



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

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No.380-Pub. - The following Ordinance made by the President of the People's Republic of Bangladesh, on the 28th July, 1987, is hereby published for general information:-

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

Ordinance No. XII of 1987

An Ordinance made further to amend the Motor Vehicles Ordinance, 1983

Whereas it is expedient further to amend the Motor Vehicles Ordinance, 1983 (LV of 1983), for carrying out the purposes hereinafter appearing;

And whereas Parliament is not in session and the President is satisfied that circumstances exist which render immediate action necessary;

Now, therefore, in exercise of the powers conferred by clause (1) of article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to make and promulgate the following Ordinance: -

1. Short title. - This Ordinance may be called the Motor Vehicles (Amendment) Ordinance, 1987.
2. Amendment of Ord. LV of 1983.- Unless otherwise provided for in this Ordinance, everywhere in the Motor Vehicles Ordinance, 1983 (LV of 1983), hereto after referred to as the said Ordinance,-
 - (a) for the words "Transport Authority" and "Transport Authorities" the words "Transport Committee" and "Transport Committees", respectively, shall be substituted; and
 - (b) for the words "Regional Transport Authority" the words "Transport Committee" shall be substituted.
3. Amendment of section 2 of Ord. LV of 1983.- In section 2 of the said Ordinance,-
 - (a) After clause (a) the following new clause (1a) shall be inserted, namely:-
"(1a) "Authority" means the Bangladesh Road Transport Authority established under section 2A;"



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

(b) for clause (18) the following clause shall be substituted, namely:-

"(18) "Licensing Authority" means an officer or authority prescribed by regulations to grant licenses under this Ordinance.";

(c) in clause 37, for the word "rules" the word "regulations" shall be substituted;

(d) for clause (47) the following clause shall be substituted, namely:-

"(47) "registering authority" means an officer or authority prescribed by regulations to register motor vehicles under Chapter IV;".

4. Insertion of the Chapter IA of Ord. LV of 1983.- After Chapter I of the said Ordinance the following new Chapter IA shall be inserted, namely:-

CHAPTER IA

BANGLADESH ROAD TRANSPORT AUTHORITY

2A. Bangladesh Road Transport Authority.-

(1) There shall be established an authority to be called the Bangladesh Road Transport Authority for carrying out the purposes of this Ordinance.

(2) The Authority shall consist of a Chairman and such number of other members, not exceeding eight, as may be appointed by the Government from time to time.

(3) The Chairman shall be appointed by the Government from among persons in the service of the Republic not below the rank of Additional Secretary to the Government.

(4) The Chairman and other members shall hold office on such terms and conditions as the Government may determine.

(5) The Chairman shall be the Chief Executive Officer of the Authority.

(6) The Chairman shall be whole time officer of the Authority and shall exercise such powers and perform such functions as may be prescribed by rules or as may be assigned to him by the Government.



Government of the People's Republic of Bangladesh
Ministry of Communication

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....
(7) If a vacancy occurs in the office of the Chairman or if the Chairman is unable to discharge the functions of his office on account of absence, illness or any other cause, the Government shall

make such arrangement for discharging the functions of the office of the Chairman as it may consider necessary.

2B. Meetings of the Authority. - (1) The meetings of the Authority shall be held at such times and places as may be prescribed by rules:

Provided that, until so prescribed, such meetings shall be held at such times and the Chairman may determine places as.

(2) To constitute a quorum at a meeting of the Authority, the number of members present shall be two, if the Authority consists of not more than three members, and three, if the Authority consists of more than three members.

(3) All meetings of the Authority shall be presided over by the Chairman and, in his absence, by a member authorised in writing by the Chairman in this behalf.

(4) At a meeting of the Authority, each member shall have one vote and, in the event of equality of votes, the person presiding shall have a second or casting vote.

(5) No act or proceeding of the Authority shall be invalid or be called in question on the ground of any vacancy in, or any defect in the constitution of the Authority.

