

The Vehicle Safety and Motor Vehicle Management Law

(The Pyidaungsu Hluttaw Law No.6, 2020)

The 5th Waxing Day of Nayon, 1382 M.E.

(26 May 2020)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title and Definitions

1. This Law shall be called the **Vehicle Safety and Motor Vehicle Management Law**.
2. The following expressions in this Law shall have the meanings given below;
 - (a) **Motor Vehicle** means any vehicle propelled by mechanical or electrical power or any other power. This expression also includes motorcycles, trailers, machinery, and vehicles specified by the Ministry in the notification, from time to time;
 - (b) **Commercial Motor Vehicle** means any vehicle used for the transport of passengers or goods for commercial purpose by collecting rents or transportation fees;
 - (c) **Trailer** means any vehicle with wheels pulled by a motor vehicle;
 - (d) **Motorcycle** means any motor vehicle with a minimum of two wheels, with or without a sidecar;
 - (e) **Main Parts of a Motor Vehicle** means the design, body, engine, gear, frame, axle and steering system of a motor vehicle;
 - (f) **Load Capacity** means the weight of goods, number of passengers or the total weight of goods and the number of passengers which is allowed to be loaded on a motor vehicle by the Department;
 - (g) **Dangerous Goods** means substances, materials, liquids and vapors that pose a risk to the environment, health, safety and state security;
 - (h) **Initial Registration** means the initial motor vehicle registration with the registrar in accordance with the stipulations;
 - (i) **Temporary Registration** means motor vehicle registration before the initial motor vehicles registration with the relevant registrar in accordance with the stipulations, or motor vehicle registration with the relevant registrar in accordance with the stipulations for the temporary entry or passing of motor vehicles registered at foreign countries, into or

through Myanmar within the specified date, time and place with the approval of the Union Government, or for the use of motor vehicles within the stipulated period, which are temporarily imported with the intention of re-export with the approval of the Union Government;

(j) **Registration Renewal** means renewal of registered motor vehicles with the relevant local registrar in accordance with the stipulations;

(k) **Registrar** means any registrar of the Department or local registrar empowered by the Department to register motor vehicles;

(l) **Registrar of the Department** means any officer of the Department appointed as a registrar by the Department;

(m) **Local Registrar** means any officer of the Region or State, the Union Territory, Self-administered Division or Zone, and District and Township Road Transport Administration Department appointed as a local registrar;

(n) **Licensor** means an officer empowered by the Department to issue driving licence and conductor's licence;

(o) **Registration Logbook of a Motor Vehicle** means a document containing details about a registered motor vehicle, issued to a registrant of the motor vehicle;

(p) **Registration Certificate of a Motor Vehicle** means a document certifying that the vehicle is registered and can be driven in public places and other permitted places;

(q) **Vehicle Inspection Certificate** means a document certifying that the vehicle is fit for driving on the roads, issued by the Department or private motor vehicle inspection business with the permission of the Department;

(r) **Registration Number Plate of a Motor Vehicle** means a plate that shows registration number of a motor vehicle to be affixed to the front and back of a motor vehicle, or that shows registration number of a motorcycle to be affixed to the back of a motorcycle, which is issued by the Department;

(s) **Registrant of a Motor Vehicle** means a person named as a registrant in the record of motor vehicle registration;

(t) **Owner of a Motor Vehicle** means a person who owns a motor vehicle by any means in accordance with law. This expression also includes a registrant of a motor vehicle or a person who possesses a motor vehicle in accordance with law;

(u) **Person Responsible for a Motor Vehicle** means an owner of a motor vehicle or a motor vehicle supervisor or a driver;

(v) Private Motor Vehicle Inspection Business means a business operated by any person or entity that has the right to do so in accordance with the stipulations with the permission of the Department;

(w) Technical Expert Board of Motor Vehicle Inspection means a body assigned by the Department to inspect and monitor whether vehicle inspection equipment of operators of private motor vehicle inspection business meets all prescribed requirements and to ensure compliance with inspection regulations, standards and procedures, and to evaluate performances of such operators;

(x) **Driving Licence** means a document permitting a person to drive a motor vehicle, or any specified class of motor vehicle, issued by the licensing officer under this Law;

(y) **Conductor's Licence** means a document permitting a person to assist the driver and passengers on a bus or truck, issued under this Law;

(z) **Business Licence** means a document permitting a person to conduct private motor vehicle inspection business or to open motor vehicle driving training school, issued under this Law;

