



GOVERNMENT OF KARNATAKA

No: TD 160 TDO 2020

Karnataka Government Secretariat,
M.S. Building,
Bengaluru, Dated:14-07-2021.

NOTIFICATION

Whereas, in the last few decades, Indian cities have made substantial progress in putting an affordable mode of public transport. Earlier the focus was on the city bus service however over a period of time many cities have started the metro operations which is playing an extremely important role in the faster movement of the people and in turn leading to faster economic growth of the cities. In addition to these the cities are having taxi services, auto services for point to point movement. Many aggregators of taxis have come in the market of mobility and are playing an extremely important role in most of the cities. On one hand there is phenomenal progress in public transport facilities as well as massive entry of aggregators in the system, on the other hand the cities are still grappling with the issues of massive traffic jams. It is happening due to large number of middle-class people still using the private vehicles for the movement. The gap in the market for the first mile and last mile connectivity is working as the main bottleneck in further use of public transport. There is an urgent need for putting up a system which can provide affordable first and last mile connectivity.

And whereas, Bike Taxi is one of the options available and many states have already started it in one form or other. Bike Taxi will promote urban mobility and will act as a first and last mile connectivity solution for citizens which in turn assist people to access the Public Transport and specially for accessing Metro Services. It will also create a flexible entrepreneurship opportunities. The Government of India in the last few years have come up with many policy framework and amendments in the Motor Vehicle Act, 1988 with the aim of enabling the states in introducing Bike Taxi in urban areas with certain restrictions to be decided by the states. The Government of India has also brought many provisions to promote electric vehicles with the aim of reducing the pollution in the cities and in promoting environmentally friendly transport solutions. The state of Karnataka has many urban centers which are grappling with the issue of traffic jam and problem of first and last mile connectivity.

And whereas, clause (27) of Section 2 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) provides the definition of a Motor Cycle which "means a two-wheeled motor vehicle, inclusive of any detachable side-car having an extra wheel, attached to the motor vehicle". S.O. number 1248(E) dated 05.11.2014 allows registration of "Motor Cycles" both under transport and non-transport categories. In terms of clause (27) of section 2 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) Transport Vehicle inter alia means a Public Service Vehicle and in terms of clause (35) of section 2 of the Motor Vehicles Act, 1988 "Public Service Vehicle" means any Motor Vehicle used or adapted to be used for the carriage of passenger for hire or reward.

And whereas, Section 73 and 74 of the Motor Vehicle Act, 1988 (Central Act 59 of 1988) empowers the States to issue contract carriage permits for all kinds of vehicles including two wheelers. The Motor Vehicles (Amendment) Act, 2019 dated 09.08.2019 brings app-based mobility solution providers under the ambit of the Motor Vehicles, Act 1988 through the amendment to Section 93 of the Motor Vehicle Act, 1988 (Central Act 59 of 1988). The Government of India by Notification No. S.O. 5333 (E) dated 18.10.2018 has exempted the battery-operated vehicles from the provisions of sub-section (1) of section 66 which mandates every vehicle to get a permit to use it as a goods or passenger vehicle.

Whereas, the aim of providing the first and last mile connectivity for public transport and to generate self-employment opportunity, the Government of Karnataka, in public interest hereby makes the following scheme for regulating the Electric Bike Taxi and matters connected therewith, namely:-

Now therefore, in exercise of the powers conferred by clause (38A) of sub-section (1) of section 2 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988). The Government of Karnataka hereby makes the following scheme; namely:-

1. Title, Extent, Commencement and Application.-

- (1) This scheme may be called the Karnataka Electric Bike Taxi Scheme, 2021.
- (2) It shall extend to the Urban Areas in the whole of the State of Karnataka.
- (3) It shall come into force on the date of its publication in the official Gazette.
- (4) This scheme shall apply only for the Battery operated Electric motor cycle or electric bike.
- (5) It shall apply to a person who acts as an agent or a canvasser in the manner as provided in clause (i) of sub-section (1) of section 93 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and where such person is exclusively engaged in the business of providing electric motor cycle or electric bike to persons or passengers desiring to hire the same for undertaking a journey.
- (6) It shall apply to an individual who himself is engaged in the business of providing his own electric motor cycle or electric bike to persons or passengers desiring to hire the same for undertaking a journey.
- (7) The electric bike taxi for the purpose of this scheme shall be registered as a Motor Cycle in transport category and shall be used as public service vehicle.

2. Definitions.- (1) In this scheme unless the context otherwise requires,-

- (a) "Act" means Motor Vehicles Act, 1988 (Central Act No.59 of 1988);
- (b) "Authority" means the following authority competent to issue license under this scheme;
 - (i) State Transport Authority in respect of 100 or more bikes;
 - (ii) Regional Transport Authority in respect of less than 100 bikes, excluding individual Bikes; and
 - (iii) Jurisdictional Secretary, RTA in respect of individual bikes case.

