Government of Bihar

Road Construction Department

Notification

File No.–Pra-7/Niyam-01-04/2026- 4511 (S) / Patna, Date- 6/7/2026

In the landlocked State of Bihar, the Government has accorded the highest priority to the development, upgradation, and maintenance of roads, recognising them as key infrastructure. It will contribute to the next phase of industrialisation, logistics efficiency, mobility and supply chain. It will also boost trade and regional integration. The construction and upgradation of state roads and adoption of modern, sustainable long-term output and performance-based maintenance (OPRMC) system for roads has resulted in improved riding quality, road safety and substantial reduction in travel time.

Whereas the Government of Bihar has undertaken, and intends to further undertake, large-scale development of road infrastructure including state highways, expressways, major bridges, bypasses, tunnels, and access-controlled corridors, with the objective of further improving connectivity, reducing travel time, enhancing road safety, and fostering balanced economic growth across the state;

And whereas the development, operation, and maintenance of such road infrastructure necessitate substantial financial resources;

And whereas the modern approach involves the collection of road user fee in order to maintain and provide high-quality safer road infrastructure for road users;

And whereas it is considered necessary and expedient in the public interest to establish a transparent, uniform, and legally robust framework for the levy, determination, and collection of tolls or user fee from users of such infrastructure, based on the principle that beneficiaries of improved facilities should contribute to its development, operation, and maintenance;

And whereas structured tolling frameworks have been adopted by the Government of India and various state governments, including for projects implemented through Public-Private Partnership models, to ensure financial sustainability, service quality, and accountability.

And whereas for tolling in the state of Bihar, there is provision governed under the Bihar Tolls Rules, 1979 (as amended in 1982), together with applicable guidelines and project-specific arrangements, it has become necessary to update and revise the existing framework to align with contemporary practices and technological advancements.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the Indian Tolls Act, 1851, as amended by the Indian Tolls (Bihar Amendment) Act, 1965, and in supersession of the Bihar Toll Rules, 1979 (as amended in 1982), except as respects matters already done or omitted before such supersession, The Governor of Bihar, for the collection of fees for the use of sections of project roads, state roads, permanent bridges, bypasses, and tunnels under the control and jurisdiction of the State Government, and for matters connected therewith or incidental thereto,hereby notifies the Bihar Road User Fee (Determination and Collection of Rates) Rules, 2026.

Bihar Road User Fee (Determination of Rates and Collection) Rules, 2026

1. **Short title and commencement-**

   (1) These rules may be called the Bihar Road User Fee (Determination of Rates and Collection) Rules, 2026.

   (2) They shall come into force on the date as the State Government may, by notification in the official gazette, appoint.

   (3) They shall not apply to agreements and contracts executed and bids invited prior to the publication of these rules.

   (4) They shall apply to agreement and contracts executed and bids invited relating to public funded projects and the build, operate and transfer (annuity) projects prior to the publication of the said rules.

2. **Definitions-**

   (1) In these rules, unless the context otherwise requires,

   (a) "Act" means the Indian Tolls Act 1851 and as amended by Indian Tolls (Bihar Amendment) Act, 1965;

(b) "Base year" means the financial year 2026-27, which shall serve as the reference year for initial fixation of user fee rates under these rules;

(c) "Build, Operate and Transfer (annuity) Project" means a project relating to any Section of a project road/ State-road, permanent bridge, bypass or tunnel, as the case may be, for which an agreement is entered into with a concessionaire, for payment of annual grant for construction of a section of highway;

(d) "Bypass" means a section of the project road/ State-road bypassing a town or city;

(e) "Concessionaire" means a person, consortium, joint venture or special purpose vehicle (SPV) which has entered into a concession agreement with the Government of Bihar or an authorised authority with whom an agreement has been entered into;

(f) "Closed User Fee Collection System" means a system under which the fee is levied based on the actual distance travelled by a mechanical vehicle, on a project road/ State-road. Provided further that no such concession shall be provided for commuting on a project road/ State-road on which fees is levied based on the closed user fee collection system."

(g) "Elevated Highway" means any section of project road/ State-road raised above ground level through support of piers or columns;

(h) "Executing Authority" means an officer or authority notified by the Bihar Government;

(i) "Expressway" means a project road/ State-road having a divided carriageway suitable for high-speed traffic and with full or partial control of access;

(j) "Fee plaza" means any building, structure or booth made for collection of user fee;

(k) "Financial year" means the year commencing on the 1st day of April of a year and ending on 31st March of the succeeding year;

(l) "FASTag" means an onboard unit (transponder) or any such device fitted on the front wind screen of the vehicles; and;

(m) "FASTag lane of fee plaza" is an exclusive lane in the fee plaza for movement of vehicles fitted with "FASTag" or any such device;

(n) "Pre-Paid Payment Instrument" means the instrument as defined by the Reserve Bank of India;

(o) "Electronic Toll Collection Infrastructure" means set of equipment comprising of hardware and software which shall facilitate electronic collection of user fee; through Global Navigation Satellite System On-Board Unit or Automatic Number Plate Recognition Device or FASTag or any combination thereof";

(p) "Global Navigation Satellite System On-Board Unit" means a non-transferable and firmly fitted device in a vehicle linked to Global Navigation Satellite System based user fee collection;

(q) "Gross Vehicle Weight" in respect of any vehicle means the total weight of the vehicle and load certified and registered by the registering authority as permissible for that vehicle under the Motor Vehicles Act, 1988 (59 of 1988) and the rules made there under;

(r) "Lane" means a lane forming part of the main carriageway and having a minimum width of three metres and fifty centimetres;

(s) "Mechanical Vehicle" means any vehicle driven under its own power including a motor vehicle as defined under the Motor Vehicles Act, 1988;

(t) "Notification" means a notification published in the Official Gazette;

(u) "Private Investment Project" means a project relating to section of project road/ State-road, permanent bridge, bypass or tunnel, as the case may be, for which an agreement is entered into with a concessionaire;

(v) "Public Funded Project" means a project which is not a private investment project, as defined in clause (u) above and includes a private investment project in respect of which the agreement has expired;

(w) 'RCD' means Road Construction Department, Govt. of Bihar

(x) "User Fee" means the fee levied on road users for use of a project road/ state road, bridge, bypass or tunnel.

