporary certificate of registration or a temporary registration mark shall not be issued except in respect of vehicle which has not previously been registered under the Ordinance.

(4) Every application for a temporary certificate of registration shall be in writing and shall indicate the District or place where the vehicle is intended to be produced for permanent registration. It shall be supported by a certificate from the person or firm from whom the vehicle has been purchased to the effect that it has been sold to the applicant on the day when the certificate is signed.

(5) On presentation of the application with its accompanying certificate, an authority empowered under sub-rule (2) may issue a temporary certificate of registration in Form CR Tern Foil A of this form shall be handed to the applicant. If the place in which it is intended permanently to register the vehicle in Pakistan Foil B shall be dispatched immediately to the registering authority of the District in which it is to be registered. In other cases Foil B shall be dealt with according to such directions as may be issued by Government from time to time. The counter-foil, together with the application and its accompanying certificate, shall be kept on record by the authority issuing the permit and shall be exhibited for inspection of the registering authority of the district at the end of every calendar month or at such other intervals as the registering authority may direct. The counter-foils, with the connected application and certificates, shall unless they are taken by the registering authority into his own charge be preserved

by the issuing authority for a period of, not less than twelve months for the date of issue.

(6) In the case of vehicles included to be permanently registered in the Province, the registering authority receiving Foil B under the preceding sub-rule shall forthwith send an acknowledgment to the authority which issued it and the authority shall attach the acknowledgment to the counter-foil.

(7) The records maintained under sub-rule (4) by any firm of motor dealers or association of persons using motor vehicles approved for the purpose of issuing temporary certificates of registration and temporary registration marks shall be open to inspection at all reasonable times by any police officer not below the rank of Sub-Inspector.

(8) A temporary certificate of registration shall not be valid for more than ten days shall not be capable of renewal.

(9) An authority issuing a temporary certificate of registration shall at the same time assign to the vehicle a distinguishing mark, to be displayed thereon in the manner prescribed for distinguishing marks assigned under sub-section (3) of Section 25, the letters and figures composing the marks being in red on yellow ground. Where the temporary registration mark has been issued by an approved firm of motor dealers or association of motor users, the designation and address of firm or association shall also be printed in small letters along the lower edge of each plate.

(10) To enable the authorities empowered under sub-rule (2) to fulfill the requirements of the preceding sub-rule, the registering authority of the district shall allocate to each authority a block of registration marks out of those assigned to the district in the Sixth Schedule to the Ordinance.

37. Loss Or Destruction of Certificate of Registration of a Vehicle

Other Than Transport Vehicle: (1) If at any time the certificate of registration of a vehicle other than a transport vehicle is lost or destroyed, the owner shall forthwith intimate the facts in writing to the registering authority by whom the certificate was issued or by whom the registration mark of vehicle was assigned under section 30 and shall apply in Form C.R.L.D. to the said authority for the issue of a duplicate.

(2) Upon receipt of an application in Form C.R.L.D. together with a fee of rupees three the registering authority may, after making such enquiries as appear necessary, issue a duplicate certificate of registration Form G clearly stamped "Duplicate" in red ink.

38. Loss or Destruction of Certificate of Registration and Certificate of Fitness of a Transport Vehicle:

(1) If at any time the certificate of registration or the certificate of fitness of a transport vehicle is lost or destroyed, the owner shall forthwith intimate the facts in writing to the registering authority by whom the

certificate of registration was issued or by whom the registration mark was assigned under section 30, and shall apply in Form C.R.L.D. Tran. to the said authority for the issue of a duplicate certificate of registration of certificate of fitness.

(2) Upon receipt of an application in Form C.L.R.D. Tran. together with a fee of rupees five the registering authority may, after making such enquiries as appear necessary and obtaining particulars of the original certificate of fitness from the Motor Vehicles Examiner ¹³[or licensed Automobile Workshop] by whom it was issued or last renewed, issue a duplicate certificate of registration and certificate of fitness in Forms G and I, respectively, clearly stamped "Duplicate" in red ink

(3) No person shall be liable to be convicted of an offence under section 90 if, at any time when the certificate is demanded, he has already reported the loss or destruction thereof in accordance with the provisions of this rule and duplicate certificate has not been delivered to him.

39. Defaced or Torn Certificate of Registration and Certificate of Fitness of Transport Vehicles: (1) If at any time the certificate of registration or the certificate of fitness of a transport vehicle is so torn or defaced that it has ceased to be legible or any important part of the certificate is missing or any unauthorised alteration has been made therein, the registering authority may impound the certificate and after ascertaining the correct entries which should have appeared in the said certificate issue a duplicate certificate in Form G or Form I, as the case may be, clearly stamped "Duplicate" in red ink.

