

*Ha Noi, 13 November 2008*

LAW

ON

**ROADWAY TRAFFIC**

*Pursuant to the 1992 Constitution of the Socialist Republic of Viet Nam, which was amended and supplemented at the National Assembly's Resolution No. 51/2001/QH10;*

*The National Assembly promulgates the Law on Roadway Traffic.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope of Regulation**

This Law stipulates rules of roadway traffic, road infrastructure facilities, vehicles and road users in traffic, roadway transportation and state management of roadway traffic.

**Article 2. Subjects of Application**

This Law applies to organizations and individuals that are involved in roadway traffic in the territory of the Socialist Republic of Viet Nam.

**Article 3. Interpretation of Terms**

In this Law, the terms below shall be construed as follows:

1. *Roadways* include road, road bridge, tunnel and ferry landing stage.
2. *Road works* includes road, stopping and parking place on road, traffic light signal, road sign, road marking, marker post, fence, traffic island, dividing strip, milestone, retaining wall, protection wall, water drainage system, vehicle weighing station, toll station, other road facilities and equipment.
3. *Road infrastructure facilities* include road works, vehicle terminal, parking lot, roadside service station and other road facilities along the road to serve traffic, and road right of way.

4. *Land of Road* means land area within **road's right of way** on which road works are constructed and land strips along both sides of a road for management, maintenance and protection of road works.
5. **Road safety corridors** mean land strips along both sides of the land of road, measuring from the outer edge of the land of road outwards, to ensure **roadway traffic** safety.
6. *Carriageway* means portion of a road used by vehicular traffic.
7. *Lane* means a divided longitudinal strip of the carriageway which is wide enough for safe vehicular traffic.
8. *Road dimension limits are rules for* height and width of a road, bridge, ferry landing stage or road tunnel so that vehicles, including loaded cargoes, can safely pass.
9. *Street* means a road inside an urban area, which includes road-bed and pavement.
10. *Dividing strip* is a part of a road that divides the road surface into two opposite directions of traffic or separates the road portion of motor vehicles from that of non-motor vehicles. Dividing strip is classified into fixed and mobile types.
11. *At grade crossing* (below referred to as intersection) means any crossroad between two or more roads that meet on the same level, including the open area formed by such intersection.
12. *Expressway* means a road reserved only for motor vehicles, with median strips separating carriageways for the two opposite directions of traffic, without at grade crossing with any road, furnished with adequate additional equipment and facilities to ensure uninterrupted and safe traffic, reduce travel time and control the number of points at which vehicles exit and enter.
13. *Trunk road* means a road for major traffic in a particular area.
14. *Feeder road* means a road connected to a trunk road.

15. *Priority road* means a road which is sign-posted as the priority road and on which moving vehicles are given way by those approaching from other directions when passing intersections.

16. *Collector road* means a road that links the system of internal roads of an urban area, an industrial park, an economic zone, a residential area, a commercial service area and other roads to a trunk road or a feeder road before connecting to a trunk road.

17. *Road vehicle* means road motor vehicle, and road non-motor vehicle.

18. *Road motor vehicle* (below referred to as motor vehicle) means **motor vehicle**; tractor; trailer or semi-trailer drawn by **motor vehicle** or tractor; two-wheeled motorcycles; three-wheeled motorcycles, moped (including electric moped) and the like.

19. *Road non-motor vehicle* (below referred to as non-motor vehicle) means bicycle (including motor bicycle), cyclo, wheel-chair for the disabled, animal drawn cart and the like.

20. *Special-use vehicle* means construction vehicle, farm vehicle, forestry vehicle and other special-use vehicle used for national defense and security purposes, and which uses the road from time to time.

21. *Vehicle* means road vehicle or special-use vehicle.

22. *Road user* means operator, user of a vehicle in traffic; person shepherding animals and pedestrian on the road.

23. *Operator* means driver of a motor vehicle, rider of non-motor vehicle, operator of special-use vehicle in traffic.

24. *Driver* means operator of a motor vehicle.

25. *Traffic controller* means traffic police or person tasked to direct traffic at a place where road works are under construction, or traffic is congested, at a ferry landing stage and at a road-and-railway bridge.

26. *Passenger* means person carried onboard a road passenger vehicle for which he/she has to pay a fare.

27. *Luggage* means articles a passenger carries along onboard a vehicle or consigned onboard another vehicle.
28. *Cargo* means machine, equipment, material, fuel, consumer goods, live animal and other movable property carried onboard a road vehicle.
29. *Dangerous goods* means goods containing dangerous **substances**, which are carried by road, may harm human life, health, environment, safety and national security.
30. **Roadway transportation** means activities of using road vehicle to carry people and cargo by **roadway**.
31. *Carrier* means an organization or individual using road vehicle to carry out activities of roadway transportation.
32. **Roadway Administrating Agency** means a specialized state management agency under the Ministry of Transport; specialized agencies of People's Committees of provinces and centrally governed cities (below collectively referred to as provincial level), People's Committees of districts, towns and provincial cities (below collectively referred to as district level) and People's Committees of communes and townships (below collectively referred to as commune level).