(y) "Unpaid User Fee" means the user fee payable by a motor vehicle for the use of a section of a project road/ State-road, where the Electronic

Toll Collection Infrastructure has recorded the passage of such vehicle but not received the applicable user fee levied under these rules.

(z) "State Road" means the State owned highways, roads, expressways and or bridges including interchanges, flyovers, ROB/RUB, bypasses, tunnels constructed through any State public funded project or "deposit work/s" and including all such roads falling within any mining areas thereon; but excluding the National Highways and /or bridges inter changes, flyovers, ROB/ RUB, bypasses and tunnels; as constructed through any central government projects.

(aa) "Project Road" means roads under consideration for Construction/ upgradation.

(bb) "Mining Areas" means all such areas falling under the Mines Act, 1952; including the areas falling for the purpose of washing and processing of mined goods, loadings, unloading and transportation of all such mined goods, whether or not falling within any local areas, and as specified in this behalf.

3. Levy of user fee-

(1) Road Construction Department, GOB may by notification, levy fee for use of any section of project road/ State-road, permanent bridge, bypass or tunnel forming part of the project road/ State-road, as the case may be, in accordance with the provisions of these rules:

Provided that the Road Construction Department, GOB may, by notification, exempt any section of project road/ State-road, permanent bridge, bypass or tunnel constructed through a public funded project from levy of such fee or part thereof, and subject to such conditions as may be specified in that notification.

(2) The collection of fee levied under sub-rule (1) of rule 3, shall commence from the date as notified or within forty-five days from the date of completion of the section/ existing road section of project road/ State-road, permanent bridge, bypass or tunnel, as the case may be, constructed through a public funded project.

(3) In case of private investment project, the collection of fee levied under sub-rule(1) of rule 3 shall be made in accordance with the terms of the agreement entered into by the concessionaire.

(4) Notwithstanding contained in rule 3 of these rules; the State Government may, by a notification in the official Gazette, in lieu of the amount of user fee payable under these Rules; provide for a scheme for payment of composition user fee for such period, and payable by all such mechanical vehicles, who are liable to pay user fee for use of any state roads or part thereof commuting in mining areas as the case may be, subject to such conditions and such restrictions, as may be specified and or as prescribed in this behalf.

The levy of such composition user fee shall be based on to & fro basis, and such user fee shall be at such amount for one way, or at such amount(s) as may be specified in this behalf; and such amount(s) may be revised by such amount after such intervals, as may be notified in this behalf.

Any such mechanical vehicle liable to pay the composition user fee under this rule contravenes any of the provisions of this rule for the payment of the specified composition user fee, shall be liable to pay as penalty, the three times the amount of such composition user fee payable.

(5) No fee shall be levied for the use of the section of project road/ State-road, permanent bridge, bypass or tunnel, as the case may be, by two wheelers, three wheelers, tractors, combine harvesters and animal-drawn vehicles:

Provided that three wheelers, tractors, combine harvesters and animal-drawn vehicles shall not be allowed to use the section of project road/ State-road, permanent bridge, bypass or tunnel, as the case may be, where a service road or alternative road is available in lieu of the said project road/ State-road, permanent bridge, bypass or tunnel:

Provided further that where service road or alternative road is available and the owner, driver or the person in charge of a two-wheeler is making use of the section of project road/ State-road, permanent bridge, bypass or tunnel, as the case may be, he or she shall be charged fifty per cent of the fee levied on a car.

Explanation 1- For the purposes of this rule,

(a) "Alternative Road" means such other road, the carriageway of which is more than three point seven five metres wide and the length of which does not exceed the corresponding length of such section of project road/ State-road by twenty per cent. thereof;

(b) "Service Road" means a road running parallel to a section of the project road/ State-Road which provides access to the land adjoining such section of the project road/ State-road.

(6) The fee notified by the Bihar Government under these rules shall be rounded off and levied in multiple of the nearest Rupees five.

4. Base rate of fee-

(1) Subject to the provisions in rule 3(1), The rate of fee for use of the section of project road/ State-road, permanent bridge, bypass or tunnel constructed through public funded project or private investment project shall be identical.

(2) The fee for use of a section of project road/ State-road of four or more lanes shall, for the base year 2026-27, be the product of the length of such section multiplied by the following rates, namely:-

Type of Vehicle	**Base rate of fee per km (in Rupees)**
Car, Jeep, Van or Light Motor Vehicle	1.25
Light Commercial Vehicle, Light Goods Vehicle or Mini Bus	2.00
Bus or Truck (Two Axles)	4.25
Three-axle commercial vehicles	4.60
Heavy Construction Machinery (HCM) or Earth Moving Equipment (EME) or Multi Axle Vehicle (MAV) (four to six axles)	6.65
Oversized Vehicles (seven or more axles)	8.10

Explanation. – For the purpose of this rule, -

(a) "car" or "jeep" or "van" or "light motor vehicle" means any mechanical vehicle the gross vehicle weight of which does not exceed seven thousand five hundred kilograms or the registered passenger carrying capability as specified in the certificate of registration issued under the Motor Vehicles Act, 1988 does not exceed twelve excluding the driver;

(b) "light commercial vehicle" or "light goods vehicle" or "mini bus" means any mechanical vehicle with a gross vehicle weight exceeding seven thousand five hundred kilograms but less than twelve thousand kilograms or the registered passenger carrying capability as specified in the certificate of registration issued under the Motor Vehicles Act, 1988, exceeds twelve but does not exceed thirty-two excluding the driver;