- (c) "Electric Bike" means a Battery Operated Motor Cycle under the category of Battery-Operated Vehicle as defined under clause (u) of rule 2 of the Central Motor Vehicles Rules, 1989;
- (d) "Form" means a form appended to this scheme;
- (e) "Individual Bike Case" means the case where an individual owns an Electric Bike and himself works as driver and provides the service under this scheme;
- (f) "License" means a license granted or renewed under this scheme for principal establishment and includes the supplementary license granted to the applicant for any establishment or branch office specified in such supplementary license;
- (g) "Licensee or operator" means the holder of a license under this scheme;
- (h) "Section" means section of the Act; and
- (i) "Service provider" means the person who is the owner of the vehicle.

(2) Words and expressions used but not defined in the scheme and defined in the Act, Central Motor Vehicles Rules, 1989; and the Karnataka on demand Transportation Technology Aggregators Rules, 2016 shall have meanings assigned to them therein.

3. Licensing of operator.-

- (i) No person shall engage himself in the business of operating a bike taxi or run a bike taxi agency unless he obtains a license from the concerned authority.
- (ii) The concerned authority shall issue license under this scheme.
- (iii) Any person who obtains a license under this scheme shall be deemed to be an agent under section 93 of the Act.
- (iv) Any license under this scheme shall be only for Electric Bike (Motorcycle).
- (v) Any license given under this scheme shall be valid only for one particular city.

4. Application for grant or renewal of license.-

- (i) An application for the grant or renewal of a license under the scheme shall be made in Form 1 to the concerned Authority and shall be accompanied with appropriate application fees as provided in rule 13 of the Karnataka on demand Transportation Technology Aggregators Rules, 2016;
 Provided that, in Individual Bike Case, application for the grant or renewal of a license under the scheme shall be made in Form 3 and no fee shall be charged.
- (ii) The licensing authority, after being satisfied that the applicant fulfils all the conditions of the scheme and the provision of rule 7 of the Karnataka on demand Transportation Technology Aggregators Rules, 2016 may issue the license in Form 2. In Individual Bike Case the license shall be issued in Form 4.
- (iii) The application for renewal shall be made 30 days before the expiry of the license.
- (iv) In case of refusal to grant the license, the licensing authority shall after giving the applicant an opportunity of hearing pass an order recording the reasons of refusing the license.

5. **Period of validity of license.-** The license issued by the competent authority for this scheme shall be valid for a period of five years from the date of issue of license.
6. **Security deposit.-** The licensee shall deposit cash security of rupees five thousand provided Individual Bike case shall be exempted from security deposit.
7. **Conditions governing operation of Motor Cycle or Bike-Taxi services:-**
 - (1) Any service provider whether individual, firm registered under the Partnership Act, 1932 or a company registered under the Companies Act, 2013 or desirous of providing such service shall obtain license under the scheme.
 - (2) The service provider must own or have agreements of an Electric Bike Taxi to undertake commencement of such services. The tax payable under the Karnataka Motor Vehicle Taxation Act, 1957 and rules made thereunder shall be duly paid.
 - (3) The Electric Bike Taxi shall be duly registered and shall require obtaining fitness certificate as per provisions of section 56 of the Act and rules made thereunder.
 - (4) Adequate facility for garage or parking of all such Bike Taxi along with provision of their reasonable maintenance shall be provided by the licensee.
 - (5) The Electric Motorcycle shall be duly insured under the provisions of Act.
 - (6) The distance between the origin and the destination of a trip shall not be more than 10 Kms.
 - (7) The concerned Authority shall decide from time to time, about the routes which shall be excluded from the operation of Bike Taxi scheme.
 - (8) Helmet as specified under the Act and rules made there under shall be used by driver and to be provided to passenger. The helmets shall be of yellow color. Driver shall wear jacket with reflective color marked as "ELECTRIC BIKE TAXI".
 - (9) No permits are required for Electric Motorcycle as it is exempted as per Government of India Notification no. SO. 5333 (E) dated: 18-10-2018. Bike-taxi shall be used as a "Contract Carriage" as defined in section 2(7) of the Motor Vehicles Act, 1988.
 - (10) Various measures on safety and security of the passenger as may be specified by Transport Department from time to time shall be complied with by the Service Provider.
 - (11) Driver, either individual or appointed by the service provider, shall have valid license to drive a two-wheeler vehicle and adhere to the provisions under the Act and rules made there under and an authorization from the licensee to drive the Bike Taxi.
 - (12) Antecedents of all appointed drivers shall be thoroughly checked by the service provider and a report of antecedents of drivers engaged by him shall be forwarded to the Police Station of the area where the office of the service provider is located or the city in which it is operated. In case any adverse report about the antecedents of a driver is received from the concerned Police Station then the services of the driver

shall be terminated immediately by the service provider on receiving of such report. In case of individual, the applicant shall submit the antecedents report from police department at the time of filing application for license.

