

中华人民共和国道路交通安全法(修订草案)

第一章 总 则

第一条 为了维护道路交通秩序，预防和减少交通事故，保护人身安全，保护公民、法人和其他组织的财产安全以及其他合法权益，提高通行效率，制定本法。

第二条 中华人民共和国境内的车辆驾驶人、行人、乘车人以及与道路交通活动有关的单位和个人，都应当遵守本法。

第三条 道路交通安全工作，应当坚持总体国家安全观，坚持人民至上、生命至上，遵循依法管理、方便群众的原则，保障道路交通有序、安全、畅通。

第四条 各级人民政府应当保障道路交通安全管理工作与经济社会发展相适应。

第五条 国务院公安部门负责全国道路交通安全管理工作。县级以上地方人民政府公安机关交通管理部门负责本行政区域内的道路交通安全管理工作。

县级以上人民政府工业和信息化、住房城乡建设、交通运输、商务、应急管理、市场监督管理等部门依据各自职责，负责有关的道路交通安全管理工作。

县级以上人民政府应当加强道路交通安全工作协调，组织有

ENGLISH TRANSLATION

Road Traffic Safety Law of the People's Republic of China (Revised Draft)

Chapter 1 General Provisions

Article 1 This law is enacted in order to maintain road traffic order, prevent and reduce traffic crashes, protect personal safety, protect the property safety and other legitimate rights and interests of citizens, legal persons and other organizations, and improve traffic efficiency.

Article 2 Vehicle drivers, pedestrians, passengers, and units and individuals related to road traffic activities within the territory of the People's Republic of China shall abide by this Law.

Article 3 Road traffic safety work shall adhere to the overall national security concept, adhere to the supremacy of people and life, follow the principles of management in accordance with the law and convenience for the masses, and ensure that road traffic is orderly, safe and smooth.

Article 4 People's governments at all levels shall ensure that road traffic safety management work is compatible with economic and social development.

Article 5 The public security department under the State Council is responsible for national road traffic safety management.
The traffic management departments of the public security organs of local people's governments at or above the county level are responsible for the management of road traffic safety within their respective administrative regions.

The industry and information technology, housing and urban-rural development, transportation, commerce, emergency management, market regulation departments of the people's governments at or above the county level are responsible for relevant road traffic safety management work according to their respective responsibilities.

People's governments at or above the county level shall strengthen coordination of road traffic safety work and organize

关部门依法履行道路交通安全管理职责，强化道路交通安全信息共享和工作协同，推进道路基础设施高标准联通，提升道路交通安全管理水平。

第六条 国家机关、军队、企业事业单位、社会组织以及其他组织等，应当落实道路交通安全责任，对本单位的车辆进行安全管理，对本单位的人员以及从业人员进行道路交通安全教育和培训，引导和督促本单位的人员以及从业人员遵守道路交通安全法律、法规。

第七条 各级人民政府应当组织开展道路交通安全教育，提高公民的道路交通安全意识。

公安机关交通管理部门以及其交通警察执行职务时，应当加强道路交通安全法律、法规宣传教育，并模范遵守道路交通安全法律、法规。

网信、教育行政、司法行政、人力资源社会保障等有关部门以及学校、驾驶培训机构等有关单位，应当依据各自职责将道路交通安全知识纳入法治宣传、教育、培训的内容。

新闻出版、广播电视、文化、互联网信息服务等有关单位，有进行道路交通安全宣传教育的义务。

第八条 鼓励和支持道路交通安全科学研究，推广使用先进的管理方法、技术、设备，提升道路交通安全信息化、智能化水平。

第九条 每年12月2日为全国交通安全日。

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Relevant departments shall perform road traffic safety management responsibilities in accordance with the law, strengthen road traffic safety information sharing and work coordination, promote high-standard connectivity of road traffic infrastructure, and improve the level of road traffic safety management.

Article 6 State agencies, the military, enterprises and institutions, social organizations and other organizations shall implement road traffic safety responsibilities, conduct safety management of their own vehicles, conduct road traffic safety education and training for their own personnel and employees, and guide and urge their own personnel and employees to comply with road traffic safety laws and regulations.

Article 7 People's governments at all levels shall organize and carry out road traffic safety education to improve citizens' awareness of road traffic safety.

When performing their duties, the traffic management department of the public security organ and its traffic police shall strengthen the publicity and education of road traffic safety laws and regulations, and model compliance with road traffic safety laws and regulations.

Relevant departments such as Internet information, education administration, judicial administration, human resources and social security, as well as schools, driving training institutions and other relevant units shall incorporate road traffic safety knowledge into the content of rule of law publicity, education and training in accordance with their respective responsibilities.

Press and publication, radio and television, culture, Internet information services and other relevant units have the obligation to carry out road traffic safety publicity and education.

Article 8 Encourage and support scientific research on road traffic safety, promote the use of advanced management methods, technologies, and equipment, and improve the informatization and intelligence level of road traffic safety.

Article 9 December 2 every year is National Traffic Safety Day.

第二章 车辆和驾驶人

第一节 机动车、非机动车

第十条 推进完善机动车产品标准体系，提高机动车安全技术性能。

禁止生产、进口、销售不符合强制性国家标准的机动车，国家另有规定的除外。

第十一条 国家对机动车实行登记制度。机动车经公安机关交通管理部门登记后，方可上道路行驶。尚未登记或者尚未取得机动车号牌的机动车，需要临时上道路行驶的，应当取得临时通行牌证。

本法所称上道路行驶，是指在道路上驾驶、停放车辆或者临时停车等行为。

第十二条 申请机动车登记，应当交验机动车，并提交以下证明、凭证，公安机关交通管理部门能够通过电子数据核验的，免于交验机动车或者提交相关证明、凭证：

- （一）机动车所有人的身份证明；
- （二）机动车来历证明；
- （三）机动车整车出厂合格证明或者进口机动车进口凭证；
- （四）车辆购置税、车船税完税或者免税凭证，依照法律规定不属于车辆购置税、车船税征收对象的除外；
- （五）机动车交通事故责任强制保险单；

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Chapter 2 Vehicles and Drivers

Section 1 Motor Vehicles and Non-Motor Vehicles

Article 10: Promote and improve the motor vehicle product standard system and improve the safety and technical performance of motor vehicles.

It is prohibited to produce, import, and sell motor vehicles that do not meet mandatory national standards, unless otherwise stipulated by the State.

Article 11 The State implements a registration system for motor vehicles. Motor vehicles can only be driven on the road after being registered with the traffic management department of the public security organ. If a motor vehicle that has not yet been registered or has not yet obtained a motor vehicle license plate needs to be temporarily driven on the road, it must obtain a temporary traffic license plate.

The term “driving on the road” as used in this Law refers to behaviors such as driving, parking a vehicle or temporarily parking on the road.

Article 12 When applying for motor vehicle registration, the motor vehicle must be submitted for inspection and the following certificates and vouchers must be submitted. If the traffic management department of the public security organ can pass the electronic data verification, the motor vehicle shall be submitted for inspection or the relevant certificates and vouchers shall be submitted:

- (1) Identity certificate of the owner of the motor vehicle;
- (2) Proof of motor vehicle origin;
- (3) Factory qualification certificate of the complete motor vehicle or import certificate of the imported motor vehicle;
- (4) Vehicle purchase tax and vehicle and vessel tax payment or tax exemption certificates, except those that are not subject to vehicle purchase tax and vehicle and vessel tax according to legal provisions;
- (5) Compulsory motor vehicle traffic accident liability insurance policy;

(六) 法律、行政法规规定应当在机动车登记时提交的其他证明、凭证。

公安机关交通管理部门应当自受理申请之日起二个工作日内完成机动车登记审查工作，对符合前款规定条件的，应当发放机动车登记证书、号牌、行驶证、检验合格标志；对不符合前款规定条件的，应当向申请人说明不予登记的理由。

公安机关交通管理部门以外的任何单位和个人不得发放机动车号牌或者要求机动车悬挂其他号牌，本法另有规定的除外。

机动车登记证书、号牌、行驶证、检验合格标志，由国务院公安部门规定式样并监制。

第十三条 申请机动车登记，机动车所有人为单位或者无相应准驾车型驾驶证的个人的，应当指定具有相应准驾车型驾驶证的驾驶人作为机动车管理人。

除法律、行政法规另有规定外，不得以个人名义申请登记校车、危险货物运输车辆、二十座以上大型载客汽车、消防救援车、救护车、工程救险车，已经登记的不得转让给其他个人。国家机关、企业事业单位、社会组织以及其他组织申请登记自用二十座以上大型载客汽车的具体条件，由国务院公安部门会同国务院有关主管部门规定。

机动车申请登记为营运性质的，公安机关交通管理部门应当比对交通运输主管部门颁发的道路运输经营许可证和车辆相关信息。

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(6) Other certificates and vouchers that must be submitted when registering a motor vehicle as stipulated by laws and administrative regulations.

The traffic management department of the public security organ shall complete the motor vehicle registration review within two working days from the date of acceptance of the application. To those who meet the conditions specified in the preceding paragraph, they shall issue a motor vehicle registration certificate, number plate, driving license, and inspection mark; to those who do not meet the conditions specified in the preceding paragraph, they shall explain to the applicant the reasons for denial of registration.

Any unit or individual other than the traffic management department of the public security organ shall not issue motor vehicle license plates or require motor vehicles to display other license plates, except as otherwise provided for in this Law.

Motor vehicle registration certificates, license plates, driving licenses, and inspection marks shall be stipulated in the format and supervised by the public security department under the State Council.

Article 13 When applying for motor vehicle registration, if the owner of the motor vehicle is an entity or an individual who does not have a driving license for the corresponding permitted type of vehicle, the driver with a driving license for the corresponding permitted type of vehicle shall be designated as the motor vehicle manager.

Unless otherwise provided by laws and administrative regulations, no one may apply to register school buses, dangerous goods transport vehicles, large passenger vehicles with more than 20 seats, fire rescue vehicles, ambulances, and engineering rescue vehicles in the name of an individual, and those that have already been registered may not be transferred to other individuals. The specific conditions for state agencies, enterprises, institutions, social organizations and other organizations to apply for registration of large passenger vehicles with more than 20 seats for their own use shall be stipulated by the public security department under the State Council in conjunction with the relevant competent departments of the State Council.

If a motor vehicle is applied for registration for operational purposes, the traffic management department of the public security organ shall compare the road transport business license issued by the transportation department with the vehicle-related information.

第十四条 准予登记的机动车应当符合机动车国家安全技术标准。申请机动车登记时，申请人应当到机动车安全技术检验机构进行安全技术检验，并向公安机关交通管理部门提交检验合格证明。但是，经国务院机动车产品主管部门依据机动车国家安全技术标准认定的企业生产的机动车型，该车型的新车在出厂时经检验符合机动车国家安全技术标准，获得检验合格证明的，以及经国务院机动车进口主管部门准许进口的机动车型，由海关检验合格的，免予安全技术检验。

第十五条 驾驶机动车上道路行驶，应当悬挂机动车号牌，并携带机动车行驶证或者电子行驶证。

驾驶机动车上道路行驶，机动车号牌应当按照规定悬挂并保持清晰、完整，不得遮挡、污损或者使用影响识别的装置、材料。

任何单位和个人不得收缴、扣留机动车号牌。

第十六条 营运载客汽车、校车、重型货车、半挂牵引车、危险货物运输车辆等机动车，应当按照国家有关规定安装、使用具备行驶记录功能的卫星定位装置、具备智能视频监控报警功能的装置。

国家支持前款规定的车辆安装、使用具备自动紧急刹车功能的装置。

第十七条 有下列情形之一的，应当办理相应的登记：

（一）机动车所有权发生转移；

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Article 14 Motor vehicles approved for registration shall comply with national safety technical standards for motor vehicles. When applying for motor vehicle registration, the applicant shall undergo safety technical inspection at the motor vehicle safety technical inspection agency and submit an inspection certificate to the traffic management department of the public security organ. However, motor vehicle models produced by enterprises certified by the motor vehicle product administration department of the State Council in accordance with the national safety technical standards for motor vehicles, and new vehicles of this model have been inspected to comply with the national safety technical standards for motor vehicles when leaving the factory and have obtained inspection certificates, and motor vehicle models imported with permission from the motor vehicle import administration department of the State Council and have passed inspection by the customs, are exempt from safety technical inspection.

Article 15 When driving a motor vehicle on the road, the motor vehicle license plate must be hung and the motor vehicle driving license or electronic driving license must be carried.

When driving a motor vehicle on the road, the motor vehicle license plate shall be hung in accordance with regulations and kept clear and complete, and shall not be blocked, defaced, or used with devices or materials that affect identification.

No unit or individual may confiscate or detain motor vehicle license plates.

Article 16 Those operating passenger cars, school buses, heavy trucks, semi-trailer tractors, dangerous goods transport vehicles and other motor vehicles must install and use satellite positioning devices with driving recording functions and devices with intelligent video monitoring and alarm functions in accordance with relevant national regulations.

The State supports the installation and use of devices with automatic emergency braking functions on vehicles specified in the preceding paragraph.

Article 17 If any of the following circumstances occurs, corresponding registration shall be made:

- (1) The ownership of the motor vehicle is transferred;

- (二) 机动车登记内容发生变更；
- (三) 机动车用作抵押；
- (四) 机动车报废、灭失、因质量问题退车或者不在我国境内使用。

有前款第四项规定情形但未办理机动车注销登记的，公安机关交通管理部门不予办理前款第一项和本法第十二条规定的机动车登记。

第十八条 对登记后上道路行驶的机动车，应当依照法律、行政法规的规定，根据车辆用途、载客载货数量、使用年限等不同情况，定期进行安全技术检验。对提供机动车行驶证和机动车交通事故责任强制保险单的，机动车安全技术检验机构应当按照机动车国家安全技术标准予以检验，任何单位不得附加其他条件。对符合机动车国家安全技术标准，并经机动车排放检验合格的，公安机关交通管理部门应当发放检验合格标志。对不符合机动车国家安全技术标准的，机动车安全技术检验机构应当书面告知机动车所有人或者管理人。

机动车安全技术检验实行社会化，机动车安全技术检验机构应当依法取得资质认定。任何单位不得要求机动车到指定的场所进行检验。

公安机关交通管理部门、机动车安全技术检验机构不得要求机动车到指定的场所进行维修、保养。

机动车安全技术检验机构应当按照有关主管部门规定，向社

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- (2) The motor vehicle registration content changes;
- (3) Motor vehicles used as mortgage;
- (4) The motor vehicle is scrapped, lost, returned due to quality problems or is not used within the territory of our country.

If there is a situation specified in Item 4 of the preceding paragraph but the deregistration of the motor vehicle has not been carried out, the traffic management department of the public security organ shall not handle the registration of the motor vehicle as stipulated in Item 1 of the preceding paragraph and Article 12 of this Law.

Article 18 For motor vehicles that are driven on roads after registration, safety technical inspections shall be carried out regularly in accordance with the provisions of laws and administrative regulations and based on different circumstances such as the purpose of the vehicle, the number of passengers and cargo carried, and the service life. For those who provide a motor vehicle driving license and a compulsory motor vehicle traffic accident liability insurance policy, the motor vehicle safety technical inspection agency shall conduct inspections in accordance with the national safety technical standards for motor vehicles, and no unit shall attach other conditions. For vehicles that meet the national safety technical standards for motor vehicles and pass the motor vehicle emission inspection, the traffic management department of the public security organ shall issue an inspection certificate. If the vehicle does not meet the national safety technical standards for motor vehicles, the motor vehicle safety technical inspection agency shall notify the owner or manager of the motor vehicle in writing.

Motor vehicle safety technical inspection shall be socialized, and motor vehicle safety technical inspection institutions shall obtain qualification certification in accordance with the law. No unit may require motor vehicles to go to designated locations for inspection.

The traffic management department of the public security organ and the motor vehicle safety technical inspection agency shall not require motor vehicles to go to designated places for repairs and maintenance.

Motor vehicle safety technical inspection agencies shall report to the society in accordance with the provisions of the relevant competent departments.

会公示检验项目和收费标准。

第十九条 国家实行机动车强制报废制度，根据机动车的安全技术状况和不同用途，规定不同的报废标准。

应当报废的机动车必须及时办理注销登记。

达到报废标准的机动车不得上道路行驶。报废的大型载客汽车、重型货车等营运车辆和校车应当在公安机关交通管理部门的监督下解体。

第二十条 警车、消防救援车、救护车、工程救险车应当按照规定喷涂标志图案，安装警报器、标志灯具。其他机动车不得喷涂、安装、使用上述车辆专用的或者与其相类似的标志图案、警报器或者标志灯具。

警车、消防救援车、救护车、工程救险车应当严格按照规定的用途和条件使用。

公路监督检查的专用车辆，应当依照《中华人民共和国公路法》的规定，设置统一的标志和示警灯。

第二十一条 任何单位和个人不得有下列行为：

（一）拼装机动车或者擅自改变机动车已登记的结构、构造、特征或者安全技术参数等违反国家规定的改装行为；

（二）改变机动车型号、发动机号、车架号或者车辆识别代号；

（三）伪造、变造或者使用伪造、变造的机动车登记证书、号牌、行驶证、检验合格标志、保险标志；

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Inspection items and charging standards will be announced.

Article 19 The State implements a compulsory scrapping system for motor vehicles and stipulates different scrapping standards based on the safety technical status and different uses of motor vehicles.

Motor vehicles that shall be scrapped must be deregistered in a timely manner.

Motor vehicles that have reached scrapping standards are not allowed to be driven on the road. Scrapped large passenger cars, heavy trucks and other commercial vehicles and school buses shall be dismantled under the supervision of the traffic management department of the public security organ.

Article 20 Police vehicles, fire rescue vehicles, ambulances, and engineering rescue vehicles shall be spray-painted with logo patterns and installed with sirens and logo lights in accordance with regulations. Other motor vehicles are not allowed to spray paint, install or use logos, sirens or lighting fixtures specific to or similar to the above-mentioned vehicles.

Police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles shall be used strictly in accordance with the prescribed purposes and conditions.

Special vehicles used for highway supervision and inspection shall be equipped with uniform signs and warning lights in accordance with the provisions of the Highway Law of the People's Republic of China.

Article 21 No unit or individual may engage in the following acts:

- (1) Assembling a motor vehicle or changing the registered structure, structure, features or safety technical parameters of the motor vehicle without authorization and other modifications that violate national regulations;
- (2) Change the motor vehicle model, engine number, frame number or vehicle identification number;
- (3) Forge, alter, or use forged or altered motor vehicle registration certificates, license plates, driving licenses, inspection marks, and insurance marks;

（四）使用其他机动车的登记证书、号牌、行驶证、检验合格标志、保险标志。

第二十二条 国家实行机动车交通事故责任强制保险制度，设立道路交通事故社会救助基金。具体办法由国务院制定。

机动车所有人、管理人应当投保机动车交通事故责任强制保险，机动车交通事故责任强制保险费率应当与机动车道路交通安全违法行为、道路交通事故联系浮动。机动车所有人、管理人、驾驶人等应当及时将机动车道路交通安全违法行为、道路交通事故处理完毕。

保险公司可以依法查询投保机动车交通事故责任强制保险的机动车的道路交通安全违法行为、道路交通事故处理相关信息。

第二十三条 非机动车应当符合强制性国家标准。禁止生产、进口、销售不符合强制性国家标准的非机动车，国家另有规定的除外。

禁止擅自改动已登记的非机动车的结构、构造、特征或者安全技术参数。

电动自行车生产企业应当采取有效措施，完善防篡改要求，防止在销售、使用环节对安全技术参数进行改动。

第二十四条 依法应当登记的非机动车，经公安机关交通管理部门登记并发放号牌后，方可上道路行驶。

省、自治区、直辖市人民政府根据本行政区域的实际情况，规定应当登记的非机动车的种类、登记条件和程序，但是不得对

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(4) Use the registration certificate, number plate, driving license, inspection mark, and insurance mark of other motor vehicles.

Article 22 The State implements a compulsory motor vehicle traffic accident liability insurance system and establishes a road road road traffic accident social assistance fund. Specific measures shall be formulated by the State Council.

Motor vehicle owners and managers shall purchase compulsory motor vehicle traffic accident liability insurance, and the premium rates for compulsory motor vehicle traffic accident liability insurance shall fluctuate in relation to motor vehicle road traffic safety violations and road traffic crashes. Motor vehicle owners, managers, drivers, etc. shall promptly handle motor vehicle road traffic safety violations and road traffic crashes.

Insurance companies may, in accordance with the law, inquire about road traffic safety violations and road traffic crash handling related information of motor vehicles covered by compulsory motor vehicle traffic accident liability insurance.

Article 23 Non-motor vehicles shall comply with mandatory national standards. It is prohibited to produce, import, and sell non-motor vehicles that do not meet mandatory national standards, unless otherwise stipulated by the State.

It is prohibited to modify the structure, structure, features or safety technical parameters of registered non-motor vehicles without authorization.

Electric bicycle manufacturers shall take effective measures to improve anti-tampering requirements and prevent changes to safety technical parameters during sales and use.

Article 24 Non-motor vehicles that must be registered according to law may only be driven on the road after being registered and issued a number plate by the traffic management department of the public security organ.

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, based on the actual conditions of their respective administrative regions, stipulate the types of non-motor vehicles that shall be registered, registration conditions and procedures, but shall not

非机动车的品牌、产地等作出限制。

第二十五条 鼓励和引导电动自行车所有人、管理人为电动自行车以及其驾驶人、乘车人投保保险。

第二十六条 车辆所有人、管理人应当加强车辆状况检查，确保车辆保持良好安全技术性能，号牌按照规定悬挂并保持清晰、完整；发现车辆存在安全隐患的，应当及时维修处理。车辆在安全隐患消除前，不得上道路行驶。车辆所有人、管理人应当提醒车辆驾驶人遵守道路交通安全法律、法规。

第二节 机动车驾驶人

第二十七条 驾驶机动车，应当依法取得机动车驾驶证。
申请机动车驾驶证，应当符合国务院公安部门规定的驾驶许可条件；经考试合格后，由公安机关交通管理部门发给相应准驾车型的机动车驾驶证。机动车驾驶证申领和使用的具体办法，由国务院公安部门制定。

持有境外机动车驾驶证的人员，符合国务院公安部门规定的驾驶许可条件，经公安机关交通管理部门考核合格的，可以发给相应准驾车型的中国机动车驾驶证，或者依照与相关国家、地区签署的协议，允许持有境外机动车驾驶证的人员在境内直接驾驶相应准驾车型的机动车或者换领相应准驾车型的中国机动车驾驶证。

驾驶人应当按照驾驶证载明的准驾车型驾驶机动车；驾驶人

ENGLISH TRANSLATION

Restrictions will be imposed on the brand and origin of non-motor vehicles.

Article 25 Encourage and guide electric bicycle owners and managers to insure electric bicycles and their drivers and passengers.

Article 26 Vehicle owners and managers shall strengthen vehicle condition inspections to ensure that the vehicles maintain good safety and technical performance, and the license plates are hung in accordance with regulations and kept clear and complete; if a vehicle is found to have safety hazards, it shall be repaired and dealt with in a timely manner. Vehicles are not allowed to drive on the road until the safety hazard is eliminated. Vehicle owners and managers shall remind vehicle drivers to comply with road traffic safety laws and regulations.

Section 2 Motor Vehicle Drivers

Article 27 To drive a motor vehicle, one must obtain a motor vehicle driving license in accordance with the law.

To apply for a motor vehicle driving license, one must meet the driving license conditions specified by the public security department under the State Council; after passing the examination, the traffic management department of the public security organ will issue a motor vehicle driving license for the corresponding permitted type of vehicle. The specific methods for applying for and using a motor vehicle driving license shall be formulated by the public security department under the State Council.

Persons holding overseas motor vehicle driving licenses who meet the driving license conditions stipulated by the public security department under the State Council and who pass the assessment of the traffic management department of the public security organ may be issued a Chinese motor vehicle driving license for the corresponding permitted driving type, or, in accordance with the agreement signed with the relevant country or region, persons holding an overseas motor vehicle driving license are allowed to directly drive the corresponding permitted driving type of motor vehicle within the country or exchange for a Chinese motor vehicle driving license for the corresponding permitted driving type.

Drivers shall drive motor vehicles in accordance with the permitted driving types stated on their driving licenses;

动车时，应当携带机动车驾驶证或者电子驾驶证。

公安机关交通管理部门以外的任何单位和个人不得收缴、扣留机动车驾驶证。

机动车驾驶证，由国务院公安部门规定式样并监制。

第二十八条 机动车的驾驶培训实行社会化，由交通运输主管部门对驾驶培训学校、驾驶培训班实行备案管理，并对驾驶培训活动加强监督，其中专门的拖拉机驾驶培训学校、驾驶培训班由农业农村主管部门实行备案管理，并对驾驶培训活动加强监督。

驾驶培训学校、驾驶培训班应当严格按照国家有关规定，加强教练员管理，对学员进行道路交通安全法律法规、驾驶技能、文明驾驶、风险识别、应急处置的培训，确保培训质量。

驾驶培训和考试主管部门以及任何其他国家机关不得举办或者参与举办驾驶培训学校、驾驶培训班。

第二十九条 驾驶人驾驶机动车上道路行驶前，应当对机动车的安全技术性能、号牌进行认真检查，确保机动车保持良好安全技术性能，号牌保持清晰、完整；不得驾驶安全设施不全或者机件不符合技术标准等具有安全隐患、未按照规定悬挂号牌、使用伪造或者变造的号牌、号牌污损或者被遮挡的机动车。

第三十条 机动车驾驶人应当遵守道路交通安全法律、法规，按照操作规范安全驾驶、文明驾驶。

饮酒、服用国家管制的麻醉药品或者精神药品、使用其他影

ENGLISH TRANSLATION

When driving, you shall carry your motor vehicle driving license or electronic driving license.

No unit or individual other than the traffic management department of the public security organ may collect or detain a motor vehicle driving license.

Motor vehicle driving licenses shall be stipulated in format and supervised by the public security department under the State Council.

Article 28 Driving training for motor vehicles shall be socialized. The competent transportation department shall implement record-keeping management of driving training schools and driving training classes, and strengthen supervision of driving training activities. Specialized tractor driving training schools and driving training classes shall be subject to record-keeping management by the competent agricultural and rural authorities, and shall strengthen supervision of driving training activities.

Driving training schools and driving training classes shall strictly follow relevant national regulations, strengthen the management of coaches, and train students on road traffic safety laws and regulations, driving skills, civilized driving, risk identification, and emergency response to ensure the quality of training.

The driving training and testing authorities and any other state agency shall not organize or participate in the organization of driving training schools or driving training classes.

Article 29 Before driving a motor vehicle on the road, a driver shall carefully inspect the safety and technical performance of the motor vehicle and the license plate to ensure that the motor vehicle maintains good safety and technical performance and that the license plate remains clear and complete; he shall not drive a motor vehicle with incomplete safety facilities or parts that do not meet technical standards or other potential safety hazards, or with a license plate that is not hung in accordance with regulations, or with a forged or altered license plate, or with a stained or blocked license plate.

Article 30 Motor vehicle drivers shall abide by road traffic safety laws and regulations, and drive safely and civilly in accordance with operating specifications.

Drinking alcohol, taking state-controlled narcotic drugs or psychotropic drugs, or using other drugs

响安全驾驶的成瘾性物质，患有妨碍安全驾驶的疾病，或者过度疲劳影响安全驾驶的人员，不得驾驶机动车。妨碍安全驾驶的疾病种类，由国务院公安部门会同国务院卫生健康主管部门规定。

任何单位和个人不得强迫、指使、纵容驾驶人违反道路交通安全法律、法规和机动车安全驾驶要求驾驶机动车。

第三十一条 公安机关交通管理部门依照法律、行政法规的规定，定期对机动车驾驶证实施审验。

第三十二条 公安机关交通管理部门对机动车驾驶人违反道路交通安全法律、法规的行为，除依法给予行政处罚外，实行累积记分制度。公安机关交通管理部门对累积记分达到规定分值的机动车驾驶人，扣留机动车驾驶证，对其进行道路交通安全法律、法规和相关知识教育，重新考试；考试合格的，发还其机动车驾驶证。

对遵守道路交通安全法律、法规，在一个记分周期内无累积记分的机动车驾驶人，可以延长其机动车驾驶证的审验期。

累积记分管理的具体办法，由国务院公安部门制定。

第三章 道路通行条件

第三十三条 全国实行统一的道路交通信号。

交通信号包括交通信号灯、交通标志、交通标线和交通警察的指挥。

ENGLISH TRANSLATION

Persons who have addictive substances that affect safe driving, suffer from diseases that impede safe driving, or are overtired that affect safe driving are not allowed to drive motor vehicles. The types of diseases that hinder safe driving shall be stipulated by the public security department under the State Council in conjunction with the health authority of the State Council.

No unit or individual may force, instigate or condone drivers to drive motor vehicles in violation of road traffic safety laws, regulations and motor vehicle safe driving requirements.

Article 31 The traffic management department of the public security organ shall conduct regular inspections of motor vehicle driving licenses in accordance with the provisions of laws and administrative regulations.

Article 32 The traffic management department of the public security organ shall, in addition to imposing administrative penalties in accordance with the law, implement a cumulative points system for motor vehicle drivers who violate road traffic safety laws and regulations. The traffic management department of the public security organ shall detain the motor vehicle driving license of motor vehicle drivers whose cumulative demerit points reach the specified value, educate them on road traffic safety laws, regulations and related knowledge, and retake the examination; if they pass the examination, their motor vehicle driving license shall be returned.

For motor vehicle drivers who comply with road traffic safety laws and regulations and do not accumulate points within a scoring period, the verification period of their motor vehicle driving licenses can be extended.

Specific measures for the management of accumulated points shall be formulated by the public security department under the State Council.

Chapter 3 Road Access Conditions

Article 33 Uniform road traffic signals shall be implemented throughout the country.

Traffic signals include traffic lights, traffic signs, traffic markings and traffic police commands.

交通信号灯、交通标志、交通标线以及其设置应当符合法律、法规、强制性国家标准和促进道路交通安全、畅通的要求，并保持清晰、醒目、准确、完好。

根据通行需要，应当及时增设、调换、更新道路交通信号。增设、调换、更新限制性的道路交通信号，应当提前向社会公告，广泛宣传。

第三十四条 交通信号灯由红灯、绿灯、黄灯组成。红灯表示禁止通行，绿灯表示准许通行，黄灯表示警示。

第三十五条 铁路与道路平面交叉的道口，应当设置警示灯、警告标志或者安全防护设施；无人看守的铁路道口，还应当在距道口一定距离处设置警告标志。

隧道应当按照国家有关规定设置交通信号灯、交通标志、交通标线等交通设施。

第三十六条 任何单位和个人不得擅自设置、移动、占用、遮挡、涂改、损毁交通信号灯、交通标志、交通标线等交通设施以及交通技术监控设备。

道路两侧以及隔离带上种植的树木或者其他植物，设置的广告牌、管线等，应当与交通设施保持必要的距离，不得遮挡路灯、交通信号灯、交通标志以及交通技术监控设备，不得妨碍安全视距，不得影响通行。

第三十七条 新建、改建、扩建城市建设项目，应当按照规定由县级以上地方人民政府组织有关部门进行交通影响评价。在

ENGLISH TRANSLATION

Traffic lights, traffic signs, traffic markings and their settings shall comply with laws, regulations, mandatory national standards and requirements for promoting safe and smooth road traffic, and shall be kept clear, eye-catching, accurate and intact.

According to traffic needs, road traffic signals shall be added, replaced, and updated in a timely manner.

The addition, replacement, and update of restrictive road traffic signals must be announced to the public in advance and widely publicized.

Article 34 Traffic lights consist of red lights, green lights and yellow lights. A red light indicates that passage is prohibited, a green light indicates that passage is permitted, and a yellow light indicates a warning.

Article 35 Warning lights, warning signs or safety protection facilities shall be installed at intersections where railways and roads intersect on a plane level; warning signs shall also be installed at unguarded railway crossings at a certain distance from the crossing.

Tunnels shall be equipped with traffic lights, traffic signs, traffic markings and other traffic facilities in accordance with relevant national regulations.

Article 36 No unit or individual may set up, move, occupy, block, alter or damage traffic lights, traffic signs, traffic markings and other traffic facilities as well as traffic technical monitoring equipment without authorization.

Trees or other plants planted on both sides of the road and on the isolation belt, billboards, pipelines, etc. must be kept at a necessary distance from traffic facilities, and must not block street lights, traffic lights, traffic signs, and traffic technical monitoring equipment, or hinder safe sight distance, or affect traffic.

Article 37 For new construction, reconstruction, and expansion of urban construction projects, the local people's government at or above the county level shall organize relevant departments to conduct traffic impact assessments in accordance with regulations. exist

依法设立的开发区、新区和其他有条件的区域，对交通影响评价推行区域评估。

新建、改建、扩建道路、停车场，设置交通信号灯、交通标志、交通标线、过街设施等道路配套设施，应当符合有关技术标准、技术规范和促进道路交通安全、畅通、无障碍的要求。道路配套设施应当与道路、停车场主体工程同步设计、同步建设、同步验收、同步投入使用，并根据交通需求及时调整。

第三十八条 道路养护单位、道路配套设施养护单位应当会同有关单位按照规定排查、治理由其负责养护的道路、道路配套设施的安全隐患。交通运输、住房城乡建设等主管部门和公安机关交通管理部门应当加强对道路养护单位、道路配套设施养护单位等排查、治理安全隐患情况的监督管理。

公安机关交通管理部门发现已经投入使用的道路存在交通事故频发路段，或者停车场、道路配套设施存在严重安全隐患的，应当会同有关主管部门及时向当地人民政府报告，并提出防范交通事故、治理隐患的建议，当地人民政府应当及时作出处理决定。

任何单位和个人发现道路、道路配套设施存在安全隐患或者影响通行效率的，可以向道路养护单位、道路配套设施养护单位或者交通运输、住房城乡建设、公安机关交通管理等有关主管部门，或者通过政务服务便民热线反映，接到反映的单位应当及时核实、处理或者转交有关单位处理。

ENGLISH TRANSLATION

In development zones, new districts and other qualified areas established in accordance with the law, regional assessments will be implemented for traffic impact assessment.

Newly constructed, renovated, expanded roads, parking lots, and the installation of road supporting facilities such as traffic lights, traffic signs, traffic markings, and street crossing facilities shall comply with relevant technical standards, technical specifications, and requirements for promoting safe, smooth, and barrier-free road traffic. Road supporting facilities shall be designed, constructed, accepted and put into use simultaneously with the main projects of roads and parking lots, and shall be adjusted in a timely manner according to traffic needs.

Article 38 Road maintenance units and road supporting facilities maintenance units shall work with relevant units to investigate and control potential safety hazards of the roads and road supporting facilities that they are responsible for maintaining in accordance with regulations. The competent departments of transportation, housing and urban-rural development, and the traffic management departments of the public security organs shall strengthen the supervision and management of road maintenance units, road supporting facility maintenance units, etc. to investigate and control potential safety hazards.

If the traffic management department of the public security organ discovers that a road that has been put into use has a section where traffic crashes are frequent, or that there are serious traffic safety hazards in parking lots and road supporting facilities, it shall report to the local people's government in a timely manner together with the relevant competent departments and put forward suggestions for preventing traffic crashes and controlling hidden dangers. The local people's government shall make a timely decision to deal with the problem.

If any unit or individual discovers that roads or road supporting facilities have potential traffic safety hazards or affects traffic efficiency, they may report it to the road maintenance unit, road supporting facility maintenance unit or relevant competent departments such as transportation, housing and urban-rural development, public security organs and traffic management, or through the government service convenience hotline. The unit that receives the report shall verify and handle it in a timely manner or transfer it to the relevant unit for processing.

第三十九条 道路出现坍塌、坑槽、水毁、隆起等损毁或者交通信号灯、交通标志、交通标线等交通设施损毁、灭失的，道路、交通设施的养护单位应当设置警告标志并及时修复。

公安机关交通管理部门发现前款情形，危及交通安全，尚未设置警告标志的，应当及时采取安全措施，疏导交通，并通知道路、交通设施的养护单位或者管理部门。

第四十条 因工程建设需要占用、挖掘道路，或者跨越、穿越道路架设、增设管线等设施，应当事先征得道路主管部门同意；影响交通安全的，道路主管部门应当征得公安机关交通管理部门同意。

施工作业单位应当在经批准的路段和时间内施工作业，并按照规定在距离施工作业地点来车方向安全距离处设置明显的安全警告标志、移动信号灯等交通设施，采取防护措施，必要时按规定安排专人提示车辆、行人注意避让；施工作业完毕，应当迅速清除道路上的障碍物，消除安全隐患，经道路主管部门和公安机关交通管理部门验收合格、符合通行要求后，方可恢复通行。

对未中断交通的施工作业道路，道路等主管部门应当依据职责加强施工作业监督管理，公安机关交通管理部门应当加强交通安全监督管理，维护道路交通秩序。

第四十一条 新建、改建、扩建的公共建筑、商业街区、旅游景区、居住区、大中型建筑等，应当配建、增建停车场；停车泊位不足的，应当及时改建或者扩建；投入使用的停车场不得擅

ENGLISH TRANSLATION

Article 39 If a road is damaged such as collapse, potholes, water damage, or bulging, or if traffic lights, traffic signs, traffic markings and other traffic facilities are damaged or lost, the maintenance unit of the road and traffic facilities shall set up warning signs and repair them in a timely manner.

If the traffic management department of the public security organ discovers that the situation in the preceding paragraph endangers traffic safety and has not set up warning signs, it shall promptly take safety measures to divert traffic and notify the maintenance units or management departments of roads and traffic facilities.

Article 40 If it is necessary to occupy or excavate roads for project construction, or to erect or add pipelines and other facilities across or across roads, the consent of the road competent department must be obtained in advance; if traffic safety is affected, the road competent department shall obtain the consent of the traffic management department of the public security organ.

The construction unit shall carry out construction work within the approved road section and time, and shall set up obvious safety warning signs, mobile lights and other traffic facilities at a safe distance from the construction site in the direction of traffic in accordance with regulations, take protective measures, and arrange for designated personnel to remind vehicles and pedestrians to pay attention to avoidance when necessary. After construction operations are completed, obstacles on the road shall be quickly removed to eliminate safety hazards, and traffic may only be resumed after acceptance by the road authorities and the traffic management department of the public security organ, and the traffic requirements are met.

For roads where construction operations do not interrupt traffic, road and other competent departments shall strengthen supervision and management of construction operations in accordance with their duties, and the traffic management department of the public security organ shall strengthen traffic safety supervision and management to maintain road traffic order.

Article 41 Newly built, renovated or expanded public buildings, commercial blocks, tourist attractions, residential areas, large and medium-sized buildings, etc. shall be equipped with or added parking lots; if there are insufficient parking spaces, they shall be renovated or expanded in a timely manner; the parking lots put into use shall not be used without authorization.

自停止使用或者改作他用。

城市道路范围内，在不影响行人、车辆通行的情况下，政府有关部门可以按照有关标准施划机动车停车泊位或者非机动车停车区域。

第四十二条 学校、幼儿园、儿童福利机构、未成年人救助保护机构、养老机构、残疾人服务机构等未成年人、老年人、残疾人等聚集性场所门前的道路，以及医院、交叉路口、商业街区、车站、码头等行人横过道路较为集中的路段，应当设置提示标志，并按照有关标准设置行人过街设施、施划人行横道线。

城市道路应当按照有关标准，建设或者改造无障碍设施。城市主要道路的人行道，应当按照规划设置盲道。盲道的设置应当符合国家标准。

第四章 道路通行规定

第一节 一般规定

第四十三条 机动车、非机动车实行右侧通行。

第四十四条 下列车辆、设备、装置、器械、工具不得上道路行驶：

- （一）未经准许生产、进口的机动车；
- （二）叉车、非公路用旅游观光车、卡丁车等其他有动力装置驱动的设备或者装置；
- （三）不符合强制性国家标准的残疾人机动轮椅车、电动自

ENGLISH TRANSLATION

Stop using it or use it for other purposes.

Within the scope of urban roads, without affecting the passage of pedestrians and vehicles, relevant government departments may designate parking spaces for motor vehicles or parking areas for non-motor vehicles in accordance with relevant standards.

Article 42 On the roads in front of places where minors, the elderly, and the disabled gather, such as schools, kindergartens, child welfare institutions, minors' rescue and protection institutions, nursing homes, and service institutions for the disabled, as well as on sections where pedestrians cross roads such as hospitals, intersections, commercial blocks, stations, and wharfs, warning signs shall be set up, and pedestrian crossing facilities and crosswalks shall be set up in accordance with relevant standards.

Urban roads shall be constructed or renovated with barrier-free facilities in accordance with relevant standards. The sidewalks of major urban roads shall be equipped with blind lanes in accordance with plans. The setting of blind paths shall comply with national standards.

Chapter 4 Road Traffic Regulations

Section 1 General Provisions

Article 43 Motor vehicles and non-motor vehicles are allowed to pass on the right side.

Article 44 The following vehicles, equipment, devices, instruments and tools are not allowed to be driven on the road:

- (1) Motor vehicles produced or imported without permission;
- (2) Forklifts, off-highway sightseeing vehicles, go-karts and other equipment or devices driven by power devices;
- (3) Motorized wheelchairs and electric bicycles for persons with disabilities that do not meet mandatory national standards

行车等车辆；

（四）有动力装置驱动的滑板车、独轮车、自平衡车；

（五）依法应当登记但未登记的车辆；

（六）法律、法规规定的其他不得上道路行驶的车辆、设备、装置、器械、工具。

第四十五条 根据道路条件和通行需要，道路划分为机动车道、非机动车道和人行道的，机动车、非机动车、行人实行分道通行；没有划分机动车道、非机动车道和人行道的，机动车在道路中间通行，非机动车和行人在道路两侧通行。

鼓励和支持在学校、医院、商业中心等行人密集区域采取设置隔离设施和施划标志、标线等方式，实行机动车、非机动车、行人分道通行。

第四十六条 道路划设的专用车道，在专用时段内，只准许规定的车辆通行，其他车辆不得进入专用车道内行驶。

根据道路条件和通行需要，可以划设优先车道。

第四十七条 车辆、行人应当按照交通信号通行。遇有交通警察现场指挥时，应当按照交通警察的指挥通行。在没有交通信号的道路上，应当在确保安全、畅通的原则下通行。

第四十八条 公安机关交通管理部门根据道路和交通流量的具体情况，可以对机动车、非机动车、行人采取疏导、限制通行、禁止通行等措施。遇有大型群众性活动、大范围施工、重污染天气等情况，需要采取限制交通的措施，或者作出与公众的道

ENGLISH TRANSLATION

Driving and other vehicles;

(4) Scooters, unicycles, and self-balancing vehicles driven by power devices;

(5) Vehicles that shall be registered according to law but have not been registered;

(6) Other vehicles, equipment, devices, instruments and tools that are not allowed to be driven on roads as stipulated by laws and regulations.

Article 45 According to road conditions and traffic needs, if a road is divided into motor vehicle lanes, non-motor vehicle lanes and sidewalks, motor vehicles, non-motor vehicles and pedestrians shall pass in separate lanes; if there is no division of motor vehicle lanes, non-motor vehicle lanes and sidewalks, motor vehicles shall pass in the middle of the road, and non-motor vehicles and pedestrians shall pass on both sides of the road.

Encourage and support the establishment of isolation facilities and the implementation of signs and markings in areas with dense pedestrians such as schools, hospitals, and commercial centers, and implement separate lanes for motor vehicles, non-motor vehicles, and pedestrians.

Article 46 In the special lanes set up on roads, only specified vehicles are allowed to pass during the special time period, and other vehicles are not allowed to enter the special lanes.

Priority lanes may be designated based on road conditions and traffic needs.

Article 47 Vehicles and pedestrians shall pass according to traffic signals. When there is on-site command from the traffic police, you shall pass according to the traffic police's command. On roads without traffic signals, traffic shall be conducted under the principles of ensuring safety and smooth flow.

Article 48 The traffic management department of the public security organ may, based on the specific conditions of the road and traffic flow, take measures such as diversion, restriction of passage, and prohibition of passage for motor vehicles, non-motor vehicles, and pedestrians. In the event of large-scale mass activities, large-scale construction, heavily polluted weather, etc., it is necessary to take measures to restrict traffic or to communicate with the public.

路交通活动直接有关的决定，应当提前向社会公告。

限制交通的措施应当科学、合理、适度、精准。

第四十九条 遇有恶劣气象条件或者自然灾害、交通事故等严重影响交通安全的情形，采取其他措施难以保证交通安全时，公安机关交通管理部门可以实行交通管制。

实行交通管制需要关闭公路的，公安机关交通管理部门原则上告知交通运输主管部门，交通运输主管部门按照有关规定协同处置。

道路养护单位发现有本条第一款严重影响交通安全的情形并且情况紧急的，应当采取设置警告标志等先行处置必要措施，并及时向交通运输主管部门和公安机关交通管理部门报告。

其他单位和个人发现有本条第一款严重影响交通安全的情形并且情况紧急的，可以通过政务服务便民热线或者报警求助、交通事故等紧急呼叫系统，向公安机关交通管理部门或者交通运输主管部门反映。导航平台应当设置严重影响交通安全情形的紧急自动报告功能，及时向公安机关交通管理部门和交通运输主管部门共享相关信息。

第五十条 未经许可，任何单位或者个人不得占用道路从事非交通活动。

公安机关交通管理、交通运输、住房城乡建设等主管部门应当加强道路交通安全监督管理，发现违法占用道路从事文化娱乐、体育健身等非交通活动的，应当及时劝阻、制止或者依法处

ENGLISH TRANSLATION

Decisions directly related to road traffic activities shall be announced to the public in advance.

Measures to restrict traffic shall be scientific, reasonable, appropriate and precise.

Article 49 In the event of severe weather conditions, natural disasters, traffic crashes or other circumstances that seriously affect traffic safety, and it is difficult to ensure traffic safety by taking other measures, the traffic management department of the public security organ may implement traffic control.

If it is necessary to close a highway to implement traffic control, the traffic management department of the public security organ shall in principle inform the transportation department, and the transportation department shall coordinate the handling in accordance with relevant regulations.

If a road maintenance unit discovers a situation that seriously affects traffic safety in Paragraph 1 of this Article and the situation is urgent, it shall take necessary measures to deal with it in advance, such as setting up warning signs, and promptly report to the transportation department and the traffic management department of the public security organ.

If other units and individuals find that there is a situation that seriously affects traffic safety in the first paragraph of this article and the situation is urgent, they may report it to the traffic management department of the public security organ or the transportation department through the government service convenience hotline or the emergency call system for police assistance or traffic crashes. The navigation platform shall set up an emergency automatic reporting function for situations that seriously affect traffic safety, and promptly share relevant information with the traffic management department of the public security organ and the transportation department.

Article 50 No unit or individual may occupy roads to engage in non-traffic activities without permission.

The public security organs, traffic management, transportation, housing and urban-rural development and other competent departments shall strengthen the supervision and management of road traffic safety. If they find that they illegally occupy roads to engage in non-traffic activities such as cultural entertainment, sports and fitness, they shall promptly dissuade, stop or punish them in accordance with the law.

理。

道路养护管理单位应当加强日常巡查管理，发现违法占用道路从事文化娱乐、体育健身等非交通活动的，应当及时劝阻、制止；对不听劝阻、不能制止的，应当报告有关主管部门依法处理。

第五十一条 互联网平台企业利用算法对驾驶机动车、电动自行车配送进行工作调度的，应当考虑行驶限速要求、路况、天气等因素，建立完善订单分配、时间预估、路线规划等算法规则；不得利用算法、平台规则等，强迫、纵容、默许其从业人员违反道路交通安全法律、法规驾驶机动车、电动自行车。

鼓励和支持互联网平台企业监测其从业人员驾驶行为，对超速行驶、逆向行驶、违反交通信号通行等严重道路交通安全违法行为进行自动预警，向公安机关交通管理部门共享预警信息。

第五十二条 有关道路通行的其他具体规定，由国务院规定。

第二节 机动车通行规定

第五十三条 机动车上道路行驶，不得超过限速标志、限速标线标明的最高时速。在没有限速标志、限速标线的路段，不得超过法律、法规规定的最高时速；法律、法规未规定最高时速的，应当保持安全车速。

夜间行驶或者在容易发生危险的路段行驶，以及遇有沙尘、

ENGLISH TRANSLATION

reason.

Road maintenance and management units shall strengthen daily inspection and management. If they find that they illegally occupy roads to engage in non-traffic activities such as cultural entertainment, sports and fitness, they shall promptly dissuade and stop them; if they do not listen to the dissuasion and cannot stop them, they shall report to the relevant competent authorities and handle them in accordance with the law.

Article 51 Internet platform companies that use algorithms to schedule the delivery of motor vehicles and electric bicycles shall consider factors such as speed limits, road conditions, weather, etc., and establish and improve algorithm rules for order allocation, time estimation, route planning, etc.; they shall not use algorithms, platform rules, etc. to force, condone, or acquiesce in their employees to drive motor vehicles and electric bicycles in violation of road traffic safety laws and regulations.

Encourage and support Internet platform companies to monitor the driving behavior of their employees, provide automatic early warnings for serious road traffic safety violations such as speeding, driving in the opposite direction, and violating traffic signals, and share early warning information with the traffic management department of the public security organ.

Article 52 Other specific regulations regarding road access shall be formulated by the State Council.

Section 2 Motor Vehicle Passage Regulations

Article 53 When driving on the road, a motor vehicle shall not exceed the maximum speed indicated by speed limit signs and speed limit markings. On road sections without speed limit signs or markings, the maximum speed stipulated by laws and regulations shall not be exceeded; if the maximum speed is not stipulated by laws or regulations, a safe speed shall be maintained.

Driving at night or on dangerous road sections, and when encountering sand, dust,

冰雹、雨、雪、雾、结冰等气象条件时，应当降低行驶速度。

第五十四条 同车道行驶的机动车，后车应当与前车保持足以采取紧急制动措施的安全距离。有下列情形之一的，不得超车：

- （一）前车正在左转弯、掉头、超车；
- （二）与对面来车有会车可能；
- （三）前车为执行紧急任务的警车、消防救援车、救护车、工程救险车；
- （四）行经没有超车条件的铁路道口、交叉路口、窄桥、弯道、陡坡、隧道、人行横道、交通流量大的路段等。

机动车变更车道或者借道行驶，不得影响其他车辆、行人正常通行。

第五十五条 机动车通过交叉路口，应当按照交通信号灯、交通标志、交通标线、交通警察的指挥通过；通过没有交通信号灯、交通标志、交通标线、交通警察指挥的交叉路口时，应当减速慢行，并让行人和享有道路优先通行权的车辆先行。

第五十六条 机动车遇有前方车辆停车排队等候或者缓慢行驶时，不得借道超车或者占用对面车道，不得穿插等候的车辆。

在车道减少的路段、路口，或者在没有交通信号灯、交通标志、交通标线、交通警察指挥的交叉路口遇到停车排队等候或者缓慢行驶时，机动车应当依次交替通行。

第五十七条 机动车通过铁路道口时，应当按照交通信号或

ENGLISH TRANSLATION

In weather conditions such as hail, rain, snow, fog, and ice, the driving speed shall be reduced.

Article 54 For motor vehicles traveling in the same lane, the vehicle behind shall keep a safe distance from the vehicle in front that is sufficient to take emergency braking measures. Under any of the following circumstances, overtaking is not allowed:

- (1) The vehicle in front is turning left, making a U-turn, or overtaking;
- (2) There is a possibility of meeting the oncoming vehicle;
- (3) The vehicle in front is a police car, fire rescue vehicle, ambulance, or engineering rescue vehicle performing emergency tasks;
- (4) Travel through railway crossings, intersections, narrow bridges, curves, steep slopes, tunnels, crosswalks, sections with heavy traffic flow, etc. where there are no overtaking conditions.

Motor vehicles changing lanes or driving on the same lane shall not affect the normal passage of other vehicles and pedestrians.

Article 55 When a motor vehicle passes through an intersection, it must follow the instructions of traffic lights, traffic signs, traffic markings, and traffic police; when passing through an intersection without traffic lights, traffic signs, traffic markings, or traffic police instructions, it must slow down and give way to pedestrians and vehicles with the right of way.

Article 56 When a motor vehicle encounters a vehicle in front that is parked, waiting in line, or driving slowly, it shall not use the lane to overtake or occupy the opposite lane, or pass through the waiting vehicle.

On road sections and intersections with reduced lanes, or at intersections where there are no traffic lights, traffic signs, traffic markings, or traffic police instructions, motor vehicles must wait in queues or drive slowly, and motor vehicles must pass alternately in sequence.

Article 57 When passing a railway crossing, a motor vehicle shall follow traffic signals or

者管理人员的指挥通行；没有交通信号和管理人员的，应当减速或者停车，在确认安全后通过。

第五十八条 机动车行经人行横道时，应当减速行驶；遇行人正在通过人行横道，应当停车让行。

机动车行经没有交通信号的道路时，遇行人横过道路，应当避让。

第五十九条 机动车载物应当符合强制性国家标准，不得超过最大允许总质量的限值，二轴载货机动车载物还应当不超过行驶证标明的总质量，严禁超载；载物的长、宽、高不得违反装载要求，不得遗洒、飘散、脱落载运物。

机动车运载超限的不可解体的物品，影响交通安全的，应当按照公安机关交通管理部门指定的时间、路线、速度行驶，悬挂明显标志。在公路上运载超限的不可解体的物品，还应当依照《中华人民共和国公路法》的规定执行。

机动车载运民用爆炸物品、烟花爆竹、易燃易爆化学物品以及剧毒、放射性物品等危险物品，应当经公安机关批准后，按指定的时间、路线、速度行驶，悬挂警告标志并采取必要的安全措施。机动车载运危险物品，应当遵守有关法律、法规和国家规定。

第六十条 公安机关交通管理部门和交通运输等主管部门应当加强车辆注册登记、运输资质管理和路面执法等相关信息共享，强化治理载货机动车超限超载违法行为联合执法。

ENGLISH TRANSLATION

If there are no traffic signals or management personnel, you shall slow down or stop and pass after confirming safety.

Article 58 When a motor vehicle passes through a crosswalk, it shall slow down; when encountering a pedestrian passing through the crosswalk, it shall stop and give way.

When a motor vehicle is traveling on a road without traffic signals and encounters a pedestrian crossing the road, it must give way.

Article 59 The cargo carried by a motor vehicle shall comply with mandatory national standards and shall not exceed the limit of the maximum allowable total mass. The cargo carried by a two-axle cargo motor vehicle shall not exceed the total mass indicated on the driving license, and overloading is strictly prohibited; the length, width, and height of the cargo shall not violate the loading requirements, and the cargo shall not be spilled, scattered, or fallen off.

If a motor vehicle carries items that exceed the limit and cannot be disassembled, affecting traffic safety, it must travel according to the time, route, and speed specified by the traffic management department of the public security organ, and display obvious signs. Carrying items that exceed the limit and cannot be disassembled on the highway shall also be carried out in accordance with the provisions of the Highway Law of the People's Republic of China.

Motor vehicles carrying civilian explosives, fireworks and firecrackers, flammable and explosive chemicals, highly toxic and radioactive materials and other dangerous goods must, after approval by the public security organs, drive according to the designated time, route and speed, hang warning signs and take necessary safety measures. Motor vehicles carrying dangerous goods must comply with relevant laws, regulations and national regulations.

Article 60 The traffic management department of the public security organ and the transportation and other competent departments shall strengthen the sharing of relevant information such as vehicle registration, transportation qualification management, and road law enforcement, and strengthen joint law enforcement in the treatment of illegal overloading and overloading of cargo-carrying motor vehicles.

