

**THE PRESIDENT**

**No. 05/2024/L-CTN**

**THE SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

*Hanoi, July 2, 2024*

**ORDER**

**On the promulgation of Law**

THE PRESIDENT OF THE SOCIALIST REPUBLIC OF VIETNAM

*Pursuant to Articles 88 and 91 of the Constitution of the Socialist Republic of Vietnam;*

*Pursuant to Article 80 of the Law on Promulgation of Legal Documents,*

PROMULGATES:

**The Law on Road Traffic Order and Safety,**

which was passed on June 27, 2024, by the 15<sup>th</sup> National Assembly of the Socialist Republic of Vietnam at its 7<sup>th</sup> session.

*President of the Socialist Republic of Vietnam*

**TO LAM**

**LAW**  
**on Road Traffic Order and Safety<sup>1</sup>**

*Pursuant to the Constitution of the Socialist Republic of Vietnam;*

*The National Assembly promulgates the Law on Road Traffic Order and Safety.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1.** Scope of regulation

This Law provides road traffic rules, road vehicles, road users, road traffic-related command, control, patrol and supervision, settlement of road traffic accidents, state management responsibility and responsibilities of agencies, organizations and individuals involved in road traffic order and safety.

**Article 2.** Interpretation of terms

1. *Road traffic order and safety* means the orderly, safe and uninterrupted state of traffic on the road that is formed and regulated by rules, principles and legal norms in the field of road traffic.

2. *Road vehicles* means vehicles of different types, including: road motor vehicles (below referred to as motor vehicles), road rudimentary vehicles (below referred to as rudimentary vehicles), special-purpose vehicles, and similar vehicles.

3. *Vehicles operating on the road* means road vehicles operating on the road.

4. *Priority road* means a road on which vehicles have the right of way at intersections over vehicles moving from other directions, and on which priority road signs are planted.

5. *Carriageway* means the part of a road intended for traffic by road vehicles.

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<sup>1</sup> Công Báo Nos 977-978 (24/8/2024)

6. *Lane* means the lengthwise divided part of a carriageway that is wide enough to ensure safe traffic of vehicles.

7. *Vehicle renovation* (below referred to as renovation) means making of changes in the characteristics of a vehicle for which the vehicle registration certificate and number plate have been issued or of an imported used vehicle, leading to a change in vehicle type as prescribed by a competent agency.

8. *Road users* include operators of and persons carried on vehicles operating on the road; drovers of livestock on the road; and pedestrians.

9. *Operators of vehicles on the road* include operators of motor vehicles (below referred to as drivers), operators of rudimentary vehicles, and operators of special-purpose vehicles.

10. *Road traffic guards* (below referred to as traffic guards) include traffic police officers and persons assigned to give traffic instructions on the road.

11. *Road traffic congestion* (below referred to as traffic congestion) means a state in which persons and vehicles operating on the road suffer queuing, and can move at a very slow speed or cannot move.

12. *Road traffic accident* means a collision involving person(s) and/or vehicle(s) operating on the road, that occurs against the will of road user(s), causing damage to the life, health or assets of individual(s) or assets of agency(ies) or organization(s).

13. *Child safety device* means a device capable of ensuring the safety of a child sitting or lying in a car that is designed to reduce the risk of causing injury to the user in the event of collision or the car's sudden slowdown, by restricting the movement of the child's body.

14. *Intelligent equipment for road traffic command and control* means technical and technological equipment capable of detecting, analyzing and evaluating road traffic situations and violations on the road that is used by functional forces to support road traffic command and control, solve situations and handle violations on the road.

### **Article 3.** Principles of road traffic order and safety assurance

1. Ensuring compliance with the Constitution and law of Vietnam and treaties to which the Socialist Republic of Vietnam is a contracting party.

2. Ensuring orderly, safe and uninterrupted road traffic, contributing to the socio-economic development, national defense and security assurance, and environmental protection; and helping prevent violations of the law on road traffic

order and safety, road traffic accidents and traffic congestion; and protect the life, health and assets of individuals and assets of agencies and organizations.

3. Ensuring road traffic order and safety is the responsibility of agencies, organizations and individuals.

4. Road users shall comply with the law on road traffic order and safety and other relevant laws, and keep themselves and others safe.

5. Any acts of violating the law on road traffic order and safety shall be promptly detected and stopped and strictly handled in accordance with law.

6. Road traffic order and safety assurance activities must be public, transparent and convenient for the people.

7. The work of road traffic order and safety assurance shall be uniformly carried out on the basis of task assignment and power decentralization in conformity with the functions and tasks of, and assurance of close coordination among, related agencies, organizations and individuals.

**Article 4.** The State's policies on road traffic order and safety

1. To ensure state budget funds, physical foundations, modern means and equipment, and conditions for performing duties and improving the performance capacity of the forces directly engaged in road traffic order and safety assurance; to mobilize and use different resources to ensure road traffic order and safety; to provide allocations in proportion to revenues from fines for administrative violations of road traffic order and safety and proceeds from the auction of number plates that are left after remitted into the state budget in order to consolidate and modernize physical foundations, means and equipment, serving security and traffic order and safety assurance in accordance with the Government's regulations.

2. To modernize traffic command centers; to ensure the connection and sharing of databases on road traffic order and safety among related state agencies.

3. To create conditions for domestic and foreign agencies, organizations and individuals to research, apply and transfer science and technology in the work of road traffic order and safety assurance, and invest, build and transfer surveillance systems, means and equipment serving road traffic order and safety assurance; to promote voluntary coordination of agencies, organizations and individuals in road traffic order and safety assurance in accordance with law, provision of information and documents for road traffic order and safety assurance, and handling of violations of the law on traffic order and safety.

4. To ensure fairness, equality and safety for road users; to create favorable conditions for children, pregnant women, old and weak people and people with disabilities operating on the road; to build traffic culture; to educate, disseminate and improve legal knowledge about road traffic for children and students to form and raise their sense of self-protection and self-consciousness in compliance with law when operating on the road.

5. Agencies, organizations and individuals engaged in coordinating and collaborating with, and supporting and assisting state agencies in performing the task of road traffic order and safety assurance which record achievements shall be commended, and will be entitled to compensation if suffering property damage; those suffering honor or dignity harm will be entitled to have their honor or dignity restored; for those suffering injury or health/life harm, they or their families will be entitled to the law-specified regimes and policies.

6. To develop road vehicles in sync with road infrastructure development, socio-economic conditions and the people's travel needs; to import, manufacture and assemble road vehicles up to technical safety quality and environmental protection requirements in line with the global trend of technological development for vehicles; to prioritize the development of mass transit vehicles, and limit the number of personal vehicles in large urban areas; to prioritize the conversion of fossil fuel-powered vehicles into vehicles using electricity, green energy, and environmentally friendly energy, with clean energy supply infrastructure.

**Article 5.** Public communication about the law on road traffic order and safety

1. To carry out public communication about the law on road traffic order and safety in a regular and widespread manner as suitable to all strata of the people and foreigners in the territory of the Socialist Republic of Vietnam.

2. State management agencies in charge of road traffic order and safety shall assume the prime responsibility for, and coordinate with related agencies, organizations and individuals in, carrying out public communication about the law on road traffic order and safety.

3. Information and communication agencies shall organize public communication about the law on road traffic order and safety in the mass media.

4. The Vietnam Fatherland Front and its member organizations shall coordinate with concerned agencies and local administrations in carrying out public communication about, and mobilizing the people to implement, the law on road traffic order and safety.

5. Ministries, ministerial-level agencies and People's Committees at all levels shall, within the ambit of their tasks and powers, organize public communication about the law on road traffic order and safety in forms suitable to different target subjects.

6. The people's armed forces units, agencies, organizations and education institutions shall organize public communication about the law on road traffic order and safety for the subjects under their management.

7. Family members shall mobilize and remind other members to abide by the law on road traffic order and safety, use safety belts and child safety seats or arrange adults sitting behind with children when carrying children under 6 years of age on mopeds or motorcycles.

**Article 6.** Education about legal knowledge about road traffic order and safety

1. To provide children of early childhood education institutions and students of general education institutions and vocational education institutions with education about legal knowledge about road traffic order and safety.

2. The traffic police force shall assume the prime responsibility for, and coordinate with the agencies managing upper secondary schools and vocational education institutions in, providing guidance on safe motorcycle riding skills for students at such schools and education institutions.

3. The Ministry of Education and Training and Ministry of Labor, Invalids and Social Affairs shall, within the ambit of their tasks and powers, assume the prime responsibility for, and coordinate with the Ministry of Public Security and related ministries and ministerial-level agencies in, developing, incorporating and integrating legal knowledge about road traffic order and safety in curricula of early childhood education institutions, general education institutions and vocational education institutions as suitable to different training levels and disciplines.

**Article 7.** Databases on road traffic order and safety

1. Databases on road traffic order and safety include:

a/ Database on registration and management of motor vehicles and special-purpose vehicles;

b/ Database on registration and inspection of motor vehicles and special-purpose vehicles;

- c/ Database on training and testing of drivers and issuance of driver's licenses and certificates of road traffic law knowledge;
- d/ Database on operators of motor vehicles and special-purpose vehicles;
- dd/ Database on insurance for owners of motor vehicles and special-purpose vehicles;
- e/ Database on handling of administrative violations related to road traffic order and safety;
- g/ Database on road traffic accidents;
- h/ Database on itinerary of road vehicles and images of drivers in accordance with this Law;
- i/ Database on management of vehicle operation time of drivers in accordance with this Law;
- k/ Other databases related to the work of road traffic order and safety assurance.

2. Databases on road traffic order and safety are shared-use databases that are connected and shared with the National Population Database, the Road Database and other relevant databases.

3. The Government shall detail Clauses 1 and 2 of this Article; and provide the collection, management and exploitation of information on databases on road traffic order and safety.

#### **Article 8.** International cooperation on road traffic order and safety

1. To carry out international cooperation on road traffic order and safety on the basis of ensuring compliance with Vietnam's law and relevant treaties to which the Socialist Republic of Vietnam is a contracting party; respecting the fundamental principles of international law; ensuring independence, sovereignty, unity and territorial integrity of the Fatherland; and protecting the interests of the State and lawful rights and interests of organizations and individuals.

2. Contents of international cooperation on road traffic order and safety:

a/ Concluding treaties and international agreements on road traffic order and safety;

b/ Exchanging information and transferring technologies related to road traffic order and safety;

c/ Carrying out training, coaching and capacity building for the forces engaged in road traffic order and safety assurance;

d/ Enhancing physical conditions to ensure road traffic order and safety;

dd/ Remediating road traffic accidents;

e/ Performing other contents of international cooperation in accordance with Vietnam's law and relevant treaties to which the Socialist Republic of Vietnam is a contracting party.

3. The Ministry of Public Security shall assume the prime responsibility for, and coordinate with related ministries and sectors in, assisting the Government in negotiating and concluding treaties and international agreements, or proposing competent authorities to conclude treaties and international agreements, on road traffic order and safety; and assume the prime responsibility for, and coordinate with related ministries and sectors in, carrying out international cooperation on road traffic order and safety.

#### **Article 9. Prohibited acts**

1. Operating motor vehicles on the road without driver's licenses as required by law; operating special-purpose vehicles on the road without driver's licenses or certificates of road traffic law knowledge, or licenses or certificates of operation of special-purpose vehicles.

2. Operating vehicles on the road with an alcohol content in drivers' blood or breath.

3. Operating vehicles on the road with law-banned narcotic substances or other stimulants in drivers' body.

4. Insulting, threatening, obstructing, opposing, or failing to obey commands, instructions, or inspection and control requests concerning road traffic order and safety assurance of, officers on official duty.

5. Racing, organizing racing, or instigating, assisting or encouraging illegal racing; operating vehicles on the road in zigzags with a continuous roaring noise.

6. Holding in hands and using phones or other electronic devices while operating vehicles on the road.

7. Letting unqualified persons operate motor vehicles or special-purpose vehicles on the road.

8. Putting motor vehicles or special-purpose vehicles that do not meet the law-specified technical safety quality and environmental protection requirements or other vehicles that do not fully meet the law-specified conditions in road traffic.

9. Importing, manufacturing or assembling motor vehicles or special-purpose vehicles that do not meet the law-specified technical safety quality and environmental protection requirements.

10. Renovating automobiles of other types into passenger cars, unless such renovation is for national defense and security purposes.

11. Illegally renovating; making deliberate interventions to falsify indexes on odometers; illegally cutting off, welding, erasing, chiseling or re-mounting frame numbers or engine numbers of motor vehicles or special-purpose vehicles.

12. Deliberately intervening with or altering control software of vehicles or vehicle engines already registered with management authorities for the purpose of changing testing or inspection results; renting or borrowing spare parts of motor vehicles only to carry out the inspection.

13. Carrying cargo in excess of the total volume, axle load or permissible size of vehicles or in excess of the permissible load and size limit of roads without being licensed by management authorities or while failing to meet the requirements specified in this Law; carrying cargo on vehicles that are subject to tying requirements but not tied or that are tied in contravention of law; carrying passengers in excess of the law-specified number of passengers.

14. Transporting goods banned from circulation; illegally transporting, or failing to fully comply with the regulations on transportation of, dangerous goods and wild animals.

15. Threatening, insulting, scrambling for or enticing passengers; threatening or coercing passengers to use services against their will; transshipping or disembarking passengers or committing other acts to avoid being detected that vehicles are overloaded or carry passengers in excess of the law-specified number of passengers.

16. Mounting or using inappropriate audio and lighting devices on motor vehicles or special-purpose vehicles, affecting road traffic order and safety.

17. Illegally producing, using, buying and selling number plates; operating motor vehicles or special-purpose vehicles mounted with number plates not issued by competent state agencies, or mounting number plates not in designated positions; bending or concealing number plates; altering letters, numbers, colors, shapes or sizes of number plates.

18. Interrupting operation or falsifying data of vehicle tracking devices or cameras mounted on vehicles as specified in this Law.

19. Destroying, damaging or invalidating road traffic control and surveillance devices and intelligent equipment for road traffic command and control.

20. Illegally placing hurdles or other impediments on the road; spreading sharp objects or pouring lubricants on the road; spilling dirt, stones, goods, construction materials or scraps onto the road; dumping, discharging or spilling chemicals or wastes on the road, thus affecting road traffic safety.

21. Obstructing people and vehicles operating on the road; throwing bricks, dirt, stones, sand or other objects at people and vehicles operating on the road.

22. Abusing or taking advantage of performing the duty of road traffic order and safety assurance to commit violations, cause harassments or infringe upon interests of the State or lawful rights and interests of organizations and individuals.

23. Abusing positions, powers and professions of one's own or others to violate the law on road traffic order and safety or to interfere with the handling of violations of the law on road traffic order and safety.

24. Using the rights of priority vehicles that are not on official duty as provided by law; mounting or using priority signal transmitters in contravention of law.

25. Failing to declare, making false declarations or providing untruthful information and documents in order to shirk responsibility when being detected to have violated the law on road traffic order and safety.

26. Fleeing after causing road traffic accidents in order to shirk responsibility; deliberately refusing to help people suffering road traffic accidents though having conditions to do so; infringing upon the life, health or assets of victims, accident causers or persons who help, treat or take the victims to emergency centers; taking advantage of road traffic accidents to assault, threaten, incite, exert pressure, cause disorder, or obstructing the remediation of road traffic accidents.

27. Operating flying objects, unmanned aircraft or ultralight aircraft within the road's size limits, thus obstructing or posing a risk of making the traffic unsafe for, people and vehicles operating on the road, except for licensed unmanned aircraft and ultralight aircraft.

28. Other acts of violating road traffic rules specified in Chapter II of this Law.

Chapter II  
ROAD TRAFFIC RULES

**Article 10.** General rules

1. Road users shall move on the right side in their direction of traffic, follow the designated lanes and road sections, and obey road signs and signals and other road traffic rules.

2. Drivers of and persons carried on cars operating on the road must fasten seat belts, if available.

3. When carrying children under 10 years of age and under 1.35 meters in height on a car, it is not allowed to let such a child sit in the same row as the driver's, except cars with only one row of seats; drivers shall use, and instruct the use of, safety devices suitable for children.

**Article 11.** Obeying road signs and signals

1. Road signs and signals include: commands of traffic guards; traffic light signals; road signs; road markings, and other signs on the road surface; delineator posts, protective walls, barriers, reflective nails, reflective posts, kilometer markers, and H beams; and audible signaling devices.

2. Road users shall obey road signs and signals in the following order of priority:

a/ Commands of traffic guards;

b/ Traffic light signals;

c/ Road signs;

d/ Road markings and other signs on the road surface;

dd/ Delineator posts, protective walls, barriers, reflective nails, reflective posts, kilometer markers, and H beams;

e/ Audible signaling devices.

3. Commands of a traffic guard:

a/ The right arm raised upright is to stop road users in all directions;

b/ Both arms or either arm outstretched horizontally is to stop road users in front of and behind the traffic guard; and allow road users on the right and the left of the traffic guard to proceed;

c/ The right arm raised forward is to stop road users behind and on the right of the traffic guard; allow road users in front of the traffic guard to turn

right; allow road users on the left of the traffic guard to proceed in all directions; and require pedestrians to walk behind the traffic guard.

