

## APPENDIX XI

### RENT A MOTOR CYCLE SCHEME, 1997<sup>1</sup>

In exercise of powers conferred by section 75 of the Motor Vehicles Act, 1988 (59 of 1988), the 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 date of its publication in the Official Gazette.

(iii) It shall apply to motor cycles to which permit have been issued under sub-section (1) of section 74 of the Act <sup>2</sup>[and the battery operated motor cycles and motor cycles driven on methanol and ethanol exempted from the provisions of section 66 of the Act,] and operating under a licence granted in terms of paragraph 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 cycles and for the efficient management of the establishment;

1. Vide S.O. 375(E), dated 12-5-1997, published in the Gazette of India, Ext., Pt. II, S. 3(ii), dated 12-5-1997 (w.e.f. 12-5-1997).

2. Inserted by S.O. 3220(E), dated 5-8-2021 (w.e.f. 11-8-2021).

(v) That the applicant maintains not less than 5 motor cycles duly covered by permits issued under sub-section (1) of section 74 of the Act, with comprehensive insurance, fitness certificates, motor vehicles tax paid up to date.

**6. Grant of licence.**—The licensing authority may, on receipt of an application under paragraph 4 and after satisfying himself that the applicant has complied with the requirements of paragraph 5, grant or renew the licence in Form 2:

Provided that no application for licence shall be refused by the licensing authority unless the applicant is given an opportunity of being heard and reasons for such refusal are given in writing by the licensing authority.

**7. Duration of licence.**—A licence granted or renewed under paragraph 6 shall be valid for a period of five years from the date of grant or renewal.

**8. General conditions to be observed by the holder of the licence.**—The holder of the licence shall,—

(i) maintain a register with a separate page for each vehicle containing the particulars specified in Form 3 and where a motor cycle is hired by a foreign national, shall maintain a register in Form 4;

(ii) not shift the principal place of business mentioned in the licence without the prior approval in writing of the licensing authority which granted the licence;

(iii) keep the premises and all the records and register maintained and the motor cycles open for inspection at all reasonable times by the licensing authority or by any person not below the rank of motor vehicle inspector as may be authorised in this behalf by the licensing authority;

(iv) submit from time to time, to the licensing authority such information and return as may be called for by it;

(v) display at prominent place in its main office and its branch office, the licence issued in original and certified copies thereof, attested by the licensing authority;

(vi) maintain in their main office and branch offices at a conspicuous place a "Complaint Book" in the Form 5 with serially numbered pages in triplicate. The licensee shall despatch the duplicate copy of complaint, if any, to the licensing authority by registered post expeditiously and in any case not later than 3 days;

(vii) maintain a suggestion box in the main office and branch offices and forward their suggestions received with their comments, if any, to the licensing authority once a month.

**9. Collection of hire charges.**—The holder of a licence shall collect the hire charges from a foreign national or non-resident Indian only in foreign exchange and shall hold for the purpose a licence to transact in foreign exchange.

**10. Duties and responsibilities of the hirer of motor cycles.**—(1) It shall be the duty of every hirer to keep the holder of the licence, informed of his movements from time to time.

(2) If an individual or company has hired the vehicle, as a leader of the tourist party, it shall be the duty of such leader of the party to keep the holder of the licence informed of the movements of each vehicle, from time to time.



3. Full Address of the place of business.....
4. Registration mark of motor cycles authorised for renting
- |    |             |               |    |
|----|-------------|---------------|----|
|    | Main Office | Branch Office |    |
| 1  | 2           |               | 3  |
| 4  | 5           |               | 6  |
| 7  | 8           |               | 9  |
| 10 | 11          |               | 12 |

is licenced to rent motor cycle.

This licence is issued on ..... and is valid up to .....

State Transport Authority  
.....State /UT

### RENEWAL

Renewed from .....to.....

State Transport Authority  
.....State /UT

### FORM 3

[See paragraph 8(i)]

### REGISTER TO BE MAINTAINED BY RENT A MOTOR CYCLE LICENSEE

Sl. No	Name of hirer	Full Address	Telephone No., if	Motor driving licence No.
1	2	3	4	5

  

Issue by (Authority)	Class of vehicle	Date of issue	Date of expiry	Date and time of hire
6	7	8	9	10

  

Date and time of returning vehicle	Motor vehicle used for total kilometers	Signature of hirer	Remarks
11	12	13	14

## FORM 4

[See paragraph 8(i)]

REGISTER TO BE MAINTAINED BY RENT A MOTOR CYCLE LICENSEE IN CASE  
WHERE THE MOTOR CYCLE IS HIRED TO A FOREIGNER

Sl. No.	Name of hirer	Full address	Telephone No., if any	Motor driving licence No.	Issued by (Authority)
1	2	3	4	5	6

Class of vehicle	Date of issue	Date of expiry	Passport No.	Issued by the authority and State/Nation	Date of issue of passport
7	8	9	10	11	12

Date of expiry	Date of birth as per passport	Driving permit No., if any	Date of issue of driving permit	Class of vehicle authorised to drive	Date and time of hire
13	14	15	16	17	18

Date and time of returning vehicle	Motor vehicle used for total kms.	Signature of hirer	Remarks
19	20	21	22

FORM 5

[See paragraph 8(vi)]

COMPLAINT BOOK

(With pages serially numbered in triplicate)

- 1. Name of complainant.....
  - 2. Full address.....
  - 3. The name and address of the holder of the licence for rent a motor cycle .....
  - 4. Licence number, and the authority which issued the licence.....
  - 5. The date and time of hiring the vehicle and date of time when the vehicle was returned .....
  - 6. Vehicle Number.....
- Complaint in brief.....

Date:

Place:

Signature

- 1. The licensing authority by registered post.....(Duplicate copy)
- 2. The complainant.....(Triplicate copy)

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