



**GOVERNMENT OF TAMIL NADU**

**ABSTRACT**

Motor Vehicles- Compulsory Wearing of protective headgear (Helmet) by every persons driving or riding on a motor cycle under section 129 of Motor Vehicles Act, 1988 – Exemption to certain category of persons- Draft amendment to Tamil Nadu Motor Vehicles Rules, 1989 – Published.

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**Home(Tr.V) Department**

**G.O.Ms.No.797**

**Dated: 4.6.2007**

**Read**

1. G.O.Ms.No.292, Home dated 22.2.2007.

**Read Also**

2. From the Transport Commissioner, Chennai Lr.No.4498/C3/2007 dated.4.6.2007.

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**ORDER:**

Section 129 of Motor Vehicles Act, 1988 ( C.A.59 of 1988) provides for compulsory wearing of protective headgear ( helmet) by every persons driving or riding on a Motor Cycle. First proviso to said section provides that the said section shall not apply to a person who is a Sikh, if he is, while driving or riding on the Motor Cycle, in a public place wearing a turban. Second proviso to the said section provides that the State Government may, by such rules, provide for such exemption as it may think fit. In the letter second read above, the Transport Commissioner has stated that representations have been received from the various section of the public on the inconveniences faced by them in wearing helmets while driving the motor cycle and traveling as pillion rider in motor cycle. Considering their representations the Transport Commissioner has suggested to exempt certain persons from wearing helmet as per section 129 of Motor Vehicles Act, 1988 and therefore proposed to exempt the persons belonging to Meivazhi Sabha or Meivazhi Salai who wear turban while they ride on a motor cycle and the women and children traveling in motor cycle as pillion riders.

2. The following Notifications will be published in the **Tamil Nadu Government Gazette Extra-ordinary dated 4<sup>th</sup> June, 2007.**

**NOTIFICATION**

The following draft of amendment to the Tamil Nadu Motor Vehicles Rules, 1989, which it is proposed to make in exercise of the powers conferred by the second proviso to section 129 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) is hereby published for

the information of all persons likely to be affected thereby as required by sub-section(1) of section 212 of the said Act.

2. Notice is hereby given that the draft amendment will be taken into consideration on or after the expiry of fifteen days from the date of publication of this Notification in the **Tamil Nadu Government Gazette** and that any objection or suggestion, which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Government of Tamil Nadu.

3. Objections or suggestions, if any, should be addressed in duplicate to the Secretary to Government, Home (Transport) Department, Secretariat, Chennai- 600 009.

### **DRAFT NOTIFICATION**

In the said Rules, after rule 417, the following rule shall be inserted, namely:-

417-A Certain exceptions in wearing helmet:-

The provisions of section 129 of the Act providing for compulsory wearing of helmet shall not apply to the following categories, namely:-

- (i) Persons who belong to “ Meivazhi Sabha” or “ Meivazhi Salai” who wear turban while they ride on a Motor Cycle; and
- (ii) “ Woman” or “ Child” traveling in Motor Cycles as pillion rider.

### **EXPLANATION:-**

For the purpose of this rule, “ Woman” means a female human being of any age and “Child” means a male human being under twelve years of age.

(BY ORDER OF THE GOVERNOR)

S.MALATHI  
SECRETARY TO GOVERNMENT

To  
The Works Manager,  
Government Central Press,  
Chennai-79 (to be published in the TNGG)  
Extraordinary dated 4.6.2007 and send 200 copies of notification to Government  
The Transport Commissioner, Chennai.5  
The Director General of Police, Chennai-4.  
The Commissioner of Police, Chennai-8.  
All Deputy Transport Commissioners  
All Regional Transport Officers  
All Superintendents of Police,  
All Collectors

//Forwarded by Order//

Sd/-xxx  
SECTION OFFICER