交通运输主管部门和公安机关交通管理部门应当联合制定统一的载货机动车超限超载处罚标准并向社会公布。

交通运输主管部门可以设置超限超载检测技术设备，依法收集、固定载货机动车超限超载违法事实。

第六十一条 重点货运源头单位应当安装称重检测和视频监控等设施设备，落实车辆称重检测要求，防止超限超载车辆上道路行驶，并及时向交通运输主管部门和公安机关交通管理部门提供称重检测和视频监控等数据信息。

第六十二条 机动车载人不得超过核定的人数，载客机动车不得违反规定载货。

第六十三条 载货机动车不得违反规定载客。
载货机动车需要附载作业人员的，应当设置保护作业人员的安全措施。

第六十四条 机动车行驶时，驾驶人不得有拨打或者接听手持电话、观看视频等妨碍安全驾驶行为；驾驶人、乘车人应当按照规定使用安全带，摩托车驾驶人以及乘车人应当按照规定戴安全头盔。驾驶人应当督促乘车人使用安全带、戴安全头盔。

身高不足一百四十厘米的未成年人乘坐自用小型、微型载客汽车时，鼓励和支持使用符合国家标准儿童安全座椅或者增高垫等约束系统。

驾驶人不得安排或者允许身高不足一百四十厘米或者未满十二周岁的未成年人乘坐机动车副驾驶座位。

ENGLISH TRANSLATION

The transportation authorities and the traffic management departments of the public security organs shall jointly formulate unified penalty standards for overloading and overloading of cargo-carrying motor vehicles and announce them to the public.

The transportation authorities may set up over-limit and overload detection technical equipment to collect and fix illegal facts about over-limit and overloading of freight-carrying motor vehicles in accordance with the law.

Article 61 Key freight source units shall install facilities and equipment such as weighing inspection and video surveillance, implement vehicle weighing inspection requirements, prevent over-limit and overloaded vehicles from driving on the road, and promptly provide data information such as weighing inspection and video surveillance to the transportation authorities and the traffic management department of the public security organ.

Article 62: Motor vehicles may not carry more than the approved number of people, and motor vehicles carrying passengers may not carry goods in violation of regulations.

Article 63 Cargo-carrying motor vehicles shall not carry passengers in violation of regulations.

If a cargo-carrying motor vehicle needs to carry workers, safety measures to protect the workers shall be installed.

Article 64 When a motor vehicle is driving, the driver shall not make or answer handheld phones, watch videos, or other behaviors that impede safe driving; drivers and passengers shall use seat belts in accordance with regulations, and motorcycle drivers and passengers shall wear safety helmets in accordance with regulations. Drivers shall urge passengers to use seat belts and wear safety helmets.

When minors whose height is less than 140 centimeters ride in small or micro passenger vehicles for their own use, the use of restraint systems such as child safety seats or booster cushions that comply with national standards is encouraged and supported.

Drivers shall not arrange or allow minors whose height is less than 140 centimeters or who are under the age of 12 to ride in the passenger seat of a motor vehicle.

第六十五条 机动车在道路上发生故障，需要停车排除故障时，驾驶人应当立即开启危险报警闪光灯，将机动车移至不妨碍交通的地点停放；难以移动的，应当将车上人员转移至安全地点，持续开启危险报警闪光灯，并在来车方向设置警告标志等措施扩大示警距离，必要时迅速报警。

第六十六条 警车、消防救援车、救护车、工程救险车执行紧急任务时，可以使用警报器、标志灯具；在确保安全的前提下，不受行驶路线、行驶方向、行驶速度、信号灯和停放地点的限制，其他车辆和行人应当让行。

警车、消防救援车、救护车、工程救险车非执行紧急任务时，不得使用警报器、标志灯具，不享有前款规定的道路优先通行权。

第六十七条 道路养护车辆、工程作业车、清障救援车进行作业时，在不影响过往车辆通行的前提下，其行驶路线和方向不受交通标志、交通标线限制，过往车辆和人员应当注意避让。

洒水车、清扫车等机动车应当按照安全作业标准作业；在不影响其他车辆通行的情况下，可以不受车辆分道行驶的限制，但是不得逆向行驶。

第六十八条 高速公路、大中城市中心城区内的道路，禁止拖拉机通行。其他禁止拖拉机通行的道路，由省、自治区、直辖市人民政府根据本行政区域的实际情况规定。

在允许拖拉机通行的道路上，拖拉机可以从事货运，但是不

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Article 65 When a motor vehicle breaks down on the road and needs to be stopped to troubleshoot, the driver shall immediately turn on the hazard warning flashing lights and move the vehicle to a location that does not hinder traffic. If it is difficult to move, the vehicle occupants shall be moved to a safe location, continue to turn on the hazard warning flashing lights, and set up warning signs in the direction of the oncoming vehicle and other measures to increase the warning distance, and call the police quickly if necessary.

Article 66 Police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles may use sirens and sign lights when performing emergency tasks; on the premise of ensuring safety, they are not subject to restrictions on driving routes, driving directions, driving speeds, signal lights, and parking locations. Other vehicles and pedestrians must give way.

Police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles are not allowed to use sirens or sign lights when not performing emergency tasks, and they do not enjoy the right of way on the road specified in the preceding paragraph.

Article 67 When road maintenance vehicles, engineering work vehicles, and wreckage rescue vehicles are operating, their driving routes and directions are not restricted by traffic signs and traffic markings, provided that they do not affect the passage of passing vehicles. Passing vehicles and people shall pay attention to avoid them.

Motor vehicles such as sprinklers and sweepers must operate in accordance with safe operating standards; as long as they do not affect the passage of other vehicles, they are not subject to the restriction of lane separation, but they are not allowed to drive in the opposite direction.

Article 68 Tractors are prohibited from traveling on expressways and roads in central urban areas of large and medium-sized cities. Other roads on which tractors are prohibited shall be prescribed by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government based on the actual conditions of their respective administrative regions.

On roads where tractors are allowed, tractors may be used for freight transport, but they may not

得用于载人。

第六十九条 机动车应当在规定地点停放。禁止在人行道、非机动车道上停放机动车；但是，依照本法第四十一条规定施划的停车泊位除外。

机动车在道路上临时停车的，应当持续开启危险报警闪光灯，并不得妨碍其他车辆和行人通行。开关车门，机动车驾驶人、乘车人应当注意观察，驾驶人应当提醒乘车人注意安全。

禁止在道路上停放废弃机动车。本法所称废弃机动车，是指停放超过一百二十日，并且根据其位置、状态等情况，有合理理由认定已被弃置的机动车。

第三节 非机动车通行规定

第七十条 驾驶非机动车在道路上行驶，应当遵守有关交通安全的规定。非机动车应当在非机动车道行驶；在没有非机动车道的道路上，应当靠车行道的右侧行驶。

第七十一条 在非机动车道内行驶时，残疾人机动轮椅车最高时速不得超过十五公里，电动自行车最高时速不得超过二十公里。

第七十二条 驾驶电动自行车在道路上行驶，不得有下列行为：

- （一）逆向行驶；
- （二）超速行驶；

ENGLISH TRANSLATION

It must be used to carry people.

Article 69 Motor vehicles shall be parked at prescribed places. It is prohibited to park motor vehicles on sidewalks or non-motorized lanes; however, parking spaces designated in accordance with the provisions of Article 41 of this Law are excepted.

If a motor vehicle is temporarily parked on the road, the hazard warning flashing lights shall be turned on continuously and shall not obstruct the passage of other vehicles and pedestrians. Drivers and passengers of motor vehicles shall pay attention when opening and closing doors, and drivers shall remind passengers to pay attention to safety.

Parking of abandoned motor vehicles on roads is prohibited. The term "abandoned motor vehicle" as used in this Law refers to a motor vehicle that has been parked for more than 120 days and which, based on its location, state, etc., has reasonable grounds to be determined to have been abandoned.

Section 3 Non-motor vehicle traffic regulations

Article 70 When driving a non-motorized vehicle on the road, you must comply with relevant traffic safety regulations. Non-motorized vehicles shall drive on non-motorized lanes; on roads without non-motorized lanes, they shall drive on the right side of the roadway.

Article 71 When driving in non-motorized lanes, the maximum speed of motorized wheelchairs for disabled persons shall not exceed 15 kilometers per hour, and the maximum speed of electric bicycles shall not exceed 20 kilometers per hour.

Article 72 When driving an electric bicycle on the road, you must not engage in the following behaviors:

- (1) Driving in the opposite direction;
- (2) Speeding;

ENGLISH TRANSLATION

- (3) Violating traffic signals;
- (4) Make or answer handheld phone calls, watch videos, etc.;
- (5) Other behaviors that impede safe driving.

Article 73 Drivers and passengers of electric bicycles must wear safety helmets in accordance with regulations.

Article 74 Non-motorized vehicles shall be parked at prescribed locations. If parking locations are not designated, parking of non-motor vehicles shall not impede the passage of other vehicles and pedestrians.

Article 75 When driving an animal-drawn cart, tame animals shall be used; when driving an animal-drawn cart across the road, the driver shall get off the vehicle and pull the livestock; when the driver leaves the vehicle, he shall tether the livestock.

Section 4 Regulations for Pedestrians and Vehicle Passengers

Article 76 Pedestrians shall walk within the sidewalk, and if there is no sidewalk, walk along the roadside.

Article 77 When passing an intersection or crossing a road, pedestrians shall use a crosswalk or crossing facilities; when passing a crosswalk with traffic lights, they shall follow the instructions of the traffic lights; when passing an intersection without traffic lights or crosswalks, or crossing a road section without crossing facilities, they shall pass after confirming that it is safe.

Article 78 Pedestrians are not allowed to cross or sit on road isolation facilities, and are not allowed to pick up cars, forcibly block them, or perform other actions that impede road traffic safety.

Article 79 Preschool children, as well as patients with mental illness and intellectual disabilities who cannot identify or control their own behavior, must be supervised by them when traveling on the road.

- (三) 违反交通信号通行；
- (四) 拨打或者接听手持电话、观看视频等；
- (五) 其他妨碍安全驾驶行为。

第七十三条 电动自行车的驾驶人和乘车人，应当按照规定戴安全头盔。

第七十四条 非机动车应当在规定地点停放。未划定停放地点的，非机动车停放不得妨碍其他车辆和行人通行。

第七十五条 驾驭畜力车，应当使用驯服的牲畜；驾驭畜力车横过道路时，驾驭人应当下车牵引牲畜；驾驭人离开车辆时，应当拴系牲畜。

第四节 行人和乘车人通行规定

第七十六条 行人应当在人行道内行走，没有人行道的靠路边行走。

第七十七条 行人通过路口或者横过道路，应当走人行横道或者过街设施；通过有交通信号灯的人行横道，应当按照交通信号灯指示通行；通过没有交通信号灯、人行横道的路口，以及在没有过街设施的路段横过道路，应当在确认安全后通过。

第七十八条 行人不得跨越、倚坐道路隔离设施，不得扒车、强行拦车或者实施妨碍道路交通安全的其他行为。

第七十九条 学龄前儿童以及不能辨认或者不能控制自己行为的精神病患者、智力障碍者在道路上通行，应当由其监护

人、监护人委托的人员或者对其负有管理、保护职责的其他人员带领。

盲人在道路上通行，应当使用盲杖或者采取其他导盲手段，车辆应当避让盲人。

第八十条 行人通过铁路道口时，应当按照交通信号或者管理人员的指挥通行；没有交通信号和管理人员的，应当在确认无火车驶临后迅速通过。

第八十一条 乘车人不得携带易燃易爆等危险物品，不得向车外抛洒物品，不得有影响驾驶人安全驾驶的行为。

第五节 高速公路的特别规定

第八十二条 行人、非机动车、拖拉机、轮式专用机械车、铰接式客车、全挂汽车列车以及其他设计最高时速低于七十公里的机动车，不得进入高速公路。

高速公路限速标志、标线应当标明车道的行驶速度，最高时速不得超过一百二十公里，最低时速不得低于六十公里。

第八十三条 机动车在高速公路上发生故障时，应当依照本法第六十五条的有关规定办理；警告标志应当设置在故障车来车方向一百五十米以外，驾驶人应当将乘车人迅速转移到右侧路肩上、应急车道内或者其他安全地点，并且迅速拨打高速公路救援电话或者报警。

机动车在高速公路上发生故障或者交通事故，无法正常行驶

ENGLISH TRANSLATION

It is led by persons entrusted by the person, guardian or other persons responsible for its management and protection.

When a blind person passes on the road, he or she shall use a blind stick or other means to guide the blind, and vehicles shall give way to the blind person.

Article 80 When passing a railway crossing, pedestrians shall follow the traffic signals or the instructions of management personnel; if there are no traffic signals or management personnel, they shall pass quickly after confirming that no train is approaching.

Article 81 Passengers are not allowed to carry flammable, explosive and other dangerous items, are not allowed to throw items outside the vehicle, and are not allowed to act in a manner that affects the safe driving of the driver.

Section 5 Special Provisions for Highways

Article 82 Pedestrians, non-motor vehicles, tractors, wheeled special mechanical vehicles, articulated passenger cars, full-trailer car trains and other motor vehicles with a designed maximum speed of less than 70 kilometers per hour are not allowed to enter the expressway.

Expressway speed limit signs and markings shall indicate the driving speed of the lane. The maximum speed shall not exceed 120 kilometers per hour and the minimum speed shall not be less than 60 kilometers per hour.

Article 83 When a motor vehicle breaks down on a highway, it shall be handled in accordance with the relevant provisions of Article 65 of this Law; the warning sign shall be set up 150 meters away from the direction of the disabled vehicle. The driver shall quickly move the passengers to the right shoulder, the emergency lane or other safe places, and quickly call the highway rescue phone or call the police.

A motor vehicle breaks down or is involved in a traffic crash on the highway and is unable to drive normally

的，应当由救援车、清障车拖曳、牵引出高速公路。

第八十四条 任何单位和个人不得在高速公路上拦截检查行驶的车辆，公安机关的人民警察依法执行紧急公务的除外。

第五章 交通事故处理

第八十五条 在道路上发生交通事故，车辆驾驶人应当立即停车，开启危险报警闪光灯，疏散车上人员至安全地点，保护现场，并参照本法第六十五条、第八十三条的有关规定，在来车方向设置警告标志；造成人身伤亡的，车辆驾驶人应当立即抢救受伤人员并报警，受伤人员伤势严重的，应当拨打急救电话。因抢救受伤人员变动现场的，应当采取拍照或者标明位置等方式固定证据。乘车人、过往车辆驾驶人、过往行人应当予以协助。

在道路上发生交通事故，未造成人身伤亡或者受伤人员伤势轻微、车辆能够移动，当事人对事实以及成因无争议的，可以在固定证据后即行撤离现场，恢复交通，自行协商处理损害赔偿事宜；车辆无法移动或者不即行撤离现场的，应当迅速报警，并按照前款规定开启危险报警闪光灯，疏散车上人员，设置警告标志，保护现场。

在道路上发生交通事故，仅造成轻微财产损失，并且基本事实清楚的，当事人应当先撤离现场再进行协商处理。

第八十六条 车辆发生交通事故后逃逸的，事故现场目击人

ENGLISH TRANSLATION

, it shall be towed or towed off the highway by a rescue vehicle or tow truck.

Article 84 No unit or individual may intercept or inspect vehicles traveling on the highway, except for people's policemen of public security organs performing emergency official duties in accordance with the law.

Chapter 5 Traffic Crash Handling

Article 85 When a traffic crash occurs on the road, the driver of the vehicle shall stop immediately, turn on the hazard warning flashing lights, evacuate the passengers on the vehicle to a safe place, protect the scene, and set up warning signs in the direction of the oncoming vehicle in accordance with the relevant provisions of Articles 65 and 83 of this Law; if personal injury or death is caused, the driver of the vehicle shall immediately rescue the injured person and call the police. If the injured person is seriously injured, he shall call the emergency telephone number. If the scene is changed due to rescuing injured persons, evidence shall be fixed by taking photos or marking the location. Passengers, drivers of passing vehicles, and pedestrians passing by shall provide assistance.

If a traffic crash occurs on the road and no personal casualties are caused or the injuries to the injured are minor and the vehicle is movable and the parties have no dispute over the facts and causes, they may evacuate the scene immediately after fixing the evidence, resume traffic, and negotiate for damage compensation on their own; if the vehicle cannot move or does not evacuate the scene immediately, the police shall be called quickly, and the danger alarm flashing lights shall be turned on in accordance with the provisions of the preceding paragraph, the persons on the vehicle shall be evacuated, warning signs shall be set up, and the scene shall be protected.

If a traffic crash occurs on the road, causing only minor property damage, and the basic facts are clear, the parties concerned shall first evacuate the scene and then negotiate.

Article 86 If a vehicle escapes after a traffic crash, the witnesses at the crash scene shall

员和其他知情人员应当向公安机关交通管理部门或者交通警察举报。举报属实的，公安机关交通管理部门应当给予奖励。

第八十七条 公安机关交通管理部门接到交通事故报警后，应当立即派交通警察赶赴现场，组织抢救受伤人员，划定警戒区域，并采取措施尽快恢复交通；但是，未造成人员伤亡并可以远程处理的除外。

交通警察应当对交通事故现场进行勘验、检查，收集证据；因收集证据的需要，可以扣留事故车辆以及机动车驾驶证等与交通事故有关的物品、证件，调取车载电子数据，并妥善保管，以备核查。

对涉及交通事故车辆安全技术性能、行驶速度，道路以及其设施，当事人的生理、精神状况等需要检验、鉴定的，公安机关交通管理部门应当委托具备相应资质的机构进行检验、鉴定。检验、鉴定机构出具的检验报告、鉴定意见应当加盖公章并由检验人、鉴定人签名。

公安机关交通管理部门应当将检验报告、鉴定意见复印件送达当事人。当事人对检验报告、鉴定意见有异议的，可以自检验报告、鉴定意见复印件送达之日起三日内申请重新检验、鉴定。

第八十八条 公安机关交通管理部门应当根据交通事故现场勘验、检查、调查情况和有关的检验报告、鉴定意见等证据资料，及时制作道路交通事故认定书，作为处理交通事故的证据。

ENGLISH TRANSLATION

Police officers and other knowledgeable persons shall report to the traffic management department of the public security organ or the traffic police. If the report is true, the traffic management department of the public security organ shall reward it.

Article 87 After receiving the alarm of a traffic crash, the traffic management department of the public security organ shall immediately send traffic police to the scene, organize the rescue of injured persons, delimit warning areas, and take measures to restore traffic as soon as possible; however, this exception shall be made if no casualties are caused and the crash can be handled remotely.

Traffic police shall conduct inspections and inspections at the scene of traffic crashes and collect evidence;

Due to the need to collect evidence, the crash vehicle and motor vehicle driving license and other items and documents related to the traffic crash can be detained, the vehicle electronic data can be retrieved, and properly kept for verification.

If the safety and technical performance of vehicles involved in traffic crashes, driving speeds, roads and their facilities, and the physical and mental conditions of the parties need to be inspected and appraised, the traffic management department of the public security organ shall entrust an institution with corresponding qualifications to conduct the inspection and appraisal. Inspection reports and appraisal opinions issued by inspection and appraisal institutions shall be stamped with official seals and signed by the inspectors and appraisers.

The traffic management department of the public security organ shall deliver copies of the inspection report and appraisal opinions to the parties concerned. If the party concerned has objections to the inspection report or appraisal opinion, he may apply for re-inspection or appraisal within three days from the date of delivery of copies of the inspection report and appraisal opinion.

Article 88 The traffic management department of the public security organ shall promptly prepare a road traffic accident determination certificate based on the on-site inspection, inspection, and investigation of the traffic crash as well as relevant inspection reports, appraisal opinions and other evidence and materials as evidence for handling the traffic crash.

道路交通事故认定书应当载明交通事故的基本事实、成因，当事人的责任以及其认定理由、依据，并送达当事人。

第八十九条 对交通事故损害赔偿的争议，当事人可以请求公安机关交通管理部门或者依法设立的调解组织进行调解，也可以直接向人民法院提起民事诉讼。

经公安机关交通管理部门调解，当事人未达成协议或者调解书生效后不履行的，当事人可以向人民法院提起民事诉讼。

经依法设立的调解组织调解，当事人未达成协议或者调解书生效后不履行的，依照《中华人民共和国人民调解法》等法律办理。

第九十条 医疗机构对交通事故中的受伤人员应当及时抢救，不得因抢救费用未及时支付而拖延救治。肇事车辆参加机动车交通事故责任强制保险的，由保险公司在责任限额范围内支付抢救费用。

有下列情形之一的，由道路交通事故社会救助基金先行垫付交通事故受害人人身伤亡的丧葬费用、部分或者全部抢救费用，道路交通事故社会救助基金管理机构有权向交通事故责任人追偿：

- （一）抢救费用超过机动车交通事故责任强制保险责任限额；
- （二）肇事机动车未参加机动车交通事故责任强制保险；
- （三）机动车不明或者肇事后逃逸；
- （四）法律、法规、规章规定的其他情形。

ENGLISH TRANSLATION

The road traffic accident determination letter shall state the basic facts and causes of the traffic crash, the responsibilities of the parties, and the reasons and basis for the determination, and shall be served to the parties.

Article 89 For disputes over traffic crash damage compensation, the parties may request the traffic management department of the public security organ or a mediation organization established in accordance with the law for mediation, or they may directly file a civil lawsuit with the People's Court.

If the parties fail to reach an agreement after mediation by the traffic management department of the public security organ or do not perform the mediation letter after it becomes effective, the parties may file a civil lawsuit with the People's Court.

After mediation by a legally established mediation organization, if the parties fail to reach an agreement or fail to perform the mediation agreement after it takes effect, the matter shall be handled in accordance with the People's Mediation Law of the People's Republic of China and other laws.

Article 90 Medical institutions shall promptly rescue persons injured in traffic crashes, and shall not delay treatment due to failure to pay rescue fees in a timely manner. If the vehicle involved in the crash participates in the compulsory motor vehicle traffic accident liability insurance, the insurance company shall pay the rescue expenses within the liability limit.

In any of the following circumstances, the Road Traffic Accident Social Assistance Fund shall advance the funeral expenses and part or all of the rescue expenses for the traffic crash victim's personal injury or death, and the Road Traffic Accident Social Assistance Fund Management Agency shall have the right to recover compensation from the person responsible for the traffic crash:

- (1) The rescue costs exceed the liability limit of the compulsory motor vehicle traffic accident liability insurance;
- (2) The motor vehicle causing the crash did not participate in compulsory motor vehicle traffic accident liability insurance;
- (3) The motor vehicle is unknown or the vehicle is hit and run;
- (4) Other circumstances stipulated in laws, regulations and rules.

第九十一条 机动车发生交通事故造成人身伤亡、财产损失的，由保险公司在机动车交通事故责任强制保险责任限额范围内予以赔偿；不足的部分，按照下列规定承担赔偿责任：

（一）机动车之间发生交通事故的，由有过错的一方承担赔偿责任；各方都有过错的，按照各自过错的比例分担责任。

（二）机动车与非机动车、行人之间发生交通事故，非机动车、行人方没有过错的，由机动车一方承担赔偿责任；有证据证明非机动车、行人方有过错的，根据过错程度适当减轻机动车一方的赔偿责任；机动车一方没有过错的，承担不超过百分之十的赔偿责任。

交通事故的损失是由非机动车驾驶人、行人故意碰撞机动车造成的，机动车一方不承担赔偿责任。

第九十二条 非机动车与非机动车、行人之间发生交通事故的，由有过错的一方承担赔偿责任；各方都有过错的，按照各自过错的比例分担责任。

第九十三条 车辆以及其零配件、安全头盔、安全座椅等与道路交通安全有关的产品存在缺陷，或者道路、道路配套设施存在违反本法第三十七条、第三十八条规定情形，造成交通事故或者扩大损害后果的，产品生产者、销售者以及道路建设单位、养护管理单位应当依法承担赔偿责任。

第九十四条 车辆在道路以外通行时发生的事故，公安机关交通管理部门接到报案的，参照本法有关规定办理。

ENGLISH TRANSLATION

Article 91 If a traffic crash involving a motor vehicle causes personal casualties or property losses, the insurance company shall compensate within the liability limit of the compulsory motor vehicle traffic accident liability insurance; any shortfall shall be liable for compensation in accordance with the following provisions:

(1) If a traffic crash occurs between motor vehicles, the party at fault shall bear the liability for compensation; if both parties are at fault, they shall share the liability in proportion to their respective faults.

(2) If a traffic crash occurs between a motor vehicle and a non-motor vehicle or a pedestrian, and the non-motor vehicle or pedestrian is not at fault, the motor vehicle party shall bear the liability for compensation; if there is evidence that the non-motor vehicle or pedestrian is at fault, the liability of the motor vehicle party shall be appropriately reduced according to the degree of fault; if the motor vehicle party is not at fault, the liability for compensation shall not exceed 10%.

The loss of a traffic crash is caused by a non-motor vehicle driver or pedestrian intentionally colliding with a motor vehicle, and the motor vehicle party is not liable for compensation.

Article 92 If a traffic crash occurs between a non-motor vehicle and a non-motor vehicle or a pedestrian, the party at fault shall bear the liability for compensation; if both parties are at fault, they shall share the liability in proportion to their respective faults.

Article 93 If vehicles and their spare parts, safety helmets, safety seats and other products related to road traffic safety have defects, or roads and road supporting facilities violate the provisions of Articles 37 and 38 of this Law, causing traffic crashes or expanding damage, the product manufacturers and sellers, as well as road construction units and maintenance management units shall bear liability for compensation in accordance with the law.

Article 94: If an crash occurs while a vehicle is traveling off-road, and the traffic management department of the public security organ receives a report, it shall handle the case in accordance with the relevant provisions of this Law.

第六章 自动驾驶汽车的特别规定

第九十五条 国家支持自动驾驶汽车安全、有序、规范上道路测试、示范应用和行驶。

本法所称自动驾驶汽车，是指在设计运行条件下代替驾驶人持续自动地执行全部动态驾驶任务的汽车；所称辅助驾驶功能，是指在设计运行条件下辅助驾驶人执行部分动态驾驶任务的功能。

未激活自动驾驶功能的自动驾驶汽车和驾驶仅具备辅助驾驶功能的汽车上道路行驶，按照非自动驾驶汽车的规定管理。

第九十六条 机动车生产企业、进口企业申请自动驾驶汽车生产准入和进口许可的，相关自动驾驶汽车应当通过道路通行规则符合性测试。道路通行规则符合性测试应当由具备相应资质的检验检测机构实施。

自动驾驶汽车登记后上道路行驶，可以在设计运行条件下激活自动驾驶功能。

自动驾驶汽车生产企业、进口企业应当确保自动驾驶汽车在不符合设计运行条件时不能激活自动驾驶功能。任何单位和个人不得擅自改变自动驾驶功能。

第九十七条 自动驾驶汽车在自动驾驶功能激活状态下发生道路交通安全违法行为的，由自动驾驶汽车生产企业、进口企业接受处理。自动驾驶汽车生产企业、进口企业认为道路交通安全

ENGLISH TRANSLATION

Chapter 6 Special Provisions for Autonomous Vehicles

Article 95: The State supports the safe, orderly and standardized road testing, demonstration application and driving of automated-driving vehicles.

The term "automated-driving vehicle" as used in this Law refers to a vehicle that continuously and automatically performs all dynamic driving tasks on behalf of the driver under the design operating conditions; the term "driver-assistance function" refers to the function of assisting the driver to perform part of the dynamic driving tasks under the design operating conditions.

Self-driving cars with no automated-driving function activated and cars with only assisted driving functions driving on the road shall be managed in accordance with the regulations for non-automated-driving vehicles.

Article 96 If a motor vehicle manufacturing enterprise or importing enterprise applies for production access and import license for automated-driving vehicles, the relevant automated-driving vehicles shall pass the road traffic rules compliance test. Compliance testing of road traffic rules shall be carried out by inspection and testing agencies with corresponding qualifications.

After the automated-driving vehicle is registered and driven on the road, the automated-driving function can be activated under the designed operating conditions.

Self-driving car manufacturers and importers shall ensure that automated-driving vehicles cannot activate automated-driving functions when they do not meet the design operating conditions. No unit or individual may change the automated-driving function without authorization.

Article 97 If a automated-driving vehicle commits road traffic safety violations while the automated-driving function is activated, the automated-driving vehicle manufacturer or importer shall handle the matter. Self-driving car manufacturers and importers believe road traffic is safe

违法行为与自动驾驶功能无关的，应当承担举证责任。

第九十八条 自动驾驶汽车在自动驾驶功能激活状态下发生交通事故的，公安机关交通管理部门可以根据道路交通事故调查的需要，调取自动驾驶汽车相关数据，收集相关证据材料；需要检验、鉴定的，应当委托具备相应资质的机构进行检验、鉴定。

自动驾驶汽车生产企业、进口企业或者其委托的单位应当配合道路交通事故调查。

第九十九条 对自动驾驶汽车实行机动车道路交通事故责任强制保险制度，具体办法由国务院制定。

鼓励和支持自动驾驶汽车生产企业、进口企业和所有人、管理人投保商业保险。

第一百条 自动驾驶汽车生产企业采集、存储、传输车辆数据信息应当遵守《中华人民共和国民法典》、《中华人民共和国网络安全法》、《中华人民共和国数据安全法》、《中华人民共和国个人信息保护法》、《网络数据安全管理条例》等法律、行政法规规定，确保自动驾驶汽车道路行驶安全、网络安全、数据安全和个人信息安全。

自动驾驶汽车生产企业应当根据机动车登记、道路通行管理、道路交通安全违法行为和道路交通事故调查等需要，向公安机关交通管理部门提供相关数据信息。

属于进口自动驾驶汽车的，进口企业应当委托境内具备相应

ENGLISH TRANSLATION

If the illegal act has nothing to do with the automated-driving function, the burden of proof shall be borne.

Article 98 If a road traffic crash occurs in a automated-driving vehicle while the automated-driving function is activated, the traffic management department of the public security organ may, based on the needs of road traffic crash investigation, retrieve relevant data of the automated-driving vehicle and collect relevant evidence materials;

If inspection and appraisal are required, an institution with corresponding qualifications shall be entrusted to conduct inspection and appraisal.

Self-driving vehicle manufacturers, importers or their entrusted units shall cooperate with road traffic crash investigations.

Article 99 A compulsory motor vehicle road traffic accident liability insurance system shall be implemented for automated-driving vehicles. Specific measures shall be formulated by the State Council.

Encourage and support automated-driving vehicle manufacturers, importers, owners and managers to take out commercial insurance.

Article 100 Self-driving car manufacturers shall abide by the Civil Code of the People's Republic of China, the Cybersecurity Law of the People's Republic of China, the Data Security Law of the People's Republic of China, the Personal Information Protection Law of the People's Republic of China, the Network Data Security Management Regulations, and other laws and administrative regulations when collecting, storing, and transmitting vehicle data information to ensure road safety, network security, data security, and personal information security of automated-driving vehicles.

Self-driving vehicle manufacturers shall provide relevant data and information to the traffic management department of the public security organ based on the needs of motor vehicle registration, road traffic management, road traffic safety violations, and road traffic crash investigation.

For imported automated-driving vehicles, the importing enterprise shall entrust the corresponding domestic

能力的单位负责履行前两款规定。

第一百零一条 国务院公安部门应当会同国务院机动车产品、交通运输等有关主管部门组织开展自动驾驶功能道路交通安全风险评估。对存在道路交通安全风险的自动驾驶系统，由有关主管部门责令自动驾驶汽车生产企业、进口企业暂停或者禁止使用，并依法召回、修理、更换、退货、赔偿损失等。

第一百零二条 自动驾驶汽车生产企业、进口企业或者其委托的单位，应当对自动驾驶汽车所有人、管理人开展自动驾驶功能培训，随车提供详尽通俗的驾驶和应急处置操作手册、视频，并如实告知自动驾驶功能设计运行条件，不得作出不符合自动驾驶功能设计运行条件的产品说明、商业宣传等。

第一百零三条 自动驾驶汽车的道路通行规则符合性测试、道路交通安全违法行为处理等具体办法，由国务院公安部门会同国务院有关主管部门制定。

功能型无人车管理的具体办法，由国务院有关主管部门制定。

第七章 执法与监督

第一百零四条 公安机关交通管理部门应当加强对交通警察的管理，提高交通警察的素质和管理道路交通的水平。

公安机关交通管理部门应当对交通警察进行法制和交通安全管理业务培训、考核。交通警察经考核不合格的，不得上岗执行

ENGLISH TRANSLATION

Competent units are responsible for fulfilling the provisions of the first two paragraphs.

Article 101 The public security department under the State Council shall, in conjunction with the motor vehicle products, transportation and other relevant departments of the State Council, organize and carry out road traffic safety risk assessments for automated-driving functions. For autonomous driving systems that pose road traffic safety risks, the relevant competent authorities shall order automated-driving vehicle manufacturers and importers to suspend or prohibit their use, and recall, repair, replace, return, and compensate for losses in accordance with the law.

Article 102 Self-driving car manufacturers, importers, or their entrusted units shall conduct automated-driving function training for automated-driving vehicle owners and managers, provide detailed and popular driving and emergency response operation manuals and videos with the vehicle, and truthfully inform the design and operation conditions of the automated-driving function, and shall not make product descriptions, commercial promotions, etc. that do not meet the design and operation conditions of the automated-driving function.

Article 103 Specific measures for compliance testing of automated-driving vehicles with road traffic rules and handling of road traffic safety violations shall be formulated by the public security department under the State Council in conjunction with the relevant competent departments of the State Council.

Specific measures for the management of functional unmanned vehicles shall be formulated by the relevant competent authorities of the State Council.

Chapter 7 Law Enforcement and Supervision

Article 104 The traffic management department of the public security organ shall strengthen the management of traffic police, improve the quality of traffic police and the level of road traffic management.

The traffic management department of the public security organ shall conduct legal and traffic safety management professional training and assessment for traffic police. Traffic police officers who fail to pass the assessment shall not be allowed to work on duty.

职务。

第一百零五条 公安机关交通管理部门以及其交通警察实施道路交通安全管理，应当依据法定的职权和程序，简化办事手续，做到公正、严格、文明、高效。

第一百零六条 公安机关交通管理部门应当依法以文字、音视频、图像或者电子数据等形式，对行政处罚的启动、调查取证、审核、决定、送达、执行等进行全过程记录。

第一百零七条 公安机关交通管理部门对实施道路交通安全管理过程中制作或者获取的，以一定形式记录、保存的文件材料 and 相关信息，应当按照规定存档。

公安机关交通管理部门以及其交通警察对实施道路交通安全管理过程中知悉的国家秘密、工作秘密、商业秘密、个人隐私和其他个人信息，应当依法予以保密。

第一百零八条 交通警察执行职务时，应当按照规定着装，佩带人民警察标志，持有人民警察证件，保持警容严整，举止端庄，指挥规范。

第一百零九条 依照本法发放牌证等收取工本费，应当严格执行国务院财政、价格主管部门核定的收费标准，并全部上缴国库。

第一百一十条 公安机关交通管理部门依法实施罚款的行政处罚，应当依照有关法律、行政法规的规定，实施罚款决定与罚款收缴分离，但是依照法律规定可以当场收缴的除外；收缴的罚

ENGLISH TRANSLATION

position.

Article 105 The traffic management department of the public security organ and its traffic police shall implement road traffic safety management in accordance with legal powers and procedures, simplify the handling procedures, and be fair, strict, civilized and efficient.

Article 106 The traffic management department of the public security organ shall, in accordance with the law, record the entire process of the initiation, investigation and evidence collection, review, decision, delivery, and execution of administrative penalties in the form of text, audio, video, images, or electronic data.

Article 107 The traffic management department of the public security organ shall archive documents and related information produced or obtained in the course of implementing road traffic safety management and recorded and preserved in a certain form in accordance with regulations.

The traffic management department of the public security organ and its traffic police shall keep state secrets, work secrets, business secrets, personal privacy and other personal information learned during the implementation of road traffic safety management confidential in accordance with the law.

Article 108 When performing their duties, traffic police officers shall dress in accordance with regulations, wear the people's police logo, hold the people's police certificate, maintain a neat police appearance, conduct themselves dignified, and command in a standardized manner.

Article 109 When collecting production fees for issuing licenses and other services in accordance with this Law, the fee standards approved by the finance and price authorities of the State Council shall be strictly implemented, and all fees shall be turned over to the State treasury.

Article 110 When the traffic management department of the public security organ implements administrative penalties of fines in accordance with the law, the decision to implement fines and the collection of fines shall be separated in accordance with the provisions of relevant laws and administrative regulations, except that the fines can be collected on the spot in accordance with legal provisions;

款、没收的违法所得或者没收非法财物拍卖的款项，必须全部上缴国库。

第一百一十一条 公安机关交通管理部门拟作出下列行政处罚决定，应当告知当事人有要求听证的权利，当事人要求听证的，应当依法组织听证：

- （一）对个人处二千元以上罚款，对单位处一万元以上罚款；
- （二）没收较大数额违法所得，没收较大价值非法财物；
- （三）吊销机动车驾驶证；
- （四）法律、法规、规章规定的其他情形。

第一百一十二条 公安机关交通管理部门对道路交通安全违法行为人作出处罚决定的，应当出具行政处罚决定书。

行政处罚决定书应当载明当事人的基本信息、违法事实，行政处罚的依据、处罚内容、时间、地点、处罚机关名称以及当事人申请行政复议、提起行政诉讼的途径和期限，并由执法人员签名或者盖章。

对道路交通安全违法行为人处警告、五百元以下罚款，交通警察可以当场作出行政处罚决定，并出具行政处罚决定书。

适用当场处罚，被处罚人对拟作出行政处罚的内容以及事实、理由、依据没有异议的，可以由一名交通警察当场作出行政处罚决定，并应当全程同步录音录像。

当场作出行政处罚决定，经办的交通警察应当在二十四小时内报所属公安机关交通管理部门备案。

ENGLISH TRANSLATION

Any money, confiscated illegal gains or money from the auction of confiscated illegal property must be turned over to the State treasury.

Article 111 When the traffic management department of the public security organ intends to make the following administrative penalty decisions, it shall inform the parties of their right to request a hearing. If the parties request a hearing, the hearing shall be organized in accordance with the law:

- (1) A fine of more than 2,000 yuan shall be imposed on individuals and a fine of more than 10,000 yuan shall be imposed on units;
- (2) Confiscate a relatively large amount of illegal income and confiscate illegal property of a relatively large value;
- (3) Revoking the motor vehicle driving license;
- (4) Other circumstances stipulated in laws, regulations and rules.

Article 112 When the traffic management department of the public security organ makes a decision on punishment for a person who violates road traffic safety laws, it shall issue an administrative penalty decision.

The administrative penalty decision shall state the basic information of the party concerned, the facts of the violation, the basis for the administrative penalty, the content of the penalty, the time and place, the name of the penalty agency, as well as the channels and time limits for the party to apply for administrative reconsideration and initiate administrative litigation, and shall be signed or sealed by the law enforcement officer.

Those who violate road traffic safety laws will be given a warning and a fine of not more than 500 yuan. The traffic police can make an administrative penalty decision on the spot and issue an administrative penalty decision letter.

If on-the-spot punishment is applied, if the person being punished has no objection to the content, facts, reasons, and basis of the proposed administrative punishment, a traffic police officer can make the decision on administrative punishment on the spot, and the whole process shall be recorded and videotaped simultaneously.

If an administrative penalty decision is made on the spot, the traffic police officer handling the matter shall report it to the traffic management department of the corresponding public security organ for record within 24 hours.

第一百一十三条 当事人应当自收到罚款的行政处罚决定书之日起十五日内，到指定的银行或者通过电子支付系统缴纳罚款。

对行人、乘车人和非机动车驾驶人的罚款，当事人无异议的，可以当场收缴。

罚款应当出具省、自治区、直辖市人民政府财政部门统一制发的专用票据；不出具财政部门统一制发的专用票据的，当事人有权拒绝缴纳罚款。

第一百一十四条 当事人逾期不履行行政处罚决定的，作出行政处罚决定的行政机关可以采取下列措施：

- （一）到期不缴纳罚款的，每日按罚款数额的百分之三加处罚款，加处罚款的数额不得超出罚款的数额；
- （二）申请人民法院强制执行。

第一百一十五条 执行职务的交通警察认为应当对道路交通安全违法行为人给予暂扣或者吊销机动车驾驶证处罚的，可以先予扣留机动车驾驶证，并在二十四小时内将案件移交公安机关交通管理部门处理。

有前款规定的情形，道路交通安全违法行为人提出陈述、申辩的，应当在十五日内向公安机关交通管理部门提出，明确放弃陈述、申辩权利或者逾期未提出的，公安机关交通管理部门可以直接作出处罚决定。

第一百一十六条 对违反本法规定予以行政拘留的处罚，由

ENGLISH TRANSLATION

Article 113 The party concerned shall pay the fine at a designated bank or through an electronic payment system within 15 days from the date of receipt of the administrative penalty decision.

Fines for pedestrians, passengers and non-motor vehicle drivers may be collected on the spot if the parties concerned have no objection.

Fines must be issued in the form of special notes uniformly issued by the financial departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government; if the special notes uniformly issued by the financial departments are not issued, the party concerned has the right to refuse to pay the fine.

Article 114 If a party fails to fulfill the administrative penalty decision within the time limit, the administrative agency that made the administrative penalty decision may take the following measures:

- (1) If a fine is not paid when due, an additional fine of 3% of the fine will be imposed daily, and the amount of the additional fine shall not exceed the amount of the fine;
- (2) Apply to the People's Court for compulsory execution.

Article 115 If the traffic policeman performing his duties deems that the motor vehicle driving license of the violator of road traffic safety violations shall be temporarily detained or revoked, he may first detain the motor vehicle driving license and transfer the case to the traffic management department of the public security organ for processing within 24 hours.

Under the circumstances specified in the preceding paragraph, if a road traffic safety violator makes a statement or defense, he shall submit it to the traffic management department of the public security organ within fifteen days. If he explicitly waives his right to make a statement or defense or fails to make a statement within the time limit, the traffic management department of the public security organ may directly make a decision on punishment.

Article 116 The penalty of administrative detention for violation of the provisions of this Law shall be determined by

县、市公安局、公安分局或者相当于县一级的公安机关裁决。

第一百一十七条 公安机关交通管理部门扣留机动车、非机动车以及有关物品、证件，应当当场出具凭证，并告知当事人在规定期限内到公安机关交通管理部门接受处理。

公安机关交通管理部门对被扣留的车辆以及有关物品、证件应当妥善保管，不得使用。

公安机关交通管理部门根据本法规定扣留的车辆，涉及其他违法犯罪行为的，移交有关主管部门处理；拼装的车辆，予以解体；达到报废标准的机动车，予以报废；非法改装的机动车，责令恢复原状，并送机动车安全技术检验机构检验。

当事人消除违法状态、提供合法证明或者补办相应手续，并处理完毕道路交通安全违法行为的，公安机关交通管理部门应当及时退还被扣留车辆以及有关物品、证件。车辆所有人、管理人或者驾驶人三十日内没有提供被扣留车辆的合法证明，没有补办相应手续，或者不到公安机关交通管理部门接受处理，经公安机关交通管理部门通知并且经公告三个月仍不到公安机关交通管理部门接受处理的，由公安机关交通管理部门将该车辆送交有资格的拍卖机构依法拍卖，所得价款上缴国库；无法拍卖的，强制报废或者予以解体。

第一百一十八条 公安机关交通管理部门需要传唤交通肇事嫌疑人、严重道路交通安全违法行为人接受调查的，经县级以上公安机关交通管理部门负责人批准，使用传唤证传唤。对现场发

ENGLISH TRANSLATION

The decision shall be made by the county or city public security bureau, public security branch, or public security agency equivalent to the county level.

Article 117 If the traffic management department of the public security organ detains motor vehicles, non-motor vehicles and related items and documents, it shall issue a voucher on the spot and notify the parties concerned to go to the traffic management department of the public security organ for processing within the prescribed time limit.

The traffic management department of the public security organ shall properly keep the detained vehicles and related items and documents and shall not use them.

Vehicles detained by the traffic management department of the public security organ in accordance with the provisions of this Law and involved in other illegal and criminal acts shall be handed over to the relevant competent departments for processing; assembled vehicles shall be dismantled; motor vehicles that meet the scrap standard shall be scrapped; illegally modified motor vehicles shall be ordered to be restored to their original condition and sent to the motor vehicle safety technical inspection agency for inspection.

If the party concerned eliminates the illegal status, provides legal certificates or completes corresponding procedures, and completes the handling of road traffic safety violations, the traffic management department of the public security organ shall return the detained vehicle and related items and documents in a timely manner. If the vehicle owner, manager or driver fails to provide legal certificates for the impounded vehicle within 30 days, fails to complete corresponding procedures, or does not come to the traffic management department of the public security organ to accept the processing, and is notified by the traffic management department of the public security organ and still does not accept the processing after three months of announcement, the traffic management department of the public security organ will submit the vehicle to a qualified auction agency for auction in accordance with the law, and the proceeds will be turned over to the State treasury; if the vehicle cannot be auctioned, it will be forcibly scrapped or dismantled.

Article 118 If the traffic management department of the public security organ needs to summon traffic crash suspects or serious road traffic safety violations for investigation, the summons certificate shall be used with the approval of the person in charge of the traffic management department of the public security organ at or above the county level. Sent to the scene

现的交通肇事嫌疑人、严重道路交通安全违法行为人，交通警察经出示人民警察证，可以口头传唤，但是应当在询问笔录中注明。

公安机关交通管理部门应当将传唤的原因和依据告知被传唤人。无正当理由不接受传唤或者逃避传唤的，经县级以上公安机关交通管理部门负责人批准，可以强制传唤。

对交通肇事嫌疑人、严重道路交通安全违法行为人，公安机关交通管理部门传唤后应当及时询问查证，询问查证的时间不得超过八小时；涉案人数众多、被传唤人身份不明的，询问查证的时间不得超过十二小时；情况复杂，依照本法规定可能适用行政拘留处罚的，询问查证的时间不得超过二十四小时。

公安机关交通管理部门应当及时将传唤的原因和处所通知被传唤人家属。

询问查证期间，公安机关交通管理部门应当保证被传唤人的饮食、必要的休息时间等正当需求。

第一百一十九条 公安机关交通管理部门利用交通技术监控设备收集、固定违法事实的，应当经过法制和技术审核，确保交通技术监控设备符合标准、设置合理、标志明显，固定交通技术监控设备的设置地点应当向社会公布。

交通技术监控设备收集违法行为记录资料后，违法行为发生地公安机关交通管理部门应当对记录内容进行审核。未经审核或者经审核不符合要求的，不得作为处罚违法行为的证据。经审

ENGLISH TRANSLATION

For current traffic crash suspects or serious road traffic safety violations, the traffic police may verbally summon the suspects or perpetrators of serious road traffic safety violations upon presentation of their people's police certificates, but this shall be noted in the inquiry record.

The traffic management department of the public security organ shall inform the person being summoned of the reason and basis for the summons. If a person refuses to accept a summons or evades a summons without justifiable reasons, he may be subject to a compulsory summons with the approval of the person in charge of the traffic management department of the public security organ at or above the county level.

For traffic crash suspects and serious road traffic safety violations, the traffic management department of the public security organ shall promptly inquire and verify after summons, and the inquiry and verification time shall not exceed eight hours; if there are many people involved in the case and the identity of the person being summoned is unknown, the inquiry and verification time shall not exceed 12 hours; if the situation is complicated and administrative detention penalties may be applicable in accordance with the provisions of this Law, the inquiry and verification time shall not exceed 24 hours.

The traffic management department of the public security organ shall promptly notify the family of the person being summoned of the reason and location of the summons.

During the inquiry and verification period, the traffic management department of the public security organ shall ensure that the person summoned has legitimate needs such as food and necessary rest time.

Article 119 If the traffic management department of the public security organ uses traffic technical monitoring equipment to collect and fix illegal facts, it shall undergo legal and technical review to ensure that the traffic technical monitoring equipment meets the standards, is reasonably set up, and has clear signs. The location of the fixed traffic technical monitoring equipment shall be announced to the public.

After the traffic technical monitoring equipment collects record information of illegal acts, the traffic management department of the public security organ where the illegal acts occurred shall review the contents of the records. If it has not been reviewed or does not meet the requirements after review, it shall not be used as evidence for punishing illegal acts. After trial

核，对当事人的同一个违法行为收集两次以上或者已经在现场被交通警察处理的，应当删除重复的记录资料；收集的违法行为信息存在其他错误的，应当予以更正或者撤销。

公安机关交通管理部门根据交通技术监控设备记录资料，可以对车辆所有人或者管理人、行人、乘车人依法予以处罚。对能够确定驾驶人的，依照本法的规定予以处罚。

第一百二十条 交通技术监控设备记录的违法行为信息经审核录入公安交通信息管理系统后当日，公安机关交通管理部门应当将拟作出行政处罚的内容以及事实、理由、依据向当事人提供查询；交通技术监控设备记录的违法行为信息录入公安交通信息管理系统后五日内，公安机关交通管理部门应当按照机动车登记信息中的联系方式通知机动车所有人、管理人在三十日内接受处理，并告知其依法享有陈述、申辩、要求听证等权利。

机动车所有人、管理人将机动车交由他人驾驶的，应当及时通知机动车驾驶人接受处理。

机动车所有人、管理人或者驾驶人接到前款通知后，可以到公安机关交通管理部门或者通过移动互联网应用程序查询、核实机动车交通违法行为信息，发现违法行为信息存在错误或者有紧急避险等正当事由的，可以申请予以更正或者撤销；公安机关交通管理部门经查证不能确定违法行为存在的，应当予以更正或者撤销。

第一百二十一条 机动车所有人、管理人或者驾驶人明确放

ENGLISH TRANSLATION

If the same illegal act of a party has been collected more than twice or has been handled by the traffic police at the scene, the duplicate recorded information shall be deleted; if there are other errors in the collected illegal act information, it shall be corrected or cancelled.

The traffic management department of the public security organ may impose penalties on vehicle owners or managers, pedestrians, and passengers in accordance with the law based on the information recorded by the traffic technical monitoring equipment. Anyone who can identify the driver shall be punished in accordance with the provisions of this Law.

Article 120 On the day after the illegal behavior information recorded by the traffic technical monitoring equipment is reviewed and entered into the public security traffic information management system, the traffic management department of the public security organ shall provide inquiries to the parties regarding the content of the proposed administrative penalty as well as the facts, reasons, and basis; within five days after the illegal behavior information recorded by the traffic technical monitoring equipment is entered into the public security traffic information management system, the traffic management department of the public security organ shall notify the owner and manager of the motor vehicle according to the contact information in the motor vehicle registration information to accept the processing within thirty days, and inform them of their rights to make statements, pleas, and request hearings in accordance with the law.

If the owner or manager of a motor vehicle gives the motor vehicle to another person to drive, he shall promptly notify the driver of the motor vehicle to accept the punishment.

After receiving the notice in the preceding paragraph, the owner, manager or driver of a motor vehicle may inquire and verify the information on motor vehicle traffic violations at the traffic management department of the public security organ or through a mobile Internet application. If the information on the illegal behavior is found to be erroneous or there are legitimate reasons such as emergency avoidance, the owner, manager or driver may apply for correction or cancellation; if the traffic management department of the public security organ cannot confirm the existence of the violation after verification, it shall be corrected or cancelled.

Article 121 The owner, manager or driver of a motor vehicle clearly releases

弃本法第一百二十条第一款规定的陈述、申辩、要求听证等权利的，公安机关交通管理部门应当依法作出行政处罚决定，并依照本法第一百一十二条规定告知其享有申请行政复议、提起行政诉讼的权利。

机动车所有人、管理人或者驾驶人无正当理由超过本法第一百二十条第一款规定的期限未接受处理或者未提出陈述、申辩、要求听证，经公告三个月仍不到公安机关交通管理部门接受处理的，公安机关交通管理部门可以依法作出行政处罚决定，并依照《中华人民共和国行政处罚法》规定送达当事人。机动车所有人、管理人或者驾驶人无异议的，可以在公安机关交通管理部门或者通过移动互联网应用程序等接受处理。

第一百二十二条 交通警察调查处理道路交通安全违法行为和交通事故，有下列情形之一的，应当回避：

- （一）是本案的当事人或者当事人的近亲属；
- （二）本人或者其近亲属与本案有利害关系；
- （三）与本案当事人有其他关系，可能影响案件的公正处理。

第一百二十三条 公安机关交通管理部门以及其交通警察的行政执法活动，应当接受有关机关依法实施的监督。

公安机关督察审计部门应当对公安机关交通管理部门以及其交通警察执行法律、法规和遵守纪律的情况依法进行监督。

上级公安机关交通管理部门应当对下级公安机关交通管理部门的执法活动进行监督。

ENGLISH TRANSLATION

For those who waive their rights to make statements, pleas, and request hearings as stipulated in Paragraph 1 of Article 120 of this Law, the traffic management department of the public security organ shall make an administrative penalty decision in accordance with the law and inform them of their right to apply for administrative reconsideration and initiate administrative litigation in accordance with Article 112 of this Law.

If the owner, manager or driver of a motor vehicle fails to accept punishment beyond the time limit stipulated in Paragraph 1 of Article 120 of this Law without justifiable reasons or fails to make a statement, defense or request a hearing, and still does not accept the punishment by the traffic management department of the public security organ after three months of announcement, the traffic management department of the public security organ may make an administrative penalty decision in accordance with the law and serve it to the party concerned in accordance with the provisions of the "Administrative Punishment Law of the People's Republic of China". If the owner, manager or driver of the motor vehicle has no objection, it can be processed at the traffic management department of the public security organ or through mobile Internet applications.

Article 122 When traffic police investigate and handle road traffic safety violations and traffic crashes, they shall recuse themselves under any of the following circumstances:

- (1) Be a party to the case or a close relative of a party;
- (2) The person or his close relatives have an interest in the case;
- (3) Having other relationships with the parties to the case, which may affect the fair handling of the case.

Article 123 The administrative law enforcement activities of the traffic management department of the public security organ and its traffic police shall accept the supervision implemented by relevant agencies in accordance with the law.

The supervision and audit department of the public security organ shall supervise the implementation of laws, regulations and compliance with disciplines by the traffic management department of the public security organ and its traffic police in accordance with the law.

The traffic management department of the public security organ at the higher level shall supervise the law enforcement activities of the traffic management department of the public security organ at the lower level.

第一百二十四条 公安机关交通管理部门以及其交通警察执行职务，应当自觉接受社会和公民的监督。

任何单位和个人有权对公安机关交通管理部门以及其交通警察不严格执法、违法违纪行为进行检举、控告。收到检举、控告的机关，应当依据职责及时查处。

第一百二十五条 任何单位不得向公安机关交通管理部门下达或者变相下达处罚指标；公安机关交通管理部门不得以处罚数额或者变相以处罚数额作为考核、考评交通警察的标准。

公安机关交通管理部门以及其交通警察对超越法律、法规规定的指令，有权拒绝执行，并同时向上级机关报告。

第八章 法律责任

第一百二十六条 公安机关交通管理部门以及其交通警察处理道路交通安全违法行为，应当坚持处罚与教育相结合，及时提醒、教育道路交通参与者自觉遵守道路交通安全法律、法规。

公安机关交通管理部门以及其交通警察对道路交通安全违法行为，应当予以纠正。现场不能纠正的，应当责令当事人及时纠正。

公安机关交通管理部门以及其交通警察应当依据事实和本法的有关规定对道路交通安全违法行为予以处罚，处罚应当与违法行为的事实、性质、情节以及社会危害程度相当。对于情节轻微，未影响道路交通秩序和安全的，指出违法行为，批评教育后

ENGLISH TRANSLATION

Article 124 The traffic management department of the public security organ and its traffic police officers shall consciously accept the supervision of society and citizens when performing their duties.

Any unit or individual has the right to report or accuse the traffic management department of the public security organ and its traffic police for not strictly enforcing the law or violating laws and disciplines. Agencies that receive reports or accusations shall promptly investigate and deal with them in accordance with their duties.