- (13) Journeys preferred by passenger shall be offered on a direct and shortest route basis only.
- (14) Carrying of persons below 15 years of age as hirers shall not be allowed. More than one Pillion rider shall not be allowed.
- (15) Carriage of personal effects by the hirer shall be allowed on a very limited basis, like a normal size backpack or handheld briefcase, etc. of reasonable weight.
- (16) Color of all such Bike Taxis shall be painted in such a color as specified by the Transport Commissioner. The words "Bike-Taxi" shall be painted prominently on both sides of the vehicle using reflective colors only and shall also display the words "Bike-Taxi" on additional plates on a white base color both at the front and at the back of the vehicle.

8. Other Conditions.-

- (1) The Vehicle shall carry a first aid box.
- (2) The vehicle shall meet the emission standards as laid down from time to time.
- (3) The dangerous or hazardous goods as specified in rule 137 of the Central Motor Vehicles Rules, 1989 or any other goods as may be specified from time to time shall not be carried in the vehicle.
- (4) The name and phone number of the service provider or individual and Bike Driver shall be painted or otherwise firmly affixed on the exterior of the body of the Electric Bike in a color vividly contrasting to the color of such bike.
- (5) The licensee shall charge flat fare in two slabs, (i) upto 5 Kms (ii) above 5 and upto 10 Kms as specified by the State Government from time to time.
- (6) No advertisement shall be displayed in a manner that it becomes hazardous or a disturbance to the safety of traffic and must be strictly in accordance with the guidelines issued by the State Transport Authority in this regard from time to time.
- (7) The distance of the journey traveled by the hirer shall be measured on the basis of odometer fitted in the bike. Fare shall be collected on the basis of distance and not on the basis of journey time.
- (8) Use of vehicles shall be as per traffic laws and especially shall not ride on footpath.
- (9) GPS tracking of vehicle shall be adopted by the service provider having more than 50 Bike Taxis and links or feeds shall be shared with enforcement or administrative authority whenever required.

9. General conditions to be observed by the Electrical Bike taxi.- While riding the Electric Bike Taxi rider shall not,-

- (i) Smoke or drink alcohol or be under the influence of alcohol while riding;

- (ii) Misbehave in uncivilized or dis-orderly manner towards passenger;
- (iii) Willfully or negligently damage the bike taxi or any of its fittings; and
- (iv) Drive the vehicle in contravention of the provisions of the notified speed limits.

10. **General conditions to be observed by the Passenger.-** While travelling the Electric Bike Taxi the passenger shall not,-

- (i) Smoke or drink alcohol or consume alcoholic substances;
- (ii) Misbehave in uncivilized and dis-orderly manner towards driver;
- (iii) Willfully or negligently damage the bike taxi or any of its fittings; and
- (iv) Cause a driver to drive the vehicle in contravention of the provisions of the notified speed limits.

11. **Power of Licensing Authority to Suspend or Cancel License.-** (1) If the license holder violates the para 7, 8 and 10, the licensing authority, after giving the licensee an opportunity to be heard, is of the opinion that,-

- (a) A licensee has failed to comply with any of terms and conditions as detailed in the scheme; or
- (b) The licensee has failed to maintain the Bike Taxi in compliance with the provisions of the Act and rules made thereunder;

The licensing authority may suspend the license for a period up to six months but not less than 30 days or may cancel the license under rule 11 of the **Karnataka on demand Transportation Technology Aggregators Rules, 2016**.

(2) Every licensee whose license has been cancelled shall be permitted to apply for another license to the licensing authority after a period of six months from the date of cancellation.

(3) When the license is suspended or cancelled under sub-clause (1), the holder of the license shall surrender the license to the licensing authority and discontinue the service.

12. **Forfeiting of Security Deposit.-** If the holder of a license fails to comply with the terms and conditions as mentioned under this scheme or any employee of licensee is guilty of any misbehavior or misconduct with any passenger travelling, then the licensing authority shall be free to suspend or revoke the license or and forfeit the complete security deposit or appropriate portion looking to the seriousness of the offence.

13. **Issue of Duplicate License.-**

- (a) If at any time the license is lost or destroyed, the holder shall report to the police station in the jurisdiction of which the loss or destruction has occurred and intimate the fact in writing to the licensing authority and apply in writing to the said licensing authority for a duplicate license or supplementary license accompanied by the fees as specified in sub-rule (7) of rule 4 of the Karnataka on demand Transportation Technology Aggregators Rules, 2016. In case of individual (Single Electric Bike Taxi), no fees shall be collected.

