

LAW
ON
ROAD

Notice: This translation in English of the Law on Road is an unofficial translation. Thus, in case of discrepancy between the English version and the Khmer version, the exact meaning shall be interpreted according to the text of Law in Khmer.

KINGDOM OF CAMBODIA

NATION RELIGION KING



PREAH REACH KRAM

NS/RKM/0514/008

We

**Preah Bat Samdech Bormniet Norodom Sihamoni
Samanphoum Cheatsasna Rakhatkhateya Khemrarotheas
Puthinthreathoreamohaksat Khemreachnea Somohopheas
Kampuchekreachroathboranaksanti Sopheakmonglea
Sereivibolea Khemarasreypireas
Preah Chao Krong Kampuchea Thipdey**

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen the Preah Reach Kret No. NS/RKT/0908/1055 of 25 September 24 2013 on the appointment of the Royal Government of the Kingdom of Cambodia
- Having seen the Preah Reach Kram No. 02/NS/94 of 20 July 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers
- Having seen the Preah Reach Kram No. NS/RKM/o196/03 of 24 January 1996 promulgating the Law on the Establishment of the Ministry of Public Works and Transport
- Having seen the proposals of Samdech Akka Moha Sena Padei Techo Hun Sen Prime Minister of the Kingdom of Cambodia

HEREBY PROMULGATED

The Law on Road adopted by the National Assembly on 3 April 2014 at the second ordinary session of the five legislatures and approved by the Senate

to its entire form and legality on 11 April 2014 at its extraordinary session of the third legislature and includes the following provisions:

CHAPTER 1

GENERAL PROVISION

ARTICLE 1.-

This law has objective to management, development of roads infrastructure sector and to ensure the road traffic safety in the Kingdom of Cambodia.

ARTICLE 2.-

This law has the following aims:

- To protection of public property, protection and enhance of roads quality, maintaining orders, facilitate of the roads traffic and roads transportation.
- To determine the policy, strategy, and developing plan for the construction, repair, and maintenance of roads infrastructure including to set up measures and technical regulations
- To promoted and encourage the private sector to participant in the construction, repair, maintenance, and developing of roads infrastructure
- To promoted cooperation and integrations of the nation, region, sub-region, and worlds on the roads infrastructure sector
- To encourage for conduct research program on roads technique and to transfer of new technique for the roads infrastructure development in the Kingdom of Cambodia
- To development of human resources in roads infrastructure sector in the Kingdom of Cambodia.

ARTICLE 3.-

The scope of this law shall be applied to all the activities relevant with roads infrastructure sector in the Kingdom of Cambodia.

ARTICLE 4.-

Key terminologies used in this law shall be defined their definitions in the glossary attached as the annex of the law.

CHAPTER 2

COMPETENT AUTHORITY OF ROAD MANAGEMENT

ARTICLE 5.-

The competent authorities for the roads infrastructure management shall be designated as follows:

- 1- The Ministry of Public Works and Transport shall the competent authority to manage the expressway, national road, provincial road, and other roads as assigned by the Royal Government.
- 2- The Ministry of Rural Development shall the competent authority to manage the rural roads, and other roads as assigned by the Royal Government.
- 3- Sub-national Administration shall the competent authority to manage roads within Capital, cities, provincial urban, roads constructed, rehabilitated, and maintained by under the Sub-national Administration's budget and budget collected from various sources as well as other roads through the assignment of duties from the Ministry of Public Works and Transport and the Ministry of Rural Development to the Sub-national Administrations and other roads as decided and approved by the Royal Government.

The sharing of other competent authorities' road management shall be determined by the Royal Government.

ARTICLE 6.-

Sub-national Administration shall have the right to oversee and manage roads within their jurisdictions as defined in point 3 under the Article 5 of this law. In each planning, road development and project study requiring the technical high standard, the Sub-national Administrations may request the approval of the Ministry of Public

Works and Transport or Ministry of Rural Development depending upon the areas of responsibility of individual ministries and subject to the technical regulations, urbanization and heritage regulations and the provision of this law.

CHAPTER 3

ROADS TYPES, NAMING AND CLASSIFICATION

ARTICLE 7.-

The road network in the Kingdom of Cambodia can be classified as follows:

- 1- Expressway
- 2- National roads
- 3- Provincial roads
- 4- Rural roads
- 5- Capital streets, urban streets, and counties streets in provinces
- 6- Other roads which determined by the Royal Government.

ARTICLE 8.-

The expressway, national roads, provincial roads, capital streets, urban streets, counties streets in provinces shall be named and/or numbered and must exactly determine of long distance.

Setting up naming roads or numbering roads shall be determined as below:

1. Roads may be named such as well-known persons, persons with merits to the country or historical or natural geography or cultural relics or events, and place-names or local customs.
2. Roads may be numbered in accordance with a methodology, which may be determined exactly of roads location, road types, and the priority of roads.
3. Naming roads or numbering roads which connected to international roads shall be setting up to the Royal Government decided. For roads connected to international road networks, both domestic and international names and numbers can be used.

Formality and procedures of naming roads or numbering roads and changing naming roads or numbering roads shall be determined by the Royal Government.

ARTICLE 9.-

The competence authorities of road management shall be division of road classification based on administrative geography, roads function, and technical standards, and shall be made of roads inventory which consultation with relevant the competence authorities on the period no longer 5 (five) years per time, for the roads classification and changing of the roads classification.

The roads function and roads classification and changing of the roads classification shall be determined by Sub-decree.

CHAPTER 4

ROAD DEVELOPMENT AND MAINTENANCE

ARTICLE 10.-

The competent authorities of road management shall develop a road master plan development, project design and prioritize projects for road construction, rehabilitation, improvement, upgrading, expansion, and maintenance as well as for other roads infrastructure development activities to propose the approval from the Royal Government.

Formalities and methodology for the road development planning, project designing and project prioritization shall be determined by a Join-Prakas of the Minister of the Ministry of Public Works and Transport and the Minister of the Ministry of Rural Development.