Article 125 No unit may issue penalty targets to the traffic management department of the public security organ or in disguise; the traffic management department of the public security organ shall not use the amount of punishment or use the amount of punishment in disguise as a criterion for assessing and evaluating traffic police officers.

The traffic management department of the public security organ and its traffic police have the right to refuse to implement instructions that exceed the provisions of laws and regulations and report to the higher authority at the same time.

Chapter 8 Legal Liability

Article 126 The traffic management department of the public security organ and its traffic police shall adhere to the combination of punishment and education when handling road traffic safety violations, and promptly remind and educate road traffic participants to consciously abide by road traffic safety laws and regulations.

The traffic management department of the public security organ and its traffic police shall correct road traffic safety violations. If it cannot be corrected on site, the party concerned shall be ordered to make timely corrections.

The traffic management department of the public security organ and its traffic police shall impose penalties on road traffic safety violations based on the facts and the relevant provisions of this Law. The penalties shall be commensurate with the facts, nature, circumstances and degree of social harm of the illegal acts. For minor cases that do not affect road traffic order and safety, point out the illegal behavior and criticize and educate them

放行。

第一百二十七条 对道路交通安全违法行为的处罚种类包括：警告、罚款、没收违法所得、没收非法财物、暂扣或者吊销机动车驾驶证、行政拘留。

违法行为轻微的行为人自愿参加公安机关交通管理部门组织的道路交通安全公益活动、道路交通安全法律、法规学习教育等活动的，可以从轻、减轻或者不予处罚。具体办法由国务院公安部门制定。

第一百二十八条 行人、乘车人、非机动车驾驶人违反道路交通安全法律、法规关于道路通行规定的，处警告或者二十元以上一百元以下罚款；非机动车驾驶人拒绝接受罚款处罚的，可以扣留其非机动车。本法另有规定的，依照规定处罚。

第一百二十九条 驾驶电动自行车有逆向行驶，违反交通信号通行，拨打或者接听手持电话、观看视频以及其他妨碍安全驾驶行为的，处警告或者五十元以上二百元以下罚款。

驾驶电动自行车超过规定时速未达到百分之三十的，处警告；超过规定时速百分之三十以上的，处五十元以上二百元以下罚款。

第一百三十条 机动车驾驶人以及所有人、管理人违反道路交通安全法律、法规关于道路通行规定的，处警告或者五十元以上二百元以下罚款；情节严重的，可以处二百元以上五百元以下罚款。本法另有规定的，依照规定处罚。

ENGLISH TRANSLATION

Release.

Article 127 Punishment types for road traffic safety violations include: warnings, fines, confiscation of illegal gains, confiscation of illegal property, temporary suspension or revocation of motor vehicle driving licenses, and administrative detention.

If perpetrators of minor illegal acts voluntarily participate in road traffic safety public welfare activities, road traffic safety laws and regulations study and education activities organized by the traffic management department of the public security organ, they may be given a lighter, reduced or no punishment. Specific measures shall be formulated by the public security department under the State Council.

Article 128 Pedestrians, passengers, or non-motor vehicle drivers who violate road traffic safety laws and regulations on road traffic shall be given a warning or fined not less than 20 yuan but not more than 100 yuan; if a non-motor vehicle driver refuses to accept the fine, his non-motor vehicle may be impounded. If this Law provides otherwise, punishment shall be in accordance with the provisions.

Article 129 Anyone who drives an electric bicycle in the opposite direction, violates traffic signals, makes or answers handheld phones, watches videos, or otherwise hinders safe driving shall be given a warning or a fine of not less than 50 yuan but not more than 200 yuan.

Anyone who drives an electric bicycle exceeding the prescribed speed by less than 30% will be given a warning; anyone who exceeds the prescribed speed by more than 30% will be fined not less than 50 yuan but not more than 200 yuan.

Article 130 Motor vehicle drivers, owners and managers who violate road traffic safety laws and regulations on road traffic shall be given a warning or fined not less than 50 yuan but not more than 200 yuan; if the circumstances are serious, a fine of not less than 200 yuan but not more than 500 yuan may be imposed. If this Law provides otherwise, punishment shall be in accordance with the provisions.

第一百三十一条 饮酒后驾驶机动车的，处暂扣六个月机动车驾驶证，并处一千元以上二千元以下罚款。因饮酒后或者醉酒驾驶机动车被公安机关交通管理部门查获后，再次饮酒后驾驶机动车的，处十日以下行政拘留，并处二千元以上五千元以下罚款，吊销机动车驾驶证。

饮酒后驾驶机动车从事营运活动的，处十日以上十五日以下行政拘留，并处五千元罚款，吊销机动车驾驶证，五年内不得申领机动车驾驶证。

醉酒驾驶机动车的，由公安机关交通管理部门约束至酒醒，吊销机动车驾驶证，五年内不得申领机动车驾驶证，并依法追究刑事责任；对公安机关、人民检察院、人民法院依法认定不需要追究刑事责任或者免予刑事处罚的，处十日以下行政拘留，并处二千元以上五千元以下罚款。

醉酒驾驶机动车从事营运活动的，由公安机关交通管理部门约束至酒醒，吊销机动车驾驶证，十年内不得申领机动车驾驶证，终身不得驾驶营运机动车，并依法追究刑事责任；对公安机关、人民检察院、人民法院依法认定不需要追究刑事责任或者免予刑事处罚的，处十五日行政拘留，并处五千元罚款。

饮酒后或者醉酒驾驶机动车发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。

公安机关交通管理部门应当对涉嫌饮酒、醉酒驾驶机动车的

ENGLISH TRANSLATION

Article 131 Anyone who drives a motor vehicle after drinking alcohol shall have his motor vehicle driving license temporarily suspended for six months and shall be fined not less than 1,000 yuan but not more than 2,000 yuan. Anyone who is caught by the traffic management department of the public security organ for drinking or driving a motor vehicle while drunk, and then driving a motor vehicle after drinking again shall be subject to administrative detention of not more than ten days, and shall also be fined not less than 2,000 yuan but not more than 5,000 yuan, and the motor vehicle driving license shall be revoked.

Anyone who drives a motor vehicle to engage in business activities after drinking alcohol shall be subject to administrative detention for not less than 10 days but not more than 15 days, a fine of 5,000 yuan, a motor vehicle driving license revoked, and shall not apply for a motor vehicle driving license within five years.

Anyone who drives a motor vehicle while drunk will be restrained by the traffic management department of the public security organ until he sobers up, his motor vehicle driving license will be revoked, he will not be allowed to apply for a motor vehicle driving license within five years, and he will be investigated for criminal liability in accordance with the law; if the public security organ, the people's procuratorate, and the people's court determine that there is no need to pursue criminal liability or be exempted from criminal punishment in accordance with the law, he will be subject to administrative detention for not more than ten days and a fine of not less than 2,000 yuan but not more than 5,000 yuan.

Anyone who drives a motor vehicle while drunk and engages in operating activities will be restrained by the traffic management department of the public security organ until he sobers up, his motor vehicle driving license will be revoked, he will not be allowed to apply for a motor vehicle driving license within ten years, and will not be allowed to drive a commercial motor vehicle for life, and will be investigated for criminal responsibility in accordance with the law; if the public security organ, people's procuratorate, and people's court determine that there is no need to pursue criminal responsibility or be exempted from criminal punishment in accordance with the law, he will be subject to administrative detention for 15 days and a fine of 5,000 yuan.

If a traffic crash occurs while driving a motor vehicle after drinking alcohol or intoxicated, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

The traffic management department of the public security organ shall investigate those suspected of drinking or driving a motor vehicle while drunk.

人员进行必要的检测，被检测人员应当予以配合；对拒绝接受检测的，经县级以上公安机关交通管理部门负责人批准，可以强制检测。

第一百三十二条 吸食、注射毒品后驾驶机动车的，处十日以上十五日以下行政拘留，并处二千元以上五千元以下罚款，吊销机动车驾驶证，五年内不得申领机动车驾驶证。

吸食、注射毒品后驾驶机动车从事营运活动的，处十五日行政拘留，并处五千元罚款，吊销机动车驾驶证，十年内不得申领机动车驾驶证，终身不得驾驶营运机动车。

第一百三十三条 驾驶机动车追逐竞驶的，处暂扣六个月机动车驾驶证，并处一千元以上二千元以下罚款；构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，五年内不得申领机动车驾驶证。

驾驶机动车追逐竞驶发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。

第一百三十四条 驾驶机动车从事校车业务或者旅客运输，载客超过额定乘员不满百分之二十的，处五百元以上一千元以下罚款；超过额定乘员百分之二十以上的，处暂扣六个月机动车驾驶证，一千元以上二千元以下罚款，可以并处十日以下行政拘留；构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，五年内不得申领机动车驾驶证。有违法所得的，没收违法所得。

ENGLISH TRANSLATION

When necessary tests are conducted on personnel, the persons being tested shall cooperate; for those who refuse to be tested, compulsory testing may be conducted with the approval of the person in charge of the traffic management department of the public security organ at or above the county level.

Article 132 Anyone who drives a motor vehicle after taking or injecting drugs shall be subject to administrative detention for not less than ten days but not more than fifteen days, and shall also be fined not less than 2,000 yuan but not more than 5,000 yuan, his motor vehicle driving license shall be revoked, and he shall not apply for a motor vehicle driving license within five years.

Anyone who drives a motor vehicle to engage in business activities after taking or injecting drugs will be subject to administrative detention for 15 days, and a fine of 5,000 yuan, and his or her motor vehicle driving license will be revoked. He will not be allowed to apply for a motor vehicle driving license within ten years, and will be prohibited from driving a commercial motor vehicle for life.

Article 133 Anyone who drives a motor vehicle to chase or race shall have his or her motor vehicle driving license temporarily suspended for six months and fined not less than 1,000 yuan but not more than 2,000 yuan; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the motor vehicle driving license shall not be applied for within five years.

If a motor vehicle is involved in a traffic crash while chasing and racing, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

Article 134 Whoever drives a motor vehicle to engage in school bus business or passenger transportation, and the number of passengers exceeds the rated number of passengers by less than 20%, shall be fined not less than 500 yuan but not more than 1,000 yuan; if the number of passengers exceeds the rated number by more than 20%, the motor vehicle driving license shall be temporarily suspended for six months, fined not less than 1,000 yuan but not more than 2,000 yuan, and may be concurrently subject to administrative detention of not more than 10 days; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the motor vehicle driving license shall not be applied for within five years. If there are illegal gains, the illegal gains will be confiscated.

载货机动车超过最大允许总质量不满百分之三十的，处五百元以上一千元以下罚款；超过最大允许总质量百分之三十以上不满百分之五十的，处一千元以上二千元以下罚款；超过最大允许总质量百分之五十以上的，处二千元以上三千元以下罚款，情节严重的，并处暂扣三个月机动车驾驶证。车货总质量超过一百吨的，处三千元以上五千元以下罚款，并处暂扣六个月机动车驾驶证；连续十二个月内因车货总质量超过一百吨被查处二次以上的，并处吊销机动车驾驶证。构成犯罪的，依法追究刑事责任。

其他法律对普通载货机动车超过最大允许总质量的处罚规定，与本法规定不一致的，适用本法规定。违反本法第五十九条第二款运载超限不可解体物品相关规定的，依照《中华人民共和国公路法》的规定予以处罚。

载客机动车违反规定载货或者载货机动车违反规定载客的，处五百元以上二千元以下罚款。

有本条第一款、第二款、第四款情形的，由公安机关交通管理部门扣留机动车至违法状态消除。

运输单位的车辆有本条第一款、第二款、第四款规定的情形，经处罚不改的，对直接负责的主管人员处三千元以上五千元以下罚款。

有本条第一款规定的情形，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。

ENGLISH TRANSLATION

If a cargo-carrying motor vehicle exceeds the maximum allowable total mass by more than 30%, a fine of not less than 500 yuan but not more than 1,000 yuan shall be imposed; if the maximum allowable total mass exceeds 30% but not 50%, a fine of not less than 1,000 yuan but not more than 2,000 yuan shall be imposed; if the maximum allowable total mass exceeds 50%, a fine of not less than 2,000 yuan but not more than 3,000 yuan shall be imposed. If the circumstances are serious, the motor vehicle driving license shall be temporarily suspended for three months. If the total mass of the vehicle or cargo exceeds 100 tons, a fine of not less than 3,000 yuan but not more than 5,000 yuan will be imposed, and the motor vehicle driving license shall be temporarily suspended for six months; if the total mass of the vehicle or cargo exceeds 100 tons, the motor vehicle driving license shall be revoked more than once within twelve consecutive months. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

If the penalty provisions of other laws for ordinary cargo-carrying motor vehicles exceeding the maximum allowable total mass are inconsistent with the provisions of this Law, the provisions of this Law shall apply. Anyone who violates the relevant provisions of paragraph 2 of Article 59 of this Law for carrying items that exceed the limit and cannot be disassembled shall be punished in accordance with the provisions of the Highway Law of the People's Republic of China.

If a passenger motor vehicle carries cargo in violation of regulations or if a cargo motor vehicle carries passengers in violation of regulations, a fine of not less than RMB 500 but not more than RMB 2,000 shall be imposed.

In the case of the first, second and fourth paragraphs of this article, the traffic management department of the public security organ shall detain the motor vehicle until the illegal status is eliminated.

If a transportation unit's vehicle falls under the circumstances specified in paragraphs 1, 2, and 4 of this article and fails to correct the situation despite being punished, the person in charge who is directly responsible shall be fined not less than RMB 3,000 but not more than RMB 5,000.

Under the circumstances specified in paragraph 1 of this article, if a traffic crash occurs, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

第一百三十五条 对违反道路交通安全法律、法规关于机动车停放、临时停车规定的，可以指出违法行为，批评教育后，令其立即驶离；机动车驾驶人不在现场或者被交通技术监控设备记录的，根据机动车登记信息中的联系方式通知其按照规定驶离。

机动车驾驶人拒绝立即驶离或者未按照规定驶离，妨碍其他车辆、行人通行的，处五十元以上二百元以下罚款，并可以将该机动车拖移至不妨碍交通的地点或者公安机关交通管理部门指定的地点停放。公安机关交通管理部门拖车不得向当事人收取费用，并应当及时告知当事人停放地点。

因采取不正确的方法拖车造成机动车损坏的，应当依法承担赔偿责任。

第一百三十六条 检验、鉴定、医疗、体检机构以及其工作人员不按照技术标准进行检验、鉴定、医疗、体检或者出具虚假检验报告、鉴定意见、医疗报告、体检报告的，公安机关交通管理部门不予采信其出具的检验报告、鉴定意见、医疗报告、体检报告，由相关主管部门依法处理；情节严重的，依法撤销其资质；构成犯罪的，依法追究刑事责任。

第一百三十七条 上道路行驶的机动车未按照规定进行安全技术检验的，公安机关交通管理部门应当责令当事人在五个工作日内进行安全技术检验，并处二百元以上五百元以下罚款。当事人未按照要求进行安全技术检验再次上道路行驶的，责令当事人立即将车辆拖移至机动车安全技术检验机构进行安全技术检验，

ENGLISH TRANSLATION

Article 135 For those who violate road traffic safety laws and regulations on parking or temporary parking of motor vehicles, the illegal behavior can be pointed out, and after criticism and education, the driver can be ordered to leave immediately; if the driver of the motor vehicle is not at the scene or is recorded by the traffic technical monitoring equipment, he will be notified according to the contact information in the motor vehicle registration information to leave in accordance with the regulations.

If the driver of a motor vehicle refuses to leave immediately or fails to leave in accordance with regulations and obstructs the passage of other vehicles or pedestrians, he shall be fined not less than 50 yuan but not more than 200 yuan, and the motor vehicle may be towed to a place that does not obstruct traffic or parked at a place designated by the traffic management department of the public security organ. The traffic management department of the public security organ shall not charge fees for tow trucks from the parties, and shall promptly inform the parties of the parking location.

If a motor vehicle is damaged due to incorrect towing methods, the vehicle shall be liable for compensation according to law.

Article 136 If an inspection, appraisal, medical treatment, or physical examination agency or its staff fails to conduct inspection, appraisal, medical treatment, or physical examination in accordance with technical standards or issues false inspection reports, appraisal opinions, medical reports, or physical examination reports, the traffic management department of the public security organ shall not accept the inspection reports, appraisal opinions, medical reports, and physical examination reports issued by them, and shall be handled by the relevant competent authorities in accordance with the law; if the circumstances are serious, their qualifications shall be revoked in accordance with the law; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 137 If a motor vehicle driving on the road fails to undergo safety technical inspection in accordance with regulations, the traffic management department of the public security organ shall order the party concerned to conduct safety technical inspection within five working days and impose a fine of not less than 200 yuan but not more than 500 yuan. If the party concerned fails to conduct safety technical inspection as required and drives on the road again, the party concerned shall be ordered to immediately tow the vehicle to a motor vehicle safety technical inspection agency for safety technical inspection.

并处五百元以上二千元以下罚款。

上道路行驶的机动车未悬挂机动车号牌和临时通行牌证的，公安机关交通管理部门应当扣留机动车，通知当事人提供相应的机动车号牌或者补办相应手续，并可以依照本法第一百三十条的规定予以处罚。当事人提供相应的机动车号牌或者补办相应手续的，应当及时退还机动车。

故意遮挡、污损机动车号牌或者使用影响识别的装置、材料的，依照本法第一百三十条的规定予以处罚，并没收非法装置。

第一百三十八条 驾驶禁止上道路行驶的机动车，叉车、非公路用旅游观光车、卡丁车等其他有动力装置驱动的设备或者装置，未经准许生产、进口的机动车上道路行驶的，公安机关交通管理部门应当予以扣留，处二百元以上五百元以下罚款。

驾驶依法应当登记但未登记的非机动车，使用有动力装置驱动的滑板车、独轮车、自平衡车或者法律、法规规定的其他不得在道路上行驶的设备、装置、器械、工具上道路行驶的，公安机关交通管理部门可以处五十元以上二百元以下罚款。

第一百三十九条 伪造、变造机动车登记证书、号牌、行驶证、驾驶证、检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，处十五日以下行政拘留，并处二千元以上五千元以下罚款；构成犯罪的，依法追究刑事责任。

上道路行驶的机动车尚未登记或者尚未取得机动车号牌、临时通行牌证，或者使用伪造、变造的机动车登记证书、号牌、行

ENGLISH TRANSLATION

A fine of not less than RMB 500 but not more than RMB 2,000 shall be imposed.

If a motor vehicle is driving on the road without a motor vehicle license plate and a temporary pass plate, the traffic management department of the public security organ shall detain the motor vehicle, notify the party concerned to provide the corresponding motor vehicle license plate or complete corresponding procedures, and may impose penalties in accordance with the provisions of Article 130 of this Law. If the party concerned provides the corresponding motor vehicle license plate or completes the corresponding procedures, the motor vehicle shall be returned in a timely manner.

Anyone who intentionally blocks or defaces a motor vehicle license plate or uses devices or materials that affect identification shall be punished in accordance with the provisions of Article 130 of this Law, and the illegal devices shall be confiscated.

Article 138 Anyone who drives a motor vehicle that is prohibited from being driven on the road, a forklift, an off-highway sightseeing vehicle, a go-kart or other equipment or devices driven by a power device, or a motor vehicle that is produced or imported without permission and is driven on the road, the traffic management department of the public security organ shall detain the vehicle and impose a fine of not less than 200 yuan but not more than 500 yuan.

Anyone who drives a non-motor vehicle that shall be registered according to the law but has not, or uses a power-driven scooter, unicycle, self-balancing vehicle or other equipment, devices, instruments and tools that are not allowed to be driven on the road according to laws and regulations, the traffic management department of the public security organ may impose a fine of not less than 50 yuan but not more than 200 yuan.

Article 139 Anyone who forges or alters a motor vehicle registration certificate, number plate, driving license, driver's license, inspection mark, or insurance mark shall be confiscated by the traffic management department of the public security organ, and shall be subject to administrative detention of not more than 15 days and a fine of not less than 2,000 yuan but not more than 5,000 yuan; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

A motor vehicle driving on the road has not yet been registered or has not obtained a motor vehicle license plate or temporary pass, or a forged or altered motor vehicle registration certificate, license plate, or license plate is used.

驶证、驾驶证、检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，扣留该机动车，处十日以下行政拘留，并处一千元以上三千元以下罚款；构成犯罪的，依法追究刑事责任。

使用其他车辆的机动车登记证书、号牌、行驶证、检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，扣留该机动车，处二千元以上五千元以下罚款。

当事人提供相应的合法证明或者补办相应手续的，应当及时退还依照本条第二款、第三款扣留的机动车。

使用他人机动车驾驶证的，处五百元以上二千元以下罚款，可以并处十五日以下行政拘留；构成犯罪的，依法追究刑事责任。

第一百四十条 非法安装警报器、标志灯具的，由公安机关交通管理部门强制拆除，予以收缴，并处二百元以上二千元以下罚款；无法当场拆除的，公安机关交通管理部门可以扣留车辆。

非法改装机动车上道路行驶的，由公安机关交通管理部门责令消除违法状态，处五百元以上二千元以下罚款，可以并处十五日以下行政拘留；无法当场消除违法状态的，公安机关交通管理部门可以扣留机动车。

上道路行驶的非机动车加装动力装置、控制装置等改变非机动车型或者性能、妨碍安全的装置的，或者改装后不符合强制性国家标准的，由公安机关交通管理部门责令消除违法状态，并处二百元以上五百元以下罚款；无法当场消除违法状态的，公安机

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Driving licenses, driving licenses, inspection marks, and insurance marks shall be confiscated by the traffic management department of the public security organ, and the motor vehicle shall be detained and subject to administrative detention of not more than ten days and a fine of not less than 1,000 yuan but not more than 3,000 yuan; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

If the motor vehicle registration certificate, number plate, driving license, inspection mark, or insurance mark of another vehicle is used, the traffic management department of the public security organ shall confiscate it, detain the motor vehicle, and impose a fine of not less than 2,000 yuan but not more than 5,000 yuan.

If the party concerned provides corresponding legal certificates or completes corresponding procedures, the motor vehicle detained in accordance with paragraphs 2 and 3 of this article shall be returned in a timely manner.

Anyone who uses another person's motor vehicle driving license shall be fined not less than 500 yuan but not more than 2,000 yuan, and may also be subject to administrative detention for not more than 15 days; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 140 Anyone who illegally installs sirens or sign lights shall be forcibly removed and confiscated by the traffic management department of the public security organ, and a fine of not less than 200 yuan but not more than 2,000 yuan shall be imposed. If it cannot be removed on the spot, the traffic management department of the public security organ may detain the vehicle.

Anyone who illegally modifies a motor vehicle to drive on the road shall be ordered by the traffic management department of the public security organ to eliminate the illegal status, and be fined not less than 500 yuan but not more than 2,000 yuan, and may also be subject to administrative detention for up to 15 days; if the illegal status cannot be eliminated on the spot, the traffic management department of the public security organ may detain the motor vehicle.

If a non-motor vehicle running on the road is equipped with a power device, a control device or other devices that change the non-motor vehicle model or performance or hinder safety, or if the modification does not meet the mandatory national standards, the traffic management department of the public security organ shall order it to eliminate the illegal status and impose a fine of not less than 200 yuan but not more than 500 yuan; if the illegal status cannot be eliminated on the spot, the public security organ shall

关交通管理部门可以扣留非机动车。涉及生产、销售、维修单位的，由公安机关交通管理部门通报市场监督管理部门依法处理。

拆除非法装置、消除违法状态的费用由违法行为人承担。

第一百四十一条 未按照国家规定投保机动车交通事故责任强制保险的，由公安机关交通管理部门处依照规定投保应缴纳年基础保险费二倍的罚款，可以扣留机动车至依照规定投保后。

依照前款规定缴纳的罚款全部纳入道路交通事故社会救助基金，具体办法由国务院制定。

第一百四十二条 有下列行为之一的，由公安机关交通管理部门处二百元以上五百元以下罚款，可以并处暂扣三个月机动车驾驶证：

- （一）驾驶机动车在高速公路、城市快速路上倒车、掉头；
- （二）违法占用应急车道；
- （三）未按规定让行执行紧急任务的警车、消防救援车、救护车、工程救险车；
- （四）逆向行驶或者在车行道内停车并造成交通事故或者其他严重后果；
- （五）拨打或者接听手持电话、观看视频等妨碍安全驾驶行为并造成交通事故或者其他严重后果；
- （六）驾驶拆除或者损坏消声器、加装排气管等擅自改装的机动车轰鸣、疾驶，机动车运行时未按照规定使用声响装置，或者违反禁止机动车行驶和使用声响装置的路段和时间规定；

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The relevant traffic management department may detain non-motor vehicles. If it involves production, sales, or maintenance units, the traffic management department of the public security organ shall notify the market regulation department to handle it according to law.

The costs of dismantling illegal devices and eliminating illegal conditions shall be borne by the offender.

Article 141 If a person fails to purchase compulsory motor vehicle traffic accident liability insurance in accordance with national regulations, the traffic management department of the public security organ shall impose a fine of twice the annual basic insurance premium payable for insurance in accordance with regulations, and may detain the motor vehicle until the insurance is purchased in accordance with regulations.

All fines paid in accordance with the provisions of the preceding paragraph shall be included in the road road road traffic accident social assistance fund, and specific measures shall be formulated by the State Council.

Article 142 Anyone who commits any of the following acts shall be fined not less than 200 yuan but not more than 500 yuan by the traffic management department of the public security organ, and may also be subject to a three-month suspension of the motor vehicle driving license:

- (1) Driving a motor vehicle to reverse or make a U-turn on highways and urban expressways;
- (2) Illegal occupation of the emergency lane;
- (3) Failure to yield to police vehicles, fire rescue vehicles, ambulances, and engineering rescue vehicles performing emergency tasks in accordance with regulations;
- (4) Driving in the opposite direction or parking in the roadway and causing a traffic crash or other serious consequences;
- (5) Making or answering handheld phones, watching videos, etc. that hinder safe driving and cause traffic crashes or other serious consequences;
- (6) Roaring and speeding when driving a motor vehicle that has been modified without permission such as having its muffler removed or damaged or an exhaust pipe installed, failing to use sound devices in accordance with regulations when the motor vehicle is running, or violating the road section and time regulations prohibiting the driving of motor vehicles and the use of sound devices;

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(7) Driving a motor vehicle that fails the emission inspection on the road.

Article 143 Anyone who commits any of the following acts shall be fined not less than RMB 500 but not more than RMB 2,000 by the traffic management department of the public security organ, and may also have his motor vehicle driving license revoked:

(1) Handing over a motor vehicle to be driven by a person who has not obtained a motor vehicle driving license for the corresponding permitted driving type or whose motor vehicle driving license has been revoked, temporarily withheld, impounded, revoked, or announced to be discontinued;

(2) The motor vehicle travels more than 40 kilometers per hour exceeding the prescribed speed, and reaches more than 50%.

Anyone who commits any of the following acts shall be fined not less than 500 yuan but not more than 2,000 yuan by the traffic management department of the public security organ, and may also be subject to administrative detention for not more than 15 days:

(1) Driving a motor vehicle while the motor vehicle driving license has not been obtained for the corresponding permitted driving type or the motor vehicle driving license has been revoked, temporarily withheld, impounded, confiscated, revoked, or announced to be out of use;

(2) Escape after causing a traffic crash does not constitute a crime;

(3) Forcing a motor vehicle driver to drive a motor vehicle in violation of road traffic safety laws, regulations and motor vehicle safety driving requirements, causing a traffic crash, does not constitute a crime;

(4) Violating traffic control regulations and forcing passage, or refusing to obey the traffic police's instructions and forcing passage, resulting in serious consequences, does not constitute a crime;

(5) Setting up, occupying, or intentionally damaging, moving, blocking, or altering traffic facilities without authorization, causing harmful consequences, does not constitute a crime;

(6) Illegally intercepting and detaining motor vehicles, refusing to listen to dissuasion, causing serious traffic obstruction

(七) 驾驶排放检验不合格的机动车上道路行驶。

第一百四十三条 有下列行为之一的，由公安机关交通管理部门处五百元以上二千元以下罚款，可以并处吊销机动车驾驶证：

(一) 将机动车交由未取得相应准驾车型的机动车驾驶证或者机动车驾驶证被吊销、暂扣、扣留、撤销、公告停止使用的人员驾驶；

(二) 机动车行驶超过规定时速四十公里以上，并达到百分之五十以上。

有下列行为之一的，由公安机关交通管理部门处五百元以上二千元以下罚款，可以并处十五日以下行政拘留：

(一) 未取得相应准驾车型的机动车驾驶证或者机动车驾驶证被吊销、暂扣、扣留、收缴、撤销、公告停止使用期间驾驶机动车；

(二) 造成交通事故后逃逸，尚不构成犯罪；

(三) 强迫机动车驾驶人违反道路交通安全法律、法规和机动车安全驾驶要求驾驶机动车，造成交通事故，尚不构成犯罪；

(四) 违反交通管制规定强行通行，或者拒不服从交通警察的指挥强行通行，造成严重后果，尚不构成犯罪；

(五) 擅自设置、占用或者故意损毁、移动、遮挡、涂改交通设施，造成危害后果，尚不构成犯罪；

(六) 非法拦截、扣留机动车，不听劝阻，造成交通严重阻

塞或者较大财产损失。

第一百四十四条 驾驶机动车从事校车业务或者旅客运输，超过规定时速不满二十公里或者超过规定时速二十公里以上、不满百分之三十的，处五百元以上一千元以下罚款；超过规定时速二十公里以上，并达到百分之三十以上的，处暂扣六个月机动车驾驶证，一千元以上二千元以下罚款，可以并处十日以下行政拘留；构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，五年内不得申领机动车驾驶证。

有前款规定的情形，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。

第一百四十五条 驾驶机动车违反规定载运民用爆炸物品、烟花爆竹、易燃易爆化学物品以及剧毒、放射性物品等危险物品的，除依照有关法律、法规和国家规定予以处罚外，可以由公安机关交通管理部门暂扣六个月机动车驾驶证，可以并处十日以下行政拘留；构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，十年内不得申领机动车驾驶证，终身不得驾驶营运机动车。

有前款规定的情形，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。

第一百四十六条 组织他人实施代替实际机动车驾驶人接受交通违法行为处罚和记分的，处二百元以上五百元以下罚款；有

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blockage or major property damage.

Article 144 Anyone who drives a motor vehicle to engage in school bus business or passenger transportation and exceeds the prescribed speed by less than 20 kilometers per hour or exceeds the prescribed speed by more than 20 kilometers per hour and less than 30 percent shall be fined not less than 500 yuan but not more than 1,000 yuan; if the speed exceeds the prescribed speed by more than 20 kilometers per hour and reaches more than 30 percent, the motor vehicle driving license shall be temporarily suspended for six months, a fine of not less than 1,000 yuan but not more than 2,000 yuan, and may be concurrently subject to administrative detention of not more than 10 days; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the driver shall not apply for a motor vehicle driving license within five years.

Under the circumstances specified in the preceding paragraph, if a traffic crash occurs, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

Article 145 Whoever drives a motor vehicle in violation of regulations to carry civilian explosives, fireworks and firecrackers, flammable and explosive chemicals, highly toxic, radioactive items and other dangerous goods shall, in addition to being punished in accordance with relevant laws, regulations and national regulations, have the motor vehicle driving license temporarily detained by the traffic management department of the public security organ for six months, and may concurrently be subject to administrative detention of not more than ten days; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, the motor vehicle driving license shall not be applied for ten years, and the motor vehicle driving license shall be revoked for life.

Under the circumstances specified in the preceding paragraph, if a traffic crash occurs, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

Article 146 Whoever organizes others to accept penalties and points for traffic violations on behalf of the actual motor vehicle driver shall be fined not less than RMB 200 but not more than RMB 500;

违法所得的，没收违法所得，并处违法所得一倍以上五倍以下罚款，可以并处十日以下行政拘留。

代替实际机动车驾驶人接受交通违法行为处罚和记分的，由公安机关交通管理部门撤销原行政处罚决定，处警告或者五十元以上二百元以下罚款；有违法所得的，没收违法所得，并处违法所得一倍以上三倍以下罚款。

请他人代为接受交通违法行为处罚和记分的，处警告或者五十元以上二百元以下罚款，并由公安机关交通管理部门依法对交通违法行为作出处罚；支付经济利益的，处所支付经济利益相应金额一倍以上三倍以下罚款。

第一百四十七条 以欺骗、贿赂等不正当手段取得机动车登记的，撤销机动车登记，收缴机动车登记证书、号牌、行驶证，并处二千元以下罚款，三年内不得申请机动车登记。

以欺骗、贿赂等不正当手段取得机动车驾驶证的，撤销并收缴机动车驾驶证，并处二千元以下罚款，三年内不得申请机动车驾驶证。

第一百四十八条 驾驶拼装的机动车或者已达到报废标准的机动车上道路行驶的，公安机关交通管理部门应当对机动车予以收缴，强制报废。

对驾驶前款所列机动车上道路行驶的驾驶人，处二百元以上二千元以下罚款，并吊销机动车驾驶证。

出售已达到报废标准的机动车的，没收违法所得，处销售金

ENGLISH TRANSLATION

If the illegal income is obtained, the illegal income shall be confiscated, and a fine of not less than one time but not more than five times of the illegal income shall be imposed, and administrative detention of not more than ten days may be imposed.

If a person accepts penalties and points for traffic violations on behalf of the actual motor vehicle driver, the traffic management department of the public security organ shall revoke the original administrative penalty decision and impose a warning or a fine of not less than 50 yuan but not more than 200 yuan; if there is any illegal income, the illegal income shall be confiscated and a fine of not less than one time but not more than three times of the illegal income shall be imposed.

Anyone who asks others to accept penalties and points for traffic violations on his behalf shall be given a warning or a fine of not less than 50 yuan but not more than 200 yuan, and the traffic management department of the public security organ shall impose penalties for traffic violations in accordance with the law; if economic benefits are paid, the place shall pay a fine of not less than one time but not more than three times the corresponding amount of the economic benefits.

Article 147 Whoever obtains motor vehicle registration through improper means such as deception or bribery shall have his or her motor vehicle registration revoked, the motor vehicle registration certificate, license plate, and driving license confiscated, and a fine of not more than 2,000 yuan shall be imposed, and the person shall not apply for motor vehicle registration within three years.

Anyone who obtains a motor vehicle driving license through improper means such as deception or bribery shall have his or her motor vehicle driving license revoked and confiscated, and shall be fined not more than 2,000 yuan, and shall not apply for a motor vehicle driving license within three years.

Article 148 If anyone drives an assembled motor vehicle or a motor vehicle that has reached the scrapping standards, the traffic management department of the public security organ shall confiscate the motor vehicle and force it to be scrapped.

Drivers who drive a motor vehicle listed in the preceding paragraph on the road shall be fined not less than RMB 200 but not more than RMB 2,000, and their motor vehicle driving license shall be revoked.

If a motor vehicle that has reached the scrapping standard is sold, the illegal income will be confiscated and the sales fee will be fined.

额等额的罚款，对该机动车依照本条第一款的规定处理，但是依法交给报废机动车回收企业的除外。

第一百四十九条 违反道路交通安全法、法规，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，十年内不得申领机动车驾驶证，本法另有规定的除外。

造成交通事故后具有逃逸情形，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。

故意制造交通事故，构成违反治安管理行为的，依法给予治安管理处罚；构成犯罪的，依法追究刑事责任。

第一百五十条 专业运输单位未按照有关法律、法规规定消除其机动车安全隐患的，其机动车不得上道路行驶。公安机关交通管理部门应当将专业运输单位机动车的道路交通安全违法行为和道路交通事故信息通报有关主管部门，将生产经营性的道路运输事故情况通报应急管理部门。

营运载客汽车、校车、重型载货汽车、半挂牵引车、危险货物运输车辆等机动车，未按照国家有关规定安装、使用具备行驶记录功能的卫星定位装置、具备智能视频监控报警功能的装置，由交通运输等主管部门依法处罚。

从事机动车驾驶员培训业务未按照规定办理备案的，由交通运输主管部门责令改正；拒不改正的，处五千元以上二万元以下罚款。

ENGLISH TRANSLATION

A fine equal to the amount shall be imposed on the motor vehicle, and the motor vehicle shall be dealt with in accordance with the provisions of paragraph 1 of this article, except if it is sold to a scrapped motor vehicle recycling enterprise in accordance with the law.

Article 149 If a traffic crash occurs in violation of road traffic safety laws and regulations, resulting in serious injury or death, or heavy losses to public or private property, thereby constituting a crime, the offender shall be investigated for criminal liability in accordance with the law, his motor vehicle driving license shall be revoked, and he shall not apply for a motor vehicle driving license within ten years, except as otherwise provided for in this Law.

If a person escapes after causing a traffic crash, which constitutes a crime, he will be held criminally responsible according to law, his motor vehicle driving license will be revoked, and he will be prohibited from applying for a motor vehicle driving license for life.

If a traffic crash is intentionally caused and constitutes a violation of public security management, public security management penalties shall be imposed in accordance with the law; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 150 If a professional transportation unit fails to eliminate potential safety hazards of its motor vehicles in accordance with relevant laws and regulations, its motor vehicles shall not be driven on the road. The traffic management department of the public security organ shall notify the relevant competent departments of road traffic safety violations and road traffic crash information on motor vehicles of professional transportation units, and notify the emergency management department of production and commercial road-transport incidents.

Those who operate passenger cars, school buses, heavy-duty trucks, semi-trailer tractors, dangerous goods transport vehicles and other motor vehicles that fail to install and use satellite positioning devices with driving recording functions and devices with intelligent video monitoring and alarm functions in accordance with relevant national regulations will be punished by the transportation and other competent authorities in accordance with the law.

Anyone who engages in motor vehicle driver training business and fails to register in accordance with regulations shall be ordered to make corrections by the transportation department; those who refuse to make corrections shall be fined not less than 5,000 yuan but not more than 20,000 yuan.

第一百五十一条 国务院机动车产品主管部门未按照机动车国家安全技术标准严格审查，许可不合格机动车型生产的，对负有责任的领导人员和直接责任人员依法给予处分。

机动车生产企业经国务院机动车产品主管部门许可生产的机动车型，不执行机动车国家安全技术标准或者不严格进行机动车成品质量检验，致使质量不合格的机动车出厂销售的，由国务院机动车产品主管部门依照有关法律、行政法规规定予以处罚。

生产、销售未经国务院机动车产品主管部门许可生产的机动车型的，没收违法所得和生产、销售的机动车成品以及配件，可以并处违法生产、销售产品货值金额一倍以上三倍以下罚款。有营业执照的，由市场监督管理部门吊销营业执照；没有营业执照的，由有关主管部门依法予以查封。

生产、销售拼装或者擅自改装的机动车的，依照本条第二款、第三款的规定处罚。

有本条第二款至第四款所列违法行为，生产或者销售不符合机动车国家安全技术标准的机动车，构成犯罪的，依法追究刑事责任。

第一百五十二条 生产、进口、销售不符合强制性国家标准的非机动车的，由市场监督管理部门没收违法所得和生产、进口、销售的非机动车成品以及配件，并处货值金额一倍以上三倍以下罚款。有营业执照的，由市场监督管理部门吊销营业执照；没有营业执照的，由有关主管部门依法予以查封。构成犯罪的，

ENGLISH TRANSLATION

Article 151 If the motor vehicle product administrative department under the State Council fails to strictly review the national safety technical standards for motor vehicles and permits the production of unqualified motor vehicle models, the responsible leaders and directly responsible personnel shall be punished in accordance with the law.

If a motor vehicle manufacturer fails to implement national safety technical standards for motor vehicles or does not strictly conduct quality inspection of finished motor vehicle products for the motor vehicle models produced with the permission of the motor vehicle product department of the State Council, resulting in motor vehicles with unqualified quality leaving the factory for sale, the motor vehicle product department of the State Council shall impose penalties in accordance with relevant laws and administrative regulations.

Anyone who produces or sells motor vehicle models without the permission of the motor vehicle product department of the State Council shall have their illegal income and finished motor vehicle products and accessories produced and sold confiscated, and may be fined not less than one time but not more than three times the value of the illegally produced or sold products. If there is a business license, the business license shall be revoked by the market regulation department; if there is no business license, the relevant competent authorities shall seal it up according to law.

Anyone who produces or sells assembled or unauthorized modified motor vehicles shall be punished in accordance with the provisions of paragraphs 2 and 3 of this article.

Anyone who commits the illegal acts listed in paragraphs 2 to 4 of this article and produces or sells motor vehicles that do not meet the national safety technical standards for motor vehicles, which constitutes a crime, shall be investigated for criminal liability in accordance with the law.

Article 152 For those who produce, import, or sell non-motor vehicles that do not meet mandatory national standards, the market regulation department shall confiscate the illegal income and the finished non-motor vehicles and accessories produced, imported, or sold, and impose a fine of not less than one time but not more than three times the value of the goods. If you have a business license, the market supervision and administration department will revoke the business license;

Those without a business license will be seized by the relevant competent authorities in accordance with the law. constitutes a crime,

依法追究刑事责任。

非机动车生产、销售经营者对非机动车进行非法改装，导致其最高时速、空车质量、外形尺寸等不符合强制性国家标准的，由市场监督管理部门没收违法所得，并处违法所得二倍以上十倍以下罚款。没有违法所得或者违法所得不足一万元的，处二万元以上五万元以下罚款。有营业执照的，由市场监督管理部门吊销营业执照；没有营业执照的，由有关主管部门依法予以查封。构成犯罪的，依法追究刑事责任。

销售不符合强制性国家标准的非机动车的，非机动车生产、进口、销售企业依照有关法律、法规规定负责修理、更换、退货、赔偿损失。

第一百五十三条 机动车维修等经营者非法改装已登记的机动车的，由有关主管部门责令改正，有违法所得的，没收违法所得，处违法所得二倍以上十倍以下罚款；没有违法所得或者违法所得不足一万元的，处二万元以上五万元以下罚款；拒不改正或者情节严重的，责令停业整顿；构成犯罪的，依法追究刑事责任。

第一百五十四条 未经批准，擅自挖掘道路、占用道路施工或者从事其他影响道路交通安全活动，或者未按照经批准的地点和时间施工的，由道路主管部门责令停止违法行为，并恢复原状，可以依法给予罚款；致使通行的人员、车辆以及其他财产遭受损失的，依法承担赔偿责任。

ENGLISH TRANSLATION

Investigate criminal liability in accordance with the law.

If a non-motor vehicle manufacturer or sales operator illegally modifies a non-motor vehicle, causing its maximum speed, empty vehicle quality, external dimensions, etc. to fail to meet mandatory national standards, the market regulation department shall confiscate the illegal income and impose a fine of not less than two times but not more than ten times the illegal income. If there is no illegal income or the illegal income is less than 10,000 yuan, a fine of not less than 20,000 yuan but not more than 50,000 yuan will be imposed. If there is a business license, the business license shall be revoked by the market regulation department; if there is no business license, the relevant competent authorities shall seal it up according to law. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

When selling non-motor vehicles that do not meet mandatory national standards, non-motor vehicle production, import, and sales enterprises shall be responsible for repairs, replacements, returns, and compensation for losses in accordance with relevant laws and regulations.

Article 153 If a motor vehicle maintenance or other operator illegally modifies a registered motor vehicle, the relevant competent department shall order it to make corrections. If there is any illegal income, the illegal income shall be confiscated and a fine of not less than two times but not more than ten times of the illegal income shall be imposed. If there is no illegal income or the illegal income is less than 10,000 yuan, a fine of not less than 20,000 yuan but not more than 50,000 yuan shall be imposed. If the operator refuses to make corrections or the circumstances are serious, he shall be ordered to suspend business for rectification. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 154 Anyone who excavates a road without authorization, occupies a road for construction, or engages in other activities that affect road traffic safety, or fails to carry out construction in accordance with the approved location and time, shall be ordered by the road authority to stop the illegal act and restore it to its original state, and may impose a fine in accordance with the law; if it causes losses to passing people, vehicles, and other property, the person shall be liable for compensation in accordance with the law.

有前款行为，影响道路交通安全活动的，公安机关交通管理部门可以责令停止违法行为，迅速恢复交通。

第一百五十五条 道路施工作业或者道路出现损毁，未及时设置警告标志或者采取防护措施，或者应当设置交通信号灯、交通标志、交通标线而没有设置或者应当及时变更交通信号灯、交通标志、交通标线而没有及时变更，致使通行的人员、车辆以及其他财产遭受损失的，负有相关职责的单位应当依法承担赔偿责任。

第一百五十六条 在道路两侧以及隔离带上种植树木、其他植物或者设置广告牌、管线等，遮挡路灯、交通信号灯、交通标志，或者妨碍安全视距的，由公安机关交通管理部门责令行为人排除妨碍；拒不执行的，处二百元以上二千元以下罚款，并强制排除妨碍，所需费用由行为人负担。

第一百五十七条 擅自对已登记机动车加装自动驾驶系统或者改变自动驾驶功能的，由公安机关交通管理部门责令恢复原状。无法恢复原状的，强制报废。有违法所得的，没收违法所得，并处违法所得二倍以上十倍以下罚款；没有违法所得或者违法所得不足一万元的，处二万元以上五万元以下罚款。构成犯罪的，依法追究刑事责任。

检验检测机构及其技术人员未按照规定实施道路通行规则符合性测试或者出具虚假测试结果的，由公安机关交通管理部门责令停业整顿，对检验检测机构处五万元以上二十万元以下罚

ENGLISH TRANSLATION

If there is an act in the preceding paragraph that affects road traffic safety activities, the traffic management department of the public security organ may order the person to stop the illegal act and quickly resume traffic.

Article 155: If warning signs or protective measures are not promptly installed or protective measures are taken during road construction operations or roads are damaged, or traffic lights, traffic signs, or traffic markings are not installed when they shall be installed, or traffic lights, traffic signs, or traffic markings are not changed when they shall be, resulting in losses to passing persons, vehicles, and other property, the unit with relevant responsibilities shall bear liability for compensation in accordance with the law.

Article 156 If trees or other plants are planted on both sides of the road or on the isolation belt, or billboards or pipelines are installed, blocking street lights, traffic lights, traffic signs, or obstructing safe sight distance, the traffic management department of the public security organ shall order the offender to remove the obstruction; if he refuses to do so, he shall be fined not less than 200 yuan but not more than 2,000 yuan and forced to remove the obstruction, and the necessary expenses shall be borne by the offender.

Article 157 Anyone who installs an automatic driving system or changes the automatic driving function to a registered motor vehicle without authorization shall be ordered by the traffic management department of the public security organ to restore the vehicle to its original state. If it cannot be restored to its original state, it will be scrapped. If there is illegal income, the illegal income shall be confiscated and a fine of not less than two times but not more than ten times of the illegal income shall be imposed; if there is no illegal income or the illegal income is less than 10,000 yuan, a fine of not less than 20,000 yuan but not more than 50,000 yuan shall be imposed. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

If an inspection and testing agency and its technical personnel fail to conduct compliance tests with road traffic rules in accordance with regulations or issue false test results, the traffic management department of the public security organ shall order it to suspend operations for rectification, and impose a fine of not less than RMB 50,000 but not more than RMB 200,000 on the inspection and testing agency.

款，对直接负责的主管人员和其他直接责任人员处一万元以上五万元以下罚款；有违法所得的，没收违法所得；情节严重的，由授予其资质的主管部门依法吊销其执业资格；构成犯罪的，依法追究刑事责任。在整顿完成前，暂停采信其出具的测试结果。对有关自动驾驶汽车产品，由国务院机动车产品主管部门等要求暂停使用相关版本自动驾驶系统。

第一百五十八条 暂扣机动车驾驶证的期限从处罚决定生效之日起计算；处罚决定生效前先予扣留机动车驾驶证的，扣留一日折抵暂扣期限一日。

暂扣、吊销机动车驾驶证的效力及于机动车驾驶证载明的所有准驾车型。

道路交通安全违法行为有本法规定应当吊销机动车驾驶证情形的，自作出处罚决定之日起被处罚人二年内不得申领机动车驾驶证，本法另有规定的除外。

第一百五十九条 有本法规定情形，被宣告有罪、无罪或者决定不起诉，依法应当给予行政处罚的，公安机关交通管理部门在人民法院作出生效裁判或者人民检察院决定不起诉后，应当依法作出行政处罚决定；人民法院、人民检察院和公安机关应当加强信息共享和工作协同。

第一百六十条 交通警察有下列行为之一的，依法给予处分：

（一）为不符合法定条件的机动车发放机动车登记证书、号

ENGLISH TRANSLATION

If the person in charge and other directly responsible persons are directly responsible, a fine of not less than RMB 10,000 but not more than RMB 50,000 will be imposed; if there are any illegal gains, the illegal gains will be confiscated; if the circumstances are serious, the competent department that granted the qualifications will revoke their professional qualifications in accordance with the law; if a crime is constituted, criminal responsibility will be pursued in accordance with the law. Before the rectification is completed, the test results issued by it will be suspended. For relevant automated-driving vehicle products, the motor vehicle product department of the State Council and others require the suspension of the use of relevant versions of self-driving systems.

Article 158 The period for temporarily withholding a motor vehicle driving license shall be calculated from the date when the penalty decision takes effect; if the motor vehicle driving license is withheld before the penalty decision takes effect, one day of detention shall be offset by one day of the temporary suspension period.

The effect of suspending or revoking a motor vehicle driving license applies to all permitted driving types stated on the motor vehicle driving license.

If a road traffic safety violation involves circumstances that require the revocation of a motor vehicle driving license as stipulated in this Law, the person punished shall not apply for a motor vehicle driving license within two years from the date of the penalty decision, unless otherwise provided for in this Law.

Article 159 Under the circumstances specified in this Law, if a person is declared guilty or not guilty or decides not to prosecute, and administrative penalties shall be imposed according to law, the traffic management department of the public security organ shall make an administrative penalty decision in accordance with the law after the People's Court makes an effective judgment or the People's Procuratorate decides not to prosecute; the People's Court, the People's Procuratorate and the public security organs shall strengthen information sharing and work coordination.

Article 160 If a traffic policeman commits any of the following acts, he shall be punished in accordance with the law:

(1) Issuing motor vehicle registration certificates and numbers to motor vehicles that do not meet legal conditions

牌、行驶证、检验合格标志；

（二）批准不符合法定条件的机动车安装、使用警车、消防救援车、救护车、工程救险车的警报器、标志灯具，喷涂标志图案；

（三）为不符合驾驶许可条件、未经考试或者考试不合格人员发放机动车驾驶证；

（四）不执行罚款决定与罚款收缴分离制度或者不按照规定将依法收取的费用、收缴的罚款以及没收的违法所得全部上缴国库；

（五）从事举办或者参与举办驾驶学校或者驾驶培训班、机动车修理厂或者收费停车场等经营活动；

- （六）利用职务上的便利收受他人财物或者谋取其他利益；
- （七）违法扣留车辆、机动车行驶证、驾驶证、车辆号牌；
- （八）使用扣留的车辆；
- （九）当场收取罚款不开具专用票据或者不如实填写罚款额；
- （十）徇私舞弊，不公正处理交通事故，或者违反规定收取道路交通事故保证金、押金；
- （十一）故意刁难，拖延办理机动车牌证；
- （十二）非执行紧急任务时使用警报器、标志灯具；
- （十三）违反规定拦截、检查正常行驶的车辆；
- （十四）非执行紧急公务时拦截搭乘机动车；
- （十五）泄露道路交通安全管理工作秘密或者其他

ENGLISH TRANSLATION

- plates, driving licenses, and inspection marks;
- (2) Approving motor vehicles that do not meet legal conditions to install and use sirens, sign lamps, and spray sign patterns of police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles;
- (3) Issuing motor vehicle driving licenses to persons who do not meet the driving license conditions, have not taken the test, or have failed the test;
- (4) Failure to implement the separation system of fine decision-making and fine collection or failure to turn over all fees, fines collected and confiscated illegal gains to the State treasury in accordance with regulations;
- (5) Engage in business activities such as organizing or participating in organizing driving schools or driving training classes, motor vehicle repair shops or paid parking lots;
- (6) Taking advantage of one's position to accept property from others or seek other benefits;
- (7) Illegally detaining vehicles, motor vehicle driving licenses, driving licenses, and vehicle license plates;
- (8) Use impounded vehicles;
- (9) Collecting fines on the spot without issuing special bills or failing to fill in the amount of the fine truthfully;
- (10) Engaging in malpractice for personal gain, unfairly handling traffic crashes, or collecting road traffic crash deposits and deposits in violation of regulations;
- (11) Deliberately creating difficulties and delaying the application of motor vehicle license plates;
- (12) Use sirens and sign lights when not performing emergency tasks;
- (13) Violating regulations to intercept and inspect vehicles traveling normally;
- (14) Intercepting motor vehicles when not performing urgent official duties;
- (15) Disclosing work secrets in the road traffic safety management process or other

依法应当保密的信息；

（十六）将在道路交通安全管理过程中获得的个人信息，依法提取、采集的相关信息、样本用于与道路交通安全管理、打击违法犯罪无关的用途，或者出售、提供给其他单位和个人；

（十七）其他滥用职权、玩忽职守、徇私舞弊行为。

公安机关交通管理部门有前款所列行为之一的，对负有责任的领导人员和直接责任人员依法给予处分。

第一百六十一条 依照本法第一百六十条的规定，给予交通警察处分的，在作出处分决定前，可以停止其执行职务；必要时，可以予以禁闭。

依照本法第一百六十条的规定，交通警察受到降级或者撤职处分，经教育仍无改变，不适合继续在机关工作，又不宜给予开除处分的，予以辞退。

交通警察受到开除处分或者被辞退的，应当取消警衔；受到撤职以下处分的交通警察，应当降低警衔。

第一百六十二条 交通警察实施本法第一百六十条第一款规定的行为或者利用职权非法占有公共财物，索取、收受贿赂，或者实施其他滥用职权、玩忽职守、徇私舞弊行为，构成犯罪的，依法追究刑事责任。

第一百六十三条 公安机关交通管理部门以及其交通警察有本法第一百六十条所列行为之一，给当事人造成损失的，应当依法承担赔偿责任。

ENGLISH TRANSLATION

Information that shall be kept confidential according to law;

(16) Use personal information obtained in the process of road traffic safety management, relevant information and samples extracted and collected in accordance with the law for purposes unrelated to road traffic safety management and combating illegal crimes, or sell or provide it to other units and individuals;

(17) Other abuse of power, dereliction of duty, and malpractice for personal gain.

If the traffic management department of the public security organ commits any of the acts listed in the preceding paragraph, the responsible leaders and directly responsible personnel shall be punished in accordance with the law.

Article 161 In accordance with the provisions of Article 160 of this Law, if a traffic police officer is punished, he may be suspended from performing his duties before a decision on punishment is made; if necessary, he may be detained.

In accordance with the provisions of Article 160 of this Law, if a traffic policeman is demoted or dismissed from his post and remains unchanged after education, and is unfit to continue working in the agency and is not suitable for dismissal, he shall be dismissed.

If a traffic police officer is dismissed or dismissed, his rank shall be revoked; if a traffic police officer is punished by a sanction of dismissal or dismissal, his rank shall be reduced.

Article 162 If a traffic policeman commits the acts stipulated in the first paragraph of Article 160 of this Law or takes advantage of his authority to illegally possess public property, solicits or accepts bribes, or commits other acts of abuse of authority, dereliction of duty, or malpractice for personal gain, which constitutes a crime, he shall be investigated for criminal responsibility in accordance with the law.

Article 163 If the traffic management department of the public security organ and its traffic police commit any of the acts listed in Article 160 of this Law and cause losses to the parties concerned, they shall bear liability for compensation in accordance with the law.