2C. Appointment of officers.- (1) The Authority may, for the efficient performance of its functions, appoint such officers, including inspectors of Motor Vehicles and other employees as it considers necessary.

(2) The officers and other employees of the Authority shall be persons in the service of the Republic.

2D. Power to make rules.- The Government may make rules for the purposes of carrying into effect the provisions of this Chapter.

5. Amendment of section 3 of Ord. LV of 1983.- In section 3 (2) of the said Ordinance, for the word "Government" the word "Authority" shall be substituted.



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

6. Amendment of section 8 of Ord. LV of 1983.- In section 8 (2) of the said Ordinance, for the words "Government may by rules" the words "Authority may by regulations" shall be substituted.
7. Amendment of section 10 of Ord. LV of 1983.- In section 10 of the said Ordinance,-
- (a) in sub-section (1), for the words "rules made by the Government" the words "regulations made by the Authority" shall be substituted.
 - (b) in sub-section (3)-
 - (i) for the words "Government may by rules" the words "Authority may by regulations" shall be substituted.
 - (ii) for the words "said authority" the words "said Committee" shall be substituted.
8. Amendment of section 22 of Ord. LV of 1983.- In section 22 of the said Ordinance,-
- (a) in the sub-title, for the word "rule" the word "regulation" shall be substituted.
 - (b) in sub-section (1), for the words "Government may make rules" the words "Authority may make regulations" shall be substituted.
 - (c) in sub-section (2),-
 - (i) for the words "such rules" the words "such regulations" shall be substituted.
 - (ii) in clause (1), for the word "rule" the word "regulation" shall be substituted.
9. Amendment of section 23 of Ord. LV of 1983.- In section 23 (2) of the said Ordinance, for the word "Government" the word "Authority" shall be substituted.
10. Amendment of section 25 of Ord. LV of 1983.- In section 25 (2) of the said Ordinance, for the word "rules" the word "regulations" shall be substituted.
11. Amendment of section 31 of Ord. LV of 1983.- In section 31 of the said Ordinance,-
- (a) in the sub-title, for the word "rules" the word "regulations" shall be substituted;
 - (b) in sub-section (1), for the words "Government may make rules" the words "Authority may make regulations";
 - (c) in sub-section (2), for the word "rules" the word "regulations" shall be substituted.
12. Amendment of section 37 of Ord. LV of 1983.- In section 37 of the said Ordinance,-



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

(a) After the words "Inspector of Motor Vehicles" the words "or such other person as the Authority may specify in this behalf; and

(b) for the word "rules" the word "regulations" shall be substituted,

13. Amendment of section 38 of Ord. LV of 1983.- In section 38 of the said Ordinance, for the word "rules" the word "regulations" shall be substituted.

14. Amendment of section 42 of Ord. LV of 1983.- In section 42 of the said Ordinance, in sub-section (5), for the word "Government" the word "Authority" shall be substituted.

15. Amendment of section 43 of Ord. LV of 1983.- In section 43 of the said Ordinance, in sub-section (1) (a), for the word "rules" the word "regulations" shall be substituted.

16. Amendment of section 44 of Ord. LV of 1983.- In section 44(3) of the said Ordinance, for the word "Government" the word "Authority" shall be substituted.

17. Amendment of section 46 of Ord. LV of 1983.- In section 46 of the said Ordinance, in sub-section (1) and (3), for the word "Government", three times mentioned, the word "Authority" shall be substituted.

18. Amendment of section 47 of Ord. LV of 1983.- In section 47 of the said Ordinance,-

(a) in sub-section (2),-

(i) for the word "Government", twice mentioned, the word "Authority" shall be substituted;
and

(ii) for the word "rules" the word "regulations" shall be substituted; and

(b) in sub-section (4), for the word "rules" the words "rules or regulations" shall be substituted.

