



Consultation with Enforcement Officials on
MVA Act, 2019: Challenges and Way Forward

Thursday,
November 18, 2021, Mysuru



Table of Contents

Background	1
Welcome Address	2
Overview of the Event.....	2
Special Address.....	2
Inaugural Address	3
Technical Session 1.....	4
Technical Session 2.....	5
Chairperson’s Address.....	6
Suggested Recommendations	7
Photographs from the Event.....	8
Media Coverage.....	13
Annexures	i
Annexure 1: Concept Note	i
Annexure 2: Agenda	iii
Annexure 3: List of Participants	v

Background

The State of Karnataka, as well as other local governments within the State, have introduced several procedures, policies and innovative methods to control traffic movements and ensure improved road safety within the State. These efforts by the State Government have been well acknowledged by policymakers, Subject Matter Experts (SMEs), etc. In line with these efforts by all States in the country, the Government of India amended the Indian Motor Vehicles Act (MVA), 1988 in September 2019, to provide an additional regulatory framework for traffic movements on Indian roads. Considering a substantial period, since the amendment, it is probably then the right time to reflect on and to question the implementation and enforcement challenges in this Act at the Central and State levels. The Consultation Meeting provided an opportunity to identify the issues and challenges of policy interventions that exist within the different stakeholders related to the transportation and road safety framework in the State, especially in the city of Bengaluru. In addition, there exists an urgent need for amendment in the State rules and bring in new road safety-related policies.

While effective implementation is a challenge for every policy by the Government, periodic dialogue and consultation between stakeholders can generate ideas, and facilitate the development of policy recommendations for improved execution, and positive outcomes. The Public Affairs Foundation (PAF) along with Consumer Unity & Trust Society (CUTS) International organised a Consultation Meeting on the 23rd of September, to identify the issues related to road safety, and present a platform to SMEs, and stakeholders to share their views on the MVA, 2019, and envisage on policies for efficient implementation of the Act. The primary objective of the Consultation Meeting was to highlight and discuss the enforcement challenges of the MVA, 2019 and ideate on how the Govt. of Karnataka can be supported to adopt and implement evidence-based, and data-backed road safety policies on behavioural risk factors.

Welcome Address



Dr. Annapoorna Ravichander, the Executive Director of PAF, kickstarted the event by welcoming the speakers and the audience. She emphasised the importance of the enforcement of the Motor Vehicles Act 2019 and the ownership each and every one of us have to take to ensure the road safety of ourselves and the others around us. She called upon **Mr. Madhu Sudan Sharma Senior Programme Officer, CUTS International** to provide an overview of the event.

Overview of the Event

Mr. Madhu Sudan Sharma, Senior Programme Officer, CUTS International began his address by citing the number of accidents and the mishaps that occur on our Indian roads, especially in Karnataka with the total number of road accidents being 40658 in 2019, out of which there were 10000 deaths. Despite a large number of people lose their lives due to road accidents, he added that WHO and NCRB suggest that the seemingly large number might be even larger, as the number of cases are underreported. He also added



that the cost occurring from road accidents seriously affects the GDP. The Journey of the MVA Act and the amendments that were passed in 2019 formed a major part of his address. He detailed about the provisions of the Act, the vulnerable population who are most susceptible to road accidents and the effective implementation of the act which is still an ongoing process. He ended his address by mentioning of "Road safety is a multi-stakeholder subject" and how there should be involvement of different departments and the public.

He also touched upon the five key risk factors of not wearing seat belt, helmet, drink and drive, speeding and not using child restraint system for child safety. He referred the provisions related to accountability of road owning agencies, Vaahan and Sarthi, electronic monitoring of traffic and transport, stringent penalties and Non-Motorised Transport Vehicles etc.

Special Address



Dr. Ajai Kumar Singh, IPS, Former DG & IGP & Commissioner of Police, Bengaluru City, gave the Special Address. He emphasised how road safety is a very important national as well as social issue and requires the collective efforts of public as well as the government. He termed road accidents as “permanent pandemic” that plagues countries all over the world and how we are in dire need of innovative systems like in the case of Sweden – the existence of a separate department at the government level to ensure road safety and traffic management.

He added that accidents should not just be viewed as loss of property but the emotional loss and trauma that arises, that goes unaccounted for. He suggested that to keep accidents in check, “every wheel of the Government machinery has to move in the same direction”, to identify, analyse the causes of road accidents and to come up with remedial measures. The key takeaway from his address was the necessity for ordinary citizens to enforce their actions and take corrective steps rather than giving undue importance to experts. The need of the hour, as mentioned by him, is a mix of “common sense and expertise” as “Wisdom in good ideas is no one’s monopoly”.

