

Report of the Working Group
On
Road Safety pertaining to Enforcement

As per order No. RT-23014/3/2011-RS dated 11.04.11, Working Group on enforcement was constituted as follows:

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| 1. Dr. S.T. Ramesh, DG & IG, Karnataka | Chairman |
| 2. Shri Pradeep Srivastava, IGP, Chandigarh | Member |
| 3. Shri Satyendra Garg, Joint CP/Traffic, Delhi | Member |
| 4. Shri Deepak Upreti, Pr. Secretary and Transport Commissioner, Rajasthan | Member |
| 5. Shri J.P. Gupta, Transport Commissioner, Gujarat | Member |
| 6. Shri Chittaranajan Dass, President of All India Federation of Goods Vehicles Association | Member |
| 7. Shri Babu Lal Choudhary, Rajasthan | Member |
| 8. Shri Rohit Baluja, President, IRTE | Member |
| 9. Shri Anand Prakash, Director (RT) | Convener |

The first meeting of the Working Group Committee was held on 24.05.11 at Transport Bhavan, Sansad Marg, New Delhi. The second meeting of the Working Group Committee was held in Bangalore on 13.06.11. On 30.06.11, Shri S.T. Ramesh, DG & IG Karnataka Police retired from service. The remaining members of the Committee met on 26.09.11 at Transport Bhawan, Sansad Marg, and New Delhi to finalize the recommendations of the Committee.

Road Safety Scenario in the country

In the year 2001, there were 4,05, 637 accidents out of which 71,219 were fatal accidents. In these accidents, 80,888 people got killed and 4,05,215 were injured. This figure of accidents has been climbing up consistently and according to provisional figure of 2009, there were 4, 86,384 accidents in the year out of which 1, 10,993 were fatal accidents. 1,25,660 persons were killed in these accidents and 5,15,458 people were injured. While India used to be behind China in number of accidents and fatalities, now

India has the dubious distinction of having highest number of accidents and fatalities on the roads. This trend needs to be reversed with all round improvement in the way the traffic and transport is managed in the country. Based on the three meetings, the Committee is of the view that there are certain things which need to be done immediately while others can be done in a long term perspective.

I Measures which are urgently required to improve road safety scene:

- i) **Amendment of Motor Vehicles Act 1988:** At present prosecution of traffic offences is taking place as per provisions of Motor Vehicles Act 1988. The penalty structure of 1988 Act has become totally redundant and the fines are not a deterrence for traffic rule violators. The low fine structure has had a bad impact on road safety scenario and as recommended by the Committee to review of Motor Vehicles Act, there is urgent need to increase penalties and fines for traffic offences. It may be added that in the National Capital of Delhi during the Commonwealth Games when there was Rs. 2,000 fine for lane violation, the traffic ran very smoothly. People were very careful in following lane discipline and it had overall impact on improving the traffic management scene and accidents came down drastically. Needless to point that in 1988 the income of the people was low and the fine of Rs. 100 for red light jumping, triple riding, riding without helmet used to be a big amount as fine. In 2011 when general public income level of the people has grown substantially high, a fine of Rs. 100 for these offences is not having an impact on traffic management and road discipline.

While revising the penalties for traffic offences, a clause needs to be inserted in the Amendment Act itself that every three years there should be revision of fine based on consumer price index. There should be no need of going to Parliament for fine/penalty revision.

- ii) **Overloading of Commercial Vehicles** is one of the major reasons for accidents and fatalities on the roads. This overloading has to be checked properly to enhance road safety. To do this, the Committee was of the view that following measures should be taken :
- a) As overloading leads to damage to the roads, in cases where it is discovered that the commercial vehicle is overloaded, there should be mandatory criminal case under the provisions of Damage to Public Property Act against the transporter, the consignor and the consignee. If properly implemented, this will lead to a quantum jump in road safety scenario in the country and reduce accidents.
 - b) As per Motor Vehicles Act provisions and rules, police is not empowered to check overloading as Transport Department is the only competent agency to check overloading. All state police forces need to be empowered to check overloading and for this a large number of weighing machines should be installed so that no overloading takes place.
- iii) **Use of Road Safety Devices like Helmet, Seat Belt:** There are large number of accidents particularly on highways and city roads where deaths happen because safety devices like seat belt or helmet are not used by the road users. Wearing of helmet both for the driver and the pillion rider must be made mandatory. At present, some state governments have not enforced wearing of helmet and in some states women have been exempted from wearing helmets. The Committee was of the view that there should be no exemption in wearing of helmet and awareness should be created that helmet should be properly strapped by the road users Similarly, wearing of seat belt should be compulsory for the driver and the front passenger and on national highways it should be compulsory for even the passengers in the back seat.
- iv) **Drunken Driving:** According to Section 185 of Motor Vehicle Act, the penalty for violation of this rule is punishable with a fine of Rs. 2,000 or 6 months imprisonment or both for the first offence. It is experienced throughout the country that drunken driving is being punished by fine only.