(c) "truck" or "bus" means any mechanical vehicle with a gross vehicle weight exceeding twelve thousand kilograms but less than twenty thousand kilograms or the registered passenger carrying capability as specified in the certificate of registration issued under the Motor Vehicles Act, 1988, exceeds thirty-two, excluding the driver;

(d) "heavy construction machinery" or "earth moving equipment" or "multi axle vehicle" means heavy construction machinery or earth moving equipment or mechanical vehicle including a multi axle vehicle with four to six axles or vehicle (inclusive of the axle of the trailer, if any) with a gross vehicle weight exceeding twenty-five thousand kilograms but less than sixty thousand kilogram; and

(e) "oversized vehicle" means any mechanical vehicle having seven or more axles or vehicle with a gross vehicle weight exceeding sixty thousand kilograms;

(f) “three-axle vehicle” means any mechanical vehicle having three-axles (inclusive of the axle of the trailer, if any) and with a gross vehicle weight, less than or equal to twenty-five thousand kilograms.

(3) The rate of fee for use of a section of project road/ State-road having carriageway of 2 lane or more but below 4- lane shall be sixty percent of the fee specified under sub-rule (2) of rule 4.

(4) The rate of fee for use of a section of project road/ State-road having carriageway of Intermediate Lane (5.5 metre) shall be fifty percent of the fee specified under sub-rule (2) of rule 4.

(5) The rate of fee for use of bypass forming part of a section of a project road/ State-road shall be same as specified in sub-rule (2):

Provided that while computing the fee for a section of a project road/ State-road of which such bypass forms a part, the length of such bypass shall be basis of levy of fees.

(6) Notwithstanding anything contained in this rule-

(a) the rate of fee for use of a Section of a project road/ State road consisting of bypass or tunnel constructed through public funded project or build, operate and transfer (annuity) project, shall be as provided in sub-rule (2), (3) and (4) for the Section of a project road/ State road, and, shall be revised in accordance with the provisions of rule 5; and

(b) the rate of fee for use of permanent bridge constructed through public funded project or build, operate and transfer (annuity) project, shall be the same on the commencement of these rules, and, shall be revised in accordance with the provisions of rule 5:

Provided that notwithstanding whether the Section of the project road/ State road or the bridge has been taken for further lane upgradation or not, the rate of fee for use of a Section of such project road/ State road, permanent bridge, bypass or tunnel constructed through any public funded project or any build, operate and transfer (annuity) project and before the commencement of the said rules, shall not be increased after the commencement of the Project road/ State roads Fee by more than twenty-five per cent of the rates of fee applicable on the date of such commencement and further annual increase shall in no case be more than twenty-five per cent of the rate applicable in the immediate preceding year:

Provided further that in case of a section of a four-lane highway which has been taken up for upgradation to six-laning, the increase in rate of fee shall be limited to seventy-five per cent of the fee as specified in sub-rule (2) and revised under rule 5 calculated on and from the date of commencement of the work relating to upgradation, till the date of completion of the project according to the agreement entered into with the concessionaire without any annual revision:

Provided also that no user fee shall be levied for the delayed period between the date of completion as per the agreement entered into with the concessionaire and the date of actual completion of the project.

Explanation - For the purposes of this rule, any provisional completion of the project shall not be treated as completion of the project.

(7) In case of private investment projects, the rate of fee shall be as specified under sub-rule (2) or such lower rates as concessionaire may determine by giving public notice to the users, specifying in all or any category of vehicles.

(8) The rate of fee for a section of a four-lane highway shall on and from the commencement of the work relating to upgradation to six laning, be seventy-five per cent, of the fee applicable on the date of commencement of the Bihar Road User Fee (Determination of Rates and Collection) Rules, 2026 till the completion of the project without any annual revision:

Provided that no user fee shall be levied for the delayed period between the date of completion as per the agreement entered into with the concessionaire and the date of actual completion of the project.

Explanation - For the purposes of this rule, any provisional completion of the project shall not be treated as completion of the project.

(9) The rate of fee for a section of a two-lane highway with paved shoulders but below four-lane on and from the commencement of the work relating to upgradation to four or more lanes, be thirty percent of the fee applicable as specified under sub-rule (2), till the completion of the project, without any annual revision.

(10) The rate of fee for use of a section of project road/ State-road comprising of structure or structures shall be calculated by adding ten times the length of structure or structures, to the length of the section of project road/ State-road excluding the length of structure or structures, or five times the total length of section of project road/ State-road, whichever is lesser.

Explanation. – For the purpose of this sub-rule, "structure" means an independent bridge, tunnel or flyover or elevated highway.

Illustration (i):

If a section of project road/ State-road has a total length of 40 kilometres, comprising net road length of 10 kilometres and 30 kilometres length of structure, the minimum length shall be computed as follows: -

10 x 30 (i.e. ten times length of structure) + 10. (i.e.net road length excluding length of structure) = 310kilometres

or

Five times the total length of the section of project road/ State-road= i.e. 5 x 40 = 200 kilometres.

User fee shall be calculated on the lesser length i.e. for 200 kilometres.

Illustration (ii):

If a section of project road/ State-road has a total length of 40 kilometres, comprising net road length of 30 kilometres and 10 kilometres length of structure, the minimum length shall be computed as follows:-

10 x 10 (i.e. ten times length of structure) + 30 (i.e. net road length excluding length of structure) = 130 kilometres

or

Five times the total length of section of a project road/ State-road = i.e. 5 x 40 =200 kilometres

User fee shall be calculated on the lesser length i.e. for 130 kilometres.

Illustration (iii):

If a section of project road/ State-road has a total length of 40 kilometres, comprising of structure alone, the minimum length shall be computed as follows: -

10 x 40 i.e. ten times length of structure) = 400 kilometres.

or

Five times the total length of section of a project road/ State-road = i.e. 5 x 40 = 200 kilometres

User fee shall be calculated on the lesser length i.e. for 200 kilometres:

Provided that the calculation of fee shall not apply to any structure or structures, forming part of project road/ State-road, if length of such structure is sixty meters or less and it shall be considered as part of normal length of the section of project road/ State-road.