4. Traffic light signals have 3 colors: green, amber and red, with or without time display. Road users shall comply with traffic light signals as follows:

a/ The green light signal means proceed; in case pedestrians or wheelchairs of people with disabilities are moving on the roadway, operators of vehicles on the road shall slow down or stop to give way to pedestrians or wheelchairs of people with disabilities to cross the road;

b/ The amber light signal means stop behind the stop line; in case a road user is moving on the stop line or has passed the stop line while the amber light signal is turned on, he/she may keep moving; in case the amber light signal is flashing, operators of vehicles on the road are allowed to proceed but must observe the surroundings, and slow down or stop to give way to pedestrians and wheelchairs of people with disabilities to cross the road or to other vehicles;

c/ The red light signal means stop.

5. Signals of road signs:

a/ Prohibitory traffic signs are to indicate prohibitions;

b/ Warning traffic signs are to warn possible dangerous circumstances;

c/ Mandatory traffic signs are to indicate commands to be obeyed;

d/ Indication traffic signs are to provide traffic directions or necessary information;

dd/ Additional panels are to give supplementary commentaries for prohibitory traffic signs, warning traffic signs, mandatory traffic signs and indication traffic signs.

6. Road marking is a line indicating the division of lanes, positions or directions, and stop positions.

7. Delineator posts and protective walls are to notify road users of the safety scope of the road's embankments and cuttings and the road's directions.

8. Barriers are to prevent people and vehicles from passing.

9. Reflective nails and reflective posts are to give information and warnings about road sections and lanes.

10. Kilometer markers and H beams are to provide road information to road users.

11. Audible signaling devices are to give hazard warnings to road users.

12. In case both a fixed sign and a temporary sign are placed in the same position, and these two signs have different meanings, road users shall obey the command shown in the temporary sign.

13. The Minister of Transport shall promulgate the national technical regulation on road signs and signals, except commands of traffic guards.

14. The Minister of Public Security shall detail Clause 3 of this Article.

**Article 12.** Regulations on speed and distance between vehicles

1. Drivers and operators of special-purpose vehicles shall comply with regulations on speed and minimum safety distance between their vehicles and vehicles in front of them moving in the same lane or road section.

2. Operators of vehicles on the road shall ensure vehicle speeds suitable to the conditions of bridges and roads, traffic density, terrain, weather and other influencing factors in order to ensure safety.

3. Operators of vehicles on the road must observe the surroundings, and slow down or stop to ensure safety in the following cases:

a/ At places where there are road markings or other signs and signals for pedestrians or at places where pedestrians or wheelchairs of people with disabilities are crossing the road;

b/ At places where there are warning traffic signs or hurdles on the road;

c/ When they change the direction of their vehicles or suffer a limited visibility;

d/ At road intersections or road-railway intersections; on narrow roads, detours, winding roads, passes or slopes;

dd/ On bridges, narrow culverts, spillways, underground roads, tunnels, and road tunnels;

e/ In areas having schools, hospitals, bus terminals or public works that are crowded with people, populous areas, marketplaces, areas under construction on the road, or scenes of road traffic accidents;

g/ When livestock is moving on the road or being grazed on the roadside;

h/ When they pass oncoming traffic or allow overtaking; when the vehicle moving ahead in the same direction of traffic sends out a direction-change signal or an emergency signal;

i/ At roadside stops and parking places with passengers embarking onto and disembarking buses;

k/ Encountering vehicles transporting oversized/overweight cargoes or dangerous cargoes; or pedestrian groups;

l/ Encountering priority vehicles;

m/ In rainy or windy conditions, suffering fog, smoke, dust, or slippery and muddy road surface, with a lot of spilled soil, rocks and materials affecting road traffic safety;

n/ In areas where road traffic control is being organized.

4. The Minister of Transport shall provide in detail the maximum speed and safety distance of motor vehicles and special-purpose vehicles operating on the road.

### **Article 13.** Use of lanes

1. Vehicles operating on the road moving at a lower speed must keep to the right in their direction of traffic.

2. On a road with many lanes for the same direction of traffic, distinguished from one another by lane demarcation markings, operators shall keep their vehicles moving within one lane and may only change lanes in places where it is so allowed; they may only change from a lane to the adjacent one at a time, and shall send out a signal indicating their intention in advance, and observe the surroundings to ensure safe distances with the vehicles in front, behind and in both sides before changing a lane.

3. On a one-way road with lane demarcation markings, rudimentary vehicles shall move on the innermost right lane, while motor vehicles and special-purpose vehicles move on the left lane.

4. For a lane exclusively reserved for a certain type of vehicle or a group of types of vehicles, operators of other types of vehicles may not enter such lane.

### **Article 14.** Overtaking and giving way to overtaking vehicles

1. Overtaking means a traffic situation on the road in which there is only one motor vehicle lane for each direction of traffic, and the vehicle running behind moves to the left to overtake the vehicle in front.

On a road with two or more motor vehicle lanes in the same direction of traffic, distinguished from one another by lane demarcation markings, the vehicle that intends to overtake must abide by the rules on use of lanes specified in Article 13 of this Law.

2. When overtaking, a vehicle must do so on the left; in case the vehicle in front sends out a turn-left signal or is turning left or in case a special-purpose

vehicle is operating on the road, making the overtaking on the left impossible, it may do so on the right.

3. A vehicle intending to overtake may only do so when there is no obstacle ahead and no oncoming traffic in the road section where it intends to overtake, and the vehicle in front has no signal to overtake another one and has sent out a turn-right signal and moves to the right.

4. When seeing a vehicle that intends to overtake from behind, the operator of the vehicle in front must observe the road section ahead and, if finding it safe, slow down and send out a turn-right signal to the operator of the overtaking vehicle for him/her to overtake, and move close to the right side of the carriageway until the vehicle behind completely overtake, and may not obstruct the overtaking vehicle.

If seeing an obstacle or finding the road unsafe, the operator of the vehicle in front shall send out a turn-left signal to the operator of the vehicle behind to warn that overtaking is not yet permissible.

5. A vehicle that intends to overtake must send out flashing signals with front lights or horns, except rudimentary vehicles that have no lights and horns; the overtaking vehicle must send out a signal for notifying the direction to be changed, ensuring a safe distance with the vehicles in front and behind throughout the process of overtaking; only lights may be used for overtaking in urban areas and populous areas and during the period from 22:00 hours to 05:00 hours.

6. Overtaking is prohibited in the following cases:

- a/ The conditions specified in Clause 3 of this Article are not satisfied;
- b/ On a narrow bridge with only one lane;
- c/ On road curves with limited visibility;
- d/ On two-way roads at the crests of slopes with limited visibility;
- dd/ At road intersections and road-railway intersections;
- e/ When weather conditions or roads are not safe for overtaking;
- g/ When encountering priority vehicles;
- h/ On pedestrian crossings;
- i/ When pedestrians or wheelchairs of people with disabilities cross the road;
- k/ In road tunnels.

**Article 15.** Change of direction

1. Change of direction means a traffic situation in which a vehicle turns left or turns right or makes a U-turn.

2. Before changing direction, the operator of the vehicle on the road shall observe the surroundings to ensure a safe distance with the vehicle behind, slow down and send out a signal for notifying the direction to be changed, or give a hand signal in the direction to be changed, for rudimentary vehicles having no lights indicating direction change, and gradually move to the lane closest to the direction to be changed. Direction change signals or hand signals shall be used continuously during direction change. The direction change may be made only when safety conditions are satisfied and such change is not likely to cause obstruction to people and other vehicles.

3. Upon direction change, drivers and operators of special-purpose vehicles shall give way to pedestrians, rudimentary vehicles and oncoming traffic and may only make direction change when it is not likely to cause obstruction or danger to people or other vehicles.

4. It is forbidden to make a U-turn at pedestrian crossings, on bridges, at bridge ends, under overpasses, on underground roads, at road-railway intersections, on narrow roads, slope roads, road curves with obscured visibility, on expressways, in road tunnels, or on one-way roads, unless there are commands of traffic guards or instructions of temporary traffic signs.

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

1. During reversing, the operator of a vehicle on the road shall observe both sides and rear of the vehicle, send out a reversing signal, and may only reverse when safety conditions are satisfied.

2. Reversing is prohibited on one-way roads, no-stop zones, on pedestrian crossings, in road intersections, road-railway intersections, areas with obscured visibility, in road tunnels, or on expressways.

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

1. On a road not divided into two separate directions of traffic, when passing the oncoming traffic, the operator of a vehicle on the road shall slow down and keep the vehicle to the right along his/her direction of traffic.

2. Cases of giving way upon passing of oncoming traffic:

a/ On a road that is narrow and just enough for only one vehicle to move and where a lay-by is available, the vehicle that is closer to the lay-by must pull into the lay-by, giving way to the oncoming traffic;

- b/ The vehicle moving downhill must give way to the vehicle moving uphill;
- c/ The vehicle facing an obstruction ahead must give way to the vehicle not facing an obstruction ahead.

**Article 18. Stopping and parking**

1. Stopping is a temporary stationary state of a vehicle for a period that is long enough to pick up or drop off people, load and unload goods, carry out technical inspection of the vehicle, or perform other activities. When stopping on the road, the vehicle operator may neither turn off the engine nor leave the driver's seat, unless he/she needs to leave the driver's seat to close and open the door, load and unload goods, or carry out technical inspection of the vehicle, but he/she shall use the parking brake or take other safety measures.

2. Parking is the stationary state of a vehicle without time restrictions. When parking on the road, the vehicle operator may only leave the vehicle after using the parking brake or taking other safety measures. Vehicles parked on steep roads must steer toward the roadside with wheels chocked.

3. When stopping or parking on the road, the vehicle operator shall comply with the following provisions:

a/ Sending out a signal to notify the operators of other vehicles when leaving or entering the stop or parking space;

b/ Not affecting pedestrians and vehicles operating on the road.

4. Operators of vehicles on the road may not stop or park:

a/ On the left side of one-way roads;

b/ On bends or close to the crests of slopes with obscured visibility;

c/ On bridges, except places where stopping and parking are allowed;

d/ Under overpasses, except places where parking and parking are allowed;

dd/ In parallel in the same direction of traffic with another vehicle currently stopping or parking;

e/ Less than 20 meters away from a car currently parking in the opposite direction of traffic on a narrow street, or less than 40 meters away from a car currently parking in the opposite direction of traffic on a road with one motor vehicle lane in one direction of traffic;

g/ On pedestrian crossings;

h/ At intersections and within 5 meters from the edge of intersections;

- i/ Pick-up and drop-off points;
- k/ In front of gates and within 5 meters from both sides of gates of head offices of agencies/organizations with driveways;
- l/ In road sections that are wide enough only for one motor vehicle lane;
- m/ Within the railway safety scope;
- n/ In areas with obscured road signs and traffic signal lights;
- o/ On roads exclusively reserved for buses, on sewer mouths, mouths of tunnels of telephone lines, high-voltage power lines, or places exclusively reserved for fire trucks to take water; or on the roadway and sidewalks in contravention of law.

5. On roads, vehicle operators may only stop and park in places with wide roadsides or land plots outside the carriageway; in case the roadsides are narrow or unavailable, the vehicle operators may only stop and park close to the right edge of the roads in their direction of traffic.

6. On streets, vehicle operators may only stop and park close to the right roadsides or sidewalks in their direction of traffic; the nearest wheel must neither be more than 0.25 meter away from the roadside or sidewalk nor cause obstruction or danger to people and vehicles operating on the road.

7. In case technical incidents or other *force majeure* events make a vehicle operator to park, if the vehicle is parked on part of the carriageway or parked in a place not designated for parking, the vehicle operator shall send out an emergency light signal or place a warning traffic sign behind the vehicle to give warnings to operators of other vehicles on the road.

#### **Article 19.** Car door opening

1. The doors of a vehicle may be opened only when the vehicle has completely stopped or parked.
2. Before opening a door, the person wishing to open the door shall observe the front, behind, and the outer side of such door and may, when finding it safe, open the door and alight from the car; it is not allowed to leave the car door open if finding it unsafe.

#### **Article 20.** Use of lights

1. Drivers and operators of special-purpose vehicles on the road shall turn on front lights during the period between 18:00 hours and 06:00 hours or when there is fog, smoke, dust, rain or bad weather that limits visibility.

2. Drivers and operators of special-purpose vehicles shall turn off high beams and turn on low beams in the following cases:

a/ When encountering pedestrians crossing the road;

b/ When moving on road sections through populous areas with operating lighting systems;

c/ When encountering oncoming traffic, except when the median strips are anti-glare;

d/ When changing the direction of vehicles at intersections.

3. Drivers and operators of special-purpose vehicles shall, when performing jobs on the road, turn on amber warning lights.

#### **Article 21.** Use of horns

1. Horns of vehicles operating on the road may only be used in the following cases:

a/ For notifying road users of the occurrence of circumstances that are likely to affect traffic safety;

b/ For notifying the intention to overtake.

2. Except priority vehicles, others are not allowed to continuously use horns; use horns with volume not compliant with regulations; or use horns during the period between 22:00 hours and 05:00 hours in populous areas and areas where medical examination and treatment establishments are located.

#### **Article 22.** Giving way at intersections

When approaching an intersection, the operator of a vehicle on the road shall observe the surroundings, slow down and give way under the following provisions:

1. At an intersection between a non-priority road and a priority road or between a feeder road and a main road, the vehicle moving from the non-priority road or feeder road must give way to the vehicle moving on the priority road or main road from any direction of traffic;

2. At an intersection without “roundabout ahead” signs, a vehicle must give way to the vehicle approaching from the right;

3. At an intersection with “roundabout ahead” signs, a vehicle must give way to the vehicle approaching from the left.

#### **Article 23.** Crossing by ferry boats and pontoon bridges

1. When approaching a ferry terminal or pontoon bridge, vehicles must line up under regulations so as not to obstruct traffic.

2. Order of priority for crossing by ferry boats and pontoon bridges:

a/ Priority vehicles;

b/ Mail trucks;

c/ Fresh food trucks;

d/ Passenger cars.

In case more than one vehicle is in the same order of priority upon crossing a ferry terminal or pontoon bridge, the first come-first served principle shall apply.

3. In case of crossing by a ferry boat, the following provisions shall apply:

a/ When a vehicle embarks, is on board and disembarks a ferry boat, no one is allowed to stay in the vehicle, except drivers, operators of special-purpose vehicles, children, pregnant women, old and weak people, people with disabilities, and diseased people;

b/ Motor vehicles and special-purpose vehicles will be the first to embark a ferry boat, followed by rudimentary vehicles and pedestrians; and pedestrians will be the first to disembark a ferry boat, followed by vehicles as guided by traffic guards.

4. When crossing a pontoon bridge, the following provisions shall apply:

a/ Motor vehicles and special-purpose vehicles must follow a row in their direction of traffic so as not to obstruct people and oncoming traffic;

b/ Rudimentary vehicles and pedestrians must move close to the right side in their direction of traffic so as not to obstruct motor vehicles and special-purpose vehicles;

c/ Motor vehicles, special-purpose vehicles, rudimentary vehicles and pedestrians must follow instructions of traffic guards.

#### **Article 24.** Traffic at railway crossings and bridges

1. When the railway guard gives a command, the red light is flashing, the bell is ringing, or the road barrier is being lifted down or has been lifted down, road users shall stop to the right of their direction of traffic, behind the stop line.

2. When approaching a crossing without a guard, road barrier, bell or signal, road users shall stop to the right of their direction of traffic, behind the stop line, and observe both sides, and may cross the road only when there is no incoming railway vehicle.

3. When a vehicle operating on the road is damaged, encounters an accident or spills goods onto a railway crossing or bridge, making it impossible to immediately move out of the railway safety scope, the vehicle operator and those present at the scene shall immediately give a signal to stop the train, and take safety assurance measures.

**Article 25.** Traffic on expressways

1. Drivers and operators of special-purpose vehicles on expressways shall comply with the following road traffic rules:

a/ Before entering an expressway's lane, they shall send out a signal and give way to vehicles running on the expressway, and observe vehicles running behind to ensure a safe distance before entering the innermost right lane; if there is an acceleration lane, they shall drive on such lane before entering the expressway's lane;

b/ When preparing to leave the expressway, they shall observe traffic signs, gradually drive to the innermost right lane; if there is a deceleration lane, they shall drive on such lane before leaving the expressway;

c/ They may not drive on the emergency lane and roadside;

d/ They shall abide by other road traffic rules specified in this Chapter.

2. Vehicle operators may only stop and park only in designated places; if encountering technical incidents or other *force majeure* events, forcing them to stop or park, they may do so in the emergency lane in the direction of the vehicle's traffic and shall send out a signal with emergency lights; if unable to drive into the emergency lane, they shall send out a signal with emergency lights and place a signboard or warning light at least 150 meters from the rear of the vehicle, then promptly notify such to the traffic police agency in charge of ensuring traffic order and safety on the route or the expressway management agency.

3. Special-purpose vehicles with a design speed smaller than the minimum speed specified for expressways, motorized four-wheeled passenger vehicles, motorized four-wheeled cargo vehicles, motorcycles and mopeds and the like, rudimentary vehicles, and pedestrians are not allowed to move on expressways, except persons, road vehicles and equipment serving expressway management and maintenance.

**Article 26.** Traffic in road tunnels

When running in road tunnels, vehicle operators shall comply with the following road traffic rules:

1. Motor vehicles and special-purpose vehicles must turn on low beams; rudimentary vehicles must turn on lights or have light-emitting signals;

2. Vehicle operators may not stop or park in road tunnels; if encountering technical incidents or other *force majeure* events, forcing them to stop or park, they shall drive the vehicles into the emergency stop/parking place; if unable to move, they shall send out a signal with emergency lights and place a signboard or warning light to the rear of the vehicle at a safe distance, then promptly notify such to the traffic police agency office in charge of ensuring traffic order and safety on the route or the road tunnel management agency;

3. Vehicle operators shall abide by other road traffic rules specified in this Chapter.

#### **Article 27.** Priority vehicles

1. Priority vehicles include fire trucks of the firefighting and rescue police force and fire trucks of other forces mobilized to perform the firefighting duty; vehicles of military, public security and procuracy forces on urgent duty; motorcades with escorting traffic police; ambulances on emergency duty; on-duty vehicles serving dike protection; on-duty vehicles for rescue and remediation of consequences of disasters or epidemics, or on-duty vehicles in the state of emergency as specified by law; and funeral processions.