(aa) **Public Place** means a place, road area, highway, street and lane which are accessible to the public;

(bb) **Road Sign, Road Marking and Signal** means signs, markings and signal devices for the safety of road users including motor vehicle drivers;

(cc) **Environmental Conservation** means the practice of conservation of the environment for reduction of air, water and land pollution and noise pollution from motor vehicles;

(dd) **Fund** means vehicle safety fund established under this Law;

(ee) **National Council** means the National Council for Vehicle and Road Safety formed under this Law;

(ff) **Local Council** means the Vehicle and Road Safety Council of the relevant Region or State or the Union Territory formed under this Law;

(gg) **Ministry** means the Ministry of Transport and Communications of the Union Government;

(hh) **Department** means the Road Transport Administration Department of the Ministry of Transport and Communications;

(ii) **Director General** means the Director General of the Road Transport Administration Department.

Chapter II

Objectives

3. The objectives of this Law are to:

- (a) ensure that motor vehicles are registered after inspecting them in accordance with law;
- (b) issue driving licences to drivers after examining them whether they meet the prescribed qualifications according to the classes of motor vehicles;
- (c) reduce air, water and land pollution and noise pollution from motor vehicles;
- (d) reduce motor vehicle accident through the systematic traffic management;
- (e) ensure vehicle safety by conducting vehicle inspection and supervision in accordance with the stipulations;
- (f) reduce traffic congestion and use effective intelligent transport system for vehicle safety;
- (g) reduce loss of lives, socio-economic losses and risk of injury due to vehicle accidents, and to ensure convenience and safety of road users;
- (h) transport dangerous goods safely.

Chapter III

Formation of the National Council and Local Councils for Vehicle and Road Safety, and their Functions

4. The Union Government:

- (a) shall form the National Council with suitable persons and appoint a vice-president as the Chairperson;
- (b) may re-form the National Council formed under subsection (a) if necessary.

5. The functions of the National Council are as follows:

- (a) developing vehicle and road safety policies;
- (b) adopting methods, procedures and measures for raising awareness of vehicles and roads safety and conducting supervision;
- (c) prescribing functions and duties of government departments and government organisations that will participate in the implementation of work plans for national vehicle and road safety;
- (d) taking necessary measures to acquire money and human resources for vehicles and roads safety;
- (e) supervising the matters on receiving, using, maintaining and managing fund;
- (f) acting on the reports on the progress of and difficulties in implementation of work plans for vehicle and road safety;
- (g) raising public awareness of vehicle and road accidents impact on the economic development of the State and its citizens;
- (h) establishing a fund to implement necessary measures for the vehicle and road safety;
- (i) overseeing whether the work plans for the improvement of vehicle and road safety are implemented effectively within the specified period, and changing the work plans to be in line with the current situation;
- (j) taking necessary measures to obtain technical assistance in implementing the work plans for vehicle and road safety;
- (k) coordination with ministries and international organizations in their implementation of vehicle and road safety plans;
- (l) planning to reduce environmental damage due to motor vehicle and traffic congestion;
- (m) developing necessary policies, issuing orders and directives relating to papers, surveys and research on the improvement of vehicle and road safety;
- (n) supervising the Vehicle and Road Safety Councils of the Regions or States in the use of fund;
- (o) developing plans to transport dangerous goods safely;
- (p) submitting the vehicle and road safety report to the Pyidaungsu Hluttaw annually.

6. The National Council:

- (a) may form required sub-committees and prescribe their functions;
- (b) may form the local councils with the Chairperson of the Nay Pyi Taw Council as the Chairperson in the Union Territory, and the relevant Region or State Chief Minister as the Chairperson in the Regions or States, and suitable persons as members with the approval of the Union Government;
- (c) may re-form the local councils formed under subsection (b) if necessary.