(11) Provided that structure of 60 meters of length or less, on a linear highway or expressway will be considered as part of the normal length of highway or expressways for calculation of fee.

5. Annual revision of rate of fee-

(1) The rates specified under rule 4 shall be increased without compounding, by three per cent each year with effect from the 1st day of April, 2027 and such increased rate shall be deemed to be the base rate for the subsequent years.

(2) The applicable base rates shall be revised annually with effect from April 1 each year to reflect the increase in wholesale price index between the week ending on January 3, 2026 (i.e., 157.2) and the wholesale price index for the month of December of the year in which such revision is undertaken but such revision shall be restricted to forty per cent of the increase in wholesale price index.

(3) The formula for determining the applicable rate of fee shall be as follows: -

Applicable rate of fee = base rate + base rate × [(WPI A − WPI B) / WPI B] × 0.4

Explanation - For the purposes of this sub-rule,

a. applicable rate of fee shall be the rate payable by the user;

b. base rate shall be the rate specified in rule 4 read with sub-rule (1) of rule 5;

c. WPI A means the wholesale price index for the month of December of the year immediately preceding the date of revision under these rules; and

d. WPI B means the wholesale price index of the week ending on 3th January, 2026, i.e., [157.2].

(4) Annual revision of rate of fee under this rule shall be effective from first April every year.

6. Collection of fee-

(1) Fee levied under these rules shall be collected by the Bihar Government or the executing authority or the concessionaire, as the case may be, at the fee plaza.

(2) Every driver, owner or person in charge of a mechanical vehicle shall for the use of the section of project road/ State-road, permanent bridge, bypass or tunnel, before crossing the fee plaza, pay the fee specified under these rules.

(3) The fee collected under these rules shall be paid either in cash or through pre-paid payment instruments, smart card or through FASTag or on-board unit (transponder) or any other like device:

Provided further that the fee payable towards discounts as under sub-rules (2), (3) and (3A) of rule 9, shall be paid through pre-paid instruments, smart card or through FASTag or on-board unit (transponder) or any other such device.

Provided also that exclusive lane can be earmarked for Global Navigation Satellite System On-Board Unit fitted vehicle and in case vehicle enters such lane, without a valid, functional Global Navigation Satellite System On-Board Unit, shall pay a fee equivalent to two times of the user fee applicable at that fee plaza:

(3A) If the user of a vehicle enters a fee plaza without a FASTag or a valid, functional FASTag, as the case may be, he or she shall pay two times of the user fee applicable to that category of vehicle under sub-rule (2) of rule 4:

Provided that if the user of the vehicle, without a FASTag or a valid, functional FASTag, as the case may be, opts to pay fee through the Unified Payment Interface (UPI), he or she Shall pay 1.25 times of the user fee applicable to that category of vehicle under sub-rule (2) of rule 4.

Illustration: If the user fee for a particular class of vehicle as per sub-rule (2) of rule 4 is rupees hundred and if that vehicle enters a fee plaza without a FASTag or a valid, functional FASTag, as the case may be, the user of that vehicle shall pay two times of the user fee (i.e. rupees two hundred in cash) and in case, if the user of that vehicle opts to pay fee through Unified Payment Interface (UPI), he shall pay 1.25 times (i.e. rupees one hundred and twenty five only).

(3B) Notwithstanding anything contained in sub-rule (3A), if the user of a vehicle with a valid, functional FASTag having sufficient balance in the linked account while crossing a fee plaza could not pay the user fee through FASTag owing to malfunctioning of the electronic toll collection infrastructure, the vehicle user shall be permitted to cross the fee plaza without payment of any user fee and a zero-transaction receipt shall be issued for that transaction.";

(4) Any driver, owner or person in-charge of a mechanical vehicle who opts for the installation of on board unit (transponder) or any other such device for payment of fee, shall deposit a refundable security equivalent to the cost of the equipment with the Bihar Government, the executing authority or the concessionaire, as the case may be, for such installation and no interest shall accrue on such security deposit.

(5) The state Government or the executing authority or the Concessionaire, as the case may be, receiving fee under sub-rule (3A) and rule 10 shall issue a receipt, to the user of vehicle, specifying therein the date and time of receipt of fee, total amount received and the class of vehicle for which the fee has been received."

(6) (a) The fee shall be collected by the Bihar Government or the executing authority as the case may be and for a specified period in accordance with the terms of agreement entered by the Concessionaire.

(b) The fee as notified as per Concession Agreement shall be leviable till the end of the concession period and after the concession period is over, the fee shall be collected by the Bihar Government or the executing authority as per the fee specified in sub-rule (2) of rule 4 on the date of transfer of such section of the Project road/ State road, bridge, tunnel or bypass, as the case may be, to be revised annually in accordance with these rules:

Provided that in respect of a public funded project, the fee leviable shall continue to be collected in perpetuity for such section of the project road/ State-road, bridge, tunnel or bypass, as the case may be and shall be revised annually in accordance with these rules".

(7) In respect of public funded projects, the fee levied under these rules shall be collected by the Bihar Government, or the executing authority, as the case may be, through its own officials or through a contractor.

6A. Electronic Toll Collection and FASTag Compliance

(1) Mandatory Electronic Toll Collection

Collection of user fee under these Rules shall, as far as practicable, be carried out through electronic toll collection systems, including FASTag, or such other technology as may be notified by the Government of India and acceptable to Government of Bihar or the State Government from time to time.

(2) **Mandatory Use of FASTag**

Save as may be otherwise notified by the State Government for specified categories of vehicles or exceptional circumstances, every mechanical vehicle using a tolled section of a state road /project road, bridge, bypass or tunnel shall be required to carry a valid and functional FASTag affixed on the vehicle.