第九章 附 则

第一百六十四条 本法中下列用语的含义：

（一）“道路”，是指公路、城市道路和虽在单位管辖范围但允许不特定社会机动车通行的地方，包括广场、公共停车场等用于公众通行的场所。

（二）“车辆”，是指机动车、非机动车。

（三）“机动车”，是指以动力装置驱动或者牵引，上道路行驶的供人员乘用或者用于运送物品、进行工程专项作业的轮式车辆。

（四）“非机动车”，是指以人力或者畜力驱动，上道路行驶的交通工具，以及虽有动力装置驱动但设计最高时速、空车质量和外形尺寸符合强制性国家标准的残疾人机动轮椅车、电动自行车等交通工具。

（五）“交通事故”，是指车辆在道路上因过错、机件故障、道路缺陷等情形或者意外造成的人身伤亡或者财产损失的事件。

（六）“逃逸”，是指知道或者应当知道发生交通事故后，当事人为逃避法律责任，潜逃、藏匿或者驾驶、遗弃车辆逃离交通事故现场的行为。

（七）“保险标志”，是指交通事故责任强制保险标志。

第一百六十五条 中国人民解放军和中国人民武装警察部队在编机动车牌证、在编机动车检验以及机动车驾驶人考核工作，

ENGLISH TRANSLATION

Chapter 9 Supplementary Provisions

Article 164 The meanings of the following terms in this Law:

- (1) "Road" refers to highways, urban roads and places that are within the jurisdiction of the unit but allow the passage of unspecified motor vehicles, including squares, public parking lots and other places used for public circulation.
- (2) "Vehicle" refers to motor vehicles and non-motor vehicles.
- (3) "Motor vehicle" refers to a wheeled vehicle driven or towed by a power device and driven on the road for use by people or for transporting items or carrying out special engineering operations.
- (4) "Non-motorized vehicles" refers to vehicles driven by human or animal power and driven on the road, as well as vehicles such as motorized wheelchairs and electric bicycles for persons with disabilities that are driven by power devices but have a designed maximum speed, empty vehicle quality and overall dimensions that meet mandatory national standards.
- (5) "Traffic crash" refers to an incident in which a vehicle causes personal injury, death, or property damage due to fault, mechanical failure, road defects, or other incidents on the road.
- (6) "Escape" refers to the act of absconding, hiding, or driving or abandoning a vehicle to escape the scene of the traffic crash in order to avoid legal liability after the party knows or shall know that a road traffic crash has occurred.
- (7) "Insurance sign" refers to the compulsory traffic accident liability insurance sign.

Article 165 The Chinese People's Liberation Army and the Chinese People's Armed Police Force are responsible for the preparation of motor vehicle license plates, the inspection of motor vehicles and the assessment of motor vehicle drivers.

由中央军事委员会机关有关主管部门负责。

对持有中国人民解放军和中国人民武装警察部队机动车驾驶证的人，可以发给相应准驾车型的机动车驾驶证，具体办法由国务院公安部门制定。

国家综合性消防救援车辆，由国务院应急管理部门、消防救援部门负责发放应急救援专用牌证。

第一百六十六条 外国驻中华人民共和国外交、领事机构和国际组织驻中华人民共和国代表机构的车辆的具体管理办法，由外交部会同国务院有关主管部门制定。

第一百六十七条 对上道路行驶的拖拉机，由农业农村主管部门行使本法第十一条、第十二条、第十八条、第二十七条、第三十一条规定的公安机关交通管理部门的管理职权。

农业农村主管部门依照前款规定行使职权，应当遵守本法有关规定，并接受公安机关交通管理部门的监督；对违反规定的，依照本法有关规定追究法律责任。

第一百六十八条 国家对入境的境外机动车的道路交通安全实施统一管理。

第一百六十九条 省、自治区、直辖市人民代表大会常务委员会可以根据本行政区域的实际情况，在本法规定的罚款幅度内，规定具体的执行标准。

第一百七十条 本法自 年 月 日起施行。

ENGLISH TRANSLATION

The relevant competent departments of the Central Military Commission shall be responsible for this.

People who hold motor vehicle driving licenses of the Chinese People's Liberation Army and the Chinese People's Armed Police Force may be issued motor vehicle driving licenses of corresponding permitted driving types. The specific measures shall be formulated by the public security department under the State Council.

For national comprehensive fire rescue vehicles, the emergency management department and fire rescue department of the State Council are responsible for issuing special emergency rescue license plates.

Article 166 The specific management measures for vehicles used by foreign diplomatic and consular missions in the People's Republic of China and representative offices of international organizations in the People's Republic of China shall be formulated by the Ministry of Foreign Affairs in conjunction with the relevant competent departments of the State Council.

Article 167: For tractors traveling on roads, the agricultural and rural authorities shall exercise the administrative powers of the traffic management department of the public security organ as stipulated in Articles 11, 12, 18, 27 and 31 of this Law.

The agricultural and rural administrative departments shall, when exercising their powers in accordance with the provisions of the preceding paragraph, abide by the relevant provisions of this Law and accept the supervision of the traffic management department of the public security organ; those who violate the provisions shall be held legally responsible in accordance with the relevant provisions of this Law.

Article 168 The State implements unified management of the road traffic safety of overseas motor vehicles entering the country.

Article 169 The standing committees of the people's congresses of provinces, autonomous regions and municipalities directly under the Central Government may, based on the actual conditions of their respective administrative regions, stipulate specific implementation standards within the range of fines stipulated in this Law.

Article 170 This Law shall come into effect on day, month, year.

《中华人民共和国道路交通安全法》
修改前后对照表

(条文中黑体字部分为对现行法进行修改或者
新增的内容,方框内为删除内容)

现 行 法	修订草案
第一章 总 则	第一章 总 则
第一条 为了维护道路交通秩序,预防和减少交通事故,保护人身安全,保护公民、法人和其他组织的财产安全及其他合法权益,提高通行效率,制定本法。	第一条 为了维护道路交通秩序,预防和减少交通事故,保护人身安全,保护公民、法人和其他组织的财产安全 以及其他合法权益 ,提高通行效率,制定本法。
第二条 中华人民共和国境内的车辆驾驶人、行人、乘车人以及与道路交通活动有关的单位和个人,都应当遵守本法。	第二条 中华人民共和国境内的车辆驾驶人、行人、乘车人以及与道路交通活动有关的单位和个人,都应当遵守本法。
第三条 道路交通安全工作,应当遵循依法管理、方便群众的原则,保障道路交通有序、安全、畅通。	第三条 道路交通安全工作,应当 坚持总体国家安全观,坚持人民至上、生命至上 ,遵循依法管理、方便群众的原则,保障道路交通有序、安全、畅通。
第四条 各级人民政府应当保障道路交通安全管理工作与经济建设和社会 建设 和社会发展相适应。 县级以上地方各级人民政府应当适应道路交通发展的需要,依据道路交通安全法律、法规和国家	第四条 各级人民政府应当保障道路交通安全管理工作与经济社会发展相适应。

CURRENT LAW - ENGLISH

Article 1 This Law is enacted with a view to maintaining road traffic order, taking precautions against and reducing traffic crashes, protecting personal safety, safeguarding the safety of property and other lawful rights and interests of citizens, legal persons and other organizations, and increasing passage efficiency.

Article 2 Within the territory of the People's Republic of China, the drivers of vehicles, pedestrians, passengers and the units and individuals involved in road traffic activities shall observe this Law.

Article 3 Work for road traffic safety shall be carried out in adherence to the principles of conducting administration according to law and making things convenient to the masses, to guarantee good order, safety and unimpeded flow of road traffic.

Article 4 People's governments at various levels shall guarantee that the administrative work for road traffic safety fits with the economic and social development.

In order to meet the needs of road traffic development, all local people's governments at or above the county level shall, in accordance with the laws and regulations on road traffic safety and the relevant policies of the State, work out administration plans for road traffic safety, and take charge of their implementation.

REVISION DRAFT - ENGLISH

Article 1 This law is enacted in order to maintain road traffic order, prevent and reduce traffic crashes, protect personal safety, protect the property safety and other legitimate rights and interests of citizens, legal persons and other organizations, and improve traffic efficiency.

Article 2 Vehicle drivers, pedestrians, passengers, and units and individuals related to road traffic activities within the territory of the People's Republic of China shall abide by this Law.

Article 3 Road traffic safety work shall adhere to the overall national security concept, adhere to the supremacy of people and life, follow the principles of management in accordance with the law and convenience for the masses, and ensure that road traffic is orderly, safe and smooth.

Article 4 People's governments at all levels shall ensure that road traffic safety management work is compatible with economic and social development.

现 行 法	修订草案
有关政策，制定道路交通安全管理规划，并组织实施。	
第五条 国务院公安部门负责全国道路交通安全管理工作。县级以上地方各级人民政府公安机关交通管理部门负责本行政区域内的道路交通安全管理工作。 县级以上各级人民政府交通、建设管理部门依据各自职责，负责有关的道路交通工作。	第五条 国务院公安部门负责全国道路交通安全管理工作。县级以上地方人民政府公安机关交通管理部门负责本行政区域内的道路交通安全管理工作。 县级以上人民政府工业和信息化、住房城乡建设、交通运输、商务、应急管理、市场监督管理等部门依据各自职责，负责有关的道路交通安全管理工作。 县级以上人民政府应当加强道路交通安全工作协调，组织有关部门依法履行道路交通安全管理职责，强化道路交通安全信息共享和工作协同，推进道路基础设施高标准联通，提升道路交通安全管理水平。
第六条第三款 机关、部队、企业事业单位、社会团体以及其他组织，应当对本单位的人员进行道路交通安全教育。	第六条 国家机关、军队、企业事业单位、社会组织以及其他组织等，应当落实道路交通安全责任，对本单位的车辆进行安全管理，对本单位的人员以及从业人员进行道路交通安全教育和培训，引导和督促本单位的人员以及从业人员遵守道路交通安全法律、法规。
第六条 各级人民政府应当经常进行道路交通安全教育，提高	第七条 各级人民政府应当组织开展道路交通安全教育，提高

CURRENT LAW - ENGLISH

Article 5 The department for public security under the State Council shall be in charge of the administrative work for road traffic safety nationwide. The traffic control department of the public security organs under the local people's governments at or above the county level shall be in charge of the administrative work for road traffic safety within their respective administrative areas.

The traffic control departments and the construction administration departments under the people's governments at or above the county level shall be in charge of relevant road traffic work in compliance with their respective duties.

Article 6 People's governments at various levels shall conduct regular education in road traffic safety so as to enhance citizens' awareness of the importance of road traffic safety.

When performing their duties, traffic control departments of the public security organs and their traffic policemen shall give more publicity to the laws and regulations on road traffic safety, and observe such laws and regulations in an exemplary way.

Government departments, armed units, enterprises, institutions, public associations and other organizations shall offer education in road traffic safety to their own members.

Administrative departments of education and schools shall incorporate education in road traffic safety into education in the legal system.

The news media and publishing, radio and TV, and other relevant institutions shall have the duty to conduct education in road traffic safety.

Article 6 People's governments at various levels shall conduct regular education in road traffic safety so as to enhance citizens' awareness of the importance of road traffic safety.

When performing their duties, traffic control departments of the public security organs and their traffic policemen shall give more publicity to the laws and regulations on road traffic safety, and observe such laws and regulations in an exemplary way.

Government departments, armed units, enterprises, institutions, public associations and other organizations shall offer education in road traffic safety to their own members.

Administrative departments of education and schools shall incorporate education in road traffic safety into education in the legal system.

The news media and publishing, radio and TV, and other relevant institutions shall have the duty to conduct education in road traffic safety.

REVISION DRAFT - ENGLISH

Article 5 The public security department under the State Council is responsible for national road traffic safety management.

The traffic management departments of the public security organs of local people's governments at or above the county level are responsible for the management of road traffic safety within their respective administrative regions.

The industry and information technology, housing and urban-rural development, transportation, commerce, emergency management, market regulation departments of the people's governments at or above the county level are responsible for relevant road traffic safety management work according to their respective responsibilities.

People's governments at or above the county level shall strengthen coordination of road traffic safety work and organize Relevant departments shall perform road traffic safety management responsibilities in accordance with the law, strengthen road traffic safety information sharing and work coordination, promote high-standard connectivity of road traffic infrastructure, and improve the level of road traffic safety management.

Article 6 State agencies, the military, enterprises and institutions, social organizations and other organizations shall implement road traffic safety responsibilities, conduct safety management of their own vehicles, conduct road traffic safety education and training for their own personnel and employees, and guide and urge their own personnel and employees to comply with road traffic safety laws and regulations.

Article 7 People's governments at all levels shall organize and carry out road traffic safety education to improve citizens' awareness of road traffic safety.

When performing their duties, the traffic management department of the public security organ and its traffic police shall strengthen the publicity and education of road traffic safety laws and regulations, and model compliance with road traffic safety laws and regulations.

Relevant departments such as Internet information, education administration, judicial administration, human resources and social security, as well as schools, driving training institutions and other relevant units shall incorporate road traffic safety knowledge into the content of rule of law publicity, education and training in accordance with their respective responsibilities.

Press and publication, radio and television, culture, Internet information services and other relevant units have the obligation to carry out road traffic safety publicity and education.

现 行 法	修订草案
公民的道路交通安全意识。 公安机关交通管理部门及其交通警察执行职务时，应当加强道路交通安全法律、法规的宣传，并模范遵守道路交通安全法律、法规。 机关、部队、企业事业单位、社会团体以及其他组织，应当对本单位的人员进行道路交通安全教育。（相关内容移至修订草案第六条） 教育行政部门、学校应当将道路交通安全教育纳入法制教育的内容。 新闻、出版、广播、电视等有关单位，有进行道路交通安全教育的义务。	公民的道路交通安全意识。 公安机关交通管理部门以及其交通警察执行职务时，应当加强道路交通安全法律、法规宣传教育，并模范遵守道路交通安全法律、法规。 网信、教育行政、司法行政、人力资源社会保障等有关部门以及学校、驾驶培训机构等有关单位，应当依据各自职责将道路交通安全知识纳入法治宣传、教育、培训的内容。 新闻出版、广播电视、文化、互联网信息服务等有关单位，有进行道路交通安全宣传教育的义务。
第七条 对道路交通安全管理工作，应当加强科学研究，推广、使用先进的管理方法、技术、设备。	第八条 鼓励和支持道路交通安全科学研究，推广使用先进的管理方法、技术、设备，提升道路交通安全信息化、智能化水平。
	第九条 每年 12 月 2 日为全国交通安全日。
第二章 车辆和驾驶人	第二章 车辆和驾驶人
第一节 机动车、非机动车	第一节 机动车、非机动车
	第十条 推进完善机动车产品标准体系，提高机动车安全技术性能。 禁止生产、进口、销售不符合强制性国家标准的机动车，国家另

CURRENT LAW - ENGLISH

Article 7 Scientific research in administrative work for road traffic safety shall be promoted, and advanced administration methods, technology and equipment shall be used on a wide scale.

Chapter II Vehicles and Drivers

Section 1 Motor Vehicles and Non-motor vehicles

REVISION DRAFT - ENGLISH

Article 8 Encourage and support scientific research on road traffic safety, promote the use of advanced management methods, technologies, and equipment, and improve the informatization and intelligence level of road traffic safety.

Article 9 December 2 every year is National Traffic Safety Day.

Article 10: Promote and improve the motor vehicle product standard system and improve the safety and technical performance of motor vehicles.

It is prohibited to produce, import, and sell motor vehicles that do not meet mandatory national standards, unless otherwise stipulated by the State.

现 行 法	修 订 草 案
	有规定的除外。
第八条 国家对机动车实行登记制度。机动车经公安机关交通管理部门登记后，方可上道路行驶。尚未登记的机动车，需要临时上道路行驶的，应当取得临时通行牌证。	第十一条 国家对机动车实行登记制度。机动车经公安机关交通管理部门登记后，方可上道路行驶。尚未登记或者尚未取得机动车号牌的机动车，需要临时上道路行驶的，应当取得临时通行牌证。 本法所称上道路行驶，是指在道路上驾驶、停放车辆或者临时停车等行为。
第九条 申请机动车登记，应当提交以下证明、凭证： （一）机动车所有人的身份证明； （二）机动车来历证明； （三）机动车整车出厂合格证明或者进口机动车进口凭证； （四）车辆购置税的完税证明或者免税凭证； （五）法律、行政法规规定应当在机动车登记时提交的其他证明、凭证。 公安机关交通管理部门应当自受理申请之日起五个工作日内完成机动车登记审查工作，对符合前款规定条件的，应当发放机动车登记证书、号牌和行驶证；对不符合前款规定条件的，应当向申请人说明不予登记的理由。 公安机关交通管理部门以外	第十二条 申请机动车登记，应当交验机动车，并提交以下证明、凭证，公安机关交通管理部门能够通过电子数据核验的，免于交验机动车或者提交相关证明、凭证： （一）机动车所有人的身份证明； （二）机动车来历证明； （三）机动车整车出厂合格证明或者进口机动车进口凭证； （四）车辆购置税、车船税完税或者免税凭证，依照法律规定不属于车辆购置税、车船税征收对象的除外； （五）机动车交通事故责任强制保险单； （六）法律、行政法规规定应当在机动车登记时提交的其他证明、凭证。

CURRENT LAW - ENGLISH

Article 8 The State practises a registration system for motor vehicles. A motor vehicle shall be driven on roads only after it is registered with the traffic control department of a public security organ. Where a motor vehicle is not yet registered but needs to be driven on roads temporarily, a temporary pass shall be obtained.

Article 9 The following certificates and vouchers shall be submitted for application for the registration of a motor vehicle:

- (1) certificate of identification of the owner of the vehicle;
- (2) certificate of the manner in which the vehicle is obtained;
- (3) certificate of outgoing quality for the whole vehicle or certificate of import license for the vehicle imported;
- (4) payment receipt of vehicle purchase tax or duty free certificate; and
- (5) other certificates or vouchers to be submitted as required by the provisions of laws and administrative regulations for registration of motor vehicles.

The traffic control department of a public security organ shall finish the examination for registration of a motor vehicle within five working days from the date it receives the application and shall, if the conditions provided for in the proceeding paragraph are met, issue the registration certificate, number plate and license for the vehicle; and if the said conditions are not met, the department shall explain the reasons why the vehicle is not to be registered.

Units and individuals, other than the traffic control departments of the public security organs, shall not issue number plates for motor vehicles or require that other plates are used, except where otherwise provided for by this Law.

Designs for the registration certificate, number plate and license for motor vehicles shall be drawn up and made under the supervision of the department for public security under the State Council.

REVISION DRAFT - ENGLISH

Article 11 The State implements a registration system for motor vehicles. Motor vehicles can only be driven on the road after being registered with the traffic management department of the public security organ. If a motor vehicle that has not yet been registered or has not yet obtained a motor vehicle license plate needs to be temporarily driven on the road, it must obtain a temporary traffic license plate.

The term “driving on the road” as used in this Law refers to behaviors such as driving, parking a vehicle or temporarily parking on the road.

Article 12 When applying for motor vehicle registration, the motor vehicle must be submitted for inspection and the following certificates and vouchers must be submitted. If the traffic management department of the public security organ can pass the electronic data verification, the motor vehicle shall be submitted for inspection or the relevant certificates and vouchers shall be submitted:

- (1) Identity certificate of the owner of the motor vehicle;
- (2) Proof of motor vehicle origin;
- (3) Factory qualification certificate of the complete motor vehicle or import certificate of the imported motor vehicle;
- (4) Vehicle purchase tax and vehicle and vessel tax payment or tax exemption certificates, except those that are not subject to vehicle purchase tax and vehicle and vessel tax according to legal provisions;
- (5) Compulsory motor vehicle traffic accident liability insurance policy;
- (6) Other certificates and vouchers that must be submitted when registering a motor vehicle as stipulated by laws and administrative regulations.

The traffic management department of the public security organ shall complete the motor vehicle registration review within two working days from the date of acceptance of the application. To those who meet the conditions specified in the preceding paragraph, they shall issue a motor vehicle registration certificate, number plate, driving license, and inspection mark; to those who do not meet the conditions specified in the preceding paragraph, they shall explain to the applicant the reasons for denial of registration.

Any unit or individual other than the traffic management department of the public security organ shall not issue motor vehicle license plates or require motor vehicles to display other license plates, except as otherwise provided for in this Law.

Motor vehicle registration certificates, license plates, driving licenses, and inspection marks shall be stipulated in the format and supervised by the public security department under the State Council.

现 行 法	修订草案
的任何单位或者个人不得发放机动车号牌或者要求机动车悬挂其他号牌，本法另有规定的除外。 机动车登记证书、号牌、行驶证的式样由国务院公安部门规定并监制。	公安机关交通管理部门应当自受理申请之日起二个工作日内完成机动车登记审查工作，对符合前款规定条件的，应当发放机动车登记证书、号牌、行驶证、检验合格标志；对不符合前款规定条件的，应当向申请人说明不予登记的理由。 公安机关交通管理部门以外的任何单位和个人不得发放机动车号牌或者要求机动车悬挂其他号牌，本法另有规定的除外。 机动车登记证书、号牌、行驶证、检验合格标志，由国务院公安部门规定式样并监制。
	第十三条 申请机动车登记，机动车所有人为单位或者无相应准驾车型驾驶证的个人的，应当指定具有相应准驾车型驾驶证的驾驶人作为机动车管理人。 除法律、行政法规另有规定外，不得以个人名义申请登记校车、危险货物运输车辆、二十座以上大型载客汽车、消防救援车、救护车、工程救险车，已经登记的不得转让给其他个人。国家机关、企业事业单位、社会组织以及其他组织申请登记自用二十座以上大型载客汽车的具体条件，由国务院公安部门会同国务院有关主管部门规定。

CURRENT LAW - ENGLISH

No new current-law article begins on this source page.

REVISION DRAFT - ENGLISH

Article 13 When applying for motor vehicle registration, if the owner of the motor vehicle is an entity or an individual who does not have a driving license for the corresponding permitted type of vehicle, the driver with a driving license for the corresponding permitted type of vehicle shall be designated as the motor vehicle manager.

Unless otherwise provided by laws and administrative regulations, no one may apply to register school buses, dangerous goods transport vehicles, large passenger vehicles with more than 20 seats, fire rescue vehicles, ambulances, and engineering rescue vehicles in the name of an individual, and those that have already been registered may not be transferred to other individuals. The specific conditions for state agencies, enterprises, institutions, social organizations and other organizations to apply for registration of large passenger vehicles with more than 20 seats for their own use shall be stipulated by the public security department under the State Council in conjunction with the relevant competent departments of the State Council.

If a motor vehicle is applied for registration for operational purposes, the traffic management department of the public security organ shall compare the road transport business license issued by the transportation department with the vehicle-related information.

现 行 法	修订草案
	机动车申请登记为营运性质的，公安机关交通管理部门应当比对交通运输主管部门颁发的道路运输经营许可证和车辆相关信息。
第十条 准予登记的机动车应当符合机动车国家安全技术标准。申请机动车登记时，应当接受对该机动车的安全技术检验。但是，经国家机动车产品主管部门依据机动车国家安全技术标准认定的企业生产的机动车型，该车型的新车在出厂时经检验符合机动车国家安全技术标准，获得检验合格证的，免于安全技术检验。	第十四条 准予登记的机动车应当符合机动车国家安全技术标准。申请机动车登记时，申请人应当到机动车安全技术检验机构进行安全技术检验，并向公安机关交通管理部门提交检验合格证明。但是，经国务院机动车产品主管部门依据机动车国家安全技术标准认定的企业生产的机动车型，该车型的新车在出厂时经检验符合机动车国家安全技术标准，获得检验合格证明的，以及经国务院机动车进口主管部门准许进口的机动车型，由海关检验合格的，免于安全技术检验。
第十一条 驾驶机动车上道路行驶，应当悬挂机动车号牌，放置检验合格标志、保险标志，并随车携带机动车行驶证。 机动车号牌应当按照规定悬挂并保持清晰、完整，不得故意遮挡、污损。 任何单位和个人不得收缴、扣留机动车号牌。	第十五条 驾驶机动车上道路行驶，应当悬挂机动车号牌，并携带机动车行驶证或者电子行驶证。 驾驶机动车上道路行驶，机动车号牌应当按照规定悬挂并保持清晰、完整，不得遮挡、污损或者使用影响识别的装置、材料。 任何单位和个人不得收缴、扣留机动车号牌。
	第十六条 营运载客汽车、校

CURRENT LAW - ENGLISH

Article 10 Motor vehicles permitted for registration shall conform to the State safety and technical standards for them. A motor vehicle for the registration of which an application is submitted shall undergo safety and technical inspection. However, with respect to those models of motor vehicles which are manufactured by enterprises confirmed, in accordance with the State safety and technical standards for motor vehicles, by the government department in charge of the products of motor vehicles, if the new vehicles of such models meet the said standards upon inspection conducted before they leave the plant and the certificates of inspection of quality are granted, they shall be exempted from safety and technical inspection.

Article 11 A motor vehicle running on roads shall be hung with its number plate and stuck with the inspection certificate and the insurance label, accompanied by the motor vehicle license.

Number plates shall be hung in accordance with relevant regulations, kept clear and intact; and they shall not purposely be covered, stained or damaged.

No units or individuals shall confiscate or detain the number plates of motor vehicles.

REVISION DRAFT - ENGLISH

Article 14 Motor vehicles approved for registration shall comply with national safety technical standards for motor vehicles. When applying for motor vehicle registration, the applicant shall undergo safety technical inspection at the motor vehicle safety technical inspection agency and submit an inspection certificate to the traffic management department of the public security organ. However, motor vehicle models produced by enterprises certified by the motor vehicle product administration department of the State Council in accordance with the national safety technical standards for motor vehicles, and new vehicles of this model have been inspected to comply with the national safety technical standards for motor vehicles when leaving the factory and have obtained inspection certificates, and motor vehicle models imported with permission from the motor vehicle import administration department of the State Council and have passed inspection by the customs, are exempt from safety technical inspection.

Article 15 When driving a motor vehicle on the road, the motor vehicle license plate must be hung and the motor vehicle driving license or electronic driving license must be carried.

When driving a motor vehicle on the road, the motor vehicle license plate shall be hung in accordance with regulations and kept clear and complete, and shall not be blocked, defaced, or used with devices or materials that affect identification.

No unit or individual may confiscate or detain motor vehicle license plates.

Article 16 Those operating passenger cars, school buses, heavy trucks, semi-trailer tractors, dangerous goods transport vehicles and other motor vehicles must install and use satellite positioning devices with driving recording functions and devices with intelligent video monitoring and alarm functions in accordance with relevant national regulations.

The State supports the installation and use of devices with automatic emergency braking functions on vehicles specified in the preceding paragraph.

现 行 法	修 订 草 案
	车、重型货车、半挂牵引车、危险货物运输车辆等机动车，应当按照国家有关规定安装、使用具备行驶记录功能的卫星定位装置、具备智能视频监控报警功能的装置。 国家支持前款规定的车辆安装、使用具备自动紧急刹车功能的装置。
第十二条 有下列情形之一的，应当办理相应的登记： （一）机动车所有权发生转移的； （二）机动车登记内容变更的； （三）机动车用作抵押的； （四）机动车报废的。	第十七条 有下列情形之一的，应当办理相应的登记： （一）机动车所有权发生转移； （二）机动车登记内容发生变更； （三）机动车用作抵押； （四）机动车报废、灭失、因质量问题退车或者不在我国境内使用。 有前款第四项规定情形但未办理机动车注销登记的，公安机关交通管理部门不予办理前款第一项和本法第十二条规定的机动车登记。
第十三条 对登记后上道路行驶的机动车，应当依照法律、行政法规的规定，根据车辆用途、载客载货数量、使用年限等不同情况，定期进行安全技术检验。对提供机动车行驶证和机动车第三者责任强制保险单的，机动车安全技	第十八条 对登记后上道路行驶的机动车，应当依照法律、行政法规的规定，根据车辆用途、载客载货数量、使用年限等不同情况，定期进行安全技术检验。对提供机动车行驶证和机动车交通事故

CURRENT LAW - ENGLISH

Article 12 Registration shall be needed in one of the following circumstances:

(1) when ownership of a motor vehicle is transferred;

(2) when alterations are made in the registration of a motor vehicle;

(3) when a motor vehicle is mortgaged; and

(4) when a motor vehicle is scrapped.

Article 13 Once a motor vehicle begins to be run on roads after registration, it shall, in accordance with the provisions of laws and administrative regulations, undergo regular safety and technical inspection, in terms of its designed purpose of use, quantity of passengers and goods, service life, etc. Where the motor vehicle license and the certificate of the compulsory third party liability insurance on the vehicle are provided, the authority for motor vehicle safety and technical inspection shall inspect the vehicle; and no units shall add other conditions. If the vehicle conforms to the State safety and technical standards, the traffic control department of the public security organ shall issue the sticker of the inspection certificate.

The safety and technical inspection of motor vehicles shall be socialized. Specific measures in this regard shall be formulated by the State Council.

In places where motor vehicle safety and technical inspection is socialized, no units shall require that motor vehicles are inspected at designated places.

Traffic control departments of the public security organs and the authority for motor vehicle safety and technical inspection shall not require that motor vehicles are maintained or serviced at designated places.

The authority for motor vehicle safety and technical inspection shall collect fees for such inspection strictly in accordance with the rates approved by the department for pricing under the State Council.

REVISION DRAFT - ENGLISH

Article 17 If any of the following circumstances occurs, corresponding registration shall be made:

(1) The ownership of the motor vehicle is transferred;

(2) The motor vehicle registration content changes;

(3) Motor vehicles used as mortgage;

(4) The motor vehicle is scrapped, lost, returned due to quality problems or is not used within the territory of our country.

If there is a situation specified in Item 4 of the preceding paragraph but the deregistration of the motor vehicle has not been carried out, the traffic management department of the public security organ shall not handle the registration of the motor vehicle as stipulated in Item 1 of the preceding paragraph and Article 12 of this Law.

Article 18 For motor vehicles that are driven on roads after registration, safety technical inspections shall be carried out regularly in accordance with the provisions of laws and administrative regulations and based on different circumstances such as the purpose of the vehicle, the number of passengers and cargo carried, and the service life. For those who provide a motor vehicle driving license and a compulsory motor vehicle traffic accident liability insurance policy, the motor vehicle safety technical inspection agency shall conduct inspections in accordance with the national safety technical standards for motor vehicles, and no unit shall attach other conditions. For vehicles that meet the national safety technical standards for motor vehicles and pass the motor vehicle emission inspection, the traffic management department of the public security organ shall issue an inspection certificate. If the vehicle does not meet the national safety technical standards for motor vehicles, the motor vehicle safety technical inspection agency shall notify the owner or manager of the motor vehicle in writing.

Motor vehicle safety technical inspection shall be socialized, and motor vehicle safety technical inspection institutions shall obtain qualification certification in accordance with the law. No unit may require motor vehicles to go to designated locations for inspection.

The traffic management department of the public security organ and the motor vehicle safety technical inspection agency shall not require motor vehicles to go to designated places for repairs and maintenance.

Motor vehicle safety technical inspection agencies shall report to the society in accordance with the provisions of the relevant competent departments. Inspection items and charging standards will be announced.

现 行 法	修订草案
术检验机构应当予以检验，任何单位不得附加其他条件。对符合机动车国家安全技术标准的，公安机关交通管理部门应当发[给]检验合格标志。 [对]机动车[的]安全技术检验实行社会化。[具体办法由国务院规定。] [机动车安全技术检验实行社会化的地方，]任何单位不得要求机动车到指定的场所进行检验。 公安机关交通管理部门、机动车安全技术检验机构不得要求机动车到指定的场所进行维修、保养。 机动车安全技术检验机构[对]机动车检验收取费用，[应当严格执行国务院价格主管部门核定的]收费标准。	技术检验机构应当按照机动车国家安全技术标准予以检验，任何单位不得附加其他条件。对符合机动车国家安全技术标准，并经机动车排放检验合格的，公安机关交通管理部门应当发放检验合格标志。对不符合机动车国家安全技术标准的，机动车安全技术检验机构应当书面告知机动车所有人或者管理人。 机动车安全技术检验实行社会化，机动车安全技术检验机构应当依法取得资质认定。任何单位不得要求机动车到指定的场所进行检验。 公安机关交通管理部门、机动车安全技术检验机构不得要求机动车到指定的场所进行维修、保养。 机动车安全技术检验机构应当按照有关主管部门规定，向社会公示检验项目和收费标准。
第十四条 国家实行机动车强制报废制度，根据机动车的安全技术状况和不同用途，规定不同的报废标准。 应当报废的机动车必须及时办理注销登记。 达到报废标准的机动车不得上道路行驶。报废的大型客、货车	第十九条 国家实行机动车强制报废制度，根据机动车的安全技术状况和不同用途，规定不同的报废标准。 应当报废的机动车必须及时办理注销登记。 达到报废标准的机动车不得上道路行驶。报废的大型载客汽

CURRENT LAW - ENGLISH

Article 14 The State practises the compulsory system for scrapping motor vehicles, under which different criteria for scrapping the vehicles shall be established on the basis of the safety and technical conditions and the different purposes of use of the motor vehicles.

Registration of the motor vehicles shall be cancelled as soon as they are scrapped.

Motor vehicles that reach the criteria for scrapping shall not run on roads. The large passenger cars, trucks and other commercial vehicles that are scrapped shall be disintegrated under the supervision of the traffic control departments of the public security organs.

REVISION DRAFT - ENGLISH

Article 19 The State implements a compulsory scrapping system for motor vehicles and stipulates different scrapping standards based on the safety technical status and different uses of motor vehicles.

Motor vehicles that shall be scrapped must be deregistered in a timely manner.

Motor vehicles that have reached scrapping standards are not allowed to be driven on the road. Scraped large passenger cars, heavy trucks and other commercial vehicles and school buses shall be dismantled under the supervision of the traffic management department of the public security organ.

现 行 法	修 订 草 案
及其他营运车辆应当在公安机关交通管理部门的监督下解体。	车、重型货车等营运车辆和校车应当在公安机关交通管理部门的监督下解体。
第十五条 警车、消防车、救护车、工程救险车应当按照规定喷涂标志图案，安装警报器、标志灯具。其他机动车不得喷涂、安装、使用上述车辆专用的或者与其相类似的标志图案、警报器或者标志灯具。 警车、消防车、救护车、工程救险车应当严格按照规定的用途和条件使用。 公路监督检查的专用车辆，应当依照公路法的规定，设置统一的标志和示警灯。	第二十条 警车、消防救援车、救护车、工程救险车应当按照规定喷涂标志图案，安装警报器、标志灯具。其他机动车不得喷涂、安装、使用上述车辆专用的或者与其相类似的标志图案、警报器或者标志灯具。 警车、消防救援车、救护车、工程救险车应当严格按照规定的用途和条件使用。 公路监督检查的专用车辆，应当依照《中华人民共和国公路法》的规定，设置统一的标志和示警灯。
第十六条 任何单位或者个人不得有下列行为： （一）拼装机动车或者擅自改变机动车已登记的结构、构造或者特征； （二）改变机动车型号、发动机号、车架号或者车辆识别代号； （三）伪造、变造或者使用伪造、变造的机动车登记证书、号牌、行驶证、检验合格标志、保险标志； （四）使用其他机动车的登记证书、号牌、行驶证、检验合格标志、保险标志。	第二十一条 任何单位和个人不得有下列行为： （一）拼装机动车或者擅自改变机动车已登记的结构、构造、特征或者安全技术参数等违反国家规定的改装行为； （二）改变机动车型号、发动机号、车架号或者车辆识别代号； （三）伪造、变造或者使用伪造、变造的机动车登记证书、号牌、行驶证、检验合格标志、保险标志； （四）使用其他机动车的登记证书、号牌、行驶证、检验合格标

CURRENT LAW - ENGLISH

Article 15 Different signs for police vans, fire engines, ambulances and engineering rescue vehicles shall, in accordance with relevant regulations, be sprayed or painted on them, and these vehicles shall be installed with alarm sirens and signal lights. No signs specially for the vehicles mentioned above or anything similar to such signs shall be sprayed or painted on other motor vehicles, and no alarm sirens or signal lights specially for the said vehicles or anything similar to such sirens or lights shall be installed on them or used.

Police vans, fire engines, ambulances and engineering rescue vehicles shall be used strictly in accordance with their specified purposes of use and conditions.

The vehicles specially used for highway supervision and inspection shall be equipped with unified signs and warning lights in accordance with the provisions of the Highway Law.

Article 16 No units or individuals shall do the following:

- (1) assembling motor vehicles or altering the registered composition, structure or features of motor vehicles without authorization;
- (2) changing the models of motor vehicles, their engine number, chassis number or the identification code of the vehicles;
- (3) falsifying or counterfeiting or using falsified or counterfeited certificates of registration, number plates, licenses, stickers of the inspection certificates or insurance labels of motor vehicles; or
- (4) using the certificates of registration, number plates, licenses, stickers of the inspection certificates or insurance labels of other motor vehicles.

REVISION DRAFT - ENGLISH

Article 20 Police vehicles, fire rescue vehicles, ambulances, and engineering rescue vehicles shall be spray-painted with logo patterns and installed with sirens and logo lights in accordance with regulations. Other motor vehicles are not allowed to spray paint, install or use logos, sirens or lighting fixtures specific to or similar to the above-mentioned vehicles.

Police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles shall be used strictly in accordance with the prescribed purposes and conditions.

Special vehicles used for highway supervision and inspection shall be equipped with uniform signs and warning lights in accordance with the provisions of the Highway Law of the People's Republic of China.

Article 21 No unit or individual may engage in the following acts:

- (1) Assembling a motor vehicle or changing the registered structure, structure, features or safety technical parameters of the motor vehicle without authorization and other modifications that violate national regulations;
- (2) Change the motor vehicle model, engine number, frame number or vehicle identification number;
- (3) Forge, alter, or use forged or altered motor vehicle registration certificates, license plates, driving licenses, inspection marks, and insurance marks;
- (4) Use the registration certificate, number plate, driving license, inspection mark, and insurance mark of other motor vehicles.

现 行 法	修订草案
	志、保险标志。
第十七条 国家实行机动车第三者责任强制保险制度，设立道路交通事故社会救助基金。具体办法由国务院规定。	第二十二条 国家实行机动车交通事故责任强制保险制度，设立道路交通事故社会救助基金。具体办法由国务院制定。 机动车所有人、管理人应当投保机动车交通事故责任强制保险，机动车交通事故责任强制保险费率应当与机动车道路交通安全违法行为、道路交通事故联系浮动。机动车所有人、管理人、驾驶人等应当及时将机动车道路交通安全违法行为、道路交通事故处理完毕。 保险公司可以依法查询投保机动车交通事故责任强制保险的机动车的道路交通安全违法行为、道路交通事故处理相关信息。
第十八条第三款 非机动车的外形尺寸、质量、制动器、车铃和夜间反光装置，应当符合非机动车安全技术标准。	第二十三条 非机动车应当符合强制性国家标准。禁止生产、进口、销售不符合强制性国家标准的非机动车，国家另有规定的除外。 禁止擅自改动已登记的非机动车的结构、构造、特征或者安全技术参数。 电动自行车生产企业应当采取有效措施，完善防篡改要求，防止在销售、使用环节对安全技术参数进行改动。

CURRENT LAW - ENGLISH

Article 17 The State practises the system of the compulsory third party liability insurance for motor vehicles and establishes the social relief fund for road traffic accidents. Specific measures in this regard shall be formulated by the State Council.

Article 18 Non-motor vehicles required for registration according to law shall run on roads only after they are registered with the traffic control departments of the public security organs.

The types of non-motor vehicles required for registration according to law shall be specified by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government in light of the actual local conditions.

The external size, quality, brake, handle-bar bell and night reflectors of a non-motor vehicle shall be in conformity with the safety and technical standards for non-motor vehicles.

Section 2 Drivers of Motor Vehicles

REVISION DRAFT - ENGLISH

Article 22 The State implements a compulsory motor vehicle traffic accident liability insurance system and establishes a road road road road traffic accident social assistance fund. Specific measures shall be formulated by the State Council.

Motor vehicle owners and managers shall purchase compulsory motor vehicle traffic accident liability insurance, and the premium rates for compulsory motor vehicle traffic accident liability insurance shall fluctuate in relation to motor vehicle road traffic safety violations and road traffic crashes. Motor vehicle owners, managers, drivers, etc. shall promptly handle motor vehicle road traffic safety violations and road traffic crashes.

Insurance companies may, in accordance with the law, inquire about road traffic safety violations and road traffic crash handling related information of motor vehicles covered by compulsory motor vehicle traffic accident liability insurance.

Article 23 Non-motor vehicles shall comply with mandatory national standards. It is prohibited to produce, import, and sell non-motor vehicles that do not meet mandatory national standards, unless otherwise stipulated by the State.

It is prohibited to modify the structure, structure, features or safety technical parameters of registered non-motor vehicles without authorization.

Electric bicycle manufacturers shall take effective measures to improve anti-tampering requirements and prevent changes to safety technical parameters during sales and use.

现 行 法	修订草案
第十八条 依法应当登记的非机动车，经公安机关交通管理部门登记后，方可上道路行驶。 依法应当登记的非机动车的种类，由省、自治区、直辖市人民政府根据当地实际情况规定。 非机动车的外形尺寸、质量、制动器、车铃和夜间反光装置，应当符合非机动车安全技术标准。 （相关内容移至修订草案第二十三条）	第二十四条 依法应当登记的非机动车，经公安机关交通管理部门登记并发放号牌后，方可上道路行驶。 省、自治区、直辖市人民政府根据本行政区域的实际情况，规定应当登记的非机动车的种类、登记条件和程序，但是不得对非机动车的品牌、产地等作出限制。
	第二十五条 鼓励和引导电动自行车所有人、管理人为电动自行车以及其驾驶人、乘车人投保保险。
	第二十六条 车辆所有人、管理人应当加强车辆状况检查，确保车辆保持良好安全技术性能，号牌按照规定悬挂并保持清晰、完整；发现车辆存在安全隐患的，应当及时维修处理。车辆在安全隐患消除前，不得上道路行驶。车辆所有人、管理人应当提醒车辆驾驶人遵守道路交通安全法律、法规。
第二节 机动车驾驶人	第二节 机动车驾驶人
第十九条 驾驶机动车，应当依法取得机动车驾驶证。 申请机动车驾驶证，应当符合国务院公安部门规定的驾驶许可条件；经考试合格后，由公安机关	第二十七条 驾驶机动车，应当依法取得机动车驾驶证。 申请机动车驾驶证，应当符合国务院公安部门规定的驾驶许可条件；经考试合格后，由公安机关

CURRENT LAW - ENGLISH

Article 19 To drive a motor vehicle, one shall obtain a motor vehicle driver's license according to law.

An applicant for motor vehicle driver's license shall meet the requirements for driver's license specified by the department for public security under the State Council; and after passing the examination, the applicant shall be issued by the traffic control department of the public security organ the driver's license commensurate with the type of the motor vehicle.

A person holding a motor vehicle driver's license of another country who meets the requirements for driver's license specified by the department for public security under the State Council and passes the examination by the traffic control department of the public security organ shall be issued a Chinese motor vehicle driver's license.

The driver shall drive the approved type of motor vehicle clearly stated in the driver's license; and when driving a motor vehicle, he shall keep the driver's license handy.

No units or individuals, except the traffic control departments of the public security organs, shall confiscate or suspend motor vehicle driver's licenses.

REVISION DRAFT - ENGLISH

Article 24 Non-motor vehicles that must be registered according to law may only be driven on the road after being registered and issued a number plate by the traffic management department of the public security organ.

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, based on the actual conditions of their respective administrative regions, stipulate the types of non-motor vehicles that shall be registered, registration conditions and procedures, but shall not Restrictions will be imposed on the brand and origin of non-motor vehicles.

Article 25 Encourage and guide electric bicycle owners and managers to insure electric bicycles and their drivers and passengers.

Article 26 Vehicle owners and managers shall strengthen vehicle condition inspections to ensure that the vehicles maintain good safety and technical performance, and the license plates are hung in accordance with regulations and kept clear and complete; if a vehicle is found to have safety hazards, it shall be repaired and dealt with in a timely manner. Vehicles are not allowed to drive on the road until the safety hazard is eliminated. Vehicle owners and managers shall remind vehicle drivers to comply with road traffic safety laws and regulations.

Article 27 To drive a motor vehicle, one must obtain a motor vehicle driving license in accordance with the law.

To apply for a motor vehicle driving license, one must meet the driving license conditions specified by the public security department under the State Council; after passing the examination, the traffic management department of the public security organ will issue a motor vehicle driving license for the corresponding permitted type of vehicle. The specific methods for applying for and using a motor vehicle driving license shall be formulated by the public security department under the State Council.

Persons holding overseas motor vehicle driving licenses who meet the driving license conditions stipulated by the public security department under the State Council and who pass the assessment of the traffic management department of the public security organ may be issued a Chinese motor vehicle driving license for the corresponding permitted driving type, or, in accordance with the agreement signed with the relevant country or region, persons holding an overseas motor vehicle driving license are allowed to directly drive the corresponding permitted driving type of motor vehicle within the country or exchange for a Chinese motor vehicle driving license for the corresponding permitted driving type.

Drivers shall drive motor vehicles in accordance with the permitted driving types stated on their driving licenses;

When driving, you shall carry your motor vehicle driving license or electronic driving license.

No unit or individual other than the traffic management department of the public security organ may collect or detain a motor vehicle driving license.

Motor vehicle driving licenses shall be stipulated in format and supervised by the public security department under the State Council.

现 行 法	修订草案
交通管理部门发给相应类别的机动车驾驶证。 持有境外机动车驾驶证的人，符合国务院公安部门规定的驾驶许可条件，经公安机关交通管理部门考核合格的，可以发给中国的机动车驾驶证。 驾驶人应当按照驾驶证载明的准驾车型驾驶机动车；驾驶机动车时，应当随身携带机动车驾驶证。 公安机关交通管理部门以外的任何单位或者个人，不得收缴、扣留机动车驾驶证。	交通管理部门发给相应准驾车型的机动车驾驶证。机动车驾驶证申领和使用的具体办法，由国务院公安部门制定。 持有境外机动车驾驶证的人员，符合国务院公安部门规定的驾驶许可条件，经公安机关交通管理部门考核合格的，可以发给相应准驾车型的中国机动车驾驶证，或者依照与相关国家、地区签署的协议，允许持有境外机动车驾驶证的人员在境内直接驾驶相应准驾车型的机动车或者换领相应准驾车型的中国机动车驾驶证。 驾驶人应当按照驾驶证载明的准驾车型驾驶机动车；驾驶机动车时，应当携带机动车驾驶证或者电子驾驶证。 公安机关交通管理部门以外的任何单位和个人不得收缴、扣留机动车驾驶证。 机动车驾驶证，由国务院公安部门规定式样并监制。
第二十条 机动车的驾驶培训实行社会化，由交通运输主管部门对驾驶培训学校、驾驶培训班实行备案管理，并对驾驶培训活动加强监督，其中专门的拖拉机驾驶培训学校、驾驶培训班由农业（农业机械）主管部门实行监督管理。	第二十八条 机动车的驾驶培训实行社会化，由交通运输主管部门对驾驶培训学校、驾驶培训班实行备案管理，并对驾驶培训活动加强监督，其中专门的拖拉机驾驶培训学校、驾驶培训班由农业农村主管部门实行备案管理，并对驾驶

CURRENT LAW - ENGLISH

Article 20 Driving training for motor vehicles shall be market-based. The competent transportation department shall place driving schools and driving training classes on record and strengthen supervision over driving training activities; specialized tractor-driving schools and classes shall be supervised and administered by the competent department of agriculture (agricultural machinery).

REVISION DRAFT - ENGLISH

Article 28 Driving training for motor vehicles shall be socialized. The competent transportation department shall implement record-keeping management of driving training schools and driving training classes, and strengthen supervision of driving training activities. Specialized tractor driving training schools and driving training classes shall be subject to record-keeping management by the competent agricultural and rural authorities, and shall strengthen supervision of driving training activities.

Driving training schools and driving training classes shall strictly follow relevant national regulations, strengthen the management of coaches, and train students on road traffic safety laws and regulations, driving skills, civilized driving, risk identification, and emergency response to ensure the quality of training.

The driving training and testing authorities and any other state agency shall not organize or participate in the organization of driving training schools or driving training classes.

现 行 法	修订草案
驾驶培训学校、驾驶培训班应当严格按照国家有关规定，对学员进行道路交通安全法律、法规、驾驶技能的培训，确保培训质量。 任何国家机关以及驾驶培训和考试主管部门不得举办或者参与举办驾驶培训学校、驾驶培训班。	培训活动加强监督。 驾驶培训学校、驾驶培训班应当严格按照国家有关规定，加强教练员管理，对学员进行道路交通安全法律法规、驾驶技能、文明驾驶、风险识别、应急处置的培训，确保培训质量。 驾驶培训和考试主管部门以及任何其他国家机关不得举办或者参与举办驾驶培训学校、驾驶培训班。
第二十一条 驾驶人驾驶机动车上道路行驶前，应当对机动车的安全技术性能进行认真检查；不得驾驶安全设施不全或者机件不符合技术标准等具有安全隐患的机动车。	第二十九条 驾驶人驾驶机动车上道路行驶前，应当对机动车的安全技术性能、号牌进行认真检查，确保机动车保持良好安全技术性能，号牌保持清晰、完整；不得驾驶安全设施不全或者机件不符合技术标准等具有安全隐患、未按照规定悬挂号牌、使用伪造或者变造的号牌、号牌污损或者被遮挡的机动车。
第二十二条 机动车驾驶人应当遵守道路交通安全法律、法规的规定，按照操作规范安全驾驶、文明驾驶。 饮酒、服用国家管制的精神药品或者麻醉药品，或者患有妨碍安全驾驶机动车的疾病，或者过度疲劳影响安全驾驶的，不得驾驶机动车。	第三十条 机动车驾驶人应当遵守道路交通安全法律、法规，按照操作规范安全驾驶、文明驾驶。 饮酒、服用国家管制的麻醉药品或者精神药品、使用其他影响安全驾驶的成瘾性物质，患有妨碍安全驾驶的疾病，或者过度疲劳影响安全驾驶的人员，不得驾驶机动

CURRENT LAW - ENGLISH

Article 21 Before driving a motor vehicle on roads, the driver shall carefully check the safety and technical performance of the motor vehicle; and he shall not drive a motor vehicle with hidden troubles endangering safety, e.g., the safety facilities are incomplete or the parts are not in conformity with the safety and technical standards.

Article 22 A motor vehicle driver shall observe the provisions of the laws and regulations on road traffic safety and, in accordance with the operating instructions, drive the vehicle safely and civilly.

A person who drinks alcohol, or takes psychotropic substances or narcotic drugs which are under State control, or suffers from diseases that prevent him from driving a motor vehicle safely, or cannot drive safely due to over-fatigue shall not drive a motor vehicle.

No one shall force or instigate a driver to drive a motor vehicle in violation of the laws and regulations on road traffic safety or of the requirements for safe driving of motor vehicles, or connive at such violations.

REVISION DRAFT - ENGLISH

Article 29 Before driving a motor vehicle on the road, a driver shall carefully inspect the safety and technical performance of the motor vehicle and the license plate to ensure that the motor vehicle maintains good safety and technical performance and that the license plate remains clear and complete; he shall not drive a motor vehicle with incomplete safety facilities or parts that do not meet technical standards or other potential safety hazards, or with a license plate that is not hung in accordance with regulations, or with a forged or altered license plate, or with a stained or blocked license plate.

Article 30 Motor vehicle drivers shall abide by road traffic safety laws and regulations, and drive safely and civilly in accordance with operating specifications.

Drinking alcohol, taking state-controlled narcotic drugs or psychotropic drugs, or using other drugs
Persons who have addictive substances that affect safe driving, suffer from diseases that impede safe driving, or are overtired that affect safe driving are not allowed to drive motor vehicles. The types of diseases that hinder safe driving shall be stipulated by the public security department under the State Council in conjunction with the health authority of the State Council.

No unit or individual may force, instigate or condone drivers to drive motor vehicles in violation of road traffic safety laws, regulations and motor vehicle safe driving requirements.

现 行 法	修订草案
任何人不得强迫、指使、纵容驾驶人违反道路交通安全法律、法规和机动车安全驾驶要求驾驶机动车。	车。妨碍安全驾驶的疾病的种类，由国务院公安部门会同国务院卫生健康主管部门规定。 任何单位和个人不得强迫、指使、纵容驾驶人违反道路交通安全法律、法规和机动车安全驾驶要求驾驶机动车。
第二十三条 公安机关交通管理部门依照法律、行政法规的规定，定期对机动车驾驶证实施审验。	第三十一条 公安机关交通管理部门依照法律、行政法规的规定，定期对机动车驾驶证实施审验。
第二十四条 公安机关交通管理部门对机动车驾驶人违反道路交通安全法律、法规的行为，除依法给予行政处罚外，实行累积记分制度。公安机关交通管理部门对累积记分达到规定分值的机动车驾驶人，扣留机动车驾驶证，对其进行道路交通安全法律、法规教育，重新考试；考试合格的，发还其机动车驾驶证。 对遵守道路交通安全法律、法规，在 <u>一年</u> 内无累积记分的机动车驾驶人，可以延长机动车驾驶证的审验期。具体办法由国务院公安部门 <u>规定</u> 。	第三十二条 公安机关交通管理部门对机动车驾驶人违反道路交通安全法律、法规的行为，除依法给予行政处罚外，实行累积记分制度。公安机关交通管理部门对累积记分达到规定分值的机动车驾驶人，扣留机动车驾驶证，对其进行道路交通安全法律、法规 <u>和</u> 相关知识教育，重新考试；考试合格的，发还其机动车驾驶证。 对遵守道路交通安全法律、法规，在 <u>一个记分周期</u> 内无累积记分的机动车驾驶人，可以延长其机动车驾驶证的审验期。 累积记分管理 的具体办法，由国务院公安部门制定。
第三章 道路通行条件	第三章 道路通行条件
第二十五条 全国实行统一的道路交通信号。	第三十三条 全国实行统一的道路交通信号。

CURRENT LAW - ENGLISH

Article 23 Traffic control departments of the public security organs shall, in accordance with the provisions of laws and administrative regulations, regularly examine and check motor vehicle driver's licenses.

Article 24 With respect to the violations of the laws and regulations on road traffic safety committed by motor vehicle drivers, traffic control departments of the public security organs shall practise the system of cumulative recording of points, in addition to imposition of administrative punishment on the said drivers according to law. The traffic control department of the public security organ shall suspend the motor vehicle driver's license of the driver whose accumulated number of the points recorded reaches the specified total, give him instructions in the laws and regulations on road traffic safety and have him take an examination again; and if the driver passes the examination, the driver's license shall be returned to him.

With respect to the motor vehicle drivers who observe the laws and regulations on road traffic safety and have no cumulative points recorded for the year, the specified time for examining and checking their driver's licenses may be extended. The specific measures in this regard shall be formulated by the department for public security under the State Council.

Chapter III Conditions for Road Passage

Article 25 Uniform road traffic signals shall be used throughout the country.

Traffic signals include the traffic signal lights, traffic signs, traffic line markings and direction by the traffic police.

Traffic signal lights and traffic signs shall be installed and traffic lines marked in conformity with the requirements for road traffic safety and unimpeded passage and with State standards, and they shall be kept clear, conspicuous, accurate and in good condition.

In light of the need of passage, road traffic signals shall be added, replaced or renewed in a timely manner. Where restrictive road traffic signals are to be added, replaced or renewed, the matter shall be made known to the public in advance and wide publicity shall be made.

REVISION DRAFT - ENGLISH

Article 31 The traffic management department of the public security organ shall conduct regular inspections of motor vehicle driving licenses in accordance with the provisions of laws and administrative regulations.