(2) The fee on a duplicate under this rule shall be rupees five.

40. Procedure When a Last Certificate is Subsequently Found: (1) When a duplicate certificate of fitness or certificate of registration has been issued upon representation that the original, has been lost and the original is afterwards found by the holder; the original certificate of fitness or certificate of registration shall be delivered forthwith to the registering authority.

(2) Any other person finding a certificate of fitness or certificate of registration shall deliver it to the holder or to the nearest police station.

41. Temporary Receipt For a Certificate of Registration Or Certificate of Fitness Taken into Possession by Competent Authority: (1) When the holder of a certificate of registration and a certificate of fitness of a transport vehicle has submitted them to a registering authority or other authority for any purpose under the Ordinance of these rules and neither the certificate of registration nor the certificate of fitness has been suspended or cancelled, the registering authority shall furnish him with a receipt for the certificate of registration in Form R Tern and during such time as the

¹³ Ins. by Notification Gaz. Of W.P .ExtraOrdinary 2nd June, 1970.

receipt shall be specified to remain in force it may be produced in place of the certificate of registration or the certificate of fitness under sub-section (2) of Section 90.

(2) Any authority granting a receipt under the preceding sub-rule may at his discretion extend the time thereof by order endorsed thereon.

(3) No fee shall be payable in respect of a receipt given under this rule.

42. Registration Fees: (1) The fee for the registration of a motor vehicle shall be:-

¹⁴[Table: Latest Fee of Registration]

S.NO	Category of Motor Vehicle	Rate of Fee
1	Motor Cycle / Scooter	One percent of the value of the vehicle.
2	Motor Cars, Jeeps, Vans, Double Cabin / Single Cabin Pickups etc upto 1300CC Engine Power.	One Percent of the value of Vehicle
3	Motor Cars, Jeeps, Vans, Double Cabin / Single Cabin Pickups etc from 1300 CC upto 2500 CC Engine Power	Two Percent of the value of Vehicle
4	Motor Cars, Jeeps, Vans, Double Cabin / Single Cabin Pickups etc of above 2500 CC Engine Power	Four Percent of the value of Vehicle
5	Trucks / Busses and commercially used Vans, Single Cabin Pickups, Motor Cab Rickshaws and Motor Propelled Tricycles etc	One percent of the value of the vehicle
6	Tractors	Rs. 1000

43. Exemption from Payment of Registration Fees: No Fee Shall be Charged for the Registration of a Vehicle in the Following Cases:

- (a) such motor ambulances use solely for the conveyance of the dead body or sick or injured, as may be notified by Government from time to time;
- (b) any motor vehicle belonging to Foreign missions. Foreign Consular Officer and staff of the United Nations including its various organs and specialized agencies in Pakistan and any other person or vehicle exempted by Government by a special order;
- (c) Motor vehicles upto 1300 CC specially designed for use by invalids.

44. Maintenance of Record of Motor Vehicles by Registering Authority:

¹⁴ Latest Registration fee of motor vehicles substituted vide KHYBER PAKHTUNKHWA Finance Act 2009.

(1) The registering authority shall maintain record of all motor vehicles registered under the Ordinance and such record shall contain the name and address of the owner together with a description of the vehicle.

(2) Persons applying for copies of particulars of any vehicle entered in the said record shall pay fifty paise for each copy with a maximum of rupees three when copies of particulars of more than one vehicle are applied for by the same person and at the same time.

(3) In addition to the fee prescribed under sub-rule (2) a copying fee at the rate of six paise for copies of particulars of three vehicles or less shall be payable.

45. Authority to Suspend Certificate of Registration: Any Police Officer not below the rank of Deputy Superintendent and any Motor vehicles Examiner may after giving the owner an opportunity of being heard suspend the certificate of registration of a motor vehicle under section 34.

46. Hire-Purchase Agreements: (1) When in an application for the registration of a motor vehicle the parties to an agreement of hire purchase declare, in the form of the note endorsed on Form F, that the vehicle is the subject of such an agreement, the registering authority shall complete and affix his signature to the note appended to Form G but shall not be required to satisfy as to the title of the two parties in the vehicle nor shall be endorsed on Form G in any way affect the title of any part.

