

Notification for Electronic Monitoring and Enforcement of Road Safety

Posted On: 19 AUG 2021 10:25AM by PIB Delhi

Ministry of Road transport and Highways has issued notification G.S.R. 575(E).11th August, 2021- Rule 167A regarding Electronic Monitoring and Enforcement of Road Safety. The rules specify the detailed provisions for placement of electronic enforcement devices (speed camera, closed-circuit television camera, speed gun, body wearable camera, dashboard camera, Automatic Number Plate Recognition (ANPR), weigh in machine (WIM) and any such technology).

State Governments shall ensure that electronic enforcement devices are placed at high-risk and high-density corridors on National Highways and State Highways, and at critical junctions at least in major cities with more than one million population and also including the 132 cities as specified in the table given in the rules. The electronic enforcement device shall be placed in such a manner so as not to cause any obstruction, line-of-sight issues or interruption in traffic flow.

Footage from an electronic enforcement device having electronic stamp for location, date and time, can be used to issue challan for the following offences:-

- (i) not driving within the prescribed speed limit (sections 112 and 183);
- (ii) stopping or parking vehicle at an unauthorised location (section 122);
- (iii) not undertaking Safety measures for drivers and pillion riders (section 128);
- (iv) not wearing protective headgear or helmet (section 129);
- (v) jumping a red light, violating a stop sign, using handheld communications devices while driving, passing or overtaking other vehicles in a manner contrary to law, driving against the authorised flow of traffic, driving in any manner that falls far below what would be expected of a competent and careful driver and where it would be obvious to a competent and careful driver that driving in that manner would be dangerous (section 184);
- (vi) driving vehicle exceeding permissible weight (sub-section (1) of section 194);
- (vii) driving without safety belt (section 194B);
- (viii) contravention of rule 6 (pertaining to lane driving) of the Motor Vehicles (Driving) Regulations, 2017 (section 177A);
- (ix) Goods carriage carrying passengers (section 66);
- (x) contravention of rule 36 (pertaining to Registration plates) of the Motor Vehicles (Driving) Regulations, 2017 (section 177A);
- (xi) driving vehicle with load that extends beyond the sides of body or to the front or to the rear or in height beyond the permissible limit (sub-section (1A) of section 194);
- (xii) failure to provide free passage to emergency vehicle (section 194E).

All challans issued under rule 167 in electronic form using auto-generation of challan through the electronic monitoring and enforcement system shall be accompanied by the following information;

- (i) clear photographic evidence highlighting the offence and the license plate of the vehicle;

- (ii) measurement from the electronic enforcement device;
 - (iii) date, time and place of the offence;
 - (iv) notice specifying the provision of Act that has been violated;
 - (v) certificate as per sub-section (4) of section 65B of the Indian Evidence Act 1872(1 of 1872), which,-
- (a) identifies the electronic record and describes the manner in which it was produced;
 - (b) gives such particulars of any device involved in the production of that electronic record as may be appropriate for the purpose of showing that the electronic record was produced by a computer;
- © is signed by the officer authorised in this behalf by the State Government.

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MJPS

(Release ID: 1747285)