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Economic and Social Commission for Asia and the Pacific

**UNDA PROJECT: Strengthening the national road safety management capacities of selected developing countries and countries with economies in transition**

**ASSESSMENT OF IMPLEMENTATION  
OF THE 2008 LAW ON ROAD TRAFFIC AND  
PROPOSAL OF ARTICLES AFFECTED  
DIRECTLY TO TRAFFIC SAFETY FOR  
AMENDMENT AND SUPPLEMENT**

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## **Introduction**

**The 2008 Law on road traffic come to life and enhance the effectiveness of state management of the road transport sector**

**The Law is still basically Framework Law, because there are still hundreds of legal documents under the Law, including many legal documents have adjusted and amended several times.**

**The 1968 Convention on Road Traffic took effect on August 20, 2015 to the Socialist Republic of Vietnam.**

**The Amending and supplementing the Law is needed to reduce the nature of "framework" of the Law**

## **Assessment of implementation of the 2008 Law on road traffic and impact to traffic safety**

- ▣ **The order situation and traffic safety had positive change**
- ▣ **Number of road traffic accidents, fatalities and injuries continues to decrease, special serious traffic accidents in particular of passenger cars and heavy-duty trucks under control**
- ▣ **The ministries, unions are members of the National Traffic Safety Committee, in 5 years, depending on the function, his duties have issued many documents and plans to direct the attached units and locally made many drastic solutions in the work of ensuring the order situation and traffic safety**

## **Assessment of implementation of the 2008 Law on road traffic and impact to traffic safety**

- **The building work of legal documents has been identified as one of the key tasks of state management**
- **The Government and ministries, central sectors were highly concentrated for the building and completion of legal documents, creating strong legal framework and favorable conditions for enforcement forces implementing the measures to ensure order situation and traffic safety**
- **From 2011 until now, the ministries have advised and submitted to the Government, the Prime Minister issued 31 decrees and 10 decisions related to the work of ensuring order situation and traffic safety**



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The Ministry of Public Security issued 37 circulars, joint circulars relating to the work of ensuring order situation and traffic safety

The Ministry of Finance issued 34 Circular, joint circulars relating to the work of ensuring order situation and traffic safety

The Ministry of Transport issued 230 Circulars, joint circulars relating to the work of ensuring order situation and traffic safety

The Ministry of Health in collaboration with the Ministry of Public Security and the Ministry of Transport issued 02 joint circulars relating to the work of ensuring order situation and traffic safety

The Ministry of Defense has issued 03 circulars



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## **There are still shortcomings and gaps in the 2008 Law**

**Articles are not consistent with the 1968 Convention on Road Traffic**

**Articles are not consistent with current conditions**

**Articles should be added to the Law**



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## **Some problems still exist of 2008 Law on road Traffic**

**The documents guiding the implementation of the Law issued later than the effect date of the Law, many documents are not high feasible, lack of stability**

**Aware of road users are low in general, traffic jams and accidents have decreased but remain high**

**Predictability of planning is not high, the proportion of land for urban traffic is not guaranteed in urban area**

**Road traffic infrastructure thrive but not meet the demand, connectivity and synchronization are not high, especially in rural and mountainous areas**



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## **Some problems still exist of 2008 Law on road Traffic**

**The traffic organization in many places still unreasonable marine system including road signs, road safety audit has not been adequate attention, the status of the illegal use of road traffic safety corridors are common**

**Financial sources for road maintenance of the national highway meet 45% of demand only, for local roads was less**

**Road transportation has a large market share lead to rose personal vehicles sharply, the public transport market share is small, can not meet the travel demand**

**Patrol, control and handling violations of the road traffic law of violations not cover geographical areas and time, the application of information technology in handling violations is still limited**





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## **The 2008 road traffic Law**

**Article 9, paragraph 2. The wearing of safety belts is compulsory for drivers and passengers in front-seat only**

**Road map shall be established to implement safety belts for all seats. Seat belts shall be equipped for all seats in the four-wheel vehicles.**

## **The 1968 Convention on Road Traffic**

**Article 7, paragraph 5. The wearing of safety belts is compulsory for drivers and passengers of motor vehicles, occupying seats equipped with such belts, save where exceptions are granted by domestic legislation**



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## The 2008 road traffic Law

**No rules**

**No rules**

## The 1968 Convention on Road Traffic

**Article 7, paragraph 3: Drivers shall show extra care in relation to the most vulnerable road-users, such as pedestrians and cyclists and in particular children, elderly persons and the disabled.**

**Article 11, paragraph 9: A vehicle shall not overtake another vehicle which is approaching a pedestrian crossing marked on the carriageway or signposted as such, or which is stopped immediately before the crossing, otherwise than at a speed low enough to enable it to stop immediately if a pedestrian is on the crossing.**



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## The 2008 road traffic Law

**No rules**

**No rules**

## The 1968 Convention on Road Traffic

**Article 15. in order to facilitate the movement of regular public-transport service vehicles, the drivers of other vehicles shall, slow down and if necessary stop in order to allow the public-transport vehicles to perform the maneuver required for moving off from stops marked as such.**

**Article 20, paragraph 5. It is recommended that domestic legislation should provide as follows: pedestrians walking on the carriageway shall keep to the side opposite to that appropriate to the direction of traffic except where to do so places them in danger.**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Article 3, Paragraph 5:**  
“Road safely corridor means land strips along both sides of the road land, measuring from the outer edge of the road land outwards, to ensure road traffic safety”.