Inaugural Address

This was followed by the Inaugural Address by the Chief guest, Dr. C.T Murthy, Joint Commissioner of Transport, Mysuru. He began his address by stating data related to road accidents in India and how the number of deaths have remained consistent for a long period of time, including the two years when the world came to a standstill due to COVID-19. He spoke about how having a meticulously designed system as in the case of USA – big roads, high tech vehicles, well equipped drivers – is not enough to prevent road accidents as the number



of cases of road accidents in the USA is still as high as 80000. He mentioned that the importance should be placed on taking individual responsibility in following road safety and traffic rules. He shared that the suggestions of the MVA act 2019, provides much scope for ensuring road safety in India and how the number of accidents can be majorly reduced if every single road user carefully followed the 5 risk factors of – being attentive while being on the road, avoid over speeding, avoid diving while being intoxicated either because of alcohol or due to the intake of any medication, using of protective gears like seat belts and helmets, and following traffic rules 24/7. He also provided a suggestion to PAF and CUTS, to look into the safety in transportation of school children in semi-urban and rural areas and what measures can be taken to incorporate women as school bus drivers.

Technical Session 1



The Technical session on Key Risk Factors of Excessive Speed, Drink & Drive and Distracted Driving was initiated by Prof. Ashish Verma, Ph. D – Transportation Systems Engg., Indian Institute of Science, Bengaluru. His presentation was titled “Vaccination for Road Accident Epidemic in India”. The premise of his presentation was on the categorisation of road accidents (i.e.) to identify if road accidents are a traffic issue, a normal health hazard or a health hazard of extreme magnitude. He pointed out that road accidents form one of the top 10 leading causes of deaths across the world. He added that during the initial stages of COVID-19, even after imposing lockdowns and restricting travel the number of deaths due to road accidents were higher than the deaths due to COVID-19. He mentioned that the WHO has once again mentioned the decade between 2021-2030 as the decade of Action on road safety as the target to reduce deaths by road accidents by 50% was not achieved in the first decade of Action on road safety – 2011- 2020. He identified road users who are at high risk to road accidents and mentioned about few targeted interventions to safeguard the VRU (Vulnerable Road Users). As a part of his research on fatalities caused by road accidents, he was able to identify that the most vulnerable groups of road users are the pedestrians and the 2-Wheeler drivers and any intervention introduced should make sure the reduction in the deaths of these 2 VRU. He also went on to identify VRU based on sex and age and how the young male and female populations are much susceptible to road accidents than the older and middle aged populations due to recklessness, difference in motivations while driving, inexperience etc. He then mentioned the vaccination for the epidemic of road accidents in India should be thorough road safety audit which includes the 3 Es (i.e.) Engineering, Education and Enforcement using technology and eliminating human intervention.

Technical Session 2

The second Technical session on Key Risk Factors of Not Wearing helmet, Seat Belt and Child restraint System was conducted by Dr. Bharat Kumar Pathivada (M. Tech, PhD, IIT Mumbai), Project Research Scientist, IIT Mumbai. He began his session by listing out the current road problems and the number 1 ranking of India in road accidents as per the WHO report. He mentioned that motorized two wheeler users constitute 37% of the population affected by road accidents and the number of fatalities have gone up from 2017-2019. He mentioned that the deaths of 2-wheeler users due to non-helmet usage, both drivers and pillion riders have increased and Karnataka is among the top 5 states in India to witness such fatalities. He mentioned that the crashes and accidents are a result of a combination of various components and emphasised on the risk factors mentioned by previous speakers—over speeding, drunk and driving, negligence while being on road etc.



He quoted that the correct helmet usage should be in line with the standards presented by the Bureau of Indian Standards (i.e.) wearing a protective headgear with the straps on, without which the effectiveness reduces. He spoke in particular about a case study done in Malaysia where 54% of 2-wheeler users were wearing helmets and out of which 24% were not wearing it rightly. He went on to state that 6 ASEAN countries are identified as belonging to the top 20 countries with non-helmet usage accidents. He mentioned about a study conducted in Mumbai city by Bloomberg Philanthropies in association with WHO, where 68% of the road users were wearing helmets but only 33% were wearing it rightly and the rise in these numbers in 2018. He mentioned other reasons for 2-Wheeler accidents include over speeding, being distracted while driving, the increased risk factors attached of operating a 2-Wheeler etc. He suggested risk factors that can be modified in terms of drivers behaviour, the environment, the use of protective gears etc. and how effective interventions can be introduced by taking these factors into consideration. He also spoke about another important aspect leading to road accidents – the field of vision while driving and how effective interventions should be introduced to revolutionise existing road signs, the distance they have to be placed, the speed limit one should follow while driving etc.