2. Priority vehicles are entitled to move before other vehicles when passing an intersection from any direction of traffic in the following order of priority:

a/ Fire trucks of the firefighting and rescue police force and fire trucks of other forces mobilized to perform the firefighting duty;

b/ Vehicles of military, public security and procuracy forces on urgent duty; and motorcades with escorting traffic police;

c/ Ambulances on emergency duty;

d/ On-duty vehicle serving dike protection; on-duty vehicles for rescue and remediation of consequences of disasters or epidemics, or on-duty vehicles in the state of emergency as prescribed by law;

dd/ Funeral processions.

3. The priority vehicles specified at Points a, b, c and d, Clause 2 of this Article must have priority light signals as specified by law. Colors of priority light signals are as follows:

a/ Fire trucks of the firefighting and rescue police force and fire trucks of other forces mobilized to perform the firefighting duty; vehicles of military forces on urgent duty; and ambulances on emergency duty have red flashing lights;

b/ Vehicles of public security and procuracy forces on urgent duty; and motorcades with escorting traffic police have green and red flashing lights;

c/ On-duty vehicles serving dike protection; on-duty vehicles for rescue and remediation of consequences of disasters or epidemics, or on-duty vehicles in the state of emergency as prescribed by law have green flashing lights.

4. The priority vehicles specified at Points a, b, c and d, Clause 2 of this Article are not subject to speed limits; and are allowed to move regardless of traffic light signals, and enter one-way roads and other roads where possible; particularly for expressways, wrong-way driving is only allowed on the emergency lane; and vehicle operators shall obey commands of traffic guards and temporary traffic signs.

5. When seeing signals of priority vehicles, people and vehicles operating on the road must slow down, move close to the right roadside or stop to give way; toll plazas must give priority to priority vehicles in all circumstances, and may not cause obstruction.

6. The Government shall provide the management, mounting and use of signal transmitters of priority vehicles and the order and procedures for issuance, re-issuance and revocation of licenses for use of signal transmitters of priority vehicles.

7. The Minister of Public Security shall issue regulations on domestic delegations and foreign guests visiting Vietnam that are entitled to escort by traffic police motorcades; and regulations on the traffic police's escort for domestic delegations and foreign guests visiting Vietnam.

#### **Article 28.** Carrying people on cargo trucks

1. It is only allowed to carry people on trunks of cargo trucks in the following cases:

a/ Carrying people for performance of rescue, and disaster and epidemic prevention and control duties or urgent duties; transporting victims to emergency centers; taking people out of dangerous areas, or in other law-specified urgent cases;

b/ Carrying personnel of the people's armed forces for performance of urgent duties;

c/ Carrying people on driving school vehicles for driving practice; carrying people on driving school vehicles for taking driving tests; carrying workers performing road maintenance and servicing duties;

d/ Carrying people on marches as permitted by competent agencies.

2. Cargo trucks that carry people in the cases specified in Clause 1 of this Article must ensure safety when operating on the road.

**Article 29.** Tow trucks, trailer trucks and semi-trailer trucks

1. An automobile may tow only one another automobile or one special-purpose vehicle if the latter cannot move on its own, except the case specified in Clause 3, Article 53 of this Law, and must comply with the following provisions:

a/ The towed vehicle must have an operator and its steering system must remain effective;

b/ The coupling of the towing vehicle to the towed vehicle must be secure and safe; if the brake system of the towed vehicle is no longer effective, a hard rod shall be used for the coupling;

c/ There must be signs with amber flashing warning lights in the front of the towing vehicle and the rear of the towed vehicle.

2. Trailer trucks and semi-trailer trucks may only tow trailers or semi-trailers as suitable to their design; the coupling of tow trucks to trailers or the coupling of trailer trucks with semi-trailer trucks must be secure and safe.

3. It is not allowed to carry people on towed vehicles, except operators; trailer trucks and semi-trailer trucks may not tow additional trailer trucks or semi-trailer trucks or other vehicles.

**Article 30.** Pedestrians; children, pregnant women, old and weak people, people with disabilities, and people having lost their civil act capacity in road traffic

1. Pedestrians shall comply with the following provisions:

a/ Walking on sidewalks, roadsides, or paths exclusively reserved for pedestrians; for roads without sidewalks, roadsides or paths exclusively reserved for pedestrians, pedestrians shall walk close to the right edge of the roads in their direction of traffic;

b/ Crossing the road only in places with signal lights, road markings, overpasses or tunnels exclusively for pedestrians, and abiding by road signs and signals. In case there are no signal lights, road markings, overpasses or tunnels

exclusively for pedestrians, pedestrians shall observe oncoming vehicles, and may only cross the road with hand signals when finding it safe;

c/ Refraining from crossing the median strips, swinging or clinging onto the moving road vehicles; pedestrians carrying bulky objects shall ensure traffic safety and may not cause obstruction to people and vehicles operating on the road.

2. Children, pregnant women, old and weak people, people with disabilities, and people having lost their civil act capacity who are in road traffic shall comply with the following provisions:

a/ When crossing the road, children under 7 years of age shall be escorted by adults;

b/ People with disabilities who use motorized or non-motorized wheelchairs shall move on sidewalks, roadsides, and places with road markings exclusively for pedestrians and rudimentary vehicles;

c/ When moving on the road, visually impaired persons shall be escorted by others or have tools to notify others of their visual impairment;

d/ When walking on the road, people who have lost their civil act capacity shall be escorted by others;

dd/ All people have the responsibility to help children under 7 years of age, pregnant women, old and weak people, people with disabilities, and people having lost their civil act capacity when the latter cross the road.

**Article 31.** Operators of, and people carried and goods loaded on, rudimentary vehicles

1. The operator of a bicycle or motorized bicycle may carry no more than one person and one child under 7 years of age.

2. Operators of bicycles or motorized bicycles may not commit the acts specified in Clause 3, Article 33 of this Law; people carried on bicycles or motorized bicycles operating on the road may not commit the acts specified in Clause 4, Article 33 of this Law.

3. Operators of, and people carried on, motorized bicycles shall wear crash helmets up to national technical regulations and properly fasten chin straps.

4. Operators of rudimentary vehicles may only drive their vehicles in one row, and shall drive in the designated road sections reserved for rudimentary vehicles, if any; when operating on the road during the period between 18:00 hours and 06:00 hours, they shall use lights or have signs in front and rear of the vehicles.

5. Goods loaded on rudimentary vehicles must meet safety requirements, neither obstructing traffic nor blocking visibility of vehicle operators. Goods loaded on a vehicle must not exceed one-third of the vehicle body's length, 1 meter toward the front and rear of the vehicle, and 0.4 meter toward each side of the wheel.

**Article 32.** Drivers of livestock and operators of livestock trucks on the road

1. Drivers of livestock and operators of livestock trucks on the road shall drive livestock close to the right edge of the road; in case of necessity to drive livestock across the road, such persons shall observe the surroundings and may only cross the road when finding it safe; and may not obstruct other people and vehicles operating on the road.

2. It is not allowed to drive livestock or operate livestock trucks on motor vehicle lanes.

3. It is not allowed to release livestock on the road.

**Article 33.** Drivers of, persons carried and goods loaded on, motorcycles and mopeds

1. Drivers of two-wheeled motorcycles and mopeds may carry only one person, or may carry no more than two persons in the following cases:

- a/ Transporting diseased people to emergency centers;
- b/ Escorting persons who commit acts of violation;
- c/ Children under 12 years of age;
- d/ Old and weak people or people with disabilities.

2. Drivers of, and persons carried on, two-wheeled motorcycles, three-wheeled motorcycles or mopeds shall wear crash helmets up to national technical regulations and properly fasten chin straps.

3. Drivers of two-wheeled motorcycles, three-wheeled motorcycles or mopeds may not:

- a/ Drive abreast;
- b/ Drive on road sections reserved for pedestrians and other vehicles;
- c/ Use umbrellas or sound devices, except hearing aids;
- d/ Take both hands off handlebars while driving; drive on one wheel, for two-wheeled motorcycles and mopeds; or drive on two wheels, for three-wheeled motorcycles and mopeds;

dd/ Tow or push other vehicles or objects, drive livestock, or carry bulky objects; carry people standing on motorcycles/mopeds or cargo racks or sitting on the steering wheels; or load goods on motorcycles/mopeds beyond the law-specified limits;

e/ Sit with two feet on one side to drive motorcycles/mopeds; stand or lie to drive motorcycles/mopeds; change the driver while the motorcycle/moped is running; turn backward to drive motorcycles/mopeds or drive motorcycles/mopeds while being blindfold; or use a kickstand or another object sweeping onto the road while the motorcycle/moped is running;

g/ Commit other acts that affect road traffic order and safety.

4. When operating on the road, people carried on two-wheeled motorcycles, three-wheeled motorcycles or mopeds may not:

a/ Carry bulky objects;

b/ Use umbrellas;

c/ Cling to, tow or push other vehicles;

d/ Stand on the saddle or cargo rack or sit on the steering wheel;

dd/ Commit other acts that affect road traffic order and safety.

5. Motorcycles and mopeds may not carry goods loaded in excess of the width of the cargo rack by 0.3 meter to each side, and 0.5 meter behind the cargo rack according to the manufacturer's design; the height of loaded goods from the road surface must not exceed 2 meters.

### Chapter III

#### VEHICLES OPERATING ON THE ROAD

##### **Article 34.** Classification of road vehicles

1. Motor vehicles include:

a/ Automobiles, including engine-powered vehicles with four or more wheels that are designed and manufactured for operation on the road, not for operation on the rail, used for carrying passengers and cargoes, towing trailers and semi-trailers or structured to perform special functions and usages, and can be connected to power lines; three-wheeled vehicles with a curb weight exceeding 400kg; automobiles do not include four-wheeled passenger vehicles fitted with engine and four-wheeled cargo vehicles fitted with engine;

b/ Trailers, which are vehicles without motive power designed and manufactured for operation on the road and towed by automobiles; the main portion of the gross weight of a trailer is not placed on the towing vehicle;

c/ Semi-trailers, which are vehicles without motive power designed and manufactured for operation on the road, towed by trailer trucks and having a significant portion of the gross weight placed on the trailer trucks;

d/ Four-wheeled passenger vehicles fitted with engine, which are engine-powered vehicles with four or more wheels designed and manufactured for operation on the road and structured for carrying passengers, with a design speed not exceeding 30km/h and a permitted number of passengers of up to 15 (excluding the driver);

dd/ Four-wheeled cargo vehicles fitted with engine, which are engine-powered vehicles with four or more wheels, designed and manufactured for operation on the road, structured for carrying cargoes, with the engine and cargo bed mounted on the same chassis, with at most two rows of seats and a permitted number of passengers of up to 5 (excluding the driver), a design speed not exceeding 60km/h and a curb weight not exceeding 550kg; for vehicles using electric engines, the engine capacity must not exceed 15kW;

e/ Motorcycles, including engine-powered vehicles with two or three wheels designed and manufactured for operation on the road, except mopeds; for three-wheeled vehicles, the curb weight must not exceed 400kg;

g/ Mopeds, which are engine-powered vehicles with two or three wheels designed and manufactured for operation on the road, with a design speed not exceeding 50km/h; if the drive engine is a heat engine, its working capacity or equivalent capacity must not exceed 50cm<sup>3</sup>; if the drive engine is an electric engine, its capacity must not exceed 4 kW; mopeds do not include motorized bicycles;

h/ Vehicles similar to vehicles of the types specified in this Clause.

## 2. Rudimentary vehicles include:

a/ Bicycles, which are vehicles with at least two wheels and operated by human power through pedals or hand cranks;

b/ Motorized bicycles, including also electric bicycles, which are bicycles with power assistance from an engine and the power source from the engine is cut off when the rider stops pedaling or when the vehicle reaches the speed of 25km/h;

c/ Pedicabs;

d Wheelchairs for people with disabilities;

dd/ Animal-drawn vehicles;

e/ Vehicles similar to vehicles of the types specified in this Clause.

3. Special-purpose vehicles include:

a/ Construction vehicles;

b/ Agricultural and forestry vehicles;

c/ Tractors;

d/ Trailers and semi-trailers towed by tractors;

dd/ Vehicles performing special functions or having special usages;

e/ Special vehicles used for national defense and security purposes that operate on the road.

4. Smart vehicles are motor vehicles that allow partial or complete automation of vehicle control, route determination, and situation handling when operating on the road.

5. Vehicles similar to a type of motor vehicles or rudimentary vehicles shall be managed and used under regulations applicable to that type of motor vehicles or rudimentary vehicles.

6. The Minister of Transport shall detail this Article; and specify signs to identify motor vehicles using clean energy and green, eco-friendly energy.

**Article 35.** Conditions for vehicles operating on the road

1. Motor vehicles and special-purpose vehicles operating on the road must meet the following conditions:

a/ Having been granted a vehicle registration certificate and mounted with a license plate as specified by law;

b/ Meeting technical safety quality and environmental protection requirements as specified by law.

2. Automobiles used for transport business must be equipped with vehicle tracking devices. Passenger automobiles of 8 seats or more (excluding the driver's) used for transport business, trailer trucks, and ambulances must be equipped with vehicle tracking devices and driver image capture devices.

3. Smart vehicles must meet the conditions specified in Clause 1 of this Article and be licensed for operation by a competent agency.

4. Vehicles with foreign license plates operating in Vietnam must comply with Article 55 of this Law.

5. The Government shall detail Clauses 2 and 3 of this Article and specify the conditions for operation of rudimentary vehicles.

6. Provincial-level People's Committees shall provide the scope of operation of rudimentary vehicles, four-wheeled cargo vehicles fitted with engine, and four-wheeled passenger vehicles fitted with engines in their localities.

**Article 36. Vehicle license plates**

1. Vehicle license plates shall be granted by competent state agencies under Articles 37 and 39 of this Law and mounted to road vehicles under this Law to serve state management.

2. Vehicle license plates are classified as follows:

a/ License plates with a blue background and white letters and numerals shall be granted to vehicles of Party and State agencies, socio-political organizations, and public non-business units;

b/ License plates with a red background and white letters and numerals shall be granted to military vehicles;

c/ License plates with a yellow background and black letters and numerals shall be granted to vehicles used for transport business;

d/ License plates with a white background and black letters and numerals shall be granted to vehicles of domestic organizations and individuals other than the subjects specified at Points a, b and c of this Clause;

dd/ License plates with a white background, red letters, black numerals, and the symbol "NG" shall be granted to vehicles of diplomatic missions, consular offices, and foreign staff members holding diplomatic identification cards of such missions/offices;

e/ License plates with a white background, red letters, black numerals, and the symbol "QT" shall be granted to vehicles of representative offices of international organizations and foreign staff members holding diplomatic identification cards of such organizations;

g/ License plates with a white background, black letters and numerals, and the symbol "CV" shall be granted to vehicles of technical and administrative staff members holding official identification cards of diplomatic missions, consular offices, and international organizations;

h/ License plates with a white background, black letters and numerals, and the symbol “NN” shall be granted to vehicles of foreign organizations, representative offices, and individuals, except the subjects specified at Point g of this Clause;

i/ Other types of license plates as specified by the Minister of Public Security.

3. Vehicle license plates shall be managed based on identification numbers, except the license plates specified at Point b, Clause 2 of this Article. The management of vehicle license plates based on identification numbers is as follows:

a/ Vehicle license plates shall be granted and managed based on the identification numbers of vehicle owners; for organizations without identification numbers, vehicle license plates shall be managed based on their tax identification numbers, establishment decisions or equivalent papers;

b/ When the shelf life of its/his/her vehicle expires or its/his/her vehicle is damaged and becomes unusable, or it/he/she transfers the title of its/his/her vehicle to another person, a vehicle owner may retain the license plate number for 5 years for registration for another vehicle under its/his/her title; past the above period, the license plate number shall be revoked by the vehicle registration agency and returned to the license plate warehouse and then registered and granted to another organization/individual, except cases of transfer, exchange, donation and bequeathal of vehicles registered under license plates won at auctions;

c/ In case of changing information on head offices or places of permanent residence or temporary residence, vehicle owners may retain their identification number-based vehicle license plates.

4. The Minister of Public Security shall issue the national technical regulations on vehicle license plates; the Minister of National Defense shall issue technical regulations applicable to vehicle license plates managed by the Ministry of National Defense.

### **Article 37.** Auction of vehicle license plates

1. Vehicle license plates put up for auction are the license plates of automobiles, motorcycles and mopeds specified at Points c and d, Clause 2, Article 36 of this Law and information thereon shall be made public for organizations and individuals to select and register for participation in the auctions. Vehicle license plates not chosen by any organizations and individuals

shall be transferred to the vehicle registration and management system for registration in accordance with law.

2. The reserve price of an automobile license plate put up for auction must not be lower than VND 40 million; the reserve price of a motorcycle or moped license plate put up for auction must not be lower than VND 5 million.