(2) If, upon termination of an agreement of hire-purchase or otherwise, the registered owner and the other party desire that the note on Form G relating to such an agreement shall be cancelled, they shall apply in Form H. P. Ter. to the registering authority by whom the vehicle was registered or by whom a new registration mark has been assigned to the vehicle under section 30, and the registering authority shall thereupon cancel the note endorsed on Form G.

(3) Nothing contained in this shall prevent a registering authority from recording a change of the address of the registered owner on the certificate of registration as provided in Section 31, nor shall the registering authority be required to inform the other party to an agreement of hire-purchase of any intimation of change of address, but the registering authority shall not record any transfer of ownership of a motor vehicle under section 32 so long as the certificate of registration contains the note of an agreement of hire-purchase, unless the other party to that agreement signifies his consent to such by endorsement upon Form T. O.

(4) If the other party to an agreement of hire-purchase satisfies the registering authority that he has taken possession of the vehicle owing to the default of the owner under the provisions of the agreement, and the owner has absconded or refuses to deliver the certificate of registration the registering authority may after giving the owner an opportunity of being heard and notwithstanding that the certificate of registration is not produced, cancel the certificate of registration and issue duplicate of registration and

deliver the same to the other party.

(5) The owner shall be deemed to have been given an opportunity being heard within the meaning of the preceding sub-rule if a notice has been duly served on him by registered post to the address stated in the certificate or registration and he fails to appear before the registering authority on the due date to show-cause against the cancellation of the certificate.

(6) If a note in respect of an agreement of hire-purchase is to be endorsed on a certificate of registration, there shall be payable in addition to the registration fee a further fee of rupees ten. No fee shall be payable in respect of the cancellation of the note under sub-rule (2). There shall be payable for recording transfer of ownership a further fee of rupees five when the transfer is of a vehicle which is the subject of a hire-purchase agreement.

47. Transfer of Ownership: (1) Application for transfer of ownership of a motor vehicle under sub-section (1) of Section 32 shall be made in Form T. O. and shall be accompanied by a fee of ¹[rupees five]¹⁵.

(2) Communication of transfer to the original registering authority under section 32 shall be in Form C. R. T I.

¹⁶[LATEST TRANSFER FEE

S. No	Category of Motor Vehicles	Rate of Fee
1	Motor Cycle/ Scooters	Rs.120/-.
2	M/Cars, Jeeps, etc. upto 1000 cc Engine Power	Rs.660/-
3	M/Cars, Jeeps, etc. from 1001 cc to 1300 cc Engine Power	Rs.1,020/-
4	M/Cars, Jeeps, etc. from 1301 cc to 3500 cc Engine Power	Rs.1,440/-.
5	M/Cars, Jeeps, etc. of above 3500 cc	Rs.2,400/-
6	Rickshaws	Rs.480/-
7	Tractors	Rs.1,200/-

² Duplicate Registration Fee is half of the transfer fee.

48. New Registration Marks: (1) Application for a new registration mark under section 30 shall be made in Form R. M. A. and shall be accompanied by a fee of ³[rupees five]¹⁷.

¹⁸[

¹⁵ Replaced with latest transfer fee rates in the preceding table.

¹⁶ Rates substituted vide notification No.SO(TAX)E&T/6-2/2008 dated 12-07-2011.

¹⁷ Replaced with latest transfer fee rates in the preceding table.

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S. No	Category of Motor Vehicles	Rate of Fee
1	Motor Cycle/ Scooters	Rs.120/-.
2	M/Cars, Jeeps, etc. upto 1000 cc Engine Power	Rs.660/-
3	M/Cars, Jeeps, etc. from 1001 cc to 1300 cc Engine Power	Rs.1,020/-
4	M/Cars, Jeeps, etc. from 1301 cc to 3500 cc Engine Power	Rs.1,440/-.
5	M/Cars, Jeeps, etc. of above 3500 cc	Rs.2,400/-
6	Rickshaws	Rs.480/-
7	Tractors	Rs.1,200/-

]

(2) The registering authority assigning a new registration mark to a motor vehicle shall intimate the fact the owner and the other party, if any, to an agreement of hire-purchase specified in the note on the certificate of registration, and shall apply to the original registering authority for transfer of the records of the vehicle in form R.M.I.

49. Application for Change of Address and Alteration in Motor Vehicle: (1) Application for change of address under section 31, shall be made in Form C. A. and shall be accompanied by a fee of ¹[rupees five]¹⁹.