7. The functions of the local councils are as follows:

- (a) implementing vehicle and road safety policies developed by the National Council;
- (b) implementing the work plans for the national vehicle and road safety in the relevant Region or State or the Union Territory in coordination with government departments and government organizations;
- (c) submitting the reports on difficulties in, challenges and progress of, the implementation of the work plans for vehicle and road safety for the specified periods to and coordinating with the National Council in a timely manner;
- (d) managing Region or State fund effectively and taking necessary measures to acquire human resources;
- (e) assigning the task of receiving, using, maintaining and managing Region or State fund as may be necessary;
- (f) ensuring that the public are aware of vehicle and road accidents impact on the economic development of the State and its citizens, and obey the law;
- (g) establishing a fund to implement necessary measures for the vehicle and road safety;
- (h) overseeing whether the work plans for the improvement of vehicle and road safety are implemented effectively within the specified period;
- (i) taking necessary measures to obtain technical assistance in implementing work plans for vehicle and road safety and submitting the report on the implementation of the plans to the Council;
- (j) planning to reduce environmental damage due to motor vehicle and traffic congestion;
- (k) taking necessary measures to prepare papers, and conduct surveys and research on the improvement of vehicle and road safety in the relevant region;

(l) implementing methods of, procedures and measures for raising awareness of vehicle and road safety adopted by the National Council;

(m) implementing work plans for vehicle and road safety and reducing environmental damage due to motor vehicles and traffic congestion according to the current situation of the relevant Region or State or the Union Territory.

8. The relevant Local Council shall form Vehicle and Road Safety Bodies in the relevant districts and townships, and prescribe their functions in accordance with the functions of the Local Council.

Chapter IV

Powers and Functions of the Ministry

9. The Ministry shall, with the approval of the Union Government:

- (a) specify the accessible and restricted places for motor vehicles for local use;
- (b) specify conditions for transportation by land relating to the interstate and cross border transport of passengers and goods.

10. The Ministry shall:

- (a) conduct surveys, issue instructions and develop plans to reduce motor vehicle accidents, environmental damage due to motor vehicles, traffic congestion, and to ensure vehicle safety;
- (b) give advice to the National Council in order to develop policies, adopt disciplinary measures and give guidelines relating to vehicle safety.

11. The Ministry may prescribe and revise fees and fines for motor vehicle registration, fees and fines for issuance of driving licence, conductor's licence, international driving permit, temporary driving permit, fees and fines for business licence, fees and fines to be paid to the Department from vehicle inspection fees collected by a person who operates private motor vehicle inspection business and fees and fines for motor vehicle management to be collected in accordance with this Law and rules by notification with the approval of the Union Government.

12. The Ministry:

(a) may exempt any person from registration fees and other fees for motor vehicle registration and driving licence by notification when registering any motor vehicle for the interests of the public;

(b) shall prescribe the life expectancy of motor vehicle;

(c) shall approve and specify conditions, standards and formulate specifications relating to safety and environmental conservation for initial motor vehicle registration.

13. The Ministry:

(a) may assign the Technical Experts Board of Motor Vehicle Inspection to inspect private motor vehicles inspection business, by concluding agreement and specifying terms and conditions;

(b) shall specify service fees to be paid by the Department to the Technical Experts Board of Motor Vehicle Inspection for inspecting and, monitoring private motor vehicles inspection business and evaluating their performances, and shall also prescribe the term of the Board.

Chapter V

Powers and Functions of the Department

14. The powers and functions of the Department are as follows:

(a) establishing a process of and specifying conditions for motor vehicle registration;

(b) establishing a process of and specifying conditions for motor vehicle inspection;

(c) taking necessary measures in accordance with international and regional road transport agreements with regard to foreign-registered motor vehicles which will enter Myanmar or pass through Myanmar and local-registered motor vehicles which will enter foreign countries or pass through foreign countries;

(d) recognizing driving licence issued internationally and regionally which can be acceptable in Myanmar under International Convention and Regional Agreement relating to road transport;

(e) specifying conditions, standards and developing specifications relating to safety and environmental conservation for initial motor vehicle registration, and submitting them to the Ministry, and specifying standards relating to registration renewal;

- (f) specifying conditions for issuance and renewal of private motor vehicle inspection business licence and inspecting the business;
- (g) paying service fees specified by the Ministry for inspecting and monitoring private motor vehicle inspection business and evaluating their performance conducted by Technical Experts Board of Motor Vehicle Inspection;
- (h) examining the application for driving licence and conductor's licence, issuing and classifying the licences, specifying licence term, processing applications for licence renewal, and specifying conditions for drivers and vehicle users;
- (i) specifying conditions for issuance of new international driving permit and temporary driving permit;
- (j) specifying conditions for issuance and renewal of driving training school licence and inspecting driving training schools;
- (k) specifying conditions, raising awareness and cooperating with government departments, government organisations and non-governmental organisations relating to vehicle safety;
- (l) prescribing road signs, road markings and signals;
- (m) conducting road safety audit for public road safety;
- (n) giving suggestions and comments on motor vehicle safety to the relevant government departments and government organisations during construction preparation period or construction period or the use of any constructions when starting construction at a public place;
- (o) cooperating with the Ministry of Home Affairs, Myanmar Police Force, relevant government departments and government organisations and experts for reducing traffic congestion and using motor vehicle safety technology, and taking opinions from them;
- (p) analyzing vehicle accidents and cooperating with relevant government departments and government organisations to reduce vehicle accidents;
- (q) raising public awareness, doing research and cooperating with relevant government departments and government organisations and non-governmental organisations relating to environmental damage due to motor vehicles;
- (r) prescribing the speed limits of motor vehicles on public roads;