#### **Article 4. Principle of **roadway traffic** activities**

1. **Roadway traffic** shall be uninterrupted, orderly, safe and effective, contribute to socio-economic development, and ensure national defense, security and environmental protection.
2. Roadway transport shall be developed according to master planning, step by step modernized and synchronized, and well coordinated with other modes of transport.
3. **Roadway transport administrating** shall be executed uniformly on the basis of authorization and decentralization of specific responsibilities and powers, in parallel with close coordination among ministries, agencies and local authorities at all levels.

4. Ensuring **roadway** traffic order and safety is the responsibility of agencies, organizations and individuals.
5. Road users shall consciously and strictly observe traffic rules and ensure safety for themselves and others. Vehicle owners and operators shall take responsibility before law for guarding the safety of their vehicle in traffic.
6. Every act of violating the **roadway traffic** law shall be detected and prevented in time and punished in a strict and lawful manner.

#### **Article 5. Policy on **Roadway transport** development**

1. The State concentrates resources on developing **roadway transport**, giving priority of investment to developing road infrastructure facilities in key economic regions, cities, mountainous and remote areas, border, island and ethnic minority regions; and adopts a policy to mobilize resources for road management and maintenance.
2. The State adopts the policy of prioritizing the development of public passenger transport and restricting the use of personal vehicle in cities.
3. The State encourages and facilitates conditions for Vietnamese and foreign organizations and individuals to invest in and commercially operate road infrastructure facilities and roadway transportation activities, and conduct research, apply advanced science and technology and develop human resources in the field of roadway transport.

#### **Article 6. **Roadway** transport planning**

1. **Roadway** transport planning is a specialized planning, including planning of infrastructure facilities, means of transport and **roadway transportation**.
2. **Roadway** transport planning shall be formulated on the basis of the socio-economic development strategy, ensuring national defense, security and international integration, in conformity with the sector's planning; and closely coordinated with other specialized transport planning.

3. Each roadway transport **planning** shall be formulated for at least 10 years and **shall provide** development orientations for at least 10 subsequent years; and may be adjusted to suit the socio-economic development in each period. Such adjustment shall ensure continued inheritance of the previously approved planning.

An approved **roadway transport planning** shall be publicized for concerned agencies, organizations and individuals to be aware, implement and supervise its implementation.

4. The **roadway transport planning** shall clearly define the objective, point of view, nature and scope of development; define land use needs, funding needs, funding sources and human resources; and define lists of projects and priority projects; evaluate its impacts; and define mechanisms, policies and solutions for its implementation.

5. The **Ministry** of Transport shall formulate national, inter-regional and regional **roadway** transport planning and national highway planning and expressway planning to submit to the Prime Minister for approval, after collecting opinions of concerned ministries, ministerial-level agencies and People's Committees of the **provincial** level on these **planning**.

6. People's Committees of the **p**rovincial level shall formulate and submit to the People's Councils of the same level for approval **roadway transport planning** under its authority, after collecting opinions from the Ministry of Transport.

For a centrally governed city of special grade, the respective People's Committee shall formulate and submit **roadway transport planning** to the People's Council of the same level for adoption, and before submitting such **planning** to the Prime Minister for approval, collect opinions from the Ministry of Transport and the Ministry of Construction.

7. **Planning** of other infrastructure works shall be compatible and synchronous with road infrastructure facility planning.

8. The State guarantees state budget funds and adopts policies to mobilize other funding sources for **roadway transport planning**.

## **Article 7. Awareness-raising, dissemination and education of roadway traffic law**

1. Information and communication agencies shall regularly undertake awareness - raising and dissemination on roadway traffic law among the entire population.
  2. People's Committees at all levels shall, within the scope of their tasks and powers, undertake awareness-raising, dissemination and education on roadway traffic law in their localities and apply suitable forms of awareness-raising and dissemination to ethnic minority people.
  3. State management agencies on education and training shall incorporate the roadway traffic law in the teaching curriculum at school and other educational establishments as suitable to each branch and level of education.
  4. Viet Nam Fatherland Front and its member organizations shall coordinate with concerned agencies and local authorities in communicating and mobilizing the people to observe the roadway traffic law.
  5. Agencies and organizations shall undertake communication and dissemination on roadway traffic law among officials, soldiers, civil servants, public employees and other laborers under their management.
- Family member shall take responsibility for communicating, educating and reminding others to observe the roadway traffic law.

## **Article 8. Prohibited acts**

1. Destroying roads, road bridges, tunnels and ferry landing stages, light signals, marker posts, signs, dome mirrors, dividing strips, water drainage systems and other works and equipment of road infrastructure facilities.
2. Illegally digging, drilling and cutting roads; illegally placing or creating hurdles on roads; placing and spreading sharp objects, pouring lubricating substances on roads; illegally leaving materials, wastes and garbage on roads, illegally opening passages and linking to main roads; illegally encroaching, occupying or using land of roads and road safety corridors; opening manhole

covers without permission, illegally dismantling, removing or falsifying road works.