19. Amendment of section 50 of Ord. LV of 1983.- In section 50 of the said Ordinance,-

(a) in the sub-title, for the word "rules" the word "regulations" shall be substituted;

(b) in sub-section (1), for the words "Government may make rules" the words "Authority may make regulations" shall be substituted;

(c) in sub-section (2),-

(i) for the words "such rules" the words "such regulations" shall be substituted; and

(ii) in clause (m), for the word "rules" the word "regulations" shall be substituted.



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

20. Amendment of section 51 of Ord. LV of 1983.- In section 51 of the said Ordinance,

- (a) in sub-section (3), in clause (g) and (1), for the word "Government" the word "Authority" shall be substituted; and
- (b) in sub-section (4), for the words "Government by rule" the words "Authority by regulations" shall be substituted.

21. Amendment of section 52 of Ord. LV of 1983.- In section 52 of the said Ordinance,-

- (a) in sub-section (1), for the words "Transport Authority concerned" the word "Authority" shall be substituted; and
- (b) in sub-section (3), for the words "Bangladesh and Regional Transport Authority " the word "Authority" shall be substituted.

22. Substitution of section 53 and 54 of Ord. LV of 1983.- For section 53 and 54 of the said Ordinance the following two sections shall be substituted, namely:-

53. Power of the Government to issue orders and directions. -

The Government may issue such orders and directions as it may consider necessary in respect of any matter relating to road transport or on any matter not provided in this Ordinance to the Authority and the Authority shall give effect to all such orders and directions.

54. Transport Committee. –

(1) The Authority shall by notification in the official Gazette, constitute Transport Committees to exercise and discharge throughout such areas, in this Chapter referred to as regions, as may be specified in the notification, in respect of each Transport Committee, the powers and functions conferred by or under this Chapter on such Committee:

Provided that the area specified as the region of a Transport Committee shall in no case be less than an entire district or the whole of a metropolitan area.

(2) A Transport Committee shall consist of such number of officials and non-officials as the Authority may think fit to appoint, but no person who has any financial interest, whether as proprietor, employee or otherwise, in any transport undertaking shall be appointed as or continue as a member of the Transport Committee, and if any person being a member of any such committee acquires a financial interest in any transport undertaking, he shall, within four weeks of acquisition of such interest, give notice in writing to the Authority of such acquisition and shall vacate office.



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

(3) A Transport Committee, if authorised in this behalf by regulations made under section 81, may delegate such of its powers and functions to such authority or person and subject to such restriction, limitations and conditions as may be prescribed by the said regulations."

23. Amendment of section 55 of Ord. LV of 1983.- In section 545 (2) of the said Ordinance, the words "Bangladesh Transport" shall be omitted.

24. Amendment of section 57 of Ord. LV of 1983.- In section 57 (2) of the said Ordinance,-

- (a) for the word "Government" the word "Authority" shall be substituted; and
- (b) for the words "made to Bangladesh Transport Authority" the words "made to it" shall be substituted.

25. Amendment of section 60 of Ord. LV of 1983.- In section 60 (3) of the said Ordinance,-

- (a) for the word "rules" the word "regulations" shall be substituted; and
- (b) in clause (xx), for the word "Government" the word "Authority" shall be substituted.

26. Amendment of section 75 of Ord. LV of 1983.- In section 75 of the said Ordinance,-

- (a) in sub-section (2), the words "Bangladesh Transport" shall be omitted;
- (b) in sub-section (6),-
 - (i) for the word "rules" the word "regulations" shall be substituted; and
 - (ii) the words "Bangladesh Transport" shall be omitted.