ARTICLE 11.-

All the road construction, road expansion, interchange, intersection, overlap roads, bridges, overhead space above, overpass bridges, underground or tunnels, culverts, ground water, road ground or overhead railroad, and particularly road within daily traffic congestion, a public dissemination and draft construction project plan shall be made available to relevant competent authorities. In this case, if the legal ownerships are affected by the planned road construction or expansion

project, owners may receive fair and just compensation as provide for in the law on expropriation.

ARTICLE 12.-

Any construction on the land for road construction development, in particularly area for right of way which is permanently established shall be prohibited, except for the construction in some special projects such as of the equipments used in the national defense, security and in road management or road construction and construction for other public services which require the approval of the Royal Government in accordance with request of the competent authorities of road management.

Right of way may be utilized for various temporary purposes without affecting the equipments and structures for safe road traffic.

The management of right of way used along roads network shall be determined by a Sub-decree.

ARTICLE 13.-

Before being put into operation, the competent authorities of road management or private individuals authorized to construct or develop new roads must be completely installation with road furniture and in accordance with technical regulations that approved design.

ARTICLE 14.-

In the construction of new roads, right of way and land for construction of important road infrastructures shall be set aside.

Nonetheless, the construction of roads within towns, boreys (residential communities) and new development areas shall include the construction of roads for pedestrians, the handicapped and construction of other road infrastructures to assure safe traffic.

The earmarked right of way and land for construction of road infrastructures above shall be publicized and the draft plan for such right's right of way and land for construction of those road infrastructures shall be put forward to the Ministry of

Land Management, Urban Planning and Construction and the Ministry of Interior to cooperate in launching appropriate measures.

ARTICLE 15.-

Every construction of roads, interchange, intersection, overlap roads, bridges, overhead space above, overpass bridges, underground or tunnels, culverts, ground water, road ground or overhead railroad, shall be carried out in accordance with the technical regulations as stated under the Article 23 of this Law.

ARTICLE 16.-

Roads must have maintained regularly. The road maintenance can be categorized as routine maintenance, periodic, and emergency repair.

Roads that are officially launched shall be under the proper management and maintenance in alignment with the technical regulations and maintenance procedures as set out in Article 23 of this Law by assuring good maintenance of the road conditions, regular auditing and monitoring of the road infrastructure components.

ARTICLE 17.-

The competent authorities of road management shall establish a vehicle weighting station in main roads, vehicle terminal, parking lots, roadside service station, in a long roads network. The competent authorities of road management, where deemed necessary and after approved by the Royal Government, may construct a toll station along the roads to serve the road transportation services, road protection and maintenance.

All types of stations construction as stated in paragraph 1 above must be compliance with technical regulations as stated under the Article 23 of this law.

ARTICLE 18.-

For all the road infrastructure development and maintenance projects principally approved by the Royal Government, the competent authorities of road management may implement such projects on its own or engage the private sector in the road

infrastructure development or maintenance in accordance with the Public Procurement Law.

Where a concessionaire or road construction firm is in charge of the road infrastructure development or maintenance project, the work shall be undertaken in consistence with the provisions of this Law, Concession Law and other existing regulations.

ARTICLE 19.-

The concessionaire or road construction firm shall cooperate with relevant ministries and institutions with the functions and authorities in the management, control, audit or solving road related disputes and regularly reports the road construction, maintenance, incidents, and accidents and immediately report any event involved with the roads.

CHAPTER 5

TECHNIQUES ENTITY AND ROAD INFRASTRUCTURE TECHNICAL REGULATION

ARTICLE 20.-

The competence authorities of road management shall establish its own organizational structure responding to the road infrastructure development plan and requirement for public service.

ARTICLE 21.-

The competence authorities of road management shall establish a national institution for road infrastructure development. This institution have role for the study, research, testing and training, and also play role as centre for managing, collection data and distribution of information which relevant the roads infrastructure sector.

The organization and functioning of the national institution for the roads infrastructure development shall be determined by sub-decree.

ARTICLE 22.-

The competence authorities of road management shall create a national laboratory for roads sector. The laboratory shall undertake quality experimentation, evaluation of construction materials and physical materials used in the work implementation and issue quality certification concerning the public works.

The organization and functioning of the national laboratory for road sector shall be determined by sub-decree.

ARTICLE 23.-

The Ministry of Public Works and Transport shall have competent authority to adopt technical regulation for road infrastructures and other technical requirements consistent with international technical regulations for the road infrastructure construction as mentioned follow:

- 1- Technical standard for roads and bridges construction.
- 2- Technical standard for roads equipment, drainages equipment, and roads facility.
- 3- Technical standard for safety and heavy equipment maintenance.
- 4- Technical standard for works safety of public works workers.
- 5- Technical standard and procedures the road maintenance.
- 6- Technical standard for vehicle weighting station, vehicle terminal, stopping station parking lots, rest area in alongside road network.
- 7- Other technical standards applied in the public works sector for the roads infrastructure.

Each technical regulation shall be determined by a Prakas of the Minister of the Ministry of Public Works and Transport.

CHAPTER 6

ROAD USE

ARTICLE 24.-

Road users and all natural person relevant roads must be respective compliance with the provisions as stated in this law and law on road traffic.

In case of the provisions of law on road traffic not consistent with the provision of this law, the law on road shall prevail.

ARTICLE 25.-

Trucks transportation users must respect the loading weight limit as hereunder specified in the Article 26 of this law and must cooperate in the weighting at the weigh station set up along each road and conform to the technical standard for the road dimension limit.

The dimensions of technical standards shall be determined by a Prakas of the Minister of the Ministry of Public Works and Transport, and a Prakas of the Minister of the Ministry of Rural Development.

The controlling of overloading the limited maximum weight of the vehicles, it is the competent authority of the national committee for the controlling of overloading the limited maximum weight of the vehicles.

The organization and functioning of the national committee for the controlling of overloading the limited maximum weight of the vehicles shall be determined by Sub-decree.

