

Regulations for the Implementation of the Road Traffic Safety Law of the PRC

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Adopted at the 49th Executive Meeting of the State Council on April 28, 2004
Promulgated by Decree No. 405 of the State Council of the People's Republic of China on April 30, 2004
Effective: May 1, 2004

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Chapter I — General Provisions

Article 1 — These Regulations are formulated in accordance with the Road Traffic Safety Law of the People's Republic of China (hereinafter referred to as the "Road Traffic Safety Law").

Article 2 — Vehicle drivers, pedestrians, passengers, road traffic activity-related units and individuals within the territory of the People's Republic of China shall comply with these Regulations.

Article 3 — The public security organs' traffic administrative departments of local people's governments at or above the county level shall be responsible for the administration of road traffic safety within their respective administrative areas. The traffic administrative departments of public security organs of provinces, autonomous regions, and municipalities directly under the Central Government may, in accordance with the actual situation, decide that the traffic administrative departments of public security organs of cities divided into districts or prefectures (regions, leagues) shall be responsible for the administration of road traffic safety on expressways.

Chapter II — Motor Vehicles and Motor Vehicle Drivers

Article 4 — Motor vehicles shall be registered in accordance with the provisions of the Road Traffic Safety Law. The registration of motor vehicles shall be divided into registration for the first time, registration for modification, registration for transfer, registration for mortgage, and deregistration. The specific measures for motor vehicle registration shall be formulated by the public security department under the State Council.

Article 5 — When applying for motor vehicle registration for the first time, the applicant shall submit the following certificates: (1) proof of identity of the owner of the motor vehicle; (2) certificate of origin of the motor vehicle, such as the purchase invoice; (3) certificate of factory qualification of the whole motor vehicle or certificate of import of the motor vehicle; (4) certificate of payment of vehicle purchase tax or certificate of tax exemption; (5) valid certificate of compulsory motor vehicle traffic accident liability insurance; and (6) other certificates as required by laws and administrative regulations.

Article 6 — Motor vehicles registered for the first time shall undergo safety and technical inspection. The safety and technical inspection shall be conducted by motor vehicle safety and technical inspection institutions. Motor vehicles that pass the safety and technical inspection shall obtain a motor vehicle inspection conformity flag to be affixed to the motor vehicle.

Article 7 — Motor vehicles that have been registered shall undergo regular safety and technical inspection within the following time limits: (1) once a year for buses operating on highways and tourist buses; (2) once a year for cargo vehicles and large and medium-sized non-operating passenger vehicles, increasing to once every six months after 10 years; (3) once every two years for small and micro non-operating passenger vehicles, increasing to once a year after six years and once every six months after 15 years; (4) once a year for motorcycles, increasing to once every six months after four years; and (5) at such intervals as may be separately prescribed for tractors and other motor vehicles.

Article 8 — Motor vehicle drivers shall undergo periodic verification of their driving licenses. The specific measures for verification shall be formulated by the public security department under the State Council. Motor vehicle drivers shall carry their motor vehicle driving licenses when driving.

Article 9 — The traffic administrative departments of public security organs shall implement a cumulative scoring system for motor vehicle drivers' violations of road traffic safety laws and regulations. The period of the cumulative scoring system shall be 12 months, and the full score shall be 12 points. Where a driver accumulates 12 points within one period, the driver's motor vehicle driving license shall be detained, and the driver shall participate in road traffic safety laws and regulations study and take an examination. Those who pass the examination shall have their driving licenses returned and their violation scores cleared.

Chapter III — Road Traffic Signals

Article 10 — Road traffic signals shall include traffic signal lights, traffic signs, traffic markings, and commands of traffic police. Road traffic signals shall comply with national standards and shall be maintained in a clear, conspicuous, accurate, and intact state.

Article 11 — The meanings of traffic signal lights shall be: (1) when the green light is on, vehicles and pedestrians may pass, but turning vehicles shall not impede the passage of vehicles and pedestrians going

straight; (2) when the yellow light is on, vehicles that have crossed the stop line may continue to pass, and pedestrians shall not enter the crosswalk; (3) when the red light is on, vehicles and pedestrians are prohibited from passing; and (4) the arrow direction lights shall have the same meanings as specified above.