3. The deposit must not be lower than the reserve price of the type of license plate put up for auction.

4. When the deadline for registration for participation in an auction expires and there is only one person registering for participation in the auction or there are more than one person registering for participation in the auction but only one person participates in the auction or more than one person participates in the auction but only one person offers a bid at least equal to the reserve price of the license plate put up for auction, such person shall be regarded as the winner of the license plate auction.

5. The management, grant and revocation of vehicle registration certificates and license plates won at auctions after the vehicles registered under license plates won at auctions are transferred, exchanged, donated or bequeathed must comply with Article 39 of this Law.

6. Proceeds from vehicle license plate auctions shall, after deducting expenses for organizing the auctions, advertising expenses, and auction system management expenses, be remitted into the central budget according to the law on the state budget.

7. The Government shall detail this Article and specify bid increments, forms, methods, sequences, and formalities for vehicle license plate auctions.

**Article 38.** Rights and obligations of winners of vehicle license plate auctions

1. The winner of a vehicle license plate auction has the following rights:

a/ To be granted a decision confirming the license plate won at the auction after paying the winning bid amount;

b/ To register the license plate won at the auction for a vehicle under its/his/her title at the public security agency managing such license plate or at the public security agency in the locality where he/she permanently or temporarily resides, for individuals, or where its head office is located, for organizations;

c/ To transfer, exchange, donate, or bequeath the vehicle registered under the license plate won at the auction;

d/ Within 30 days after the notice of auction result is issued, if the auction winner dies but has yet to be issued a decision confirming the license plate won at auction, the auction result shall be canceled and the auction winner's heir as specified by the inheritance law shall be fully refunded the winning bid amount paid by the auction winner;

dd/ Within 12 months from the date of issuance of the decision confirming the license plate won at the auction, if the auction winner dies but has yet to carry out the procedures for registration of the vehicle under the license plate won at the auction, the auction result shall be canceled and the auction winner's heir as specified by the inheritance law shall be fully refunded the winning bid amount paid by the auction winner.

2. The winner of a vehicle license plate auction has the following obligations:

a/ To fully pay the winning bid amount within 30 days from the date of issuance of the notice of auction result; the winning bid amount does not include the fee for registration and issuance of license plate. Past the law-specified time limit, if the auction winner fails to pay or fails to fully pay the winning bid amount, the license plate shall be re-auctioned or transferred to the vehicle registration and management system, and the auction winner shall not be refunded the deposit or the amount paid, and may not participate in vehicle license plate auctions within 12 months from the date of issuance of the notice of auction result;

b/ To carry out vehicle registration procedures to mount the license plate won at the auction to a vehicle within 12 months from the date of issuance of the decision confirming the license plate won at the auction; in case of *force majeure* events or external obstacles, this period may be extended for up to 6 months. After the law-specified period, if the auction winner fails to carry out vehicle registration procedures to mount the license plate won at the auction to a vehicle, the license plate will be re-auctioned or transferred to the vehicle registration and management system and the auction winner shall not be refunded the winning bid amount paid;

c/ Not to transfer, exchange, donate or bequeath the license plate won at the auction, except the case specified at Point c, Clause 1 of this Article.

3. The Government shall detail this Article.

**Article 39.** Grant and revocation of vehicle registration certificates and license plates for motor vehicles and special-purpose vehicles operating on the road

1. The first-time grant of vehicle registration certificates and license plates for motor vehicles and special-purpose vehicles must be based on the following grounds:

- a/ Certificate of vehicle origin;
- b/ Certificate of lawful title;
- c/ Documents on fulfillment of financial obligations.

2. The grant of vehicle registration certificates for motor vehicles and special-purpose vehicles in case of change of vehicle owner must be based on the following grounds:

a/ Written confirmation of revocation of vehicle registration certificate and license plate; written confirmation of revocation of vehicle registration certificate, for cases of transfer, exchange, donation or bequeathal of vehicles registered under license plates won at auctions;

b/ The papers specified at Points b and c, Clause 1 of this Article.

3. Vehicle registration certificates and license plates for motor vehicles and special-purpose vehicles shall be renewed in the following cases:

a/ Vehicle registration certificates and license plates are blurred or damaged;

b/ The vehicles are renovated or their paint color changes; the organizations or individuals that are vehicle owners have their names or identification numbers changed; or the vehicles are repurposed;

c/ The vehicle owners change their addresses and wish to have the vehicle registration certificates renewed;

d/ The vehicle registration certificates and license plates have expired;

dd/ The vehicle registration agency changes the forms of vehicle registration certificates and license plates.

4. Vehicle registration certificates and license plates for motor vehicles and special-purpose vehicles shall be re-granted when they are lost.

5. The following motor vehicles and special-purpose vehicles shall be granted temporary license plates and vehicle registration certificates:

a/ Vehicles having a certificate of technical safety quality and environmental protection and an ex-factory quality inspection slip for movement from the factory to the warehouse/port or from the warehouse, port, factory or vehicle dealer to the place of vehicle registration or to another vehicle dealer or warehouse;

b/ Vehicles undergoing revocation procedures for re-export or title transfer; vehicles serving events organized by the Party and the State; overseas-registered vehicles, including also right-hand drive vehicles, permitted by competent agencies to transit through Vietnam or to be temporarily imported into Vietnam within a definite period for display at conferences, fairs or exhibitions, or for sports or tourism purposes, except vehicles that do not require temporary license plates under treaties to which the Socialist Republic of Vietnam is a contracting party and the cases specified in Article 55 of this Law;

c/ Vehicles undergoing testing that are subjects of research and development activities and need to be put into operation on the road, provided that such vehicles meet the requirements specified at Point h, Clause 5, Article 42 of this Law.

6. Vehicle registration certificates and license plates for motor vehicles and special-purpose vehicles shall be revoked in the following cases:

a/ The vehicle title is transferred; in case of transfer, exchange, donation or bequeathal of vehicles registered under license plates won at auctions, only vehicle registration certificates shall be revoked;

b/ Duty-free imported vehicles or temporarily imported vehicles of foreign agencies, organizations or individuals are re-exported, transferred or destroyed; vehicles whose period of registration at special economic-commercial zones or international border-gate economic zones expires;

c/ The vehicles have been registered but competent agencies detect that their dossiers are falsified or conclude that the vehicles' chassis number or engine number has been illegally changed; the vehicles' engines are disassembled for registration for other vehicles;

d/ The life of motor vehicles has expired or the vehicles are damaged and no longer usable;

dd/ The vehicles are discarded, or are lost with owners impossible to be found and the vehicle owners request the revocation of the vehicle registration certificates and license plates;

e/ Vehicle registration certificates and license plates have been granted in contravention of law.

7. The Minister of Public Security shall specify procedures for grant and revocation of vehicle registration certificates and license plates for motor vehicles and special-purpose vehicles operating on the road, except the cases specified in Clause 8 of this Article.

8. The Minister of National Defense shall specify procedures for grant and revocation of vehicle registration certificates and license plates for motor vehicles and special-purpose vehicles operating on the road that are managed by the Ministry of National Defense.

**Article 40.** Life of motor vehicles

1. The life of motor vehicles shall be counted from the year of manufacture to December 31 of the year of expiry.

2. The life of renovated vehicles is as follows:

a/ Vehicles with a law-specified life that are renovated into vehicles without a law-specified life shall be subject to regulations on life applicable to vehicles before renovation;

b/ Vehicles without a law-specified life that are renovated into vehicles with a law-specified life shall be subject to regulations on life applicable to vehicles after renovation;

c/ Passenger automobiles with a permitted number of passengers of 9 or more (excluding the driver), and special-purpose passenger automobiles that are renovated into cargo automobiles (including also special-purpose cargo automobiles); and four-wheeled passenger vehicles fitted with engine that are renovated into four-wheeled cargo vehicles fitted with engine shall be subject to regulations on life applicable to vehicles after renovation.

3. Motor vehicles not subject to regulations on shelf life include:

a/ Motorcycles, mopeds, passenger automobiles with a permitted number of passengers of up to 8 (excluding the driver), special-purpose automobiles, trailers, and semi-trailers;

b/ Motor vehicles of the Army and Public Security forces serving national defense and security purposes.

4. The Government shall detail this Article.

**Article 41.** Assurance of technical safety quality and environmental protection of motor vehicles, special-purpose vehicles, and motor vehicle spare parts in import, manufacture, and assembly

1. Objects subject to regulations on assurance of technical safety quality and environmental protection include:

a/ Motor vehicles and special-purpose vehicles that are imported or domestically manufactured and assembled, except vehicles used for scientific research, production research, or display at trade fairs and exhibitions;

b/ Imported and domestically manufactured and assembled motor vehicle spare parts that are on the List of products and goods subject to inspection of technical safety quality and environmental protection, except those used for scientific research, production research, or display at trade fairs and exhibitions.

2. Certification of technical safety quality and environmental protection covers:

a/ Inspection, testing and certification of technical safety quality and environmental protection of motor vehicles, special-purpose vehicles and motor vehicle spare parts, and energy consumption level of motor vehicles;

b/ Recognition and designation of testing and certification establishments;

c/ Inspection, evaluation and supervision of the assurance of technical safety quality and environmental protection; warranty, maintenance and recall of products and goods of importing, manufacturing and assembling establishments.

3. The certification of technical safety quality and environmental protection for motor vehicles, special-purpose vehicles, and motor vehicle spare parts in import, manufacture, and assembly shall be carried out by vehicle inspectors and competent agencies shall grant inspection certificates. Vehicle inspectors are those who are granted professional certificates regarding certification and inspection of motor vehicles and special-purpose vehicles.

4. The recognition of foreign certificates of technical safety quality and environmental protection for motor vehicles and motor vehicle spare parts must comply with treaties to which the Socialist Republic of Vietnam is a contracting party.

5. Organizations and individuals importing, manufacturing or assembling motor vehicles, special-purpose vehicles and motor vehicle spare parts shall abide by the law on inspection, testing and certification of technical safety quality and environmental protection for motor vehicles, special-purpose vehicles and motor vehicle spare parts; be held responsible for the quality of products and goods they import, manufacture or assemble; the warranty and maintenance of imported and domestically manufactured and assembled motor vehicles and the recall of products and goods under the Government's regulations.

6. The Prime Minister shall provide the roadmap for applying emission standards to imported and domestically manufactured and assembled motor vehicles.

7. The Minister of Transport shall promulgate national technical regulations on technical safety quality and environmental protection, energy consumption of

motor vehicles, special-purpose vehicles and motor vehicle spare parts in import, manufacture and assembly; promulgate national technical regulations on motor vehicle warranty and maintenance facilities; regulations on the order and procedures for certification of technical safety quality and environmental protection for motor vehicles, special-purpose vehicles, and motor vehicle spare parts in import, manufacture and assembly, except the cases specified in Clause 8 of this Article; and regulations on issuance, re-issuance, suspension and revocation of vehicle inspector's certificates.

8. The Minister of National Defense or the Minister of Public Security shall specify the order and procedures for certification of technical safety quality and environmental protection for motor vehicles, special-purpose vehicles and motor vehicle spare parts in import, manufacture and assembly that are managed by the Ministry of National Defense or the Ministry of Public Security.

**Article 42.** Assurance of technical safety and environmental protection for motor vehicles and special-purpose vehicles operating on the road

1. Motor vehicles and special-purpose vehicles operating on the road shall be inspected in accordance with law.

2. Motorcycles and mopeds shall only be subject to emissions inspection. Emissions inspection must comply with the law on environmental protection and be carried out at emissions inspection establishments meeting national technical regulations.

3. Motor vehicles and special-purpose vehicles with a certificate of technical safety and environmental protection issued by a vehicle inspection establishment or an ex-factory inspection slip issued by the manufacturer are not subject to inspection when moving from border gates or places of manufacture or assembly to warehouses, ports or retail stores and *vice versa*.

4. The inspection of technical safety and environmental protection for motor vehicles and special-purpose vehicles shall be carried out by inspectors of vehicle inspection establishments that shall grant inspection certificates.

5. The Minister of Transport shall specify:

a/ Order and procedures for grant, re-grant, suspension of operation, and revocation of certificates of eligibility for conducting inspection of motor vehicles of motor vehicle inspection establishments;

b/ Order and procedures for grant, re-grant, suspension of operation, and revocation of certificates of eligibility for operation for motorcycle and moped emissions inspection establishments;

c/ Order and procedures for certification of technical safety and environmental protection for renovated motor vehicles and special-purpose vehicles;

d/ Order and procedures for inspection and exemption from first-time inspection for motor vehicles and special-purpose vehicles;

dd/ Order and procedures for emissions inspection for motorcycles and mopeds;

e/ National technical regulations on technical-physical foundations and locations of motor vehicle inspection establishments and motorcycle and moped emissions inspection establishments; national technical regulations on motor vehicles and special-purpose vehicles operating on the road;

g/ Dimension and load limits for motor vehicles and special-purpose vehicles operating on the road;

h/ Technical requirements for motor vehicles and special-purpose vehicles that are subjects of research and development activities and need to be put into operation on the road.

6. The Minister of National Defense or the Minister of Public Security shall specify the order and procedures for inspection of technical safety and environmental protection for motor vehicles and special-purpose vehicles, and certification of technical safety and environmental protection for renovated motor vehicles and special-purpose vehicles that are managed by the Ministry of National Defense or the Ministry of Public Security.

**Article 43.** Responsibilities of registration and inspection establishments, owners of motor vehicles and special-purpose vehicles, and operators of motor vehicles and special-purpose vehicles

1. Registration and inspection establishments are public service-providing organizations that conduct inspection of technical safety and environmental protection for motor vehicles and special-purpose vehicles, and shall be organized and operate according to the Government's regulations.

Registration and inspection establishments shall be held responsible for results of technical safety and environmental protection inspection of motor vehicles and special-purpose vehicles; and may refuse to inspect violating vehicles when the vehicle owners have yet to complete competent state agencies' requests for settlement of administrative violations in the field of road traffic order and safety.

2. Responsibilities of owners of motor vehicles and special-purpose vehicles and operators of motor vehicles and special-purpose vehicles:

a/ To abide by regulations on grant and revocation of vehicle registration certificates and license plates; and technical safety and environmental protection inspection for motor vehicles and special-purpose vehicles;

b/ To maintain and repair vehicles so as to maintain their technical conditions; to be held responsible for the act of putting vehicles not meeting technical safety and environmental protection requirements into operation on the road;

c/ Organizations and individuals that are vehicle owners as stated in vehicle registration certificates shall continue bearing the vehicle owner's liabilities pending the completion of procedures for revocation of vehicle registration certificates and license plates for cases subject to revocation specified in Clause 6, Article 39 of this Law;

d/ Organizations and individuals that violate the law on road traffic order and safety but have yet to complete competent state agencies' requests for settlement of administrative violations in the field of road traffic order and safety will not have their requests for vehicle registration and inspection resolved;

dd/ To abide by other regulations when operating on the road.

**Article 44.** Assurance of road traffic order and safety with regard to road vehicles operating in urban areas

1. Buses and four-wheeled passenger vehicles fitted with engine shall operate on the proper routes, schedules and permitted operating hours, and shall stop and park in the designated places.

2. Taxis shall pick up and drop off passengers as agreed between passengers and drivers but shall comply with the law on road traffic order and safety when picking up and dropping off passengers.

3. Cargo vehicles shall operate on the proper routes, within the scope and time prescribed for each type of vehicle.

4. Environmental sanitation vehicles, vehicles carrying construction materials and bulky scraps shall be covered so as to prevent these materials and scraps from falling off onto the street and shall operate within the time frame prescribed by provincial-level People's Committees.

5. Provincial-level People's Committees shall provide road transport activities in urban areas and the proportion of mass transit vehicles with assistive devices for people with disabilities in urban areas.

**Article 45.** Assurance of road traffic order and safety with regard to passenger automobiles

1. Passenger transportation by automobiles must comply with the following regulations:

a/ To pick up and drop off passengers at designated places; to instruct the use of safety equipment on vehicles; to take measures to maintain hygiene in vehicles;

b/ To transport passengers according to the registered schedule and route, except in *force majeure* events;

c/ Not to carry passengers on the vehicle roof or in the luggage compartment or let passengers hang or cling outside the vehicle;

d/ Not to carry hazardous goods, banned goods, smuggled goods, wild animals, goods with foul odors or other animals and goods that affect the well-being of passengers or the environment;

dd/ Not to carry passengers, luggage or cargoes in excess of the permitted limits or in violation of other provisions of law;

e/ Not to carry cargoes in the passenger compartment.

2. Drivers and service staff on passenger automobiles have the following responsibilities:

a/ To comply with Clause 1 of this Article;

b/ Before starting the journey, to check the vehicle's safety conditions and provide passengers with instructions on road traffic safety and escape in case of incident;

c/ To instruct, request, and examine the compliance with Clause 2, Article 10 of this Law by passengers on board;

d/ To check the arrangement and tying of luggage and cargoes to ensure safety;

dd/ To maintain order and hygiene in the vehicle;

e/ To coordinate in performing other tasks at the request of public security agencies in the work of protecting national security and ensuring social order and safety;

g/ To implement other road traffic rules specified in Chapter II of this Law.

**Article 46.** Assurance of road traffic order and safety with regard to vehicles carrying preschool children and pupils

1. Vehicles used for the business of transportation of preschool children and pupils must meet the following requirements:

a/ To meet the conditions specified in Clauses 1 and 2, Article 35 of this Law; to have passenger image capture devices and child abandonment alert devices; have a life of up to 20 years; and have a paint color as specified by the Government;

b/ Vehicles used for carrying preschool children or primary pupils must have seat belts appropriate to their age or have seats appropriate to their age as specified by law.

