

Measures on the Administration of Road Transportation of Dangerous Goods of the PRC

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Chapter I — General Provisions

Article 1 — These Measures are formulated in accordance with the Law of the People's Republic of China on Road Transportation, the Regulations on the Safety Administration of Dangerous Chemicals, and other relevant laws and administrative regulations for the purposes of regulating the road transportation of dangerous goods, safeguarding the safety of people's lives and property, and protecting the environment.

Article 2 — Entities and individuals engaged in the road transportation of dangerous goods shall comply with these Measures. The term "road transportation of dangerous goods" means the use of road transportation vehicles to transport dangerous goods. The transportation of dangerous goods by military vehicles shall be governed by the relevant provisions on military transportation.

Article 3 — The road transportation of dangerous goods as referred to in these Measures means the acts of using road transport vehicles to transport goods that are explosive, flammable, toxic, infectious, corrosive, radioactive, or otherwise dangerous and that require special protection during loading, unloading, storage, or

transportation.

Article 4 — The administrative departments of transport under the local people's governments at or above the county level shall be responsible for the supervision and administration of the road transportation of dangerous goods within their respective administrative areas. The relevant departments of public security, work safety supervision, quality supervision, environmental protection, and other departments shall, in accordance with their respective functions and duties, jointly carry out the supervision and administration of the road transportation of dangerous goods.

Article 5 — Entities and individuals engaged in the road transportation of dangerous goods shall obtain a license for the road transportation of dangerous goods and shall engage in road transportation of dangerous goods business in accordance with the types of dangerous goods specified in the license. The road transportation of dangerous goods shall be carried out using special vehicles, equipment, and personnel that meet the technical requirements.

Chapter II — Qualifications for Road Transport of Dangerous Goods

Article 6 — An entity applying for a license to engage in the road transportation of dangerous goods shall meet the following conditions: possess special vehicles and equipment that meet the requirements for the road transportation of dangerous goods; possess parking lots and facilities that meet the requirements for the road transportation of dangerous goods; possess professionals and management personnel who meet the requirements for the road transportation of dangerous goods; possess a sound safety production management system; and meet other conditions prescribed by laws and regulations.

Article 7 — An applicant for a license to engage in the road transportation of dangerous goods shall submit an application to the administrative department of transport at the place where the applicant is located and submit the relevant materials. The administrative department of transport shall, within 20 working days of receiving the application, make a decision on whether to grant the license.

Article 8 — Where the license is granted, a Road Transport Business License shall be issued indicating the categories and items of dangerous goods that may be transported. The term of validity of the license shall be four years.

Chapter III — Transport of Dangerous Goods

Article 9 — A driver, escort, or loading and unloading manager engaged in the road transportation of dangerous goods shall pass an examination and obtain a qualification certificate for the corresponding profession before taking up the post. The vehicle used for the road transportation of dangerous goods shall display a special sign for dangerous goods and shall be equipped with safety protection, environmental protection, and fire-fighting facilities and equipment that meet the relevant national standards.

Article 10 — The road transportation of dangerous goods shall strictly comply with the relevant national standards and norms. The dangerous goods transport waybill system shall be implemented for the road transportation of dangerous goods, and dangerous goods shall not be transported without a waybill. The transport of dangerous goods shall be carried out by a designated driver, escort, and vehicle in accordance with the designated time, route, and speed.

Article 11 — During the road transportation of dangerous goods, the driver shall not leave the vehicle arbitrarily and shall maintain communication with the escort. The vehicle shall not carry passengers or other goods on the way. Where a dangerous goods transport vehicle fails or breaks down on the way and the transport cannot be continued, the driver shall immediately report to the transport enterprise and take safety measures.

Article 12 — Where a safety incident involving the road transportation of dangerous goods occurs, the driver and the escort shall immediately take emergency measures and report to the local public security organ, the

administrative department of transport, and other relevant departments. The relevant departments shall, upon receiving the report, immediately dispatch personnel to the scene and take effective measures to prevent the incident from escalating.

Chapter IV — Supervision and Inspection

Article 13 — The administrative departments of transport shall strengthen the supervision and inspection of the road transportation of dangerous goods in accordance with the law. During supervision and inspection, the inspectors may check vehicles, personnel, documents, and other matters related to the road transportation of dangerous goods.

Article 14 — Where a hidden danger to safety is discovered during inspection, the inspectors shall order the party concerned to eliminate the hidden danger immediately. Where the hidden danger cannot be eliminated immediately, the inspectors shall order the party concerned to suspend the transportation or take other safety measures.

Chapter V — Legal Liability

Article 15 — Where an entity engages in the road transportation of dangerous goods without a license, the administrative department of transport shall order it to cease the illegal act and impose a fine. Where serious consequences are caused, the entity shall be held liable in accordance with the law.

Article 16 — Where a road transportation enterprise of dangerous goods violates the provisions of these Measures, the administrative department of transport shall order it to make corrections and may impose a fine in accordance with the law. Where the circumstances are serious, the administrative department of transport may revoke the Road Transport Business License.

Chapter VI — Supplementary Provisions

Article 17 — The Ministry of Transport shall be responsible for the interpretation of these Measures.

Article 18 — These Measures shall take effect as of July 1, 2013.

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