Article 12 — The meanings of commands of traffic police shall be: (1) when the traffic police raises one arm above the head with the palm facing forward, oncoming vehicles in all directions shall stop; (2) when the traffic police extends both arms horizontally with the left arm facing and the right arm turning, vehicles traveling in the direction of the left arm shall make a left turn or go straight, while vehicles traveling in other directions shall stop; and (3) other command gestures shall be as prescribed by the public security department under the State Council.

Chapter IV — Road Traffic Rules

Article 13 — Motor vehicles shall comply with the following speed limits when traveling on roads within built-up areas: (1) 30 kilometers per hour for roads without a center line; (2) 40 kilometers per hour for roads with one motor vehicle lane in the same direction; (3) 50 kilometers per hour for roads with two or more motor vehicle lanes in the same direction and without a speed limit sign; and (4) 70 kilometers per hour for urban expressways.

Article 14 — Motor vehicles shall pass in accordance with the following provisions: (1) on roads with more than two motor vehicle lanes in the same direction, the left lane shall be the fast lane and the right lane shall be the slow lane; (2) on expressways, different lanes shall be used for different speeds, with the left lane for higher speeds and the right lane for lower speeds; (3) slow-driving vehicles such as motorcycles shall travel in the rightmost lane; and (4) vehicles shall turn on their turn signals in advance when changing lanes, making turns, or stopping.

Article 15 — Motor vehicles shall not make a U-turn or reverse on roads with a no U-turn sign or marking, or at steep slopes, narrow roads, bridges, tunnels, railway crossings, crosswalks, or intersections. Motor vehicles shall not make a U-turn or reverse at sections where such acts are likely to endanger traffic safety.

Article 16 — Motor vehicles shall pass intersections in accordance with the directions of traffic signal lights, traffic signs, traffic markings, or commands of traffic police. At intersections without traffic signal lights, traffic signs, traffic markings, or commands of traffic police, vehicles shall slow down and yield the right of way to pedestrians and vehicles with priority. When vehicles encounter a traffic jam at an intersection, they shall wait outside the intersection in sequence and shall not enter the intersection.

Article 17 — Motor vehicles shall use lights in accordance with the following provisions: (1) use low-beam lights when driving at night on roads with street lighting in built-up areas, or when driving at night in low-visibility conditions such as foggy, rainy, snowy, or dusty weather; (2) use high-beam lights when driving at night on roads without street lighting or with poor lighting, but switch to low-beam lights when there are oncoming vehicles 150 meters away, when there are vehicles traveling in the same direction ahead, or when driving on narrow roads, bridges, or at curves; (3) turn on low-beam lights, marker lights, and rear position lights when driving at night or in low-visibility conditions; and (4) turn on the hazard warning flashers when the vehicle breaks down, stops on the road due to a traffic accident, or is being towed.

Article 18 — Non-motor vehicles shall pass in non-motor vehicle lanes. On roads without non-motor vehicle lanes, non-motor vehicles shall travel on the right side of the roadway. Non-motor vehicles shall not compete with motor vehicles for the right of way, shall not run red lights, shall not travel in the wrong direction, and shall not carry persons in violation of regulations.

Article 19 — Pedestrians shall walk in pedestrian lanes; on roads without pedestrian lanes, pedestrians shall walk along the roadside. Pedestrians shall cross roadways via crosswalks or pedestrian crossing facilities. On roadways without crosswalks or pedestrian crossing facilities, pedestrians shall cross after confirming safety. Pedestrians shall not use skateboards, roller skates, or other skating devices on roadways.

Pedestrians shall not sit, lie, or stay on roadways.

Chapter V — Handling of Traffic Accidents

Article 20 — Where a traffic accident occurs, the parties involved shall immediately stop the vehicle and protect the scene. Where personal injuries or fatalities are caused, the driver of the vehicle shall immediately rescue the injured persons and promptly report to the traffic police on duty or the traffic administrative department of the public security organ. Where the scene has been altered due to the rescue of injured persons, the location shall be marked. Passengers, drivers of passing vehicles, and passing pedestrians shall provide assistance.