(s) specifying the term of the motor vehicle registration and processing applications for registration renewal;

(t) investigating the cause of motor vehicle accident, and taking preventive measures not to occur the similar accidents and giving required suggestion to the relevant organisations.

Chapter VI

Motor Vehicle Registration

15. The Department shall:

- (a) appoint suitable officials from the Department as the registrars of the Department;
- (b) appoint suitable officials from the Region or State, Self-Administered Division or Self-Administered Zone, District or Township of the Road Transport Administration Department as the local registrars.

16. The Department:

- (a) shall assign the registrars of the Department to process applications for motor vehicle temporary registration and initial registration, and may also assign suitable local registrars if necessary;
- (b) may assign suitable registrars to process application for temporary registration of foreign-registered motor vehicles for temporary entry into and passing through Myanmar;
- (c) may assign suitable registrars to process applications for temporary registration for the use of motor vehicles within the specified period, which are temporarily imported with the intention of re-export;
- (d) may assign local registrars to process applications for registration renewal by specifying conditions, and perform other duties relating to registration.

17. An owner of a motor vehicle shall register his or her vehicle with the relevant registrar in accordance with the stipulations.

18. An owner of a motor vehicle shall:

- (a) repair and maintain his or her motor vehicle to meet the standards specified by the Department in order to drive safely;
- (b) not have the right to register his/her motor vehicle if:
 - (i) there is any mechanical defect in the motor vehicle;
 - (ii) it does not conform with the standards in subsection (a);

- (iii) it does not conform with the stipulations in rules; or
- (iv) the owner fails to mention the previous registration of the motor vehicle.

19. (a) An owner of a motor vehicle may apply for temporary registration of the motor vehicle to the relevant registrar in accordance with the stipulations.

(b) The relevant registrar shall scrutinize the application under sub-section (a) and may register the motor vehicle by specifying the limited period and permitted area if it conforms with the stipulations.

20. The relevant registrar shall scrutinize the applications for initial registration to process them and may grant the registration in accordance with the stipulations, direct the applicant to repair the motor vehicle or refuse the registration.

21. The relevant local registrar shall scrutinize the applications for registration renewal to process them or to deal with other matters relating to the registration in accordance with the stipulations and:

(a) may grant the registration, direct the applicant to repair the motor vehicle or refuse the registration;

(b) shall address other registration matters falling within a particular scope under the specific conditions to the Department to grant or refuse the registration;

(c) shall submit the report on temporary suspension or cancellation of motor vehicle registration to the Department with remarks if:

(i) any defect is found in the motor vehicle which endangers to the public or is likely to impact on the environment;

(ii) any main parts of the motor vehicle such as design, body, frame, axle and steering system is changed or modified without prior permission; or

(iii) any matters to be reconsidered arises in order to conform with the conditions specified from time to time.

22. The Registrar of the Department may:

(a) grant or refuse the registration which falls within a particular scope under the specific conditions after considering the matters under subsection (b) of section 21;

(b) suspend or cancel motor vehicle registration with the approval of the Director General if it does not conform with the specified conditions after scrutinizing the report under subsection (c) of section 21.

23. The Department shall classify motor vehicles based on the design and load capacity of motor vehicles.

24. An owner of a motor vehicle shall apply to the relevant registrar for the registration of a commercial motor vehicle as a rental vehicle.

25. A person who owns a motor vehicle by any means, including a person who owns a motor vehicle by means of transfer of motor vehicle ownership or the successor of a motor vehicle, or a guardian of any of the aforesaid persons if that person is a minor shall apply to change the name of the registrant of the motor vehicle in accordance with the prescribed manners.