He mentioned about few reforms introduced by the MVA act 2019 which includes – stringent punishment for over speeding, drunk and driving etc., to remove the ambiguity of what dangerous driving is by providing an exact definition and the introduction of the necessity of child harness and other child safety measures.

Chairperson's Address

The event was concluded by the address given by **Shri. Chethan IPS Officer and the Superintendent of Police, Mysuru**. He mentioned the on ground challenges of the enforcement of the Act, and some of them mentioned by him were the improper usage of protective gear by 2-wheeler users and how users give frivolous answers when they are questioned about the non-usage of helmets and how as police officials they are expected to spoon feed every user about the need to wear protective gears which is an impossible task in itself. He also mentioned that, even when 2-wheeler users use protective headgears, most of the times they are worn improperly or without ISI standardisation. He added that, for the enforcement of a law to be successful, the end-users should be the beneficiaries and for them to benefit from such protective laws they should be active citizens in following the rules provided by any law. He also pointed out a new trend identified during COVID which is opposition to pay fines or assaulting the traffic officials for imposing fines, due to lack of jobs and the resultant unavailability of funds. He mentioned that the aim of the police officials is not to collect fines but to ensure the well-being of the citizens. He emphasised how public has to be more cautious in terms of road safety issues and not overlook the psychological trauma that comes with such fatalities, and how such consultation events can bring actual awareness.



Key facts and data mentioned by the speakers:

1. According to 2019 data; there have been 10,958 road deaths, 50,447 injuries and 40,658 accidents.
2. Even though National highways constitute only 1.9% of the total road network, they account for 30% of road accidents.
3. There is a NET GDP loss of 10,400 crores per Annum in the state of Karnataka due to road accidents and the costs incurred due to them.
4. There has been around 460 deaths in Karnataka in 2019 of people below the age of 18.
5. More than 90% of the world's fatalities on roads occur in low-income and middle-income countries, which only have 60% of the world's vehicles (WHO, 2018)
6. As per WHO Global Report on Road safety (2018) India accounts for 11% of accident related deaths in the world.
7. Also, India ranks No.1 in road accident deaths across 199 countries as per World Road Statistics 2018.
8. Average accidents per day on Indian roads are 1230, with 414 deaths every day which is equivalent to 2 jumbo plane crashes.
9. More than 37% of road accidents deaths in India are due to Motorized two wheelers.
10. MTW drivers who are not wearing helmets are 4 time more prone to have serious head injuries and correct usage of helmets could reduce fatalities by 42% and head injuries by 69%.
11. In India it is identified that only 30% of the riders and less than 10% of pillions use helmets.

Suggested Recommendations

1. Need to incorporate the 5 risk factors given by the WHO – speeding, drunken driving, not wearing helmet and seatbelt, child restraint system into the awareness and sensitisation process towards the effective implementation of the MVA act 2019
2. Bring in innovative methods of traffic management, which will in turn keep a check on road safety and one of the key areas to focus on will be the introduction of Electronic Monitoring and enforcement systems. The responsibility for the enforcement of this provision falls on both the Central as well as the state government.
3. Need to replicate the best models available in other nations in order to come up with a better system of traffic and road management – a long term recommendation of aiming to set up a department at the government level, as in the case of Sweden for the management of road safety and traffic
4. Place checks on the agencies involved in road safety – town planning, land use, road engineering, health care etc. and ensure these agencies function in tandem with each other and the government machinery ensures the working of all members – regardless of the magnitude of importance emphasised by different them
5. Introduce road sensitisation programmes and awareness campaigns for the general public, to instil the feeling among the public of being active citizens and playing a very important role in the subject of road safety
6. Evolutionise transport department in other states as in the case of Mysuru, to place mandatory checks on inspection and standardised tests before any vehicle is allowed for road use
7. Introduce better transport facilities for children in rural and semi-urban areas due to the poor condition of the roads which leads to increased injuries and fatalities
8. Improve safety of school children by incorporating women drivers as school bus drivers.
9. Develop road interventions keeping in mind specific Vulnerable Road Users – 2-wheeler users, pedestrians, young male and female population – as the fatalities are high among these groups – longer pauses during traffic for pedestrians to cross, banning 2-wheeler users to use the footpath while driving, coming up with an optimum length and height of footpaths and standardising the heights, easier access of footpaths by disabled people.
10. Conduct regular road safety audits and making the 3 Es (i.e.) Engineering of the road, Education of the vehicle and road users and Enforcement of road safety measures using technology and eliminating human intervention throughout the country is a need of the hour.
11. Improve driver attitudes by educating them, creating a Graded Driver Education and licensing system, assessing their visual functions before inducting anyone as a driver
12. Develop exclusive space for Motorised Two Wheelers by improving traffic engineering measures; also develop standards, guidelines and suggestive legal instruments for MTWs.
13. Implement “forgiving infrastructure” to minimise crash consequences of MTWS (I.e.) designing roadside furniture (street lamps, traffic signs, bus stops etc.) in such a way that potential hazards of a crash is reduced.

