

Provincial Councils Notifications

WESTERN PROVINCE

THE PROVISIONS, RULES, REGULATIONS, ORDERS, DIRECTIONS AND REQUIREMENTS MADE AND PUBLISHED UNDER THE WESTERN PROVINCE PROVINCIAL ROAD PASSENGER CARRIAGE SERVICE STATUTE, No. 01 OF 1992 AS AMENDED BY STATUTES No. 03 OF 1993 AND No. 07 OF 1995

937-5-1996

THE notification published by Mr. Wijesiri Soysa, Chairman, Western Province Provincial Road Passenger Transport Authority in part IV (A) - Provincial Councils, of Gazette No. 912/6 of Monday the 26th February, 1996, is hereby repealed and the following section is substituted therefore:-

"The provisions of the Western Province Provincial Road Passenger Carriage Services Statute No. 01 of 1992, as amended by Statutes No. 03 of 1993 and No. 07 of 1995, and the rules, regulations, orders, directions and requirements made thereunder are hereby published under the provisions of the Statute."

PRASANNA RANATUNGE,
Minister of Transport, Highways,
Housing, Power, Urban Planning,
Sports and Youth Affairs of the
Western Province.

31st July 1996

Regulations

1.

(i) These regulations may be cited as the Road Passenger Carriage Services Regulations, No. 1 of 1995 of the Provincial Council of the Western Province and shall come into operation on 01st August, 1996.

(ii) Road Passenger Carriage Services Regulations, No. 1 of 1992 of the Provincial Council of the Western Province published in the Gazette Extraordinary of the Democratic Socialist Republic of Sri Lanka No. 733/3 dated 23.09.1992, are hereby repealed.

Issuing Authority 2.
of Passenger
Service permits
Section 9(1).

(i) No person shall use an omnibus to provide a regular passenger carriage service within the Western Province without the authority of a valid passenger service permit (Hereinafter referred to as the "Permit") issued by the Western Province Road Passenger Transport Authority. (Hereinafter referred to as the "Authority").

National
Transport
Commission
permits
Section 35.

(ii) Nothing in Regulation 2 shall apply to an omnibus operated under the Authority of a permit issued by the National Transport Commission.

To whom Route Permits are issued Section 9. 3. Route permits are issued to registered owners of omnibuses including Companies and other organisations other than State Organisations such as Provincial Councils, Local Authorities or anybody cooperate in which, the State, a Provincial Council or a Local Authority holds shares. However Peoples companies should obtain route permits for their omnibuses.

Application for Passenger Service Permit. Section 11. 4. Every application for a permit or for the renewal of a permit shall be made by the registered owner of the omnibus and/or the authorized officer in the case of a company on the prescribed form, (Form 'A' First Schedule), not later than one month from the date of registration of the bus as an omnibus. The following shall be furnished together with such application:-

- Section 10. 4.1 Certificate of registration of the omnibus or a certificate issued by the Commissioner of Motor Traffic giving particulars of registration, together with a photostat copy;
- Section 6(i)(e)(3). Section 14(d). 4.2 The original of the fitness certificate of the omnibus together with a photostat copy;
- Section 6(i)(e)(3). 4.3 Insurance certificate providing full and unlimited insurance coverage for third party and all passengers travelling in the omnibus;
- Section 6(1)(e)(3) 4.4 Medical Certificate in respect of the driver with a photostat copy.
- Section 19 4.5 If the application is for renewal of a permit, the original of the permit book and the label;
- Section 19. 4.6 The fees prescribed by the Authority in cash;
- Application Form Section 11(i). 4.7 The application for the permit shall be in the form set out in the Form "A" of the First Schedule hereto;
- The Permit. Section 13: 2:(a). 4.8 The Permit shall be as set out in the form set out in the form "B" of the Second Schedule hereto;
- Section 6(i)(e)(1). 4.9 The permit label (Windscreen label) shall be as set out in the form set out in the form "C" of the Third Schedule hereto;
- Section 13(1). 4.10 The fees prescribed by the Authority shall be as indicated in the Fourth Schedule hereto;

Conditions applicable permits. 5. The following conditions are applicable to all permits:-

- Section 17. 5.1. The permit is not transferable;
- Section 14(a). 5.2. The permit shall be valid only in respect of the omnibus and the route specified on the permit;
- Section 13(2)(fe). 5.3 The permit shall be in force for a period of twelve months from the date of issue, unless stated otherwise;
- Section 23. 5.4 The original of the permit and the label shall be carried in the omnibus by the driver;
- Section 23 5.5 A photostat copy of the permit label issued by the Authority shall

be displayed on the left hand side upper section of the front windscreen.