Article 21 — Where a traffic accident occurs, the parties involved shall handle it in accordance with the following provisions: (1) where a traffic accident that only causes minor property damage and the basic facts are clear, the parties involved shall first leave the scene and then negotiate for settlement; and (2) where a traffic accident that causes personal injuries or fatalities, or where the parties involved dispute the facts and causes of the accident, the parties involved shall promptly report to the traffic police.

Article 22 — After receiving a report of a traffic accident, the traffic administrative department of the public security organ shall immediately dispatch traffic police to the scene. Traffic police shall organize the rescue of injured persons, restore traffic order, and carry out on-site inspection and investigation of the traffic accident. The traffic administrative department of the public security organ shall, based on the evidence and analysis of the cause of the accident, prepare a traffic accident determination letter, which shall state the basic facts, causes, and the responsibilities of the parties involved.

Article 23 — The compensation for damages caused by traffic accidents shall be governed by the relevant provisions of the Road Traffic Safety Law, the Civil Code, and other laws and administrative regulations. The compensation for traffic accident damages shall include: medical expenses, nursing expenses, transportation expenses, nutrition expenses, hospital food allowance, lost wages, disability compensation, death compensation, funeral expenses, and living expenses of dependents.

Chapter VI — Law Enforcement Supervision

Article 24 — Traffic police shall, when performing their duties, dress in accordance with the regulations, wear the insignia of the people's police, hold the people's police certificate, maintain strict police conduct, be neatly dressed, enforce the law justly and in a civilized manner, and behave with decorum.

Article 25 — Traffic police shall, when investigating and dealing with violations of road traffic safety laws, adhere to the principles of legality, fairness, civility, openness, and timeliness, and shall combine punishment with education.

Article 26 — When imposing administrative penalties on violators of road traffic safety, the traffic administrative department of the public security organ shall strictly follow the procedures prescribed by the Administrative Penalty Law. Fines shall be decided and collected separately. Fines shall be turned over to the State treasury in full and shall not be retained, privately divided, or used in disguised form.

Chapter VII — Legal Liability

Article 27 — Where a motor vehicle driver commits any of the following acts, he or she shall be fined not less than RMB 200 yuan but not more than RMB 2,000 yuan: (1) driving a motor vehicle without a motor vehicle driving license, with a suspended motor vehicle driving license, or after a motor vehicle driving license has been revoked; (2) handing over a motor vehicle to a person who does not have a motor vehicle driving license, whose motor vehicle driving license has been suspended, or whose motor vehicle driving license has been revoked; (3) fleeing after causing a traffic accident without constituting a crime; (4) driving a motor vehicle at a speed exceeding the prescribed speed by 50 percent; or (5) forcing a motor vehicle driver to

violate road traffic safety laws and regulations or drive in a manner that endangers public safety.

Article 28 — Where a motor vehicle driver commits any of the following acts, he or she shall be fined not less than RMB 20 yuan but not more than RMB 200 yuan: (1) violating the provisions on passage in separate lanes; (2) failing to carry a motor vehicle driving license or a motor vehicle registration certificate; (3) violating the provisions on the use of lights; (4) violating the provisions on overtaking or giving way; or (5) stopping a motor vehicle in violation of the provisions.

Article 29 — Where any functionary of the traffic administrative department of a public security organ commits any of the following acts, he or she shall be subject to administrative sanctions in accordance with the law; where the case constitutes a crime, criminal liability shall be pursued in accordance with the law: (1) collecting fines without using the fine receipts uniformly produced by the financial department; (2) retaining, privately dividing, or using in disguised form fines collected or confiscated motor vehicles, goods, or property; (3) issuing a motor vehicle registration certificate, number plate, driving permit, or inspection conformity mark by taking advantage of his or her position to accept property from another person or seek other benefits; or (4) other acts of dereliction of duty or abuse of power.

Chapter VIII — Supplementary Provisions

Article 30 — The public security department under the State Council may formulate specific provisions for the implementation of these Regulations.

Article 31 — These Regulations shall be effective as of May 1, 2004. The Regulations on the Administration of Road Traffic promulgated by the State Council on March 9, 1988 shall be repealed simultaneously.

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