Delhi Traffic Police made a healthy beginning in 2010 when the offence of drunken driving started being punished by imprisonment to various jail terms to the defaulters. In the year 2011, upto 30th September, as many as 2,374 people have been awarded imprisonment for drunken driving. This practice of awarding imprisonment in drunken driving is also prevalent in city like Mumbai. All enforcement agencies may impress upon the courts of the concerned cities/states that in graver cases of drunken driving, imprisonment must be provided to discourage drunken driving. There is also a provision under Motor Vehicle Act under Section 20 that if there is conviction under Section 185, the driving licence of the offender must be suspended. It has also been seen that in most of cities/states, this provision is not being enforced. Delhi Traffic Police took up with the concerned courts and it has been encouraging that upto 30th Sept., 2011 1971 driving licences have been suspended for drunken driving. Other states and city traffic police need to take up with their concerned courts to ensure that for the offence of drunken driving, driving licence suspension and imprisonment become a norm. This will have a healthy influence on road safety as drunken driving is one of the biggest reasons for accidents on roads. Similarly, databases should be created by all the state police forces and Transport department to ensure enhanced punishment for drunken driving where the second or subsequent offence.

- v) **Database of all Traffic Violations:** At present, there is no interlinked data base for recording of traffic violations by drivers of the vehicles. According to Motor Vehicle Act provision, there is different punishment for first traffic rule violation and for subsequent offences. As most of the states do not have data base of traffic rules violation prosecution, enhanced punishment is not possible for most of the traffic offences. There is urgent need that data base should be created for every vehicle, every driver and every offence for interlinking the habitual offender and there being enhanced punishments for second and subsequent offences.

- vi) **Strict checking of overcrowded passenger vehicles:** It is common experience in all major cities and towns that commercial passenger vehicles are loaded with many more persons than the authorised capacity of the vehicle. In Delhi, particularly, it has been noticed that RTVs, Gramin Sewa & TSRs are heavily overloaded which lead to frequent accidents with multiple deaths. All Transport and Traffic Police have to come down heavily on overloading of passenger vehicles. The Committee was of the view that in case of overloading of passenger vehicles, there should be provision of cancellation of permit of commercial passenger vehicles so that this compromise of road safety does not takes place. Presently, there is a provision of fine which is not a deterrence for checking of overloading of passenger vehicles.
- vii) **Improvement of Road Engineering:** There are certain stretches on the roads on highways and in cities where accidents happen because of faulty road engineering. It must be made mandatory for all concerned departments to inspect the roads where frequent accidents are happening. There should be compulsory inspection by Transport Department officials, Traffic Police, local police, road maintaining agency officials of scenes of multiple deaths or multiple accidents on particular stretches of roads to effective improve road engineering on these stretches.
- viii) **Use of Technology for interacting with road users:** Delhi Traffic Police has pioneered its interaction with inter-road users by social networking sites like Facebook. More than 80,000 are connected to Delhi Traffic Police through its Facebook. This has acted as empowerment of road users, sharing of information by Traffic Police and the road users and improvement in traffic and road safety through interaction. Every city police should start interacting with road users through proper mediums. It is suggested that all public utility department like Transport Department, Traffic Police must have constant interaction with road users. If transparency in the working of public utility department is ensured, this improves the road safety scenario. Similarly,

sharing of information through facilities like SMS alert service, 24x7 helpline can be effective instrument for improvement in road safety.