2. Vehicles used for the transportation business and carrying preschool children and pupils must meet the requirements specified in Clause 3, Article 10 and Clauses 1 and 2, Article 35 of this Law; have passenger image capture devices and child abandonment alert devices that meet the requirements specified at Point a, Clause 1 of this Article.

3. When transporting preschool children and primary pupils, it is required to arrange at least 1 monitor per vehicle to instruct, supervise, maintain order and ensure the safety for preschool children and primary students throughout the trip. For vehicles with 29 seats or more (excluding the driver's) carrying 27 preschool children and primary pupils or more, it is required to arrange at least 2 monitors per vehicle. The monitor and the driver shall check preschool children and primary pupils when they get off the vehicle; and when leaving the vehicle, may not leave preschool children and primary pupils unattended on the vehicle.

4. Drivers of automobiles carrying preschool children and pupils must have at least 2 years' experience in driving passenger vehicles.

5. Education institutions shall formulate procedures for ensuring safety when organizing transportation of preschool children and pupils; give instructions to drivers and monitors for them to understand and properly implement the procedures; be responsible for ensuring road traffic order and safety when organizing transportation of preschool children and pupils.

6. When organizing traffic flow and regulating traffic, priority shall be given to vehicles carrying preschool children and pupils; stopping and parking areas shall be arranged in school premises and along routes of transporting preschool children and pupils.

**Article 47.** Assurance of road traffic order and safety in passenger and cargo transportation by motorcycles, mopeds and rudimentary vehicles

1. The use of motorcycles, mopeds and rudimentary vehicles for passenger and cargo transportation must comply with the following regulations:

a/ To check the safety conditions of vehicles before the vehicles are put for operation on the road;

b/ When transporting cargoes, the driver must carry sufficient documents as prescribed by law;

c/ To check the arrangement of cargoes to ensure safety; not to carry passengers, luggage or cargoes in excess the permitted limits or the vehicle dimension limit;

d/ Goods transported on vehicles must be neatly arranged and securely tied, ensuring that they do not pose a danger to road users and vehicles operating on the road; not obstruct the driver's visibility; and not obscure the vehicle's lights or license plates;

dd/ Bulk cargoes, construction materials and scraps, when transported on the road, must be prevented from falling off onto the road or cause noise or dust;

e/ In case of carrying a load extending to the front and rear of the vehicle, there must be red signals at both ends of the load in the daytime, and at nighttime or when it is dark, there must be lights or signals for the load to become noticeable to road users.

2. Provincial-level People's Committees shall specify the use of motorcycles, mopeds and rudimentary vehicles for passenger and cargo transportation business in their localities.

**Article 48.** Assurance of road traffic order and safety for four-wheeled passenger and cargo vehicles fitted with engine

1. Four-wheeled passenger and cargo vehicles fitted with engine must meet the following requirements:

a/ Having been granted a vehicle registration certificate and fitted with a license plate; meeting law-specified technical safety quality and environmental protection requirements;

b/ Making public information on the names and telephone numbers of the organizations and individuals doing transport business; listing fares in case of passenger transportation;

c/ Operating within the law-specified time and scope.

2. Provincial-level People's Committees shall specify the time and scope of passenger and cargo transportation by four-wheeled vehicles fitted with engine in their localities.

**Article 49.** Assurance of road traffic order and safety with regard to cargo automobiles

1. When transporting cargoes by automobiles, the driver must comply with the following regulations:

a/ To carry sufficient documents as specified by law;

b/ To check the safety conditions of the vehicle before operating on the road;

c/ To check the loading of cargoes to ensure safety; not to carry cargoes in excess of the permitted weight or vehicle dimension limit;

d/ To ensure that cargoes transported on the vehicle are neatly arranged, securely tied, ensuring safety under the Minister of Transport's regulations;

dd/ To tightly cover bulk cargoes, construction materials and scraps carried on the vehicle so as to prevent them from falling off onto the road, causing noise or dust during transportation; the load must be at least 10cm lower than the top edge of the vehicle's body;

e/ In case of carrying a load extending to the front and rear of the vehicle, there must be red signals at both ends of the load in the daytime, and at nighttime or when it is dark, there must be lights or signals for the load to become noticeable to road users.

2. The Traffic Police force shall conduct patrol and control, and handle violations of the law on road traffic order and safety for overloaded cargo vehicles operating on the road.

**Article 50.** Assurance of road traffic order and safety with regard to vehicles carrying live animals and fresh food

1. The transportation of live animals must meet the following requirements:

a/ The driver must carry sufficient documents as specified by law;

b/ The vehicle must have a structure suitable for the type of animals being transported;

c/ To comply with the laws on road traffic order and safety, hygiene and epidemiology, epidemic prevention, and environmental hygiene during the transportation process.

2. The transportation of fresh food must meet the following requirements:

a/ The driver must carry sufficient documents as specified by law;

b/ To comply with the laws on road traffic order and safety, food safety, hygiene and epidemiology, epidemic prevention, and environmental hygiene during the transportation process.

**Article 51.** Assurance of road traffic order and safety with regard to road vehicles carrying hazardous goods

1. Hazardous goods are goods containing hazardous substances or items that, when transported on the road, are likely to cause harm to human life or health, the environment, safety, or national security.

2. The transportation of hazardous goods requires a transport permit; when necessary, the unit transporting hazardous goods must arrange an escort to ensure road traffic order and safety.

3. Automobiles carrying hazardous goods must be stuck with a hazard symbol; installed with lights and warning signals.

4. Drivers or escorts on board vehicles transporting hazardous goods must be trained in the transportation of hazardous goods.

5. The agency granting a permit for transportation of hazardous goods shall immediately send a notice thereof to the Traffic Police Agency of the Ministry of Public Security and the Traffic Police agencies in charge of ensuring traffic order and safety on the route and road section through which the vehicle passes for the latter to command and control road traffic, carry out inspection and supervision, handle violations, and ensure road traffic order and safety.

6. The Government shall detail this Article.

**Article 52.** Assurance of road traffic order and safety with regard to oversized vehicles, overloaded vehicles, and tracked vehicles circulating on the road

1. Oversized vehicles include:

a/ Motor vehicles and special-purpose vehicles with exterior dimensions exceeding the permitted vehicle dimension limit as stated in the national technical regulation on motor vehicles;

b/ Motor vehicles and special-purpose vehicles with exterior dimensions exceeding the road size limit;

c/ Motor vehicles and special-purpose vehicles, when carrying goods, with the exterior dimensions of the vehicles and the cargoes exceeding the permitted dimensions of cargoes loaded onto vehicles or exceeding the road size limit.

2. Overloaded vehicles include:

a/ Motor vehicles and special-purpose vehicles with a gross weight exceeding the permitted weight of the vehicles or exceeding the road load capacity;

b/ Motor vehicles and special-purpose vehicles with a gross weight distributed to the axle or axle assembly exceeding the load capacity of the axle or axle assembly or exceeding the road load capacity.

3. Oversized vehicles, overloaded vehicles, and tracked vehicles shall be granted a license for circulation on the road in the following cases:

a/ Oversized vehicles specified at Points a and b, Clause 1 of this Article operating at no load, vehicles with a curb weight exceeding the road load capacity operating at no load, tracked vehicles running from places of manufacture, stations, ports, or places of import, repair or maintenance to the places where they are used or *vice versa* or between places where they are used;

b/ Oversized vehicles and overloaded vehicles carrying cargoes on the road in the following cases: serving performance of national defense and security tasks; preventing, controlling, and remediating the consequences of, disasters; performing tasks in emergency situations; carrying oversized and overweight cargoes when it is inappropriate to transport such cargoes by rail, inland waterway, air or sea or it is necessary to combine road transport with other modes of transport;

c/ Vehicles exceeding the permitted dimension limit carrying passenger automobiles with up to 8 seats (excluding the driver's), trucks and special-purpose automobiles with a designed gross weight of up to 3,500kg from the places of manufacture, stations, ports or places of import, repair and maintenance to the places where they are used.

4. The protection of road works in case oversized vehicles, overloaded vehicles, and tracked vehicles are permitted to circulate on the road is as follows:

a/ In case oversized vehicles, overloaded vehicles, and tracked vehicles exceed the load and size limits of road works, the organization/individual applying for a permit for circulation of vehicles on the road shall survey, design, and reinforce road works;

b/ The survey, designing, and reinforcement of road works shall be carried out by a professionally capable unit in accordance with the construction law;

c/ The organizations/individuals applying for a permit for circulation of oversized vehicles, overloaded vehicles, and tracked vehicles on the road shall pay

all expenses for survey, designing, and reinforcement of road works specified at Point b of this Clause;

d/ The agencies, organizations, and individuals specified at Points a, b, and c of this Clause shall compensate for damage to road works, if any;

dd/ In case of necessity, there must be people and vehicles to assist the driver, warn other people and vehicles operating on the road and take measures to ensure road traffic safety according to the Government's regulations;

e/ For tracked vehicles permitted to circulate on the road, measures must be taken to protect the road surface.

5. Competent road management agencies shall grant permits for circulation of oversized vehicles, overloaded vehicles, and tracked vehicles on the road; in case of transporting oversized cargoes or overweight cargoes, the grant of permits must comply with Article 53 of this Law; the agencies and organizations assigned to directly manage road works subject to reinforcement as specified at Point a, Clause 4 of this Article shall approve the plans on survey, designing, and reinforcement of road works.

6. Oversized vehicles, overloaded vehicles, and tracked vehicles may only circulate on the road after a circulation permit is granted and measures for protection of road works have been taken as specified in Clause 4 of this Article.

7. The agency granting a permit for circulation of oversized vehicles, overloaded vehicles, and tracked vehicles shall immediately send a notice thereof to the Traffic Police Agency of the Ministry of Public Security and the Traffic Police agencies performing the task of ensuring traffic order and safety on the route and road section through which the vehicle passes for the latter to command and control road traffic, carry out inspection and supervision, handle violations, and ensure road traffic order and safety.

8. The Traffic Police force shall organize patrol and control, regulate traffic, and handle violations with regard to oversized vehicles, overloaded vehicles, and tracked vehicles circulating on the road.

9. The Minister of Transport shall detail Point b, Clause 3 of this Article; and prescribe load capacity and size limits of roads; the circulation of oversized vehicles, overloaded vehicles, and tracked vehicles on the road; and the order and procedures for grant of circulation permits for overloaded vehicles, oversized vehicles, and tracked vehicles.

**Article 53.** Assurance of road traffic order and safety with regard to vehicles carrying oversized and overweight cargoes

1. Oversized and overweight cargoes are cargoes that cannot be divided or disassembled and, when loaded onto vehicles or vehicle combinations for transportation on the road, make these vehicles or combination vehicles exceed the permitted dimension and weight limits for operation on the road as prescribed by law.

2. Vehicles carrying oversized and overweight cargoes must be suitable for the types, dimensions and weight of the cargoes and have a vehicle circulation permit granted by a competent road management agency.

3. Vehicles carrying oversized and overweight goods may be combined or coupled together into a vehicle combination, including a tow truck and a trailer truck for towing or towing and pushing special-purpose trailers or semi-trailers, and modular trailers, including also the cases of combination and coupling through the cargoes being carried.

4. Vehicles carrying oversized and overweight cargoes must run at the speed specified in the permit and must have a signal indicating cargo dimensions; when necessary, there must be assisting people and vehicles as specified at Point dd, Clause 4, Article 52 of this Law when transporting oversized and overweight cargoes on the road.

5. The agencies that grant circulation permits for vehicles carrying oversized and overweight cargoes shall immediately send a notice thereof to the Traffic Police Agency of the Ministry of Public Security and the Traffic Police agencies in charge of ensuring traffic order and safety on the route and road sections through which the vehicles pass for the latter to command and control road traffic, inspect, control, handle violations, and ensure road traffic order and safety.

6. The Traffic Police force shall patrol, control, and handle violations of the law on road traffic order and safety for vehicles carrying oversized and overweight goods on the road.

7. The Minister of Transport shall provide specific regulations on oversized and overweight goods; the transportation of oversized and overweight goods and the grant of circulation permits for vehicles carrying oversized and overweight goods on the road.

**Article 54.** Assurance of road traffic order and safety with regard to road rescue vehicles

1. Road rescue vehicles are special-purpose automobiles equipped with tools and equipment for rescuing, supporting the movement of, or transporting damaged or broken road vehicles.

2. Road rescue vehicles must have identification signs, have information posted on the vehicles, and be mounted with a vehicle tracking device and driver image capture device as specified in Clause 2, Article 35 of this Law.

3. Road rescue vehicles must abide by the regulations on the weight of cargoes carried by rescue vehicles and the weight of the rescued vehicles recorded on the Certificate of technical safety and environmental protection inspection.

**Article 55.** Assurance of road traffic order and safety with regard to foreigners' overseas-registered right-hand drive automobiles operating on the road in Vietnam; motor vehicles brought into Vietnam by foreigners for tourism purpose

1. Foreigners' overseas-registered right-hand drive automobiles operating on the road in Vietnam; and motor vehicles brought into Vietnam by foreigners for tourism purpose must be licensed by competent agencies.

2. The agencies granting permits for foreigners' overseas-registered right-hand drive automobiles to operate on the road in Vietnam; and motor vehicles to be brought into Vietnam by foreigners for tourism purpose shall immediately notify thereof to the immigration management agency.

3. The circulation of foreigners' overseas-registered right-hand drive automobiles operating on the road in Vietnam; and motor vehicles brought into Vietnam by foreigners for tourism purpose is as follows:

a/ To abide by Vietnam's law on road traffic order and safety. In case a treaty to which the Socialist Republic of Vietnam is a contracting party has other provisions, such treaty shall apply;

b/ To operate on the road within the scope, route, and time licensed by a competent authority of Vietnam;

c/ Foreigners' overseas-registered right-hand drive automobiles must run in convoys with escorting people and vehicles;

d/ Organizations and individuals bringing right-hand drive automobiles into Vietnam shall arrange escorting vehicles and ensure traffic safety when these vehicles circulate in Vietnam's territory.

4. The Government shall detail this Article.

## Chapter IV

### OPERATORS OF VEHICLES ON THE ROAD

**Article 56.** Conditions for operators of vehicles operating on the road

1. Drivers of vehicles operating on the road must reach the eligible age and be in good health as prescribed by law; have a valid driver's license with positive points, that is suitable to the types of vehicles they operate, granted by a competent agency, except moped drivers specified in Clause 4 of this Article. When operating on the road, a driver shall bring along the following papers:

a/ The vehicle registration certificate or a certified copy of the vehicle registration certificate together with a valid certification of the credit institution or foreign bank branch where the vehicle is mortgaged, in case the vehicle is mortgaged at a credit institution or foreign bank branch;

b/ His/her driver's license, which must be suitable to the type of the vehicle he/she operates;

c/ The vehicle's technical safety and environmental protection inspection certificate for motor vehicles as prescribed by law;

d/ The motor vehicle owner's compulsory civil liability insurance certificate.

2. Operators of special-purpose vehicles operating on the road must reach the eligible age and be in good health as prescribed by law; and have a special-purpose vehicle operation license or certificate suitable to the vehicles they operate; and a valid driver's license with positive points or a certificate of training in knowledge of the road traffic law. When operating on the road, the operator of a special-purpose vehicle shall bring along the following papers:

a/ The vehicle registration certificate or a certified copy of the vehicle registration certificate together with a valid certification of the credit institution or foreign bank branch where the vehicle is mortgaged, in case the vehicle is mortgaged at a credit institution or foreign bank branch;

b/ His/her license or certificate of operation of special-purpose vehicles;

c/ His/her driver's license or certificate of training in knowledge of the road traffic law;

d/ The technical safety and environmental protection inspection certificate for special-purpose vehicles as prescribed by law;

dd/ The civil liability insurance certificate as prescribed by law.

3. In case the papers specified in Clauses 1 and 2 of this Article have been integrated into the driver's or operator's electronic identification account, the presentation and checking of such papers may be conducted via the electronic identification account.

4. Moped drivers operating on the road must understand road traffic rules, have vehicle control skills and fully satisfy the conditions on age and health prescribed at Point a, Clause 1; and Clause 2, Article 59 of this Law.

5. Learner drivers and driving-test takers shall, when operating on the road, practice driving on automobiles exclusively used for driving practice or test on the routes for driving practice or driving test and be accompanied by their driver trainers or examiners. Driver trainers and examiners shall bring along the papers specified in Clause 1 of this Article.