26. A registrant of a motor vehicle shall inform the relevant registrar of the change of his or her address to record it whenever he or she changes the address.

27. (a) After reviewing the submission of the authorized motor vehicle inspection board on the application in section 24 or subsection (a) of section 29 in accordance with the stipulations, the relevant registrar may permit registration or direct the applicant to re-change or re-alter any changes or alterations made in any impermissible parts or facts of the motor vehicle if it is found.

(b) After reviewing the submission of the authorized motor vehicle inspection board on the matters relating to motor vehicle registration in accordance with the stipulations, the relevant registrar may permit or refuse the registration or direct the applicant to re-change or re-alter any changes or alternations made in any impermissible parts or facts of the motor vehicle if it is found.

28. A registrant of a motor vehicle shall, within the prescribed period, apply to the relevant local registrar for vehicle registration renewal before the date of expiry of registration, and pay a fine specified by the Ministry with the approval of the Union Government if it is applied after the date of expiry of registration.

29. If the registrant of a motor vehicle:

(a) wishes to change or alter any parts of a motor vehicle, he or she shall apply to the relevant registrar for the prior permission;

(b) makes any changes or alterations in any parts of a motor vehicle except the changes or alterations in subsection (b) of section 31, he or she shall pay a fine specified by the Ministry with the approval of the Union Government in accordance with stipulations.

30. The relevant registrar may suspend the motor vehicle registration if:

(a) the registrant of a motor vehicle fails to come, without credible reason, when summoning him or her for motor vehicle registration;

(b) the relevant government department, government organization or any person objects, with credible evidence, to the registration in accordance with the stipulations; or

(c) any person objects with credible evidence that the motor vehicle impacts on the safety and environment.

31. (a) The Registrar of the Department shall cancel motor vehicle registration with the approval of the Director General, if:

(i) irreparable damage to a motor vehicle occurs to drive safely;

(ii) the motor vehicle is brought abroad permanently;

(iii) the registrant fails to renew the motor vehicle registration for five consecutive years after it is expired;

(iv) the registrant applies for cancellation of the motor vehicle registration with credible evidence;

(b) The Registrar of the Department shall suspend or cancel the motor vehicle registration with the approval of the Director General if any changes or alterations in impermissible parts or facts is found in the main parts of a motor vehicle.

Chapter VII

Driving Licence and Conductor's Licence

32. The Department shall appoint suitable officers from its Department and the relevant Road Transport Administration Department of the Region or State, the Union Territory, Self-administered Division or Zone, District and Township as licensors for issuing international driving permits and temporary driving permits, issuing them new driving licences and

conductor's licences and renewing and carrying out other functions relating to issuing licences.

33. The Department shall specify the types of licences according to classes of motor vehicles which are allowed to drive.

34. (a) A person who wants to obtain the driving licence or conductor's licence shall apply to the relevant licensor in accordance with the stipulations.

(b) A person who wants to renew the driving licence and conductor's licence shall apply to the relevant licensor in accordance with the stipulations.

35. The relevant licensor:

(a) after scrutinizing the application under subsection (a) of section 34:

(i) shall issue the driving licence or conductor's licence for a term prescribed by the Department if it conforms with the stipulations, and the applicant passes the examination;

(ii) may refuse to issue or suspend the driving licence or conductor's licence for a specified period if the applicant:

(aa) is incapable to drive safely or to act as a conductor because of any disease or disability;

(bb) suffers from mental illness;

(cc) does not meet prescribed qualifications to issue the driving licence or conductor's licence; or

(dd) is convicted of any offence relating to motor vehicle accidents in the Penal Code;

(b) may renew or refuse to renew the licence after scrutinizing the application under subsection (b) of section 34.

36. The relevant licensor may temporarily suspend or cancel the driving licence for a specified period if a licensee:

(a) is convicted of any offence in this Law or rules;

(b) is convicted of any offence relating to motor vehicle accidents under any existing law;

(c) has a criminal record of any offence relating to motor vehicle accidents and drives a motor vehicle in a manner that might endanger the public.

37. The relevant licensor and police officer may apply the Demerit Point System for any offence committed by a licensee if he or she breaches any provision of this Law or rules, or is convicted of any offence relating to motor vehicle accidents under any existing law.

38. The relevant licensor may issue or refuse to issue the driving licence after scrutinizing the application for changing from one type of driving licence to another type in accordance with the stipulations.

