

SENATE OF PAKISTAN



REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR

ON

**A BILL FURTHER TO AMEND THE PROVINCIAL MOTOR VEHICLES
ORDINANCE, 1965**

[THE PROVINCIAL MOTOR VEHICLES (AMENDMENT) BILL, 2024],

INTRODUCED BY

SENATOR MOHSIN AZIZ

ON 4th MARCH, 2024

PRESENTED BY

SENATOR FAISAL SALEEM RAHMAN

CHAIRMAN SCC ON INTERIOR

SENATE SECRETARIAT

Subject: - REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON THE CRIMINAL LAWS (AMENDMENT) BILL, 2024

-I, Senator Faisal Saleem Rahman, Chairman, Senate Standing Committee on Interior, have the honour to present a report of the Committee on a Bill "The Provincial Motor Vehicles (Amendment) Bill, 2024", moved by Senator Mohsin Aziz, in the Senate's sitting held on 4th March, 2024.

2. The composition of the Committee is given as under:-

1.	Senator Faisal Saleem Rahman	Chairman
2.	Senator Irfan-ul-Haq Siddiqui	Member
3.	Senator Shahadat Awan	Member
4.	Senator Naseema Ehsan	Member
5.	Senator Saifullah Abro	Member
6.	Senator Samina Mumtaz Zehri	Member
7.	Senator Umer Farooq	Member
8.	Senator Palwasha Muhammad Zai Khan	Member
9.	Senator Jam Saifullah Khan	Member
10.	Senator Mir Dostain Khan Domki	Member
11.	Minister for Interior	Ex-Officio Member

3. The Committee considered the bill in its meeting held on 7th November, 2024, with following in attendance:-

1.	Senator Faisal Saleem Rahman	Chairman
2.	Senator Shahadat Awan	Member
3.	Senator Palwasha Muhammad Zai Khan	Member
4.	Senator Jam Saifullah Khan	Member
5.	Senator Samina Mumtaz Zehri	Mover/Member
6.	Senator Mohsin Aziz	Mover/Special Invitee
7.	Senator Afnan Ullah Khan	Mover/Special Invitee

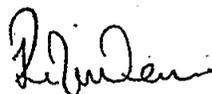
4. Mover of the bill, Senator Mohsin Aziz explained that the bill aims to increase fine for the people who drive under the influence of alcohol. It also provides for the

inclusion of breathe analyser for medical examination at the time of incident. The bill intends to substitute section 100 i.e:

- Impose fine upto 25000 rupees
 - Imprisonment of one month upto 6 months, or both (the severity of punishment depends on the amount of alcohol consumed)
 - The use of breathe analyser
5. Senator Shahadat Awan suggested that the phrase "attempting to drive" should be reconsidered by ICT. He also suggested to exclude the use of breathe analyser if it cannot be provided all over Pakistan. He argued that the results of breathe analyser are not accurate enough to imprison someone for 3 years.
6. Mover of the bill, Senator Mohsin Aziz defended the words "attempting to drive" that this clarifies the driver has no control over car. He further defended severe punishment for such violation as it can be fatal for people.
7. IG Islamabad, Syed Ali Nasir Rizvi seconded the stance of Senator Mohsin Aziz and called for severe punishment. He further added that the roads of Islamabad are different as compared to rest of the country. The roads are vast, thus even minor accidents turn fatal.

Recommendations:

- 1) ICT suggested that the fine and imprisonment should be increased in case of violating the said law for second time with the imprisonment extending up to 3 years or fine extending up to one hundred thousand.
 - 2) Senator Shahadat Awan suggested to reconsider the words "attempting to drive".
 - 3) IG Islamabad suggested to impose harsh penalties to curb road accidents. He added that the breathe analysers can be used as they are not costly. He further suggested to bring trained staff dedicated to manage city traffic for effective safety implementation.
 - 4) Chairman Committee recommended to remove the word "attempting to drive", to which mover of the bill agreed.
8. After detailed discussion, the Bill was put to the vote of Committee which was passed unanimously. The Committee recommended that the Senate may pass the Bill with amendments at annexure B. The Committee also gave approval of presentation of Report of Committee to the House. Hence, this Report is presented to the House.



(RIDA QAZI)
D.G. / Secretary



(SENATOR FAISAL SALEEM RAHMAN)
Committee Chairman Committee

[AS REPORTED BY THE COMMITTEE]

A

BILL

further to amend the Provincial Motor Vehicles Ordinance, 1965

WHEREAS it is expedient further to amend the Provincial Motor Vehicles Ordinance, 1965 (W.P. Ordinance XIX of 1965) in its application to the Islamabad' Capital Territory for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**—(1) This Act may be called the Provincial Motor Vehicles (Amendment) Act, 2023.

(2) It shall come into force at once.

2. **Substitution of section 100, Ordinance XIX of 1965.**— In the Provincial Motor Vehicles Ordinance, 1965 (W.P. Ordinance XIX of 1965), as in force in the Islamabad Capital Territory, for section 100, the following shall be substituted, namely:-

“100. Driving while under the influence of alcohol or drugs.—(1) Any person, when driving, or when in charge of, a motor vehicle plying on a road or other public place is under the influence of alcohol or a drug to such an extent as to be incapable of having proper control of the vehicle, **shall be punishable with imprisonment which may extend to six months and fine which may extend to twenty-five thousand rupees or both, and on any subsequent conviction, the imprisonment which may extend to three years or fine which may extend to one hundred thousand rupees or with both.**

(2) No person shall be convicted of an offence punishable under sub-section (1) unless the extent of the influence is determined by a medical practitioner authorized by the Government or with a breathalyzer test conducted by the police officer.”

STATEMENT OF OBJECTS AND REASONS

It has been observed in the recent past that the persons driving motor cars, especially public transport are found under the influence of alcohol or drugs which seriously affects motor skills such as eye, hand and foot coordination. Without crucial coordination skills, a person may be unable to avoid an impending harmful situation. Therefore, it is proposed to increase the penalty and also make the conviction transparent by determining the offence subject to an examination of a medical practitioner. The bill seeks to achieve the above said purposes.

SENATOR MOHSIN AZIZ

Member-in-charge

As
[TO BE INTRODUCED IN THE SENATE]

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(2) No person shall be convicted of an offence punishable under sub-section (1) unless the extent of the influence is determined by a medical practitioner authorized by the Government or with a breathalyzer test conducted by the police officer."

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