3. Illegally using road-bed, shoulder and pavement.

4. Operating on the road a motor vehicle or special-use machine which fails to satisfy technical safety and environmental protection standards.

5. Changing the **assemblies**, parts and accessories of a motor vehicle in order to temporarily meet technical standards before taking vehicles for inspection.

6. Taking part in, cheering or organizing illegal racing, driving vehicle recklessly on crowded streets or in zigzags.

7. Operating a road motor vehicle under the influence of a narcotic drug.

8. Operating **motor vehicle**, tractor or special-use vehicle on the road while there is a concentration of alcohol in the operator's blood or breathe.

Operating motorcycle or moped while there is a concentration of alcohol of over 50 milligrams per 100 milliliters of blood or 0.25 milligrams per 1 liter of breathed air.

9. Operating motor vehicle without **driver's license as stipulated**.

Operating special-use vehicle on the road without certificate of operation of special-use vehicle.

10. Allowing one's motor vehicle or special-use vehicle to be used by another person ineligible for operating the vehicle in traffic.

11. Operating motor vehicle at speed beyond the **stipulated** speed limit, illegally lane-encroaching or recklessly overtaking.

12. Honking and opening the throttle continuously: honking during the time from 22:00 hrs to 05:00 hrs, blowing air horn, using headlights in urban and residential areas, except for priority vehicles on duty as **stipulated** by this Law.

13. Fitting and using the horn or light at variance with the manufacturer's design for respective type of motor vehicle; using audible device adversely affecting traffic order and safety and public order.

14. Transporting goods banned from circulation, illegally transporting, or failing to fully observe regulations on carrying dangerous goods or wild animals.

15. Threatening, offending and fighting over passengers; compelling passengers to use services against their will; committing transshipment, dis-embarkment of passengers and other acts to evade detection of the carriage of cargoes or passengers in excess of **stipulated** limits.
16. Operating commercial transportation by **motor vehicle** while failing to meet all business conditions as **stipulated**.
17. Absconding after causing accidents in order to shirk responsibility.
18. Deliberately refusing to rescue victims of traffic accidents when having conditions to do so.
19. Infringing upon the life, health and property of traffic accident victims and causers.
20. Taking advantage of traffic accidents to assault, threaten, incite, pressure or foment disorder or to obstruct the handling of traffic accidents.
21. Abusing one's and other's position, power or profession to breach the **roadway traffic law**.
22. Illegally manufacture, use or trade registration-number plates of motor vehicles and special - use vehicles.
23. Acts of breaching rules of **roadway traffic** and other acts endangering road users and vehicles in traffic.

## *Chapter II*

### **Rules of **Roadway** Traffic**

#### **Article 9. General rules**

1. Road users shall keep to the right in their travel direction, move on the **stipulated** lane or road portion and obey road signal systems.
2. Drivers and persons sitting on the front seats of **motor vehicles** shall fasten safety belts if equipped.

#### **Article 10. Road signal system**

1. The road signal system includes instructions given by traffic controllers; traffic light signals, road signs, road markings, marker posts or protection walls and fences.

2. Instructions given by traffic controllers are **stipulated** as follows:

a) Arm raised upright: this gesture means that road users approaching from any direction shall stop;

b) One or two arms outstretched horizontally to the side: this gesture means that road users in front of or behind the traffic controller shall stop while road users on the right and on the left of the traffic controller may proceed;

c) Right arm outstretched to the front: this gesture means that road users behind and on the right of the traffic controller shall stop while road users in front of the traffic controller may turn right; road users on the left of the traffic controller may proceed in any direction; and pedestrians crossing the road shall walk behind the traffic controller.

3. The traffic light signals are in three colors, each having the following meaning:

a) A green light means proceed;

b) A red light means stop;

c) A yellow light means stop before the stop line, except for road users who have passed the stop line and may keep moving; in case of a flashing yellow light signal, road users may proceed but shall slow down and observe and give way to pedestrians.

4. Road signs are divided into 5 groups, with the meaning of each group as follows;

a) Prohibitive signs indicate prohibitions;

b) Danger warning signs warn of potentially dangerous circumstances;

c) Mandatory signs indicate instructions to be obeyed;

d) Direction signs indicate traffic directions or necessary information;

e) Auxiliary panels additionally explain prohibitive signs, danger warning signs, mandatory signs or direction signs.

5. Road markings indicate the division of lanes, travel positions or directions, stopping positions.
6. Marker posts or protection walls erected at the edge of dangerous road sections notify road users of the safety scope of the road foundation and of the road direction.
7. Fences are erected at places where roads are narrowed, at bridge ends, at culvert ends, at ends of no-entry roads or dead-end roads not open to vehicles and pedestrians, or at places where traffic shall be controlled and supervised.
8. The Minister of Transport shall stipulate specific regulations on road signs.

