

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

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.

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;

(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.

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;

- (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.

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.

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.

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

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;

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

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.

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

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.

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.

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

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.

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.

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,

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

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.

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.

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

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;

- (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.

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

, 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

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.

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.

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.

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

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

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.

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;

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.

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

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

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

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

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.

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

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.

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.

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.

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.

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.

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.

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

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 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.

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.

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;

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.

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.

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,

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.

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.

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

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.

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.

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.

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.

CURRENT LAW

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

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.

CURRENT LAW

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.

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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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

Article 22 The State implements a compulsory motor vehicle traffic accident liability insurance system and establishes a road 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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

Article 31 No units or individuals shall, without permission, occupy roads to engage in non-traffic activities.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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 from the scene before proceeding to settle the matter through consultation.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

REVISION DRAFT

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.

CURRENT LAW

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REVISION DRAFT

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.

CURRENT LAW

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REVISION DRAFT

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.

CURRENT LAW

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REVISION DRAFT

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.

CURRENT LAW

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.

REVISION DRAFT

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.

CURRENT LAW

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.

REVISION DRAFT

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.

CURRENT LAW

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.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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REVISION DRAFT

No new revised-draft article begins on this source page.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW	REVISION DRAFT
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.	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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

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REVISION DRAFT

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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

No new current-law article begins on this source page.

REVISION DRAFT

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.

CURRENT LAW
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
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.

CURRENT LAW

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REVISION DRAFT

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CURRENT LAW

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

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.

CURRENT LAW	REVISION DRAFT
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.	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.

CURRENT LAW

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

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.

CURRENT LAW

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

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.