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## PART IV (A) - PROVINCIAL COUNCILS

### Provincial Councils Notifications

#### WESTERN PROVINCE PROVINCIAL COUNCIL

##### Rules under Section 30 of the Road Passenger Transport Services (Amendment)

##### Statute No. 03 of 2007 of the Western Province

IN terms of the powers vested in me under Section 30(1) and (2) of the Road Passenger Transport Services (Amendment) Statute No. 01 of 1992 of the Western Province as amended by the Statute, No. 03 of 2007, No. 03 of 1993 and No. 07 of 1995, I do hereby notify that the rules made in respect of the three wheelers deployed for passenger transport within the Western Province are as follows.

REGINOLD COORAY,  
Chief Minister and Minister of Finance and Planning,  
Law and Order, Local Government, Administration, Education,  
Transport, Cultural and Arts Activities of the  
Western Province.

18th day of August, 2008.

1. These rules are known as “the Rules relating to the transportation of passengers by three wheelers” and shall operate within the Western Province with effect from 01.09.2008.
2. While a three wheeler is, an authorized vehicle in terms of the provisions in the Road Passenger Transport Services Statute of the Western Province and in addition to the rules hereinafter laid down and the regulations and orders made under the Road Passenger Transport Services Statute of the Western Province in relation to the buses and the amendments to the said statute and the regulations and orders made thereunder, shall prevail in respect of the three wheelers as well, subject to the changes as applicable to the three wheeler.
3. Every three wheeler engaged in the provision of regular road passenger transport services within the Western Province, shall be duly registered with the Road Passenger Transport Authority of the Western Province hereinafter referred to as the “Authority”.

4. No person shall use any three wheeler within the Western Province for regular transportation of passengers for any fee or reward, other than under the authority of any regular passenger transport service permit issued by the Authority and remaining valid for the time being or any warrant issued by the Authority for the transportation of passengers.
5. Every three wheeler for which a permit or such other warrant has been obtained for the transportation of passengers for a fee or reward shall display on its windscreen a copy of the permit or such other warrant issued for the said three wheeler for the passenger transportation services.
6. The Passenger Transportation Service Permit Label shall be displayed on the front right body of every three wheeler which is being operated under the authority of a Passenger Transportation Service Permit or any other warrant issued by the Authority.
7. The owner of a three wheeler which is deployed for the transportation of passengers for the purpose of operating a regular passenger transportation service within the Western Province shall submit to the Authority an application on a specimen prescribed by the Authority.
8. Every application made to the Authority in respect of the Transportation of passengers by a three wheeler shall, in addition to the particulars required to be set out in that specimen, be accompanied with other particulars and documents the Authority shall require to be produced for the provision of passenger safety and comfort.
9. Not person other than the registered owner of a three wheeler shall be issued with a Passenger Transportation Service Permit for the operation of a Regular Passenger Transportation Service.
10. No more than one Passenger Transportation Service Permit shall be issued in respect of one three wheeler.
11. In case of a change of the particulars submitted at the time the application was made for a permit, such change should be intimated to the Authority within 14 days from the date of the occurrence of such change.
12. A regular passenger transportation service permit issued to a particular three wheeler for the purpose of operating a passenger transportation service, shall not be alienated or otherwise transferred without prior written approval of the Authority. Such transfer shall be null and void.
13. A regular passenger transportation service permit issued in respect of a three wheeler shall be valid for a period of 12 months from the date of issue unless determined earlier.
14. The period of validity of a warrant, not being a regular Passenger Transportation Services Permit issued to a three wheeler for the transportation of passengers, shall be limited to the period stipulated in such other warrant.
15. A warrant which is not a regular Passenger Transportation Services Permit issued to a three wheeler engaged in the transportation of passengers under the powers of a Passenger Transportation Services Permit issued by the Authority or any other Authority, shall not be alienated or transferred in any other manner and any such transfer shall be null and void.
16. The fees applicable to the three wheelers engaged in the transportation of passengers are given in the First Schedule and such fees shall be payable to the Authority by the applicant or the permit holder.
17. A regular Passenger Transportation Permit holder or anyone who has received any other warrant from the Authority for the transportation of passengers by a three wheeler, shall abide by the conditions stipulated in the said regular Passenger Transportation Services Permit or any other warrant.

18. The driver of every three wheeler deployed for passenger transportation under a regular passenger transportation service permit or other warrant issued by the Authority shall be registered with the Authority.
19. No passenger transportation service permit holder shall employ a driver not registered with the Authority for the transportation of passengers by the licensed three wheeler.
20. The driver of every three wheeler deployed for passenger transportation under a regular passenger transport service permit or other warrant issued by the Authority, shall at all times the three wheeler is in operation keep in his possession the identity card issued by the Authority, and information contained in such identity card shall be clearly displayed inside the three wheeler to be clearly seen by the passengers.
21. Every three wheeler involved in the transportation of passengers under a regular passenger transportation services permit issued by the Authority shall be painted in a colour prescribed by the Authority.
22. Fare meters shall be fixed in every three wheeler deployed for the transportation of passenger under a regular passenger transportation service permit issued by the Authority, and the permit holders are required to follow the orders issued from time to time by the Authority, in respect of the fare meters.
23. The sound level generated by the sound generators installed in the three wheeler shall not exceed sound the level stipulated by the Authority.
24. Every licensed three wheeler driver shall obey all signals and instructions given by the authorized officers of the Authority in the course of driving.
25. In every three wheeler deployed for the transportation of passengers under a Regular Passenger Transportation Service Permit issued by the Authority, a fares table indicating the fares charged for the transportation of passengers shall be exhibited inside the three wheeler to be clearly seen by the passenger.
26. The Provincial Authority may issue directions which the Authority thinks necessary to ensure that a person to whom a regular passenger transportation service permit or other warrant for the transportation of passengers by a three wheeler has been issued by the authority, acts in accordance with the provisions of the Road Passenger Transport Services Statute of the Western Province or any orders, regulations and rules made thereunder, and the person to whom such directions have been issued shall act in accordance with such directions within the time specified in such provisions.
27. It shall be an offence to act in violation of the rules made in respect of the transportation of passengers by three wheelers, and such offences and the fines imposed for such offences are set out in the Second Schedule.

#### THE FIRST SCHEDULE

	<i>Rs. cts.</i>
1. The fee for an application fee for a permit for the Passenger Transportation Services Permit	100.00
2. Fee for Regular Passenger Transportation Service Permit	250.00
3. Fee for transfer of a Passenger Transportation Service Permit	500.00
4. Fee for registration of a driver	1,000.00
5. Fee for label	30.00

*Documents to be kept in the three wheeler*

1. Income tax papers,
2. Insurance certificate,
3. Certificate of Registration with the Authority,
4. Driving License.

THE SECOND SCHEDULE

	<i>Rs. cts.</i>
1. Failure to keep in possession a valid Passenger Transportation Service Permit	100.00
2. Failure to properly display the label of the permit	100.00
3. Failure to follow the instructions and signals issued by an authorized officer	100.00
4. Operation without an approved fares meter	100.00
5. Failure to display the permit label on the windscreen	100.00
6. Failure of the driver to keep in his possession the identity card issued by the Authority	100.00
7. Allowing the sound created by the sound generating Machines to exceed the approved level	100.00
8. Failure to produce documents and reports required by the Authority in respect of the vehicle licensed by the Authority	500.00
9. Transportation of passengers by a driver not registered with the Authority	1,000.00
10. Failure to paint the three wheeler as stipulated	100.00