### **Article 11. Compliance with roadway signals**

1. Road users must comply with instructions and indications of the road signal system.
2. When there is traffic controller, road users must comply with his/her instructions.
3. Where there exist both fixed signs and temporary signs, road users must comply with the instruction conveyed by the temporary sign.
4. At pedestrian crossings, operators must observe, slow down and give way to pedestrians and wheelchairs of the disabled crossing the road.

At places where there is no pedestrian crossing, operators must observe and, if seeing pedestrian or wheelchair of the disabled crossing the road, slow down and give way so that the pedestrian or wheelchair of the disabled may safely cross the road.

### **Article 12. Speed and distance between vehicles**

1. Drivers and operators of special-use vehicles must comply with regulations on the speed limits of vehicle in traffic and keep at a safe distance from the vehicle in front; at places where there is sign indicating the “minimum distance between two vehicles”, then actual distance shall be kept not shorter than indicated.

2. The Minister of Transport shall stipulate regulations on the speed limits and the placement of speed limit signs; and organize the installation/ placement of speed limit signs on national highways.
3. Chairman of People's Committee of the Provincial level shall organize the placement of speed limit signs on locally managed roads.

### **Article 13. Use of lane**

1. On roads with many lanes in the same direction of traffic, distinguished from one another by the dividing marking, an operator shall keep his/her vehicle within one lane and may only change lane at places where permitted; when changing lane, the operator must give signals indicating his/her intention in advance and ensure safety.
2. On one-way roads with dividing marking, non-motor vehicles shall keep to the right lane close to the edge of the road while motor vehicles and special-use vehicles move on the left lanes.
3. Vehicles moving on the road at lower speed shall keep to the right.

### **Article 14. Overtaking**

1. Before overtaking, vehicles shall give signals by means of light or horn; from 22.00 hours to 05.00 hours inclusive in urban and residential areas, only light signals can be used for this purpose.
2. The overtaking vehicle may overtake only where there is no obstacle in front, no oncoming vehicle in the road section intended for overtaking and the vehicle in front has not given signal to overtake another and has moved toward the right side.
3. When there is a vehicle intending to overtake, as long as safety can be assured, the operator of the vehicle in front shall slow down, move closer to the right of the carriageway till the overtaking vehicle has passed, and must not cause any obstruction to the overtaking vehicle.

4. When overtaking, a vehicle shall do so on the left side, except for the following cases where it can overtake on the right side:

- a) When the vehicle in front has given signal to turn left or is turning left;
- b) When a tram is running in the middle of the road;
- c) When special-use vehicle is operating on the road, which makes overtaking on the left impossible.

5. Overtaking is forbidden in the following cases:

- a) The conditions stipulated in Clause 2 of this Article are not met;
- b) On a narrow bridge, while there is only a single lane of vehicular traffic;
- c) On a curve, at the crest of slope and at place with limited visibility;
- d) At intersection or level crossing between road and railway;
- e) When weather conditions or road conditions are not safe for overtaking;
- f) When a priority vehicle is giving a signal of requesting priority.

#### **Article 15. Change of direction**

1. When wishing to change direction, the operator shall slow down and give a signal of the turning direction.

2. While changing direction, the driver or operator of a special-use vehicle shall allow pedestrians and bicycle riders moving on the road sections reserved for them to pass, give way to oncoming vehicles and shall change direction only when seeing that his/her vehicle does not obstruct or endanger people and other vehicles.

3. In residential areas, the driver or operator of special-use vehicle may make U-turns only at intersections and places with a sign permitting U-turns.

4. It is prohibited to make U-turns on road portions reserved for pedestrians to cross, on bridges, at bridge heads, under flyovers, at undergrounds, in road tunnels, on expressways, at level crossings between road and railway, on narrow roads, steep roads and on bends with insufficient visibility.

#### **Article 16. Reversing**

1. When reversing his/her vehicle, the operator shall look to the rear, give necessary signals and may reverse only when there is no danger.
2. It is forbidden to reverse in areas where stopping is prohibited, on road portions reserved for pedestrians to cross, at intersections or level crossings between road and railway, at places with insufficient visibility, in road tunnels or on expressways.

#### **Article 17. Passing oncoming traffic**

1. On a road which is not divided into two separate directions of traffic, when passing an oncoming vehicle, the operator shall slow down and move toward the right along his/her direction of traffic.
2. Cases of giving way when passing an oncoming vehicle:
  - a) At a narrow road section which permits only one vehicle to move and where a layby is available, the vehicle which is closer to the layby shall pull into the layby, allowing the other vehicle to pass;
  - b) The vehicle moving downhill must give way to the vehicle moving uphill to pass;
  - c) The vehicle facing an obstruction ahead must give way for the other vehicle to pass.
3. When passing each other, two motor vehicles moving in the opposite directions may not use high beam of the driving lamp.