Photographs from the Event













Media Coverage



Annexures

Annexure 1: Concept Note

Cities in India are highly dynamic in nature and indicate various characteristics of the population, area, urban form, economic activities, mobility, etc. With such dynamism in play, transport systems need to be (re) designed and maintained in line with specific city features. Further, this transport planning is linked to land uses in a city, making all economic activities interlinked with each other with supporting infrastructure from appropriate transport systems.

India has seen exponential growth in motor vehicles in the last few decades due to the ever-increasing rate of urbanisation in metropolitan cities ([Deccan Herald, 2019](#)). As a result, road safety has been one of the major issues faced by pedestrians, non-motorised vehicles and motorists due to reduced awareness, as well as the improper implementation of road safety measures at the grassroots level.

Similar to other cities in India, Bengaluru has been growing at a rapid pace. Due to the staggering increase in the population of the city ([World Population Review, 2021](#)), the vehicle population in the city is around 80 lakhs (2019) as compared to 3 lakhs in 1981 ([Deccan Herald, 2019](#)). This phenomenal growth coupled with improper land use, weak urban planning, and road engineering has resulted in several challenges on city roads, such as traffic congestion, increase in journey time, pollution and road accidents.

While there exist several other policies in place to ensure road safety, the Government of India introduced the Indian Motor Vehicles (Amendment) Act (MVA) of 2019, to provide an additional regulatory framework to traffic movements on road. It is probably then the right time to reflect upon and to question the implementation challenges of this Act at the Central and State level. It gives us an opportunity to identify the issues and challenges of policy interventions that exist within the different stakeholders related to the transportation and road safety framework in Bengaluru city. Further, there exists

an urgent need for amendment in the State rules and bringing in new road safety- related policies.

To address these issues Public Affairs Foundation ([PAF](#)) along with Consumer Unity & Trust Society ([CUTS](#)) is organising a Consultation Meeting. The primary objective of the Consultation Meeting will be to highlight and discuss the enforcement challenges of the MVA, 2019 and ideate on how the Govt. of Karnataka can be supported to adopt and implement evidence-based road safety policies on behavioural risk factors.

Objectives

The broad objectives of the Consultation Meeting will be as follows;

1. Provide a platform for stakeholders from various and related fields to share their opinions
2. Identify the enforcement challenges of the MVA, 2019 in the State of Karnataka and the way forward
3. Brainstorm on ideas to develop road safety policies following a structural and multi-organisational discussion
4. Propose steps to ensure a safe and sustainable transport system

Annexure 2: Agenda

<p>Consultation with Enforcement Officials on MVA Act, 2019; Challenges and Way Forward</p> <p>Day & Date: Thursday, November 18, 2021</p> <p>Venue: Hotel Southern Star, Mysuru 14-15, Vinobha Road, Mysuru, Karnataka - 570005</p>		
10:00-10;30 am Registration and Tea/Coffee		
10.30-11.00 a.m.	Inaugural Session	
10:30-10:40 a.m.	Welcome and Introductory remarks	Dr. Annapoorna Ravichander, Executive Director, PAF
10.40-11.00 a.m.	Overview of the Consultation Meeting	Madhu Sudan Sharma, Senior Programme Officer, CUTS International
11.00-11.15 a.m.	Special Address	Dr. Ajai Kumar Singh, IPS, Former DG & IGP & Commissioner of Police, Bengaluru City
11.15-11.25 a.m.	Inaugural Address by Chief Guest	Dr. C.T. Murthy Joint Commissioner of Transport, Mysuru
11.25-11.40 a.m.	Coffee/Tea Break	
Technical Session 01: Key Risk Factors of Excessive Speed, Drink & Drive and Distracted Driving		
11.40 a.m.- 12.40 p.m.	Effective Enforcement of Speed related provisions: Issues, Challenges and way forward	
Effective Speed Management and Two Wheeler Safety	Prof. Ashish Verma, Ph.D. Transportation Systems Engg. (TSE), Indian Institute of Science, Bengaluru	
12.40-1.00 p.m.	Question and Answer Session	
1.00-2.00 p.m.	Lunch	
Technical Session 02: Key Risk Factors of Not wearing helmet, Seat Belt and Child Restraint System		
2.00-3.00 p.m.	Effective Enforcement of two Wheeler Safety provisions: Issues, Challenges and way forward	
Engineering Measures and Helmet and Enforcement	Dr. Bharat Kumar Pathivada (M.Tech, PhD, IIT Bombay,) Project Research Scientist, IIT Bombay	
3.10 to 3.15 p.m.	Question and Answer Session	
3.15 to 3.30 p.m.	Shri R. Chethan I.P.S Office of the Superintendent of Police, Mysuru	