ARTICLE 26.-

The overloading the limited maximum on the road networks as following:

1. On the expressway, national road, provincial road, street in capital, street in city, street in urban of provinces, and rural road must be compliance as following:
 - a. Maximum weight on the sustaining axle of automobile, trailers or semi-trailers is limited as follow:
 - 6 (six) tons for single axle with two wheels under the steering wheel.
 - 11 (eleven) tons for twin axles with four wheels under the steering wheel.
 - 10 (ten) tons for single axle with four wheels.
 - 19 (eighteen) tons for twin axles with eight wheels.
 - 24 (twenty four) tons for triple axles adjacent to each other's with twelve wheels.

- b. Permitted maximum total weight of automobile is defined as follow:
- 16 (six teen) tons for automobiles with twin axles which one axle is located in the front of the automobile with two wheels, and the other one located in the back with four wheels.
 - 25 (twenty five) tons for automobile with triple axles as one axle is located in the front of the automobile where there are two wheels and the twin ones located in the back of the automobile where there are eight wheels.
 - 30 (thirty) tons for automobile with four axles as twin ones are in the front of the automobile where there are four wheels and the other two axles are in the back of the automobile where there are eight wheels.
- c. Limitation of permitted maximum total weight of automobile with trailers shall be defined as follow:
- 35 (thirty five) tons for automobile with trailers having four axles as a single axle is located in the front of automobile where there are two wheels and the other single axle in the back of the vehicle where there are four wheels and the single axles of the trailers with eight wheels.
 - 40 (forty) tons for automobile with trailers having five axles onward.
- d. Limitation of permitted maximum weight of automobile with semi-trailers shall be defined as follow:
- 35 (thirty five) tons for automobile with semi-trailers having four axles as a single axles is located in the front of automobile where there are two wheels and other single axle in the back of the vehicle where there are four wheels and the twin axles of the semi-trailers with eight wheels.
 - 40 (forty) tons for automobile with semi-trailers having five axles onward.

The total weights of the automobile and the trailers or semi-trailers which is not included in points above shall be asked for special permission letter from the competent authorities of road management.

2. All vehicle axle loads as specified above in point 1 shall bear a pressure on the road no more than 5(five)Kg/cm².

ARTICLE 27.-

Road users when arrival the ferry dock, or road highest level, or roads that require high attention shall respect the instructions of the ferry dock or safety agent on duty at destinations.

Orders of the ferry dock used and road highest level, or roads that require high attention shall be determined by a Prakas of the Ministry of Public Works and Transport, and a Prakas of the Minister of the Ministry of Rural Development.

ARTICLE 28.-

The organizing and management of various events such as cultural and sport events, exhibition and ceremonies along the roads shall be done according to the following instructions:

- 1- The Organizer shall propose the road use attached with the traffic safety project to the sub-national administrations. The activity can proceed only after the approval of the sub-national administrations at relevant levels subject to the level of the event and if considered necessary.
- 2- Sub-national administrations shall publicize the information about the planned road closure on the timely basis and introduce appropriate measures for protection of public order and traffic safety.
- 3- Sub-national administrations shall engage and cooperate with the organizer in coping with any emergencies and securing traffic safety.

The formalities and procedures of the road use shall be defined by a Joint-Prakas issued the Minister of Interior and Minister of Public Works and Transport or a joint parkas issued by the Minister of Interior and Minister of Rural Development.

ARTICLE 29.-

The road use and other roadside activities related to the roads within the Capital, cities and towns shall follow steps as follows:

- A- Sidewalks and roads assigned for pedestrians shall be used for pedestrians to walk only.
- B- Sidewalks and roads assigned for pedestrians may be used for other purposes as stated in the provisions of Article 28 of this Law.
- C- Following activities shall not be allowed:
 - Parking of vehicles or motor vehicles along the roads, sidewalks and roads for pedestrians not properly at the designated area.
 - Unauthorized construction of road barricades or zebra crossings or similar objects on the roads.
 - Other activities contrary to this Law.

ARTICLE 30.-

For assuring the safe traffic movement along the expressway, national roads and provincial roads, every construction of structures whose entrance and exit are close to the roads above in a near distance shall be carried out as follows:

- 1- The construction of structures such as petrol station, gas station, car wash garage, garage or other similar structures which an average number of people gather shall be located at least (fifteen) 15 meters from the border line of the right of way.
- 2- The construction of commercial centers, sport stadiums, match fields, cinema theaters, hospitals, academic institutions, the organization of markets, fairs, exhibitions or other operations which there is a large gathering of people shall be located at least (fifty) 50 meters from the border line of the right of way.
- 3- The specifications as set out in Items 1 and 2 above shall not apply to any structures erected in accordance with the existing regulations.
- 4- The distance limit as specified in Items 1 and 2 above for rural roads shall be determined by a separate sub-decree.

ARTICLE 31.-

Any person who performs public works such as installation of electrical poles, drainage system, or other additional necessary works relating to road embankment, carriageway, shoulder, sidewalk, and right of way shall obtain approval from the authorities in charge of the road management.

ARTICLE 32.-

Roads digging, roads drilling, roads cutting or other works for the business purposes, which may cause damage and impact on the road embankment, carriageways, shoulder, roadside or right of way and assembling of advertising signs or display of billboards across the road or right of way shall be obtains a permit in writing by competent authorities of road management. The person in charge of the work implementation shall adopt effective measures for protecting the public order, facilitating the traffic movement, preventing any eventual incidents, environmental protection and respect the instructions of expert authorities.

The person in charge of the work implementation as stated in the above paragraph shall restore the regular normal functioning of the roads.

ARTICLE 33.-

All activities as stated in the Article 32 of this law shall pay the service fees to the competent authorities of road management. There is, however, exception for these activities if done to serve the public interests with the approval of the Royal Government.

The fees as prescribed in the above paragraph shall be determined by a joint parkas issued by the Minister of Economy and Finance and Minister of Public Works and Transport for use in the interest of the national budget.

ARTICLE 34.-

The competent authorities of road management may open the entrance-exit passage, divert the roads or close the roads completely or partially to allow or disallow the traffic movement temporarily or permanently after the approval of the Royal Government and through a public notice.

