Motor Vehicles (Amendment) Act, 2019 - Opposition to High Penalties

What is the issue?

- The steep penalties for violation of road rules under the Motor Vehicles (Amendment) Act, 2019recently came into force.
- With much opposition to this, here is a look at the causes and the measures to be taken.

How is the implementation of the Act?

- Motorists have reacted with outrage at the imposition of fines by the police.
- Many State governments have opted to reduce the quantum of fines, or even to reject the new provisions.
- E.g. Gujarat has announced a substantial reduction in the fines, West Bengal has refused to adopt the higher penalties
- Karnataka and Kerala are studying the prospects to make the provisions less stringent, and others are proceeding with caution.

Is the law itself unjustified?

- India has some of the deadliest roads in the world, and close to 1,48,000 people died in road accidents only during 2017.
- So, the intent behind amending the Motor Vehicles Act cannot be faulted.
- Besides, the Union Transport Minister has reiterated that it is left to the States to choose the quantum of fines.
- This is because it is the states' responsibility to bring about deterrence and protect the lives of citizens. This argument is also valid.

Why is the opposition then?

- The outrage is especially due to the fact that State governments are enforcing the law without at first upgrading road infrastructure.
- They have neither made the administrative arrangements for issue of transport documents.
- So, the question is whether enhanced fines can radically change the accident record when other determinants as the above are not addressed.

What is the provision in this regard?

- The core of reform lies in Section 198(A) of the amended law.
- It requires any designated authority, contractor, consultant or concessionaire to meet the standards laid down by the Central government.
- These are those responsible for the design or construction or maintenance of the safety standards of the road.
- This provision prescribes a penalty for a violation leading to death or disability.
- It can be enforced through litigation by road users in all States.
- Since the standards are laid down, compliance should be ensured without waiting for a road accident to prove it.

What should be done?

- Until infrastructure meets legal requirements, fines and enforcement action are naturally liable to be challenged in courts.
- [The condition of roads, traffic signals, signage and cautionary markings would all fall within its ambit.]
- The culture of impunity that allows government vehicles and VIPs to ignore road rules should be put to an end.
- State governments should reform their Regional Transport Authorities, as these offices are generally steeped in corruption.
- The Union Transport Ministry should speed up making mandatory the electronic delivery of RTO services, which is being delayed for long.
- Also, the National Road Safety Board should soon be formed to recommend important changes to infrastructure and enable professional accident investigation.

Source: The Hindu

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