- Payment of service charges prescribed by the Authority Section 6(i)J. 6. The permit holder shall pay to the Authority a service charge prescribed by the Authority before the beginning of each month for which the service charge is due.
- The Log Sheet. 7. A log sheet valid for each month will be issued by the Authority on payment of the service charge.
- Section 6(i)(e)(2). 7.1 The log sheet and/or any other document issued by the Authority shall be in the custody of the driver of the bus and the driver shall get the service controller/timekeeper to enter the time of arrival and departure of each journey.
- Section 6(i)(e)(4). 7.2 At the end of each day, the driver shall handover the log sheet to the permit holder. The permit holder shall surrender it to the Authority at the end of each month.
- Conditions for Permit holder Section 14(d). 8.1 The permit holder and his employees shall maintain the omnibus used to provide the service in a mechanically fit, serviceable and clean condition at all times.
- Section 14(d). 8.2 The omnibus shall have a valid certificate of fitness.
- Section 6(i)(e)(l). 8.3 The following should be displayed conspicuously in the omnibus.
- section 6(1) e (l) (a) The route number of the approved service in bold figures;
- Section 6(i) e (l). (b) The destination of the approved service in bold letters in all three language -Sinhala , Tamil and English in front and rear of the omnibus at all times when the bus is in service;
- Section 6(i) e (l). (c) The number of passengers approved by the Authority inside the omnibus;
- Section 6(i) e (l). (d) The Time Table approved by the Authority;
- Section 6(i) e (l). (e) The Fare Table approved by the Authority;
- Section 6(i) t (l). (f) The "No Smoking' notice
- Section 6(i) e (l). (g) Two seats each must be reserved for clergy, disabled persons and pregnant women closer to the entrance or exit and "Reserved for clergy", "Reserved for disabled persons" and "Reserved for pregnant women" must be conspicuously displayed near each such reserved place.
- Section 20. 8.4 Omnibus that do not confirm to these regulations shall not be permitted to enter any bus stand maintained and/or controlled by the Authority.
- Obligation of the 9. The permit holder shall -

Permit Holder
Section 14(b).

- Section 6(i)e(6)- 9.1 Operate all such trips in accordance with the approved Time Table every day on the permitted route from the starting point right upto the destination without any un authorised deviation;
- Section 6(i)e(6)- 9.2 Allow the inspection of the omnibus and inspection of all documents and registers required to be maintained, at all times on any day, by any authorized officer of the Authority;
- Section 16. 9.3 Inform the Authority, any accident involving the omnibus within 07 days from the date of such accident;
- Section 16. 9.4 Inform the authority if the omnibus is taken away from service for more than seven consecutive days and surrender the Route Permit, Log Sheet and the Label to the Authority;
- Section 16. 9.5 Agree to operate according to co-ordinated time tables with other operators from common bus stands when directed by the Authority;
- Documents to be maintained by Permit Holder Section 6(i)e(5) 9.6 Maintain a register showing the times of commencement and cessation of work of the drivers and conductors of the omnibus daily operated. The lay over periods, rest periods and service period shall be in conformity with the labour Laws;
- Section 6(i)e 6. 9.7 Make available all documents required to be maintained by the Authority for the inspection wherever required by the Authority.
- Uniforms Section 16. 9.8 Provide uniforms as specified by the Authority to the Drivers and Conductors;
- Tickets Section 16. 9.9 Provide tickets indicating the registration number of the omnibus, fare, name and the address of the owner/company of the omnibus or tickets issued by the Authority with the required waybill. The permit holder may also arrange to issue monthly or quarterly season tickets or adopt a suitable system with the approval of the Authority;
- Section 16. 9.10 Paint the Registered Number of the bus inside the bus, above the front windscreen;
- Section 16. 9.11 Provide a bell in the omnibus;
- Section 18. 9.12 Bring to the notice of the Authority of any changes of the particulars in the application for the permit, within 30 days of such changes;
- Section 16. 9.13 Pay such penalties and fines levied for contravening any conditions in these regulations within the stipulated period;
- Section 16. 9.14 Make provision for the payment of compensation for employees, passengers and/or their dependents involved in accidents;
- Section 16. 9.15 Operate the bus for a minimum of 21 days per month on the permitted route.