27. Amendment of section 76 of Ord. LV of 1983.- In section 76 of the said Ordinance,-

- (a) in sub-section (1), for clause (j) the following clause shall be substituted, namely:-

"(j) Aggrieved by any other order which may be prescribed may appeal to such authority within such time and in such manner as may be prescribed by rules made by the Government, and such authority shall, before disposing of such appeal, give such person and the original authority an opportunity of being heard." and

- (b) for sub-section (2) the following sub-section shall be substituted, namely:-

(2) The authority prescribed under sub-section (1) for the purpose of hearing appeals may, either on its own motion or on application made to it call for the record of any case in which an order



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

has been made by the Authority or a Committee, as the case may be, and may pass such order in relation to the case as it deems fit:

Provided that the authority prescribed under sub-section (1) shall not pass an order under this section prejudicial to any person without giving him a reasonable opportunity of being heard."

28. Omission of section 77 of Ord. LV of 1983.- Section 77 of the said Ordinance shall be omitted.

29. Amendment of section 79 of Ord. LV of 1983.- In section 79 of the said Ordinance, the words "by the Government", twice mentioned, shall be omitted.

30. Amendment of section 80 of Ord. LV of 1983.- In section 80 of the said Ordinance, -

- (a) in the sub-title, for the word "rules" the word "regulations" shall be substituted;
- (b) in sub-section (1), for the words "Government may make rules" the words "Authority may make regulations" shall be substituted; and
- (c) in sub-section (2), for the word "rules" the word "regulations" shall be substituted.

31. Amendment of section 81 of Ord. LV of 1983.- In section 81 of the said Ordinance, -

- (a) in the short-title, for the word "rules" the word "regulations" shall be substituted;
- (b) in sub-section (1), for the words "Government may make rules" the words "Authority may make regulations" shall be substituted;
- (c) in sub-section (2), -

- (i) for the word "rules" the word "regulations" shall be substituted;
- (ii) in clause (a), for the words "Regional and Bangladesh Transport Authorities" the words "Transport Committees" shall be substituted;
- (iii) in clause (b), for the word "Authority" the word "Committee" shall be substituted.

32. Amendment of section 84 of Ord. LV of 1983.- In section 84 (2) of the said Ordinance, in clause (r), for the word "prescribed" the words "prescribed by rules" shall be substituted.

33. Amendment of section 86 of Ord. LV of 1983.- In section 86 of the said Ordinance, for the words "Bangladesh or Regional Transport Authorities" the words "Transport Committees" shall be substituted.

34. Amendment of section 106 of Ord. LV of 1983.- In section 106 (2) of the said Ordinance, in clause (k), for the word "prescribed" the words "prescribed by rules" shall be substituted.



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

35. Amendment of section 107 of Ord. LV of 1983.- In section 107 of the said Ordinance, in sub-section (3), for the words "rule made thereunder by the Government" the words "rules or regulations made thereunder" shall be substituted.

36. Amendment of section 110 of Ord. LV of 1983.- In section 110 of the said Ordinance, in sub-section (3), for the word "Government" the word "Authority" shall be substituted.

37. Amendment of section 122 of Ord. LV of 1983.- In section 122 of the said Ordinance, for the words "as the Government may prescribe" the words "as may be prescribed" shall be substituted.

38. Amendment of section 123 of Ord. LV of 1983.- In section 123 of the said Ordinance, in sub-section (1) and (4), for the word "Government" the word "Authority" shall be substituted.

39. Amendment of section 124 of Ord. LV of 1983.- In section 124 of the said Ordinance, for the words "Government may make rules" the words "Authority may make regulations" shall be substituted.

40. Amendment of section 125 of Ord. LV of 1983.- In section 125 of the said Ordinance, in sub-section (1),-

(a) for the word "Government", at its first occurrence, the word "Authority" shall be substituted;

(b) for the words, comma, numbers and brackets "Co-operative Societies Act, 1940 (Bengal Act XXI of 1940)" the words, comma, numbers and brackets "Co-operative Societies Ordinance, 1985 (I of 1985)" shall be substituted;

(c) in clause (a), for the word "prescribe" the words "prescribe by rules" shall be substituted.

41. Amendment of section 131 of Ord. LV of 1983.- In section 131 of the said Ordinance, in sub-section (1) and (4), for the word "rules" the word "regulations" shall be substituted.