The decision making as stipulated in the above paragraph will be possible in any of the following cases:

- 1- For the protection of national heritages
- 2- For serving the public traffic movement
- 3- In the event of force majeure

In any of the three events stated above, the authorities in charge of the road management shall:

- Instruct the use of alternative roads,
- Where there is no alternative road, solve, adjust or arrange for an alternative road for the roads which are closed or diverted.

In closing, opening or diverting the roads for temporary traffic movement, the authorities in charge of the road management may immediately issue an immediate public notice.

CHAPTER 7

PROTECTION OF ROAD INFRASTRUCTURES

ARTICLE 35.-

Owners of immovable property which are located close to the roads must not cause traffic congestion or damages to roads. Where any problem occurs owing to these activities, the competent authorities of road management shall issue a written notice to the owners of immovable property to arrange for removal of such obstacles within an appropriate period. In case of ownership of immovable property after receiving the information fail to take any effective actions, the competent authorities of road management shall carry out removal of the same without any claim and such owners of immovable property shall be responsible for all expenses incurred on such immovable property.

ARTICLE 36.-

Any individuals wishing to fill in the land or do anything on the right of way to create an entrance and exit to private residences, companies, factories, enterprises or

other places adjacent to the roads shall apply for written approval with the authorities in charge of the road management or Administrator. And their work can be carried out with the official approval and in line with the instructions of the competent authorities of road management or road manager

Formality and procedures of permission letter shall be determined by a Joint-Prakas of the Minister of the Ministry of Public Works and Transport and the Minister of the Ministry of Rural Development.

ARTICLE 37.-

All competent authorities shall launch legal measures to prevent any destruction to the road infrastructures and encroachment on the right of way.

Any person when seeing the road infrastructures are damaged, broken or collapsed shall make prompt report to the authorities in charge of the road management or sub-national administration or any competent institutions at the nearest distance for corresponding measures.

ARTICLE 38.-

Prohibited activities which make disaster to road infrastructure facilities and created obstruction to traffic safety as behove:

1. Destroying roads by purpose on road infrastructure facilities:

- Digging, drilling, and created breaking of roads
- Imported vehicles and tool equipped trucks
- Occupying or invasion or using land of roads and particularly the right of way
- Changing the assemblies or changing direction of roads do not have permits
- Build of construction in the right of way, fulfil of land into drainages system of road safety.

2. Created obstruction which interrupt to traffic safety:

- Pouring lubricating substance on roads and making of inclined or collapse of road facilities

- Changing, writing, removing, taking, or made loss of beneficiary to road signs, traffic light signals, protection wall and fences, marker posts, direction signals, and creating of obstruct on roads.
 - Leaving materials construction or other materials on roads such as through stones, lands, sands, waste and garbage on roads, and placing and spreading sharp objects on roads in case other place for spreading sharp objects.
3. Activities in caused obstruction to traffic safety:
- Organizing of festivals on road such as markets, dancing, sold of goods on road, and meeting of peoples on the road, or taking roads and bridges for staying contrary this law
 - Exhibited of materials or other signals advertising of visibility or cut off precaution of drivers or creation of obstruct for pedestrians
 - Build of wall causing accidents or anyone construction on roadside
 - Fulfil land in the right of way highest than roads without drainages system
 - Upgrade or connected roads linking to main roads do not a permit.
4. Other activities in caused disaster to roads, to created accident to peoples and transportation mean on the roads.

CHAPTER 8

ROAD CERTIFICATION

ARTICLE 39.-

The operation of business relevant with the roads infrastructure sector likely roads maintenance, and opening the laboratory for the road sector must be certification.

Conditions and procedures of the request for certification of operation on the roads infrastructure, road maintenance, and opening the laboratory for the road sector shall be determined by the Sub-decree.

ARTICLE 40.-

Any request to obtain a certification of operation on the roads infrastructure, road maintenance, and opening the laboratory for the road sector shall be pay certification fees.

Certification fees shall be determined by an Join-Prakas of the Minister of the Ministry of Economy and Finance and the Minister of the Ministry of Public Works and Transport or an Join-Prakas of the Minister of the Ministry of Economy and Finance and the Minister of the Ministry of Rural Development and shall be beneficial to the national budget.

CHAPTER 9

FUND FOR ROADS MANTENACE AND DEVELOPMENT

ARTICLE 41.-

At the end of each year, the Ministry of Public Works and Transport, the Ministry of Rural Development, and Sub-national Administration shall develop a budget project for the road development and maintenance within the framework of its annual budgets.

ARTICLE 42.-

Funds for roads maintenance and development shall be under the law on financial and it has been resources from:

- National budget
- Cooperation funding from the donors
- Fund from private sector
- Donate from charity, national and international nongovernment organizations, associations or communities
- Profit from the investment and legal operation on the roads sector
- Transactional fines
- Other legal revenues.

CHAPTER 10

INSPECTION OF ROAD INFRASTRUCTURE

ARTICLE 43.-

The Ministry of Public Works and Transport shall be designating the inspector officers of roads infrastructure to conduct monitoring, investigation, control and enforcement of this law.

The inspector officials of roads infrastructure obtain a legal habilitation to control the offences as stated in this law, in accordance with the provision of the criminal procedures code.

Formality and procedures for obtaining a legal habilitation to the inspector officials of road infrastructure shall be determined by a Join-Prakas of the Minister of Justice and the Minister of the Ministry of Public Works and Transport or the Minister of the Ministry of Justice and the Minister of the Ministry of Rural Development.

ARTICLE 44.-

The competent inspector officials of roads infrastructure may request other relevant authorities to deal with the suppression of offences as stated in this law.

ARTICLE 45.-

At every operation, the inspector officials of roads infrastructure shall have mission order.

The uniforms, insignia and rank sign of the inspector officials of roads infrastructure shall be determined by a Sub-decree.

ARTICLE 46.-

Road inspector officials shall have the right to perform inspection and launch the following measures:

- To conduct regular monitoring and audit on the road infrastructure components and private laboratories engaged in the roads industry business.
- To be empowered to receive and receive copies of documents from providing sources and facilities that produce materials used in the

construction of road infrastructures without prejudice to the construction work and environment which may be destructive and detrimental to the road infrastructures.

