

**Bill No. 287 of 2022**

THE MOTOR VEHICLES (AMENDMENT) BILL, 2022

By

SHRI SANJAY BHATIA, M.P.

A

BILL

*further to amend the Motor Vehicles Act, 1988*

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Motor Vehicles (Amendment) Act, 2022.

Short title and  
commencement.

5 (2) It shall come into force on such date as the Central Government may by notification in the Official Gazette, appoint.

2. In section 41 of the Motor Vehicles Act, 1988, in sub-section (1), after second proviso, the following provisos shall be inserted, namely:—

59 of 1988.

"Provided also that no registration of new motor vehicle shall be made unless the applicant possess the requisite and valid driving license:

Provided also that if the applicant does not possess requisite and valid driving license, he may apply jointly either with his spouse or a family member possessing the requisite and valid driving license and such applicant shall be deemed to be joint owner of the said motor vehicle:

5

Provided also that an applicant whose license has been suspended may also be permitted to apply for registration of a new motor vehicle if the State in which the applicant intends to register permits the same:

10

Provided also that if the dealer registers the new motor vehicle without the requisite and valid driving license of the applicant, such dealer shall be liable to imprisonment for three months and fine as may be prescribed:

Provided also that an applicant possessing a learners license may apply for registration of a motor vehicle of upto 50 cc capacity."

15

## STATEMENT OF OBJECTS AND REASONS

As per section 18 of the Motor Vehicles Act, 1988 a driving license can be issued to such persons who clear the driving test. License is required to drive a vehicle, which means no person can take a vehicle for a drive without a valid license. Therefore, under section 181 of the Motor Vehicles Act, 1988, it is a punishable offence to drive a vehicle without a license.

The Bill proposes that every vehicle dealer shall check every prospective buyer for a valid driving license for registration of new car and those dealers who violate this rule and register vehicles in the name of those persons without a valid driving license, they shall be punished with an imprisonment of three months or fine shall be imposed on them.

The Bill also seeks to include an amendment making it possible for a person not having driving license, to register a motor vehicle in co-ownership with spouse, close relative, or family member etc. Such vehicles which are registered in co-ownership, cannot be sold or transferred without the agreement of both the parties and it means it would be illegal to sale the vehicle without consent of other partner.

Insurance companies follow the guidelines of Insurance Regulatory and Development Authority of India (IRDAI). According to the guidelines a valid driving license is mandatory for the vehicle driver. Therefore, if a driver does not have the driving license at the time of accident, the Insurance Company can reject the claim.

Valid driving license is necessary for the registration and without it one may face problem at the time of insurance and registration. A valid driving license is mandatory to avail the full coverage of insurance. Hence having a valid driving license is a necessity.

The Bill also provides for registration of vehicle with a suspended license but it depends on the policy of concerned State in this regard.

Hence this Bill.

NEW DELHI;  
*November 21, 2022*

SANJAY BHATIA

*ANNEXURE*

[EXTRACT FROM THE MOTOR VEHICLES ACT, 1988]

(59 OF 1988)

\*

\*

\*

\*

41. (1) An application by or on behalf of the owner of a motor vehicle for registration shall be in such form and shall be accompanied by such documents, particulars and information and shall be made within such period as may be prescribed by the Central Government:

Registration,  
how to be made.

Provided that where a motor vehicle is jointly owned by more persons than one, the application shall be made by one of them on behalf of all the owners and such applicant shall be deemed to be the owner of the motor vehicle for the purposes of this Act.

Provided further that in the case of a new motor vehicle, the application for registration in the State shall be made by the dealer of such motor vehicle, if he knew motor vehicle is being registered in the same State in which the dealer is situated.

\*

\*

\*

\*

LOK SABHA

---

A

BILL

further to amend the Motor Vehicles Act, 1988

---

*(Shri Sanjay Bhatia, M.P.)*