**Article 57.** Driver's licenses

1. Driver's licenses are of the following classes:

a/ Class A1, issued to drivers of two-wheeled motorcycles with a cylinder capacity of up to 125cm<sup>3</sup> or an electric motor capacity of up to 11kW;

b/ Class A, issued to drivers of two-wheeled motorcycles with a cylinder capacity exceeding 125cm<sup>3</sup> or an electric motor capacity exceeding 11kW and those prescribed for Class A1 driver's licenses;

c/ Class B1, issued to drivers of three-wheeled motorcycles and those prescribed for Class-A1 driver's licenses;

d/ Class B, issued to drivers of passenger automobiles of up to 8 seats (excluding the driver's); trucks and special-purpose vehicles with a designed gross weight of up to 3,500kg; and types of automobiles prescribed for Class B driver's licenses that tow trailers with a designed gross weight of up to 750kg;

dd/ Class C1, issued to drivers of trucks and special-purpose vehicles with a designed gross weight of between over 3,500kg and 7,500kg; and types of trucks prescribed for Class C1 driver's licenses that tow trailers with a designed gross weight of up to 750kg; and those prescribed for Class B driver's licenses;

e/ Class C, issued to drivers of trucks and special-purpose vehicles with a designed gross weight exceeding 7,500kg; and types of trucks prescribed for Class C driver's licenses that tow trailers with a designed gross weight of up to 750kg; and those prescribed for Class B and C1 driver's licenses;

g/ Class D1, issued to drivers of passenger automobiles of between over 8 seats (excluding the driver's) and 16 seats (excluding the driver's); types of passenger automobiles prescribed for class D1 driver's licenses that tow trailers with a designed gross weight of up to 750kg; and those prescribed for Class B, C1 and C driver's licenses;

h/ Class D2, issued to drivers of passenger automobiles (including also buses) of between over 16 seats (excluding the driver's) and 29 seats (excluding the driver's); types of passenger automobiles prescribed for Class D2 driver's licenses that tow trailers with a designed gross weight of up to 750kg; and those prescribed for Class B, C1, C, and D1 driver's licenses;

i/ Class D, issued to drivers of passenger automobiles (including also buses) of over 29 seats (excluding the driver's); sleeper buses; types of passenger automobiles prescribed for Class D driver's licenses that tow trailers with a designed gross weight of up to 750kg; and those prescribed for Class B, C1, C, D1, and D2 driver's licenses;

k/ Class BE, issued to drivers of types of automobiles prescribed for Class B driver's licenses that tow a trailer with a designed gross weight exceeding 750kg;

l/ Class C1E, issued to drivers of types of automobiles prescribed for Class C1 driver's licenses that tow a trailer with a designed gross weight exceeding 750kg;

m/ Class CE, issued to drivers of types of automobiles prescribed for Class C driver's licenses that tow a trailer with a designed gross weight exceeding 750kg; and semi-trailer trucks;

n/ Class D1E, issued to drivers of types of automobiles prescribed for Class D1 driver's licenses that tow a trailer with a designed gross weight exceeding 750kg;

o/ Class D2E, issued to drivers of types of automobiles prescribed for Class D2 driver's licenses that tow a trailer with a designed gross weight exceeding 750kg;

p/ Class DE, issued to drivers of types of automobiles prescribed for Class D driver's licenses that tow a trailer with a designed gross weight exceeding 750kg; and articulated passenger automobiles.

2. People with disabilities driving three-wheeled motorcycles designed for them shall be issued Class A1 driver's licenses.

People with disabilities driving auto transmission automobiles having structures designed for them shall be issued Class B driver's licenses.

3. Operators of motorized four-wheeled cargo vehicles and motorized four-wheeled passenger vehicles shall use driver's licenses of a class suitable to the respective types of cargo automobiles and passenger automobiles.

4. The operator of an automobile designed or renovated with fewer seats than those of automobiles of same type with an equivalent dimension limit shall use a driver's license of the class prescribed for the automobile of the same type with an equivalent dimension limit and the highest number of seats.

5. The validity period of a driver's license is as follows:

a/ Class A1, A and B1 driver's licenses have indefinite validity period;

b/ Class B and C1 driver's licenses are valid for 10 years from the date of issuance;

c/ Class C, D1, D2, D, BE, C1E, CE, D1E, D2E and DE driver's licenses are valid for 5 years from the date of issuance.

6. Driver's licenses valid within Vietnam's territory include:

a/ Driver's licenses issued by Vietnam's competent agencies;

b/ International driving permits, enclosed with national driver's licenses suitable to the types of vehicles permitted to operate, issued by countries being members of the 1968 Vienna Convention on Road Traffic (below referred to as the Vienna Convention);

c/ Driver's licenses suitable to the types of vehicles permitted to operate, issued by countries or territories with which Vietnam has signed treaties or international agreements on mutual driver's license recognition;

d/ Foreign driver's licenses suitable to the types of vehicles permitted to operate, issued by countries recognized under treaties to which the Socialist Republic of Vietnam is a contracting member.

7. A driver's license is invalid in the following cases:

a/ It has expired;

b/ It is revoked under Clause 5, Article 62 of this Law.

8. International driving permit:

a/ International driving permit is a driving permit issued by a competent state agency of a country that is a member of the Vienna Convention according to a unified form; is valid for at most 3 years from the date of issuance and must be consistent with the validity period of the holder's national driver's license;

b/ Holders of international driving permits issued by countries that are members of the Vienna Convention shall, when operating on the road in Vietnam, bring along their valid international driving permits and national driver's licenses

suitable to the types of the vehicles they operate; and comply with Vietnam's law on road traffic order and safety;

c/ In case an international driving permit holder violates Vietnam's law on road traffic order and safety and therefore has his/her driver's license revoked for a definite period, the revocation period must not exceed the period for which he/she is permitted to reside in Vietnam's territory;

d/ For Vietnamese and foreigners having permanent residence cards or temporary residence cards in Vietnam who have valid driver's licenses issued by Vietnam or countries that are members of treaties to which the Socialist Republic of Vietnam is a contracting party, Vietnamese shall be issued international driving permits if they so wish.

9. The Minister of Transport shall prescribe the forms of driver's licenses and international driving permit, and the order and procedures for issuance and use of driver's licenses and international driving permit; the Minister of National Defense and Minister of Public Security shall prescribe the forms of driver's licenses, and the order and procedures for issuance and use of driver's licenses of the Army and Public Security forces performing national defense and security tasks.

#### **Article 58.** Driver's license points

1. Driver's license points, 12 points, shall be used to manage drivers' compliance with the law on road traffic order and safety in the road traffic order and safety database system. The number of points to be deducted for each violation of the law on road traffic order and safety shall depend on the nature and severity of the violation. Data on deducted points on driver's licenses of violators shall be updated into the database system immediately after sanctioning decisions take effect and notified to violators.

2. A driver's license that has not had all points deducted and is not deducted within 12 months from the latest deduction shall be restored to 12 points.

3. If a driver's license has all points deducted, the holder may not operate a vehicle on the road using the driver's license. Past 6 months after all points are deducted, the driver's license holder may take a test in knowledge of the law on road traffic order and safety prescribed in Clause 7, Article 61 of this Law that is organized by the Traffic Police force, and if passing the test, shall have his/her driver's license restored to 12 points.

4. The point of a renewed, reissued or upgraded driver's license is the same as that of the original one.

5. Persons competent to sanction administrative violations have the competence to deduct driver's license points.

6. The Government shall detail Clause 1 of this Article; and prescribe the order and procedures for and competence to deduct and restore driver's license points; and the roadmap for implementation of this Article. The Minister of Public Security shall detail Clause 3 of this Article.

**Article 59.** Age and health of operators of vehicles on the road

1. The age of drivers and special-purpose vehicle operators is as follows:

a/ Persons aged full 16 years or older may drive mopeds;

b/ Persons aged full 18 years or older shall be issued class A1, A, B1, B and C1 driver's licenses and certificates of training in knowledge of the road traffic law to operate special-purpose vehicles on the road;

c/ Persons aged full 21 years or older shall be issued Class C and BE driver's licenses;

d/ Persons aged full 24 years or older shall be issued Class D1, D2, C1E and CE driver's licenses;

dd/ Persons aged full 27 years or older shall be issued Class D, D1E, D2E and DE driver's licenses;

e/ The maximum age of drivers of passenger automobiles (including also buses) of over 29 seats (excluding the driver's) and sleeper buses is full 57 years for men and full 55 years for women.

2. Operators of vehicles on the road must meet the health conditions suitable to the types of vehicles they are permitted to operate. The Minister of Health shall prescribe health standards and health checkups for drivers and special-purpose vehicle operators, and periodical health checkups for professional automobile drivers; and the building of a database on the health of drivers and special-purpose vehicle operators.

3. The Minister of National Defense and the Minister of Public Security shall prescribe the age of drivers in the Army and Public Security forces performing national defense and security tasks.

**Article 60.** Driver training

1. Persons who wish to have driver's licenses must be trained in driving theory and practice according to the training program prescribed for each class of driver's license.

2. Learner drivers must be trained at driver training establishments or in other driver training forms so as to be issued driver's licenses or have their driver's licenses upgraded.

3. Training for driver's license upgrading shall be conducted in the following cases:

a/ Upgrading driver's license from Class B to Class C1, C, D1 or D2;

b/ Upgrading driver's license from Class C1 to Class C, D1 or D2;

c/ Upgrading driver's license from Class C to Class D1, D2 or D;

d/ Upgrading driver's license from Class D1 to Class D2 or D;

dd/ Upgrading driver's license from Class D2 to Class D;

e/ Upgrading driver's license from Class B, C1, C, D1, D2 or D to Class BE, C1E, CE, D1E, D2E, or DE, respectively.

4. Driver's license holders may attend training for upgrading their driver's licenses if they so wish when their driver's licenses remain valid and must have sufficient safe driving duration prescribed for each class of driver's license; those who wish to attend training for upgrading their driver's licenses to Class D1, D2, or D must also reach at least lower secondary education level.

5. The training for issuance of Class C, D1, D2, D, BE, C1E, CE, D1E, D2E or DE driver's licenses must be conducted in the form of training for class upgrading under the conditions specified in Clauses 3 and 4 of this Article.

6. Automobile driver training establishments must satisfy the Government-prescribed conditions, have curricula and teaching materials and provide training in the forms, with the contents and under the programs prescribed for each class of driver's license.

7. The Government shall provide other forms of driver training specified in Clause 2 of this Article; prescribe the order and procedures for testing and assessment for issuance or re-issuance and revocation of driver training vehicle licenses; criteria for driver trainers; the issuance, re-issuance and revocation of driver trainer's certificates; and the issuance, re-issuance and revocation of driver training licenses.

8. The Minister of Transport shall prescribe the training forms, contents and programs, safe driving duration for each class of driver's license specified in Clause 4 of this Article and prescribe the criteria for motorcycle driver training establishments; the Minister of National Defense and Minister of Public Security shall prescribe the training forms, contents and programs, safe driving duration

and the criteria for driver training establishments and organizations for the Army and Public Security forces performing national defense and security tasks.

**Article 61.** Driver testing

1. Persons who have completed driver training programs, reached the eligible age and are in good health as prescribed in Article 59 of this Law may register to take driver tests.

2. Driver test contents shall be conformable with classes of driver's licenses and driver training programs.

3. Automobile driver tests shall be held at driver testing centers; motorcycle driver tests shall be held at driver testing centers or driving practice grounds that meet the conditions and criteria for material and technical facilities. Vehicle driver tests shall be conducted by competent state agencies.

4. A driver testing center is a unit providing driver testing services and must meet the Government-prescribed conditions and technical requirements prescribed in national technical regulations on road motor vehicle driver testing centers, use applied information technology equipment and immediately share test results and monitoring data to driver training, testing and licensing management agencies and road traffic order and safety management agencies for supervision.

5. Drive tests shall be conducted by examiners. Examiners must fully satisfy the conditions and criteria and possess examiner cards shall and take responsibility for testing results.

6. The Government shall prescribe the conditions, order and procedures for inspection and assessment to issue, re-issue and revoke testing licenses of driver testing centers; and conditions on driving practice grounds for motorcycle driver testing.

7. The Minister of Transport shall prescribe the testing forms, contents and process for issuing motorcycle driver's licenses; conditions and criteria for examiners and examiner training and examiner card issuing organizations; technical standards for driving practice grounds for motorcycle driver testing, and national technical regulations on road motor vehicle driver testing centers; the Minister of National Defense and Minister of Public Security shall prescribe vehicle testing for the Army and Public Security forces performing national defense and security tasks.

**Article 62.** Issuance, renewal, re-issuance and revocation of driver's licenses

1. Driver's licenses shall be issued to driver test takers with satisfactory results.

2. The holder of a driver's license shall have his/her driver's license renewed or re-issued when:

a/ The driver's license is lost;

b/ The driver's license is damaged and no longer usable;

c/ The expiry date stated on the driver's license has not expired yet;

d/ There is a change in information on the driver's license;

dd/ The driver's license is a foreign driver's license issued by a foreign authority and remains valid;

e/ The driver's license is a driver's license issued by the Ministry of National Defense or the Ministry of Public Security and the license holder is so requests or no longer performs national defense and security tasks.

3. It is encouraged to renew driver's licenses with indefinite validity period issued before July 1, 2012, into driver's licenses prescribed in this Law.

4. Violators of the law on road traffic order and safety shall be neither issued nor re-issued driver's licenses or have their driver's licenses renewed when they have yet to fulfill requirements of state agencies competent to settle administrative violations in the field of road traffic order and safety.

5. A driver's license shall be revoked in one of the following cases:

a/ The license holder fails to meet health requirements for the driver's license class as concluded by a medical examination and treatment establishment;

b/ The license is issued in contravention of regulations;

c/ Thee period of temporary seizure of the driver's license or the statute of limitations for executing a decision on sanctioning of administrative violations prescribed in the law on handling of administrative violations has expired but the violator does not come to receive his/her driver's license back without any plausible reason.

6. The Minister of Transport shall prescribe the conditions, order and procedures for issuance, renewal, re-issuance and revocation of driver's licenses, except the case specified in Clause 7 of this Article.

7. The Minister of National Defense and Minister of Public Security shall prescribe the issuance, renewal, re-issuance and revocation of driver's licenses for the Army and Public Security forces performing national defense and security tasks. The Minister of Labor, Invalids and Social Affairs shall prescribe the conditions, order and procedures for issuance, renewal, re-issuance and revocation

of certificates of operation of special-purpose vehicles for tractor operators who have driver's licenses specified at Points d, e, g, h, i, k, l, m and n, Clause 3, Article 89 of this Law.

**Article 63.** Training in and testing of, and issuance of certificates of training in, knowledge of the road traffic law to operators of special-purpose vehicles

1. Certificate of training in knowledge of the road traffic law is a certificate issued to a person satisfying the law-prescribed conditions to operate a special-purpose vehicle on the road.

2. Persons who wish to be issued certificates of training in knowledge of the road traffic law may register with licensed automobile driver training establishments or special-purpose vehicle operator training establishments to receive training in knowledge of the road traffic law.

3. Licensed automobile driver training establishments and special-purpose vehicle operator training establishments shall provide training in knowledge of the road traffic law in line with the training forms, contents and programs; organize tests in, and issue certificates of training in, knowledge of the road traffic law to test takers with satisfactory results.

4. The Minister of Transport shall prescribe the training forms, contents and programs on knowledge of the road traffic law; the testing of knowledge of the road traffic law and procedures for issuance and re-issuance of certificates of training in knowledge of the road traffic law; criteria for special-purpose vehicle operator training establishments to provide training and organize tests in, and issue certificates of training in, knowledge of the road traffic law, except the case specified in Clause 5 of this Article.

5. The Minister of National Defense and Minister of Public Security shall prescribe the training forms, contents and programs on knowledge of the road traffic law; criteria for special-purpose vehicle operator training establishments to provide training and organize tests in, and issue certificates of training in, knowledge of the road traffic law for the Army and Public Security forces performing national defense and security tasks.

**Article 64.** Working time of drivers of automobiles used in commercial and in-house transport activities

1. Automobile drivers' driving time must not exceed 10 hours per day and 48 hours per week; the time of driving without a break must not exceed 4 hours and comply with relevant provisions of the Labor Code.

2. Transport businesses, units performing in-house transport activities and drivers of automobiles used in commercial and in-house transport activities must comply with this Article.

## Chapter V

### PATROL AND CONTROL OF ROAD TRAFFIC ORDER AND SAFETY

#### **Article 65.** Patrol and control of road traffic order and safety

1. Patrol and control operations include:

- a/ Arranging forces and means to perform patrol and control tasks;
- b/ Inspecting and controlling road users and vehicles operating on the road;
- c/ Detecting, preventing and handling violations of the law on road traffic order and safety and other violations.

2. Forms of patrol and control include:

- a/ Organizing forces to directly patrol and control on traffic routes;
- b/ Controlling through systems, means, equipment and data specified in Clauses 1, 2, 3 and 4, Article 67 of this Law.

3. Forces performing patrol and control tasks include:

- a/ The Traffic Police force;
- b/ Other forces and units of the People's Public Security that are mobilized to coordinate with the Traffic Police in performing patrol and control tasks when necessary based on the former's tasks and powers in accordance with law and competent authorities' decisions and in line with practical tasks.

4. Tasks of the Traffic Police in patrolling and controlling:

- a/ Observing and grasping the situation of road users and vehicles operating on the road; the situation of road traffic order and safety; security and order on traffic routes;
- b/ Complying with Points b and c, Clause 1 of this Article;
- c/ Disseminating, and instructing and mobilizing road users to comply with, the law on road traffic order and safety;
- d/ Helping and supporting road users and vehicles operating on the road when necessary;
- dd/ Commanding and controlling road traffic;

e/ Investigating and settling road traffic accidents in accordance with law;

g/ Fighting and preventing crimes on traffic routes, ensuring security and order as prescribed by law; participating in preventing and combating terrorism, riots, epidemics, disasters, and fires; participating in rescue activities;

h/ Detecting shortcomings concerning roads and road traffic movement, causes of road traffic disorder and safety hazards and notifying thereof to competent agencies or reporting thereof to competent authorities for the latter to propose competent agencies to take remedial measures;

i/ Coordinating with road administration agencies in detecting and stopping acts of violating regulations on protection of road works and road safety corridors;

k/ Other tasks prescribed in the Law on the People's Public Security Forces and other relevant laws.