- To monitor, stop and issue temporary penalties for any activities that are destructive and detrimental to the road infrastructures.
- To temporarily revoke relevant permits or licenses where relevant holders break this Law.

The procedures on the inspection of roads infrastructure shall be determined by Joint-Prakas of the Minister of the Public Works and Transport and the Minister of the Ministry of Rural Development.

ARTICLE 47.-

Any person, who disagrees to any measure taken by the inspector officials of roads infrastructure, maybe able to complain within 30 days (thirty days) at the Ministry of Public Works and Transport, after the date of issuance of the decision.

The Minister of the Ministry of Public Works and Transport shall decide on the complaint in the period of no longer than 45 days (forty five days) after the date of receiving the complaint.

In case of disagreement with the decision of the Minister of the Ministry of Public Works and Transport, that person has a right to complain to the other governmental mechanisms or to the court in following the procedures.

CHAPTER 11

PENALTIES

ARTICLE 48.-

The penalties of this law included warning letter, revocation or suspension of the certificate of registration and all types of permits, transactional fines, a court fines and imprisonment.

ARTICLE 49.-

The warning letter, the revocation or suspension of the certificate of registration and permits are the authority of the Ministry of Public Works and Transport, and the Ministry of Rural Development.

The transactional fines are the competency of the inspector officials of roads infrastructure have authority in the surrounded determinate juridical of served works.

ARTICLE 50.-

The inspector officials of roads infrastructure have authority to impose transactional fines as determined in the Article 52 to Article 70 of this law.

The transactional fines shall be imposed in case the offender confesses and consents to pay according to the penalties of this law. The transactional fine causes to terminate the penal complaint.

In case the offender does not consent to pay the transactional fine, the inspector officials of roads infrastructure shall file the case of offense to transmit to the court in following the procedures.

In case the offender's identify is unknown, the inspector officials of roads infrastructure shall request the prosecutor to confiscate the offensive evidences as state properties.

The relevant person has the authority to file complain against the prosecutor's verdict to the civil court.

The procedure and the authority to impose the transactional fine as stated in this law shall be defined by an Inter-Prakas of the Minister of the Ministry of Economy and Financial and the Minister of the Ministry of Public Works and Transport or an Inter-Prakas of the Minister of the Ministry of Economy and Financial and the Minister of the Ministry of Rural Development.

ARTICLE 51.-

The transactional fine, a fine imposed by a court sentence or the proceeds from selling evidences which have been confiscated as state properties by the court verdict shall transfer into the national budget.

The government may decide to reward the inspector officials who participated in suppressing a specific offence as state in this law.

ARTICLE 52.-

Any person licensed to construct or develop a new road:

- 1- Without the use of road equipments as per the construction plan, is temporarily punishable by a fine of 5 000 000 (five million) Riels and shall be required to set up all road equipments as per the construction plan as stated in the contract.
- 2- Without the use of sufficient road equipments in accordance with the construction plan and not meeting technical requirements, is temporarily punishable by a fine of 2 000 000 (two million) Riels and shall be required to set up all road equipment as per the construction plan as stated in the contract.
- 3- With the use of all road equipments as per the construction plan, but not meeting technical requirements, is temporarily punishable by a fine of 1 000 000 (one million) Riels and shall be required to set up all road equipments as per the construction plan as stated in the contract.

ARTICLE 53.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 52 of this law.

Legal entity shall be subject to impose a transactional fine the following offences as below:

- 1- In case an offence as stated in point 1 of the Article 52 of this law, it shall be subject to impose a transactional fine of 10 000 000 (ten million) Riels.
- 2- In case an offence as stated in point 2 of the Article 52 of this law, it shall be subject to impose a transactional fine of 5 000 000 (five million) Riels.
- 3- In case an offence as stated in point 3 of the Article 52 of this law, it shall be subject to impose a transactional fine of 2 000 000 (two million) Riels.

ARTICLE 54.-

Any person licensed to construct roads, junction roads, interchange, intersection, overlap roads, bridges, overhead space above, overpass bridges, underground or

tunnels, culverts, ground water, road ground or overhead railroad, does not respected the technical requirements as per the construction plan shall be subject to impose a transactional fine of 5 000 000(five million) Riels and shall be required to set up all road equipments as per the construction plan as stated in the contract

ARTICLE 55.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 54 of this law.

Legal entity shall be subject to imposed a transactional fine of 10 000 000 (ten million) Riels and shall be required to set up all road equipments as per the construction plan as stated in the contract

ARTICLE 56.-

Any person licensed to implement the road development or roads maintenance project, which:

1. Collected fees for road use without authorization from competent authorities, it shall be subject to impose a transactional fine of 5 000 000 (five million) Riels. In case this violation it continued, a double transactional fine shall be imposed.
2. Failed to publicly announce its rate of road use fee as permitted by competent authorities, it shall be subject to impose a transactional fine of 2 000 0000 (two million) Riels and shall be required to make such public announcement. In case this violation it continued, a double transactional fine shall be imposed.
3. Failed to introduce lower rate of road use fee as already agreed with competent institutions, it shall be subject to impose a transactional fine 2 000 000 (two million). In case this violation it continued, a double transactional fine shall be imposed.

ARTICLE 57.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 56 of this law.

Legal entity shall be subject to impose a transactional fine the following offences as below:

- 1- In case an offence as stated in point 1 of the Article 56 of this law, it shall be subject to impose a transactional fine of 10 000 000 (ten million) Riels.
- 2- In case an offence as stated in point 2 of this Article 56 of this law, it shall be subject to impose a transactional fine of 5 000 000 (five million) Riels.
- 3- In case an offence as stated in point 3 of the Article 56 of this law, it shall be subject to impose a transactional fine of 5 000 000 (five million) Riels.

ARTICLE 58.-

The concessionaire or road construction firm that fails to cooperate with or bar competent officials in performing their duties as stated in the Article 19 of this law shall be subject to impose a transactional fine of 2 000 000 (two million) Riels.