Article 32 The traffic management department of the public security organ shall, in addition to imposing administrative penalties in accordance with the law, implement a cumulative points system for motor vehicle drivers who violate road traffic safety laws and regulations. The traffic management department of the public security organ shall detain the motor vehicle driving license of motor vehicle drivers whose cumulative demerit points reach the specified value, educate them on road traffic safety laws, regulations and related knowledge, and retake the examination; if they pass the examination, their motor vehicle driving license shall be returned.

For motor vehicle drivers who comply with road traffic safety laws and regulations and do not accumulate points within a scoring period, the verification period of their motor vehicle driving licenses can be extended.

Specific measures for the management of accumulated points shall be formulated by the public security department under the State Council.

Article 33 Uniform road traffic signals shall be implemented throughout the country.

Traffic signals include traffic lights, traffic signs, traffic markings and traffic police commands.

Traffic lights, traffic signs, traffic markings and their settings shall comply with laws, regulations, mandatory national standards and requirements for promoting safe and smooth road traffic, and shall be kept clear, eye-catching, accurate and intact.

According to traffic needs, road traffic signals shall be added, replaced, and updated in a timely manner.

The addition, replacement, and update of restrictive road traffic signals must be announced to the public in advance and widely publicized.

现 行 法	修订草案
交通信号包括交通信号灯、交通标志、交通标线和交通警察的指挥。 交通信号灯、交通标志、交通标线^的设置应当符合道路交通安全、畅通的要求^{和国家标准}，并保持清晰、醒目、准确、完好。 根据通行需要，应当及时增设、调换、更新道路交通信号。增设、调换、更新限制性的道路交通信号，应当提前向社会公告，广泛宣传。	交通信号包括交通信号灯、交通标志、交通标线和交通警察的指挥。 交通信号灯、交通标志、交通标线^{以及其}设置应当符合法律、法规、强制性国家标准和促进道路交通安全、畅通的要求，并保持清晰、醒目、准确、完好。 根据通行需要，应当及时增设、调换、更新道路交通信号。增设、调换、更新限制性的道路交通信号，应当提前向社会公告，广泛宣传。
第二十六条 交通信号灯由红灯、绿灯、黄灯组成。红灯表示禁止通行，绿灯表示准许通行，黄灯表示警示。	第三十四条 交通信号灯由红灯、绿灯、黄灯组成。红灯表示禁止通行，绿灯表示准许通行，黄灯表示警示。
第二十七条 铁路与道路平面交叉的道口，应当设置警示灯、警示^示标志或者安全防护设施[。]无人看守的铁路道口，应当在距道口一定距离处设置警示^示标志。	第三十五条 铁路与道路平面交叉的道口，应当设置警示灯、警告标志或者安全防护设施；无人看守的铁路道口，^{还应当}在距道口一定距离处设置警告标志。 隧道应当按照国家有关规定设置交通信号灯、交通标志、交通标线等交通设施。
第二十八条 任何单位和个人不得擅自设置、移动、占用、损毁交通信号灯、交通标志、交通标线。 道路两侧及隔离带上种植的	第三十六条 任何单位和个人不得擅自设置、移动、占用、^{遮挡、涂改、}损毁交通信号灯、交通标志、交通标线^{等交通设施以及交通技术监控设备。}

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Article 26 Traffic signals are composed of red, green and yellow lights. The red light stands for no through traffic; the green light stands for passage permitted; and the yellow light stands for warning.

Article 27 Warning lights, warning signs or protective safety facilities shall be put up at the level crossing of railroads and roads. Where there are no guards for a railroad crossing, warning signs shall be put up at a certain distance from the crossing.

Article 28 No units or individuals shall, without authorization, put up, remove, occupy or damage traffic signal lights, traffic signs and traffic line markings.

A necessary distance shall be kept between the trees and other plants planted, or the billboards, pipelines, etc. installed, on both sides of the roads and along isolation belts, on the one hand, and the traffic facilities, on the other, so that they do not shield road lamps, traffic signal lights and traffic signs, or obstruct the safe range of visibility, or impede the flow of traffic.

REVISION DRAFT - ENGLISH

Article 34 Traffic lights consist of red lights, green lights and yellow lights. A red light indicates that passage is prohibited, a green light indicates that passage is permitted, and a yellow light indicates a warning.

Article 35 Warning lights, warning signs or safety protection facilities shall be installed at intersections where railways and roads intersect on a plane level; warning signs shall also be installed at unguarded railway crossings at a certain distance from the crossing.

Tunnels shall be equipped with traffic lights, traffic signs, traffic markings and other traffic facilities in accordance with relevant national regulations.

Article 36 No unit or individual may set up, move, occupy, block, alter or damage traffic lights, traffic signs, traffic markings and other traffic facilities as well as traffic technical monitoring equipment without authorization.

Trees or other plants planted on both sides of the road and on the isolation belt, billboards, pipelines, etc. must be kept at a necessary distance from traffic facilities, and must not block street lights, traffic lights, traffic signs, and traffic technical monitoring equipment, or hinder safe sight distance, or affect traffic.

现 行 法	修订草案
树木或者其他植物，设置的广告牌、管线等，应当与交通设施保持必要的距离，不得遮挡路灯、交通信号灯、交通标志，不得妨碍安全视距，不得影响通行。	道路两侧以及隔离带上种植的树木或者其他植物，设置的广告牌、管线等，应当与交通设施保持必要的距离，不得遮挡路灯、交通信号灯、交通标志以及交通技术监控设备，不得妨碍安全视距，不得影响通行。
第二十九条 道路、停车场和道路配套设施的规划、设计、建设，应当符合道路交通安全、畅通的要求，并根据交通需求及时调整。 公安机关交通管理部门发现已经投入使用的道路存在交通事故频发路段，或者停车场、道路配套设施存在交通安全严重隐患的，应当及时向当地人民政府报告，并提出防范交通事故、消除隐患的建议，当地人民政府应当及时作出处理决定。	第三十七条 新建、改建、扩建城市建设项目，应当按照规定由县级以上地方人民政府组织有关部门进行交通影响评价。在依法设立的开发区、新区和其他有条件的区域，对交通影响评价推行区域评估。 新建、改建、扩建道路、停车场，设置交通信号灯、交通标志、交通标线、过街设施等道路配套设施，应当符合有关技术标准、技术规范和促进道路交通安全、畅通、无障碍的要求。道路配套设施应当与道路、停车场主体工程同步设计、同步建设、同步验收、同步投入使用，并根据交通需求及时调整。 第三十八条 道路养护单位、道路配套设施养护单位应当会同有关单位按照规定排查、治理由其负责养护的道路、道路配套设施的安全隐患。交通运输、住房城乡建设等主管部门和公安机关交通管

CURRENT LAW - ENGLISH

Article 29 Roads, parking lots and road supporting facilities shall be planned, designed and constructed in conformity with the requirements of road traffic safety and unimpeded flow of traffic, and shall be readjusted in a timely manner to meet traffic needs.

When the traffic control department of the public security organ discovers that traffic crash occurs frequently in certain sections of a road already open to traffic, or serious hidden troubles endangering traffic safety exist at parking lots or in road supporting facilities, it shall report the matter to the local people's government without delay, and put forth proposals for prevention of traffic crashes and for removal of the hidden troubles, and the local people's government shall make a timely decision on how to deal with them.

REVISION DRAFT - ENGLISH

Article 37 For new construction, reconstruction, and expansion of urban construction projects, the local people's government at or above the county level shall organize relevant departments to conduct traffic impact assessments in accordance with regulations. exist In development zones, new districts and other qualified areas established in accordance with the law, regional assessments will be implemented for traffic impact assessment.

Newly constructed, renovated, expanded roads, parking lots, and the installation of road supporting facilities such as traffic lights, traffic signs, traffic markings, and street crossing facilities shall comply with relevant technical standards, technical specifications, and requirements for promoting safe, smooth, and barrier-free road traffic. Road supporting facilities shall be designed, constructed, accepted and put into use simultaneously with the main projects of roads and parking lots, and shall be adjusted in a timely manner according to traffic needs.

Article 38 Road maintenance units and road supporting facilities maintenance units shall work with relevant units to investigate and control potential safety hazards of the roads and road supporting facilities that they are responsible for maintaining in accordance with regulations. The competent departments of transportation, housing and urban-rural development, and the traffic management departments of the public security organs shall strengthen the supervision and management of road maintenance units, road supporting facility maintenance units, etc. to investigate and control potential safety hazards.

If the traffic management department of the public security organ discovers that a road that has been put into use has a section where traffic crashes are frequent, or that there are serious traffic safety hazards in parking lots and road supporting facilities, it shall report to the local people's government in a timely manner together with the relevant competent departments and put forward suggestions for preventing traffic crashes and controlling hidden dangers. The local people's government shall make a timely decision to deal with the problem.

If any unit or individual discovers that roads or road supporting facilities have potential traffic safety hazards or affects traffic efficiency, they may report it to the road maintenance unit, road supporting facility maintenance unit or relevant competent departments such as transportation, housing and urban-rural development, public security organs and traffic management, or through the government service convenience hotline. The unit that receives the report shall verify and handle it in a timely manner or transfer it to the relevant unit for processing.

现 行 法	修订草案
	理部门应当加强对道路养护单位、道路配套设施养护单位等排查、治理安全隐患情况的监督管理。 公安机关交通管理部门发现已经投入使用的道路存在交通事故频发路段，或者停车场、道路配套设施存在严重安全隐患的，应当会同有关主管部门及时向当地人民政府报告，并提出防范交通事故、治理隐患的建议，当地人民政府应当及时作出处理决定。 任何单位和个人发现道路、道路配套设施存在安全隐患或者影响通行效率的，可以向道路养护单位、道路配套设施养护单位或者交通运输、住房城乡建设、公安机关交通管理等有关主管部门，或者通过政务服务便民热线反映，接到反映的单位应当及时核实、处理或者转交有关单位处理。
第三十条 道路出现坍塌、坑槽、水毁、隆起等损毁或者交通信号灯、交通标志、交通标线等交通设施损毁、灭失的，道路、交通设施的养护部门或者管理部门应当设置警示标志并及时修复。 公安机关交通管理部门发现前款情形，危及交通安全，尚未设置警示标志的，应当及时采取安全措施，疏导交通，并通知道路、交	第三十九条 道路出现坍塌、坑槽、水毁、隆起等损毁或者交通信号灯、交通标志、交通标线等交通设施损毁、灭失的，道路、交通设施的养护单位应当设置警告标志并及时修复。 公安机关交通管理部门发现前款情形，危及交通安全，尚未设置警告标志的，应当及时采取安全措施，疏导交通，并通知道路、交

CURRENT LAW - ENGLISH

Article 30 Where roads are so damaged as to cave in, become bumpy or ruined by water, or bulge out, or where such traffic facilities as traffic signal lights, traffic signs and traffic line markings are damaged or disappeared, the maintenance or control department for road and traffic facilities shall put up warning signs, and make repairs without delay.

When the traffic control department of the public security organ finds the situations as mentioned in the preceding paragraph, which endanger traffic safety and for which no warning signs are put up, it shall take safety measures in good time, regulate the flow of traffic, and inform the maintenance or administration department for road and traffic facilities of the matter.

REVISION DRAFT - ENGLISH

Article 39 If a road is damaged such as collapse, potholes, water damage, or bulging, or if traffic lights, traffic signs, traffic markings and other traffic facilities are damaged or lost, the maintenance unit of the road and traffic facilities shall set up warning signs and repair them in a timely manner.

If the traffic management department of the public security organ discovers that the situation in the preceding paragraph endangers traffic safety and has not set up warning signs, it shall promptly take safety measures to divert traffic and notify the maintenance units or management departments of roads and traffic facilities.

现 行 法	修订草案
通设施的养护部门或者管理部门。	通设施的养护单位或者管理部门。
第三十二条 因工程建设需要占用、挖掘道路，或者跨越、穿越道路架设、增设管线设施，应当事先征得道路主管部门的同意；影响交通安全的，还应当征得公安机关交通管理部门的同意。 施工作业单位应当在经批准的路段和时间内施工作业，并在距离施工作业地点来车方向安全距离处设置明显的安全警示标志，采取防护措施；施工作业完毕，应当迅速清除道路上的障碍物，消除安全隐患，经道路主管部门和公安机关交通管理部门验收合格，符合通行要求后，方可恢复通行。 对未中断交通的施工作业道路，公安机关交通管理部门应当加强交通安全监督检查，维护道路交通秩序。	第四十条 因工程建设需要占用、挖掘道路，或者跨越、穿越道路架设、增设管线等设施，应当事先征得道路主管部门同意；影响交通安全的，道路主管部门应当征得公安机关交通管理部门同意。 施工作业单位应当在经批准的路段和时间内施工作业，并按照规定在距离施工作业地点来车方向安全距离处设置明显的安全警告标志、移动信号灯等交通设施，采取防护措施，必要时按规定安排专人提示车辆、行人注意避让；施工作业完毕，应当迅速清除道路上的障碍物，消除安全隐患，经道路主管部门和公安机关交通管理部门验收合格、符合通行要求后，方可恢复通行。 对未中断交通的施工作业道路，道路等主管部门应当依据职责加强施工作业监督管理，公安机关交通管理部门应当加强交通安全监督管理，维护道路交通秩序。
第三十三条 新建、改建、扩建的公共建筑、商业街区、居住区、大(中)型建筑等，应当配建、增建停车场；停车泊位不足的，应当及时改建或者扩建；投入使用的停车场不得擅自停止使用或者改作	第四十一条 新建、改建、扩建的公共建筑、商业街区、旅游景区、居住区、大中型建筑等，应当配建、增建停车场；停车泊位不足的，应当及时改建或者扩建；投入使用的停车场不得擅自停止使用或

CURRENT LAW - ENGLISH

Article 32 Where it is necessary to occupy or dig a road for construction of projects, or to bury or add pipeline facilities across a road, or above or beneath a road, permission by the department in charge of roads shall be obtained in advance; and where traffic safety may be adversely affected, permission by the traffic control department of the public security organ shall, in addition, be obtained.

The construction unit shall carry out construction in the approved sections of a road and within the approved period of time, and set up conspicuous safety warning signs at the place with the safe distance from the construction site, in the direction of which vehicles are coming, and take protective measures. When construction is completed, it shall immediately remove all the obstacles from the road and eliminate the hidden troubles endangering safety, and only after the road is checked and accepted as up to traffic requirements by the department in charge of roads and the traffic control department of the public security organ, the road may be open to traffic anew.

With respect to a road where traffic is not held up for construction, the traffic control department of the public security organ shall exercise strict supervision over and inspection of traffic safety and maintain road traffic order.

Article 33 In places where public buildings, commercial districts, residential districts, and large (or medium-sized) buildings are constructed, rebuilt or expanded, parking lots shall be constructed or increased to go with them; where parking berths are not enough, the parking lots shall be rebuilt or expanded in a timely manner; and once the parking lots are put into use, their use shall not be discontinued and they shall not be used for other purposes without authorization.

Within the scope of urban streets and on condition that passage of the pedestrians and vehicles are not impeded, the relevant government departments may delimit parking berths.

REVISION DRAFT - ENGLISH

Article 40 If it is necessary to occupy or excavate roads for project construction, or to erect or add pipelines and other facilities across or across roads, the consent of the road competent department must be obtained in advance; if traffic safety is affected, the road competent department shall obtain the consent of the traffic management department of the public security organ.

The construction unit shall carry out construction work within the approved road section and time, and shall set up obvious safety warning signs, mobile lights and other traffic facilities at a safe distance from the construction site in the direction of traffic in accordance with regulations, take protective measures, and arrange for designated personnel to remind vehicles and pedestrians to pay attention to avoidance when necessary. After construction operations are completed, obstacles on the road shall be quickly removed to eliminate safety hazards, and traffic may only be resumed after acceptance by the road authorities and the traffic management department of the public security organ, and the traffic requirements are met.

For roads where construction operations do not interrupt traffic, road and other competent departments shall strengthen supervision and management of construction operations in accordance with their duties, and the traffic management department of the public security organ shall strengthen traffic safety supervision and management to maintain road traffic order.

Article 41 Newly built, renovated or expanded public buildings, commercial blocks, tourist attractions, residential areas, large and medium-sized buildings, etc. shall be equipped with or added parking lots; if there are insufficient parking spaces, they shall be renovated or expanded in a timely manner; the parking lots put into use shall not be used without authorization. Stop using it or use it for other purposes.

Within the scope of urban roads, without affecting the passage of pedestrians and vehicles, relevant government departments may designate parking spaces for motor vehicles or parking areas for non-motor vehicles in accordance with relevant standards.

现 行 法	修订草案
他用。 在<u>城市道路范围内</u>，在不影响行人、车辆通行的情况下，政府有关部门可以施划停车泊位。	者改作他用。 城市道路范围内，在不影响行人、车辆通行的情况下，政府有关部门可以<u>按照有关标准施划机动车停车泊位或者非机动车停车区域</u>。
第三十四条 学校、幼儿园、<u>医院、养老院</u>门前的道路<u>没有行人过街设施的</u>，应当<u>施划人行横道线</u>，设置提示标志。 城市主要道路的人行道，应当按照规划设置盲道。盲道的设置应当符合国家标准。	第四十二条 学校、幼儿园、<u>儿童福利机构、未成年人救助保护机构、养老机构、残疾人服务机构等未成年人、老年人、残疾人等聚集性场所</u>门前的道路，以及医院、交叉路口、商业街区、车站、码头等行人横过道路较为集中的路段，应当设置提示标志，并<u>按照有关标准设置行人过街设施、施划人行横道线</u>。 城市道路应当按照有关标准，建设或者改造无障碍设施。城市主要道路的人行道，应当按照规划设置盲道。盲道的设置应当符合国家标准。
第四章 道路通行规定	第四章 道路通行规定
第一节 一般规定	第一节 一般规定
第三十五条 机动车、非机动车实行右侧通行。	第四十三条 机动车、非机动车实行右侧通行。
	第四十四条 下列车辆、设备、装置、器械、工具不得上道路行驶： （一）未经准许生产、进口的机动车；

CURRENT LAW - ENGLISH

Article 34 Where there are no pedestrian crossings in front of schools, kindergartens, hospitals and homes for the aged, crosswalks shall be marked and standby signs shall be set up.

Blind tracks shall, according to plan, be paved on the sidewalks along the main streets in cities. Such tracks shall be paved in conformity with State standards.

Chapter IV Provisions on Road Passage

Section 1 General Provisions

Article 35 Motor vehicles and non-motor vehicles shall keep to the right of the road.

REVISION DRAFT - ENGLISH

Article 42 On the roads in front of places where minors, the elderly, and the disabled gather, such as schools, kindergartens, child welfare institutions, minors' rescue and protection institutions, nursing homes, and service institutions for the disabled, as well as on sections where pedestrians cross roads such as hospitals, intersections, commercial blocks, stations, and wharfs, warning signs shall be set up, and pedestrian crossing facilities and crosswalks shall be set up in accordance with relevant standards.

Urban roads shall be constructed or renovated with barrier-free facilities in accordance with relevant standards. The sidewalks of major urban roads shall be equipped with blind lanes in accordance with plans. The setting of blind paths shall comply with national standards.

Article 43 Motor vehicles and non-motor vehicles are allowed to pass on the right side.

Article 44 The following vehicles, equipment, devices, instruments and tools are not allowed to be driven on the road:

- (1) Motor vehicles produced or imported without permission;
- (2) Forklifts, off-highway sightseeing vehicles, go-karts and other equipment or devices driven by power devices;
- (3) Motorized wheelchairs and electric bicycles for persons with disabilities that do not meet mandatory national standards
Driving and other vehicles;
- (4) Scooters, unicycles, and self-balancing vehicles driven by power devices;
- (5) Vehicles that shall be registered according to law but have not been registered;
- (6) Other vehicles, equipment, devices, instruments and tools that are not allowed to be driven on roads as stipulated by laws and regulations.

现 行 法	修订草案
	（二）叉车、非公路用旅游观光车、卡丁车等其他有动力装置驱动的设备或者装置； （三）不符合强制性国家标准的残疾人机动轮椅车、电动自行车等车辆； （四）有动力装置驱动的滑板车、独轮车、自平衡车； （五）依法应当登记但未登记的车辆； （六）法律、法规规定的其他不得上道路行驶的车辆、设备、装置、器械、工具。
第三十六条 根据道路条件和通行需要，道路划分为机动车道、非机动车道和人行道的，机动车、非机动车、行人实行分道通行。没有划分机动车道、非机动车道和人行道的，机动车在道路中间通行，非机动车和行人在道路两侧通行。	第四十五条 根据道路条件和通行需要，道路划分为机动车道、非机动车道和人行道的，机动车、非机动车、行人实行分道通行；没有划分机动车道、非机动车道和人行道的，机动车在道路中间通行，非机动车和行人在道路两侧通行。 鼓励和支持在学校、医院、商业中心等行人密集区域采取设置隔离设施和施划标志、标线等方式，实行机动车、非机动车、行人分道通行。
第三十七条 道路划设专用车道的，在专用车道内，只准许规定的车辆通行，其他车辆不得进入专用车道内行驶。	第四十六条 道路划设的专用车道，在专用时段内，只准许规定的车辆通行，其他车辆不得进入专用车道内行驶。

CURRENT LAW - ENGLISH

Article 36 Where in light of the road conditions and the need of traffic flow, roads are divided into motor vehicle lane, non-motor vehicle lane and pedestrian sidewalk, the motor vehicles, non-motor vehicles and pedestrians shall take the lanes and sidewalks respectively. Where roads are not divided into such lanes and sidewalks, motor vehicles shall run in the middle of roads, while non-motor vehicles and pedestrians shall go on the sides of roads.

Article 37 Where a special vehicle lane is marked, only specified vehicles are permitted to use the lane and no other vehicles shall run along such lane.

REVISION DRAFT - ENGLISH

Article 45 According to road conditions and traffic needs, if a road is divided into motor vehicle lanes, non-motor vehicle lanes and sidewalks, motor vehicles, non-motor vehicles and pedestrians shall pass in separate lanes; if there is no division of motor vehicle lanes, non-motor vehicle lanes and sidewalks, motor vehicles shall pass in the middle of the road, and non-motor vehicles and pedestrians shall pass on both sides of the road.

Encourage and support the establishment of isolation facilities and the implementation of signs and markings in areas with dense pedestrians such as schools, hospitals, and commercial centers, and implement separate lanes for motor vehicles, non-motor vehicles, and pedestrians.

Article 46 In the special lanes set up on roads, only specified vehicles are allowed to pass during the special time period, and other vehicles are not allowed to enter the special lanes.

Priority lanes may be designated based on road conditions and traffic needs.

现 行 法	修订草案
	根据道路条件和通行需要，可以划设优先车道。
第三十八条 车辆、行人应当按照交通信号通行；遇有交通警察现场指挥时，应当按照交通警察的指挥通行；在没有交通信号的道路上，应当在确保安全、畅通的原则下通行。	第四十七条 车辆、行人应当按照交通信号通行。遇有交通警察现场指挥时，应当按照交通警察的指挥通行。在没有交通信号的道路上，应当在确保安全、畅通的原则下通行。
第三十九条 公安机关交通管理部门根据道路和交通流量的具体情况，可以对机动车、非机动车、行人采取疏导、限制通行、禁止通行等措施。遇有大型群众性活动、大范围施工等情况，需要采取限制交通的措施，或者作出与公众的道路交通活动直接有关的决定，应当提前向社会公告。	第四十八条 公安机关交通管理部门根据道路和交通流量的具体情况，可以对机动车、非机动车、行人采取疏导、限制通行、禁止通行等措施。遇有大型群众性活动、大范围施工、 重污染天气 等情况，需要采取限制交通的措施，或者作出与公众的道路交通活动直接有关的决定，应当提前向社会公告。 限制交通的措施应当科学、合理、适度、精准。
第四十条 遇有 自然灾害 、恶劣气象条件或者 重大 交通事故等严重影响交通安全的情形，采取其他措施难以保证交通安全时，公安机关交通管理部门可以实行交通管制。	第四十九条 遇有恶劣气象条件或者 自然灾害 、交通事故等严重影响交通安全的情形，采取其他措施难以保证交通安全时，公安机关交通管理部门可以实行交通管制。 实行交通管制需要关闭公路的，公安机关交通管理部门原则上告知交通运输主管部门，交通运输主管部门按照有关规定协同处置。

CURRENT LAW - ENGLISH

Article 38 Vehicles and pedestrians shall go by traffic lights; where traffic policemen direct traffic on the spot, they shall go by the direction of traffic policemen; and where there are no traffic signals, they shall follow the principles of ensured safety and unimpeded traffic.

Article 39 In light of the specific road conditions and the volume of traffic flow, the traffic control department of the public security organ may take such measures as regulating, restricting and prohibiting the flow of traffic with regard to motor vehicles, non-motor vehicles and pedestrians. Under conditions of large-scale mass activities or construction on a wide scale, for which restrictive traffic measures need to be taken, or decisions directly relating to the road traffic activities of the public need to be made, the matter shall be made known to the public in advance.

Article 40 In case of natural calamities, disastrous meteorological conditions, major traffic crashes, or other conditions that have a serious effect on traffic safety, the traffic control department of the public security organ may exercise traffic control, when it is difficult to guarantee traffic safety by taking other measures.

REVISION DRAFT - ENGLISH

Article 47 Vehicles and pedestrians shall pass according to traffic signals. When there is on-site command from the traffic police, you shall pass according to the traffic police's command. On roads without traffic signals, traffic shall be conducted under the principles of ensuring safety and smooth flow.

Article 48 The traffic management department of the public security organ may, based on the specific conditions of the road and traffic flow, take measures such as diversion, restriction of passage, and prohibition of passage for motor vehicles, non-motor vehicles, and pedestrians. In the event of large-scale mass activities, large-scale construction, heavily polluted weather, etc., it is necessary to take measures to restrict traffic or to communicate with the public. Decisions directly related to road traffic activities shall be announced to the public in advance.

Measures to restrict traffic shall be scientific, reasonable, appropriate and precise.

Article 49 In the event of severe weather conditions, natural disasters, traffic crashes or other circumstances that seriously affect traffic safety, and it is difficult to ensure traffic safety by taking other measures, the traffic management department of the public security organ may implement traffic control.

If it is necessary to close a highway to implement traffic control, the traffic management department of the public security organ shall in principle inform the transportation department, and the transportation department shall coordinate the handling in accordance with relevant regulations.

If a road maintenance unit discovers a situation that seriously affects traffic safety in Paragraph 1 of this Article and the situation is urgent, it shall take necessary measures to deal with it in advance, such as setting up warning signs, and promptly report to the transportation department and the traffic management department of the public security organ.

If other units and individuals find that there is a situation that seriously affects traffic safety in the first paragraph of this article and the situation is urgent, they may report it to the traffic management department of the public security organ or the transportation department through the government service convenience hotline or the emergency call system for police assistance or traffic crashes. The navigation platform shall set up an emergency automatic reporting function for situations that seriously affect traffic safety, and promptly share relevant information with the traffic management department of the public security organ and the transportation department.

现 行 法	修订草案
	道路养护单位发现有本条第一款严重影响交通安全的情形并且情况紧急的，应当采取设置警告标志等先行处置必要措施，并及时向交通运输主管部门和公安机关交通管理部门报告。 其他单位和个人发现有本条第一款严重影响交通安全的情形并且情况紧急的，可以通过政务服务便民热线或者报警求助、交通事故等紧急呼叫系统，向公安机关交通管理部门或者交通运输主管部门反映。导航平台应当设置严重影响交通安全情形的紧急自动报告功能，及时向公安机关交通管理部门和交通运输主管部门共享相关信息。
第三十一条 未经许可，任何单位^和个人不得占用道路从事非交通活动。	第五十条 未经许可，任何单位或者个人不得占用道路从事非交通活动。 公安机关交通管理、交通运输、住房城乡建设等主管部门应当加强道路交通安全监督管理，发现违法占用道路从事文化娱乐、体育健身等非交通活动的，应当及时劝阻、制止或者依法处理。 道路养护管理单位应当加强日常巡查管理，发现违法占用道路从事文化娱乐、体育健身等非交通活动的，应当及时劝阻、制止；对

CURRENT LAW - ENGLISH

Article 31 No units or individuals shall, without permission, occupy roads to engage in non-traffic activities.

REVISION DRAFT - ENGLISH

Article 50 No unit or individual may occupy roads to engage in non-traffic activities without permission.

The public security organs, traffic management, transportation, housing and urban-rural development and other competent departments shall strengthen the supervision and management of road traffic safety. If they find that they illegally occupy roads to engage in non-traffic activities such as cultural entertainment, sports and fitness, they shall promptly dissuade, stop or punish them in accordance with the law.

Road maintenance and management units shall strengthen daily inspection and management. If they find that they illegally occupy roads to engage in non-traffic activities such as cultural entertainment, sports and fitness, they shall promptly dissuade and stop them; if they do not listen to the dissuasion and cannot stop them, they shall report to the relevant competent authorities and handle them in accordance with the law.

现 行 法	修订草案
	不听劝阻、不能制止的，应当报告有关主管部门依法处理。
	第五十一条 互联网平台企业利用算法对驾驶机动车、电动自行车配送进行工作调度的，应当考虑行驶限速要求、路况、天气等因素，建立完善订单分配、时间预估、路线规划等算法规则；不得利用算法、平台规则等，强迫、纵容、默许其从业人员违反道路交通安全法律、法规驾驶机动车、电动自行车。 鼓励和支持互联网平台企业监测其从业人员驾驶行为，对超速行驶、逆向行驶、违反交通信号通行等严重道路交通安全违法行为进行自动预警，向公安机关交通管理部门共享预警信息。
第四十一条 有关道路通行的其他具体规定，由国务院规定。	第五十二条 有关道路通行的其他具体规定，由国务院规定。
第二节 机动车通行规定	第二节 机动车通行规定
第四十二条 机动车上道路行驶，不得超过限速标志标明的最高时速。在没有限速标志的路段，应当保持安全车速。 夜间行驶或者在容易发生危险的路段行驶，以及遇有沙尘、冰雹、雨、雪、雾、结冰等气象条件时，应当降低行驶速度。	第五十三条 机动车上道路行驶，不得超过限速标志、限速标线标明的最高时速。在没有限速标志、限速标线的路段，不得超过法律、法规规定的最高时速；法律、法规未规定最高时速的，应当保持安全车速。 夜间行驶或者在容易发生危险的路段行驶，以及遇有沙尘、冰

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Article 41 Other specific regulations on road passage shall be formulated by the State Council.

Section 2 Provisions on the Passage of Motor Vehicles

Article 42 When driving a motor vehicle on roads, the driver shall not exceed the maximum speed per hour shown by the speed limit sign. He shall keep the safety speed along the sections of roads without speed limit signs.

When driving at night or along the sections of roads that are exposed to dangers, or under such meteorological conditions as sandstorm, hailstorm, rain, snow, fog and freeze, the driver shall reduce the speed.

REVISION DRAFT - ENGLISH

Article 51 Internet platform companies that use algorithms to schedule the delivery of motor vehicles and electric bicycles shall consider factors such as speed limits, road conditions, weather, etc., and establish and improve algorithm rules for order allocation, time estimation, route planning, etc.; they shall not use algorithms, platform rules, etc. to force, condone, or acquiesce in their employees to drive motor vehicles and electric bicycles in violation of road traffic safety laws and regulations.

Encourage and support Internet platform companies to monitor the driving behavior of their employees, provide automatic early warnings for serious road traffic safety violations such as speeding, driving in the opposite direction, and violating traffic signals, and share early warning information with the traffic management department of the public security organ.

Article 52 Other specific regulations regarding road access shall be formulated by the State Council.

Article 53 When driving on the road, a motor vehicle shall not exceed the maximum speed indicated by speed limit signs and speed limit markings. On road sections without speed limit signs or markings, the maximum speed stipulated by laws and regulations shall not be exceeded; if the maximum speed is not stipulated by laws or regulations, a safe speed shall be maintained.

Driving at night or on dangerous road sections, and when encountering sand, dust, In weather conditions such as hail, rain, snow, fog, and ice, the driving speed shall be reduced.

现 行 法	修 订 草 案
	電、雨、雪、霧、结冰等气象条件时，应当降低行驶速度。
第四十三条 同车道行驶的机动车，后车应当与前车保持足以采取紧急制动措施的安全距离。有下列情形之一的，不得超车： （一）前车正在左转弯、掉头、超车^的； （二）与对面来车有会车可能^的； （三）前车为执行紧急任务的警车、消防车、救护车、工程救险车^的； （四）行经铁路道口、交叉路口、窄桥、弯道、陡坡、隧道、人行横道、^{市区}交通流量大的路段等没有超车条件的。	第五十四条 同车道行驶的机动车，后车应当与前车保持足以采取紧急制动措施的安全距离。有下列情形之一的，不得超车： （一）前车正在左转弯、掉头、超车； （二）与对面来车有会车可能； （三）前车为执行紧急任务的警车、消防救援车、救护车、工程救险车； （四）行经没有超车条件的铁路道口、交叉路口、窄桥、弯道、陡坡、隧道、人行横道、交通流量大的路段等。 机动车变更车道或者借道行驶，不得影响其他车辆、行人正常通行。
第四十四条 机动车通过交叉路口，应当按照交通信号灯、交通标志、交通标线^{或者}交通警察的指挥通过；通过没有交通信号灯、交通标志、交通标线^{或者}交通警察指挥的交叉路口时，应当减速慢行，并让行人和优先通行的车辆先行。	第五十五条 机动车通过交叉路口，应当按照交通信号灯、交通标志、交通标线、交通警察的指挥通过；通过没有交通信号灯、交通标志、交通标线、交通警察指挥的交叉路口时，应当减速慢行，并让行人和享有道路优先通行权的车辆先行。
第四十五条 机动车遇有前方车辆停车排队等候或者缓慢行驶时，不得借道超车或者占用对面	第五十六条 机动车遇有前方车辆停车排队等候或者缓慢行驶时，不得借道超车或者占用对面

CURRENT LAW - ENGLISH

Article 43 When motor vehicles run in the same lane, the vehicle behind shall keep a safe distance from the vehicle in front, enough for putting on the emergency brake. A vehicle shall not overtake another one under any of the following situations:

- (1) when the vehicle in front is making a left turn or a U turn or overtaking another vehicle;
- (2) when there is the possibility of crossing another vehicle coming from the opposite direction;
- (3) when the vehicle in front is a police van, fire engine, ambulance or engineering rescue vehicle on its way to carry out an emergency task; and
- (4) at a railroad crossing, road crossing, narrow bridge, curve, steep slope, in a tunnel, at a pedestrian crosswalk and a section of an urban road with large volume of traffic flow, etc., where conditions for overtaking are lacking.

Article 44 When passing a road crossing, motor vehicle drivers shall follow the traffic signal lights, traffic signs and traffic line markings, or the direction of traffic police; and when passing a road crossing where there are no traffic signal lights, traffic signs, traffic line markings or direction of traffic police, they shall slow down and let pedestrians and the vehicles enjoying priority pass first.

Article 45 When confronted with a situation in which the motor vehicles in front are standing or running slowly in a queue, the driver shall not overtake them by using another lane or the lane for the vehicles coming from the opposite direction, or cut in the queue.

When confronted with a situation in which motor vehicles are standing or running slowly in a queue at the section or junction of a road where the lanes are decreased, or at a road crossing where there are no traffic signal lights, traffic signs or traffic line markings or direction of traffic police, the motor vehicles shall take turns to pass in order.

REVISION DRAFT - ENGLISH

Article 54 For motor vehicles traveling in the same lane, the vehicle behind shall keep a safe distance from the vehicle in front that is sufficient to take emergency braking measures. Under any of the following circumstances, overtaking is not allowed:

- (1) The vehicle in front is turning left, making a U-turn, or overtaking;
- (2) There is a possibility of meeting the oncoming vehicle;
- (3) The vehicle in front is a police car, fire rescue vehicle, ambulance, or engineering rescue vehicle performing emergency tasks;
- (4) Travel through railway crossings, intersections, narrow bridges, curves, steep slopes, tunnels, crosswalks, sections with heavy traffic flow, etc. where there are no overtaking conditions.

Motor vehicles changing lanes or driving on the same lane shall not affect the normal passage of other vehicles and pedestrians.

Article 55 When a motor vehicle passes through an intersection, it must follow the instructions of traffic lights, traffic signs, traffic markings, and traffic police; when passing through an intersection without traffic lights, traffic signs, traffic markings, or traffic police instructions, it must slow down and give way to pedestrians and vehicles with the right of way.

Article 56 When a motor vehicle encounters a vehicle in front that is parked, waiting in line, or driving slowly, it shall not use the lane to overtake or occupy the opposite lane, or pass through the waiting vehicle.

On road sections and intersections with reduced lanes, or at intersections where there are no traffic lights, traffic signs, traffic markings, or traffic police instructions, motor vehicles must wait in queues or drive slowly, and motor vehicles must pass alternately in sequence.

现 行 法	修订草案
车道，不得穿插等候的车辆。 在车道减少的路段、路口，或者在没有交通信号灯、交通标志、交通标线或者交通警察指挥的交叉路口遇到停车排队等候或者缓慢行驶时，机动车应当依次交替通行。	车道，不得穿插等候的车辆。 在车道减少的路段、路口，或者在没有交通信号灯、交通标志、交通标线、交通警察指挥的交叉路口遇到停车排队等候或者缓慢行驶时，机动车应当依次交替通行。
第四十六条 机动车通过铁路道口时，应当按照交通信号或者管理人员的指挥通行；没有交通信号或者管理人员的，应当减速或者停车，在确认安全后通过。	第五十七条 机动车通过铁路道口时，应当按照交通信号或者管理人员的指挥通行；没有交通信号和管理人员的，应当减速或者停车，在确认安全后通过。
第四十七条 机动车行经人行横道时，应当减速行驶；遇行人正在通过人行横道，应当停车让行。 机动车行经没有交通信号的道路时，遇行人横过道路，应当避让。	第五十八条 机动车行经人行横道时，应当减速行驶；遇行人正在通过人行横道，应当停车让行。 机动车行经没有交通信号的道路时，遇行人横过道路，应当避让。
第四十八条 机动车载物应当符合核定的载质量，严禁超载；载物的长、宽、高不得违反装载要求，不得遗洒、飘散载运物。 机动车运载超限的不可解体的物品，影响交通安全的，应当按照公安机关交通管理部门指定的时间、路线、速度行驶，悬挂明显标志。在公路上运载超限的不可解体的物品，并应当依照公路法的规定执行。	第五十九条 机动车载物应当符合强制性国家标准，不得超过最大允许总质量的限值，二轴载货机动车载物还应当不超过行驶证标明的总质量，严禁超载；载物的长、宽、高不得违反装载要求，不得遗洒、飘散、脱落载运物。 机动车运载超限的不可解体的物品，影响交通安全的，应当按照公安机关交通管理部门指定的时间、路线、速度行驶，悬挂明显

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Article 46 When passing a railroad crossing, the driver shall follow the traffic signals or the direction of the person in charge; and where there are no traffic signals or no person in charge, he shall slow down or stop the vehicle, and pass when he is certain of safety.

Article 47 When passing a pedestrian crosswalk, the driver shall reduce speed; and when pedestrians are passing the crosswalk, the driver shall stop to give way to the pedestrians.

When pedestrians are crossing a road where there are no traffic signals, the driver shall make way.

Article 48 The loaded cargo of a motor vehicle shall be in conformity with the verified loading capacity, and overload is strictly prohibited; the dimensions of the length, width and height of the loaded cargo shall not be at variance with the requirements of loading, and nothing loaded shall be littered or scattered on the way.

Where a motor vehicle carries an indivisible oversize or overload cargo, to the detriment of traffic safety, it shall be driven at a time, along the route and at the speed designated by the traffic control department of the public security organ and hung with conspicuous signs. To the indivisible oversize or overload cargo carried on highways, the provisions of the Highway Law shall be applicable.

Where a motor vehicle carries such dangerous cargoes as explosives, inflammable and explosive chemicals, and highly toxic and radiation cargoes, it shall, with the approval of the public security organ, be driven at a time, along the route and at the speed designated and be hung with warning signs, and the necessary safety measures shall be taken.

REVISION DRAFT - ENGLISH

Article 57 When passing a railway crossing, a motor vehicle shall follow traffic signals or If there are no traffic signals or management personnel, you shall slow down or stop and pass after confirming safety.

Article 58 When a motor vehicle passes through a crosswalk, it shall slow down; when encountering a pedestrian passing through the crosswalk, it shall stop and give way.

When a motor vehicle is traveling on a road without traffic signals and encounters a pedestrian crossing the road, it must give way.

Article 59 The cargo carried by a motor vehicle shall comply with mandatory national standards and shall not exceed the limit of the maximum allowable total mass. The cargo carried by a two-axle cargo motor vehicle shall not exceed the total mass indicated on the driving license, and overloading is strictly prohibited; the length, width, and height of the cargo shall not violate the loading requirements, and the cargo shall not be spilled, scattered, or fallen off.

If a motor vehicle carries items that exceed the limit and cannot be disassembled, affecting traffic safety, it must travel according to the time, route, and speed specified by the traffic management department of the public security organ, and display obvious signs. Carrying items that exceed the limit and cannot be disassembled on the highway shall also be carried out in accordance with the provisions of the Highway Law of the People's Republic of China.

Motor vehicles carrying civilian explosives, fireworks and firecrackers, flammable and explosive chemicals, highly toxic and radioactive materials and other dangerous goods must, after approval by the public security organs, drive according to the designated time, route and speed, hang warning signs and take necessary safety measures. Motor vehicles carrying dangerous goods must comply with relevant laws, regulations and national regulations.

现 行 法	修订草案
机动车载运爆炸物品、易燃易爆化学物品以及剧毒、放射性等危险物品，应当经公安机关批准后，按指定的时间、路线、速度行驶，悬挂警[示]标志并采取必要的安全措施。	标志。在公路上运载超限的不可解体的物品，还应当依照《中华人民共和国公路法》的规定执行。 机动车载运民用爆炸物品、烟花爆竹、易燃易爆化学物品以及剧毒、放射性物品等危险物品，应当经公安机关批准后，按指定的时间、路线、速度行驶，悬挂警告标志并采取必要的安全措施。机动车载运危险物品，应当遵守有关法律、法规和国家规定。
	第六十条 公安机关交通管理部门和交通运输等主管部门应当加强车辆注册登记、运输资质管理和路面执法等相关信息共享，强化治理载货机动车超限超载违法行为联合执法。 交通运输主管部门和公安机关交通管理部门应当联合制定统一的载货机动车超限超载处罚标准并向社会公布。 交通运输主管部门可以设置超限超载检测技术设备，依法收集、固定载货机动车超限超载违法事实。
	第六十一条 重点货运源头单位应当安装称重检测和视频监控等设施设备，落实车辆称重检测要求，防止超限超载车辆上道路行驶，并及时向交通运输主管部门和

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REVISION DRAFT - ENGLISH

Article 60 The traffic management department of the public security organ and the transportation and other competent departments shall strengthen the sharing of relevant information such as vehicle registration, transportation qualification management, and road law enforcement, and strengthen joint law enforcement in the treatment of illegal overloading and overloading of cargo-carrying motor vehicles. The transportation authorities and the traffic management departments of the public security organs shall jointly formulate unified penalty standards for overloading and overloading of cargo-carrying motor vehicles and announce them to the public.

The transportation authorities may set up over-limit and overload detection technical equipment to collect and fix illegal facts about over-limit and overloading of freight-carrying motor vehicles in accordance with the law.

Article 61 Key freight source units shall install facilities and equipment such as weighing inspection and video surveillance, implement vehicle weighing inspection requirements, prevent over-limit and overloaded vehicles from driving on the road, and promptly provide data information such as weighing inspection and video surveillance to the transportation authorities and the traffic management department of the public security organ.

现 行 法	修订草案
	公安机关交通管理部门提供称重检测和视频监控等数据信息。
第四十九条 机动车载人不得超过核定的人数， 客运 机动车不得违反规定载货。	第六十二条 机动车载人不得超过核定的人数，载客机动车不得违反规定载货。
第五十条 禁止货运 机动车载客。 货运 机动车需要附载作业人员的，应当设置保护作业人员的安全措施。	第六十三条 载货机动车不得违反规定载客。 载货机动车需要附载作业人员的，应当设置保护作业人员的安全措施。
第五十一条 机动车行驶时，驾驶人、乘坐人员应当按规定使用安全带，摩托车驾驶人及乘坐人员应当按规定戴安全头盔。	第六十四条 机动车行驶时，驾驶人不得有拨打或者接听手持电话、观看视频等妨碍安全驾驶行为；驾驶人、乘车人应当按照规定使用安全带，摩托车驾驶人以及乘车人应当按照规定戴安全头盔。驾驶人应当督促乘车人使用安全带、戴安全头盔。 身高不足一百四十厘米的未成年人乘坐自用小型、微型载客汽车时，鼓励和支持使用符合国家标准儿童安全座椅或者增高垫等约束系统。 驾驶人不得安排或者允许身高不足一百四十厘米或者未满十二周岁的未成年人乘坐机动车副驾驶座位。
第五十二条 机动车在道路上发生故障，需要停车排除故障时，驾驶人应当立即开启危险报警	第六十五条 机动车在道路上发生故障，需要停车排除故障时，驾驶人应当立即开启危险报警

CURRENT LAW - ENGLISH

Article 49 Passengers carried by a motor vehicle shall not exceed the verified number. Passenger motor vehicles shall not be used for carrying cargoes in violation of regulations.

Article 50 Cargo motor vehicles are prohibited from carrying passengers.

Where it is necessary for a cargo motor vehicle to carry operational workers along with it, the vehicle shall be installed with facilities for protection of the workers.

Article 51 When a motor vehicle is running, the driver and riders shall use safety belts in accordance with regulations; the driver of a motor bicycle and the riders shall wear safety helmets in accordance regulations.

Article 52 When a motor vehicle breaks down on the road and needs to stop to remove the trouble, the driver shall immediately turn on the warning flash lights and move the vehicle to a place where it shall not impede traffic; if it is difficult to move the vehicle, the driver shall keep the warning flashing lights on and take such measures as putting up signs to warn the vehicles coming from the opposite direction so as to keep the warning over an extended area; and when necessary, he shall immediately report to the police.

REVISION DRAFT - ENGLISH

Article 62: Motor vehicles may not carry more than the approved number of people, and motor vehicles carrying passengers may not carry goods in violation of regulations.

Article 63 Cargo-carrying motor vehicles shall not carry passengers in violation of regulations.

If a cargo-carrying motor vehicle needs to carry workers, safety measures to protect the workers shall be installed.

Article 64 When a motor vehicle is driving, the driver shall not make or answer handheld phones, watch videos, or other behaviors that impede safe driving; drivers and passengers shall use seat belts in accordance with regulations, and motorcycle drivers and passengers shall wear safety helmets in accordance with regulations. Drivers shall urge passengers to use seat belts and wear safety helmets.

When minors whose height is less than 140 centimeters ride in small or micro passenger vehicles for their own use, the use of restraint systems such as child safety seats or booster cushions that comply with national standards is encouraged and supported.

Drivers shall not arrange or allow minors whose height is less than 140 centimeters or who are under the age of 12 to ride in the passenger seat of a motor vehicle.

Article 65 When a motor vehicle breaks down on the road and needs to be stopped to troubleshoot, the driver shall immediately turn on the hazard warning flashing lights and move the vehicle to a location that does not hinder traffic. If it is difficult to move, the vehicle occupants shall be moved to a safe location, continue to turn on the hazard warning flashing lights, and set up warning signs in the direction of the oncoming vehicle and other measures to increase the warning distance, and call the police quickly if necessary.

现 行 法	修订草案
闪光灯，将机动车移至不妨碍交通的 地方 停放；难以移动的，应当持续开启危险报警闪光灯，并在来车方向设置警告标志等措施扩大示警距离，必要时迅速报警。	闪光灯，将机动车移至不妨碍交通的 地点 停放；难以移动的，应当 将车上人员转移至安全地点 ，持续开启危险报警闪光灯，并在来车方向设置警告标志等措施扩大示警距离，必要时迅速报警。
第五十三条 警车、消防车、救护车、工程救险车执行紧急任务时，可以使用警报器、标志灯具；在确保安全的前提下，不受行驶路线、行驶方向、行驶速度 和 信号灯的 限制 ，其他车辆和行人应当让行。 警车、消防车、救护车、工程救险车非执行紧急任务时，不得使用警报器、标志灯具，不享有前款规定的道路优先通行权。	第六十六条 警车、消防救援车、救护车、工程救险车执行紧急任务时，可以使用警报器、标志灯具；在确保安全的前提下，不受行驶路线、行驶方向、行驶速度、信号灯 和停放地点 的限制，其他车辆和行人应当让行。 警车、 消防救援 车、救护车、工程救险车非执行紧急任务时，不得使用警报器、标志灯具，不享有前款规定的道路优先通行权。
第五十四条 道路养护车辆、工程作业车进行作业时，在不影响过往车辆通行的前提下，其行驶路线和方向不受交通标志、标线限制，过往车辆和人员应当注意避让。 洒水车、清扫车等机动车应当按照安全作业标准作业；在不影响其他车辆通行的情况下，可以不受车辆分道行驶的限制，但是不得逆向行驶。	第六十七条 道路养护车辆、工程作业车、 清障救援车 进行作业时，在不影响过往车辆通行的前提下，其行驶路线和方向不受交通标志、 交通 标线限制，过往车辆和人员应当注意避让。 洒水车、清扫车等机动车应当按照安全作业标准作业；在不影响其他车辆通行的情况下，可以不受车辆分道行驶的限制，但是不得逆向行驶。
第五十五条 高速公路、大中城市中心城区内的道路，禁止拖拉	第六十八条 高速公路、大中城市中心城区内的道路，禁止拖拉

CURRENT LAW - ENGLISH

Article 53 When carrying out emergency tasks, police vans, fire engines, ambulances and engineering rescue vehicles may use alarm sirens and signal lights; under the precondition of ensured safety, these vehicles shall be free from the restrictions on the route, direction, speed and signal lights, and other vehicles and pedestrians shall make way.

When police vans, fire engines, ambulances and engineering rescue vehicles are not carrying out emergency tasks, they shall not use the alarm sirens and signal lights and they shall not enjoy the priority of passage as provided for in the preceding paragraph.

Article 54 When road maintenance vehicles and engineering operation vehicles are at work, they shall not be restricted by the traffic signs or traffic line markings in respect of the routes and directions they are taking, under the precondition that they do not impede the passage of the passing vehicles; and the passing vehicles and persons shall make sure to give way.

Such motor vehicles as spraying cars and cleaning cars shall work in accordance with the standards for safe operation; and on condition that they do not impede the passage of other vehicles, they may be free from being restricted by the regulation that different vehicles use different lanes, but they shall not run in a direction not allowed by traffic regulations.

Article 55 Tractors shall be prohibited from running on expressways and in the streets of the downtown of large or medium-sized cities. With respect to other roads on which tractors are prohibited from running, the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall specify in light of the actual local conditions.

On the roads where tractors are permitted to run, they may be used to transport goods, but not passengers.

REVISION DRAFT - ENGLISH

Article 66 Police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles may use sirens and sign lights when performing emergency tasks; on the premise of ensuring safety, they are not subject to restrictions on driving routes, driving directions, driving speeds, signal lights, and parking locations. Other vehicles and pedestrians must give way.

Police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles are not allowed to use sirens or sign lights when not performing emergency tasks, and they do not enjoy the right of way on the road specified in the preceding paragraph.

Article 67 When road maintenance vehicles, engineering work vehicles, and wreckage rescue vehicles are operating, their driving routes and directions are not restricted by traffic signs and traffic markings, provided that they do not affect the passage of passing vehicles. Passing vehicles and people shall pay attention to avoid them.

Motor vehicles such as sprinklers and sweepers must operate in accordance with safe operating standards; as long as they do not affect the passage of other vehicles, they are not subject to the restriction of lane separation, but they are not allowed to drive in the opposite direction.

Article 68 Tractors are prohibited from traveling on expressways and roads in central urban areas of large and medium-sized cities. Other roads on which tractors are prohibited shall be prescribed by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government based on the actual conditions of their respective administrative regions.

On roads where tractors are allowed, tractors may be used for freight transport, but they may not
It must be used to carry people.

现 行 法	修订草案
机通行。其他禁止拖拉机通行的道路，由省、自治区、直辖市人民政府根据^{当地}实际情况规定。 在允许拖拉机通行的道路上，拖拉机可以从事货运，但是不得用于载人。	机通行。其他禁止拖拉机通行的道路，由省、自治区、直辖市人民政府根据^{本行政区域的}实际情况规定。 在允许拖拉机通行的道路上，拖拉机可以从事货运，但是不得用于载人。
第五十六条 机动车应当在规定地点停放。禁止在人行道上停放机动车；但是，依照本法第^{三十}^三条规定施划的停车泊位除外。 在道路上临时停车的，不得妨碍其他车辆和行人通行。	第六十九条 机动车应当在规定地点停放。禁止在人行道、非机动车道上停放机动车；但是，依照本法第^{四十一}条规定施划的停车泊位除外。 机动车在道路上临时停车的，应当持续开启危险报警闪光灯，并不得妨碍其他车辆和行人通行。开关车门，机动车驾驶人、乘车人应当注意观察，驾驶人应当提醒乘车人注意安全。 禁止在道路上停放废弃机动车。本法所称废弃机动车，是指停放超过一百二十日，并且根据其位置、状态等情况，有合理理由认定已被弃置的机动车。
第三节 非机动车通行规定 第五十七条 驾驶非机动车在道路上行驶应当遵守有关交通安全的规定。非机动车应当在非机动车道内行驶；在没有非机动车道的道路上，应当靠车行道的右侧行驶。	第三节 非机动车通行规定 第七十条 驾驶非机动车在道路上行驶，应当遵守有关交通安全的规定。非机动车应当在非机动车道行驶；在没有非机动车道的道路上，应当靠车行道的右侧行驶。

CURRENT LAW - ENGLISH

Article 56 Motor vehicles shall be parked at specified places. They are prohibited from being parked at the sidewalks, except for the parking berths delimited in accordance with the provisions of Article 33 of this Law.

Where a motor vehicle is parked on the road temporarily, it shall not impede the passage of other vehicles and pedestrians.

Section 3 Provisions on the Passage of Non-motor Vehicles

Article 57 When riding a non-motor vehicle on roads, the person shall observe the regulations on traffic safety. Non-motor vehicles shall run in the bicycle lane; and where there is no bicycle lane, they shall run on the right side of the motor vehicle lane.

REVISION DRAFT - ENGLISH

Article 69 Motor vehicles shall be parked at prescribed places. It is prohibited to park motor vehicles on sidewalks or non-motorized lanes; however, parking spaces designated in accordance with the provisions of Article 41 of this Law are excepted.

If a motor vehicle is temporarily parked on the road, the hazard warning flashing lights shall be turned on continuously and shall not obstruct the passage of other vehicles and pedestrians. Drivers and passengers of motor vehicles shall pay attention when opening and closing doors, and drivers shall remind passengers to pay attention to safety.

Parking of abandoned motor vehicles on roads is prohibited. The term "abandoned motor vehicle" as used in this Law refers to a motor vehicle that has been parked for more than 120 days and which, based on its location, state, etc., has reasonable grounds to be determined to have been abandoned.

Article 70 When driving a non-motorized vehicle on the road, you must comply with relevant traffic safety regulations. Non-motorized vehicles shall drive on non-motorized lanes; on roads without non-motorized lanes, they shall drive on the right side of the roadway.