#### 5. Powers of the Traffic Police in patrolling and controlling:

a/ Stopping vehicles operating on the road prescribed in Article 66 of this Law to inspect their compliance with regulations on road traffic rules, conditions on vehicles operating on the road, conditions on operators of vehicles on the road, and provisions on assurance of road traffic order and safety prescribed in this Law and other relevant laws;

b/ Handling administrative violations related to road traffic order and safety and other violations in accordance with law;

c/ Mobilizing people, means and civil equipment in emergency cases; removing violating vehicles that stop or park on roads, causing traffic obstruction or congestion or likely to cause road traffic accidents under Articles 68 and 69 of this Law;

d/ Operating and using systems, means, equipment and data prescribed in Clauses 1, 2, 3 and 4, Article 67 of this Law and weapons and supporting tools prescribed in Article 70 of this Law;

dd/ Other powers prescribed in the Law on the People's Public Security Forces and other relevant laws.

6. When performing their duties, the patrol and control forces must adhere to the following principles:

a/ To abide by the law and orders and patrol and control plans of competent authorities;

b/ To respect and protect lawful rights and interests of agencies, organizations and individuals;

c/ To resolutely fight crimes, violations of the law on road traffic order and safety and other violations;

d/ To be held responsible for their decisions and acts in accordance with law.

7. The Minister of Public Security shall detail Points a and b, Clause 1; Clause 2; and Point b, Clause 3 of this Article; and prescribe the procedures for patrolling and controlling of road traffic order and safety and handling violations of the law on road traffic order and safety by the Traffic Police.

8. Military motor vehicles, military special-purpose vehicles and their operators on the road must comply with the road traffic order and safety inspection and control requirements of the Traffic Police, and the inspection of internal military directives and the observance of law and inspection of military vehicles conducted by the army control forces. The inspection of internal military directives and the observance of law and inspection of military vehicles conducted by the army control forces must comply with regulations of the Minister of National Defense.

**Article 66.** Grounds for stopping vehicles operating on the road for inspection and control

Traffic police may stop vehicles operating on the road for inspection and control in one of the following cases:

1. Detecting a violation or obtaining grounds to identify violations of the law on road traffic order and safety or other violations;

2. Following orders and implementing patrol and control plans of competent authorities to detect violations of the law on road traffic order and safety that require stopping the vehicles for inspection and control;

3. Safeguarding national security, assuring social order and safety, preventing and combating crimes and disasters, preventing and fighting fires, preventing and controlling epidemics;

4. Receiving denunciations, reports, recommendations and proposals from agencies, organizations, and individuals about crimes and other violations.

**Article 67.** Measures for detecting violations of the law on road traffic order and safety

1. Operating and using the surveillance system for ensuring road security and traffic order and safety; camera systems on traffic routes and in urban areas; specialized technical equipment works and systems for vehicle weight inspection and control.

2. Using specialized technical means and equipment, and intelligent equipment for road traffic command and control.
3. Exploiting data from vehicle tracking devices and drive image capture devices; receiving data from vehicle weight control works.
4. Exploiting and using information in the road traffic order and safety database.
5. Observing, inspecting, controlling and cross-checking by officers on duty.
6. Receiving and handling denunciations, reports, recommendations, proposals, requests and data from means and technical equipment of agencies, organizations and individuals in accordance with the Government's regulations.
7. Other measures prescribed by law.

**Article 68.** Mobilization of civilian personnel, means and equipment in emergency situations

1. When patrolling, controlling, commanding and guarding road traffic or settling road traffic accidents or in emergency cases to defend national security and ensure social order and safety or in order to prevent damage to the society that are occurring or likely to occur, Traffic Police commanders at the scene may mobilize civilian personnel, means and equipment as well as their users and operators.

2. The Traffic Police commanders at the scene who mobilize civilian personnel, means and equipment shall immediately return the mobilized personnel, means and equipment after the emergency situation ends. In case the mobilized personnel, means and equipment are damaged, they shall be entitled to compensation regimes and policies; the units managing the officers who mobilize such personnel, means and equipment shall settle the compensation in accordance with law.

3. Mobilized agencies, organizations and individuals shall abide by decisions and requests of the Traffic Police under Clause 1 of this Article.

In the emergency cases specified in Clause 1 of this Article, the Traffic Police commanders at the scene may request foreign organizations and individuals to support and help them in performing their tasks in accordance with Vietnam's law and treaties to which the Socialist Republic of Vietnam is a contracting party.

**Article 69.** Removal of vehicles violating regulations on stopping or parking on the road, causing traffic obstruction or congestion or likely to cause road traffic accidents

1. When detecting a road vehicle violating regulations on stopping or parking on the road, causing traffic obstruction or congestion or likely to cause road traffic accidents but its operator or owner is absent from the scene or is present at the scene but refuses to abide by the request of the Traffic Police, the latter shall remove the violating vehicle from the stopping or parking location.

If the Traffic Police is unable to remove the vehicle, it may hire an organization or individual to do so.

2. When the operator or owner of a violating vehicle operating on the road obstructs or opposes the removal of his/her vehicle from the stopping or parking location, the Traffic Police shall apply the measures specified in Clause 1, Article 73 of this Law. If such operator or owner continues to obstruct or oppose the Traffic Police, the latter shall coercively remove the vehicle.

3. The operator or owner of the violating vehicle operating on the road shall pay charges for the removal of the vehicle or hire an organization or individual to remove it.

4. During the removal of the vehicle under Clause 1 of this Article, the Traffic Police and the organization or individual that is hired to remove the vehicle shall ensure the safety of the removed vehicle.

**Article 70.** Provision and use of means, equipment, weapons and supporting tools upon the patrol and control

1. The Traffic Police force shall be equipped with weapons and supporting tools in accordance with the law on the management and use of weapons, explosives and supporting tools; road vehicles, specialized technical means and equipment, and intelligent equipment for road traffic command and control. Other forces of the People's Public Security that coordinate with the Traffic Police in performing patrol and control tasks shall be equipped with specialized technical means and equipment, weapons and supporting tools suitable with their assigned tasks in accordance with law.

2. The forces specified in Clause 1 of this Article may use weapons and supporting tools they are equipped in accordance with the law on the management and use of weapons, explosives and supporting tools; use road vehicles, professional technical means and equipment, and intelligent equipment for road traffic command and control under the regulations of the Minister of Public Security; use data storage devices provided by organizations and individuals to analyze, evaluate and forecast road traffic order and safety situations, detect violations of the law on road traffic order and safety and other violations in accordance with law.

3. The equipped weapons and supporting equipment shall be managed in accordance with the law on management and use of weapons, explosives and supporting tools; professional technical means and equipment, and intelligent equipment for road traffic command and control shall be managed according to this Law, the law on handling of administrative violations and other relevant laws.

**Article 71.** Surveillance systems for ensuring road security and traffic order and safety; vehicle tracking device and driver image capture device data management systems; systems of professional technical equipment for motor vehicle weight inspection

1. The surveillance system for ensuring road security and traffic order and safety is as follows:

a/ The surveillance system for ensuring road security and traffic order and safety is a system for collecting signals, data, sounds and images of vehicles operating on the road, traffic conditions and other related data that is built and installed on traffic routes according to national technical regulations to monitor the situation of road security and traffic order and safety; and detect violations of the law on road traffic order and safety and other violations;

b/ The building, management, operation and use of the surveillance system for ensuring road security and traffic order and safety must comply with the procedures and rules, and ensure uninterrupted operation and connection with the traffic command centers;

c/ Data collected from the surveillance system for ensuring road security and traffic order and safety must be managed in accordance with law; satisfy the requirements of personal data protection and the protection of the lawful rights and interests of individuals and organizations; and be used to handle violations of the law on road traffic order and safety and other violations and serve state management work.

2. The vehicle tracking device and driver image capture device data management system shall be used to record, store and transmit information and data on vehicles operating on the road and driver images so as to ensure road security and traffic order and safety and handle violations and serve state management of road transport; managed, operated and used by the Traffic Police force; and connected and shared with road management agencies and related agencies.

3. The system of specialized technical equipment for motor vehicle weight inspection shall be provided to the Traffic Police force to serve the inspection,

detection, and handling of violations of regulations on the weight of vehicles operating on the road.

4. The Minister of Public Security shall promulgate national technical regulations on the surveillance system for ensuring road security and traffic order and safety and national technical regulations on vehicle tracking devices and driver image capture devices; and prescribe the building, management, operation, exploitation and use of the surveillance system for ensuring road security and traffic order and safety, and intelligent equipment for road traffic command and control; the management, operation and use of the vehicle tracking device and driver image capture device data management system; and the provision, installation, management, operation and use of the system of professional technical equipment for motor vehicle weight inspection.

**Article 72.** Rights and responsibilities of operators of vehicles on the road

1. Operators of vehicles on the road have the following rights:

a/ To operate vehicles on the road in accordance with this Law;

b/ To be notified of the grounds for stopping their vehicles on the road for examination and control; contents and results of the examination and control, and acts of law violation and the handling measures thereof;

c/ To make explanations, denunciations or initiate lawsuits against administrative decisions or administrative acts related to their lawful rights and interests in accordance with law;

d/ To denounce acts of law violation in the patrol and control of road traffic order and safety in accordance with the law on denunciations;

dd/ To provide information on, denounce and report cases of law violation.

2. Operators of vehicles on the road have the following responsibilities:

a/ To abide by the law on road traffic order and safety;

b/ To abide by orders of stopping vehicles on the road and requests for examination and control of the patrol and control forces;

c/ To support and coordinate with forces in charge of road traffic order and safety assurance in the process of detection, prevention and handling of violations of the law on road traffic order and safety and other law violations.

**Article 73.** Prevention of acts of refusing to abide by requests for examination, supervision of, and obstructing and resisting, persons on official duty

1. When road users fail to comply with the request for examination and supervision of, or commit acts of obstructing or resisting, persons on official duty, the latter shall take the following measures:

a/ To explain to the violators the acts of refusing to abide by the request for examination or control or obstructing or resisting, officers on duty to the violators; and rights and responsibilities of the violators; to persuade and request the violators to immediately terminate the violations and compliance with the request for examination and supervision;

b/ To apply deterrent measures as prescribed law in case the violators obstruct or refuse to abide by examination and supervision requests;

c/ In case the violators commit acts of resisting officers on duty, depending on the situation, nature and level of danger of the acts, the latter may use force, supporting tools or weapons as prescribed by law to deter acts of violation and take legitimate self-defense.

2. In case operators of vehicles on the road refuse to abide by signals and orders for stopping their vehicles and flee, officers on duty may exercise the rights to chase to prevent and handle the violations.

## Chapter VI

### COMMAND AND CONTROL OF ROAD TRAFFIC TO ENSURE ROAD TRAFFIC ORDER AND SAFETY

#### **Article 74.** Road traffic command and control

1. Road traffic command is a synthesis of the activities of collection, analysis, and assessment of relevant factors to work out solutions for regulating road traffic activities in an orderly, safe and smooth manner; road traffic command shall be carried out by competent persons in charge of traffic command, traffic command centers, and intelligent equipment for road traffic command and control.

2. Road traffic control is activities of directly guiding road traffic to ensure road traffic order, safety and smoothness; road traffic control shall be carried out through traffic guards; announcement and implementation of temporary traffic diversion plans; management, operation and exploitation of traffic light systems, other road signs and signals, and intelligent equipment for road traffic command and control.

3. The Minister of Public Security shall detail this Article.

#### **Article 75.** Traffic command centers

1. Traffic command centers shall be composed of technical infrastructure works, technological equipment systems and databases managed, operated and exploited by the Traffic Police forces.

2. Traffic command centers are tasked to collect, store, analyze and process data on road traffic order and safety to serve road traffic command and control, settlement of road traffic accidents, patrol and control of road traffic order and safety, and fighting against, and prevention and control of crimes and other law violations on roads; provide information on traffic conditions to road users; and ensure the orderly, safe and smooth operation of road traffic.

3. Traffic command centers include national traffic command centers, and provincial-level traffic command centers.

4. Traffic command centers shall be connected to, and share data with ministries, sectors, and the following systems and databases:

a/ Road traffic light systems;

b/ Monitoring systems for security and road traffic order and safety assurance;

c/ Data management systems for vehicle tracking devices and driver image capture devices;

d/ Camera systems along traffic routes and in urban areas;

dd/ Intelligent equipment for road traffic command and control; and devices for traffic control, patrol and supervision, and investigation and settlement of road traffic accidents on the scene;

e/ Intelligent traffic system management centers;

g/ Motor vehicle weight control works, technical equipment systems for motor vehicle weight inspection;

h/ Other databases specified in Clause 1, Article 7 of this Law.

5. The Minister of Public Security shall promulgate national technical regulations on traffic command centers; and specify the construction, management and operation of traffic command centers.

**Article 76.** Handling of unexpected circumstances causing loss of road traffic order and safety

1. Unexpected circumstances causing loss of road traffic order and safety include traffic congestion; road traffic accidents; damage to road traffic

infrastructure; disasters, fire and explosion causing loss of road traffic safety; and complicated circumstances regarding road security and order.

2. Agencies, organizations and individuals shall, when detecting the circumstances specified in Clause 1 of this Article, promptly report such to the nearest Public Security agency or road administration agencies; in case of detecting road traffic accidents, they shall immediately report such to the agencies or organizations specified in Clause 1, Article 81 of this Law; in case unexpected circumstances are likely to cause loss of safety to road users and vehicles on the road, they shall immediately take measures to give safety alerts to road users.

3. Public Security agencies and road administration agencies shall, when detecting or receiving information about the circumstances specified in Clause 1 of this Article, within the ambit of their functions and tasks, perform the following responsibilities:

a/ To immediately arrange forces to go to the places where the unexpected circumstances occur so as to maintain road traffic order and safety at such places;

b/ To implement the measures specified in Clause 2, Article 74 of this Law;

c/ To promptly repair damage of road traffic infrastructure that causes loss of road traffic order and safety;

d/ In case the circumstances fall beyond their capacity, competence, functions and tasks, to promptly report thereon to competent agencies for handling;

dd/ To take other measures as prescribed by law.

**Article 77.** Assurance of road traffic order and safety in case of temporary use of roadways and pavements for other purposes

1. Roadways are used for traffic purposes and pavements are used for pedestrians. When it is necessary to temporarily use roadways or pavements for political events, cultural and sports activities and other purposes, agencies, organizations and individuals that wish to temporarily use the roadways or pavements shall formulate plans on temporary use of the roadways or pavements and have such plans approved by competent agencies; the agencies approving the temporary use of the roadways or pavements must immediately notify such to the Traffic Police agencies.

2. Agencies, organizations and individuals temporarily using roadways or pavements may use them only for the purposes approved by competent agencies; must comply with Traffic Police agencies' requests, refrain from causing loss of

road traffic order and safety, and return the roadways or pavements back to their initial state after use.

3. Traffic Police agencies have the following responsibilities:

a/ To formulate, and organize the implementation of, plans on road traffic order and safety assurance;

b/ To announce and implement temporary traffic diversion plans;

c/ To handle circumstances that cause loss of road traffic security, order and safety; in case the temporary use of roadways or pavements does not meet requirements on security and road traffic order and safety, to suspend such use and make recommendations to competent agencies for appropriate adjustment of the plans.

4. The Government shall detail this Article.

**Article 78.** Settlement and remediation of traffic congestion

1. Upon occurrence of unexpected circumstances, leading to traffic congestion, the Traffic Police shall take remedial measures according to Clause 3, Article 76 of this Law.

2. When traffic congestion occurs:

a/ Traffic Police agencies shall formulate plans on road traffic command and control; handle violations of the law on road traffic order and safety; and propose competent agencies to settle and prevent traffic congestion;

b/ Road administration agencies shall assume the prime responsibility for, and coordinate with relevant agencies, organizations and individuals in, identifying the causes of traffic congestion; and take settlement measures according to their competence or propose the competent agencies for settlement;

c/ Relevant agencies, organizations and individuals shall coordinate with Traffic Police agencies and road administration agencies in implementing measures to prevent, settle and remediate traffic congestion.

**Article 79.** Petitions on road traffic order and safety related to road works

1. When receiving information about risks of damage to road traffic infrastructure specified in Clause 1, Article 76 of this Law or detecting risks of loss of safety to road works and irrationalities in traffic organization, Traffic Police agencies shall perform the following responsibilities:

a/ To handle and/or remedy risks or irrationalities within the scope of their management or propose road administration agencies and road operation and management units to promptly handle and remedy them;

b/ When necessary, to take measures for road traffic command and control as specified in Article 74 of this Law or temporarily suspend traffic activities of the routes if deeming it impossible to ensure road traffic order and safety.

2. Road administration agencies and road operation and management units shall, within the ambit of their tasks and powers, have the following responsibilities:

a/ To receive, examine and remediate factors that pose risks to road traffic safety, and notify the results of remediation to Traffic Police agencies and petitioning organizations and individuals;

b/ To be held responsible for any consequences occurring due to the failure to handle or remedy factors that cause loss of road traffic safety as specified at Point a of this Clause.

## Chapter VII

### SETTLEMENT OF ROAD TRAFFIC ACCIDENTS

**Article 80.** Responsibilities of operators of vehicles on the road that cause road traffic accidents, and persons related to, and present at the scene of, road traffic accidents

1. An operator of a vehicle on the road that causes a road traffic accident or a person related to the road traffic accident has the following responsibilities:

a/ To immediately stop the vehicle, give warning of danger, preserve the *status quo* at the scene, help the victim(s) and report such to the nearest Public Security agency, medical examination and treatment establishment or People's Committee;

b/ To stay at the scene of the road traffic accident until the police arrives, unless he/she needs emergency treatment, takes the victim to hospital or deems that his/her life or health is in danger, but he/she must immediately report thereon to the nearest Public Security agency or People's Committee;

c/ To provide identification information of himself/herself and the person(s) involved in the road traffic accident and information on the road traffic accident to competent agencies.