39. The relevant licensor of the Department may issue or refuse to issue the international driving permit after scrutinizing the application for international driving permit in accordance with the stipulations.

40. The relevant licensor may issue or refuse to issue the driving licence or the temporary driving permit after scrutinizing the application for local driving licence or examining the applicant who submits the application together with the driving licence issued by any foreign country in accordance with the stipulations.

Explanation: The driving licence issued by any foreign country shall apply to the application for local driving licence submitted by the holder of any licence in subsection (d) of section 14.

41. The relevant licensor may temporarily suspend or cancel the conductor's licence for a specified period if the conductor breaches any provision of this Law or rules, or is convicted of any offence relating to motor vehicle accidents under any existing law.

42. The relevant licensor shall record the failure of the holder of driving licence or conductor's licence holder to follow the specified conditions. The record shall be taken into consideration in the renewal of the driving licence or conductor's licence, the application for changing from one type of driving licence to another type, and temporary suspension and cancellation of the licence.

Chapter VIII

Business Licence

43. A person who wants to operate a private motor vehicle inspection business shall apply to the Department for business licence in accordance with the stipulations.

44. The Department:

(a) may permit or refuse to issue the business licence after scrutinizing the applications under section 43 in accordance with the stipulations.

(b) shall issue the business licence to the applicant by specifying its terms and conditions after being paid the specified business licence fee if it is permitted to issue under subsection (a).

45. The person who wants to open a driving training school shall apply to the Department for the business licence in accordance with the stipulations.

46. The Department:

(a) may permit or refuse to issue the business licence after scrutinizing the applications under section 45 in accordance with the stipulations;

(b) shall issue the business licence to the applicant by specifying its terms and conditions after being paid the specified business licence fee if it is permitted to issue under subsection (a).

47. The licensee shall:

(a) abide by the specified conditions of business licence;

(b) apply for the business licence renewal in accordance with the stipulations if he or she wants to continue operation of the business when the term of the permitted licence is expired.

48. When the licensee breaches any specified conditions, the Department shall take any of the following administrative actions against him or her:

(a) passing an order to pay the specified fine after issuing a warning;

(b) suspension of the business licence for a specified period;

(c) cancellation of the business licence.

Chapter IX

Appeal

49. A person who is dissatisfied with the decision made under section 20, subsection (a) of section 21, section 27 or 30 by the local registrar from the Road Transport Administration Department of Self-administered Division or Zone, District or Township may appeal to the relevant Road Transport Administration Department of the Region or State within 30 days from the date of receiving the notice of decision.

50. The Road Transport Administration Department of the Region or State may confirm, revise or set aside the decision after hearing an appeal filed under section 49.

51. A person who is dissatisfied with the decision made under section 50 may appeal to the Department within 30 days from the date of receiving the notice of decision.

52. A person who is dissatisfied with any decision made under section 20, subsection (a) of section 21, section 27 or 30 by the registrar from the Road Transport Administration Department of the Region or State or Union Territory may appeal to the Department within 30 days from the date of receiving the notice of decision.

53. The Department may confirm, revise or set aside the decision after hearing the appeal filed under section 51 or 52.

54. (a) A person who is dissatisfied with any decision made under subsection (a) of section 44, subsection (a) of section 46, section 48 or 53 by the Department may appeal to the Ministry within 60 days from the date of receiving the notice of decision.

(b) A person who is dissatisfied with any decision made by the registrar from the Department under section 20, section 22, subsection (a) of section 27, subsection (b) of section 29, section 30 or 31 may appeal to the Ministry within 60 days from the date of receiving the notice of decision.

(c) The Ministry may confirm, revise or set aside the decision after hearing the appeal filed under subsection (a) or (b).

(d) The decision of the Ministry is final and conclusive.

55. A person who is dissatisfied with any decision made under clause (ii) of subsection (a) of section 35, subsection (b) of section 35, section 36, 38, 40 or 41 by licensor from the Road Transport Administration Department of Self- Administered Division or Zone, District or Township may appeal to the Road Transport Administration Department of the Region or State within 30 days from the date of receiving the notice of decision.

56. The Road Transport Administration Department of the Region or State may confirm, revise or set aside the decision after hearing the appeal filed under section 55.

57. A person who is dissatisfied with any decision made under section 56 may appeal to the Department within 30 days from the date of receiving the notice of decision.