- (b) On receipt of an application along with the specified fee in sub-clause (a), the licensing authority may issue a duplicate license clearly marked as "Duplicate".
- (c) After the issue of a duplicate license if the original is traced, the same shall be surrendered forthwith to the licensing authority.

14. Appeal.- Any person aggrieved by any order of the licensing authority under clause 8,9 and 10 of the scheme may prefer within thirty days of the receipt of the order, an appeal to the Karnataka State Transport Appellate Tribunal under Rule 12 of the Karnataka on demand Transportation Technology Aggregators Rules, 2016.

15. Voluntary surrender of the license.- The holder of a license may at any time surrender the license issued to him by the licensing authority which granted the license and on such surrender the licensing authority shall cancel the license. The holder of the license before surrendering the license shall clear all the dues if any under this scheme.

16. Additional Conditions.- The State Government may at any time attach additional conditions to be followed by the licensee and may also direct the licensee to furnish such returns as directed by it from time to time.

By order and in the name of
Governor of Karnataka



(ANJUM PARWEZ)

Principal Secretary to Government,
Transport Department

To.

The Compiler, Karnataka Gazette, Vikasa Soudha, Bangalore – to publish this notification in today's Extra Ordinary Gazette.

FORM - 1

[[See sub-clause (i) of Clause 4]
Application for the grant/renewal of Aggregator's Licence

To,

The Secretary,
Karnataka State Transport Authority/Regional Transport Authority.

I, the undersigned hereby apply for grant/renewal of a Licence for operation as an Aggregator under The Karnataka on demand Transportation Technology Aggregators Rules, 2016

1.	Name in full	
2.	Address of the main office	
3.	Number of branches and their addresses	
4.	a) If a registered company, enclose a copy of certificate of incorporation / registration along with a copy of memorandum of association. b) If a firm, enclose a copy of certificate of registration of the firm.	
5.	Telephone Number, web address and e-mail id	
6.	Number of Electric Bike Taxis proposed to be operated. (Enclose a separate list containing vehicle number particulars of each vehicle)	
7.	Details of GPS/GPRS facility	
8.	Details of other infrastructure	
9.	Details of Financial condition	
10.	Details of fee paid	
11.	Details of Security Deposit by way of Bank Guarantee	

I hereby declare that the information given above and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at any point of time, the Licence granted to me is liable to be cancelled, besides initiating other legal action/actions against me. I have gone through the provisions of The Karnataka on demand Transportation Technology Aggregators Rules, 2016; I accept the same and agree to abide by the said Rules.

Place:
Date:

Signature of the Applicant/
Authorized signatory

FORM - 2
[See sub-clause (iii) of Clause 4]
Licence for Aggregator

Mr./Mrs./Miss _____ is hereby licensed to function as an operator under The Karnataka on demand Transportation Technology Aggregators Rules, 2016, subject to conditions contained in the Rules.

1.	Name of the aggregator in full	
2.	Address of the main office	
3.	Addresses of branches	
4.	Telephone Number, web address and e-mail id	
5.	Number of Electric Bike Taxies (As per the list enclosed)	
6.	Particulars of the network through which the operator shall function	
7.	Details of fee paid	
8.	Details of bank guarantee	

The licence shall observe all the conditions contained in The Karnataka on demand Transportation Technology Aggregators Rules, 2016.

This licence is valid from to

Place:
Date:

Secretary,
State Transport Authority/
Regional Transport Authority.

FORM - 3

[[See sub-clause (ii) of clause 4]

**Application for the grant/renewal of Licence for Electric Bike Taxi in
Individual Case**

To,

The Regional Transport Officer;
Regional Transport Office (Jurisdictional),
City Name.

I, the undersigned hereby apply for grant/renewal of a
Licence for operation of my own Electric Bike Taxi.

1.	Name in full	
2.	Address	
3.	Telephone Number and e-mail id	
4.	Vehicle particulars	

I hereby declare that the information given above and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at any point of time, the Licence granted to me is liable to be cancelled, besides initiating other legal action/actions against me.

Place:

Date:

Signature of the Applicant

FORM - 4

**[See sub-clause (iii) of Rule 4]
Licence for Individual Case**

Mr./Mrs./Miss _____ is hereby licensed to operate his/her Electric Bike as Electric Bike Taxi under Karnataka Electric Bike Taxi Scheme, 2021, subject to conditions contained in the scheme.

1.	Name of the operator	
2.	Address	
3.	Telephone Number	

The licensee shall observe all the conditions contained in the Karnataka Electric Bike Taxi Scheme, 2021.

This licence is valid from to

Place:

Date:

Secretary,
Regional Transport Authority



(ANJUM PARWEZ)
Principal Secretary to Government,
Transport Department