现 行 法	修订草案
第五十八条 残疾人机动轮椅车、电动自行车在非机动车道内行驶时，最高时速不得超过十五公里。	第七十一条 在非机动车道内行驶时，残疾人机动轮椅车最高时速不得超过十五公里，电动自行车最高时速不得超过二十公里。
	第七十二条 驾驶电动自行车在道路上行驶，不得有下列行为： （一）逆向行驶； （二）超速行驶； （三）违反交通信号通行； （四）拨打或者接听手持电话、观看视频等； （五）其他妨碍安全驾驶行为。
	第七十三条 电动自行车的驾驶人和乘车人，应当按照规定戴安全头盔。
第五十九条 非机动车应当在规定的地点停放。未 设 停放地点的，非机动车停放不得妨碍其他车辆和行人通行。	第七十四条 非机动车应当在规定的地点停放。未 划定 停放地点的，非机动车停放不得妨碍其他车辆和行人通行。
第六十条 驾驭畜力车，应当使用驯服的牲畜；驾驭畜力车横过道路时，驾驭人应当下车牵引牲畜；驾驭人离开车辆时，应当拴系牲畜。	第七十五条 驾驭畜力车，应当使用驯服的牲畜；驾驭畜力车横过道路时，驾驭人应当下车牵引牲畜；驾驭人离开车辆时，应当拴系牲畜。
第四节 行人和乘车人通行规定	第四节 行人和乘车人通行规定
第六十一条 行人应当在人行道上行走，没有人行道的靠路边行走。	第七十六条 行人应当在人行道上行走，没有人行道的靠路边行走。

CURRENT LAW - ENGLISH

Article 58 When motor wheelchairs for the disabled and battery-powered bicycles run in the bicycle lane, their maximum speed per hour shall not exceed 15 kilometers.

Article 59 Non-motor vehicles shall be parked at specified areas. Where no such parking areas are delimited, such vehicles shall be parked at places where the passage of other vehicles and pedestrians are not impeded.

Article 60 Tame animals shall be used for animal-drawn carts; when an animal-drawn cart crosses a road, the driver shall get off the cart to guide the animals; and when the driver leaves the cart, he shall have the animals tethered.

Section 4 Provisions on the Passage of Pedestrians and Passengers

Article 61 Pedestrians shall walk on sidewalks or on the side of roads where there are no sidewalks.

REVISION DRAFT - ENGLISH

Article 71 When driving in non-motorized lanes, the maximum speed of motorized wheelchairs for disabled persons shall not exceed 15 kilometers per hour, and the maximum speed of electric bicycles shall not exceed 20 kilometers per hour.

Article 72 When driving an electric bicycle on the road, you must not engage in the following behaviors:

- (1) Driving in the opposite direction;
- (2) Speeding;
- (3) Violating traffic signals;
- (4) Make or answer handheld phone calls, watch videos, etc.;
- (5) Other behaviors that impede safe driving.

Article 73 Drivers and passengers of electric bicycles must wear safety helmets in accordance with regulations.

Article 74 Non-motorized vehicles shall be parked at prescribed locations. If parking locations are not designated, parking of non-motor vehicles shall not impede the passage of other vehicles and pedestrians.

Article 75 When driving an animal-drawn cart, tame animals shall be used; when driving an animal-drawn cart across the road, the driver shall get off the vehicle and pull the livestock; when the driver leaves the vehicle, he shall tether the livestock.

Article 76 Pedestrians shall walk within the sidewalk, and if there is no sidewalk, walk along the roadside.

现 行 法	修订草案
第六十二条 行人通过路口或者横过道路，应当走人行横道或者过街设施；通过有交通信号灯的人行横道，应当按照交通信号灯指示通行；通过没有交通信号灯、人行横道的路口， 或者 在没有过街设施的路段横过道路，应当在确认安全后通过。	第七十七条 行人通过路口或者横过道路，应当走人行横道或者过街设施；通过有交通信号灯的人行横道，应当按照交通信号灯指示通行；通过没有交通信号灯、人行横道的路口， 以及 在没有过街设施的路段横过道路，应当在确认安全后通过。
第六十三条 行人不得跨越、倚坐道路隔离设施，不得扒车、强行拦车或者实施妨碍道路交通安全的其他行为。	第七十八条 行人不得跨越、倚坐道路隔离设施，不得扒车、强行拦车或者实施妨碍道路交通安全的其他行为。
第六十四条 学龄前儿童以及不能辨认或者不能控制自己行为的精神疾病患者、智力障碍者在道路上通行，应当由其监护人、监护人委托的人或者对其负有管理、保护职责的人带领。 盲人在道路上通行，应当使用盲杖或者采取其他导盲手段，车辆应当避让盲人。	第七十九条 学龄前儿童以及不能辨认或者不能控制自己行为的精神疾病患者、智力障碍者在道路上通行，应当由其监护人、监护人委托的 人员 或者对其负有管理、保护职责的 其他人员 带领。 盲人在道路上通行，应当使用盲杖或者采取其他导盲手段，车辆应当避让盲人。
第六十五条 行人通过铁路道口时，应当按照交通信号或者管理人员的指挥通行；没有交通信号和管理人员的，应当在确认无火车驶临后， 迅速 通过。	第八十条 行人通过铁路道口时，应当按照交通信号或者管理人员的指挥通行；没有交通信号和管理人员的，应当在确认无火车驶临后迅速通过。
第六十六条 乘车人不得携带易燃易爆等危险物品，不得向车外抛洒物品，不得有影响驾驶人安全驾驶的行为。	第八十一条 乘车人不得携带易燃易爆等危险物品，不得向车外抛洒物品，不得有影响驾驶人安全驾驶的行为。

CURRENT LAW - ENGLISH

Article 62 Where pedestrians pass road crossings or walk across roads, they shall use the crosswalks or overhead (or underground) pedestrian crossings; when passing crosswalks with traffic signal lights, they shall follow the direction of the traffic signal lights; and when passing junctions without traffic signal lights and crosswalks, or walking across roads at the sections without overhead (or underground) crossings, they shall pass only when they are sure of safety.

Article 63 Pedestrians shall not stride over, rest or sit on road isolation facilities, or jump onto vehicles, or forcibly block vehicles, or jeopardize road traffic safety in other ways.

Article 64 When preschool-age children and persons suffering from mental disorder or mental retardedness who are incapable of perception or controlling their own behavior walk on roads, they shall be guided by their guardians, persons entrusted by their guardians or persons responsible for taking care of and protecting them.

Blind persons walking on roads shall use sticks for blind persons or take other measures to guide themselves; and vehicles shall make way to blind persons.

Article 65 When passing railroad crossings, pedestrians shall follow the signals or the direction of persons in charge; and where there are no traffic signals or no persons in charge, they shall quickly pass when they are sure that no trains are coming.

Article 66 Passengers shall not bring with them such dangerous articles as inflammable substances and explosives, throw things out of the vehicles, or act in such a way as to prevent the drivers from driving safely.

Section 5 Special Provisions on Expressways

REVISION DRAFT - ENGLISH

Article 77 When passing an intersection or crossing a road, pedestrians shall use a crosswalk or crossing facilities; when passing a crosswalk with traffic lights, they shall follow the instructions of the traffic lights; when passing an intersection without traffic lights or crosswalks, or crossing a road section without crossing facilities, they shall pass after confirming that it is safe.

Article 78 Pedestrians are not allowed to cross or sit on road isolation facilities, and are not allowed to pick up cars, forcibly block them, or perform other actions that impede road traffic safety.

Article 79 Preschool children, as well as patients with mental illness and intellectual disabilities who cannot identify or control their own behavior, must be supervised by them when traveling on the road. It is led by persons entrusted by the person, guardian or other persons responsible for its management and protection.

When a blind person passes on the road, he or she shall use a blind stick or other means to guide the blind, and vehicles shall give way to the blind person.

Article 80 When passing a railway crossing, pedestrians shall follow the traffic signals or the instructions of management personnel; if there are no traffic signals or management personnel, they shall pass quickly after confirming that no train is approaching.

Article 81 Passengers are not allowed to carry flammable, explosive and other dangerous items, are not allowed to throw items outside the vehicle, and are not allowed to act in a manner that affects the safe driving of the driver.

现 行 法	修订草案
第五节 高速公路的特别规定	第五节 高速公路的特别规定
第六十七条 行人、非机动车、拖拉机、轮式专用机械车、铰接式客车、全挂 拖斗车 以及其他设计最高时速低于七十公里的机动车，不得进入高速公路。高速公路限速标志标明的最高时速不得超过一百二十公里。	第八十二条 行人、非机动车、拖拉机、轮式专用机械车、铰接式客车、全挂 汽车列车 以及其他设计最高时速低于七十公里的机动车，不得进入高速公路。 高速公路限速标志、 标线应当标明车道的行驶速度 ，最高时速不得超过一百二十公里， 最低时速不得低于六十公里 。
第六十八条 机动车在高速公路上发生故障时，应当依照本法第 五十二 条的有关规定办理； 但是 ，警告标志应当设置在故障车来车方向一百五十米以外，车 上人员应当迅速转移到右侧路肩上或者 应急车道内，并且迅速报警。 机动车在高速公路上发生故障或者交通事故，无法正常行驶的，应当由救援车、清障车拖曳、牵引。	第八十三条 机动车在高速公路上发生故障时，应当依照本法 第六十五条 的有关规定办理；警告标志应当设置在故障车来车方向一百五十米以外， 驾驶人应当将乘车人迅速转移到右侧路肩上、应急车道内或者其他安全地点 ，并且 迅速拨打高速公路救援电话或者报警 。 机动车在高速公路上发生故障或者交通事故，无法正常行驶的，应当由救援车、清障车拖曳、 牵引出高速公路 。
第六十九条 任何单位、 个人 不得在高速公路上拦截检查行驶的车辆，公安机关的人民警察依法执行紧急公务除外。	第八十四条 任何单位 和 个人不得在高速公路上拦截检查行驶的车辆，公安机关的人民警察依法执行紧急公务 的 除外。
第五章 交通事故处理	第五章 交通事故处理
第七十条 在道路上发生交通事故，车辆驾驶人应当立即停	第八十五条 在道路上发生交通事故，车辆驾驶人应当立即停

CURRENT LAW - ENGLISH

Article 67 No pedestrians, non-motor vehicles, tractors, special wheeled mechanical vehicles, articulated passenger buses, full trailers and other motor vehicles with the designed maximum speed below 70 kilometers per hour shall enter expressways. The maximum speed marked on the speed limit signs of expressways shall not exceed 120 kilometers per hour.

Article 68 When a motor vehicle breaks down on an expressway, it shall be handled in accordance with the relevant provisions of Article 52 of this Law; but the warning sign shall be put at a place beyond 150 meters in the direction the broken vehicle is running, and the persons on the vehicle shall quickly move to the curb on the right side of the expressway or to the emergency lane and report to the traffic police.

When a motor vehicle cannot run normally on an expressway due to a breakdown or a traffic crash, it shall be pulled or towed away by a rescue vehicle or an obstacle-removing vehicle.

Article 69 No units or individuals shall intercept and inspect vehicles running on expressways, except the people's police of the public security organs who are performing emergency official duties according to law.

Chapter V Disposition of Traffic Crashes

Article 70 When a traffic crash occurs on the road, the driver shall immediately stop the vehicle and keep the scene intact; and if the crash causes casualties, the driver shall immediately rescue the injured persons, and speedily report to the traffic police on point duty or to the traffic control department of the public security organ. If the scene of the crash is changed due to rescue of the injured persons, the location of the scene shall be marked out clearly. The passengers, drivers of the passing vehicles, and passing pedestrians shall offer help.

Where a traffic crash that occurs on the road does not cause casualties and the parties have no objections to the facts and causes of the crash, they may immediately withdraw from the scene of the crash for restoration of traffic and, through consultation, settle the matters of compensation for damages themselves; and if they do not withdraw from the scene immediately, they shall speedily report to the traffic police on point duty or to the traffic control department of the public security organ.

Where a traffic crash that occurs on the road only causes slight property losses and the facts are basically clear, the parties shall withdraw form the scene before proceeding to settle the matter through consultation.

REVISION DRAFT - ENGLISH

Article 82 Pedestrians, non-motor vehicles, tractors, wheeled special mechanical vehicles, articulated passenger cars, full-trailer car trains and other motor vehicles with a designed maximum speed of less than 70 kilometers per hour are not allowed to enter the expressway.

Expressway speed limit signs and markings shall indicate the driving speed of the lane. The maximum speed shall not exceed 120 kilometers per hour and the minimum speed shall not be less than 60 kilometers per hour.

Article 83 When a motor vehicle breaks down on a highway, it shall be handled in accordance with the relevant provisions of Article 65 of this Law; the warning sign shall be set up 150 meters away from the direction of the disabled vehicle. The driver shall quickly move the passengers to the right shoulder, the emergency lane or other safe places, and quickly call the highway rescue phone or call the police.

A motor vehicle breaks down or is involved in a traffic crash on the highway and is unable to drive normally
, it shall be towed or towed off the highway by a rescue vehicle or tow truck.

Article 84 No unit or individual may intercept or inspect vehicles traveling on the highway, except for people's policemen of public security organs performing emergency official duties in accordance with the law.

Article 85 When a traffic crash occurs on the road, the driver of the vehicle shall stop immediately, turn on the hazard warning flashing lights, evacuate the passengers on the vehicle to a safe place, protect the scene, and set up warning signs in the direction of the oncoming vehicle in accordance with the relevant provisions of Articles 65 and 83 of this Law; if personal injury or death is caused, the driver of the vehicle shall immediately rescue the injured person and call the police. If the injured person is seriously injured, he shall call the emergency telephone number. If the scene is changed due to rescuing injured persons, evidence shall be fixed by taking photos or marking the location. Passengers, drivers of passing vehicles, and pedestrians passing by shall provide assistance.

If a traffic crash occurs on the road and no personal casualties are caused or the injuries to the injured are minor and the vehicle is movable and the parties have no dispute over the facts and causes, they may evacuate the scene immediately after fixing the evidence, resume traffic, and negotiate for damage compensation on their own; if the vehicle cannot move or does not evacuate the scene immediately, the police shall be called quickly, and the danger alarm flashing lights shall be turned on in accordance with the provisions of the preceding paragraph, the persons on the vehicle shall be evacuated, warning signs shall be set up, and the scene shall be protected.

If a traffic crash occurs on the road, causing only minor property damage, and the basic facts are clear, the parties concerned shall first evacuate the scene and then negotiate.

现 行 法	修订草案
车，保护现场；造成人身伤亡的，车辆驾驶人应当立即抢救受伤人员，并迅速报告执勤的交通警察或者公安机关交通管理部门。因抢救受伤人员变动现场的，应当标明位置。乘车人、过往车辆驾驶人、过往行人应当予以协助。 在道路上发生交通事故，未造成人身伤亡，当事人对事实及成因无争议的，可以即行撤离现场，恢复交通，自行协商处理损害赔偿事宜；不即行撤离现场的，应当迅速报告执勤的交通警察或者公安机关交通管理部门。 在道路上发生交通事故，仅造成轻微财产损失，并且基本事实清楚的，当事人应当先撤离现场再进行协商处理。	车，开启危险报警闪光灯，疏散车上人员至安全地点，保护现场，并参照本法第六十五条、第八十三条的有关规定，在来车方向设置警告标志；造成人身伤亡的，车辆驾驶人应当立即抢救受伤人员并报警，受伤人员伤势严重的，应当拨打急救电话。因抢救受伤人员变动现场的，应当采取拍照或者标明位置等方式固定证据。乘车人、过往车辆驾驶人、过往行人应当予以协助。 在道路上发生交通事故，未造成人身伤亡或者受伤人员伤势轻微、车辆能够移动，当事人对事实以及成因无争议的，可以在固定证据后即行撤离现场，恢复交通，自行协商处理损害赔偿事宜；车辆无法移动或者不即行撤离现场的，应当迅速报警，并按照前款规定开启危险报警闪光灯，疏散车上人员，设置警告标志，保护现场。 在道路上发生交通事故，仅造成轻微财产损失，并且基本事实清楚的，当事人应当先撤离现场再进行协商处理。
第七十一条 车辆发生交通事故后逃逸的，事故现场目击人员和其他知情人员应当向公安机关交通管理部门或者交通警察举报。举报属实的，公安机关交通管理部	第八十六条 车辆发生交通事故后逃逸的，事故现场目击人员和其他知情人员应当向公安机关交通管理部门或者交通警察举报。举报属实的，公安机关交通管理部

CURRENT LAW - ENGLISH

Article 71 Where a vehicle escapes after the occurrence of a traffic crash, the witnesses on the scene and other persons in the know shall report to the traffic control department of the public security organ or to the traffic police. If the report is proved to be true, the said department shall give them rewards.

REVISION DRAFT - ENGLISH

Article 86 If a vehicle escapes after a traffic crash, the witnesses at the crash scene shall Police officers and other knowledgeable persons shall report to the traffic management department of the public security organ or the traffic police. If the report is true, the traffic management department of the public security organ shall reward it.

现 行 法	修订草案
门应当给予奖励。	门应当给予奖励。
第七十二条 公安机关交通管理部门接到交通事故报警后，应当立即派交通警察赶赴现场，<u>先</u>组织抢救受伤人员，并采取措施，<u>尽</u>快恢复交通。 交通警察应当对交通事故现场进行勘验、检查，收集证据；因收集证据的需要，可以扣留事故车辆，<u>但是应当</u>妥善保管，以备核查。 对当事人的生理、精神状况等<u>专业性较强的</u>检验，公安机关交通管理部门应当委托<u>专门</u>机构进行鉴定。鉴定<u>结论</u>应当由鉴定人签名。	第八十七条 公安机关交通管理部门接到交通事故报警后，应当立即派交通警察赶赴现场，组织抢救受伤人员，划定警戒区域，并采取措施尽快恢复交通；但是，未造成人员伤亡并可以远程处理的除外。 交通警察应当对交通事故现场进行勘验、检查，收集证据；因收集证据的需要，可以扣留事故车辆以及机动车驾驶证等与交通事故有关的物品、证件，调取车载电子数据，并妥善保管，以备核查。 对涉及交通事故车辆安全技术性能、行驶速度，道路以及其设施，当事人的生理、精神状况等需要检验、鉴定的，公安机关交通管理部门应当委托具备相应资质的机构进行检验、鉴定。检验、鉴定机构出具的检验报告、鉴定意见应当加盖公章并由检验人、鉴定人签名。 公安机关交通管理部门应当将检验报告、鉴定意见复印件送达当事人。当事人对检验报告、鉴定意见有异议的，可以自检验报告、鉴定意见复印件送达之日起三日内申请重新检验、鉴定。
第七十三条 公安机关交通	第八十八条 公安机关交通

CURRENT LAW - ENGLISH

Article 72 Upon receiving the report on a traffic crash, the traffic control department of the public security organ shall immediately dispatch traffic police to the scene, who shall first arrange for the rescue of the injured persons, and take measures to restore traffic as soon as possible.

Traffic police shall conduct inspection and examination of the scene of the traffic crash and collect evidence; and the traffic police may detain the vehicle involved in the crash for the need of collection of evidence, but shall take good care of the vehicle for examination.

With respect to the more professional check of the parties' physiological and mental conditions, the traffic control department of the public security organ shall entrust a special institution to make an appraisal. The conclusion of the appraisal shall be signed by the appraiser.

Article 73 The traffic control department of the public security organ shall, on the basis of the inspection, examination and investigation conducted on the scene of the traffic crash as well as the relevant conclusions of the check and appraisal, produce a written confirmation of the traffic crash without delay, which shall serve as a testimony for disposition of the traffic crash. In the written confirmation of the traffic crash shall clearly be stated the basic facts and causes of the crash as well as the liability of the parties, and the written confirmation shall be served to the parties.

REVISION DRAFT - ENGLISH

Article 87 After receiving the alarm of a traffic crash, the traffic management department of the public security organ shall immediately send traffic police to the scene, organize the rescue of injured persons, delimit warning areas, and take measures to restore traffic as soon as possible; however, this exception shall be made if no casualties are caused and the crash can be handled remotely.

Traffic police shall conduct inspections and inspections at the scene of traffic crashes and collect evidence;

Due to the need to collect evidence, the crash vehicle and motor vehicle driving license and other items and documents related to the traffic crash can be detained, the vehicle electronic data can be retrieved, and properly kept for verification.

If the safety and technical performance of vehicles involved in traffic crashes, driving speeds, roads and their facilities, and the physical and mental conditions of the parties need to be inspected and appraised, the traffic management department of the public security organ shall entrust an institution with corresponding qualifications to conduct the inspection and appraisal. Inspection reports and appraisal opinions issued by inspection and appraisal institutions shall be stamped with official seals and signed by the inspectors and appraisers.

The traffic management department of the public security organ shall deliver copies of the inspection report and appraisal opinions to the parties concerned. If the party concerned has objections to the inspection report or appraisal opinion, he may apply for re-inspection or appraisal within three days from the date of delivery of copies of the inspection report and appraisal opinion.

Article 88 The traffic management department of the public security organ shall promptly prepare a road traffic accident determination certificate based on the on-site inspection, inspection, and investigation of the traffic crash as well as relevant inspection reports, appraisal opinions and other evidence and materials as evidence for handling the traffic crash. The road traffic accident determination letter shall state the basic facts and causes of the traffic crash, the responsibilities of the parties, and the reasons and basis for the determination, and shall be served to the parties.

现 行 法	修订草案
管理部门应当根据交通事故现场勘验、检查、调查情况和有关的检验、鉴定 结论 ，及时制作交通事故认定书，作为处理交通事故的证据。交通事故认定书应当载明交通事故的基本事实、成因 和 当事人的责任，并送达当事人。	管理部门应当根据交通事故现场勘验、检查、调查情况和有关的检验 报告 、鉴定 意见 等证据资料，及时制作 道路交通事故认定书 ，作为处理交通事故的证据。 道路交通事故认定书 应当载明交通事故的基本事实、成因，当事人的责任 以及其认定理由、依据 ，并送达当事人。
第七十四条 对交通事故损害赔偿的争议，当事人可以请求公安机关交通管理部门调解，也可以直接向人民法院提起民事诉讼。 经公安机关交通管理部门调解，当事人未达成协议或者调解书生效后不履行的，当事人可以向人民法院提起民事诉讼。	第八十九条 对交通事故损害赔偿的争议，当事人可以请求公安机关交通管理部门或者依法设立的调解组织进行调解，也可以直接向人民法院提起民事诉讼。 经公安机关交通管理部门调解，当事人未达成协议或者调解书生效后不履行的，当事人可以向人民法院提起民事诉讼。 经依法设立的调解组织调解，当事人未达成协议或者调解书生效后不履行的，依照《中华人民共和国人民调解法》等法律办理。
第七十五条 医疗机构对交通事故中的受伤人员应当及时抢救，不得因抢救费用未及时支付而拖延救治。肇事车辆参加机动车第三者责任强制保险的，由保险公司在责任限额范围内支付抢救费用；抢救费用超过责任限额的，未参加机动车第三者责任强制保险或者肇事后逃逸的，由道路交通事故社	第九十条 医疗机构对交通事故中的受伤人员应当及时抢救，不得因抢救费用未及时支付而拖延救治。肇事车辆参加机动车交通事故责任强制保险的，由保险公司在责任限额范围内支付抢救费用。 有下列情形之一的，由道路交通事故社会救助基金先行垫付交通事故受害人人身伤亡的丧葬费

CURRENT LAW - ENGLISH

Article 74 With respect to the dispute that arises over the compensation for damages caused by a traffic crash, the parties may request the traffic control department of the public security organ for mediation, or directly bring a civil suit in a People's Court.

Where after mediation by the traffic control department of the public security organ, the parties fail to reach an agreement or do not act in accordance with the mediation document after it becomes effective, they may bring a civil suit in a People's Court.

Article 75 Medical institutions shall, without delay, rescue the persons injured in traffic crashes, and they shall not delay the rescue and treatment due to the fact that the fees for the rescue are not paid in time. Where the compulsory third party liability insurance is brought for vehicles causing crashes, the insurance company shall pay the rescue expenses within the liability limit; and where the rescue expenses exceed the liability limit, and where such insurance is not brought or the vehicles escape after the occurrence of crashes, the social aid fund for road traffic accidents may pay part or total of the rescue expenses in advance, and the administrative body of the social aid fund for road traffic accidents shall have the right to recover the rescue expenses already paid from the persons liable for the traffic crashes.

REVISION DRAFT - ENGLISH

Article 89 For disputes over traffic crash damage compensation, the parties may request the traffic management department of the public security organ or a mediation organization established in accordance with the law for mediation, or they may directly file a civil lawsuit with the People's Court.

If the parties fail to reach an agreement after mediation by the traffic management department of the public security organ or do not perform the mediation letter after it becomes effective, the parties may file a civil lawsuit with the People's Court.

After mediation by a legally established mediation organization, if the parties fail to reach an agreement or fail to perform the mediation agreement after it takes effect, the matter shall be handled in accordance with the People's Mediation Law of the People's Republic of China and other laws.

Article 90 Medical institutions shall promptly rescue persons injured in traffic crashes, and shall not delay treatment due to failure to pay rescue fees in a timely manner. If the vehicle involved in the crash participates in the compulsory motor vehicle traffic accident liability insurance, the insurance company shall pay the rescue expenses within the liability limit.

In any of the following circumstances, the Road Traffic Accident Social Assistance Fund shall advance the funeral expenses and part or all of the rescue expenses for the traffic crash victim's personal injury or death, and the Road Traffic Accident Social Assistance Fund Management Agency shall have the right to recover compensation from the person responsible for the traffic crash:

- (1) The rescue costs exceed the liability limit of the compulsory motor vehicle traffic accident liability insurance;
- (2) The motor vehicle causing the crash did not participate in compulsory motor vehicle traffic accident liability insurance;
- (3) The motor vehicle is unknown or the vehicle is hit and run;
- (4) Other circumstances stipulated in laws, regulations and rules.

现 行 法	修订草案
会救助基金先行垫付部分或者全部抢救费用，道路交通事故社会救助基金管理机构有权向交通事故责任人追偿。	用、部分或者全部抢救费用，道路交通事故社会救助基金管理机构有权向交通事故责任人追偿： （一）抢救费用超过机动车交通事故责任强制保险责任限额； （二）肇事机动车未参加机动车交通事故责任强制保险； （三）机动车不明或者肇事后逃逸； （四）法律、法规、规章规定的其他情形。
第七十六条 机动车发生交通事故造成人身伤亡、财产损失的，由保险公司在机动车第三者责任强制保险责任限额范围内予以赔偿；不足的部分，按照下列规定承担赔偿责任： （一）机动车之间发生交通事故的，由有过错的一方承担赔偿责任；双方都有过错的，按照各自过错的比例分担责任。 （二）机动车与非机动车驾驶人、行人之间发生交通事故，非机动车驾驶人、行人没有过错的，由机动车一方承担赔偿责任；有证据证明非机动车驾驶人、行人有过错的，根据过错程度适当减轻机动车一方的赔偿责任；机动车一方没有过错的，承担不超过百分之十的赔偿责任。	第九十一条 机动车发生交通事故造成人身伤亡、财产损失的，由保险公司在机动车交通事故责任强制保险责任限额范围内予以赔偿；不足的部分，按照下列规定承担赔偿责任： （一）机动车之间发生交通事故的，由有过错的一方承担赔偿责任；各方都有过错的，按照各自过错的比例分担责任。 （二）机动车与非机动车、行人之间发生交通事故，非机动车、行人方没有过错的，由机动车一方承担赔偿责任；有证据证明非机动车、行人方有过错的，根据过错程度适当减轻机动车一方的赔偿责任；机动车一方没有过错的，承担不超过百分之十的赔偿责任。 交通事故的损失是由非机动

CURRENT LAW - ENGLISH

Article 76 Where a motor vehicle is involved in a traffic crash causing personal injury, death, or property loss, the insurance company shall pay compensation within the liability limit of compulsory third-party liability insurance for motor vehicles. Any shortfall shall be borne as follows:

(1) Where the crash is between motor vehicles, the party at fault shall bear liability for compensation; where both parties are at fault, liability shall be apportioned according to their respective degrees of fault.

(2) Where the crash is between a motor vehicle and a non-motor-vehicle driver or pedestrian, and the non-motor-vehicle driver or pedestrian is not at fault, the motor-vehicle party shall bear liability for compensation. Where evidence proves that the non-motor-vehicle driver or pedestrian was at fault, the liability of the motor-vehicle party shall be appropriately reduced according to the degree of fault. Where the motor-vehicle party is not at fault, it shall bear no more than ten percent of the liability for compensation.

Where the traffic-crash loss was caused by a non-motor-vehicle driver or pedestrian deliberately colliding with a motor vehicle, the motor-vehicle party shall not bear liability for compensation.

REVISION DRAFT - ENGLISH

Article 91 If a traffic crash involving a motor vehicle causes personal casualties or property losses, the insurance company shall compensate within the liability limit of the compulsory motor vehicle traffic accident liability insurance; any shortfall shall be liable for compensation in accordance with the following provisions:

(1) If a traffic crash occurs between motor vehicles, the party at fault shall bear the liability for compensation; if both parties are at fault, they shall share the liability in proportion to their respective faults.

(2) If a traffic crash occurs between a motor vehicle and a non-motor vehicle or a pedestrian, and the non-motor vehicle or pedestrian is not at fault, the motor vehicle party shall bear the liability for compensation; if there is evidence that the non-motor vehicle or pedestrian is at fault, the liability of the motor vehicle party shall be appropriately reduced according to the degree of fault; if the motor vehicle party is not at fault, the liability for compensation shall not exceed 10%.

The loss of a traffic crash is caused by a non-motor vehicle driver or pedestrian intentionally colliding with a motor vehicle, and the motor vehicle party is not liable for compensation.

现 行 法	修订草案
交通事故的损失是由非机动车驾驶人、行人故意碰撞机动车造成的，机动车一方不承担赔偿责任。	车驾驶人、行人故意碰撞机动车造成的，机动车一方不承担赔偿责任。
	第九十二条 非机动车与非机动车、行人之间发生交通事故的，由有过错的一方承担赔偿责任；各方都有过错的，按照各自过错的比例分担责任。
	第九十三条 车辆以及其零配件、安全头盔、安全座椅等与道路交通安全有关的产品存在缺陷，或者道路、道路配套设施存在违反本法第三十七条、第三十八条规定情形，造成交通事故或者扩大损害后果的，产品生产者、销售者以及道路建设单位、养护管理单位应当依法承担赔偿责任。
第七十七条 车辆在道路以外通行时发生的事故，公安机关交通管理部门接到报案的，参照本法有关规定办理。	第九十四条 车辆在道路以外通行时发生的事故，公安机关交通管理部门接到报案的，参照本法有关规定办理。
	第六章 自动驾驶汽车的特别规定
	第九十五条 国家支持自动驾驶汽车安全、有序、规范上道路测试、示范应用和行驶。 本法所称自动驾驶汽车，是指在设计运行条件下代替驾驶人持续自动地执行全部动态驾驶任务的汽车；所称辅助驾驶功能，是指

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Article 77 With respect to an crash that occurs when a vehicle runs outside the roads, the traffic control department of the public security organ shall, upon receiving the report on the crash, handle the case by referring to the relevant provisions of this Law.

Chapter VI Supervision of Law Enforcement

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Article 92 If a traffic crash occurs between a non-motor vehicle and a non-motor vehicle or a pedestrian, the party at fault shall bear the liability for compensation; if both parties are at fault, they shall share the liability in proportion to their respective faults.

Article 93 If vehicles and their spare parts, safety helmets, safety seats and other products related to road traffic safety have defects, or roads and road supporting facilities violate the provisions of Articles 37 and 38 of this Law, causing traffic crashes or expanding damage, the product manufacturers and sellers, as well as road construction units and maintenance management units shall bear liability for compensation in accordance with the law.

Article 94: If an crash occurs while a vehicle is traveling off-road, and the traffic management department of the public security organ receives a report, it shall handle the case in accordance with the relevant provisions of this Law.

Article 95: The State supports the safe, orderly and standardized road testing, demonstration application and driving of automated-driving vehicles.

The term "automated-driving vehicle" as used in this Law refers to a vehicle that continuously and automatically performs all dynamic driving tasks on behalf of the driver under the design operating conditions; the term "driver-assistance function" refers to the function of assisting the driver to perform part of the dynamic driving tasks under the design operating conditions.

Self-driving cars with no automated-driving function activated and cars with only assisted driving functions driving on the road shall be managed in accordance with the regulations for non-automated-driving vehicles.

现 行 法	修订草案
	在设计运行条件下辅助驾驶人执行部分动态驾驶任务的功能。 未激活自动驾驶功能的自动驾驶汽车和驾驶仅具备辅助驾驶功能的汽车上道路行驶，按照非自动驾驶汽车的规定管理。
	第九十六条 机动车生产企业、进口企业申请自动驾驶汽车生产准入和进口许可的，相关自动驾驶汽车应当通过道路通行规则符合性测试。道路通行规则符合性测试应当由具备相应资质的检验检测机构实施。 自动驾驶汽车登记后上道路行驶，可以在设计运行条件下激活自动驾驶功能。 自动驾驶汽车生产企业、进口企业应当确保自动驾驶汽车在不符合设计运行条件时不能激活自动驾驶功能。任何单位和个人不得擅自改变自动驾驶功能。
	第九十七条 自动驾驶汽车在自动驾驶功能激活状态下发生道路交通安全违法行为的，由自动驾驶汽车生产企业、进口企业接受处理。自动驾驶汽车生产企业、进口企业认为道路交通安全违法行为与自动驾驶功能无关的，应当承担举证责任。
	第九十八条 自动驾驶汽车

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Article 96 If a motor vehicle manufacturing enterprise or importing enterprise applies for production access and import license for automated-driving vehicles, the relevant automated-driving vehicles shall pass the road traffic rules compliance test. Compliance testing of road traffic rules shall be carried out by inspection and testing agencies with corresponding qualifications.

After the automated-driving vehicle is registered and driven on the road, the automated-driving function can be activated under the designed operating conditions.

Self-driving car manufacturers and importers shall ensure that automated-driving vehicles cannot activate automated-driving functions when they do not meet the design operating conditions. No unit or individual may change the automated-driving function without authorization.

Article 97 If a automated-driving vehicle commits road traffic safety violations while the automated-driving function is activated, the automated-driving vehicle manufacturer or importer shall handle the matter. Self-driving car manufacturers and importers believe road traffic is safe If the illegal act has nothing to do with the automated-driving function, the burden of proof shall be borne.

Article 98 If a road traffic crash occurs in a automated-driving vehicle while the automated-driving function is activated, the traffic management department of the public security organ may, based on the needs of road traffic crash investigation, retrieve relevant data of the automated-driving vehicle and collect relevant evidence materials;

If inspection and appraisal are required, an institution with corresponding qualifications shall be entrusted to conduct inspection and appraisal.

Self-driving vehicle manufacturers, importers or their entrusted units shall cooperate with road traffic crash investigations.

现 行 法	修订草案
	在自动驾驶功能激活状态下发生道路交通事故的，公安机关交通管理部门可以根据道路交通事故调查的需要，调取自动驾驶汽车相关数据，收集相关证据材料；需要检验、鉴定的，应当委托具备相应资质的机构进行检验、鉴定。 自动驾驶汽车生产企业、进口企业或者其委托的单位应当配合道路交通事故调查。
	第九十九条 对自动驾驶汽车实行机动车道路交通事故责任强制保险制度，具体办法由国务院制定。 鼓励和支持自动驾驶汽车生产企业、进口企业和所有人、管理人投保商业保险。
	第一百条 自动驾驶汽车生产企业采集、存储、传输车辆数据信息应当遵守《中华人民共和国民法典》、《中华人民共和国网络安全法》、《中华人民共和国数据安全法》、《中华人民共和国个人信息保护法》、《网络数据安全管理条例》等法律、行政法规规定，确保自动驾驶汽车道路行驶安全、网络安全、数据安全和个人信息安全。 自动驾驶汽车生产企业应当根据机动车登记、道路通行管理、

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Article 99 A compulsory motor vehicle road traffic accident liability insurance system shall be implemented for automated-driving vehicles. Specific measures shall be formulated by the State Council.

Encourage and support automated-driving vehicle manufacturers, importers, owners and managers to take out commercial insurance.

Article 100 Self-driving car manufacturers shall abide by the Civil Code of the People's Republic of China, the Cybersecurity Law of the People's Republic of China, the Data Security Law of the People's Republic of China, the Personal Information Protection Law of the People's Republic of China, the Network Data Security Management Regulations, and other laws and administrative regulations when collecting, storing, and transmitting vehicle data information to ensure road safety, network security, data security, and personal information security of automated-driving vehicles.

Self-driving vehicle manufacturers shall provide relevant data and information to the traffic management department of the public security organ based on the needs of motor vehicle registration, road traffic management, road traffic safety violations, and road traffic crash investigation.

For imported automated-driving vehicles, the importing enterprise shall entrust the corresponding domestic Competent units are responsible for fulfilling the provisions of the first two paragraphs.

现 行 法	修订草案
	道路交通安全违法行为和道路交通事故调查等需要，向公安机关交通管理部门提供相关数据信息。 属于进口自动驾驶汽车的，进口企业应当委托境内具备相应能力的单位负责履行前两款规定。
	第一百零一条 国务院公安部门应当会同国务院机动车产品、交通运输等有关主管部门组织开展自动驾驶功能道路交通安全风险评估。对存在道路交通安全风险的自动驾驶系统，由有关主管部门责令自动驾驶汽车生产企业、进口企业暂停或者禁止使用，并依法召回、修理、更换、退货、赔偿损失等。
	第一百零二条 自动驾驶汽车生产企业、进口企业或者其委托的单位，应当对自动驾驶汽车所有人、管理人开展自动驾驶功能培训，随车提供详尽通俗的驾驶和应急处置操作手册、视频，并如实告知自动驾驶功能设计运行条件，不得作出不符合自动驾驶功能设计运行条件的产品说明、商业宣传等。
	第一百零三条 自动驾驶汽车的道路通行规则符合性测试、道路交通安全违法行为处理等具体办法，由国务院公安部门会同国务院

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Article 101 The public security department under the State Council shall, in conjunction with the motor vehicle products, transportation and other relevant departments of the State Council, organize and carry out road traffic safety risk assessments for automated-driving functions. For autonomous driving systems that pose road traffic safety risks, the relevant competent authorities shall order automated-driving vehicle manufacturers and importers to suspend or prohibit their use, and recall, repair, replace, return, and compensate for losses in accordance with the law.

Article 102 Self-driving car manufacturers, importers, or their entrusted units shall conduct automated-driving function training for automated-driving vehicle owners and managers, provide detailed and popular driving and emergency response operation manuals and videos with the vehicle, and truthfully inform the design and operation conditions of the automated-driving function, and shall not make product descriptions, commercial promotions, etc. that do not meet the design and operation conditions of the automated-driving function.

Article 103 Specific measures for compliance testing of automated-driving vehicles with road traffic rules and handling of road traffic safety violations shall be formulated by the public security department under the State Council in conjunction with the relevant competent departments of the State Council.

Specific measures for the management of functional unmanned vehicles shall be formulated by the relevant competent authorities of the State Council.

现 行 法	修订草案
	有关主管部门制定。 功能型无人车管理的具体办法，由国务院有关主管部门制定。
第六章 执法监督	第七章 执法与监督
第七十八条 公安机关交通管理部门应当加强对交通警察的管理，提高交通警察的素质和管理道路交通的水平。 公安机关交通管理部门应当对交通警察进行法制和交通安全管理业务培训、考核。交通警察经考核不合格的，不得上岗执行职务。	第一百零四条 公安机关交通管理部门应当加强对交通警察的管理，提高交通警察的素质和管理道路交通的水平。 公安机关交通管理部门应当对交通警察进行法制和交通安全管理业务培训、考核。交通警察经考核不合格的，不得上岗执行职务。
第七十九条 公安机关交通管理部门及其交通警察实施道路交通安全管理，应当依据法定的职权和程序，简化办事手续，做到公正、严格、文明、高效。	第一百零五条 公安机关交通管理部门以及其交通警察实施道路交通安全管理，应当依据法定的职权和程序，简化办事手续，做到公正、严格、文明、高效。
	第一百零六条 公安机关交通管理部门应当依法以文字、音视频、图像或者电子数据等形式，对行政处罚的启动、调查取证、审核、决定、送达、执行等进行全过程记录。
	第一百零七条 公安机关交通管理部门对实施道路交通安全管理过程中制作或者获取的，以一定形式记录、保存的文件材料和相关信息，应当按照规定存档。 公安机关交通管理部门以及其

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Article 78 The traffic control department of the public security organ shall strengthen administration of the traffic police and help enhance their qualifications and raise their level of road traffic administration.

The traffic control department of the public security organ shall, among the traffic police, conduct professional training and appraisal in respect of the legal system and traffic safety administration. Where a traffic policeman fails to pass the appraisal, he shall not take the post to perform his duties.

Article 79 When the traffic control department of the public security organ and the traffic police exercise control of road traffic safety, they shall, in compliance with their statutory functions and duties and the statutory procedure, simplify official formalities and do their work in an impartial, strict, civil and efficient manner.

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Article 104 The traffic management department of the public security organ shall strengthen the management of traffic police, improve the quality of traffic police and the level of road traffic management.

The traffic management department of the public security organ shall conduct legal and traffic safety management professional training and assessment for traffic police. Traffic police officers who fail to pass the assessment shall not be allowed to work on duty. position.

Article 105 The traffic management department of the public security organ and its traffic police shall implement road traffic safety management in accordance with legal powers and procedures, simplify the handling procedures, and be fair, strict, civilized and efficient.

Article 106 The traffic management department of the public security organ shall, in accordance with the law, record the entire process of the initiation, investigation and evidence collection, review, decision, delivery, and execution of administrative penalties in the form of text, audio, video, images, or electronic data.

Article 107 The traffic management department of the public security organ shall archive documents and related information produced or obtained in the course of implementing road traffic safety management and recorded and preserved in a certain form in accordance with regulations.

The traffic management department of the public security organ and its traffic police shall keep state secrets, work secrets, business secrets, personal privacy and other personal information learned during the implementation of road traffic safety management confidential in accordance with the law.

现 行 法	修订草案
	交通警察对实施道路交通安全管理过程中知悉的国家秘密、工作秘密、商业秘密、个人隐私和其他个人信息，应当依法予以保密。
第八十条 交通警察执行职务时，应当按照规定着装，佩带人民警察标志，持有人民警察证件，保持警容严整，举止端庄，指挥规范。	第一百零八条 交通警察执行职务时，应当按照规定着装，佩带人民警察标志，持有人民警察证件，保持警容严整，举止端庄，指挥规范。
第八十一条 依照本法发放牌证等收取工本费，应当严格执行国务院价格主管部门核定的收费标准，并全部上缴国库。	第一百零九条 依照本法发放牌证等收取工本费，应当严格执行国务院 财政 、价格主管部门核定的收费标准，并全部上缴国库。
第八十二条 公安机关交通管理部门依法实施罚款的行政处罚，应当依照有关法律、行政法规的规定，实施罚款决定与罚款收缴分离；收缴的罚款 以及依法 没收的违法所得， 应当 全部上缴国库。	第一百一十条 公安机关交通管理部门依法实施罚款的行政处罚，应当依照有关法律、行政法规的规定，实施罚款决定与罚款收缴分离， 但是依照法律规定可以当场收缴的除外 ；收缴的罚款、没收的违法所得 或者没收非法财物拍卖的款项，必须全部上缴国库 。
	第一百一十一条 公安机关交通管理部门拟作出下列行政处罚决定，应当告知当事人有要求听证的权利，当事人要求听证的，应当依法组织听证： （一）对个人处二千元以上罚款，对单位处一万元以上罚款； （二）没收较大数额违法所得，没收较大价值非法财物；

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Article 80 When performing their functions and duties, the traffic police shall, in accordance with relevant regulations, wear their uniforms and the badges of the people's police, hold their papers of the people's police, keep up the bearing of the police, carry themselves with dignity and direct traffic in conformity with standards.

Article 81 Fees for the cost of the plates and certificates issued in accordance with this Law shall be collected strictly in accordance with the rates fixed by the department for pricing under the State Council, and shall be turned over to the State Treasury in full.

Article 82 When the traffic control department of the public security organ imposes fines as an administrative punishment, it shall, in accordance with the provisions of relevant laws and administrative regulations, separate the decision on fines from the collection of fines; and the fines collected and unlawful gains confiscated according to law shall be turned over to the State Treasury in full.

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Article 108 When performing their duties, traffic police officers shall dress in accordance with regulations, wear the people's police logo, hold the people's police certificate, maintain a neat police appearance, conduct themselves dignified, and command in a standardized manner.

Article 109 When collecting production fees for issuing licenses and other services in accordance with this Law, the fee standards approved by the finance and price authorities of the State Council shall be strictly implemented, and all fees shall be turned over to the State treasury.

Article 110 When the traffic management department of the public security organ implements administrative penalties of fines in accordance with the law, the decision to implement fines and the collection of fines shall be separated in accordance with the provisions of relevant laws and administrative regulations, except that the fines can be collected on the spot in accordance with legal provisions; Any money, confiscated illegal gains or money from the auction of confiscated illegal property must be turned over to the State treasury.

Article 111 When the traffic management department of the public security organ intends to make the following administrative penalty decisions, it shall inform the parties of their right to request a hearing. If the parties request a hearing, the hearing shall be organized in accordance with the law:

(1) A fine of more than 2,000 yuan shall be imposed on individuals and a fine of more than 10,000 yuan shall be imposed on units;

(2) Confiscate a relatively large amount of illegal income and confiscate illegal property of a relatively large value;

(3) Revoking the motor vehicle driving license;

(4) Other circumstances stipulated in laws, regulations and rules.

现 行 法	修订草案
	(三) 吊销机动车驾驶证； (四) 法律、法规、规章规定的其他情形。
第一百零七条 对道路交通违法行为人予以警告、二百元以下罚款，交通警察可以当场作出行政处罚决定，并出具行政处罚决定书。 行政处罚决定书应当载明当事人的违法事实、行政处罚的依据、处罚内容、时间、地点以及处罚机关名称，并由执法人员签名或者盖章。	第一百一十二条 公安机关交通管理部门对道路交通安全违法行为人作出处罚决定的，应当出具行政处罚决定书。 行政处罚决定书应当载明当事人的基本信息、违法事实，行政处罚的依据、处罚内容、时间、地点、处罚机关名称以及当事人申请行政复议、提起行政诉讼的途径和期限，并由执法人员签名或者盖章。 对道路交通安全违法行为人处警告、五百元以下罚款，交通警察可以当场作出行政处罚决定，并出具行政处罚决定书。 适用当场处罚，被处罚人对拟作出行政处罚的内容以及事实、理由、依据没有异议的，可以由一名交通警察当场作出行政处罚决定，并应当全程同步录音录像。 当场作出行政处罚决定，经办的交通警察应当在二十四小时内报所属公安机关交通管理部门备案。
第一百零八条 当事人应当自收到罚款的行政处罚决定书之日起十五日内，到指定的银行缴纳	第一百一十三条 当事人应当自收到罚款的行政处罚决定书之日起十五日内，到指定的银行或

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Article 107 Where a disciplinary warning is to be given to, or a fine of not more than 200 yuan to be imposed on, a violator of road traffic law, the traffic policemen may make the decision on administrative penalty on the spot and produce a written decision on such penalty.

In the written decision on administrative penalty shall clearly be stated the facts of violation by the party, the basis for the administrative penalty, the penalty imposed, the time and place of the penalty, and the name of the authority that imposes the penalty, and the written decision shall be signed or sealed by the law-enforcing person.

Article 108 The party shall, within 15 days from the date he receives the written decision on administrative penalty, pay the fine at the designated bank.

Where the parties have no objections, the fines imposed on pedestrians, passengers and drivers of non-motor vehicles may be collected on the spot.

Where fines are paid, unified receipts for fines, made and distributed by the financial departments of provinces, autonomous regions, and municipalities directly under the Central Government, shall be written out; and in the absence of such receipts, the parties shall have the right to refuse to pay the fines.

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Article 112 When the traffic management department of the public security organ makes a decision on punishment for a person who violates road traffic safety laws, it shall issue an administrative penalty decision.

The administrative penalty decision shall state the basic information of the party concerned, the facts of the violation, the basis for the administrative penalty, the content of the penalty, the time and place, the name of the penalty agency, as well as the channels and time limits for the party to apply for administrative reconsideration and initiate administrative litigation, and shall be signed or sealed by the law enforcement officer.

Those who violate road traffic safety laws will be given a warning and a fine of not more than 500 yuan. The traffic police can make an administrative penalty decision on the spot and issue an administrative penalty decision letter.

If on-the-spot punishment is applied, if the person being punished has no objection to the content, facts, reasons, and basis of the proposed administrative punishment, a traffic police officer can make the decision on administrative punishment on the spot, and the whole process shall be recorded and videotaped simultaneously.

If an administrative penalty decision is made on the spot, the traffic police officer handling the matter shall report it to the traffic management department of the corresponding public security organ for record within 24 hours.

Article 113 The party concerned shall pay the fine at a designated bank or through an electronic payment system within 15 days from the date of receipt of the administrative penalty decision.

Fines for pedestrians, passengers and non-motor vehicle drivers may be collected on the spot if the parties concerned have no objection.

Fines must be issued in the form of special notes uniformly issued by the financial departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government; if the special notes uniformly issued by the financial departments are not issued, the party concerned has the right to refuse to pay the fine.

现 行 法	修订草案
罚款。 对行人、乘车人和非机动车驾驶人的罚款，当事人无异议的，可以当场予以收缴罚款。 罚款应当开具省、自治区、直辖市财政部门统一制发的罚款收据；不出具财政部门统一制发的罚款收据的，当事人有权拒绝缴纳罚款。	者通过电子支付系统缴纳罚款。 对行人、乘车人和非机动车驾驶人的罚款，当事人无异议的，可以当场收缴。 罚款应当出具省、自治区、直辖市人民政府财政部门统一制发的专用票据；不出具财政部门统一制发的专用票据的，当事人有权拒绝缴纳罚款。
第一百零九条 当事人逾期不履行行政处罚决定的，作出行政处罚决定的行政机关可以采取下列措施： （一）到期不缴纳罚款的，每日按罚款数额的百分之三加处罚款； （二）申请人民法院强制执行。	第一百一十四条 当事人逾期不履行行政处罚决定的，作出行政处罚决定的行政机关可以采取下列措施： （一）到期不缴纳罚款的，每日按罚款数额的百分之三加处罚款，加处罚款的数额不得超出罚款的数额； （二）申请人民法院强制执行。
第一百一十条 执行职务的交通警察认为应当对道路交通违法行为人给予暂扣或者吊销机动车驾驶证处罚的，可以先予扣留机动车驾驶证，并在二十四小时内将案件移交公安机关交通管理部门处理。 道路交通违法行为人应当在十五日内到公安机关交通管理部门接受处理。无正当理由逾期未接受处理的，吊销机动车驾驶证。	第一百一十五条 执行职务的交通警察认为应当对道路交通安全违法行为人给予暂扣或者吊销机动车驾驶证处罚的，可以先予扣留机动车驾驶证，并在二十四小时内将案件移交公安机关交通管理部门处理。 有前款规定的情形，道路交通安全违法行为人提出陈述、申辩的，应当在十五日内向公安机关交通管理部门提出，明确放弃陈述、

CURRENT LAW - ENGLISH

Article 109 Where a party fails to abide by the decision on administrative penalty at the expiration of the time limit, the administrative organ that makes such a decision may take the following measures:

(1) if a fine is not duly paid, an additional 3 per cent of the amount of the fine per day shall be imposed; and

(2) applying to the People's Court for compulsory enforcement.

Article 110 Where a traffic policeman, when performing his duties, deems it necessary to temporarily suspend or to revoke the motor vehicle driver's license of a violator of the law on road traffic as a punishment, he may suspend the driver's license first and, within 24 hours, transfer the case to the traffic control department of the public security organ for disposition.

The violator of the law on road traffic shall, within 15 days, go to the traffic control department of the public security organ for disposition. If, without legitimate reasons, the violator fails to go for the disposition at the expiration of the time limit, his motor vehicle driver's license shall be revoked.

Where the traffic control department of the public security organ suspends temporarily or revokes a motor vehicle driver's license, it shall produce a written decision on the administrative penalty.

REVISION DRAFT - ENGLISH

Article 114 If a party fails to fulfill the administrative penalty decision within the time limit, the administrative agency that made the administrative penalty decision may take the following measures:

(1) If a fine is not paid when due, an additional fine of 3% of the fine will be imposed daily, and the amount of the additional fine shall not exceed the amount of the fine;

(2) Apply to the People's Court for compulsory execution.

Article 115 If the traffic policeman performing his duties deems that the motor vehicle driving license of the violator of road traffic safety violations shall be temporarily detained or revoked, he may first detain the motor vehicle driving license and transfer the case to the traffic management department of the public security organ for processing within 24 hours.

Under the circumstances specified in the preceding paragraph, if a road traffic safety violator makes a statement or defense, he shall submit it to the traffic management department of the public security organ within fifteen days. If he explicitly waives his right to make a statement or defense or fails to make a statement within the time limit, the traffic management department of the public security organ may directly make a decision on punishment.

现 行 法	修订草案
公安机关交通管理部门暂扣或者吊销机动车驾驶证的，应当出具行政处罚决定书。	申辩权利或者逾期未提出的，公安机关交通管理部门可以直接作出处罚决定。
第一百一十一条 对违反本法规定予以拘留的行政[]处罚，由县、市公安局、公安分局或者相当于县一级的公安机关裁决。	第一百一十六条 对违反本法规定予以行政拘留的处罚，由县、市公安局、公安分局或者相当于县一级的公安机关裁决。
第一百一十二条 公安机关交通管理部门扣留机动车、非机动车，应当当场出具凭证，并告知当事人在规定期限内到公安机关交通管理部门接受处理。 公安机关交通管理部门对被扣留的车辆应当妥善保管，不得使用。 逾期[]不[]来接受处理，并且经公告三个月仍不[]来接受处理的，对扣[]留的[]车辆依法[]处理。	第一百一十七条 公安机关交通管理部门扣留机动车、非机动车以及有关物品、证件，应当当场出具凭证，并告知当事人在规定期限内到公安机关交通管理部门接受处理。 公安机关交通管理部门对被扣留的车辆以及有关物品、证件应当妥善保管，不得使用。 公安机关交通管理部门根据本法规定扣留的车辆，涉及其他违法犯罪行为的，移交有关主管部门处理；拼装的车辆，予以解体；达到报废标准的机动车，予以报废；非法改装的机动车，责令恢复原状，并送机动车安全技术检验机构检验。 当事人消除违法状态、提供合法证明或者补办相应手续，并处理完毕道路交通安全违法行为的，公安机关交通管理部门应当及时退还被扣留车辆以及有关物品、证件。车辆所有人、管理人或者驾驶

CURRENT LAW - ENGLISH

Article 111 With respect to detention as an administrative penalty for violation of the provisions of this Law, the public security bureau or sub-bureau of a county or city or the public security organ equal to the county level shall make a ruling.

Article 112 Where the traffic control department of the public security organ distrains a motor vehicle or non-motor vehicle, it shall produce a receipt on the spot, and tell the party to go, within a specified period of time, to the said department for disposition.

The traffic control department of the public security organ shall take good care of the distrained vehicles and shall not use them.

Where the party fails to go for the disposition at the expiration of the specified period of time, and still fails to do so three months after announcement of the matter, the distrained vehicle shall be disposed of according to law.

REVISION DRAFT - ENGLISH

Article 116 The penalty of administrative detention for violation of the provisions of this Law shall be determined by The decision shall be made by the county or city public security bureau, public security branch, or public security agency equivalent to the county level.

Article 117 If the traffic management department of the public security organ detains motor vehicles, non-motor vehicles and related items and documents, it shall issue a voucher on the spot and notify the parties concerned to go to the traffic management department of the public security organ for processing within the prescribed time limit.

The traffic management department of the public security organ shall properly keep the detained vehicles and related items and documents and shall not use them.

