

## **Important Points to be noted regarding Vehicular documents**

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**PERMIT is an authorization to ply a Motor Vehicle as a commercial vehicle (for hire or reward). Implying, in the absence of a permit no Motor Vehicle should be used as a commercial vehicle (for the purpose it is intended for)**

**U/s 66 (3)(i) of CMV Act 1988 Permit is not required for any Goods Vehicle whose GVW (Gross Vehicle Weight) is less than or Equal to **3000 Kgs.****

**Ambulance Vehicles are exempted from obtaining Permit U/s 66(3) (C)**

**Ambulance vehicles have been categorized as commercial vehicles u/s 41(4) of CMV Act 1988.**

**U/s 81(2) of CMV Act a permit may be renewed on an application made not less than fifteen days before the date of expiry. **Implying there is no grace period for renewal of Permit.****

Plying a Transport vehicle without an **authorization & permit** is in contravention of the Policy conditions & also **u/s 66** of CMV Act 1988.

**Sec 39** of CMV Act forbids usage of any Motor Vehicle in a public place unless the vehicle is registered.

**Sec 10(2) (d)** defines a Non transport vehicle.

**Sec 10 (2) (c)** defines a Transport vehicle.

**Non Transport vehicles & Transport vehicle are two different categories of vehicle & cannot be clubbed together, even though the unladen weight may be less than **7500 Kgs.****

**Any Motor Vehicle should at all times carry a valid “Pollution under Control “certificate, in the absence of which the Registration Certificate becomes invalid as per rule 115(2) of CMV Rules 1989.**

**IN POSSESSION OF TWO DRIVING LICENSES AT ANY GIVEN POINT OF TIME IS AN OFFENCE.**

As per provision of **Section 6** of the Motor Vehicles Act, no person could, while he held a driving licence for the time being in force, hold another driving licence. Both the licenses become invalid.

### **COVERAGE TO UNREGISTERED (NEW) VEHICLES**

Further, under **Section 39 read with Section 192 of IMV Act**

Driving of vehicle without valid registration is punishable with fine up to Rs. 5000 and subsequent violation thereof can be punished with imprisonment of up to one year. Further, it was pointed out that registration of vehicle is relevant for **establishing ownership as per IMV Act**. It was stated that under IMV Act 1988, a person is treated to be owner if registration stands in his name and insurable interest of the insured can be judged only through ownership.

**Further, the premise of any policy issued is that the insured would abide by the laws of the land and the insurer should indemnify the losses suffered in process of any activity which is not prohibited by law**

(1) No person shall be granted a learner's licence to drive a transport vehicle unless he has held a driving licence to drive a light motor vehicle for at least one year.

Whoever, while driving, or attempting to drive, a motor vehicle,—

(a) has, in his blood, alcohol exceeding 30 mg. per 100 ml. of blood detected in a test by a breath analyser, or

(b) is under this influence of a drug to such an extent as to be incapable of exercising proper control over the vehicle,