

LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly
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Surface Transportation Law

Chapter VI
Administration of Surface Transportation

Article 34. Surface Transportation Administration Agencies

Surface transportation administration agencies are comprised of:

- The Ministry of Communication, Transportation, Posts, and Construction;
- The Provincial, Prefectural, or Special Zone Communication, Transportation, Posts, and Construction Divisions;
- The District Communication, Transportation, Posts, and Construction Bureaus.

Article 35. Rights and Duties of the Ministry of Communication, Transportation, Posts, and Construction

In administering surface transportation, the Ministry of Communication, Transportation, Posts, and Construction has the following primary rights and duties:

- To draw up long, medium, and short-term strategic and master plans regarding the development of surface transportation;
- Issue regulations regarding the administration of surface transportation within the territory of the country;
- To research and comment on requests to establish international and trans-boundary surface transportation enterprises;
- To study policies and surface transportation prices and then submit such the Government for consideration;
- To study fees and charges relating to surface transportation by coordinating with relevant agencies;
- To administer the list of transportation vehicles throughout the country;
- To inspect the making of surface transportation enterprises;
- To cooperate with foreign parties and to search for funding sources to develop surface transportation;
- To exercise rights and fulfill other duties regarding surface transportation.

Article 36. Rights and Duties of the Communication, Transportation, Posts, and Construction Divisions

In the administration of surface transportation, the provincial, prefectural or special zone communication, transportation, posts, and construction divisions have the following primary duties:

- To propagate the strategic and master plans on the development of surface transportation;
- To study and comment on requests to establish domestic surface transportation enterprises within the province, prefecture, or special zone for which it is responsible;
- To register transportation vehicles in the provinces, the prefecture or special zone according to the regulations issued by the Ministry of Communication, Transportation, Posts, and Construction;

- To administer the list of transport vehicles in the province, the prefecture or special zone;
- To issue authorizations to operate transport vehicles within the country;
- To administer and inspect surface transportation operations within the country, internationally and trans-boundary;
- To undertake technical inspection of transport vehicles, to administer transport vehicle garages and technical inspection stations;
- To determine the place for transportation vehicle stations and to administer such;
- To exercise rights and fulfill other duties regarding surface transportation by delegation from the Ministry of Communication, Transportation, Posts, and Construction.

Article 37. Rights and Duties of the Communication, Transportation, Posts, and Construction Bureaus

The District Communication, Transportation, Posts, and Construction Bureau has the right to administer transport vehicles and transport vehicle parking areas within its own district by delegation from the Provincial, Prefectural, or Special Zone Communication, Transportation, Posts, and Construction Division

Article 38. Inspection of Transportation

In order that surface transportation enterprise operators, specialized transport and personal transportation operators strictly adhere to transport regulations, guarantee safety and order, the Ministry of Communication, Transportation, Posts, and Construction has the duty to organize the regular and systematic inspection of transportation.

To guarantee productive inspections of surface transportation, a highway patrol may be established.

Article 39. Transportation Committee

To facilitate the administration of domestic, international and trans-boundary transportation, the Government may establish a National Transportation Committee by proposal from the Ministry of Communication, Transportation, Posts, and Construction. The National Transportation Committee has the following duties:

- To study the strategic plan and the transportation development plan;
- To study and determine technical standards for transport vehicles;
- To study means of protecting safety during transportation;
- To give advice to goods and passenger transportation service providers;
- To study road placement and fixing transportation costs from time to time.

In necessary cases may be established provincial, prefectural, or special zone transportation committees, which have the following primary duties:

- To give advice regarding transportation;
- To determine road placement and transportation fee rates based upon those issued by the Ministry of Communication, Transportation, Posts, and Construction;
- To encourage the implementation of regulations and laws regarding transportation.

Article 40. Transporters Association

For more productive administration and for more orderly goods and passenger transport, the State will authorize the establishment of a Surface Transporters Association according to regulations issued by the Ministry of Communication, Transportation, Posts, and Construction.

Chapter VII

Policy towards those who are Productive and Measures against Offenders

Article 41. Policy towards those who are Productive

Any person or organization carrying out surface transportation of a good quality, guaranteeing safety and order, good protection of the environment, strictly adhering to transportation fee rates according to regulations will be commended and will benefit of a reduction or exemption from taxes as provided for in the Law on the Promotion of Domestic Investment.

Article 42. Measures against Offenders

Any person or organization violating the Surface Transportation Law will be educated and trained will be fined or will be criminally punished. In addition, violators may receive additional punishment, such as: operations suspended, withdrawal of the license, vehicles used in the offense seized.

Article 43. Education and Training Measures

In cases of non-serious violations and in the case of first offenses, the violator shall be educated and trained.

Article 44. Fines

Any individual violating any of the followings shall be fined from 3,000 to 10,000 Kip:

- Vehicle operator's permit does not accompany the vehicle;
- Lack of goods delivery documentation:
- Transportation is carried out on roads that are not so designated;
- Lack of certificate of fee and tax payment regarding transportation business;
- Driver of transport and specialized transportation business services lacks a light vehicle driver license.

Any individual violating any of the followings shall be fined from 15,000 to 30,000 Kip:

- Transportation Business License is expired;
- Lack of transport vehicle technical inspection certificate;
- Vehicle is uninsured;
- Driver of transport and specialized transport business services lacks a heavy vehicle driver license.

Any individual violating any of the followings shall be fined from 31,000 to 50,000 Kip:

- Parking a vehicle, loading or unloading goods outside of a designated area;
- Driving a vehicle in excess of the designated speed.
- Carrying a load in excess of that authorized.

Any individual violating any of the following shall be fined from 51,000 to 100,000 Kip:

- Making the surface transportation business, goods delivery or vehicle rental without authorization;
- Making the surface transportation business' goods delivery or vehicle rental with non conformity with type of authorization;
- Using the authorization of other person or ceding one's own authorization to other person to establish surface transportation enterprise.

Article 45. Criminal Measures

An individual who commits any of the following offenses shall be punished under the Penal Code:

- Filing falsified documents to obtain approval for establishing a surface transportation enterprise;
- Falsifying documents regarding the establishment of a surface transportation enterprise;

Committing a criminal offense while transporting;

- Obstructing officials in their inspection of surface transportation.

Civil servants and state employees who commit criminal offense in surface transportation: taking bribes, abuse of power, document falsification, abuse of title for personal gain shall be punished under the Penal Code.