#### **Article 18. Stopping and parking on roadways**

1. Stopped vehicle is a vehicle that is temporarily stationary for the time needed to pick up or set down persons or to load or unload goods or to do other things.
2. Parked vehicle is a vehicle that is stationary for an unlimited time.
3. When stopping or parking his/her vehicle on a road, the operator shall comply with the following provisions:
  - a) Signal his/ her intention to drivers or operators of other vehicles;
  - b) Stop or park his/her vehicle at places with wide shoulders or on land plots outside the carriageway; where the shoulders are narrow or not available, stand

or park the vehicle close to the right edge of the carriageway along the direction of traffic;

c) Stop or park the vehicle where stopping and parking lots have been built or designated;

d) After parking the vehicle, the operator may leave the vehicle only after taking safety measures if needed. If the parked vehicle occupies part of the carriageway, the operator shall place danger warning signs in front of and behind the vehicle for operators of other vehicles to notice;

e) Do not to open the door of the vehicle or leave it open or get out of the vehicle when safety conditions are not assured;

f) When stopping the vehicle, do not shut down the engine and do not leave the driving seat;

g) The vehicle parked on a steep road must have its wheels chocked.

4. It is forbidden to stop or park vehicle at the following positions:

a) On the left side of one-way road;

b) On bends and places close to the crests of slopes with insufficient visibility;

c) On bridges, under flyovers;

d) In parallel with another stopped or parked vehicle;

e) On pedestrian crossings;

f) At intersections and within 5 meters from the edge of the intersection;

g) At bus stops;

h) In front of and within 5 meters from both sides of the gates of offices of agencies or organizations;

i) At road sections wide enough for only single lane of vehicular traffic;

j) Within railroad right of way;

k) At places where the vehicle would conceal road signs.

#### **Article 19. Stopping and parking on streets**

When stopping or parking his/her vehicle on street, the operator shall comply with the provisions of Article 18 of this Law and the following provisions:

1. Stop or park the vehicle close to the right kerb or pavement of the street along the direction of traffic, with the distance between the nearest wheel and the kerb or pavement not exceeding 0.25m and without obstructing or endangering traffic. In narrow streets, to stop or park the vehicle at positions at least 20 meters away from the vehicle parked on the other side.
2. Do not stop or park the vehicle on tramways, on manholes of water drainage sewers, or openings of telephone or high voltage electricity trenches or places exclusively reserved for fire fighting vehicles to get water. Do not leave the vehicle on road-bed or pavement in contravention of regulations.

#### **Article 20. Loading of cargo on road vehicle**

1. Cargo loaded on vehicle must be neatly arranged and firmly fastened, must not fall on to the road, and must not be trailed on the road and not affect the driving of the vehicle.
2. Loaded cargo projecting beyond the front or rear of the vehicle must be marked with a red flag by daytime or a red light at night or when it is dark.
3. The Minister of Transport shall stipulate specific regulations on loading of cargo on road vehicle.

#### **Article 21. Carriage of persons on cargo vehicle**

1. Persons may be carried on cargo vehicles only in the following cases:
  - a) Carrying persons to perform tasks of natural disaster prevention and combat or emergency tasks; carrying people's armed force officers and soldiers to perform their duties; carrying victims to hospital;
  - b) Carrying road maintenance and repair workers; carrying learner-drivers on driving-practice vehicles; carrying persons for a procession;
  - c) Evacuating persons out of dangerous areas or in other cases of emergency as stipulated by law.
2. Vehicles carrying persons in the cases stipulated in Clause 1 of this Article must have a fixed compartment, ensuring traffic safety.

#### **Article 22. Priority rights of a number of vehicles**

1. The following vehicles have the priority right to go before other vehicles when passing intersections from any direction of traffic in the following order:

- a) Fire fighting vehicles on duty;
- b) Military and police vehicles on urgent duty; motorcades led by police guiding vehicles;
- c) Ambulances on duty;
- d) Dyke watch vehicles, vehicles employed in overcoming natural disasters or epidemics or in a state of emergency as stipulated by law;
- e) Funeral procession vehicles.

2. Vehicles specified at Points a, b, c and d of Clause 1, this Article, when traveling on duty, shall give signals by means of horn, banner and light according to regulations; are not restricted in speed; may enter one-way roads from the opposite direction and other roads open to traffic even go through the red light, and must only follow the instructions of traffic controllers.

The Government shall stipulate specific regulations on signals of priority vehicles.

3. When recognizing the signals of priority vehicles, road users shall promptly slow down, give way or pull into the right edge of the carriageway to give way. Road users must not obstruct priority vehicles.

### **Article 23. Crossing by ferry boat and pontoon bridge**

1. When reaching a ferry landing stage or pontoon bridge, vehicles must line up at the stipulated place without obstructing traffic.

2. When a vehicle embarks, is on board and disembarks a ferry boat, all passengers shall alight from the vehicle, except operators of motor vehicles or special-use vehicles, sick people, old people and disabled people.