3.15 to 4.00 p.m.	Group Work and Presentation	
4.00-4.15 p.m.	Summing up, Key takeaways, Action points and Vote of thanks	CUTS International and Public Affairs Foundation
4.15 p.m.	High tea and Departure	

Annexure 3: List of Participants

No	Name	Organisation	E-mail Address
1	Sowmya Rajashekhar	Department of Studies in Law, Manasagangothri University of Mysore	sowmyaraj1986@gmail.com
2	Keerthi A.	Department of Studies in Law, Manasagangothri University of Mysore	keerthisringeri96@gmail.com
3	Zaker Walizadu	Department of Studies in Law, Manasagangothri University of Mysore	zakee.walizuda@gmail.com
4	Sharath Mahendra Kumar	Department of Studies in Law, Manasagangothri University of Mysore	sharath_kumar@yahoo.com
5	Bhimanagoudu Patil	Transport Department , TCT & Sr, RTO,Mysore West	patilchintu435@gmail.com
6	Ashok Kumar N.	No. 3848, 1st cross, Srirampura, Nanjangud, Mysore	nashokkumar87@gmail.com
7	Deepak C.	RB, Mysore-55 N.H. Mysore, Ring Road	deepak99456@gmail.com
8	D. Udaykumar	Dy.P.C - R MSA, o/o DDPI, Mysore	udayakumar216@gmail.com
9	Mohd Nouman	Prajavani	mohduoman@gmail.com
10	Nagish P	VK	coorg.people@gmail.com
11	Pushpalatha D.	Department of Studies in Law, Manasagangothri University of Mysore	pushpalathad1984@gmail.com
12	Aditya A.G.	Department of Studies in Law, Manasagangothri University of Mysore	adigunmaraju@gmail.com
13	Rohullal Timori	Department of studies in Law, Manasagangothri University of Mysore	rohullahtimori94@gmail.com
14	Bangaranayak	Department of studies in Law, Manasagangothri University of Mysore	bangarnayak2@gmail.com
15	Dr. Ravi. P	DFWO, Mysore	dfwomysore@gmail.com
16	Savitha Ramki	Prajvani	savitharamki@gmail.com
17	D.N.Mahadve	Kannada Prabha	devanur.mahadve@gmail.com
18	Dr. K.H. Prasad	District Health Officer	dhomysore@gmail.com
19	Vinaya Katokarr	District Health Officer	vkatokar23194@gmail.com
20	L Harsha	District Health Officer	harisha.talakadusu@gmail.com
21	Narayana Swamy Naik T.L.	IK. RTO, Hassan (D)	naik.1963ns@gmail.com
22	Gurucharan G	Public Affairs Centre	director@pacindia.org



23	Dr. Ajay Singh (Retd.)	IPS, Former DG & IGP & Commissioner of Police, Bengaluru City	ajaiksingh74@yahoo.com
24	Dr. Bharat Kumar Pathivada	IIT Mumbai	pathivada.bharathkumar@gmail.com
25	Dr. Ashish Verma	Professor, Transportation Systems Engg. (TSE), IISC, Bengaluru	ashishv@iisc.ac.in
26	Dr. C.T. Murthy	Joint Commissioner of Transport, Mysuru	dctmys-tran-ka@nic.in
28	Sri. Chethan. R. I.P.S	Superintendent of Police. Mysuru District	mysurudistrictpolice@gmail.com
27	Dr. Annapoorna Ravichander	Executive Director, Public Affairs Foundation	director@pafglobal.org
28	Indira Ramamoorthy	Training Coordinator	indira@pafglobal.org
29	Ananya Balasubramanyan	Intern, PAF	ananzbala@gmail.com
30	Uma Thandur	Support Person	thanduruma@gmail.com

No 15, KIADB Industrial Area, Bommasandra – Jigani Link Road, Bangalore –
560105, Karnataka, India



PUBLIC AFFAIRS FOUNDATION
Partnership for Better Governance