10. The permit holder shall not-

- 10.1 Use any omnibus other than the omnibus indicated in route permit to provide the approved services;
- Section 6(i)e. 10.2 Cease to operate the omnibus without informing the Authority except for running repairs and servicing that has to be carried out for the proper maintenance of the omnibus;
- Section 6(i)e. 10.3 Use the omnibus for any special hires or welfare hires without the approval of the Authority; Section 6(i)e.
- Section 6(i)e. 10.4 Increase or reduce the number of seats in the bus or after the seating arrangements without prior approval of the Commissioner of Motor Traffic;
- Section 6(i)e. 10.5 Allow the omnibus to operate after a serious or fatal accident without obtaining a fresh fitness certificate, from an authorized garage approved by the authority. (A photo copy should be submitted to the authority along with the original)
- Section 6(i)e. 10.6 Allow any person to smoke inside the omnibus. This prohibition shall apply to passengers, drivers, conductors and checking officers;
- Section 6(i)e. 10.7 Engage for duty any driver of an omnibus involved in a serious of fatal accident until such driver is certified medically fit:
- (a) A serious accident is where damage to property as a result of an accident is over Rs. 10,000 and/or where any person injured was warded for treatment for over 7 days,
 - (b) A fatal accident is where any injured person is dead, as a direct result of that accident.

Obligation of the 11.
Driver Section 16.

(A) The driver of the omnibus shall-

(i) Carry in his custody:

(a) Revenue Licence for the current year;

(b) The valid Log Sheet issued by the Authority;

(c) Insurance certificate providing full and unlimited insurance coverage for the third party and all passengers travelling in the omnibus;

(d) The permit issued by the Authority;

(e) Driving licence of the driver;

(f) Medical certificate in respect of the driver issued by a registered medical officer;

(g) Certificate of fitness issued by an authorized garage/engineer.

(ii) Drive the omnibus in such a manner so as to ensure the safety and comfort of all passengers in the omnibus.

(iii) Pick up passengers at all authorized bus halts and bus stands when there is room in the omnibus and let down passengers at such halts and stands as desired by passengers.

(iv) Be of good behaviour and good conduct, and be courteous and polite to all passengers as well as to public and other officials.

(v) Operate strictly according to laid down time tables.

(vi) Carry in the bus the destination board only pertaining to the approved destination.

Section 16. (B) Driver of the omnibus shall not- Section 16.

(i) Drive the omnibus under influence or after liquor or consuming liquor or any intoxicating substance.

(ii) Pick up or let down passengers at unauthorized places, particularly at busy junctions and roundabout;

(iii) Drive the omnibus in reckless, dangerous and negligent manner;

(iv) Allow any person to travel on the front/or rear landing platform of the omnibus;

(v) Smoke whilst on duty.

Obligations of the 12.
Conductors
Section 16.

(a) Conductor of the omnibus shall-

(i) Carry the conductor's licence;

(ii) Issue to every passenger a serially numbered ticket indicating the approved fare relating to the journey and either the starting point or the destination or both by name or number in accordance with the approved fare table;

(iii) Refund the full fare to each and every passenger in case the omnibus fails to reach its designation, due to an accident, a defect in the omnibus or due to any negligence of the driver or conductor;

(iv) Request the passenger occupying a seat reserved for the clergy, invalid, or pregnant women to vacate when required.

(b) Conductor of the omnibus shall not-

(i) At any time be under the influence or smelling of liquor or under the influence of any intoxicating substance, whilst on duty;

(ii) Smoke whilst on duty;

(iii) Charge or accept any fare from any passenger in excess of the approved fare;

(iv) Allow any person to travel on the front or rear landing platform of the omnibus;

(v) Allow to keep any baggage in such a manner to cause an obstruction to passengers;

(vi) Allow any person to smoke inside the bus.

Obligations of Passengers.

13. Passengers shall-

(a) Offer immediately seat reserved for the clergy, invalid or pregnant woman when required;

(b) Obtain a ticket for the journey from the conductor of the omnibus equivalent to the value submitted, before the bus passes the first fare stage from the point he embused;

(c) Having obtained a ticket for the journey, have it in his possession till end of journey;

(d) Show or surrender such ticket when called upon to do so by the conductor of that omnibus by any officer of the Provincial Authority authorized in that behalf.

Fines Section 33.

14. Whenever these regulations are contravened the Authority may impose fines as mentioned in fifth schedule in respect of each offence. If the payment of such fines are refused or evaded the Authority has power to suspend/cancel the particular passenger service permit issued by the Transport Authority.

Power to Cancel Permits. Section 20.

15. The Authority may cancel the permit on the grounds of contravention of the regulation in this notification or any conditions stipulated in the permit, or for non-compliance of any direction given to the permit holder by the Authority.

16. In these regulations unless the context otherwise require-

" Authority" means the Provincial Road Passenger Transport Authority of the Western Province;

"Permit" means a passenger service permit issued in terms of the provisions of Section 9(1) and 2 of Part II of the Western Province Provincial Road Passenger Carriage Set vices Statute No. 01 of 1992.

"Chairman" means the Chairman of Provincial Road Passenger Transport Authority of the Western Province.

"Omnibus" means and omnibus or other authorized vehicle which is used to transport passengers for a fee.