3. Motor vehicles and special-use vehicles will be the first to embark a ferry boat, followed by non-motor vehicles and pedestrians; when disembarking a ferry boat, pedestrians will disembark first, then vehicles under the guidance of a traffic controller.

4. Priority order for crossing by ferry boat or pontoon bridge is stipulated as follows:

- a) Priority vehicles specified in Clause 1, Article 22 of this Law;
- b) Mail carrying vehicles;
- c) Fresh and raw foodstuff carrying vehicles;
- d) Public passenger cars.

When many priority vehicles of the same kind concurrently arrive at a ferry landing stage or pontoon bridge, the vehicle which arrives first is entitled to cross first.

#### **Article 24. Giving way at intersections**

When approaching an intersection, the operator of vehicle shall slow down and give way according to the following provisions:

1. At intersections without signals or to move around a roundabout, must give way to vehicles approaching from the right;
2. At intersections with signals to move around the roundabout, must give way to vehicles approaching from the left;
3. At intersections between a priority road and a non-priority road or between a feeder road and a main road, the vehicle coming from the non-priority road or the feeder road, must give way to the vehicle moving on the priority road or the main road from any direction of traffic.

#### **Article 25. Traveling on level-crossings between roads and railway or on road-and-railway bridges**

1. At a level crossing between road and railway or road-and-railway bridge, the rail-borne vehicle has the priority right to go first.
2. At a level crossing between road and railway, which is equipped with light signal, barrier and signaling bell, when the red light is on, signaling bell rings or the barrier is moving or closed, road users must stop on their road portion at a safe distance from the barrier; road users may cross only when the red light is off, the barrier is fully opened and the signaling bell stops ringing.

3. At a level crossing between road and railway, which is equipped with light signal or signaling bell only, when the red light is on or signaling bell rings, road users must stop at a distance of at least 5 meters from the closest rail track; road users may cross only when red light is off or the signaling bell stops ringing.

4. At a level crossing between road and railway, which is equipped with neither light signal nor barrier nor signaling bell, road users shall look both sides and cross only if they ascertain that no rail-borne vehicle is approaching; if rail-borne vehicle is seen to be approaching, road users must stop at a distance of at least 5 meters from the closest rail track and may cross only when the rail-borne vehicle has passed.

5. When a vehicle breaks down at level crossing between road and railway or within the railway's right of way, the operator must as fast as possible place signals on the railroad at least 500 meters on both sides of the vehicle and make efforts to report such situation to the nearest railway or station manager and at the same time, take every measure to move the vehicle off the railway's right of way as soon as possible.

6. Those who are present at the place where vehicle breaks down at level crossing between road and railway have the duty to help the operator move the vehicle off the railway's right of way.

#### **Article 26. Traffic on expressways**

1. Drivers or operators of special-use vehicles traveling on expressways, apart from complying with traffic rules stipulated in this Law, shall also observe the following provisions:

a) When entering an expressway, give signals indicating the intention to do so and give way to vehicles moving on the expressway. Only when making sure that it is safe can a vehicle join in the traffic on the lane closest to the edge of the expressway. If there is an acceleration lane, they shall use it before moving into the expressway lane;

b) When exiting expressway, shall move gradually to the right lane, if there is a deceleration lane, they shall enter such lane before leaving the expressway;

- c) Do not move on the emergency stop lane or the shoulder;
  - d) Do not move beyond the maximum speed and below the minimum speed, which are indicated on the road signs or on painted road markings.
2. Drivers or operators of special-use vehicles shall keep at a safe distance from one another as indicated on the road signs.
  3. Stop or park vehicles only at **stipulated** places. Where they are compelled to stop or park their vehicles outside the **stipulated** places, the operator shall move his/her vehicle off the carriageway. If unable to do so, he/she shall give signals to the operators of other vehicles.
  4. Pedestrians, non-motor vehicles, motorcycles, mopeds and tractors; and special-use vehicles with design speed of less than 70 km/h must not enter an expressway, unless they are persons, vehicles and equipment used for expressway management and maintenance.

#### **Article 27. Traffic in road tunnels**

Operators of vehicles traveling in road tunnels, apart from complying with traffic rules **stipulated** in this Law, shall also observe the following provisions:

1. Motor vehicles and special-use vehicles, must switch on their lamps; non-motor vehicles must switch on their lamps or carry luminous signal devices;
2. **Only stop** or park vehicles at **stipulated** places.

#### **Article 28. Load and dimension limit of roads**

1. Operators shall comply with regulations on load and dimension limits **of roadway** and be subjected to the control by competent agencies.
2. In special cases, vehicles which are overloaded or oversized beyond the limits of roads and caterpillar-tracked vehicles, **damaging** road surface, may operate on the roads provided that they obtain permits by **road administrating agencies**, and shall carry out compulsory measures to protect roads and ensure traffic safety.
3. The Minister of Transport shall **stipulate** regulations on the load and dimension limits of **roadway**, publicize the load and dimension limits of national

highways; stipulate the procedure for granting permits for overloaded and oversized vehicles and road surface damaging caterpillar-tracked vehicles.