II. Institutional changes required to enhance road safety: It was felt by the Committee that road safety is compromised by basic issues like faulty issuance of driving licences, issuance of multiple driving licences, fitness certificate for commercial vehicles and other similar issues. The Committee suggests some fundamental changes as regards these and the recommendations are:

- i) **Issuance of driving licences:** It has been felt by all enforcement agencies that the present system of issuance of driving licence is not upto the mark. The applicants get driving licences without really knowing how to drive. There have been instances where people even with driving licence for the heavy vehicles are not competent to make basic movement of heavy vehicle. There is an urgent need to have a comprehensive test of the skills of applicants before driving licence of any category is issued to the applicant. It is suggested by the Committee that the Transport Department of all states must encourage establishing a large number of training institutes which can impart basic training for drivers before the applicant comes for driving licence. These driving institutes and Transport Department may also use simulators, actual driving tracks to ensure that applicants for a driving licence must be fully conversant with the driving skills before getting licence.
- ii) **Digitization of Driving Licenses:** It has been experienced by all enforcement agencies that people have been getting multiple driving licences from different transport authorities. There is urgent need of linking up of transport authorities to ensure that no person is able to get a driving licence from more than one authority. There is also need of digitization of the existing driving licence holders. This is also necessary

because when driving licence of a defaulter in traffic offence is suspended he should not be able to get driving licence from any other transport authority.

- iii) **Issuance of fitness certificate by Transport Authorities:** It has been felt by Committee that a large number of accidents on roads happen because many of the commercial vehicles are not in good condition. It has been felt that fitness certificate for commercial vehicles are being issued in a routine and there should be stringent checks of commercial vehicles before fitness certificate is issued to the vehicle. At present, a large number of breakdowns are happening on city roads and highways because of which a large number of people lose their lives in accidents. Stringent fitness certificate issuance will ensure enhanced road safety.
- iv) **Modernization of Traffic Management System in cities:** The Committee was of the view that with the introduction of latest technology in traffic management like CCTVs, speed cameras, red light cameras, Variable Messaging, video analytics and other systems of intelligent traffic system, we can reduce dependence on manpower and can have an effective traffic management system. Bangalore Traffic Police has shown the way by having most of the components of intelligent traffic system functional in the state. It was felt by the Committee that other states should also induct technology for regulation and enforcement. This will increase road safety scenario all around.
- v) **Speed Calming measures on Highways near inhabited areas:** It was felt by the Committee that on both sides of highways including National Highways, a large number of habitants are there requiring facilities to crossover from one side to other. At present, there is insufficient facility for people to crossover from one side to other as a consequence of which large number of pedestrian deaths are taking place in these areas. During construction of highways, there should be sufficient provision of crossover

for pedestrians and sufficient safety devices like central verge, railing, grills on both sides of the highways. Wherever there is speedy traffic on highways, sufficient security measures should be taken. There is also need for speed calming measures like table top speed breakers, rumbler strips on highways particularly on vulnerable locations so that vehicles slow down at appropriate places.

- vi) **Wayside amenities for long distance drivers:** It was felt by the Committee that a large number of accidents happen because long distance drivers do not have wayside amenities for rest and recuperation. There is urgent need to establish these amenities on roadsides at national and other highways because accidents generally happen due to fatigue and over work. Transporters need to be educated to have a reasonable schedule of movement of vehicle which will not force drivers to drive long hours without sleep and rest.
- vii) **Compulsory installation of GPS in Commercial Vehicles:** It has been the view of the Committee that there is tendency of over speeding and dangerous driving by commercial vehicles. As an enhanced safety measure, the Committee was of the view that there should be compulsory GPS device installation in all commercial vehicles. By installing GPS, there can be a check on which roads these vehicles are travelling and to find out their locations at any particular time. The vehicle owner will be much better off as they will be able to locate their vehicle through the length and breadth if the GPS system are installed in commercial vehicles. This will check misuse of commercial vehicles, facilitation in locating them in case of untoward accidents.
- viii) **Part of fine being made available for Road Safety Improvement :** Many members of the Committee was of the view that the part of fine collected by the Traffic Police for traffic violations should become available to them for effective road safety improvement in the areas like education to students, road users and other stakeholders.

- ix) **Apex Road Safety Body at the State and District Level:** The Committee was of the view that at present state and district level road safety committee are not effective. There is urgent need that a state level road safety committee headed by a senior functionary of government and should have representative from all stakeholders so that road safety scenario is reviewed periodically. Similarly, there should be District Level Road Safety Committee having members from all concerned units to review safety scenario in the District. There should be compulsory meeting of these Committees and issues must be discussed threadbare.

If the above mentioned measures are implemented in a time bound basis, this will go a long way for improving road safety scenario in the country. The present track record of road security of the country is not at all satisfactory and everything which need to be done to improve the road safety scenario has to be done on priority to have a good safety scenario.