In case this violation it continued, a double transactional fine shall be imposed.

ARTICLE 59.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 58 of this law.

Legal entity shall be subject to impose a transactional fine of 5 000 000 (five million) Riels. In case this violation it continued, a double transactional fine shall be imposed.

ARTICLE 60.-

Any driver of heavy truck carrying goods on the road, who:

1. Does not weighting at overload stations along the roads network, shall be subject to impose a transactional fine of 500 000 (five thousand) Riels.
2. Overloading less than 5% of the overload the limited maximum weight shall be subject to obtain a warning letter.
3. Overloading more than 5% to 10% of the overload the limited maximum weight shall be:

- a. Unload the goods and detain the vehicles for (10) ten days and shall be subject to impose a transactional fine of 100 000 (one hundred thousand) Riels per ton.
 - b. Take away the driving license and suspended for 10(ten) days.
4. Overloading more than 10% to 20% of the overload the limited maximum weight shall be:
 - a. Unload the goods and detain the vehicles for 1(one) month and shall be subject to impose a transactional fine of 200 000 (two hundred thousand) Riels per ton.
 - b. Take away the driving license and suspended for 6(six) months.
5. Overloading more than 20% of the overload the limited maximum weight shall be :
 - a. Unload the goods and detain the vehicles for 1(one) year and shall be subject to impose a transactional fine of 300 000 (three hundred thousand) Riels per ton.
 - b. Take away the driving license and suspended for 2(two) years.

In case that there are an offenses on the total loading weight on vehicles and including the offense on overloading weight on axles, it shall be subject to impose on the two case.

In case this violation it continued, a double transactional fine shall be imposed and stopped the transportation business for 1(one) year. The owner of the vehicles shall be responsible for the cost of loading and reloading goods and renting cost of the place to keep the goods and the vehicles.

ARTICLE 61.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 60 of this law.

Legal entity shall be subject to impose a double transactional fine to offenses under the Article 60 of this law. In case this violation it continued, a double transactional fine shall be imposed under the sentence 1 of this paragraph.

ARTICLE 62.-

Any person who have does not respect order of the safety agent which regular controlling at destinations as stated under the Article 27 of this law shall be subject a transactional fine of 10 000 (ten thousand) Riels.

ARTICLE 63.-

Any person who has been the construction of the creation hurdles on roads, placing and spreading sharp objects, or similar objects on roads does not permit from the competent authorities shall be subject a transactional fine of 1 000 000 (one million) Riels and must have enforcement removed all equipment which the object of the constructions far way.

ARTICLE 64.-

Any person who performs public works without permission of the competent authorities of road management, leading to damage of the road embankment, carriageway, shoulder, road edge and land reserved for right of way are required to restore the same to their original conditions, and shall be subject a transactional fine of 500 000 (five hundred thousand) Riels.

ARTICLE 65.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 64 of this law.

Legal entity shall be subject to impose a transactional fine of 1 000 000 (one million) Riels.

ARTICLE 66.-

Any person who uses right of way for entrance passage to his/her private house, building, factory, enterprise, or other facilities adjacent to the main road without authorization from the competent authorities shall be subject a transactional fine of 50 000 (fifty thousand) Riels.

In case this violation it continued, a double transactional fine shall be imposed.

ARTICLE 67.-

Any person who causes the road to be slippery, sticky, or disposes debris on the road or piles equipments on the road, and displays materials or signs that block the

sight of drivers or causes any obstacles to pedestrians shall be subject a transactional fine of 50 000 (fifty thousand) Riels.

In case this violation it continued, a double transactional fine shall be imposed.

ARTICLE 68.-

Any person who changes, removes, moves, writes or damages traffic signs, traffic lights, safety fences, milestones or guide signs, protection walls and fences, marker posts, direction signals, dividing strips and other road furniture shall be subject a transactional fine of 100 000 (one hundred thousand) Riels.

In case this violation it continued, a double transactional fine shall be imposed.

ARTICLE 69.-

Any person who runs any road infrastructure business, maintains and operates laboratory relating to road sector do not have certification shall be subject a transactional fine 5 000 000 (five million) Riels.

In case this violation it continued, a double transactional fine shall be imposed.

ARTICLE 70.-

Any person who :

1. Organizes activities and other events on the road do not have permit from the Sub-national Administration shall be subject a transactional fine of 100 000 (one hundred thousand) Riels.
2. Organizes activities and other events on the road do not have permit or permit from the Sub-national Administration, leading to unintentional damage of the roads or facilities shall restore their original conditions and be punishable under provisions of Article 419 (Other Damages due to Imprudence or Non-observance) of the Criminal Code.

ARTICLE 71.-

Any person who illegally constructs permanent solid structure on land earmarked for development of road infrastructure shall be given a written warning and required to remove the same.

In case of recidivism, a penalty of imprisonment from 1(one) month to 1(one) year and a fine from 100 000 (one hundred thousand) Riels to 2 000 000 (two million) Riels.

ARTICLE 72.-

Any person who constructs various structures without compliance with point 1 and point 2 of the Article 30 of this law shall be fine of 100 000 (one hundred thousand) Riels to 1 000 000 (one million) Riels and must enforcement for moving of all these construction.

In case of recidivism, a penalty of imprisonment from 6(six) month to 2(two) year and a fine from 1 000 000 (one million) Riels to 4 000 000 (four million) Riels.

ARTICLE 73.-

Any person who alters or diverts a road and piles up or paves a road connecting to the main road do not have permit from the competent authorities of road management shall be a fine of 1 000 000 (one million) Riels to 4 000 000 (four million) Riels.

In case of recidivism, a penalty of imprisonment from 6(six) month to 2(two) year and a fine from 1 000 000 (one million) Riels to 4 000 000 (four million) Riels

ARTICLE 74.-

Any person who has encroached on, controlled or used the same by constructing any building or other workmanship on land belonging to the road shall be fine of 100 000 (one hundred thousand) Riels to 1 000 000 (one million) Riels and must enforcement for remove of these constructions or these workmanship.