(3) **FASTag-Enabled Infrastructure**

The implementing authority or the concessionaire, as the case may be, shall ensure that all toll plazas are equipped with FASTag-compliant lanes, readers, cameras, back-end systems and connectivity, in accordance with the standards and guidelines issued by NPCI(National Payment Corporation of India), Government of India and Indian Highways Management Company Limited (IHMCL) or any other competent authority.

(4) **Levy of Higher User Fee for Non-FASTag Vehicles**

Where a mechanical vehicle does not carry a valid FASTag, or the FASTag is blacklisted, inactive or unreadable due to reasons attributable to the user, such vehicle shall be liable to pay user fee at twice the applicable rate, or such higher rate as may be notified by the State Government, in line with the national electronic tolling policy.

(5) **No Waiver on Account of User Default**

Failure of FASTag due to insufficient balance, improper affixation, tampering or user negligence shall not be treated as a system failure, and the vehicle shall be liable to pay the applicable higher user fee.

(6) **Wrong Lane Usage**

Any vehicle equipped with FASTag that enters or passes through a non-designated lane, including a cash lane or restricted lane, in contravention of displayed instructions, shall be deemed to have committed a violation and shall be liable to pay user fee at twice the applicable rate, in addition to any other action as may be prescribed.

(7) **Misuse or Tampering of FASTag**

Any act of tampering with FASTag, use of invalid, cloned or unauthorised FASTag, or use of a FASTag issued for another vehicle shall constitute misuse and may result in:

(a) recovery of differential or penal user fee;

(b) blacklisting of the FASTag or the vehicle in the electronic toll collection system; and

(c) initiation of action under applicable laws.

(8) Blacklisting and Denial of Passage

Repeated violations relating to electronic toll collection, including evasion, misuse or non-payment, may result in blacklisting of the vehicle or FASTag, and such vehicle may be denied passage until outstanding dues and penalties are cleared.

(9) Annual or Long-Term Passes through FASTag

The State Government may, by notification, introduce annual or long-term FASTag-based passes for specified categories of vehicles, corridors or users, subject to such terms and conditions, validity, rates and eligibility criteria as may be prescribed, in line with national policy.

(10) System Failure or Network Outage

In the event of system failure, network outage or technical malfunction not attributable to the user, the implementing authority or the concessionaire shall follow such fallback procedures as may be prescribed by the State Government, ensuring minimal inconvenience to road users and prevention of revenue leakage.

7. Remittance and appropriation of fee-

(1) Executing agency shall deposit the amount so collected/ agreement amount in Executing Authority designated account within such time as per provision of the agreement.

(2) In case of public funded projects, the fund collected, under the provisions of these rules by executing authority(ies), shall be deposited

in whole or part thereof in separate account for repayment of debt as per instructions by Road Construction Department. The balance amount if any, shall be deposited in consolidated fund of Bihar Government as per prevalent provisions in Bihar Financial rules and Bihar treasury code.

Provided further that in case of private investment projects, the fee collected under the provisions of these rules shall be appropriated by the concessionaire in accordance with the provisions of and for the performance of its obligations under the agreement entered into by such concessionaire.

(3) The state Government shall by notification shall approve separately the administrative and management expenses toward executing authority. A separate budget shall be provided and to be spent through exclusive and designated head of expenses.

8. Location of Fee plaza-

(1) The executing authority or the concessionaire, as the case may be, shall establish a fee plaza beyond a distance of ten kilometres from the limits of any municipal or local town area:

Provided that the executing authority may, for reasons to be recorded in writing, locate or allow the concessionaire to locate a fee plaza within a distance of ten kilometres of such municipal or local town area limits, but in no case within five kilometres of such municipal or local town area limits:

Provided further that where a section of the project road/ State road, permanent bridge, bypass or tunnel, as the case may be, is constructed within the municipal or town area limits or within five kilometres from such limits, primarily for use of the residents of such municipal or town area, the fee plaza may be established within the municipal or town area limits or within a distance of five kilometres from such limits.

(2) Any other fee plaza on the same section of project road/ State-road and in the same direction shall not be established within a distance of forty kilometres:

Provided that where the executing authority deems necessary, it may for reasons to be recorded in writing, establish or allow the concessionaire to establish another fee plaza within a distance of forty kilometres:

Provided further that a fee plaza may be established within a distance of forty kilometres from another fee plaza if such fee plaza is for collection of fee for a permanent bridge, bypass or tunnel.

(3) Notwithstanding anything in sub-rules (1) and (2), the executing authority or the concessionaire may establish fee plaza on the project road/ State-road on which the closed user fee collection system is operational.

9. Discounts-

(1) The executing authority or the concessionaire, as the case may be, provide for multiple journeys to cross a toll plaza within the specified period at the rates specified in sub-rule (2) of rule 9.

(2) A driver, owner or person in-charge of a mechanical vehicle who makes use of the section of project road/ State-road, permanent bridge, bypass or tunnel, and he or she shall have to pay the fee in accordance with the following rates, namely: -

Amount payable	Maximum number of one-way journeys allowed	Period of validity
One and half times of the fee for one way journey	Two	Twenty-four hours from the time of payment
Two-third of amount of the fee payable for fifty single journeys	Fifty	One month from date of payment

(3) A Person who owns a mechanical vehicle registered for non-commercial purpose, having a valid and functional FASTag, and uses it as such for commuting on a section of Project road/ State road, permanent bridge, bypass or tunnel, may obtain a pass, on a payment of fee at the base rate

(4) for the year 2026-2027 of **Rupees Two hundred and ninety** per calendar month and revised annually in accordance with rule 5, authorising it to cross the particular single toll Plaza specified in such pass.

Provided that such or any discounts shall not be expanded beyond a fee plaza gate of another state road, standalone Bridge or any other structure or any other section of road.

(5) A person who owns a mechanical vehicle registered for non-commercial purpose, having a valid and functional FASTag, shall be eligible to obtain a pass on payment of fee of **Rupees two thousand five hundred and fifty** which shall be valid for one year or for two hundred crossings through any fee plaza on a project road / state road , whichever is earlier, irrespective of the fee leviable at each fee plaza and revised annually in accordance with rule 5.