4. Chairman of People's Committee of the provincial level shall publicize the load and dimension limits of locally managed roads.

#### **Article 29. Vehicles pulling vehicles or trailers**

1. An motor vehicle may only pull another motor vehicle or special-use vehicle when the latter cannot move on its own and must comply with the following provisions:

a) The pulled motor vehicle must have an operator and its steering system must still be active;

b) The coupling between pulling vehicle and pulled vehicle must be secure and safe; if the brake system of the pulled vehicle is no longer active, the pulling vehicle and the pulled vehicle must be coupled by a hard rod;

c) There must be signs in the front of the pulling vehicle and at the rear of the pulled vehicle.

2. Vehicle pulling a trailer must have its total mass higher than that of the trailer or must have a brake system effective for the trailer.

3. The following acts are prohibited:

a) Vehicle pulling a trailer or semi trailer that is coupled with another trailer or vehicle;

b) Carrying people on the pulled vehicle;

c) Pulling non-motor vehicle or motorcycle or moped.

#### **Article 30. Operators and passengers on motorcycles and mopeds**

1. The operator of a motorcycle or moped may carry only one person, except for the following cases in which carrying two persons at most is permitted.

a) Carrying sick person for emergency medical treatment;

b) Escorting a person who has committed an illegal act;

c) Carrying children under 14 years of age.

2. The operator and passenger of motorcycle, three-wheeled motor vehicle or moped shall wear safety helmets and properly fasten their chin straps.

3. Operator of motorcycle, three-wheeled motor vehicle or moped are prohibited from:

- a) Traveling abreast;
- b) Traveling in road portions reserved for pedestrians and other vehicles;
- c) Using umbrellas, mobile phones and audible devices, except hearing aids;
- d) Pulling and pushing other vehicles or objects and carrying bulky objects;
- e) Operating the vehicle without holding the handle-bars or on one wheel for two-wheeled vehicles, or on two wheels for three-wheeled vehicles;
- f) Other acts adversely affecting traffic order and safety.

4. Passengers on motorcycles, three-wheeled motor vehicles or mopeds while in traffic are prohibited from:

- a) Carrying bulky objects;
- b) Using umbrellas;
- c) Clinging to, pulling or pushing other vehicles;
- d) Standing on the saddle or pillion, or sitting on the handle-bars;
- e) Other acts adversely affecting traffic order and safety.

### **Article 31. Operators and passengers on bicycles, operators of other non-motor vehicles**

1. Bicycle operators may carry only one person or in case carrying two persons of which one child under 7 years of age.

Bicycle operators shall comply with the provisions of Clause 3, Article 30 of this Law; passengers on bicycles traveling on the roads shall comply with the provisions of Clause 4, Article 30 of this Law.

2. Operators and passengers on mopeds must wear safety helmets and properly fasten their chin straps.

3. Operators of other non-motor vehicles may not travel two or more abreast, shall travel on the lane reserved for non-motor vehicles, if such lane is available;

when traveling at night, these vehicles must have signals in their front and at rear. Operators of animal drawn carts shall take measures to ensure public sanitation.

4. Goods loaded on non-motor vehicles must ensure safety, without obstructing traffic and the operator's view.

### **Article 32. Pedestrians**

1. Pedestrians shall use pavements or shoulders; where pavements and shoulders are not available, pedestrians shall walk close to the edge of road.

2. Pedestrians must cross road at places where there are light signals, road markings or flyovers or tunnels reserved for pedestrians where these are provided and shall comply with the instruction of signals.

3. At places where light signals, road markings, flyovers or tunnels reserved for pedestrians are not available, pedestrians, before crossing road, shall watch approaching vehicles, may only cross the road when it is safe and shall take responsibility to ensure safe crossing.

4. Pedestrians **must** not walk over the dividing strip and cling on moving vehicles; if carrying bulky objects, they shall ensure safety and no obstruction to road users and vehicles while in traffic.

5. Children under 7 years of age, when crossing urban street or road with regular motor-vehicular traffic, must be led by adults; everyone has the duty to help children under 7 years of age cross roads.

### **Article 33. Disabled, elderly road-users**

1. Disabled persons traveling in wheelchairs propelled by them may travel on pavements and marking areas reserved for pedestrians.

2. Visually handicapped persons, when traveling on roads, must be led by other persons or have a device to signal other persons that they are visually handicapped.

3. Everyone has the duty to assist disabled persons and old persons in crossing roads.

#### **Article 34. Persons guiding animals on roads**

1. Persons guiding animals on roads shall keep them close to the edge of the carriageway and ensure road sanitation; if they need to lead the animals to cross road, shall watch out traffic and may only guide them cross the road when it is safe.