58. A person who is dissatisfied with any decision made under clause (ii) of subsection (a) of section 35, subsection (b) of section 35, section 36, 38, 40 or 41 by the licensor from the Road Transport Administration Department of the Region or State or the Union Territory may appeal to the Department within 30 days from the date of receiving the notice of decision.

59. The Department may confirm, revise or set aside the decision after hearing the appeal filed under section 57 or 58.

60. (a) A person who is dissatisfied with any decision made under clause (ii) of subsection (a) of section 35, subsection (b) of section 35, section 36, 38, 39, 40 or 41, or any decision made under section 59 by the licensor from the Department may appeal to the Ministry within 60 days from the date of receiving the notice of decision.

(b) The Ministry may confirm, revise or set aside the decision made under subsection (a).

(c) The decision of the Ministry is final and conclusive.

Chapter X

Compensation Payment

61. When any person is convicted of an offence caused by an act or omission relating to a motor vehicle under section 279, 337, 338 or 304 A of the Penal Code and any damage to any property is caused by the said act or omission, the Court:

(a) may pass an order to pay an adequate compensation for the property repair or replacement, where there is no agreement between the owner of property and offender, and the said property is not government property;

(b) shall pass an order to pay adequate compensation for the property repair or replacement if the said property is government property;

(c) shall recover such compensation as if it were arrears if they fail to pay compensation prescribed under subsection (b).

62. The order passed under section 61 shall not prevent the aggrieved person from filing a civil suit.

Chapter XI

Maintenance of Discipline and Taking Action

63. The Ministry may assign the task to the Department or any suitable officer from the Department to examine and take action against a person who fails to abide by the provisions of this Law or rules, orders, regulations or by-laws.

64. (a) A police officer in uniform or any member of police force in uniform authorized by such police officer on his behalf may arrest any driver without a warrant in any of the following conditions:

(i) driving a motor vehicle while under the influence of alcohol that exceeds the prescribed limit;

(ii) driving a motor vehicle while under the influence of any narcotic drugs or psychotropic substances;

(iii) driving a motor vehicle rashly or speedily or negligently that may cause harm;

(iv) driving a motor vehicle which may cause harm;

(b) Any person arrested under clause (i) of subsection (a) shall be released from custody after examining him or her in accordance with the prescribed means.

(c) Any person arrested clause (ii), (iii) or (iv) of subsection (a) shall have action taken against him or her under any relevant existing law.

65. (a) A police officer in uniform or any member of police force in uniform authorized by such police officer on his behalf may arrest any of the following persons without a warrant:

(i) a person who refuses to give his name and address or gives the name or address which the police officer has reason to believe to be false as he is accused of an offence under this Law;

(ii) a person concerned in an offence under this Law or rules, or reasonably suspected to have been so concerned, if the police officer has reason to believe that he or she will abscond or otherwise avoid the service of a summons.

(b) When a police officer or any member of police force authorized by such police officer on his behalf arrests the driver of a motor vehicle without a warrant and the motor vehicle needs to be in the temporary custody, the police officer may proceed with it as he thinks fit or direct to proceed with it. In doing so, if it is necessary to move the motor vehicle, it shall be carried out by paying attention to vehicle safety.

66. (a) The police officer or any member of police force authorized by such police officer on his behalf or an officer of the Department assigned by the Ministry may seize driving licence or documents relating to motor vehicle from the driver who violates any provisions of this Law or rules, orders, regulations or by-laws. In doing so, a notice of seizure of the driving licence or motor vehicle shall be issued.

(b) The driver shall have the right to drive the motor vehicle with the notice of seizure of driving licence only for the return to his or her premises.

67. If the police officer or any member of police force authorized by such police officer on his behalf or an officer of the Department assigned by the Ministry has the reason to believe that registration certificate of a motor vehicle, driving licence, conductor's licence, vehicle inspection certificate, international driving permit, temporary driving permit, registration number plate of a motor vehicle are not authentic when inspecting them, such documents shall be seized and the said officer shall proceed with it under any existing law.

68. When the police officer or any member of police force authorized by such police officer on his behalf or an officer of the Department finds the following motor vehicles in any place including a public place other than exclusive permitted place, the said officer shall send such motor vehicles to the nearest police station for temporary custody:

- (a) unregistered motor vehicles;
- (b) motor vehicles whose registration have already been cancelled.