(6) No pass shall be issued or fee collected from a driver, owner or person in-charge of a mechanical vehicle that uses part of the section of a project road/ State-road and does not cross a fee plaza.

10. Rate of fee for overloading-

(1) Without prejudice to the liability of the driver, owner or person in-charge of a mechanical vehicle under any law for the time being in force, where a mechanical vehicle using a Project road/ State road is found to be loaded in excess of the permissible maximum gross vehicle weight, the details of such vehicle along with excess load details shall be reported to the National Vehicle Register (VAHAN).

(2) The sum total of the unladen weight of mechanical vehicle and the weight of the load carried by it shall be identified through any appropriate weight measurement device as may be notified, by the Government and installed at the fee plaza and shall form the basis for determination of excess load, if any, after deduction of the gross vehicle weight:

Provided that where no such weight measurement device has been installed at the fee plaza, no fee for overloading shall be levied and collected, and the driver, owner or person in-charge of the mechanical vehicle, as the case may be, shall be liable to pay fee applicable for such vehicle only.

(3) The driver, owner or person in-charge of the mechanical vehicle, as the case may be, shall be liable to pay fee for the overloaded vehicle using a Project road/ State roads, which shall be collected through digital payment means including FASTag or Unified Payment Interface (UPI) or any other electronic means as may be notified by the Central Government and acceptable to Government of Bihar or the State Government from time to time, at the rates specified in the Table below, namely:—

TABLE

Percentage of excess load over Maximum Permissible gross vehicular weight.	Multiplying factor to applicable rate of fee.	Fee.
(1)	(2)	(3)
Up-to 10%	No overload fee	[(Fee applicable for such category of mechanical vehicle under sub-rule (2) of rule 4) x (multiplying factor)]
Over 10% but upto 40%	2	
Over 40%	4	

Illustration: If for a three-axle rigid truck, the permissible Gross Vehicular Weight (GVW) is 28.5 tonnes. It's 110 %(i.e. 10% excess load over maximum permissible gross vehicular weight) is 31.35 tonnes and 140% (i.e. 40% excess load over maximum permissible gross vehicular weight) is 39.90 tonnes. No overload fee shall be levied upto 31.35tonnes and above 31.35 tonnes, calculation of overload fee for this truck shall be as specified in the Table below namely:-

TABLE

Maximum Permissible gross vehicular weight (in metric tonnes)	Multiplying factor to applicable rate of fee.	Fee.
(1)	(2)	(3)
Upto 31.35 T	No overload fee	[(Fee applicable for such category of mechanical vehicle under sub-rule (2) of rule 4) x (multiplying factor)]
Over 31.35 upto 39.90 T	2	
Over 39.90 T	4	

(4) If such a vehicle enters a Project-road/ State-road without a FASTag or valid, functional FASTags as the case may be, the provisions of sub rule (3) of Rule 6 shall also apply for calculation of fee rates as per the provisions of sub-rule (3).

(5) The provisions of this rule shall not apply to private investment projects executed prior to commencement of this rule unless the concessionaire expresses their consent to be governed by this provision without demand for any compensation.

11. Exemption from payment of fee-

(1) No fee shall be levied and collected from a mechanical vehicle and a security vehicle-

(a) transporting and accompanying-

(i) the President of India;

(ii) the Vice-President of India;

(iii) the Prime-Minister of India;

(iv) the Governor of a State;

(v) the Chief Justice of India;

(vi) the Speaker of the House of People;

(vii) the Cabinet Minister of the Union;

(viii) the Chief Minister of a State;

(ix) the Judge of the Supreme Court;

(x) the Minister of State of the Union;

(xi) the Lieutenant Governor of a Union territory;

(xii) the Chief of Staff holding the rank of full General or equivalent rank;

(xiii) the Chairman of the Legislative Council of a State;

(xiv) the Speaker of the Legislative Assembly of a State;

(xv) the Chief Justice of a High Court;

(xvi) the Judge of a High Court;

(xvii) Advocate General of the State

(xviii) the Member of Parliament;

(xix) the Army Commander or Vice-Chief of Army Staff and equivalent in other services;

(xx) the Chief Secretary to a State Government;

(xxi) the Secretary to the Government of India;

(xxii) the Secretary, Council of States;

(xxiii) the Secretary, House of People;

(xxiv) the Foreign dignitary on State visit;

(xxv) The Member of Legislative Assembly of a State and the Member of Legislative Council of a State, if he or she produces his or her identity card issued by the concerned Legislature of the State;

(xxvi) The awardee of Param Vir Chakra, Ashok Chakra, Maha Vir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra, if such awardee produces his or her photo identity card duly authenticated by the appropriate or competent authority for such award;

Explanation- For the purpose of this clause, "security vehicle" means the vehicle carrying security personnel from Central armed forces or Central para-military forces or State Police;

(b) used for official purposes by,

(i) the Ministry of Defence including those which are eligible for exemption in accordance with the provisions of the Indian Toll (Army and Air Force) Act, 1901 and rules made there under, as extended to Navy also;

(ii) the Central and State armed forces in uniform including para military forces and police;

(iii) an executive Magistrate on duty;

(iv) a fire-fighting department or organisation;

(v) the project road/ State-road Authority or any other organisation or person using such vehicle for inspection, survey, construction or operation and maintenance thereof; and

(c) used as an ambulance.

(d) used as a funeral van.

(e) specially designed and constructed for use of a person suffering from some physical defect or disability or registered with Ownership type as "DIVYANGJAN" under the Motor Vehicles Act, 1988 (59 of 1988) and the rules made there under.

(f) An official mechanical Vehicle carrying officials as notified by state government.

12. Display of Information-

(1) The executing authority or the concessionaire, as the case may be, shall publish a notice specifying the amount of fee to be charged from the mechanical vehicle, in at least one newspaper, each in English and Hindi language, having a wide circulation in such area.