In case of recidivism, a penalty of imprisonment from 6(six) month to 2(two) year and a fine from 1 000 000 (one million) Riels to 4 000 000 (four million) Riels

ARTICLE 75.-

Any person who has used heavy truck transporting overloaded goods on the road that damages the road, culvert or bridge shall be a penalty of imprisonment from 6(six) month to 2(two) year and a fine from 1 000 000 (one million) Riels to 4 000 000 (four million) Riels.

Any competent government official who permit overload vehicles has been traffic on the roads and caused of roads damaged or broken crossing drainages or bridges shall be subject to impose as perpetrator.

ARTICLE 76.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 75 of this law.

Legal entity shall be subject to impose a fine of 5 000 000 (one million) Riels to 10 000 000 (ten million) Riels and including one or more additional penalties as below:

- 1- Dissolution according to formalities determined by Article 170 of the criminal code on the Dissolution and Liquidation of Legal Entities.
- 2- Placement under the court surveillance according to formalities determined by Article 171 of the Criminal Code on the Placement under the Court Surveillance
- 3- Prohibition from operating one or more activities according to formalities determined by Article 172 of the Criminal Code on the Prohibition from Operating Activities.
- 4- Expulsion from public transactions according to formalities determined by Article 173 of the Criminal Code Expulsion from Public Transactions.
- 5- Posting decision on punishment according to formalities determined by Article 180 of the Criminal Code on the Posting of Decisions.
- 6- publication of decision on punishment on newspapers or broadcasting by all means according to formalities determined by Article 181 of the Criminal Code on the Broadcasting the Decision by Means of Audi-Visual.

ARTICLE 77.-

Any person who perform public works without permission of competent authorities of road management, leading to damage of the road embankment, carriageway, shoulder, road edge and land reserved for right of way are required to restore the same to their original conditions and shall be a penalty of imprisonment from 2(two) years to 5(five) years and a fine from 4 000 000 (four million) Riels to 10 000 000 (ten million) Riels.

ARTICLE 78.-

Legal entity may be found criminally responsible under Article 42 of the criminal code on the criminal responsibility of legal entities, for the offences in the Article 77 of this law.

Legal entity shall be subject to impose a fine of 10 000 000 (ten million) Riels to 20 000 000 (twenty million) Riels and including one or more additional penalties as below:

- 1- Dissolution according to formalities determined by Article 170 of the criminal code on the Dissolution and Liquidation of Legal Entities.
- 2- Placement under the court surveillance according to formalities determined by Article 171 of the Criminal Code on the Placement under the Court Surveillance
- 3- Prohibition from operating one or more activities according to formalities determined by Article 172 of the Criminal Code on the Prohibition from Operating Activities.
- 4- Expulsion from public transactions according to formalities determined by Article 173 of the Criminal Code Expulsion from Public Transactions.
- 5- Posting decision on punishment according to formalities determined by Article 180 of the Criminal Code on the Posting of Decisions.
- 6- publication of decision on punishment on newspapers or broadcasting by all means according to formalities determined by Article 181 of the Criminal Code on the Broadcasting the Decision by Means of Audi-Visual.

CHAPTER 12

TRANSITION PROVISION

ARTICLE 79.-

Any existing legal instrument related to the road sector shall be valid until a new legal instrument take effect in lieu thereof under provisions of this Law.

ARTICLE 80.-

Subsequent to time when this law enters into force within the period of 1 (one) year, all road related laboratories operating the business shall apply for a license under provisions of this Law.

CHAPTER 13
FINAL PROVISIONS

ARTICLE 81.-

Any laws and legal instruments as at present in force on the applicable date and are contrary to the provisions of this Law shall be considered unenforceable to the extent thereof from the applicable date.

Phnom Penh, May 04, 2014

On behalf and by order of the Royal Highness

PRL. 1405.558

(Signature and stamp)

Samdech Akka Moha

Thom Poutisal Chea Sim

Having inform to His Majesty the King

For Royal Signature

Prime Minister

Samdech Akka Moha Sena Padei Decho HUN SEN

Having informed to Samdech HUN SEN,
The Prime Minister of the Kingdom of Cambodia
Minister of Public Works and Transport

Signature

TRAM IV TEK

No.

For Copy and Distribution

Phnom Penh, 2014

Secretary General of the Royal Government

Signature and Seal

SOY SOKHA

ANNEX OF THE LAW ON ROAD

GLOSARY

1- **ROAD** referred to whole parts of the road included segment road, carriageway, shoulder or berm, bridges, overhead space above, overpasses, underpasses and ferry landing stage.

2- **CARRIAGEWAY** referred to segment road for motorized traffic.

3- **LANE STRIP** referred to the road separated by dotted or long lines along the road, with enough width for all kinds of vehicles to traffic in one row.

4- **SIDEWALK** referred to roadside in cities or towns, which are prepared for pedestrians however vehicles cannot be allowed to park over there.

5- **ROADSIDE** referred to parts of both sides of the trunk of the road located outside the cities and towns and that it can be parked if necessary

6- **BERM** referred to lies between an open channel and a cutting slop protecting the former from being clogged with eroded material, and it includes plants of tree, traffic signs and road furniture

7- **ROUNDABOUT** referred to the junctions of two or more roads, and that in the central part, it has the terrace or sculpture or other monuments and has one-way road surrounded with arrow signs for traffic direction.

8- **FERRY DOCKS** referred to surface land yard which right determined nearly water bank or ferry yard which prepare for transportation safety and convenient and travelling cross channel streams, rivers, gulf bank side to other bank side by using ferry or ferry bridges or using board, ferry, pushing ferry etc, the yard of ferry dock shall be prepare the construction of road for clime or down, waiting station, waiting for passengers which have agency for organizing orderly of traffic and other facilities for served ferry landing stages.

9- **ROAD FACILITIES** referred to vehicles terminal, parking lots, traffic light signal, road sign, road direction, maker post, road marking or fence, dividing strip, roundabout, fence dividing of traffic, guard fence, retaining wall, protection wall, milestone, boundaries signal, included sign board and other road furniture along both roadsides.