2. A person present at the scene of a road traffic accident has the following responsibilities:

- a/ To promptly help or provide first-aid to the victim(s);
- b/ To immediately report the accident to the nearest Public Security agency, medical examination and treatment establishment or People's Committee;
- c/ To participate in protecting the scene;
- d/ To participate in protecting assets of the victim(s);
- dd/ To provide information related to the accident when so requested by competent agencies.

3. The person specified in Clause 1 or 2 of this Article may only use the vehicle related to the road traffic accident to take the victim to hospital in case no other vehicles are available, but must determine the positions of the vehicle and the victim at the scene, and may neither change nor lose any traces related to the accident. In case of casualty, he/she must preserve the *status quo* of the scene and cover the dead body.

4. Operators of other road vehicles passing through the scenes of road traffic accidents shall take injured persons to hospital. Priority vehicles and vehicles carrying people entitled to diplomatic privileges and immunities are not requested to comply with this Clause.

**Article 81.** Detection, and receipt and handling of reports on, road traffic accidents

1. Agencies, organizations and individuals shall, when detecting road traffic accidents, immediately report such to the nearest Public Security agency, medical examination and treatment establishment or People's Committee.

2. Public Security agencies shall, when receiving reports on road traffic accidents, immediately arrange forces to go to the scenes for implementation of the measures specified in Clause 3, Article 76 of this Law as well as other measures to settle the road traffic accidents in accordance with law.

3. Medical examination and treatment establishments providing first-aid to victims of road traffic accidents shall immediately report such to the nearest Public Security agency; conduct blood test for alcohol, drug or other stimulants for road vehicle operators. Medical examination and treatment establishments that are not qualified for conducting such tests shall take, preserve and hand over blood samples to testing labs under regulations.

4. Upon receiving reports on road traffic accidents, the nearest People's Committee shall report such to the competent Public Security agency for settlement.

5. Insurance companies of people, vehicles and assets related to road traffic accidents shall, when receiving reports on road traffic accidents, assign their personnel or authorize representatives to go to the scenes and coordinate with the units in charge of settling the road traffic accidents.

6. The Minister of Public Security shall detail Clause 2 of this Article.

**Article 82.** Rescue upon occurrence of road traffic accidents

1. Public Security agencies shall assume the prime responsibility for, and coordinate with related agencies, organizations and individuals in, arranging forces and preparing instruments and means to quickly arrive at the scenes of road traffic accidents for rescue. Based on the nature, degree and consequences of the road traffic accidents, Public Security agencies shall report thereon to competent agencies so as to mobilize forces and means to settle the road traffic accidents when necessary.

2. Medical examination and treatment establishments shall arrange and assign personnel and means to quickly go to the scenes of road traffic accidents to provide first aid, and take the victims to hospital after receiving reports of road traffic accidents; support and provide treatment to victims of road traffic accidents in all cases.

3. Insurance companies shall coordinate with Public Security agencies in arranging rescue of vehicles involved in road traffic accidents when necessary.

4. In case it is impossible to verify the identity of the victim of a road traffic accident or in case the victim has no relatives or has relatives but such persons cannot afford a burial for the victim, the commune-level People's Committees of the locality where the accident occurs shall organize the burial after the burial is approved by the competent state agency in charge of investigation and settlement of the road traffic accident.

5. In case a road traffic accident involves a vehicle on the road carrying hazardous goods, the Public Security agency in charge of settling the case shall immediately notify thereof to the functional unit in charge of handling of toxic chemicals, flammables and explosives; block off the scene of the road traffic accident; and organize traffic diversion, and prohibit people and vehicles from entering the accident area.

**Article 83.** Investigation and settlement of road traffic accidents

1. The investigation and settlement of road traffic accidents must adhere to the following principles:

a/ All road traffic accidents must be investigated and settled in a quick, prompt, accurate and objective manner in accordance with law;

b/ Causers of road traffic accidents shall, depending on the nature and severity of the violations, be subject to administrative sanctions or examined for penal liability; and compensate for any damage caused in accordance with law;

c/ Organizations and individuals related to road traffic accidents shall coordinate in the settlement thereof;

d/ It is prohibited to take advantage of, or abuse, the investigation and settlement of road traffic accidents to infringe upon the State's interests, and the lawful rights and interests of organizations and individuals;

dd/ Road traffic accidents involving people and vehicles of diplomatic missions, consular agencies, and representative offices of international organizations in Vietnam shall be settled in accordance with this Law, the law on diplomatic privileges and immunities, and relevant treaties to which the Socialist Republic of Vietnam is a contracting party.

2. The investigation and settlement of road traffic accidents showing signs of crime must comply with the penal law and the criminal procedure law. The investigation and settlement of the road traffic accidents showing no signs of crime must include the following contents:

a/ Testing the concentration of alcohol, drug, and other prohibited stimulants for operators of vehicles on the road involved in the road traffic accidents;

b/ Examining the road traffic accident scenes, vehicles, corpses, and road works directly related to the road traffic accidents; collecting information and data; and identifying human and asset damage caused by the road traffic accidents;

c/ Temporarily seizing the vehicles, objects, documents, licenses, and practice certificates of the operators of the vehicles operating on the road, and of such vehicles;

d/ Recording the statements of the operators of the vehicles on the road, victims, witnesses, and other persons involved in the road traffic accidents;

dd/ Examining traces on the victim bodies; checking and verifying the conditions of the vehicles and operators when operating on the road; checking passengers, transported automobile goes, and other relevant documents;

e/ Searching for vehicles operating on the road and their operators that caused the accidents;

g/ Conducting professional assessment; reconstructing road traffic accidents' scenes;

h/ Other activities as prescribed by law.

3. The conclusion of a road traffic accident must determine the developments, consequences, damage, causes, faults and conditions directly related to the accident; propose the settlement of the road traffic accident; and petitions to relevant agencies, organizations and individuals to remediate loopholes and shortcomings, if any, to ensure road traffic order and safety.

4. The Minister of Public Security shall specify the process of investigation and settlement of road traffic accidents by the Traffic Police.

#### **Article 84.** Making statistics of road traffic accidents

1. It is required to make statistics of road traffic accidents in an accurate, complete and prompt manner; statistics of road traffic accidents shall be synthesized to serve the research and formulation of solutions for preventing road traffic accidents.

2. Traffic Police agencies shall assume the prime responsibility for, and coordinate with others in making statistics of road traffic accidents.

3. Medical examination and treatment establishments shall provide statistical information on road traffic accident victims who receive medical examination and treatment at the establishments to the Traffic Police agencies.

4. When settling road traffic accidents, investigation agencies shall provide information, documents, and investigation and settlement results to the competent Traffic Police agencies to serve the making of statistics and synthesis of road traffic accidents and development of databases on road traffic accidents.

5. The Minister of Public Security shall detail this Article.

#### **Article 85.** Road Traffic Accident Damage Reduction Fund

1. The Road Traffic Accident Damage Reduction Fund is an off-budget state financial fund established at the central level to mobilize social resources to support the reduction of road traffic accident damage.

2. The Road Traffic Accident Damage Reduction Fund is formed from the following financial sources:

a/ Support, assistance, and voluntary contributions from domestic and foreign organizations and individuals;

b/ Other sources as prescribed by law.

3. The Road Traffic Accident Damage Reduction Fund shall be used for the following activities:

a/ Supporting victims of road traffic accidents and their families; and organizations and individuals that help, render first-aid to, and take, victims to hospital;

b/ Supporting organizations and individuals participating in public communication activities for reduction of road traffic accident damage which are not covered by the state budget.

4. The operation of the Road Traffic Accident Damage Reduction Fund must adhere to the following principles:

a/ To operate for not-for-profit purposes;

b/ To manage and use the Fund for the proper purposes in accordance with law, ensuring the timeliness, effectiveness, publicity and transparency;

c/ To provide support only for the activities specified in Clause 3 of this Article when the state budget has not yet covered or sufficiently covered such activities.

5. The Government shall detail Clauses 2 and 3 of this Article and prescribe the establishment, management and use of the Road Traffic Accident Damage Reduction Fund.

## Chapter VIII

### STATE MANAGEMENT OF ROAD TRAFFIC ORDER AND SAFETY

#### **Article 86.** Contents of state management of road traffic order and safety

1. Formulating, promulgating, and organizing the implementation of, policies, strategies, programs, plans, schemes and projects on road traffic order and safety.

2. Promulgating, and organizing the implementation of, legal documents on road traffic order and safety.

3. Carrying out public communication, dissemination and education of the law on road traffic order and safety.

4. Managing road vehicles.

5. Managing operators of vehicles on the road.

6. Patrolling, controlling, and handling violations of the law on road traffic order and safety.

7. Commanding and controlling road traffic.
8. Investigating and settling road traffic accidents.
9. Researching and applying science and technology in assurance of road traffic order and safety.
10. Building forces directly engaged in road traffic order and safety assurance; organizing training, drilling, further training and coach on road traffic order and safety assurance.
11. Making statistics of, synthesizing data on, and building databases of, road traffic order and safety.
12. Examining, inspecting, and settling complaints and denunciations about road traffic order and safety.
13. Carrying out international cooperation on road traffic order and safety.

**Article 87.** Responsibilities for state management of road traffic order and safety

1. The Government shall perform the unified state management of road traffic order and safety.
2. The Ministry of Public Security shall act as the focal agency assisting the Government in performing the unified state management of road traffic order and safety; and build a regular, elite and modern Traffic Police force to meet the requirements of road traffic order and safety assurance.
3. The Ministry of Transport shall perform the state management of driver training and testing, and grant of driver's licenses; and technical safety quality and environmental protection of motor vehicles, special-purpose vehicles and motor vehicle spare parts, and perform other management tasks in accordance with this Law; and promulgate national technical regulations on child safety devices as specified in Clause 3, Article 10 of this Law.
4. The Ministry of National Defense shall perform the state management of vehicles on the road and operators of vehicles on the road within the scope of its management.
5. The Ministry of Health shall perform the state management of health conditions of drivers and operators of special-purpose vehicles on the road; and promulgate regulations on determination of blood alcohol concentration and endogenous blood alcohol concentration.

6. The Ministry of Science and Technology shall promulgate national technical regulations on crash helmets for motorcycle, moped and motorized bicycle riders.

7. Ministries and ministerial-level agencies shall, within the ambit of their tasks and powers, coordinate with the Ministry of Public Security in performing the state management of road traffic order and safety.

8. People's Committees at all levels shall, within the ambit of their tasks and powers, perform the state management of road traffic order and safety in their localities.

## Chapter IX

### IMPLEMENTATION PROVISIONS

#### **Article 88.** Effect

1. This Law takes effect on January 1, 2025, except the case specified in Clause 2 of this Article.

2. Clause 3, Article 10 of this Law takes effect on January 1, 2026.

3. Law No. 23/2008/QH12 on Road Traffic, which has a number of articles amended and supplemented under Law No. 35/2018/QH14 and Law No. 44/2019/QH14, ceases to be effective on the effective date of this Law, except the cases specified in Clauses 1, 2, 5 and 6, Article 89 of this Law.

4. The National Assembly's Resolution No. 73/2022/QH15, on pilot auction of automobile license plates, ceases to be effective on the effective date of this Law, except the case specified in Clause 7, Article 89 of this Law.

#### **Article 89.** Transitional provisions

1. Driver's licenses granted before the effective date of this Law remain valid until the expiry date stated therein.

2. The validity period of driver's licenses granted before the effective date of this Law and not yet renewed or re-granted under the Law is as follows:

a/ Holders of Class-A1 driver's licenses may continue to operate two-wheeled motorcycles with a cylinder capacity of between 50cm<sup>3</sup> and under 175cm<sup>3</sup> or an electric engine capacity of between 4kW and below 14kW;

b/ Holders of Class-A2 driver's licenses may continue to operate two-wheeled motorcycles with a cylinder capacity of 175cm<sup>3</sup> or higher or an electric engine capacity of 14kW or higher, and vehicles specified for class-A1 driver's licenses as prescribed at Point a of this Clause;

c/ Holders of Class-A3 driver's licenses may continue to operate three-wheeled motorcycles and the vehicle types specified for Class-A1 driver's licenses as prescribed at Point a of this Clause and similar vehicles;

d/ Holders of Class-A4 driver's licenses may continue to operate tractors of a weight of up to 1,000kg;

dd/ Holders of Class-B1 driver's licenses of automatic transmission automobiles granted to non-professional drivers may continue to operate automatic transmission passenger automobiles of up to 8 seats (excluding the driver's) and automatic transmission trucks, including also special-purpose trucks of a weight of under 3,500 kg;

e/ Holders of Class-B1 driver's licenses granted to non-professional drivers may continue to operate passenger automobiles of up to 8 seats (excluding the driver's); and trucks and tractors of a weight of under 3,500kg;

g/ Holders of Class-B2 driver's licenses granted to professional drivers may continue to operate passenger automobiles of up to 8 seats (excluding the driver's seat); and trucks and tractors of a weight of under 3,500kg;

h/ Holders of Class-C driver's licenses may continue to operate trucks and tractors with a weight of 3,500kg or higher and the vehicle types specified for driver's licenses of classes B1 and B2 as prescribed at Points dd, e and g of this Clause;

i/ Holders of Class-D driver's licenses may continue to operate passenger automobiles of between 9 seats and 29 seats (excluding the driver's) and the vehicle types specified for driver's licenses of Classes B1, B2 and C as prescribed at Points dd, e, g, and h of this Clause;

k/ Holders of Class-E driver's licenses may continue to operate passenger automobiles of over 29 seats (excluding the driver's) and the vehicle types specified for driver's licenses of Classes B1, B2, C and D as prescribed at Points dd, e, g, h and i of this Clause;

l/ Holders of driver's licenses of Classes FB2 and FD may continue to operate the vehicle types specified for driver's licenses of Classes B2 and D as prescribed at Points g and i of this Clause when towing trailers; holders of Class-FC driver's licenses may continue to operate the vehicle types specified for Class-C driver's licenses as prescribed at Point h of this Clause when towing trailers and semi-trailer trucks; holders of Class-FE driver's licenses may continue to operate the vehicle types specified for Class-E driver's licenses specified at Point k of this Clause when towing trailers and articulated passenger automobiles.

3. In case holders of driver's licenses granted before the effective date of this Law wish to have their driver's licenses renewed or re-granted, the renewal and re-grant of such licenses are as follows:

a/ Class-A1 driver's licenses shall be renewed or re-granted as Class-A driver's licenses with the restriction that the license holders may only operate two-wheeled motorcycles with a cylinder capacity of under 175cm<sup>3</sup> or an electric engine capacity of below 14kW;

b/ Class-A2 driver's licenses shall be renewed or re-granted as Class-A driver's licenses;

c/ Class-A3 driver's licenses shall be renewed or re-granted as Class-B1 driver's licenses;

d/ Class-A4 driver's licenses shall be renewed or re-granted as certificates of eligibility for operating special-purpose vehicles for operators of tractors of a weight of up to 1,000kg and certificates of training in knowledge of the road traffic law for operators of special-purpose vehicles;

dd/ Class-B1 driver's licenses of automatic transmission automobiles shall be renewed or re-granted as Class-B driver's licenses with the restriction that the holders may only operate automatic transmission automobiles;

e/ Class-B1 and Class-B2 driver's licenses shall be renewed or re-granted as Class-B or Class-C1 driver's licenses and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a weight of up to 3,500kg;

g/ Class-C driver's licenses shall be kept unchanged and renewed or re-granted as the driver's licenses of the same class and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a weight of over 3,500 kg;

h/ Class-D driver's licenses shall be renewed or re-granted as Class-D2 driver's licenses and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a weight of over 3,500kg;

i/ Class-E driver's licenses shall be renewed or re-granted as Class-D driver's licenses and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a load capacity of over 3,500 kg;

k/ Class-FB2 driver's licenses shall be renewed or re-granted as Class-BE or Class-C1E driver's licenses and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a weight of up to 3,500kg;

l/ Class-FC driver's licenses shall be renewed or re-granted as Class-CE driver's licenses and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a weight of over 3,500kg;

m/ Class-FD driver's licenses shall be renewed or re-granted as Class-D2E driver's licenses and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a weight of over 3,500kg;

n/ Class-FE driver's licenses shall be renewed or re-granted as Class-DE driver's licenses and certificates of eligibility for operating special-purpose vehicles for operators of tractors with a weight of over 3,500kg;

4. Learner drivers who have taken driver training courses before the effective date of this Law, or are taking driver training courses when this Law takes effect, but have yet to be tested and granted driver's licenses, shall be tested and granted driver's licenses with the classes of driver's licenses renewed or re-granted as specified in Clause 3 of this Article.

5. Registration certificates and license plates of special-purpose vehicles granted before the effective date of this Law remain valid.

6. Certificates of technical safety quality and environmental protection granted before the effective date of this Law remain valid until their expiration stated therein.

7. For auctions of automobile license plates conducted before the effective date of this Law, by the effective date of this Law, if the auction winners have been granted written certifications of automobile license plates won at auctions, the National Assembly's Resolution No. 73/2022/QH15, on the pilot auction of automobile license plates shall further apply; if not, the National Assembly's Resolution No. 73/2022/QH15, on the pilot auction of automobile number plates, and Point d, Clause 1, Article 38 of this Law shall apply.-

*This Law was passed on June 27, 2024, by the 15<sup>th</sup> National Assembly of the Socialist Republic of Vietnam, at its 7<sup>th</sup> session.-*

*Chairman of the National Assembly*  
TRAN THANH MAN