(2) The executing authority shall prominently display in Hindi and English one thousand metres and five hundred metres ahead of the fee plaza—

(i) the amount of fee payable for each class of vehicles and the discounts available under rule 9;

(ii) the categories of vehicles exempted from payment of fee; and

(iii) the name, address and telephone or contact number of the executing authority or the concessionaire, as the case may be.

(3) The height of the display boards, their quality and size of lettering shall be as per latest IRC guidelines & as instructed by the authority and clearly visible and legible to the users.

13. Unauthorised collection-

(1) An officer authorised by the Bihar Government or by the executing authority, as the case may be, may assess the excess fee collected, if any, by the executing authority or the concessionaire, as the case may be, and recover the same from such authority or concessionaire, along with an additional sum equal to twenty-five percent of the excess fee collected:

Provided that no recovery of such excess fee shall be made unless an opportunity of hearing has been given to the executing authority or concessionaire, as the case may be.

(2) Any driver, owner or person in-charge of a mechanical vehicle aggrieved by unauthorised collection of fee, may lodge a complaint with the officer authorised by the Bihar Government or the executing authority, as the case may be, in this behalf, who shall after hearing the parties pass an order with in thirty days on such complaint for refund of excess payment and damages for the inconvenience suffered by such user.

14. Failure to pay fee-

(1) If any driver, owner or person in-charge of a mechanical vehicle does not pay or refuses to pay the fee for use of project road, State road, permanent bridge, bypass or tunnel, his or her vehicle shall not be allowed to use such section of project road/ State road, permanent bridge, bypass or tunnel and in case such vehicle obstructs the normal flow of traffic, the executing authority or the concessionaire, as the case may be, may get such

obstructing vehicle removed from the project road/ State road, permanent bridge, bypass or tunnel, as the case may be.

(2) Where the driver or the person in charge of a mechanical vehicle refuses or fails to pay the fee levied under these rules, the same shall be recovered from the registered owner of the mechanical vehicle.

(2A) For the purposes of giving effect to sub-rule (2), unpaid user fee shall be recovered from the owner of the mechanical vehicle in the following manner, namely: -

(a) electronic notice (hereinafter referred to as the "e-notice") shall be issued specifying the details of the vehicle, the date and location of occurrence, and the amount of unpaid user fee payable, in the name of the owner of the vehicle as available in the National Vehicle Registry (VAHAN);

(b) e-notice may be served by electronic means including Short Message Service (SMS), electronic mail (e-mail), mobile-based messaging applications, or through such other electronic mode as may be specified by the Bihar Government, and may also be served in physical form;

(c) e-notice shall be made available on online portal to be specified by the Bihar Government for this purpose;

(d) the Bihar Government or its executing authority may undertake technical and system integration of the National Electronic Toll Collection system with the National Vehicle Registry (VAHAN) as may be necessary for the purposes of enforcement measures, and realisation of such unpaid user fee.

(2B) The unpaid user fee payable in pursuance of an e-notice issued under sub-rule (2A) shall be an amount equal to two times the user fee applicable to the concerned category of vehicle, as specified under sub-rule (2)of rule 4, and shall be paid through electronic mode or through such other mode of payment, as may be specified by the Bihar Government from time to time:

Provided that where the unpaid user fee is paid within seventy-two hours from the time of issuance of the e-notice, the amount payable shall be limited to the user fee applicable to the concerned category of vehicle, as specified under sub-rule (2) of rule 4.

(2C) Any owner or driver of a mechanical vehicle aggrieved by an e-notice may, within seventy-two hours from the time of issuance thereof, submit a representation through the designated electronic portal.

(2D) Where a representation has been submitted under sub-rule (2C), the executing authority or the concessionaire, as the case may be, shall examine and dispose of such representation and communicate its decision to the registered owner by electronic means within five days from the date of receipt of such representation:

Provided that, in case the representation not disposed of on the expiry of five days from the date of receipt of representation, then the claim of the executing authority or concessionaire to the unpaid user fee shall cease.

(2E) If the owner or driver of a mechanical vehicle fails to pay the unpaid user fee within fifteen days from the date of the issuance of the e-notice and no representation made under sub-rule (2C) is pending, the amount of unpaid user fee under sub-rule (2B) recoverable from the vehicle owner shall be posted onto the National Vehicle Registry (VAHAN); and such restrictions may be imposed on the services provided in respect of the such vehicle through VAHAN, as may be specified by the Bihar Government, until the unpaid user fee is paid.

(3) Where the Bihar Government, executing authority or the concessionaire, as the case may be, has reason to believe that a mechanical vehicle is plying on a section of the project road/ State-road, permanent bridge, bypass or tunnel without payment of fee due, it may stop such vehicle for the purpose of verifying the payment thereof and collect the fee due from such vehicle.

15. Power of Bihar Government to verify records-

An officer duly authorised by the Bihar Government or the executing authority, as the case may be shall have the power to verify the collection of fee, and inspect any document, records, other information, receipts or reports of the executing authority or the concessionaire, as the case may be.

16. Collection of fee in respect of Private Investment Project-

(1) The fee levied under the provisions of sub-rule (3) of rule 3 shall be collected by the concessionaire till its agreement is in force.

(2) On and from the date of expiry of the agreement specified under sub-rule (3) of rule 3, the fee levied shall be collected by the Bihar Government or the executing authority, as the case may be.

17. Bar for installation of additional barrier-

No barrier shall be installed at any place, other than at the fee plaza, except with the prior permission in writing of the Bihar Government or the executing authority, as the case may be, who after being satisfied that there is evasion of fee, may allow on such terms and conditions as it may impose, the installation of such additional barrier by the Bihar Government, the executing authority or the concessionaire, as the case may be, within ten kilometres from the fee plaza, to check the evasion of fee:

Provided that the Bihar Government or the executing authority, as the case may be, may, at any time, for reasons to be recorded in writing, withdraw such permission:

Provided further that where the Bihar Government or the executing authority, as the case may be, do not allow installation of an additional barrier by the concessionaire, the reasons for such refusal shall be communicated to such concessionaire within a reasonable period.