2. It is forbidden to guide animals go on road portions reserved for motor vehicles.

#### **Article 35. Other activities on roadway**

1. The organization of cultural and sport activities, processions, festivals on road must comply with the following provisions:

a) Agencies or organizations wishing to use roads for cultural and sport activities, processions or festivals shall obtain written agreement of competent road administrating agencies on traffic assurance plans before applying for permits to organize these activities in accordance with law.

b) When necessary to restrict traffic on or close road, the road administrating agency shall issue announcements on traffic directions; agencies or organizations mentioned at Point a, Clause 1 of this Article shall publish these announcements on public media and take measures to ensure order and safety for road users and vehicles in traffic.

c) The People's Committees of localities, where cultural and sport activities, processions or festivals are organized, shall take responsibility to direct local authorities on traffic direction and ensure traffic in areas where these activities are taken place.

2. The following acts are prohibited:

a) Holding markets, buying and selling goods on road;

b) Illegally gathering people on road;

- c) Leaving animals unattended on road;
- d) Drying paddy, rice stock and straw, agricultural products and other objects on road;
- e) Placing advertisement billboards on land of road;
- f) Installing boards, advertisement billboards or other equipment distracting road user attention to, and misleading the meanings of road signs, or obstructing the road users;
- g) Concealing road signs and traffic light signals;
- h) Using skateboards or roller-skates or similar equipment on the carriageways;
- i) Other acts obstructing traffic.

### **Article 36. Use of street and other activities on street**

1. Road-beds and pavements are used only for traffic purposes;
2. Other activities on street must comply with Clause 1. Article 35 of this Law; in special cases, temporary use of part of road-beds and pavements for other purposes, is subject to regulations of provincial level People's Committees and must not affect traffic order and safety.
3. The following acts are prohibited:
  - a) Acts specified in Clause 2, Article 35 of this Law;
  - b) Dumping garbage or wastes other than at stipulated places;
  - c) Illegally building or placing a platform or stage on a street.

### **Article 37. Organization of traffic and controlling of traffic**

1. Organization of traffic covers the following contents:
  - a) Dividing lanes, flows and routes and prescribing traffic opening time for road users and vehicles.
  - b) Stipulating no-entry road sections, one-way roads, no stopping, no parking and no U-turns; installing road signs;

c) Announcing changes in flow or route diversion; temporary or permanent road closures; taking measures in response to incidents and other roadway traffic measures to ensure uninterrupted and safe traffic.

2. Responsibility to organize traffic is stipulated as follows:

a) The Minister of Transport shall be responsible for organizing traffic on the national highway system;

b) Chairman of People's Committee of provincial-level shall be responsible for organizing traffic on the road systems under their management.

3. Traffic police's responsibility to direct traffic is stipulated as follows:

a) To instruct and control traffic on roadway; guide or oblige road users to observe traffic rules;

b) Upon the circumstance which causes traffic jams or other necessary requirements, to ensure security and order, has the right to temporary suspend traffic on certain road sections, re-arrange traffic flows or routes and temporary stopping and parking places.

### **Article 38. Responsibility of individuals, agencies and organizations when traffic accidents occur**

1. Operators and persons directly involved in traffic accidents shall:

a) Immediately stop their vehicles; keep unchanged the conditions at the site of the accident; give first aid to the victims and show up at the request of competent agencies;

b) Remain on the scene of the accident until the arrival of the police, except for cases in which the operator has also been injured and must be carried for emergency medical treatment or has to carry the victim for emergency medical treatment or his/her life is threatened, but shall later report himself/herself to the nearest police office;

c) Provide true information on the accident to competent agencies.

2. Persons present at the place where an accident occurs have the following responsibilities:

- a) Protect the scene;
- b) Provide timely assistance and medical treatment to the victims;
- c) Immediately report to the nearest police office, health agency or People's Committee;
- d) Protect the victims' property;
- e) Provide true information on the accident at the request of competent agencies.

3. Operator of other vehicles when passing the places of accidents, has the responsibility to carry the victims to emergency medical treatment. Priority vehicles and vehicles carrying persons entitled to diplomatic privileges and immunities are not compelled to comply with this Clause.

4. Upon receiving a report on an accident, the police office shall promptly send police officers to the scene to investigate the accident and collaborate with the road administrating agencies and People's Committee of localities to ensure uninterrupted and safe traffic.

5. The People's Committee of the commune level where an accident occurs shall promptly inform the police office and health agency of the accident for handling the accident; organize the treatment and assistance of the victims, protect the scene and the victims property; in case the victim dies and his/her identity is unknown or he/she has no relatives or his/her relatives cannot afford his/her burial, after competent agencies have completed all works as stipulated by law and permitted the burial, the People's Committee of the commune level shall take responsibility for the burial.

For an accident falling beyond its ability, the People's Committee of the commune level shall report the accident to People's Committees of the higher-level.

6. The Ministry of Public Security shall make statistics, sum up and develop a database on roadway traffic accidents and provide it to agencies, organizations and individuals in accordance with law.