Vehicles detained by the traffic management department of the public security organ in accordance with the provisions of this Law and involved in other illegal and criminal acts shall be handed over to the relevant competent departments for processing; assembled vehicles shall be dismantled; motor vehicles that meet the scrap standard shall be scrapped; illegally modified motor vehicles shall be ordered to be restored to their original condition and sent to the motor vehicle safety technical inspection agency for inspection.

If the party concerned eliminates the illegal status, provides legal certificates or completes corresponding procedures, and completes the handling of road traffic safety violations, the traffic management department of the public security organ shall return the detained vehicle and related items and documents in a timely manner. If the vehicle owner, manager or driver fails to provide legal certificates for the impounded vehicle within 30 days, fails to complete corresponding procedures, or does not come to the traffic management department of the public security organ to accept the processing, and is notified by the traffic management department of the public security organ and still does not accept the processing after three months of announcement, the traffic management department of the public security organ will submit the vehicle to a qualified auction agency for auction in accordance with the law, and the proceeds will be turned over to the State treasury; if the vehicle cannot be auctioned, it will be forcibly scrapped or dismantled.

现 行 法	修订草案
	人三十日内没有提供被扣留车辆的合法证明，没有补办相应手续，或者不到公安机关交通管理部门接受处理，经公安机关交通管理部门通知并且经公告三个月仍不到公安机关交通管理部门接受处理的，由公安机关交通管理部门将该车辆送交有资格的拍卖机构依法拍卖，所得价款上缴国库；无法拍卖的，强制报废或者予以解体。
	第一百一十八条 公安机关交通管理部门需要传唤交通肇事嫌疑人、严重道路交通安全违法行为人接受调查的，经县级以上公安机关交通管理部门负责人批准，使用传唤证传唤。对现场发现的交通肇事嫌疑人、严重道路交通安全违法行为人，交通警察经出示人民警察证，可以口头传唤，但是应当在询问笔录中注明。 公安机关交通管理部门应当将传唤的原因和依据告知被传唤人。无正当理由不接受传唤或者逃避传唤的，经县级以上公安机关交通管理部门负责人批准，可以强制传唤。 对交通肇事嫌疑人、严重道路交通安全违法行为人，公安机关交通管理部门传唤后应当及时询问查证，询问查证的时间不得超过八

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REVISION DRAFT - ENGLISH

Article 118 If the traffic management department of the public security organ needs to summon traffic crash suspects or serious road traffic safety violations for investigation, the summons certificate shall be used with the approval of the person in charge of the traffic management department of the public security organ at or above the county level. Sent to the scene For current traffic crash suspects or serious road traffic safety violations, the traffic police may verbally summon the suspects or perpetrators of serious road traffic safety violations upon presentation of their people's police certificates, but this shall be noted in the inquiry record.

The traffic management department of the public security organ shall inform the person being summoned of the reason and basis for the summons. If a person refuses to accept a summons or evades a summons without justifiable reasons, he may be subject to a compulsory summons with the approval of the person in charge of the traffic management department of the public security organ at or above the county level.

For traffic crash suspects and serious road traffic safety violations, the traffic management department of the public security organ shall promptly inquire and verify after summons, and the inquiry and verification time shall not exceed eight hours; if there are many people involved in the case and the identity of the person being summoned is unknown, the inquiry and verification time shall not exceed 12 hours; if the situation is complicated and administrative detention penalties may be applicable in accordance with the provisions of this Law, the inquiry and verification time shall not exceed 24 hours.

The traffic management department of the public security organ shall promptly notify the family of the person being summoned of the reason and location of the summons.

During the inquiry and verification period, the traffic management department of the public security organ shall ensure that the person summoned has legitimate needs such as food and necessary rest time.

现 行 法	修订草案
	小时；涉案人数众多、被传唤人身份不明的，询问查证的时间不得超过十二小时；情况复杂，依照本法规定可能适用行政拘留处罚的，询问查证的时间不得超过二十四小时。 公安机关交通管理部门应当及时将传唤的原因和处所通知被传唤人家属。 询问查证期间，公安机关交通管理部门应当保证被传唤人的饮食、必要的休息时间等正当需求。
第一百一十四条 公安机关交通管理部门根据交通技术监控记录资料，可以对违法的机动车所有人或者管理人依法予以处罚。对能够确定驾驶人的，可以依照本法的规定依法予以处罚。	第一百一十九条 公安机关交通管理部门利用交通技术监控设备收集、固定违法事实的，应当经过法制和技术审核，确保交通技术监控设备符合标准、设置合理、标志明显，固定交通技术监控设备的设置地点应当向社会公布。 交通技术监控设备收集违法行为记录资料后，违法行为发生地公安机关交通管理部门应当对记录内容进行审核。未经审核或者经审核不符合要求的，不得作为处罚违法行为的证据。经审核，对当事人的同一个违法行为收集两次以上或者已经在现场被交通警察处理的，应当删除重复的记录资料；收集的违法行为信息存在其他错误的，应当予以更正或者撤销。

CURRENT LAW - ENGLISH

Article 114 The traffic control department of the public security organ may, on the basis of the technical traffic monitoring records and in accordance with law, impose a penalty on the owner or manager of the motor vehicle involved in violation of laws. If the driver can be identified, it may impose a penalty on the driver in accordance with the provisions of this Law.

REVISION DRAFT - ENGLISH

Article 119 If the traffic management department of the public security organ uses traffic technical monitoring equipment to collect and fix illegal facts, it shall undergo legal and technical review to ensure that the traffic technical monitoring equipment meets the standards, is reasonably set up, and has clear signs. The location of the fixed traffic technical monitoring equipment shall be announced to the public.

After the traffic technical monitoring equipment collects record information of illegal acts, the traffic management department of the public security organ where the illegal acts occurred shall review the contents of the records. If it has not been reviewed or does not meet the requirements after review, it shall not be used as evidence for punishing illegal acts. After trial

If the same illegal act of a party has been collected more than twice or has been handled by the traffic police at the scene, the duplicate recorded information shall be deleted; if there are other errors in the collected illegal act information, it shall be corrected or cancelled.

The traffic management department of the public security organ may impose penalties on vehicle owners or managers, pedestrians, and passengers in accordance with the law based on the information recorded by the traffic technical monitoring equipment. Anyone who can identify the driver shall be punished in accordance with the provisions of this Law.

现 行 法	修订草案
	公安机关交通管理部门根据交通技术监控设备记录资料，可以对车辆所有人或者管理人、行人、乘车人依法予以处罚。对能够确定驾驶人的，依照本法的规定予以处罚。
	第一百二十条 交通技术监控设备记录的违法行为信息经审核录入公安交通信息管理系统后当日，公安机关交通管理部门应当将拟作出行政处罚的内容以及事实、理由、依据向当事人提供查询；交通技术监控设备记录的违法行为信息录入公安交通信息管理系统后五日内，公安机关交通管理部门应当按照机动车登记信息中的联系方式通知机动车所有人、管理人在三十日内接受处理，并告知其依法享有陈述、申辩、要求听证等权利。 机动车所有人、管理人将机动车交由他人驾驶的，应当及时通知机动车驾驶人接受处理。 机动车所有人、管理人或者驾驶人接到前款通知后，可以到公安机关交通管理部门或者通过移动互联网应用程序查询、核实机动车交通违法行为信息，发现违法行为信息存在错误或者有紧急避险等正当事由的，可以申请予以更正或

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REVISION DRAFT - ENGLISH

Article 120 On the day after the illegal behavior information recorded by the traffic technical monitoring equipment is reviewed and entered into the public security traffic information management system, the traffic management department of the public security organ shall provide inquiries to the parties regarding the content of the proposed administrative penalty as well as the facts, reasons, and basis; within five days after the illegal behavior information recorded by the traffic technical monitoring equipment is entered into the public security traffic information management system, the traffic management department of the public security organ shall notify the owner and manager of the motor vehicle according to the contact information in the motor vehicle registration information to accept the processing within thirty days, and inform them of their rights to make statements, pleas, and request hearings in accordance with the law.

If the owner or manager of a motor vehicle gives the motor vehicle to another person to drive, he shall promptly notify the driver of the motor vehicle to accept the punishment.

After receiving the notice in the preceding paragraph, the owner, manager or driver of a motor vehicle may inquire and verify the information on motor vehicle traffic violations at the traffic management department of the public security organ or through a mobile Internet application. If the information on the illegal behavior is found to be erroneous or there are legitimate reasons such as emergency avoidance, the owner, manager or driver may apply for correction or cancellation; if the traffic management department of the public security organ cannot confirm the existence of the violation after verification, it shall be corrected or cancelled.

现 行 法	修订草案
	者撤销；公安机关交通管理部门经 查证不能确定违法行为存在的，应 当予以更正或者撤销。
	第一百二十一条 机动车所 有人、管理人或者驾驶人明确放弃 本法第一百二十条第一款规定的 陈述、申辩、要求听证等权利的， 公安机关交通管理部门应当依法 作出行政处罚决定，并依照本法第 一百一十二条规定告知其享有申 请行政复议、提起行政诉讼的权利。 机动车所有人、管理人或者驾 驶人无正当理由超过本法第一百 二十条第一款规定的期限未接受 处理或者未提出陈述、申辩、要求 听证，经公告三个月仍不到公安机 关交通管理部门接受处理的，公安 机关交通管理部门可以依法作出 行政处罚决定，并依照《中华人民 共和国行政处罚法》规定送达当事 人。机动车所有人、管理人或者驾 驶人无异议的，可以在公安机关交 通管理部门或者通过移动互联网 应用程序等接受处理。
第八十三条 交通警察调查 处理道路交通安全违法行为和交 通事故，有下列情形之一的，应当 回避： （一）是本案的当事人或者当	第一百二十二条 交通警察 调查处理道路交通安全违法行为 和交通事故，有下列情形之一的， 应当回避： （一）是本案的当事人或者当

CURRENT LAW - ENGLISH

Article 83 When a traffic policeman investigates and handles violations of the law on road traffic safety or traffic crashes, he shall withdraw in any of the following circumstances:

- (1) if he is a party to the case or close relative of the party;
- (2) if he or his close relative has an interest in the case; and
- (3) if he has other relations with the party to the case, which may affect the impartial disposition of the case.

REVISION DRAFT - ENGLISH

Article 121 The owner, manager or driver of a motor vehicle clearly releases For those who waive their rights to make statements, pleas, and request hearings as stipulated in Paragraph 1 of Article 120 of this Law, the traffic management department of the public security organ shall make an administrative penalty decision in accordance with the law and inform them of their right to apply for administrative reconsideration and initiate administrative litigation in accordance with Article 112 of this Law.

If the owner, manager or driver of a motor vehicle fails to accept punishment beyond the time limit stipulated in Paragraph 1 of Article 120 of this Law without justifiable reasons or fails to make a statement, defense or request a hearing, and still does not accept the punishment by the traffic management department of the public security organ after three months of announcement, the traffic management department of the public security organ may make an administrative penalty decision in accordance with the law and serve it to the party concerned in accordance with the provisions of the "Administrative Punishment Law of the People's Republic of China". If the owner, manager or driver of the motor vehicle has no objection, it can be processed at the traffic management department of the public security organ or through mobile Internet applications.

Article 122 When traffic police investigate and handle road traffic safety violations and traffic crashes, they shall recuse themselves under any of the following circumstances:

- (1) Be a party to the case or a close relative of a party;
- (2) The person or his close relatives have an interest in the case;
- (3) Having other relationships with the parties to the case, which may affect the fair handling of the case.

现 行 法	修订草案
事人的近亲属； （二）本人或者其近亲属与本案有利害关系； （三）与本案当事人有其他关系，可能影响案件的公正处理。	事人的近亲属； （二）本人或者其近亲属与本案有利害关系； （三）与本案当事人有其他关系，可能影响案件的公正处理。
第八十四条 公安机关交通管理部门及其交通警察的行政执法活动，应当接受行政监察机关依法实施的监督。 公安机关督察部门应当对公安机关交通管理部门及其交通警察执行法律、法规和遵守纪律的情况依法进行监督。 上级公安机关交通管理部门应当对下级公安机关交通管理部门的执法活动进行监督。	第一百二十三条 公安机关交通管理部门以及其交通警察的行政执法活动，应当接受有关机关依法实施的监督。 公安机关督察审计部门应当对公安机关交通管理部门以及其交通警察执行法律、法规和遵守纪律的情况依法进行监督。 上级公安机关交通管理部门应当对下级公安机关交通管理部门的执法活动进行监督。
第八十五条 公安机关交通管理部门及其交通警察执行职务，应当自觉接受社会和公民的监督。 任何单位和个人都都有权对公安机关交通管理部门及其交通警察不严格执法以及违法违纪行为进行检举、控告。收到检举、控告的机关，应当依据职责及时查处。	第一百二十四条 公安机关交通管理部门以及其交通警察执行职务，应当自觉接受社会和公民的监督。 任何单位和个人有权对公安机关交通管理部门以及其交通警察不严格执法、违法违纪行为进行检举、控告。收到检举、控告的机关，应当依据职责及时查处。
第八十六条 任何单位不得给公安机关交通管理部门下达或者变相下达罚款指标；公安机关交通管理部门不得以罚款数额作为考核交通警察的标准。	第一百二十五条 任何单位不得向公安机关交通管理部门下达或者变相下达处罚指标；公安机关交通管理部门不得以处罚数额或者变相以处罚数额作为考核、考

CURRENT LAW - ENGLISH

Article 84 Administrative law enforcement conducted by the traffic control department of the public security organ and the traffic police shall be subject to supervision exercised by the administrative supervisory authority according to law.

The supervisory department of the public security organ shall, in accordance with law, supervise the enforcement of laws and regulations and the observance of discipline by the traffic control department of the public security organ and the traffic police.

The traffic control department of the public security organ at a higher level shall supervise the law enforcement by the traffic control department of the public security organ at a lower level.

Article 85 When performing their duties, the traffic control department of the public security organ and the traffic police shall consciously accept supervision by the community and citizens.

All units and individuals shall have the right to report or complain against the traffic control department of the public security organ and the traffic police for their failure to enforce laws strictly or their violations of laws or rules of discipline. The authority that receives such report or complaint shall, in compliance with its duties, conduct investigation and impose punishment without delay.

Article 86 No unit shall impose, or impose in disguised form, any penalty quota to the traffic control department of the public security organ; and the traffic control department of the public security organ shall not make the amount of fines imposed as the criterion for appraisal of the performance of traffic police.

The traffic control department of the public security organ and the traffic police shall have the right to refuse to carry out the instructions that transcend the provisions of laws and regulations, and report the matter to the authority at a higher level at the same time.

Chapter VII Legal Responsibility

REVISION DRAFT - ENGLISH

Article 123 The administrative law enforcement activities of the traffic management department of the public security organ and its traffic police shall accept the supervision implemented by relevant agencies in accordance with the law.

The supervision and audit department of the public security organ shall supervise the implementation of laws, regulations and compliance with disciplines by the traffic management department of the public security organ and its traffic police in accordance with the law.

The traffic management department of the public security organ at the higher level shall supervise the law enforcement activities of the traffic management department of the public security organ at the lower level.

Article 124 The traffic management department of the public security organ and its traffic police officers shall consciously accept the supervision of society and citizens when performing their duties.

Any unit or individual has the right to report or accuse the traffic management department of the public security organ and its traffic police for not strictly enforcing the law or violating laws and disciplines. Agencies that receive reports or accusations shall promptly investigate and deal with them in accordance with their duties.

Article 125 No unit may issue penalty targets to the traffic management department of the public security organ or in disguise; the traffic management department of the public security organ shall not use the amount of punishment or use the amount of punishment in disguise as a criterion for assessing and evaluating traffic police officers.

The traffic management department of the public security organ and its traffic police have the right to refuse to implement instructions that exceed the provisions of laws and regulations and report to the higher authority at the same time.

现 行 法	修订草案
公安机关交通管理部门及其交通警察对超越法律、法规规定的指令，有权拒绝执行，并同时向上级机关报告。	评交通警察的标准。 公安机关交通管理部门以及其交通警察对超越法律、法规规定的指令，有权拒绝执行，并同时向上级机关报告。
第七章 法律责任	第八章 法律责任
第八十七条 公安机关交通管理部门及其交通警察对道路交通安全违法行为，应当及时纠正。 公安机关交通管理部门及其交通警察应当依据事实和本法的有关规定对道路交通安全违法行为予以处罚。对于情节轻微，未影响道路通行的，指出违法行为，给予口头警告后放行。	第一百二十六条 公安机关交通管理部门以及其交通警察处理道路交通安全违法行为，应当坚持处罚与教育相结合，及时提醒、教育道路交通参与者自觉遵守道路交通安全法律、法规。 公安机关交通管理部门以及其交通警察对道路交通安全违法行为，应当予以纠正。现场不能纠正的，应当责令当事人及时纠正。 公安机关交通管理部门以及其交通警察应当依据事实和本法的有关规定对道路交通安全违法行为予以处罚，处罚应当与违法行为的事实、性质、情节以及社会危害程度相当。对于情节轻微，未影响道路交通秩序和安全的，指出违法行为，批评教育后放行。
第八十八条 对道路交通安全违法行为的处罚种类包括：警告、罚款、暂扣或者吊销机动车驾驶证、拘留。	第一百二十七条 对道路交通安全违法行为的处罚种类包括：警告、罚款、没收违法所得、没收非法财物、暂扣或者吊销机动车驾驶证、行政拘留。 违法行为轻微的行为人自愿

CURRENT LAW - ENGLISH

Article 87 The traffic control department of the public security organ and the traffic police shall, without delay, have the violations of the law on road traffic safety rectified.

The traffic control department of the public security organ and the traffic police shall, on the basis of facts and in accordance with the relevant provisions of this Law, impose punishment on violations of the law on road traffic safety. Where the circumstances are minor as not to impede road passage, they shall point out the violations and let the violators go after giving an oral warning.

Article 88 Punishments for violations of the law on road traffic safety include: disciplinary warning, fine, temporary suspension or revocation of motor vehicle driver's license, and detention.

REVISION DRAFT - ENGLISH

Article 126 The traffic management department of the public security organ and its traffic police shall adhere to the combination of punishment and education when handling road traffic safety violations, and promptly remind and educate road traffic participants to consciously abide by road traffic safety laws and regulations.

The traffic management department of the public security organ and its traffic police shall correct road traffic safety violations. If it cannot be corrected on site, the party concerned shall be ordered to make timely corrections.

The traffic management department of the public security organ and its traffic police shall impose penalties on road traffic safety violations based on the facts and the relevant provisions of this Law. The penalties shall be commensurate with the facts, nature, circumstances and degree of social harm of the illegal acts. For minor cases that do not affect road traffic order and safety, point out the illegal behavior and criticize and educate them
Release.

Article 127 Punishment types for road traffic safety violations include: warnings, fines, confiscation of illegal gains, confiscation of illegal property, temporary suspension or revocation of motor vehicle driving licenses, and administrative detention.

If perpetrators of minor illegal acts voluntarily participate in road traffic safety public welfare activities, road traffic safety laws and regulations study and education activities organized by the traffic management department of the public security organ, they may be given a lighter, reduced or no punishment. Specific measures shall be formulated by the public security department under the State Council.

现 行 法	修订草案
	参加公安机关交通管理部门组织的道路交通安全公益活动、道路交通安全法律、法规学习教育等活动的，可以从轻、减轻或者不予处罚。具体办法由国务院公安部门制定。
第八十九条 行人、乘车人、非机动车驾驶人违反道路交通安全法律、法规关于道路通行规定的，处警告或者五元以上五十元以下罚款；非机动车驾驶人拒绝接受罚款处罚的，可以扣留其非机动车。	第一百二十八条 行人、乘车人、非机动车驾驶人违反道路交通安全法律、法规关于道路通行规定的，处警告或者二十元以上一百元以下罚款；非机动车驾驶人拒绝接受罚款处罚的，可以扣留其非机动车。本法另有规定的，依照规定处罚。
	第一百二十九条 驾驶电动自行车有逆向行驶，违反交通信号通行，拨打或者接听手持电话、观看视频以及其他妨碍安全驾驶行为的，处警告或者五十元以上二百元以下罚款。 驾驶电动自行车超过规定时速未达到百分之三十的，处警告；超过规定时速百分之三十以上的，处五十元以上二百元以下罚款。
第九十条 机动车驾驶人违反道路交通安全法律、法规关于道路通行规定的，处警告或者二十元以上二百元以下罚款。本法另有规定的，依照规定处罚。	第一百三十条 机动车驾驶人以及所有人、管理人违反道路交通安全法律、法规关于道路通行规定的，处警告或者五十元以上二百元以下罚款；情节严重的，可以处二百元以上五百元以下罚款。本法另有规定的，依照规定处罚。

CURRENT LAW - ENGLISH

Article 89 Where a pedestrian, rider or driver of a non-motor vehicle violates the provisions governing road passage in laws and regulations on road traffic safety, he shall be given a disciplinary warning or be fined not less than RMB 5 yuan but not more than 50 yuan; and if the driver of non-motor vehicle refuses to accept the punishment of a fine, his non-motor vehicle may be distrained.

Article 90 Where the driver of a motor vehicle violates the provisions governing road passage in laws and regulations on road traffic safety, he shall be given a disciplinary warning or be fined not less than 20 yuan but not more than 200 yuan. Where there are other provisions in this Law, the punishment shall be meted out in accordance with those provisions.

REVISION DRAFT - ENGLISH

Article 128 Pedestrians, passengers, or non-motor vehicle drivers who violate road traffic safety laws and regulations on road traffic shall be given a warning or fined not less than 20 yuan but not more than 100 yuan; if a non-motor vehicle driver refuses to accept the fine, his non-motor vehicle may be impounded. If this Law provides otherwise, punishment shall be in accordance with the provisions.

Article 129 Anyone who drives an electric bicycle in the opposite direction, violates traffic signals, makes or answers handheld phones, watches videos, or otherwise hinders safe driving shall be given a warning or a fine of not less than 50 yuan but not more than 200 yuan.

Anyone who drives an electric bicycle exceeding the prescribed speed by less than 30% will be given a warning; anyone who exceeds the prescribed speed by more than 30% will be fined not less than 50 yuan but not more than 200 yuan.

Article 130 Motor vehicle drivers, owners and managers who violate road traffic safety laws and regulations on road traffic shall be given a warning or fined not less than 50 yuan but not more than 200 yuan; if the circumstances are serious, a fine of not less than 200 yuan but not more than 500 yuan may be imposed. If this Law provides otherwise, punishment shall be in accordance with the provisions.

现 行 法	修订草案
第九十一条 饮酒后驾驶机动车的，处暂扣六个月机动车驾驶证，并处一千元以上二千元以下罚款。因饮酒后驾驶机动车被处罚，再次饮酒后驾驶机动车的，处十日以下拘留，并处一千元以上二千元以下罚款，吊销机动车驾驶证。 醉酒驾驶机动车的，由公安机关交通管理部门约束至酒醒，吊销机动车驾驶证，依法追究刑事责任；五年内不得重新取得机动车驾驶证。 饮酒后驾驶营运机动车的，处十五日拘留，并处五千元罚款，吊销机动车驾驶证，五年内不得重新取得机动车驾驶证。 醉酒驾驶营运机动车的，由公安机关交通管理部门约束至酒醒，吊销机动车驾驶证，依法追究刑事责任；十年内不得重新取得机动车驾驶证，重新取得机动车驾驶证后，不得驾驶营运机动车。 饮酒后或者醉酒驾驶机动车发生重大交通事故，构成犯罪的，依法追究刑事责任，并由公安机关交通管理部门吊销机动车驾驶证，终生不得重新取得机动车驾驶证。	第一百三十一条 饮酒后驾驶机动车的，处暂扣六个月机动车驾驶证，并处一千元以上二千元以下罚款。因饮酒后或者醉酒驾驶机动车被公安机关交通管理部门查获后，再次饮酒后驾驶机动车的，处十日以下行政拘留，并处二千元以上五千元以下罚款，吊销机动车驾驶证。 饮酒后驾驶机动车从事营运活动的，处十日以上十五日以下行政拘留，并处五千元罚款，吊销机动车驾驶证，五年内不得申领机动车驾驶证。 醉酒驾驶机动车的，由公安机关交通管理部门约束至酒醒，吊销机动车驾驶证，五年内不得申领机动车驾驶证，并依法追究刑事责任；对公安机关、人民检察院、人民法院依法认定不需要追究刑事责任或者免于刑事处罚的，处十日以下行政拘留，并处二千元以上五千元以下罚款。 醉酒驾驶机动车从事营运活动的，由公安机关交通管理部门约束至酒醒，吊销机动车驾驶证，十年内不得申领机动车驾驶证，终身不得驾驶营运机动车，并依法追究刑事责任；对公安机关、人民检察院、人民法院依法认定不需要追究

CURRENT LAW - ENGLISH

Article 91 A person who drives a motor vehicle after drinking alcohol shall have the motor vehicle driving license suspended for six months and shall be fined not less than 1,000 yuan but not more than 2,000 yuan. A person who, after having been punished for driving after drinking alcohol, again drives after drinking alcohol shall be detained for not more than ten days, fined not less than 1,000 yuan but not more than 2,000 yuan, and have the motor vehicle driving license revoked.

A person who drives a motor vehicle while intoxicated shall be restrained by the traffic management department of the public security organ until sober, have the motor vehicle driving license revoked, and be investigated for criminal responsibility according to law; the person may not obtain another motor vehicle driving license for five years.

A person who drives a commercial motor vehicle after drinking alcohol shall be detained for fifteen days, fined 5,000 yuan, have the motor vehicle driving license revoked, and may not obtain another motor vehicle driving license for five years.

A person who drives a commercial motor vehicle while intoxicated shall be restrained by the traffic management department of the public security organ until sober, have the motor vehicle driving license revoked, and be investigated for criminal responsibility according to law; the person may not obtain another motor vehicle driving license for ten years and, after obtaining another license, may not drive a commercial motor vehicle.

Where driving a motor vehicle after drinking alcohol or while intoxicated causes a serious traffic crash and constitutes a crime, criminal responsibility shall be investigated according to law, the traffic management department of the public security organ shall revoke the motor vehicle driving license, and the person may not obtain another motor vehicle driving license for life.

REVISION DRAFT - ENGLISH

Article 131 Anyone who drives a motor vehicle after drinking alcohol shall have his motor vehicle driving license temporarily suspended for six months and shall be fined not less than 1,000 yuan but not more than 2,000 yuan. Anyone who is caught by the traffic management department of the public security organ for drinking or driving a motor vehicle while drunk, and then driving a motor vehicle after drinking again shall be subject to administrative detention of not more than ten days, and shall also be fined not less than 2,000 yuan but not more than 5,000 yuan, and the motor vehicle driving license shall be revoked.

Anyone who drives a motor vehicle to engage in business activities after drinking alcohol shall be subject to administrative detention for not less than 10 days but not more than 15 days, a fine of 5,000 yuan, a motor vehicle driving license revoked, and shall not apply for a motor vehicle driving license within five years.

Anyone who drives a motor vehicle while drunk will be restrained by the traffic management department of the public security organ until he sobers up, his motor vehicle driving license will be revoked, he will not be allowed to apply for a motor vehicle driving license within five years, and he will be investigated for criminal liability in accordance with the law; if the public security organ, the people's procuratorate, and the people's court determine that there is no need to pursue criminal liability or be exempted from criminal punishment in accordance with the law, he will be subject to administrative detention for not more than ten days and a fine of not less than 2,000 yuan but not more than 5,000 yuan.

Anyone who drives a motor vehicle while drunk and engages in operating activities will be restrained by the traffic management department of the public security organ until he sobers up, his motor vehicle driving license will be revoked, he will not be allowed to apply for a motor vehicle driving license within ten years, and will not be allowed to drive a commercial motor vehicle for life, and will be investigated for criminal responsibility in accordance with the law; if the public security organ, people's procuratorate, and people's court determine that there is no need to pursue criminal responsibility or be exempted from criminal punishment in accordance with the law, he will be subject to administrative detention for 15 days and a fine of 5,000 yuan.

If a traffic crash occurs while driving a motor vehicle after drinking alcohol or intoxicated, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

The traffic management department of the public security organ shall investigate those suspected of drinking or driving a motor vehicle while drunk. When necessary tests are conducted on personnel, the persons being tested shall cooperate; for those who refuse to be tested, compulsory testing may be conducted with the approval of the person in charge of the traffic management department of the public security organ at or above the county level.

现 行 法	修订草案
	刑事责任或者免于刑事处罚的，处十五日行政拘留，并处五千元罚款。 饮酒后或者醉酒驾驶机动车发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。 公安机关交通管理部门应当对涉嫌饮酒、醉酒驾驶机动车的人员进行必要的检测，被检测人员应当予以配合；对拒绝接受检测的，经县级以上公安机关交通管理部门负责人批准，可以强制检测。
	第一百三十二条 吸食、注射毒品后驾驶机动车的，处十日以上十五日以下行政拘留，并处二千元以上五千元以下罚款，吊销机动车驾驶证，五年内不得申领机动车驾驶证。 吸食、注射毒品后驾驶机动车从事营运活动的，处十五日行政拘留，并处五千元罚款，吊销机动车驾驶证，十年内不得申领机动车驾驶证，终身不得驾驶营运机动车。
	第一百三十三条 驾驶机动车追逐竞驶的，处暂扣六个月机动车驾驶证，并处一千元以上二千元以下罚款；构成犯罪的，依法追究

CURRENT LAW - ENGLISH

No new current-law article begins on this source page.

REVISION DRAFT - ENGLISH

Article 132 Anyone who drives a motor vehicle after taking or injecting drugs shall be subject to administrative detention for not less than ten days but not more than fifteen days, and shall also be fined not less than 2,000 yuan but not more than 5,000 yuan, his motor vehicle driving license shall be revoked, and he shall not apply for a motor vehicle driving license within five years.

Anyone who drives a motor vehicle to engage in business activities after taking or injecting drugs will be subject to administrative detention for 15 days, and a fine of 5,000 yuan, and his or her motor vehicle driving license will be revoked. He will not be allowed to apply for a motor vehicle driving license within ten years, and will be prohibited from driving a commercial motor vehicle for life.

Article 133 Anyone who drives a motor vehicle to chase or race shall have his or her motor vehicle driving license temporarily suspended for six months and fined not less than 1,000 yuan but not more than 2,000 yuan; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the motor vehicle driving license shall not be applied for within five years.

If a motor vehicle is involved in a traffic crash while chasing and racing, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

现 行 法	修订草案
	刑事责任，吊销机动车驾驶证，五年内不得申领机动车驾驶证。 驾驶机动车追逐竞驶发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。
第九十二条 公路客运车辆载客超过额定乘员的，处二百元以上五百元以下罚款；超过额定乘员百分之二十或者违反规定载货的，处五百元以上二千元以下罚款。 货运机动车超过核定载质量的，处二百元以上五百元以下罚款；超过核定载质量百分之三十或者违反规定载客的，处五百元以上二千元以下罚款。 有前款行为的，由公安机关交通管理部门扣留机动车至违法状态消除。 运输单位的车辆有本条第一款、第二款规定的情形，经处罚不改的，对直接负责的主管人员处二千元以上五千元以下罚款。	第一百三十四条 驾驶机动车从事校车业务或者旅客运输，载客超过额定乘员不满百分之二十的，处五百元以上一千元以下罚款；超过额定乘员百分之二十以上的，处暂扣六个月机动车驾驶证，一千元以上二千元以下罚款，可以并处十日以下行政拘留；构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，五年内不得申领机动车驾驶证。有违法所得的，没收违法所得。 载货机动车超过最大允许总质量不满百分之三十的，处五百元以上一千元以下罚款；超过最大允许总质量百分之三十以上不满百分之五十的，处一千元以上二千元以下罚款；超过最大允许总质量百分之五十以上的，处二千元以上三千元以下罚款，情节严重的，并处暂扣三个月机动车驾驶证。车货总质量超过一百吨的，处三千元以上

CURRENT LAW - ENGLISH

Article 92 Where a highway passenger car carries passengers in excess of the specified number, a fine of not less than 200 yuan but not more than 500 yuan shall be imposed; and where the specified number was exceeded by 20 per cent or it carries cargo in violation of relevant regulations, a fine of not less than 500 yuan but not more than 2,000 yuan shall be imposed.

Where a cargo motor vehicle carries cargo in excess of the verified loading capacity, a fine of not less than 200 yuan but not more than 500 yuan shall be imposed; and where the verified loading capacity is exceeded by 30 per cent or the vehicle carries passengers in violation of relevant regulations, a fine of not less than 500 yuan but not more than 2,000 yuan shall be imposed.

Where the driver of a motor vehicle commits any of the acts mentioned in the preceding two paragraphs, the traffic control department of the public security organ shall detain the motor vehicle until the violation is rectified.

If the driver of a vehicle of a transport institution violates the provisions in the first and second paragraph of this Article and fails to rectify after being punished, the person directly in charge shall be fined not less than 2,000 yuan but not more than 5,000 yuan.

REVISION DRAFT - ENGLISH

Article 134 Whoever drives a motor vehicle to engage in school bus business or passenger transportation, and the number of passengers exceeds the rated number of passengers by less than 20%, shall be fined not less than 500 yuan but not more than 1,000 yuan; if the number of passengers exceeds the rated number by more than 20%, the motor vehicle driving license shall be temporarily suspended for six months, fined not less than 1,000 yuan but not more than 2,000 yuan, and may be concurrently subject to administrative detention of not more than 10 days; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the motor vehicle driving license shall not be applied for within five years. If there are illegal gains, the illegal gains will be confiscated. If a cargo-carrying motor vehicle exceeds the maximum allowable total mass by more than 30%, a fine of not less than 500 yuan but not more than 1,000 yuan shall be imposed; if the maximum allowable total mass exceeds 30% but not 50%, a fine of not less than 1,000 yuan but not more than 2,000 yuan shall be imposed; if the maximum allowable total mass exceeds 50%, a fine of not less than 2,000 yuan but not more than 3,000 yuan shall be imposed. If the circumstances are serious, the motor vehicle driving license shall be temporarily suspended for three months. If the total mass of the vehicle or cargo exceeds 100 tons, a fine of not less than 3,000 yuan but not more than 5,000 yuan will be imposed, and the motor vehicle driving license shall be temporarily suspended for six months; if the total mass of the vehicle or cargo exceeds 100 tons, the motor vehicle driving license shall be revoked more than once within twelve consecutive months. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

If the penalty provisions of other laws for ordinary cargo-carrying motor vehicles exceeding the maximum allowable total mass are inconsistent with the provisions of this Law, the provisions of this Law shall apply. Anyone who violates the relevant provisions of paragraph 2 of Article 59 of this Law for carrying items that exceed the limit and cannot be disassembled shall be punished in accordance with the provisions of the Highway Law of the People's Republic of China.

If a passenger motor vehicle carries cargo in violation of regulations or if a cargo motor vehicle carries passengers in violation of regulations, a fine of not less than RMB 500 but not more than RMB 2,000 shall be imposed.

In the case of the first, second and fourth paragraphs of this article, the traffic management department of the public security organ shall detain the motor vehicle until the illegal status is eliminated.

If a transportation unit's vehicle falls under the circumstances specified in paragraphs 1, 2, and 4 of this article and fails to correct the situation despite being punished, the person in charge who is directly responsible shall be fined not less than RMB 3,000 but not more than RMB 5,000.

Under the circumstances specified in paragraph 1 of this article, if a traffic crash occurs, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

现 行 法	修订草案
	五千元以下罚款，并处暂扣六个月机动车驾驶证；连续十二个月内因车货总质量超过一百吨被查处二次以上的，并处吊销机动车驾驶证。构成犯罪的，依法追究刑事责任。 其他法律对普通载货机动车超过最大允许总质量的处罚规定，与本法规定不一致的，适用本法规定。违反本法第五十九条第二款运载超限不可解体物品相关规定的，依照《中华人民共和国公路法》的规定予以处罚。 载客机动车违反规定载货或者载货机动车违反规定载客的，处五百元以上二千元以下罚款。 有本条第一款、第二款、第四款情形的，由公安机关交通管理部门扣留机动车至违法状态消除。 运输单位的车辆有本条第一款、第二款、第四款规定的情形，经处罚不改的，对直接负责的主管人员处三千元以上五千元以下罚款。 有本条第一款规定的情形，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。

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No new revised-draft article begins on this source page.

现 行 法	修订草案
第九十三条 对违反道路交通安全法律、法规关于机动车停放、临时停车规定的，可以指出违法行为，并予以口头警告，令其立即驶离。 机动车驾驶人不在现场或者虽在现场但拒绝立即驶离，妨碍其他车辆、行人通行的，处二十元以上二百元以下罚款，并可以将该机动车拖移至不妨碍交通的地点或者公安机关交通管理部门指定的地点停放。公安机关交通管理部门拖车不得向当事人收取费用，并应当及时告知当事人停放地点。 因采取不正确的方法拖车造成机动车损坏的，应当依法承担补偿责任。	第一百三十五条 对违反道路交通安全法律、法规关于机动车停放、临时停车规定的，可以指出违法行为，批评教育后，令其立即驶离；机动车驾驶人不在现场或者被交通技术监控设备记录的，根据机动车登记信息中的联系方式通知其按照规定驶离。 机动车驾驶人拒绝立即驶离或者未按照规定驶离，妨碍其他车辆、行人通行的，处五十元以上二百元以下罚款，并可以将该机动车拖移至不妨碍交通的地点或者公安机关交通管理部门指定的地点停放。公安机关交通管理部门拖车不得向当事人收取费用，并应当及时告知当事人停放地点。 因采取不正确的方法拖车造成机动车损坏的，应当依法承担赔偿责任。
第九十四条 机动车安全技术检验机构实施机动车安全技术检验超过国务院价格主管部门核定的收费标准收取费用的，退还多收取的费用，并由价格主管部门依照《中华人民共和国价格法》的有关规定给予处罚。 机动车安全技术检验机构不按照机动车国家安全技术标准进行检验，出具虚假检验结果的，由	第一百三十六条 检验、鉴定、医疗、体检机构以及其工作人员不按照技术标准进行检验、鉴定、医疗、体检或者出具虚假检验报告、鉴定意见、医疗报告、体检报告的，公安机关交通管理部门不予采信其出具的检验报告、鉴定意见、医疗报告、体检报告，由相关主管部门依法处理；情节严重的，依法撤销其资质；构成犯罪的，依

CURRENT LAW - ENGLISH

Article 93 Where a driver violates the provisions governing the parking and temporary parking of motor vehicles, as stipulated in laws or regulations on road traffic safety, the violation may be pointed out, and the driver shall be given an oral warning and instructed to leave the place immediately.

Where the motor vehicle driver is not on the spot or, although on the spot, he refuses to drive away immediately, thus impeding the passage of other vehicles and pedestrians, he shall be fined not less than 20 yuan but not more than 200 yuan, and the vehicle may be towed to a place where it does not impede traffic or to a place designated by the traffic control department of the public security organ. The said department shall charge the party no fees for towing the vehicle and shall, without delay, inform the party of the place where the vehicle parks.

Where a motor vehicle is damaged due to an improper way of towing, the liability for compensation shall be borne according to law.

Article 94 Where the authority for safety and technical inspection of motor vehicles collects fees for such inspection in excess of the rates fixed by the department for pricing under the State Council, it shall return the part overcharged and shall be penalized by the department for pricing in accordance with the relevant provisions of the Pricing Law of the People's Republic of China.

Where the authority for safety and technical inspection of motor vehicles fails to inspect motor vehicles in accordance with the safety and technical standards of the State for motor vehicles and produces false inspection results, the traffic control department of the public security organ shall impose on it a fine of not less than five times but not more than ten times the amount of the fees it collected for inspection and shall, in accordance with law, disqualify it for inspection. If a crime is constituted, it shall be investigated for criminal responsibility according to law.

REVISION DRAFT - ENGLISH

Article 135 For those who violate road traffic safety laws and regulations on parking or temporary parking of motor vehicles, the illegal behavior can be pointed out, and after criticism and education, the driver can be ordered to leave immediately; if the driver of the motor vehicle is not at the scene or is recorded by the traffic technical monitoring equipment, he will be notified according to the contact information in the motor vehicle registration information to leave in accordance with the regulations.

If the driver of a motor vehicle refuses to leave immediately or fails to leave in accordance with regulations and obstructs the passage of other vehicles or pedestrians, he shall be fined not less than 50 yuan but not more than 200 yuan, and the motor vehicle may be towed to a place that does not obstruct traffic or parked at a place designated by the traffic management department of the public security organ. The traffic management department of the public security organ shall not charge fees for tow trucks from the parties, and shall promptly inform the parties of the parking location.

If a motor vehicle is damaged due to incorrect towing methods, the vehicle shall be liable for compensation according to law.

Article 136 If an inspection, appraisal, medical treatment, or physical examination agency or its staff fails to conduct inspection, appraisal, medical treatment, or physical examination in accordance with technical standards or issues false inspection reports, appraisal opinions, medical reports, or physical examination reports, the traffic management department of the public security organ shall not accept the inspection reports, appraisal opinions, medical reports, and physical examination reports issued by them, and shall be handled by the relevant competent authorities in accordance with the law; if the circumstances are serious, their qualifications shall be revoked in accordance with the law; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

现 行 法	修订草案
公安机关交通管理部门处所收检验费用五倍以上十倍以下罚款，并依法撤销其检验资格；构成犯罪的，依法追究刑事责任。	法追究刑事责任。
第九十五条 上道路行驶的机动车未悬挂机动车号牌，未放置检验合格标志、保险标志，或者未随车携带行驶证、驾驶证的，公安机关交通管理部门应当扣留机动车，通知当事人提供相应的牌证、标志或者补办相应手续，并可以依照本法第九十条的规定予以处罚。当事人提供相应的牌证、标志或者补办相应手续的，应当及时退还机动车。 故意遮挡、污损或者不按规定安装机动车号牌的，依照本法第九十条的规定予以处罚。	第一百三十七条 上道路行驶的机动车未按照规定进行安全技术检验的，公安机关交通管理部门应当责令当事人在五个工作日内进行安全技术检验，并处二百元以上五百元以下罚款。当事人未按照要求进行安全技术检验再次上道路行驶的，责令当事人立即将车辆拖移至机动车安全技术检验机构进行安全技术检验，并处五百元以上二千元以下罚款。 上道路行驶的机动车未悬挂机动车号牌和临时通行牌证的，公安机关交通管理部门应当扣留机动车，通知当事人提供相应的机动车号牌或者补办相应手续，并可以依照本法第一百三十条的规定予以处罚。当事人提供相应的机动车号牌或者补办相应手续的，应当及时退还机动车。 故意遮挡、污损机动车号牌或者使用影响识别的装置、材料的，依照本法第一百三十条的规定予以处罚，并没收非法装置。
	第一百三十八条 驾驶禁止上道路行驶的机动车，叉车、非公

CURRENT LAW - ENGLISH

Article 95 Where a motor vehicle running on roads is not hung with its number plate, stuck on with the inspection certificate or the insurance label, or the driver fails to bring along with him the motor vehicle license and the driver's license, the traffic control department of the public security organ shall detain the motor vehicle and inform the party of the need to provide the necessary plate, certificate, sticker and label or to go through the formalities to obtain them, and it may impose a punishment in accordance with the provisions of Article 90 of this Law. When the party provides the plate, certificate, sticker and label or has gone through the formalities mentioned, the motor vehicle shall be returned without delay.

Where the number plate of a motor vehicle is purposely covered, stained or damaged or is not installed as required by regulations, a punishment shall be imposed in accordance with the provisions of Article 90 of this Law.

REVISION DRAFT - ENGLISH

Article 137 If a motor vehicle driving on the road fails to undergo safety technical inspection in accordance with regulations, the traffic management department of the public security organ shall order the party concerned to conduct safety technical inspection within five working days and impose a fine of not less than 200 yuan but not more than 500 yuan. If the party concerned fails to conduct safety technical inspection as required and drives on the road again, the party concerned shall be ordered to immediately tow the vehicle to a motor vehicle safety technical inspection agency for safety technical inspection. A fine of not less than RMB 500 but not more than RMB 2,000 shall be imposed.

If a motor vehicle is driving on the road without a motor vehicle license plate and a temporary pass plate, the traffic management department of the public security organ shall detain the motor vehicle, notify the party concerned to provide the corresponding motor vehicle license plate or complete corresponding procedures, and may impose penalties in accordance with the provisions of Article 130 of this Law. If the party concerned provides the corresponding motor vehicle license plate or completes the corresponding procedures, the motor vehicle shall be returned in a timely manner.

Anyone who intentionally blocks or defaces a motor vehicle license plate or uses devices or materials that affect identification shall be punished in accordance with the provisions of Article 130 of this Law, and the illegal devices shall be confiscated.

Article 138 Anyone who drives a motor vehicle that is prohibited from being driven on the road, a forklift, an off-highway sightseeing vehicle, a go-kart or other equipment or devices driven by a power device, or a motor vehicle that is produced or imported without permission and is driven on the road, the traffic management department of the public security organ shall detain the vehicle and impose a fine of not less than 200 yuan but not more than 500 yuan.

Anyone who drives a non-motor vehicle that shall be registered according to the law but has not, or uses a power-driven scooter, unicycle, self-balancing vehicle or other equipment, devices, instruments and tools that are not allowed to be driven on the road according to laws and regulations, the traffic management department of the public security organ may impose a fine of not less than 50 yuan but not more than 200 yuan.

现 行 法	修订草案
	路用旅游观光车、卡丁车等其他有动力装置驱动的设备或者装置，未经准许生产、进口的机动车上道路行驶的，公安机关交通管理部门应当予以扣留，处二百元以上五百元以下罚款。 驾驶依法应当登记但未登记的非机动车，使用有动力装置驱动的滑板车、独轮车、自平衡车或者法律、法规规定的其他不得在道路上行驶的设备、装置、器械、工具上道路行驶的，公安机关交通管理部门可以处五十元以上二百元以下罚款。
第九十六条 伪造、变造或者使用伪造、变造的机动车登记证书、号牌、行驶证、驾驶证的，由公安机关交通管理部门予以收缴，扣留该机动车，处十五日以下拘留，并处二千元以上五千元以下罚款；构成犯罪的，依法追究刑事责任。 伪造、变造或者使用伪造、变造的检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，扣留该机动车，处十日以下拘留，并处一千元以上三千元以下罚款；构成犯罪的，依法追究刑事责任。 使用其他车辆的机动车登记	第一百三十九条 伪造、变造机动车登记证书、号牌、行驶证、驾驶证、检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，处十五日以下行政拘留，并处二千元以上五千元以下罚款；构成犯罪的，依法追究刑事责任。 上道路行驶的机动车尚未登记或者尚未取得机动车号牌、临时通行牌证，或者使用伪造、变造的机动车登记证书、号牌、行驶证、驾驶证、检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，扣留该机动车，处十日以下行政拘留，并处一千元以上三千元以下罚款；构成犯罪的，依法追究

CURRENT LAW - ENGLISH

Article 96 Where the certificate of registration, the number plate, the motor vehicle license, the sticker of inspection certificate or the insurance label of a motor vehicle or the driver's license is falsified or counterfeited, or the ones falsified or counterfeited are used, or the certificate of registration, the number plate, the motor vehicle license, the sticker of inspection certificate or the insurance label of another motor vehicle is used, the traffic control department of the public security organ shall confiscate them or detain the motor vehicle involved, and, in addition, impose a fine of not less than 200 yuan but not more than 2,000 yuan. If a crime is constituted, criminal responsibility shall be investigated according to law.

When the party provides the necessary legal certificates or has gone through the necessary formalities to obtain the certificates, the motor vehicle shall be returned without delay.

REVISION DRAFT - ENGLISH

Article 139 Anyone who forges or alters a motor vehicle registration certificate, number plate, driving license, driver's license, inspection mark, or insurance mark shall be confiscated by the traffic management department of the public security organ, and shall be subject to administrative detention of not more than 15 days and a fine of not less than 2,000 yuan but not more than 5,000 yuan; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

A motor vehicle driving on the road has not yet been registered or has not obtained a motor vehicle license plate or temporary pass, or a forged or altered motor vehicle registration certificate, license plate, or license plate is used. Driving licenses, driving licenses, inspection marks, and insurance marks shall be confiscated by the traffic management department of the public security organ, and the motor vehicle shall be detained and subject to administrative detention of not more than ten days and a fine of not less than 1,000 yuan but not more than 3,000 yuan; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

If the motor vehicle registration certificate, number plate, driving license, inspection mark, or insurance mark of another vehicle is used, the traffic management department of the public security organ shall confiscate it, detain the motor vehicle, and impose a fine of not less than 2,000 yuan but not more than 5,000 yuan.

If the party concerned provides corresponding legal certificates or completes corresponding procedures, the motor vehicle detained in accordance with paragraphs 2 and 3 of this article shall be returned in a timely manner.

Anyone who uses another person's motor vehicle driving license shall be fined not less than 500 yuan but not more than 2,000 yuan, and may also be subject to administrative detention for not more than 15 days; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

现 行 法	修订草案
证书、号牌、行驶证、检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，扣留该机动车，处二千元以上五千元以下罚款。 当事人提供相应的合法证明或者补办相应手续的，应当及时退还机动车。	刑事责任。 使用其他车辆的机动车登记证书、号牌、行驶证、检验合格标志、保险标志的，由公安机关交通管理部门予以收缴，扣留该机动车，处二千元以上五千元以下罚款。 当事人提供相应的合法证明或者补办相应手续的，应当及时退还依照本条第二款、第三款扣留的机动车。 使用他人机动车驾驶证的，处五百元以上二千元以下罚款，可以并处十五日以下行政拘留；构成犯罪的，依法追究刑事责任。
第九十七条 非法安装警报器、标志灯具的，由公安机关交通管理部门强制拆除，予以收缴，并处二百元以上二千元以下罚款。	第一百四十条 非法安装警报器、标志灯具的，由公安机关交通管理部门强制拆除，予以收缴，并处二百元以上二千元以下罚款；无法当场拆除的，公安机关交通管理部门可以扣留车辆。 非法改装机动车上道路行驶的，由公安机关交通管理部门责令消除违法状态，处五百元以上二千元以下罚款，可以并处十五日以下行政拘留；无法当场消除违法状态的，公安机关交通管理部门可以扣留机动车。 上道路行驶的非机动车加装动力装置、控制装置等改变非机动

CURRENT LAW - ENGLISH

Article 97 Where alarm sirens or signal lights are illegally installed, they shall compulsorily be removed and confiscated by the traffic control department of the public security organ, and a fine of not less than 200 yuan but not more than 2,000 yuan shall be imposed.

REVISION DRAFT - ENGLISH

Article 140 Anyone who illegally installs sirens or sign lights shall be forcibly removed and confiscated by the traffic management department of the public security organ, and a fine of not less than 200 yuan but not more than 2,000 yuan shall be imposed. If it cannot be removed on the spot, the traffic management department of the public security organ may detain the vehicle.

Anyone who illegally modifies a motor vehicle to drive on the road shall be ordered by the traffic management department of the public security organ to eliminate the illegal status, and be fined not less than 500 yuan but not more than 2,000 yuan, and may also be subject to administrative detention for up to 15 days; if the illegal status cannot be eliminated on the spot, the traffic management department of the public security organ may detain the motor vehicle.

If a non-motor vehicle running on the road is equipped with a power device, a control device or other devices that change the non-motor vehicle model or performance or hinder safety, or if the modification does not meet the mandatory national standards, the traffic management department of the public security organ shall order it to eliminate the illegal status and impose a fine of not less than 200 yuan but not more than 500 yuan; if the illegal status cannot be eliminated on the spot, the public security organ shall The relevant traffic management department may detain non-motor vehicles. If it involves production, sales, or maintenance units, the traffic management department of the public security organ shall notify the market regulation department to handle it according to law.

The costs of dismantling illegal devices and eliminating illegal conditions shall be borne by the offender.

现 行 法	修订草案
	车型或者性能、妨碍安全的装置的，或者改装后不符合强制性国家标准的，由公安机关交通管理部门责令消除违法状态，并处二百元以上五百元以下罚款；无法当场消除违法状态的，公安机关交通管理部门可以扣留非机动车。涉及生产、销售、维修单位的，由公安机关交通管理部门通报市场监督管理部门依法处理。 拆除非法装置、消除违法状态的费用由违法行为人承担。
第九十八条 机动车所有人、管理人未按照国家规定投保机动车 第三者 责任强制保险的，由公安机关交通管理部门扣留车辆至依照规定投保后，并处依照规定投保最低责任限额应缴纳的 保险费 的 二倍 罚款。 依照前款缴纳的罚款全部纳入道路交通事故社会救助基金。具体办法由国务院规定。	第一百四十一条 未按照国家规定投保机动车 交通事故 责任强制保险的，由公安机关交通管理部门处依照规定投保应缴纳 年基础 保险费 二倍 的罚款，可以扣留机动车至依照规定投保后。 依照前款规定缴纳的罚款全部纳入道路交通事故社会救助基金，具体办法由国务院制定。
第九十九条 有下列行为之一的，由公安机关交通管理部门处 二 百元以上 二千元 以下罚款： （一）未取得 机动车驾驶证 、 机动车驾驶证被吊销 或者 机动车驾驶证被暂扣期间驾驶机动车 的； （二）将机动车交由未取得 机动车驾驶证 或者 机动车驾驶证被	第一百四十二条 有下列行为之一的，由公安机关交通管理部门处 二 百元以上 五百元 以下罚款，可以并处暂扣 三 个月 机动车驾驶证 ： （一）驾驶机动车在 高速公路、城市快速路上 倒车、掉头； （二）违法占用 应急车道 ；

CURRENT LAW - ENGLISH

Article 98 Where the owner or manager of a motor vehicle fails to buy the compulsory third party liability insurance for the motor vehicle, as required by State regulations, the traffic control department of the public security organ shall detain the vehicle until the insurance is bought in accordance with the regulations, and, in addition, a fine of two times the specified minimum liability insurance premium payable for the shall be imposed.

All the fines paid in accordance with the provisions in the preceding paragraph shall be incorporated into the social aid fund for road traffic accidents. The specific measures in this regard shall be formulated by the State Council.

Article 99 Any person who commits one of the following acts shall be fined not less than 200 yuan but not more than 2,000 yuan by the traffic control department of the public security organ:

(1) driving a motor vehicle before obtaining the motor vehicle driver's license, or after the driver's license is revoked or during the period when the driver's license is temporarily suspended;

(2) having his motor vehicle driven by another person who has not obtained the driver's license or whose driver's license is revoked or temporarily suspended;

(3) escaping after causing a traffic crash, which is not serious enough to constitute a crime;

(4) driving a motor vehicle at a speed 50 per cent in excess of the specified speed per hour;

(5) compelling a motor vehicle driver to drive the vehicle in violation of laws and regulations on road traffic safety or of the requirement for safe driving, thus causing a traffic crash, which is not serious enough to constitute a crime;

(6) making a forcible passage in violation of the regulations on traffic control and refusing to yield to dissuasion;

(7) intentionally damaging, removing or altering traffic facilities, thus causing harmful consequences, which is not serious enough to constitute a crime; or

(8) illegally blocking or detaining a motor vehicle and refusing to yield to dissuasion, thus causing serious traffic jam or relatively heavy losses of property.

If the person commits one of the acts specified in Subparagraph (2) or (4) of the preceding paragraph, his motor vehicle driver's license may be revoked at the same time; and if he commits one of the acts specified in Subparagraph (1), (3), (5), (6), (7) and (8), he may, in addition, be put in detention for not more than 15 days.

REVISION DRAFT - ENGLISH

Article 141 If a person fails to purchase compulsory motor vehicle traffic accident liability insurance in accordance with national regulations, the traffic management department of the public security organ shall impose a fine of twice the annual basic insurance premium payable for insurance in accordance with regulations, and may detain the motor vehicle until the insurance is purchased in accordance with regulations.

All fines paid in accordance with the provisions of the preceding paragraph shall be included in the road road road road road traffic accident social assistance fund, and specific measures shall be formulated by the State Council.