18. Audit, Accounts and Revenue Management

(1) The implementing/executing authority or the concessionaire, as the case may be, shall maintain proper books of accounts, records and documents relating to levy, collection, remittance and utilisation of user fee in such form and manner as may be specified by the State Government.

(2) All user fee collections shall be accounted for on a daily basis, and deposited or remitted in accordance with the terms of the concession agreement or instructions issued by the implementing authority.

(3) The accounts relating to user fee collection shall be subject to:

(a) internal audit by the implementing/executing authority;

(b) statutory audit by a Chartered Accountant appointed in accordance with applicable law;

(c) special audit or inspection as may be directed by the State Government or the Comptroller and Auditor General of India, where applicable.

(4) The implementing/executing authority or the concessionaire shall provide full access to toll transaction data, electronic toll collection records, bank statements, reconcilliation, statements and supporting documents to the auditing authority.

(5) Any shortfall, excess collection, revenue leakage or irregularity detected during audit shall be recovered or rectified, as the case may be, in accordance with the directions of the State Government, without prejudice to imposition of penalty or other action under these Rules or the concession agreement.

(6) The State Government may prescribe standard operating procedures for revenue management, reconciliation, reporting formats and timelines to ensure transparency and accountability in toll operations.

19. Technology Framework and FASTag Compliance

(1) Dedicated lanes shall be provided for electronic toll collection, and appropriate measures shall be taken to ensure interoperability, data accuracy and real-time transaction processing.

(2) Persistent or deliberate non-compliance with prescribed technology standards or FASTag requirements shall constitute a material breach, and may attract penalties, suspension of toll collection rights or other action as may be provided under the concession agreement or these Rules.

20. Power to Relax

(1) The State Government may, if it is satisfied that the operation of any provision of these Rules or these Rules causes undue hardship or is otherwise not in public interest, relax or exempt the application of such provision in respect of any project, class of projects, road, category of vehicles or area, by a reasoned order to be recorded in writing.

(2) Any relaxation granted under this clause shall be consistent with the objectives of these Rules and shall not adversely affect road safety or public interest.

(3) The State Government may impose such conditions or safeguards while granting relaxation as it may deem fit.

21. Power to Issue Directions

(1) The State Government may issue such directions, guidelines or clarifications as may be necessary for effective implementation of these Rules.

(2) All implementing authorities and concessionaires shall comply with such directions, which shall be binding on them.

22. Repeal and Savings

(1) All orders, notifications, guidelines or instructions issued by the State Government relating to levy and collection of user fee on State-controlled roads and inconsistent with the provisions of these rules shall stand

superseded to the extent of such inconsistency from the date of commencement of these Rules.

(2) Notwithstanding such supersession:

(a) anything done or any action taken under the repealed or superseded provisions shall be deemed to have been done or taken under the corresponding provisions of these Rules.

(b) existing concession agreements, contracts and arrangements shall continue to remain valid and enforceable in accordance with their terms, unless specifically modified in conformity with these Rules.

(3) The supersession of previous orders shall not affect any rights, obligations or liabilities accrued prior to the commencement of these Rules.

Note:- In the event of any discrepancy between the English and Hindi versions or any difference between in interpretation, the English version shall prevail.

By the order of Governer of Bihar

Sd/-

(Pankaj Kumar Pal)
Secretary,
Road Construction Department, Bihar, Patna

Memo:- Pra-7/Niyam-01-04/2026- Date:-......................

Copy to:- Accountant General, Veerchand Patel Marg, Patna for information and necessary action.

Sd/-

(Pankaj Kumar Pal)
Secretary,
Road Construction Department, Bihar, Patna

Memo:-Pra- Pra-7/Niyam-01-04/2026- Date:-.................

Copy to:- Superintendent, Govt. Press, Gulzarbagh, Patna for Information and Publication. It is requested to print 1000 copies in extra ordinary Bihar Gazette and make it available to Department.

Sd/-

(Pankaj Kumar Pal)
Secretary,
Road Construction Department, Bihar, Patna

Memo:- Pra-7/Niyam-01-04/2026- Date:-......................

Copy to:- All Additional Chief Secretary/ Principal Secretary/ Secretary/ All Departmental Heads/ All Divisional Commissioners/ All District Magistrates/ All Municipal Bodies, Bihar for information and necessary action.

Sd/-

(Pankaj Kumar Pal)
Secretary,
Road Construction Department, Bihar, Patna

Memo:- Pra-7/Niyam-01-04/2026- Date:-......................

Copy to:- Engineer-In-Chief (Work Management), Road Construction Department, Bihar, Patna/ Engineer-In-Chief (Headqueater), Road Construction Department, Bihar, Patna / All Chief Engineers (including NH) / All Superintending Engineers (including NH)/ All Executive Engineers (including NH), Road Construction Department, Bihar/ Chief General Manager, Bihar State Road Development Corporation Limited, Bihar, Patna/ Managing Director, Bihar Rajya Pul Nirman Nigam Limited, Bihar, Patna/All Gazetted Officers posted Headquarter for information and necessary action.

Sd/-

(Pankaj Kumar Pal)
Secretary,
Road Construction Department, Bihar, Patna

Memo:- Pra-7/Niyam-01-04/2026- Date:-......................

Copy to:- P.S to Ho'ble Minister, Road Construction Department, Bihar, Patna information.

Sd/-

(Pankaj Kumar Pal)
Secretary,
Road Construction Department, Bihar, Patna

Memo:- Pra-7/Niyam-01-04/2026- 4512(S) Date:- 6/7/2026

Copy to:- IT Manager, Road Construction Department, Bihar, Patna for uploading on Departmental Website.

(Pankaj Kumar Pal)
Secretary,
Road Construction Department, Bihar, Patna