²⁰[

S. No	Category of Motor Vehicles	Rate of Fee
1	Motor Cycle/ Scooters	Rs.100/-.
2	M/Cars, Jeeps, etc. upto 1000 cc Engine Power	Rs.2000/-
3	M/Cars, Jeeps, etc. from 1001 cc to 1300 cc Engine Power	Rs.300/-
4	M/Cars, Jeeps, etc. from 1301 cc to 3500 cc Engine Power	Rs.500/-.
5	M/Cars, Jeeps, etc. of above 3500 cc	Rs.800/-
6	Rickshaws	Rs.100/-
7	Tractors	Rs.100/-

]

(2) Application for alteration in a motor vehicle under section 33 shall be made in Form A. M. and shall be accompanied by a fee of ²¹[rupees five].

²²[CHANGE OF BODY TYPE IN REGISTRATION CERTIFICATE

¹⁸ Rates substituted vide notification No.SO(TAX)E&T/6-2/2008 dated 12-07-2011.

¹⁹ Replaced with latest transfer fee rates in the preceding table.

²⁰ Rates substituted vide notification No.SO(TAX)E&T/6-2/2008 dated 12-07-2011.

²¹ Replaced with latest transfer fee rates in the preceding table.

²² Rates substituted vide notification No.SO(TAX)E&T/6-2/2008 dated 12-07-2011.

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S#	Category of Vehicles	Existing fee in (Rs)	Approved fee in (Rs)
1	In respect of Motor Vehicles up to 2446 CC	5	5,000
2	In respect of Motor Vehicles above 2446 CC	5	10,000

50. Vehicles Entering the Province from Outside: (1) When any motor vehicle which is not registered in the Province has been kept therein for a period exceeding fourteen days, the owner or other person in charge of the vehicle shall send intimation to the registering authority of the District in which the motor vehicle is at the time of making the report and shall intimate—

- (a) his name and permanent address, and his address for the time being;
- (b) the registration mark of the vehicle;
- (c) the mark and description of the vehicle; and
- (d) in the case of a transport vehicle the name of the authority within the

Province by whom the permit has been issued or counter-signed;
Provided that in the case of a transport vehicle covered by a permit having validity in the Province, it shall be necessary to make a report under this sub-rule upon the occasion of first entry only.

(2) Nothing in this rule shall apply to a motor vehicle which is exempted from registration under the provisions of rule 52.

(3) Nothing in this rule shall apply to any vehicle registered under section 30 or under section 41.

51. Hiring Agreement: When possession of a motor vehicle is transferred by the registered owner to another person under a hiring agreement, the registered owner shall forthwith intimate the fact and the full name and address of, the transferee to the registering authority of the area in which the said owner has his residence or place of business.

(2) Nothing in the preceding sub-rule shall make it necessary to give intimation of a hiring agreement when the vehicle is to be used thereunder as a stage carriage

52. Exemption of Vehicles in the Possession of Manufacturer or Dealer: (1) Section 23 shall not apply to a motor vehicle in the possession of a manufacturer or dealer in, motor vehicles in the course of the business of the manufacturer or dealer so long as it is used under the authorization of a trade certificate

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granted by the registering authority within whose area the manufacturer or dealer has his place of business.

(2) Applications for trade certificates shall be made in Form T.C.A. and shall be accompanied by the prescribed fee.

(3) The fee for the trade certificates shall be rupees one hundred in respect of any number of certificates upto ten and rupees fifty in respect of each additional number of five or less certificates. The fees shall be payable annually in advance.

(4) if the registering authority declines to issue a trade certificate for issue a less number of certificates than the number specified in the application, the fee or a proportion of the fee determined in accordance with sub-rule (3), as the case may be, shall be refunded to the applicant

(5) upon the receipt of an application for trade certificate as aforesaid the registering authority shall, if satisfied that the number of certificates applied for is reasonable in relation to the business of the applicant, issue the certificates in Form T.C accordingly and assign to the applicant a series of trade registration marks consisting of the two letters of the registration mark specified in the Sixth Schedule to the Ordinance followed by not more than three figures and followed by one letter of the alphabet in respect of each certificate .

(6) The trade certificate shall be attached to the registration mark in a weather proof holder, in the manner set out hereunder.

(7) Not more than one vehicle shall be used in a public place at any one time under any one trade certificate.