Article 142 Anyone who commits any of the following acts shall be fined not less than 200 yuan but not more than 500 yuan by the traffic management department of the public security organ, and may also be subject to a three-month suspension of the motor vehicle driving license:

(1) Driving a motor vehicle to reverse or make a U-turn on highways and urban expressways;

(2) Illegal occupation of the emergency lane;

(3) Failure to yield to police vehicles, fire rescue vehicles, ambulances, and engineering rescue vehicles performing emergency tasks in accordance with regulations;

(4) Driving in the opposite direction or parking in the roadway and causing a traffic crash or other serious consequences;

(5) Making or answering handheld phones, watching videos, etc. that hinder safe driving and cause traffic crashes or other serious consequences;

(6) Roaring and speeding when driving a motor vehicle that has been modified without permission such as having its muffler removed or damaged or an exhaust pipe installed, failing to use sound devices in accordance with regulations when the motor vehicle is running, or violating the road section and time regulations prohibiting the driving of motor vehicles and the use of sound devices;

(7) Driving a motor vehicle that fails the emission inspection on the road.

现 行 法	修订草案
吊销、暂扣的人驾驶的； （三）造成交通事故后逃逸，尚不构成犯罪的； （四）机动车行驶超过规定时速百分之五十的； （五）强迫机动车驾驶人违反道路交通安全法律、法规和机动车安全驾驶要求驾驶机动车，造成交通事故，尚不构成犯罪的； （六）违反交通管制规定强行通行，不听劝阻的； （七）故意损毁、移动、涂改交通设施，造成危害后果，尚不构成犯罪的； （八）非法拦截、扣留机动车辆，不听劝阻，造成交通严重阻塞或者较大财产损失的。 行为人有前款第二项、第四项情形之一的，可以并处吊销机动车驾驶证；有第一项、第三项、第五项至第八项情形之一的，可以并处十五日以下拘留。	（三）未按照规定让行执行紧急任务的警车、消防救援车、救护车、工程救险车； （四）逆向行驶或者在车行道内停车并造成交通事故或者其他严重后果； （五）拨打或者接听手持电话、观看视频等妨碍安全驾驶行为并造成交通事故或者其他严重后果； （六）驾驶拆除或者损坏消声器、加装排气管等擅自改装的机动车轰鸣、疾驶，机动车运行时未按照规定使用声响装置，或者违反禁止机动车行驶和使用声响装置的路段和时间规定； （七）驾驶排放检验不合格的机动车上道路行驶。 第一百四十三条 有下列行为之一的，由公安机关交通管理部门处五百元以上二千元以下罚款，可以并处吊销机动车驾驶证： （一）将机动车交由未取得相应准驾车型的机动车驾驶证或者机动车驾驶证被吊销、暂扣、扣留、撤销、公告停止使用的人员驾驶； （二）机动车行驶超过规定时速四十公里以上，并达到百分之五十以上。 有下列行为之一的，由公安机

CURRENT LAW - ENGLISH

No new current-law article begins on this source page.

REVISION DRAFT - ENGLISH

Article 143 Anyone who commits any of the following acts shall be fined not less than RMB 500 but not more than RMB 2,000 by the traffic management department of the public security organ, and may also have his motor vehicle driving license revoked:

(1) Handing over a motor vehicle to be driven by a person who has not obtained a motor vehicle driving license for the corresponding permitted driving type or whose motor vehicle driving license has been revoked, temporarily withheld, impounded, revoked, or announced to be discontinued;

(2) The motor vehicle travels more than 40 kilometers per hour exceeding the prescribed speed, and reaches more than 50%.

Anyone who commits any of the following acts shall be fined not less than 500 yuan but not more than 2,000 yuan by the traffic management department of the public security organ, and may also be subject to administrative detention for not more than 15 days:

(1) Driving a motor vehicle while the motor vehicle driving license has not been obtained for the corresponding permitted driving type or the motor vehicle driving license has been revoked, temporarily withheld, impounded, confiscated, revoked, or announced to be out of use;

(2) Escape after causing a traffic crash does not constitute a crime;

(3) Forcing a motor vehicle driver to drive a motor vehicle in violation of road traffic safety laws, regulations and motor vehicle safety driving requirements, causing a traffic crash, does not constitute a crime;

(4) Violating traffic control regulations and forcing passage, or refusing to obey the traffic police's instructions and forcing passage, resulting in serious consequences, does not constitute a crime;

(5) Setting up, occupying, or intentionally damaging, moving, blocking, or altering traffic facilities without authorization, causing harmful consequences, does not constitute a crime;

(6) Illegally intercepting and detaining motor vehicles, refusing to listen to dissuasion, causing serious traffic obstruction blockage or major property damage.

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No new current-law article begins on this source page.

REVISION DRAFT - ENGLISH

Article 144 Anyone who drives a motor vehicle to engage in school bus business or passenger transportation and exceeds the prescribed speed by less than 20 kilometers per hour or exceeds the prescribed speed by more than 20 kilometers per hour and less than 30 percent shall be fined not less than 500 yuan but not more than 1,000 yuan; if the speed exceeds the prescribed speed by more than 20 kilometers per hour and reaches more than 30 percent, the motor vehicle driving license shall be temporarily suspended for six months, a fine of not less than 1,000 yuan but not more than 2,000 yuan, and may be concurrently subject to administrative detention of not more than 10 days; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the driver shall not apply for a motor vehicle driving license within five years.

Under the circumstances specified in the preceding paragraph, if a traffic crash occurs, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

现 行 法	修订草案
	关交通管理部门处五百元以上二千元以下罚款，可以并处十五日以下行政拘留： （一）未取得相应准驾车型的机动车驾驶证或者机动车驾驶证被吊销、暂扣、扣留、收缴、撤销、公告停止使用期间驾驶机动车； （二）造成交通事故后逃逸，尚不构成犯罪； （三）强迫机动车驾驶人违反道路交通安全法律、法规和机动车安全驾驶要求驾驶机动车，造成交通事故，尚不构成犯罪； （四）违反交通管制规定强行通行，或者拒不服从交通警察的指挥强行通行，造成严重后果，尚不构成犯罪； （五）擅自设置、占用或者故意损毁、移动、遮挡、涂改交通设施，造成危害后果，尚不构成犯罪； （六）非法拦截、扣留机动车，不听劝阻，造成交通严重阻塞或者较大财产损失。
	第一百四十四条 驾驶机动车从事校车业务或者旅客运输，超过规定时速不满二十公里或者超过规定时速二十公里以上、不满百分之三十的，处五百元以上一千元以下罚款；超过规定时速二十公里以上，并达到百分之三十以上的，

现 行 法	修订草案
	处暂扣六个月机动车驾驶证，一千元以上二千元以下罚款，可以并处十日以下行政拘留；构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，五年内不得申领机动车驾驶证。 有前款规定的情形，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。
	第一百四十五条 驾驶机动车违反规定载运民用爆炸物品、烟花爆竹、易燃易爆化学物品以及剧毒、放射性物品等危险物品的，除依照有关法律、法规和国家规定予以处罚外，可以由公安机关交通管理部门暂扣六个月机动车驾驶证，可以并处十日以下行政拘留；构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，十年内不得申领机动车驾驶证，终身不得驾驶营运机动车。 有前款规定的情形，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。
	第一百四十六条 组织他人实施代替实际机动车驾驶人接受

CURRENT LAW - ENGLISH

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REVISION DRAFT - ENGLISH

Article 145 Whoever drives a motor vehicle in violation of regulations to carry civilian explosives, fireworks and firecrackers, flammable and explosive chemicals, highly toxic, radioactive items and other dangerous goods shall, in addition to being punished in accordance with relevant laws, regulations and national regulations, have the motor vehicle driving license temporarily detained by the traffic management department of the public security organ for six months, and may concurrently be subject to administrative detention of not more than ten days; if a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, the motor vehicle driving license shall not be applied for ten years, and the motor vehicle driving license shall be revoked for life.

Under the circumstances specified in the preceding paragraph, if a traffic crash occurs, resulting in serious injury or death, or heavy losses to public or private property, and a crime is constituted, criminal liability shall be investigated in accordance with the law, the motor vehicle driving license shall be revoked, and the person shall be prohibited from applying for a motor vehicle driving license for life.

Article 146 Whoever organizes others to accept penalties and points for traffic violations on behalf of the actual motor vehicle driver shall be fined not less than RMB 200 but not more than RMB 500; If the illegal income is obtained, the illegal income shall be confiscated, and a fine of not less than one time but not more than five times of the illegal income shall be imposed, and administrative detention of not more than ten days may be imposed.

If a person accepts penalties and points for traffic violations on behalf of the actual motor vehicle driver, the traffic management department of the public security organ shall revoke the original administrative penalty decision and impose a warning or a fine of not less than 50 yuan but not more than 200 yuan; if there is any illegal income, the illegal income shall be confiscated and a fine of not less than one time but not more than three times of the illegal income shall be imposed.

Anyone who asks others to accept penalties and points for traffic violations on his behalf shall be given a warning or a fine of not less than 50 yuan but not more than 200 yuan, and the traffic management department of the public security organ shall impose penalties for traffic violations in accordance with the law; if economic benefits are paid, the place shall pay a fine of not less than one time but not more than three times the corresponding amount of the economic benefits.

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No new current-law article begins on this source page.

REVISION DRAFT - ENGLISH

Article 147 Whoever obtains motor vehicle registration through improper means such as deception or bribery shall have his or her motor vehicle registration revoked, the motor vehicle registration certificate, license plate, and driving license confiscated, and a fine of not more than 2,000 yuan shall be imposed, and the person shall not apply for motor vehicle registration within three years.

Anyone who obtains a motor vehicle driving license through improper means such as deception or bribery shall have his or her motor vehicle driving license revoked and confiscated, and shall be fined not more than 2,000 yuan, and shall not apply for a motor vehicle driving license within three years.

现 行 法	修订草案
	交通违法行为处罚和记分的，处二百元以上五百元以下罚款；有违法所得的，没收违法所得，并处违法所得一倍以上五倍以下罚款，可以并处十日以下行政拘留。 代替实际机动车驾驶人接受交通违法行为处罚和记分的，由公安机关交通管理部门撤销原行政处罚决定，处警告或者五十元以上二百元以下罚款；有违法所得的，没收违法所得，并处违法所得一倍以上三倍以下罚款。 请他人代为接受交通违法行为处罚和记分的，处警告或者五十元以上二百元以下罚款，并由公安机关交通管理部门依法对交通违法行为作出处罚；支付经济利益的，处所支付经济利益相应金额一倍以上三倍以下罚款。
	第一百四十七条 以欺骗、贿赂等不正当手段取得机动车登记的，撤销机动车登记，收缴机动车登记证书、号牌、行驶证，并处二千元以下罚款，三年内不得申请机动车登记。 以欺骗、贿赂等不正当手段取得机动车驾驶证的，撤销并收缴机动车驾驶证，并处二千元以下罚款，三年内不得申请机动车驾驶证。

现 行 法	修订草案
第一百条 驾驶拼装的机动车或者已达到报废标准的机动车上道路行驶的，公安机关交通管理部门应当予以收缴，强制报废。 对驾驶前款所列机动车上道路行驶的驾驶人，处二百元以上二千元以下罚款，并吊销机动车驾驶证。 出售已达到报废标准的机动车的，没收违法所得，处销售金额等额的罚款，对该机动车依照本条第一款的规定处理。	第一百四十八条 驾驶拼装的机动车或者已达到报废标准的机动车上道路行驶的，公安机关交通管理部门应当对机动车予以收缴，强制报废。 对驾驶前款所列机动车上道路行驶的驾驶人，处二百元以上二千元以下罚款，并吊销机动车驾驶证。 出售已达到报废标准的机动车的，没收违法所得，处销售金额等额的罚款，对该机动车依照本条第一款的规定处理，但是依法交售给报废机动车回收企业的除外。
第一百零一条 违反道路交通安全法律、法规的规定，发生重大交通事故，构成犯罪的，依法追究刑事责任，并由公安机关交通管理部门吊销机动车驾驶证。 造成交通事故后逃逸的，由公安机关交通管理部门吊销机动车驾驶证，且终生不得重新取得机动车驾驶证。	第一百四十九条 违反道路交通安全法律、法规，发生交通事故，致人重伤、死亡或者公私财产遭受重大损失，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，十年内不得申领机动车驾驶证，本法另有规定的除外。 造成交通事故后具有逃逸情形，构成犯罪的，依法追究刑事责任，吊销机动车驾驶证，终身不得申领机动车驾驶证。 故意制造交通事故，构成违反治安管理行为的，依法给予治安管理处罚；构成犯罪的，依法追究刑事责任。
第一百零二条 对六个月内发生二次以上特大交通事故负有	第一百五十条 专业运输单位未按照有关法律、法规规定消除

CURRENT LAW - ENGLISH

Article 100 Where a self-assembled motor vehicle or a motor vehicle old enough to be scrapped is driven on roads, the traffic control department of the public security organ shall confiscate it and compulsorily scrap it.

A driver who drives on roads the motor vehicle mentioned in the preceding paragraph shall be fined not less than 200 yuan but not more than 2,000 yuan and his driver's license shall be revoked.

Where a motor vehicle old enough to be scrapped is sold, the unlawful gains shall be confiscated, a fine equal to the amount of money obtained from the sale of the vehicle shall be imposed, and the vehicle shall be disposed of in accordance with the provisions of the first paragraph of this Article.

Article 101 Where a serious traffic crash occurs due to violation of the provisions in laws and regulations on road traffic safety, which constitutes a crime, criminal responsibility shall be investigated according to law, and the motor vehicle driver's license shall be revoked by the traffic control department of the public security organ.

Where a driver escapes after causing a traffic crash, his motor vehicle driver's license shall be revoked by the traffic control department of the public security organ and he shall not obtain a motor vehicle driver's license again for the rest of his life.

Article 102 Where a professional transport unit that is chiefly or fully responsible for two or more exceptionally serious traffic crashes within six months, it shall be instructed by the traffic control department of the public security organ to remove all the hidden troubles endangering safety, and the motor vehicles with the said hidden troubles shall be prohibited from running on roads until all the troubles are removed.

REVISION DRAFT - ENGLISH

Article 148 If anyone drives an assembled motor vehicle or a motor vehicle that has reached the scrapping standards, the traffic management department of the public security organ shall confiscate the motor vehicle and force it to be scrapped.

Drivers who drive a motor vehicle listed in the preceding paragraph on the road shall be fined not less than RMB 200 but not more than RMB 2,000, and their motor vehicle driving license shall be revoked.

If a motor vehicle that has reached the scrapping standard is sold, the illegal income will be confiscated and the sales fee will be fined.
A fine equal to the amount shall be imposed on the motor vehicle, and the motor vehicle shall be dealt with in accordance with the provisions of paragraph 1 of this article, except if it is sold to a scrapped motor vehicle recycling enterprise in accordance with the law.

Article 149 If a traffic crash occurs in violation of road traffic safety laws and regulations, resulting in serious injury or death, or heavy losses to public or private property, thereby constituting a crime, the offender shall be investigated for criminal liability in accordance with the law, his motor vehicle driving license shall be revoked, and he shall not apply for a motor vehicle driving license within ten years, except as otherwise provided for in this Law.

If a person escapes after causing a traffic crash, which constitutes a crime, he will be held criminally responsible according to law, his motor vehicle driving license will be revoked, and he will be prohibited from applying for a motor vehicle driving license for life.

If a traffic crash is intentionally caused and constitutes a violation of public security management, public security management penalties shall be imposed in accordance with the law; if a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 150 If a professional transportation unit fails to eliminate potential safety hazards of its motor vehicles in accordance with relevant laws and regulations, its motor vehicles shall not be driven on the road. The traffic management department of the public security organ shall notify the relevant competent departments of road traffic safety violations and road traffic crash information on motor vehicles of professional transportation units, and notify the emergency management department of production and commercial road-transport incidents.

Those who operate passenger cars, school buses, heavy-duty trucks, semi-trailer tractors, dangerous goods transport vehicles and other motor vehicles that fail to install and use satellite positioning devices with driving recording functions and devices with intelligent video monitoring and alarm functions in accordance with relevant national regulations will be punished by the transportation and other competent authorities in accordance with the law.

Anyone who engages in motor vehicle driver training business and fails to register in accordance with regulations shall be ordered to make corrections by the transportation department; those who refuse to make corrections shall be fined not less than 5,000 yuan but not more than 20,000 yuan.

现 行 法	修订草案
主要责任或者全部责任的专业运输单位，由公安机关交通管理部门责令消除安全隐患，未消除安全隐患的机动车，禁止上道路行驶。	其机动车安全隐患的，其机动车不得上道路行驶。公安机关交通管理部门应当将专业运输单位机动车的道路交通安全违法行为和道路交通事故信息通报有关主管部门，将生产经营性的道路运输事故情况通报应急管理部门。 营运载客汽车、校车、重型载货汽车、半挂牵引车、危险货物运输车辆等机动车，未按照国家有关规定安装、使用具备行驶记录功能的卫星定位装置、具备智能视频监控报警功能的装置，由交通运输等主管部门依法处罚。 从事机动车驾驶员培训业务未按照规定办理备案的，由交通运输主管部门责令改正；拒不改正的，处五千元以上二万元以下罚款。
第一百零三条 国家机动车产品主管部门未按照机动车国家安全技术标准严格审查，许可不合格机动车型投入生产的，对负有责任的主管人员和其他直接责任人员给予降级或者撤职的行政处分。 机动车生产企业经国家机动车产品主管部门许可生产的机动车型，不执行机动车国家安全技术标准或者不严格进行机动车成品质量检验，致使质量不合格的机动	第一百五十一条 国务院机动车产品主管部门未按照机动车国家安全技术标准严格审查，许可不合格机动车型生产的，对负有责任的领导人员和直接责任人员依法给予处分。 机动车生产企业经国务院机动车产品主管部门许可生产的机动车型，不执行机动车国家安全技术标准或者不严格进行机动车成品质量检验，致使质量不合格的机

CURRENT LAW - ENGLISH

Article 103 Where the government department in charge of motor vehicle products fails to conduct strict examination and inspection in accordance with the State safety and technical standards for motor vehicles and permits unqualified motor vehicle models to be put into production, the persons who are directly in charge and the other persons who are directly responsible shall be demoted or dismissed from office as an administrative sanction.

Where a motor vehicle manufacturing enterprise that is permitted by the government department in charge of motor vehicle products to produce certain models of motor vehicles, fails to apply the State safety and technical standards for motor vehicles or to strictly conduct quality inspection of its finished products, so as to let its unqualified motor vehicles leave the plant for sale, the quality and technology supervision department shall, in accordance with the relevant provisions of the Law of the People's Republic of China on Product Quality, impose a penalty on it.

Where a unit that manufactures or sells the models of motor vehicles without permission by the government department in charge of motor vehicle products, the finished motor vehicles and the spare parts illegally manufactured and sold shall be confiscated, and it shall, in addition, be fined not less than three times but not more than five times the value of the unlawful products; if it has a business license, the administrative department for industry and commerce shall revoke the license; and if it has no business license, it shall be closed down.

Where self-assembled motor vehicles are turned out or sold or motor vehicles refitted without authorization are turned out or sold, a punishment shall be imposed in accordance with the provisions of the third paragraph of this Article.

Where motor vehicles not in conformity with the State safety and technical standards for motor vehicles are turned out or sold in violation of the provisions in the second, third and fourth paragraph of this Article, which is serious enough to constitute a crime, criminal responsibility shall be investigated according to law.

REVISION DRAFT - ENGLISH

Article 151 If the motor vehicle product administrative department under the State Council fails to strictly review the national safety technical standards for motor vehicles and permits the production of unqualified motor vehicle models, the responsible leaders and directly responsible personnel shall be punished in accordance with the law.

If a motor vehicle manufacturer fails to implement national safety technical standards for motor vehicles or does not strictly conduct quality inspection of finished motor vehicle products for the motor vehicle models produced with the permission of the motor vehicle product department of the State Council, resulting in motor vehicles with unqualified quality leaving the factory for sale, the motor vehicle product department of the State Council shall impose penalties in accordance with relevant laws and administrative regulations.

Anyone who produces or sells motor vehicle models without the permission of the motor vehicle product department of the State Council shall have their illegal income and finished motor vehicle products and accessories produced and sold confiscated, and may be fined not less than one time but not more than three times the value of the illegally produced or sold products. If there is a business license, the business license shall be revoked by the market regulation department; if there is no business license, the relevant competent authorities shall seal it up according to law.

Anyone who produces or sells assembled or unauthorized modified motor vehicles shall be punished in accordance with the provisions of paragraphs 2 and 3 of this article.

Anyone who commits the illegal acts listed in paragraphs 2 to 4 of this article and produces or sells motor vehicles that do not meet the national safety technical standards for motor vehicles, which constitutes a crime, shall be investigated for criminal liability in accordance with the law.

现 行 法	修订草案
车出厂销售的，由质量技术监督部门依照《中华人民共和国产品质量法》的有关规定给予处罚。 擅自生产、销售未经国家机动车产品主管部门许可生产的机动车车型的，没收非法生产、销售的机动车成品及配件，可以并处非法产品价值三倍以上五倍以下罚款；有营业执照的，由工商行政管理部门吊销营业执照，没有营业执照的，予以查封。 生产、销售拼装的机动车或者生产、销售擅自改装的机动车的，依照本条第三款的规定处罚。 有本条第二款、第三款、第四款所列违法行为，生产或者销售不符合机动车国家安全技术标准的机动车，构成犯罪的，依法追究刑事责任。	动车出厂销售的，由国务院机动车产品主管部门依照有关法律、行政法规规定予以处罚。 生产、销售未经国务院机动车产品主管部门许可生产的机动车车型的，没收违法所得和生产、销售的机动车成品以及配件，可以并处违法生产、销售产品货值金额一倍以上三倍以下罚款。有营业执照的，由市场监督管理部门吊销营业执照；没有营业执照的，由有关主管部门依法予以查封。 生产、销售拼装或者擅自改装的机动车的，依照本条第二款、第三款的规定处罚。 有本条第二款至第四款所列违法行为，生产或者销售不符合机动车国家安全技术标准的机动车，构成犯罪的，依法追究刑事责任。 第一百五十二条 生产、进口、销售不符合强制性国家标准的非机动车的，由市场监督管理部门没收违法所得和生产、进口、销售的非机动车成品以及配件，并处货值金额一倍以上三倍以下罚款。有营业执照的，由市场监督管理部门吊销营业执照；没有营业执照的，由有关主管部门依法予以查封。构成犯罪的，依法追究刑事责任。 非机动车生产、销售经营者对

CURRENT LAW - ENGLISH

No new current-law article begins on this source page.

REVISION DRAFT - ENGLISH

Article 152 For those who produce, import, or sell non-motor vehicles that do not meet mandatory national standards, the market regulation department shall confiscate the illegal income and the finished non-motor vehicles and accessories produced, imported, or sold, and impose a fine of not less than one time but not more than three times the value of the goods. If you have a business license, the market supervision and administration department will revoke the business license;

Those without a business license will be seized by the relevant competent authorities in accordance with the law. constitutes a crime, Investigate criminal liability in accordance with the law.

If a non-motor vehicle manufacturer or sales operator illegally modifies a non-motor vehicle, causing its maximum speed, empty vehicle quality, external dimensions, etc. to fail to meet mandatory national standards, the market regulation department shall confiscate the illegal income and impose a fine of not less than two times but not more than ten times the illegal income. If there is no illegal income or the illegal income is less than 10,000 yuan, a fine of not less than 20,000 yuan but not more than 50,000 yuan will be imposed. If there is a business license, the business license shall be revoked by the market regulation department; if there is no business license, the relevant competent authorities shall seal it up according to law. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

When selling non-motor vehicles that do not meet mandatory national standards, non-motor vehicle production, import, and sales enterprises shall be responsible for repairs, replacements, returns, and compensation for losses in accordance with relevant laws and regulations.

现 行 法	修订草案
	非机动车进行非法改装，导致其最高时速、空车质量、外形尺寸等不符合强制性国家标准的，由市场监督管理部门没收违法所得，并处违法所得二倍以上十倍以下罚款。没有违法所得或者违法所得不足一万元的，处二万元以上五万元以下罚款。有营业执照的，由市场监督管理部门吊销营业执照；没有营业执照的，由有关主管部门依法予以查封。构成犯罪的，依法追究刑事责任。 销售不符合强制性国家标准的非机动车的，非机动车生产、进口、销售企业依照有关法律、法规规定负责修理、更换、退货、赔偿损失。
	第一百五十三条 机动车维修等经营者非法改装已登记的机动车的，由有关主管部门责令改正，有违法所得的，没收违法所得，处违法所得二倍以上十倍以下罚款；没有违法所得或者违法所得不足一万元的，处二万元以上五万元以下罚款；拒不改正或者情节严重的，责令停业整顿；构成犯罪的，依法追究刑事责任。
第一百零四条 未经批准，擅自挖掘道路、占用道路施工或者从事其他影响道路交通安全活动的，	第一百五十四条 未经批准，擅自挖掘道路、占用道路施工或者从事其他影响道路交通安全活动，

CURRENT LAW - ENGLISH

Article 104 Any unit or individual that, without approval, digs roads or occupies roads for construction or engages in other activities to the detriment of road traffic safety, the department in charge of roads shall instruct it or him to desist from such illegal acts, to put the roads back to their original state, and may impose a fine on it or him according to law. Where losses are caused to the passing persons or vehicles or to other property, it or he shall bear the liability for compensation according to law.

Where road traffic safety is adversely affected by the acts mentioned in the preceding paragraph, the traffic control department of the public security organ may instruct the unit or individual to desist from the illegal acts in order to speedily restore traffic.

REVISION DRAFT - ENGLISH

Article 153 If a motor vehicle maintenance or other operator illegally modifies a registered motor vehicle, the relevant competent department shall order it to make corrections. If there is any illegal income, the illegal income shall be confiscated and a fine of not less than two times but not more than ten times of the illegal income shall be imposed. If there is no illegal income or the illegal income is less than 10,000 yuan, a fine of not less than 20,000 yuan but not more than 50,000 yuan shall be imposed. If the operator refuses to make corrections or the circumstances are serious, he shall be ordered to suspend business for rectification. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 154 Anyone who excavates a road without authorization, occupies a road for construction, or engages in other activities that affect road traffic safety, or fails to carry out construction in accordance with the approved location and time, shall be ordered by the road authority to stop the illegal act and restore it to its original state, and may impose a fine in accordance with the law; if it causes losses to passing people, vehicles, and other property, the person shall be liable for compensation in accordance with the law. If there is an act in the preceding paragraph that affects road traffic safety activities, the traffic management department of the public security organ may order the person to stop the illegal act and quickly resume traffic.

现 行 法	修订草案
由道路主管部门责令停止违法行为，并恢复原状，可以依法给予罚款；致使通行的人员、车辆及其他财产遭受损失的，依法承担赔偿责任。 有前款行为，影响道路交通安全活动的，公安机关交通管理部门可以责令停止违法行为，迅速恢复交通。	或者未按照经批准的地点和时间施工的，由道路主管部门责令停止违法行为，并恢复原状，可以依法给予罚款；致使通行的人员、车辆以及其他财产遭受损失的，依法承担赔偿责任。 有前款行为，影响道路交通安全活动的，公安机关交通管理部门可以责令停止违法行为，迅速恢复交通。
第一百零五条 道路施工作业或者道路出现损毁，未及时设置警示标志、未采取防护措施，或者应当设置交通信号灯、交通标志、交通标线而没有设置或者应当及时变更交通信号灯、交通标志、交通标线而没有及时变更，致使通行的人员、车辆及其他财产遭受损失的，负有相关职责的单位应当依法承担赔偿责任。	第一百五十五条 道路施工作业或者道路出现损毁，未及时设置警告标志或者采取防护措施，或者应当设置交通信号灯、交通标志、交通标线而没有设置或者应当及时变更交通信号灯、交通标志、交通标线而没有及时变更，致使通行的人员、车辆以及其他财产遭受损失的，负有相关职责的单位应当依法承担赔偿责任。
第一百零六条 在道路两侧及隔离带上种植树木、其他植物或者设置广告牌、管线等，遮挡路灯、交通信号灯、交通标志，妨碍安全视距的，由公安机关交通管理部门责令行为人排除妨碍；拒不执行的，处二百元以上二千元以下罚款，并强制排除妨碍，所需费用由行为人负担。	第一百五十六条 在道路两侧以及隔离带上种植树木、其他植物或者设置广告牌、管线等，遮挡路灯、交通信号灯、交通标志，或者妨碍安全视距的，由公安机关交通管理部门责令行为人排除妨碍；拒不执行的，处二百元以上二千元以下罚款，并强制排除妨碍，所需费用由行为人负担。

CURRENT LAW - ENGLISH

Article 105 Where losses are inflicted on the passing persons or vehicles or other property because, when a road is under construction or damages appear in a road, no warning signs are put up in time and no protective measures are taken, or there are no traffic signal lights, traffic signs or traffic line markings as there ought to be, or no traffic signal lights, traffic signs or traffic line markings are altered as they ought to be in time, the units respectively responsible shall bear the liability for compensation according to law.

Article 106 Where a unit or individual plants trees or other plants or installs billboards, pipelines, etc. on both sides of a road or along the isolation belts, so that they shield road lamps, traffic signal lights or traffic signs, or obstruct the safe range of visibility, the traffic control department of the public security organ shall instruct it or him to remove the obstacles; and if it or he refuses to comply, a fine of not less than 200 yuan but not more than 2,000 yuan shall be imposed, and the obstacles shall forcibly be removed and the expenses thus incurred shall be borne by it or him.

REVISION DRAFT - ENGLISH

Article 155: If warning signs or protective measures are not promptly installed or protective measures are taken during road construction operations or roads are damaged, or traffic lights, traffic signs, or traffic markings are not installed when they shall be installed, or traffic lights, traffic signs, or traffic markings are not changed when they shall be, resulting in losses to passing persons, vehicles, and other property, the unit with relevant responsibilities shall bear liability for compensation in accordance with the law.

Article 156 If trees or other plants are planted on both sides of the road or on the isolation belt, or billboards or pipelines are installed, blocking street lights, traffic lights, traffic signs, or obstructing safe sight distance, the traffic management department of the public security organ shall order the offender to remove the obstruction; if he refuses to do so, he shall be fined not less than 200 yuan but not more than 2,000 yuan and forced to remove the obstruction, and the necessary expenses shall be borne by the offender.

现 行 法	修订草案
	第一百五十七条 擅自对已登记机动车加装自动驾驶系统或者改变自动驾驶功能的，由公安机关交通管理部门责令恢复原状。无法恢复原状的，强制报废。有违法所得的，没收违法所得，并处违法所得二倍以上十倍以下罚款；没有违法所得或者违法所得不足一万元的，处二万元以上五万元以下罚款。构成犯罪的，依法追究刑事责任。 检验检测机构以及其技术人员未按照规定实施道路通行规则符合性测试或者出具虚假测试结果的，由公安机关交通管理部门责令停业整顿，对检验检测机构处五万元以上二十万元以下罚款，对直接负责的主管人员和其他直接责任人员处一万元以上五万元以下罚款；有违法所得的，没收违法所得；情节严重的，由授予其资质的主管部门依法吊销其执业资格；构成犯罪的，依法追究刑事责任。在整顿完成前，暂停采信其出具的测试结果。对有关自动驾驶汽车产品，由国务院机动车产品主管部门等要求暂停使用相关版本自动驾驶系统。
第一百一十三条 暂扣机动车驾驶证的期限从处罚决定生效	第一百五十八条 暂扣机动车驾驶证的期限从处罚决定生效

CURRENT LAW - ENGLISH

Article 113 The term for temporary suspension of a motor vehicle driver's license shall be calculated from the date the decision on the punishment takes effect; and if a motor vehicle driver's license is suspended before the decision takes effect, the number of days in which the license is suspended shall be deducted from the term for temporary suspension.

The interval between revocation of the license and application for a new one shall be governed by the administrative regulations on motor vehicle driver's licenses.

REVISION DRAFT - ENGLISH

Article 157 Anyone who installs an automatic driving system or changes the automatic driving function to a registered motor vehicle without authorization shall be ordered by the traffic management department of the public security organ to restore the vehicle to its original state. If it cannot be restored to its original state, it will be scrapped. If there is illegal income, the illegal income shall be confiscated and a fine of not less than two times but not more than ten times of the illegal income shall be imposed; if there is no illegal income or the illegal income is less than 10,000 yuan, a fine of not less than 20,000 yuan but not more than 50,000 yuan shall be imposed. If a crime is constituted, criminal liability shall be pursued in accordance with the law.

If an inspection and testing agency and its technical personnel fail to conduct compliance tests with road traffic rules in accordance with regulations or issue false test results, the traffic management department of the public security organ shall order it to suspend operations for rectification, and impose a fine of not less than RMB 50,000 but not more than RMB 200,000 on the inspection and testing agency.

If the person in charge and other directly responsible persons are directly responsible, a fine of not less than RMB 10,000 but not more than RMB 50,000 will be imposed; if there are any illegal gains, the illegal gains will be confiscated; if the circumstances are serious, the competent department that granted the qualifications will revoke their professional qualifications in accordance with the law; if a crime is constituted, criminal responsibility will be pursued in accordance with the law. Before the rectification is completed, the test results issued by it will be suspended. For relevant automated-driving vehicle products, the motor vehicle product department of the State Council and others require the suspension of the use of relevant versions of self-driving systems.

Article 158 The period for temporarily withholding a motor vehicle driving license shall be calculated from the date when the penalty decision takes effect; if the motor vehicle driving license is withheld before the penalty decision takes effect, one day of detention shall be offset by one day of the temporary suspension period.

The effect of suspending or revoking a motor vehicle driving license applies to all permitted driving types stated on the motor vehicle driving license.

If a road traffic safety violation involves circumstances that require the revocation of a motor vehicle driving license as stipulated in this Law, the person punished shall not apply for a motor vehicle driving license within two years from the date of the penalty decision, unless otherwise provided for in this Law.

现 行 法	修订草案
之日起计算；处罚决定生效前先予扣留机动车驾驶证的，扣留一日折抵暂扣期限一日。 吊销机动车驾驶证后重新申领机动车驾驶证的期限，按照机动车驾驶证管理规定办理。	之日起计算；处罚决定生效前先予扣留机动车驾驶证的，扣留一日折抵暂扣期限一日。 暂扣、吊销机动车驾驶证的效力及于机动车驾驶证载明的所有准驾车型。 道路交通安全违法行为有本法规定应当吊销机动车驾驶证情形的，自作出处罚决定之日起被处罚人二年内不得申领机动车驾驶证，本法另有规定的除外。
	第一百五十九条 有本法规定情形，被宣告有罪、无罪或者决定不起诉，依法应当给予行政处罚的，公安机关交通管理部门在人民法院作出生效裁判或者人民检察院决定不起诉后，应当依法作出行政处罚决定；人民法院、人民检察院和公安机关应当加强信息共享和工作协同。
第一百一十五条 交通警察有下列行为之一的，依法给予行政处分： （一）为不符合法定条件的机动车发放机动车登记证书、号牌、行驶证、检验合格标志的； （二）批准不符合法定条件的机动车安装、使用警车、消防车、救护车、工程救险车的警报器、标志灯具，喷涂标志图案的；	第一百六十条 交通警察有下列行为之一的，依法给予处分： （一）为不符合法定条件的机动车发放机动车登记证书、号牌、行驶证、检验合格标志； （二）批准不符合法定条件的机动车安装、使用警车、消防救援车、救护车、工程救险车的警报器、标志灯具，喷涂标志图案； （三）为不符合驾驶许可条

CURRENT LAW - ENGLISH

Article 115 Where a traffic policeman commits one of the following acts, he shall be given an administrative sanction according to law:

- (1) issuing the certificate of registration, number plate, motor vehicle license, or sticker of inspection certificate to a motor vehicle that is not in conformity with the statutory requirements;
- (2) giving approval to a motor vehicle that is not in conformity with the statutory requirements to install and use alarm sirens and signal lights, or to spray or paint the sign specially for police vans, fire engines, ambulances or engineering rescue vehicles;
- (3) issuing a motor vehicle driver's licenses to a person who does not meet the qualifications for a driver's license, or has not undergo examinations, or fails in the examinations;
- (4) failing to implement the system under which the decision on fines is separated from the collection of fines, or failing to turn over in full to the State Treasury the fees and fines collected and the unlawful gains confiscated in accordance with law, as is required by relevant regulations;
- (5) engaging in such business activities as sponsoring or participating in sponsoring drivers schools or drivers training classes, motor vehicle repair shops or pay parking lots;
- (6) receiving or accepting another person's money or things of value or seeking other benefits by taking advantage of his position;
- (7) distraining a vehicle, a motor vehicle license, a driver's license or the number plate of a vehicle in violation of law;
- (8) using the vehicle distrained according to law;
- (9) collecting a fine on the spot without producing a receipt or failing to fill out the exact amount of a fine;
- (10) disposing of a traffic crash unfairly by engaging in malpractices for personal gain;
- (11) delaying the issuance of the number plates and certificates of motor vehicles by deliberately making things difficult;
- (12) using alarm sirens and signal lights when not performing emergency duties;
- (13) blocking or inspecting normally running vehicles in violation of regulations;
- (14) blocking a motor vehicle and getting a lift when not performing emergency duties; or
- (15) failing to perform the statutory duties.

If the traffic control department of the public security organ commits one of the acts mentioned in the preceding paragraph, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions accordingly.

REVISION DRAFT - ENGLISH

Article 159 Under the circumstances specified in this Law, if a person is declared guilty or not guilty or decides not to prosecute, and administrative penalties shall be imposed according to law, the traffic management department of the public security organ shall make an administrative penalty decision in accordance with the law after the People's Court makes an effective judgment or the People's Procuratorate decides not to prosecute; the People's Court, the People's Procuratorate and the public security organs shall strengthen information sharing and work coordination.

Article 160 If a traffic policeman commits any of the following acts, he shall be punished in accordance with the law:

- (1) Issuing motor vehicle registration certificates and numbers to motor vehicles that do not meet legal conditions plates, driving licenses, and inspection marks;
- (2) Approving motor vehicles that do not meet legal conditions to install and use sirens, sign lamps, and spray sign patterns of police cars, fire rescue vehicles, ambulances, and engineering rescue vehicles;
- (3) Issuing motor vehicle driving licenses to persons who do not meet the driving license conditions, have not taken the test, or have failed the test;
- (4) Failure to implement the separation system of fine decision-making and fine collection or failure to turn over all fees, fines collected and confiscated illegal gains to the State treasury in accordance with regulations;
- (5) Engage in business activities such as organizing or participating in organizing driving schools or driving training classes, motor vehicle repair shops or paid parking lots;
- (6) Taking advantage of one's position to accept property from others or seek other benefits;
- (7) Illegally detaining vehicles, motor vehicle driving licenses, driving licenses, and vehicle license plates;
- (8) Use impounded vehicles;
- (9) Collecting fines on the spot without issuing special bills or failing to fill in the amount of the fine truthfully;
- (10) Engaging in malpractice for personal gain, unfairly handling traffic crashes, or collecting road traffic crash deposits and deposits in violation of regulations;
- (11) Deliberately creating difficulties and delaying the application of motor vehicle license plates;
- (12) Use sirens and sign lights when not performing emergency tasks;
- (13) Violating regulations to intercept and inspect vehicles traveling normally;
- (14) Intercepting motor vehicles when not performing urgent official duties;
- (15) Disclosing work secrets in the road traffic safety management process or other information that shall be kept confidential according to law;
- (16) Use personal information obtained in the process of road traffic safety management, relevant information and samples extracted and collected in accordance with the law for purposes unrelated to road traffic safety management and combating illegal crimes, or sell or provide it to other units and individuals;
- (17) Other abuse of power, dereliction of duty, and malpractice for personal gain.

If the traffic management department of the public security organ commits any of the acts listed in the preceding paragraph, the responsible leaders and directly responsible personnel shall be punished in accordance with the law.

现 行 法	修订草案
（三）为不符合驾驶许可条件、未经考试或者考试不合格人员发放机动车驾驶证的； （四）不执行罚款决定与罚款收缴分离制度或者不按规定将依法收取的费用、收缴的罚款及没收的违法所得全部上缴国库的； （五）举办或者参与举办驾驶学校或者驾驶培训班、机动车修理厂或者收费停车场等经营活动的； （六）利用职务上的便利收受他人财物或者谋取其他利益的； （七）违法扣留车辆、机动车行驶证、驾驶证、车辆号牌的； （八）使用依法扣留的车辆	件、未经考试或者考试不合格人员发放机动车驾驶证； （四）不执行罚款决定与罚款收缴分离制度或者不按照规定将依法收取的费用、收缴的罚款以及没收的违法所得全部上缴国库； （五）从事举办或者参与举办驾驶学校或者驾驶培训班、机动车修理厂或者收费停车场等经营活动； （六）利用职务上的便利收受他人财物或者谋取其他利益； （七）违法扣留车辆、机动车行驶证、驾驶证、车辆号牌； （八）使用扣留的车辆； （九）当场收取罚款不开具专用票据或者不如实填写罚款额； （十）徇私舞弊，不公正处理交通事故，或者违反规定收取道路交通事故保证金、押金； （十一）故意刁难，拖延办理机动车牌证； （十二）非执行紧急任务时使用警报器、标志灯具的； （十三）违反规定拦截、检查正常行驶的车辆
的； （九）当场收取罚款不开具罚款收据或者不如实填写罚款额的； （十）徇私舞弊，不公正处理交通事故的； （十一）故意刁难，拖延办理机动车牌证的； （十二）非执行紧急任务时使用警报器、标志灯具的； （十三）违反规定拦截、检查正常行驶的车辆	的； （十）徇私舞弊，不公正处理交通事故，或者违反规定收取道路交通事故保证金、押金； （十一）故意刁难，拖延办理机动车牌证； （十二）非执行紧急任务时使用警报器、标志灯具； （十三）违反规定拦截、检查正常行驶的车辆； （十四）非执行紧急公务时拦截搭乘机动车
的； （十五）不履行法定职责的。 公安机关交通管理部门有前	的； （十五）泄露道路交通安全管理过程中的工作秘密或者其他依

CURRENT LAW - ENGLISH

No new current-law article begins on this source page.

REVISION DRAFT - ENGLISH

No new revised-draft article begins on this source page.

现 行 法	修订草案
款所列行为之一的，对直接负责的主管人员和其他直接责任人员给予相应的行政处分。	法应当保密的信息； （十六）将在道路交通安全管理过程中获得的个人信息，依法提取、采集的相关信息、样本用于与道路交通安全管理、打击违法犯罪无关的用途，或者出售、提供给其他单位和个人； （十七）其他滥用职权、玩忽职守、徇私舞弊行为。 公安机关交通管理部门有前款所列行为之一的，对负有责任的领导人员和直接责任人员依法给予处分。
第一百一十六条 依照本法第一百一十五条的规定，给予交通警察行政处分的，在作出行政处分决定前，可以停止其执行职务；必要时，可以予以禁闭。 依照本法第一百一十五条的规定，交通警察受到降级或者撤职行政处分的，可以予以辞退。 交通警察受到开除处分或者被辞退的，应当取消警衔；受到撤职以下行政处分的交通警察，应当降低警衔。	第一百六十一条 依照本法第一百六十条的规定，给予交通警察处分的，在作出处分决定前，可以停止其执行职务；必要时，可以予以禁闭。 依照本法第一百六十条的规定，交通警察受到降级或者撤职处分，经教育仍无改变，不适合继续在机关工作，又不宜给予开除处分的，予以辞退。 交通警察受到开除处分或者被辞退的，应当取消警衔；受到撤职以下处分的交通警察，应当降低警衔。
第一百一十七条 交通警察利用职权非法占有公共财物，索取、收受贿赂，或者滥用职权、玩	第一百六十二条 交通警察实施本法第一百六十条第一款规定的行为或者利用职权非法占有

CURRENT LAW - ENGLISH

Article 116 A traffic policeman who is given an administrative sanction in accordance with the provisions of Article 115 of this Law may be stopped from performing his duties before a decision on such sanction is made; and when necessary, he may be placed in confinement.

Where a traffic policeman is demoted or removed from office as an administrative sanction in accordance with the provisions of Article 115 of this Law, he may be dismissed.

Where a traffic policeman is discharged as a sanction or is dismissed, his police rank shall be deprived of; and where a traffic policeman is imposed a lighter sanction than removal from office as an administrative sanction, his police rank shall be reduced.

Article 117 Where a traffic policeman, taking advantage of his functions and powers, illegally takes public property into his possession, extorts, receives or accepts bribes, abuses his functions and powers, or neglects his duties, which is serious enough to constitute a crime, he shall be investigated for criminal responsibility according to law.

REVISION DRAFT - ENGLISH

Article 161 In accordance with the provisions of Article 160 of this Law, if a traffic police officer is punished, he may be suspended from performing his duties before a decision on punishment is made; if necessary, he may be detained.

In accordance with the provisions of Article 160 of this Law, if a traffic policeman is demoted or dismissed from his post and remains unchanged after education, and is unfit to continue working in the agency and is not suitable for dismissal, he shall be dismissed.

If a traffic police officer is dismissed or dismissed, his rank shall be revoked; if a traffic police officer is punished by a sanction of dismissal or dismissal, his rank shall be reduced.

Article 162 If a traffic policeman commits the acts stipulated in the first paragraph of Article 160 of this Law or takes advantage of his authority to illegally possess public property, solicits or accepts bribes, or commits other acts of abuse of authority, dereliction of duty, or malpractice for personal gain, which constitutes a crime, he shall be investigated for criminal responsibility in accordance with the law.

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忽职守，构成犯罪的，依法追究刑事责任。	公共财物，索取、收受贿赂，或者 实施其他滥用职权、玩忽职守、徇私舞弊行为 ，构成犯罪的，依法追究刑事责任。
第一百一十八条 公安机关交通管理部门及其交通警察有本法 第一百一十五 条所列行为之一，给当事人造成损失的，应当依法承担赔偿责任。	第一百六十三条 公安机关交通管理部门 以及其交通警察 有本法 第一百六十 条所列行为之一，给当事人造成损失的，应当依法承担赔偿责任。
第八章 附 则	第九章 附 则
第一百一十九条 本法中下列用语的含义： （一）“道路”，是指公路、城市道路和虽在单位管辖范围但允许社会机动车通行的地方，包括广场、公共停车场等用于公众通行的场所。 （二）“车辆”，是指机动车和 非机动车 。 （三）“机动车”，是指以动力装置驱动或者牵引，上道路行驶的供人员乘用或者用于运送物品 以及 进行工程专项作业的轮式车辆。 （四）“非机动车”，是指以人力或者畜力驱动，上道路行驶的交通工具，以及虽有动力装置驱动但设计最高时速、空车质量 、 外形尺寸符合 有关 国家标准的残疾人机动轮椅车、电动自行车等交通工具。	第一百六十四条 本法中下列用语的含义： （一）“道路”，是指公路、城市道路和虽在单位管辖范围但允许 不特定 社会机动车通行的地方，包括广场、公共停车场等用于公众通行的场所。 （二）“车辆”，是指机动车、非机动车。 （三）“机动车”，是指以动力装置驱动或者牵引，上道路行驶的供人员乘用或者用于运送物品、进行工程专项作业的轮式车辆。 （四）“非机动车”，是指以人力或者畜力驱动，上道路行驶的交通工具，以及虽有动力装置驱动但设计最高时速、空车质量 和 外形尺寸符合 强制性 国家标准的残疾人机动轮椅车、电动自行车等交通工具。

CURRENT LAW - ENGLISH

Article 118 Where the traffic control department of the public security organ or its traffic policeman commits one of the acts mentioned in Article 115 of this Law, thus causing losses to the party, it or he shall bear the liability for compensation according to law.

Chapter VIII Supplementary Provisions

Article 119 For purposes of this Law, the meanings of the following terms are:

(1) "Roads" mean the highways, urban streets, and places that although within the scope of the jurisdiction of units, motor vehicles of the community are permitted to pass through, including squares and public parking lots as are used for public passage.

(2) "Vehicles" mean the motor vehicles and non-motor vehicles.

(3) "Motor vehicles" mean the wheeled vehicles driven or drawn by power sets on roads for carrying people, for transporting cargoes, or for special engineering operations.

(4) "Non-motor vehicles" mean such means of transport as are driven or drawn by man or animal on roads, and the motor wheelchairs for the disabled and electrically operated bicycles which are installed with power sets but the designed maximum speed per hour, the light quality and the external size of which are in conformity with the relevant standards of the State.

(5) "Traffic crashes" mean situations in which vehicles running on roads cause casualties or property losses through errors or something untoward.

REVISION DRAFT - ENGLISH

Article 163 If the traffic management department of the public security organ and its traffic police commit any of the acts listed in Article 160 of this Law and cause losses to the parties concerned, they shall bear liability for compensation in accordance with the law.

Article 164 The meanings of the following terms in this Law:

(1) "Road" refers to highways, urban roads and places that are within the jurisdiction of the unit but allow the passage of unspecified motor vehicles, including squares, public parking lots and other places used for public circulation.

(2) "Vehicle" refers to motor vehicles and non-motor vehicles.

(3) "Motor vehicle" refers to a wheeled vehicle driven or towed by a power device and driven on the road for use by people or for transporting items or carrying out special engineering operations.

(4) "Non-motorized vehicles" refers to vehicles driven by human or animal power and driven on the road, as well as vehicles such as motorized wheelchairs and electric bicycles for persons with disabilities that are driven by power devices but have a designed maximum speed, empty vehicle quality and overall dimensions that meet mandatory national standards.

(5) "Traffic crash" refers to an incident in which a vehicle causes personal injury, death, or property damage due to fault, mechanical failure, road defects, or other incidents on the road.

(6) "Escape" refers to the act of absconding, hiding, or driving or abandoning a vehicle to escape the scene of the traffic crash in order to avoid legal liability after the party knows or shall know that a road traffic crash has occurred.

(7) "Insurance sign" refers to the compulsory traffic accident liability insurance sign.

现 行 法	修订草案
（五）“交通事故”，是指车辆在道路上因过错或者意外造成的人身伤亡或者财产损失的事件。	（五）“交通事故”，是指车辆在道路上因过错、机件故障、道路缺陷等情形或者意外造成的人身伤亡或者财产损失的事件。 （六）“逃逸”，是指知道或者应当知道发生交通事故后，当事人为逃避法律责任，潜逃、藏匿或者驾驶、遗弃车辆逃离交通事故现场的行为。 （七）“保险标志”，是指交通事故责任强制保险标志。
第一百二十条 中国人民解放军和中国人民武装警察部队在编机动车牌证、在编机动车检验以及机动车驾驶人考核工作，由中国人民解放军、中国人民武装警察部队有关部门负责。	第一百六十五条 中国人民解放军和中国人民武装警察部队在编机动车牌证、在编机动车检验以及机动车驾驶人考核工作，由中央军事委员会机关有关主管部门负责。 对持有中国人民解放军和中国人民武装警察部队机动车驾驶证的人，可以发给相应准驾车型的机动车驾驶证，具体办法由国务院公安部门制定。 国家综合性消防救援车辆，由国务院应急管理部门、消防救援部门负责发放应急救援专用牌证。
	第一百六十六条 外国驻中华人民共和国外交、领事机构和国际组织驻中华人民共和国代表机构的车辆的具体管理办法，由外交部会同国务院有关主管部门制定。

CURRENT LAW - ENGLISH

Article 120 The relevant departments of the Chinese People's Liberation Army and the Chinese People's Armed Police Force shall be in charge of the issuance of the plates and certificates, and the inspection, of their registered motor vehicles, and the examination and appraisal of their motor vehicle drivers.

REVISION DRAFT - ENGLISH

Article 165 The Chinese People's Liberation Army and the Chinese People's Armed Police Force are responsible for the preparation of motor vehicle license plates, the inspection of motor vehicles and the assessment of motor vehicle drivers. The relevant competent departments of the Central Military Commission shall be responsible for this.

People who hold motor vehicle driving licenses of the Chinese People's Liberation Army and the Chinese People's Armed Police Force may be issued motor vehicle driving licenses of corresponding permitted driving types. The specific measures shall be formulated by the public security department under the State Council.

For national comprehensive fire rescue vehicles, the emergency management department and fire rescue department of the State Council are responsible for issuing special emergency rescue license plates.

Article 166 The specific management measures for vehicles used by foreign diplomatic and consular missions in the People's Republic of China and representative offices of international organizations in the People's Republic of China shall be formulated by the Ministry of Foreign Affairs in conjunction with the relevant competent departments of the State Council.

现 行 法	修订草案
第一百二十一条 对上道路行驶的拖拉机，由农业（农业机械）主管部门行使本法第八条、第九条、第十三条、第十九条、第二十三条规定的公安机关交通管理部门的管理职权。 农业（农业机械）主管部门依照前款规定行使职权，应当遵守本法有关规定，并接受公安机关交通管理部门的监督；对违反规定的，依照本法有关规定追究法律责任。 本法施行前由农业（农业机械）主管部门发放的机动车牌证，在本法施行后继续有效。	第一百六十七条 对上道路行驶的拖拉机，由农业农村主管部门行使本法第十一条、第十二条、第十八条、第二十七条、第三十一条规定的公安机关交通管理部门的管理职权。 农业农村主管部门依照前款规定行使职权，应当遵守本法有关规定，并接受公安机关交通管理部门的监督；对违反规定的，依照本法有关规定追究法律责任。
第一百二十二条 国家对入境的境外机动车的道路交通安全实施统一管理。	第一百六十八条 国家对入境的境外机动车的道路交通安全实施统一管理。
第一百二十三条 省、自治区、直辖市人民代表大会常务委员会可以根据本地区的实际情况，在本法规定的罚款幅度内，规定具体的执行标准。	第一百六十九条 省、自治区、直辖市人民代表大会常务委员会可以根据本行政区域的实际情况，在本法规定的罚款幅度内，规定具体的执行标准。
第一百二十四条 本法自2004年5月1日起施行。	第一百七十条 本法自 年 月 日起施行。

CURRENT LAW - ENGLISH

Article 121 With respect to tractors running on roads, the department of agriculture (agricultural machinery) shall exercise the administrative functions and powers of the traffic control department of the public security organ as provided for in Articles 8, 9, 13, 19 and 23 of this Law.

When exercising the functions and powers in accordance with the provisions of the preceding paragraph, the department of agriculture (agricultural machinery) shall observe the relevant provisions of this Law and subject itself to supervision by the traffic control department of the public security organ; and violations shall be investigated for legal responsibility in accordance with the relevant provisions of this Law.

The plates and certificates of motor vehicles issued by the department of agriculture (agricultural machinery) before implementation of this Law shall continue to be valid after this Law goes into effect.

Article 122 The State exercises unified control of road traffic safety in respect of motor vehicles entering our territory from abroad.

Article 123 The standing committees of the people's congresses of provinces, autonomous regions, and municipalities directly under the Central Government may, in light of their actual local conditions and within the range of the fines provided for in this Law, fix specific rates for imposing fines.

Article 124 This Law shall go into effect as of May 1, 2004.

REVISION DRAFT - ENGLISH

Article 167: For tractors traveling on roads, the agricultural and rural authorities shall exercise the administrative powers of the traffic management department of the public security organ as stipulated in Articles 11, 12, 18, 27 and 31 of this Law.

The agricultural and rural administrative departments shall, when exercising their powers in accordance with the provisions of the preceding paragraph, abide by the relevant provisions of this Law and accept the supervision of the traffic management department of the public security organ; those who violate the provisions shall be held legally responsible in accordance with the relevant provisions of this Law.

Article 168 The State implements unified management of the road traffic safety of overseas motor vehicles entering the country.

Article 169 The standing committees of the people's congresses of provinces, autonomous regions and municipalities directly under the Central Government may, based on the actual conditions of their respective administrative regions, stipulate specific implementation standards within the range of fines stipulated in this Law.

Article 170 This Law shall come into effect on day, month, year.