42. Amendment of section 136 of Ord. LV of 1983.- In section 136 of the said Ordinance,-

(a) in the short-title, for the word "rules" the word "regulations" shall be substituted;

(b) in sub-section (1), for the words "Government may make rules" the words "Authority may make regulations" shall be substituted;

(c) in sub-section (2),-



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

- (i) for the word "rules" the word "regulations" shall be substituted; and
(ii) clause (h) shall be omitted.

43. Amendment of section 137, 139 and 141 of Ord. LV of 1983.- In the sections 137, 139 and 141 of the said Ordinance, for the word "rules", wherever it occurs, the words "rules or regulations" shall be substituted.

44. Amendment of section 150 of Ord. LV of 1983.- In section 150 (2) of the said Ordinance, for the words and comma "Government or the Director, Road Transport Maintenance or any Inspector of Motor Vehicles or other persons authorised in this behalf by the Government" the words "Authority or any Inspector of Motor Vehicles or other persons authorised in this behalf by the Authority" shall be substituted.

45. Amendment of section 153 of Ord. LV of 1983.- In section 153 of the said Ordinance, for the word "rule" the word "regulations" shall be substituted.

46. Amendment of section 159, 161, 162, 163 and 164 of Ord. LV of 1983.- In the sections 159, 161, 162, 163 and 164 of the said Ordinance, for the word "Government", wherever it occurs, the word "Authority" shall be substituted.

47. Amendment of section 166 of Ord. LV of 1983.- In section 166 of the said Ordinance, the words "Bangladesh Transport", twice occurring, shall be omitted.

48. Amendment of section 169 of Ord. LV of 1983.- In section 169 of the said Ordinance, for the word "rule" the words "rules or regulations" shall be substituted.

49. Amendment of section 171 of Ord. LV of 1983.- In section 171 of the said Ordinance,-

- (a) for the words "rule which the Government" the words "regulation which the Authority" shall be substituted;
(b) for the word "rule" the word "regulation" shall be substituted.

50. Amendment of section 172 of Ord. LV of 1983.- In section 172 of the said Ordinance,-

- (a) in the short-title, for the word "rule" the word "regulation" shall be substituted;
(b) for the words "Government may make rules" the words "Authority may make regulations" shall be substituted.

51. Amendment of section 173 of Ord. LV of 1983.- In section 173 of the said Ordinance,-



**Government of the People's Republic of Bangladesh
Ministry of Communication**

THE MOTOR VEHICLES (AMEND- MENT) ORDINANCE, 1987

.....

- (a) in the short-title, for the word "rules" the word "regulations" shall be substituted;
- (b) in sub-section (1) and (2), for the word "rules", wherever it occurs, the words "rules or regulations" shall be substituted; and
- (c) after sub-section (2) the following new sub-section shall be inserted, namely:-
"(3) All regulations under this Ordinance shall be made with the previous approval of the Government."

52. Substitution of section 174 of Ord. LV of 1983.- For section 174 of the said Ordinance the following section shall be substituted, namely:-

"174. Officers to exercise powers of police officers.- The Government may, by rules,-

- (a) authorise any officer of the Authority to exercise the powers exercisable by a police officer under this Ordinance;
- (b) prescribe conditions under which such powers shall be exercised;
- (c) prescribe the uniform to be worn by such officers while exercising such powers."

53. Abolishment of the Directorate of Road Transport Maintenance.- Immediately after the establishment of the Authority,-

- (a) the Directorate of Road Transport Maintenance, hereto after referred to as the said Directorate, shall be abolished;
- (b) all officers and employees of the said Directorate shall be transferred to the Authority and shall be employed with the Authority under the same terms and conditions as they had been employed under immediately before so being transferred;
- (c) all assets and liabilities of the Directorate, including movable/immovable property, shall be assets and liabilities of the Authority.