(8) No person to whom a trade certificate is granted shall cause or allow it to be used upon any motor vehicle other than motor cycle unless the holder of the certificate or a bona fide employee of the holder is present in the vehicle or for any purpose other than one purpose, set below:--

- (a) For test during the course of or after completion of construction or repairs.
- (b) For proceeding to or returning from a weight-bridge for or after weighing, or to from any place for its registration.
- (c) For reasonable trial by or for the benefit of a prospective purchaser and for proceeding to or returning from the place where such person intends to keep it.
- (d) For proceeding for the purpose of delivery to or from the premises of the dealer and from such premises to the premises of a purchaser of another dealer.
- (e) For proceeding to or returning from a workshop with the object of fitting a body to the vehicle or of painting or for repairs.
- (f) For proceeding to or from a railway station or where for or after being

transported.

- (g) For proceeding to or returning from an exhibition of motor vehicles or any place at which the vehicle is to be or has been offered for sale.

(9) No vehicle carrying a trade registration mark and certificate shall be used as a transport vehicle under the authorization of any permit or otherwise.

(10) (a) Every holder of a trade certificate shall keep a register in form T.R.C and enter or cause to be entered in duplicate in such register full and trade particulars of the purposes for which every vehicle leaves his premises under a trade certificate of the driving –in-charge, and of the period during which the vehicle was on the road under the trade certificate.

(b) The register shall be in the form of foil and counter-foil in a bound book, the pages of which shall be numbered serially. The necessary particulars, except in regard to the time or return, shall be entered in it by the holder of the certificate or his agent before the commencement of each trip. The register shall be open to inspection on demand by any Police Officer below the rank of Sub-Inspector.

(c) The foil containing the entries made prior to the commencement of the trips shall be carried by the driver of the vehicle and counter –foil shall be retained for a period of thirty days after trip has been completed and shall be exhibited on demand by any Police Officer authorised to inspect the register.

(11) if at any time the registering authority is satisfied that the holder of a trade certificate has contravened any of provisions of this rule he may, after giving the holder an opportunity of making any representation which he may wish to make, suspend or cancel any or all of the trade certificates held by him.

(12) When a trade certificate has been lost, destroyed or mutilated through negligence of the holder or by accident or passage of time, the holder may apply to the registering authority for the issue of a duplicate certificate and the registering authority shall, if satisfied, about such loss, destruction or mutilation, issue a duplicate certificate.

(13) A duplicate certificate shall be issued with the words “DUPLICATE” in bold rd letters written or stamped across it.

(14) The fee for the issue of duplicate trade certificate shall be rupee one irrespective of the fact whether the original certificate was lost , destroyed or mutilated due to negligence of the holder or accident or its replacement is occasioned by the passage of time.

53. Exemption of Road Rollers, Graders and Delivery Vans: (1) Nothing contained in Chapter III of the Ordinance shall apply to road rollers, graders and other

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road making and cleaning plant save that every tractor capable of other use shall be registered and shall require a certificate of fitness.

- (2) The provision of Section 39 shall not apply to delivery vans.

²³**SCHEDULE-I**

S.NO	Category of Motor Vehicle	Rate of Fee
1	Motor Cycle / Scooter	One percent of the value of the vehicle.
2	Motor Cars, Jeeps, Vans, Double Cabin / Single Cabin Pickups etc upto 1300CC Engine Power.	One Percent of the value of Vehicle
3	Motor Cars, Jeeps, Vans, Double Cabin / Single Cabin Pickups etc from 1300 CC upto 2500 CC Engine Power	Two Percent of the value of Vehicle
4	Motor Cars, Jeeps, Vans, Double Cabin / Single Cabin Pickups etc of above 2500 CC Engine Power	Four Percent of the value of Vehicle
5	Trucks / Busses and commercially used Vans, Single Cabin Pickups, Motor Cab Rickshaws and Motor Propelled Tricycles etc	One percent of the value of the vehicle
6	Tractors	Rs. 1000

²³ Schedule for Registration fee of vehicles substituted vide KHYBER PAKHTUNKHWA Finance Act 2009.

²⁴**SCHEDULE-II**

S.No	Description of Change	Rate of Fee
01	Change of Engine	
	(a) 1000cc to 1600cc	Rs. 1000.00
	(b) Exceeding 1600cc	Rs. 3000.00
02	Conversion of Seating Capacity	
	(a) In respect of motor vehicles upto 2446cc and	Rs. 2000.00
	(b) In respect of motor vehicles above 2446cc	Rs. 5000.00

²⁴ Schedule for change of engine substituted vide KHYBER PAKHTUNKHWA Finance Act 1999.