**Road safely corridor means land strips along both sides of the road land, measuring from the outer edge of the road land outwards, or road works to ensure road traffic safety**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

### **Article 3, Paragraph 18**

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

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



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## **THE 2008 LAW ON ROAD TRAFFIC**

**Article 3, Paragraph 19**  
**Road rudimentary vehicle** (below referred to as rudimentary vehicle) means bicycle (including motor bicycle), pedicab, vehicle for the disabled, animal-drawn cart and the like.

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Road rudimentary vehicle** (below referred to as rudimentary vehicle) means bicycle, pedicab, vehicle for the disabled, animal-drawn cart and the like.





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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Paragraph 6, Article 4 : “All acts of violating the road traffic law shall be detected and prevented in time and handled in a strict and lawful manner”.**

**Supplement of provision to the Law: Provisions on innovation-oriented modernization of patrol and control, so that the implementation of the above principles to meet integration requirements of the country in the new period.**



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## **THE 2008 LAW ON ROAD TRAFFIC**

**Paragraph 1, Article 13 regulates : “operators shall keep their vehicles on one lane and may only change lanes at places where it is so permitted”**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**To clarify “places where it is so permitted”.**







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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Article 18. Standing and parking on roads**

**The operator shall place danger warning signs in front of and behind the vehicle for the operators of other vehicles to notice.**

**What is for the case of 1-way street and the road with separator ?**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Paragraph 3, Article 24 regulates Giving way at intersections: At an intersection between a priority road and a non-priority road or between a feeder road and a main road, the vehicle coming from the non-priority road or the feeder road must give way to the vehicle moving on the priority road or the main road from any direction of traffic.**

**In places where there is no signal lights, must have "STOP" sign at the site from a non-priority to priority road, and from the feeder road to the main road with a short break at least from 3 seconds to 5 seconds "**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Paragraph 1, Article 60: Age and health of drivers**

**To Raise the maximum age of drivers of 30 seat-plus passenger cars is 55 for women and 60 for men, at the same time to shorten valid of driving license and periodical health checks for automobile drivers of this age group from 03 years to 02 years.**



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**THE 2008 LAW ON ROAD TRAFFIC**

**PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Article 66. Commercial transportation by car**

**To review types of Commercial transportation by car to fit in the 2013 Constitution**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Item d, Paragraph 1, Article 67 regulates:**

**d) Persons who directly manage transportation activities of enterprises and cooperatives must possess transportation qualifications**

**Supplement of provision to the Law towards improving the professional criteria for persons who directly manage transportation activities of enterprises**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Supplement of Clause to Article 82: issue specific regulations on road transportation support services.**

**To issue specific regulations on road transportation rescue services.**



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**THE 2008 LAW ON ROAD TRAFFIC**

**PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Supplement of Clause regulates on logistics and Road transportation support services**

**To issue specific regulations**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**Supplement of Clause regulates:  
To develop data on handling administrative violations and traffic accidents to facilitate their exploitation and use, to develop mechanisms and policies to encourage the observance of the Law on Road traffic and supervision of law enforcement agencies**

**Patrolling and controlling Authority develops data on handling administrative violations and traffic accidents to facilitate their exploitation and use with related agencies to enhance road safety management**





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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**No regulations to ensure the traffic safety on highway**

**No regulations on helmet quality**

**Supplement and amendment of Clause to the Law to ensure the traffic safety on highway**

**Supplement and amendment of Clause to the Law on helmet quality**



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**THE 2008 LAW ON ROAD TRAFFIC**

**PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**No rules**

**Supplement of Clause to the Law: Responsibilities and account of transport mean owners, freight cars  
Driver's responsibilities.**



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## **THE 2008 LAW ON ROAD TRAFFIC**

## **PROPOSAL OF AMENDMENT AND SUPPLEMENT**

**No rules**

**Supplement of Clause to the Law: Regulations for cyclists**

**Driver licenses**

**Amendment of Clause to the Law: classification of driver and driver's license form to suit the 1968 Convention on Road Traffic at Vienna**



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## **Conclusions:**

- ▣ **The 2008 Law on road traffic come to life and enhance the effectiveness of state management of the road transport;**
- ▣ **There are still shortcomings and gaps in the 2008 Law, especially issues ensuring traffic safety;**
- ▣ **It is needed to modify and complete the 2008 Law on road traffic in order to meet the practical requirements and to ensure accordance with the 1968 Convention on traffic road**



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## **Recommendations:**

- The state management authorities, enterprises, scientists related to construction, maintenance and exploitation of roads may give feedback to modify, supplement and perfect the Road Traffic Law;**
- The Ministry of Transport needs to hold soon amending and supplementing the Law on Road 2008, and to submit the National Assembly for approval.**



**THANK YOU FOR  
YOUR ATTENTION !**