10- **DRAINAGES DEVICES** referred to culverts, ditches, reservoir or catch basins, wastewater treatment station, chutes or climbing, etc that has prepare along road for defence of road, road facilities, traffic safety.

11- **DIVIDING ROAD FACILITIES** referred to a part of a road that divides the surface into two opposite directions of traffic or separates the road in lanes. Dividing road facilities has been type of mobility or immobility.

12- **WORKMANSHIP** referred to construction of bridges, culverts, wall guarding land, drainages system and other physical infrastructures that has provided safety, efficiency, and made sustainable to road.

13- **ROAD CONSTRUCTION** referred to vehicles stopping station, parking lots, road facilities, workmanship, and other construction served for roads.

14- **ROAD INFRASTRUCTURE** referred to right of way, road construction, vehicle terminal, vehicle parking yard, parking lots, roadside service station and rest area.

15- **RIGHT OF WAY** referred to land strips along both sides of the middle point of road included seized of right of way, reserving for the management, developing and protection road to ensure traffic safety and used for another road infrastructure affair which determined in linear of right of way.

16- **LINEAR OF RIGHT OF WAY** referred to linear of right of way boundary that have distance limited from the middle point of road.

17- **ROAD DIMENSION LIMITS** referred to rule for height and width of a road, bridge, ferry landing stage, underpasses in order to vehicles loaded cargoes pass by safety.

18- **INTERSECTION** referred to the places where two or more roads are converged with one flat surface and are not defined by the angle of the axis of the road. Intersections have different shapes such as + , X, T, Y and roundabout etc.

19- **INTERSECTION OVERHEAD** referred to the places where two or more roads are converged with one flat surface and are not defined by the angle of the axis of the road. Intersections overhead have different shapes such as + , X and ★.

20- **TOTAL MAXIMUM WEIGHT OF VEHICLES** referred to the sum of the net weight of vehicle and the maximum loading weight of the vehicle. If the vehicle has the cart,

the total maximum weight of the vehicle is the sum of total maximum weight of each vehicle.

21- **EXPRESSWAY** referred to a road reserved only for motor vehicles, with median strips separating carriageways for the two opposite directions of traffic, without at grade crossing with any road, furnished with adequate additional equipment and facilities to ensure uninterrupted and safe traffic, reduce travelling time and control the number of points at which vehicles exit and enter.

22- **ROAD USERS** referred to the vehicle drivers, pedestrians, and who are travelling on the roads.

23- **NATIONAL ROAD** referred to main road with a lot of traffic:

- a- Road which has a starting point from Phnom Penh Capital to municipal of provinces in whole country.
- b- Road which has a starting point from municipality of province to other municipal of provinces.
- c- Road which has a starting point from the National Road to other National Road.
- d- Road which a junction from the National Road to municipal of a provinces.
- e- Road which a junction from the National Road or starting point from the municipality a province connecting to potential area such as port, train station, airport, special economy zoon, tourism destinations, international border checkpoints, and other main economies potential.
- f- Main road of the national which a lot of traffic determined by the Royal Government comply with request of the Ministry of Public Works and Transport.

24- **PROVINCIAL ROAD** referred to road with a medium of traffic:

- a- Road which a starting point from the municipal of a province to urban district or Khan.
- b- Road a junction from the National Road to Provincial road.
- c- Road a junction from the Provincial road or City road to urban district or Khan.

- d- Road which a starting point from the municipal of a province to provincial road.
- e- Road junction from the provincial road to provincial road.
- f- Road which a junction from the provincial road or city road or urban road in the provinces connecting to potential area such as port, train station, airport, special economy zoon, tourism destinations, bilateral border checkpoints, and other medium economies potential.

25- CAPITAL ROAD, CITY ROAD, AND URBAN ROAD IN PROVINCES referred to road which under the jurisdiction of Phnom Penh Capital or Provincial administrative included carriageway, roadside, and sidewalk.

26- RURAL ROAD referred to:

- a- Road which a connecting from the National road to municipal, town of districts/Khan, communes or villages.
- b- Road which a connecting from municipal, town of district/Khan to municipal, town of district/Khan.
- c- Road which a connecting from municipal, town of district/Khan to communes/Sangkat.
- d- Road which a connecting from communes/Sangkat to communes/Sangkat.
- e- Road which a connecting from communes/Sangkat to villages.
- f- Road which a connecting from villages to villages.
- g- Road in villages.

27- VEHICLE TERMINAL referred to place of vehicles stopping in order that the passengers or other vehicles pass by or stop for loading and unloading goods or passengers.

28- VEHICLE WEIGHTING STATION referred to place who has build for the controlling of load vehicles.

29- TECHNICAL REGULATIONS referred to technical norms, technical standards, guidelines relevant technical works, works safety conditions and traffic safety conditions.

30- **ROAD OPERATORS** referred to road managers, road constructors, road controllers, funded providers or concessionaires who has developed and roads maintenance, transportation operators and road users, residents along roadsides, suppliers of materials, equipment and road facilities.

31- **ROADSIDE SERVICE STATION** referred to place for served traffic along roads such as petrol station, managing and providing information station, tourism area, rest area, and car repair garages etc.

32- **PARKING LOTS** referred to the leasing of vehicle in the state of motionlessness in long or short period in which the driver can leave the vehicle alone.

33- **REST AREA** referred to place for passengers' rest who has provided some restaurants, toilet, and information station.

34- **OVERLAP ROADS** referred to two roads or more roads on the land surface or difference land surfaces have a parallel direction, difference types and functions.

35- **BRIDGES** referred to constructions crossing water surface for the travelling from each location to another locations.

36- **OVERHEAD BRIDGE** referred to an overpass bridges on the ground level for travelling from each location to another locations which overpass all types constructions at difference locations and highest level.

37- **OVERPASS BRIDGES** referred to an overpass bridges on the ground level for travelling from each location to another locations which overpass on the roads or railroads at a location.

38- **TUNNELS REFERRED** to travelling on the roads located underground or under tunnels that has been defence walls.

39- **LAYOUT** referred to an original copy in order to archives.