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IMPACT OF THE MOTOR VEHICLES (AMENDMENT) ACT, 2019 ON ROAD SAFETY IN INDIA

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Abstract

Road safety remains one of the most pressing public policy concerns in India, with a consistently high rate of traffic accidents resulting in fatalities, injuries, and economic losses. The Motor Vehicles (Amendment) Act, 2019 was introduced as a comprehensive reform to address gaps in the existing legal framework. This article critically examines the effectiveness of the Amendment in enhancing road safety by analysing its key provisions, judicial interpretations, and implementation challenges. While the Amendment represents a progressive step toward strengthening accountability and deterrence, its success largely depends on uniform enforcement, infrastructural development, and public awareness.

1. Introduction

The rapid growth of motorization in India has significantly contributed to economic development and connectivity. However, it has simultaneously resulted in a sharp rise in road accidents, making road safety a major legal and public health concern. According to government reports, India accounts for a substantial proportion of global road accident fatalities.¹

The legal framework governing road safety was primarily based on the Motor Vehicles Act, 1988, which over time became inadequate due to outdated provisions, weak enforcement mechanisms, and changing socio-economic realities. The Motor Vehicles (Amendment) Act, 2019 was enacted to address these shortcomings and introduce a more robust regulatory system.

2. Evolution of Road Safety Law in India

The Motor Vehicles Act, 1988 served as the cornerstone of road transport regulation in India. It covered licensing, vehicle registration, insurance, and traffic control. However, several limitations were identified, including low penalties, corruption in licensing, and lack of accountability for infrastructure failures.²

The need for reform was emphasized by various committees, judicial pronouncements, and policy reports, which highlighted the urgency of adopting stricter and more modern road safety measures.

3. Key Features of the Motor Vehicles (Amendment) Act, 2019

3.1 Enhanced Penalties

One of the most significant changes introduced by the Amendment is the substantial increase in penalties for traffic violations. Offences such as drunk driving, speeding, and driving without a license now attract stricter fines.³

This shift reflects the principle of deterrence, aiming to discourage violations through financial and legal consequences.

3.2 Protection of Good Samaritans

The Amendment provides legal protection to individuals who assist accident victims. This provision addresses the long-standing issue of bystander hesitation due to fear of legal complications.

The importance of this protection was earlier recognized in *Parmanand Katara v. Union of India*, where the Supreme Court emphasized immediate medical assistance to accident victims.⁴

3.3 Motor Vehicle Accident Fund

The Act establishes a Motor Vehicle Accident Fund to provide cashless treatment during the “golden hour” and compensation in hit-and-run cases. This provision strengthens victim protection and reduces financial burdens.

3.4 Accountability for Road Infrastructure

A notable feature of the Amendment is the recognition of systemic causes of accidents. It

introduces liability for contractors, consultants, and authorities responsible for faulty road design and maintenance.

This marks a shift from a driver-centric approach to a holistic understanding of road safety.

3.5 Technological Integration

The use of electronic monitoring, automated enforcement, and digital documentation enhances transparency and efficiency. Technology reduces corruption and ensures consistent enforcement of traffic laws.

3.6 National Road Safety Board

The establishment of a National Road Safety Board aims to promote evidence-based policymaking and coordination among stakeholders.

4. Judicial Approach to Road Safety

The judiciary has played a pivotal role in strengthening road safety laws by linking them to fundamental rights under Article 21 of the Constitution.

In *S. Rajaseekaran v. Union of India*, the Supreme Court issued directions for stricter enforcement of traffic laws and establishment of road safety committees.⁵

Similarly, in *Municipal Corporation of Greater Bombay v. Laxman Iyer*, the Court recognized the liability of authorities for poor road conditions.⁶

Judicial activism has significantly influenced legislative reforms, including provisions incorporated in the 2019 Amendment.

5. Impact of the Amendment

5.1 Positive Outcomes

The Amendment has led to improved compliance with traffic rules in several regions, particularly during the initial phase of implementation. Increased use of helmets and seat belts has been observed.

The Good Samaritan provision has the potential to reduce fatalities by encouraging timely assistance.

5.2 Behavioural Change

Stricter penalties have contributed to a shift in driver behaviour. However, sustaining this

change requires consistent enforcement and awareness campaigns.

5.3 Technological Improvements

Digital systems and automated enforcement have improved transparency and reduced corruption in certain areas.

6. Challenges in Implementation

6.1 Federal Structure and State Variations

Since road transport falls under the Concurrent List, states have the authority to modify the implementation of the Act. This has led to inconsistencies across the country.

6.2 Socio-Economic Concerns

The high penalties have been criticized for disproportionately affecting economically weaker sections. This raises concerns about fairness and equity.

6.3 Weak Enforcement Mechanisms

Enforcement agencies often face challenges such as inadequate manpower, lack of training, and limited technological resources.

6.4 Infrastructure Deficiencies

Poor road design, lack of signage, and inadequate pedestrian facilities continue to contribute to accidents despite legal reforms.

6.5 Lack of Public Awareness

Many citizens remain unaware of the provisions of the Act, limiting its effectiveness in achieving long-term behavioural change.

7. Critical Evaluation

The Motor Vehicles (Amendment) Act, 2019 represents a progressive shift in India's road safety regime. It incorporates global best practices, emphasizes accountability, and promotes technological integration.

However, its effectiveness is constrained by implementation gaps, socio-economic challenges, and infrastructural limitations.

A purely legal approach is insufficient; road safety requires a multidisciplinary strategy involving law, engineering, education, and enforcement.

8. Recommendations

To enhance the effectiveness of the Amendment, the following measures are suggested:

- Ensure uniform implementation across states
- Strengthen enforcement agencies through training and resources
- Invest in road infrastructure and safety design
- Conduct large-scale public awareness campaigns
- Introduce balanced penalty structures considering income levels
- Expand the use of technology in traffic management

9. Conclusion

The Motor Vehicles (Amendment) Act, 2019 marks a significant milestone in India's efforts to improve road safety. By introducing stricter penalties, enhancing accountability, and promoting technological innovation, it provides a strong legal framework.

However, its success depends on effective implementation, public cooperation, and continuous monitoring. Road safety is a shared responsibility that requires coordinated efforts from the government, judiciary, and citizens.

Only through a holistic and sustained approach can India achieve the goal of safer roads and reduced accidents.

Footnotes

1. Ministry of Road Transport and Highways, *Road Accidents in India 2022* (Government of India).
2. Motor Vehicles Act, 1988, Statement of Objects and Reasons.
3. Motor Vehicles (Amendment) Act, 2019, §§ 177–199.
4. *Parmanand Katara v. Union of India*, AIR 1989 SC 2039.
5. *S. Rajasekaran v. Union of India*, (2018) 13 SCC 516.
6. *Municipal Corporation of Greater Bombay v. Laxman Iyer*, AIR 2003 SC 4182.