

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 6 January, 2016.

G.S.R_(E).--- The following draft rules further to amend the Central Motor Vehicles Rules, 1989, which the Central Government proposes to make in exercise of the powers conferred by sections 27, 41, 50, 109, 110 of Motor Vehicles Act, 1988 (59 of 1988) is hereby published as required by sub-section (1) of section 212 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after expiry of a period of thirty days from the date on which the copies of this notification as published in the Gazette of India are made available to the Public.

Any objections or suggestions which may be received from any person with respect to the said draft rules within the expiry of the period so specified will be considered by the Central Government.

Objections or Suggestions, if any, may be sent to the Joint Secretary (Transport), Ministry of Road Transport and Highways, Transport Bhawan, Parliament Street, New Delhi, within the period, specified above.

DRAFT RULES

- (1) These rules may be called the Central Motor Vehicles (----Amendment) Rules, 2015.
(2) They shall come into force on the date of their final publication in the Official Gazette.
- In the Central Motor Vehicles Rules, 1989 (hereinafter referred as the principal rules), for existing rule 115-D, the following shall be substituted, namely:-

“115-D: Retro-fitment of hybrid electric system or electric kit to vehicles

- (1) For Retro-fitment of hybrid electric system kit to vehicles having Gross Vehicle Weight not exceeding 3500 kg, -**

Retro-fitment of hybrid electric system kit to vehicles having Gross Vehicle Weight not exceeding 3500 kg shall be permitted if-

- (a) the vehicle intended for retro-fitment complies with following conditions, namely:-

- (i) it conforms to Bharat Stage-II or subsequent emission norms;
 - (ii) it belongs to category M1 or category M2 or category N1 with Gross Vehicle Weight not exceeding 3500 kg;
 - (iii) it is fuelled by either gasoline or diesel fuel;
 - (iv) it was not retrofitted earlier;
 - (v) it will not be fuelled by any other alternate fuel;
- (b) mass emission standards for vehicles so retrofitted shall be the same as prevalent for corresponding petrol or diesel vehicles as applicable for the year of manufacture of the said vehicle;
- (c) the vehicle, after retro-fitment, shall meet the requirement of AIS-123 (Part 1): 2013 as amended from time to time till such time as corresponding Bureau of Indian Standard specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986):

Provided that for the purpose of hybrid electric system kit approval, kit manufacturer or supplier shall obtain the type approval certificate from a test agency specified in Rule 126 and the validity of such certificate shall be three years from the date of its issue;

- (d) the installation of type approved hybrid electric system kit shall be done only by an installer authorized by the hybrid electric system kit manufacturer or supplier, and the installer shall adhere to the installer's responsibilities and the Code of Practice detailed in the AIS-123 (Part 1): 2013, as amended from time to time, till such time as corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986.

Responsibility of vehicle retro-fitted with Hybrid Electric System Kit shall be transferred from OEM to kit manufacturer / supplier, except in case of zero kilometer fitment.

(2) For Retro-fitment of hybrid electric system kit to vehicles having Gross Vehicle Weight exceeding 3500 kg, -

Retro-fitment of hybrid electric system kit to vehicles having Gross Vehicle Weight exceeding 3500 kg shall be permitted if-

- (a) the vehicle intended for retro-fitment complies with following conditions, namely:-
- (i) it conforms to Bharat Stage-II or subsequent emission norms;
 - (ii) it belongs to category M2 or category M3 or category N2 or category N3 with Gross Vehicle Weight exceeding 3500 kg;
 - (iii) it was not retrofitted earlier;
 - (iv) it is not provided with permits for carrying dangerous or hazardous good, as defined in CMV Rules, 1989;
- (b) the vehicle, after retro-fitment, shall meet the requirement of AIS-123 (Part 2): 2015, as amended from time to time, till such time as corresponding Bureau of Indian Standard specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986):

Provided that for the purpose of hybrid electric system kit approval, kit manufacturer or supplier shall obtain the type approval certificate from a test agency specified in Rule 126 and the validity of such certificate shall be three years from the date of its issue;

- (c) the installation of type approved hybrid electric system kit shall be done only by an installer authorized by the hybrid electric system kit manufacturer or supplier, and the installer shall adhere to the installer's responsibilities and the Code of Practice detailed in the AIS-123 (Part 2): 2015, as amended from time to time, till such time as corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986.

Responsibility of vehicle retro-fitted with Hybrid Electric System Kit shall be transferred from OEM to kit manufacturer / supplier, except in case of zero kilometer fitment.

(3) For Conversion of vehicles for electric operation with retro-fitment of electric kit, -

Conversion of vehicles of categories L5M and M for electric operation with retro-fitment of electric kit shall be permitted if-

- (a) the vehicle, after retro-fitment, shall meet the requirement of AIS-123 (Part 3): 2015, as amended from time to time, till such time as corresponding Bureau of Indian Standard specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986):

Provided that for the purpose of electric kit approval, kit manufacturer or supplier shall obtain the type approval certificate from a test agency specified in Rule 126 and the validity of such certificate shall be three years from the date of its issue;

- (b) the installation of type approved electric kit shall be done only by an installer authorized by the electric kit manufacturer or supplier, and the installer shall adhere to the installer's responsibilities and the Code of Practice detailed in the AIS-123 (Part 3): 2015, as amended from time to time, till such time as corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986."

Responsibility of vehicle retro-fitted with Hybrid Electric System Kit shall be transferred from OEM to kit manufacturer / supplier, except in case of zero kilometer fitment.

[No. RT-11028/22/2015-MVL]



(Abhay Damle)

Joint Secretary to the Government of India.

Note :- The principal rules were published in the Gazette of India , Extraordinary, Part II, section 3, sub-section (i) vide G. S. R. 590(E) dated the 2nd June, 1989 and last amended vide G.S.R. ____ (E) dated the _____.