Chapter XII

Establishing, Receiving, Using, Maintaining and Managing a Fund

69. The National Council shall establish a fund to implement effectively necessary measures for vehicle safety with the following receipts:

- (a) contributions from the Union Budget;
- (b) grants and cash donations from international organizations, regional organizations, local and international donors, civil society organizations and non-governmental organizations;
- (c) lawfully accumulated money earned on grants and cash donations in subsection (b), other than the contributions from the Union Budget.

70. The National Council shall adopt financial regulations on the fund in coordination with the Ministry of Planning, Finance and Industry.

71. Relating to the fund, the National Council shall:

(a) receive, use, maintain and manage the fund in accordance with the prescribed financial regulations;

(b) have its accounts audited by the Office of the Auditor- General of the Union.

72. The fund for Vehicle and Road Safety Council of relevant Region or State shall be established with the following receipts under the permission of the National Council:

(a) contributions from the Region or State Budget;

(b) grants and cash donations from international organizations, regional organizations, local and international donors, civil society organizations, non-governmental organizations and other official receipts;

(c) lawfully accumulated money earned on grants and cash donations in subsection (b), other than the Region or State Budget and other official receipts.

73. The Vehicle and Road Safety Council of the Region or State shall adopt the financial regulations on the fund in accordance with the guidance of the National Council and shall have its accounts audited by the Office of the Auditor-General of the relevant Region or State.

74. The National Council may allocate its fund to the Region or State Fund, if necessary.

Chapter XIII

Prohibitions

75. No person shall:

(a) drive a motor vehicle in a public place without taking the driving licence issued to him or her;

(b) serve as a conductor without taking the conductor's licence issued to him or her;

(c) drive a motor vehicle with an expired driving licence;

(d) serve as a conductor with an expired conductor's licence;

(e) drive a motor vehicle while he is suffering from mental or physical disorders;

(f) drive an overloaded motor vehicle that exceeds the permissible load capacity;

(g) drive a motor vehicle with an extra light bulb or extra light;

- (h) drive a motor vehicle in violation of any provision of rules relating to pedestrian crossings;
- (i) serve as a conductor by using conductor's licence of any other persons;
- (j) fail to show registration certificate in the prescribed manners when driving a motor vehicle with a valid registration;
- (k) use a mobile phone while driving a motor vehicle;
- (l) allow the children under 10 years of age to ride in a motor vehicle without using safety seat while driving the prescribed motor vehicle;
- (m) drive a motor vehicle or allow the passengers to ride in a motor vehicle without fastening seat belt while driving the prescribed motor vehicle.

76. No person who drives a motorcycle shall:

- (a) drive without rear-view mirrors and an exhaust silencer;
- (b) fail to open front fog-lights in day time and at night time while driving a motorcycle;
- (c) drive a motorcycle or give a person a ride on his motorcycle without fastening the standard safety helmet strap.

77. No person who possesses a motor vehicle shall:

- (a) fail to apply for changing the name of the registrant of the motor vehicle within 30 days from the date of receiving the motor vehicle as a gift or making the motor vehicle sale contract;
- (b) fail to apply for changing the name of the registrant of the motor vehicle within 30 days from the date of having the legal right of possession of that motor vehicle in the case of inheritance;
- (c) give false statement, alter or conceal any facts including the name and address of the purchaser, and the date of making gift agreement or a motor vehicle sale contract when applying for changing the name of the registrant of the motor vehicle.

78. No person shall open driving training school without business licence.

79. No person shall operate private motor vehicle inspection business without business licence for motor vehicle inspection.

80. No person shall drive or direct any person to drive, or stop a motor vehicle in a public place whose registration certificate has been temporarily suspended, seized or cancelled or whose registration is expired.

81. In a public place, no person shall:

- (a) drive a motor vehicle without a driving licence;
- (b) drive or allow to drive a motor vehicle which is not permitted in the driving licence;
- (c) drive a motor vehicle by using the driving licence of any other persons;
- (d) drive a motor vehicle over or below the prescribed speed limit;
- (e) drive a motor vehicle rashly or speedily or negligently that may cause harm;
- (f) drive a motor vehicle which may cause harm;
- (g) load or transport dangerous goods in a motor vehicle in conformity with the stipulations;
- (h) drive a motor vehicle under the influence of any narcotic drugs or psychotropic substances or alcohol that exceeds the prescribed limit;
- (i) use a motor vehicle as a commercial motor vehicle, that has not been registered as a rental motor vehicle.

82. No person shall use or allow any other person to use a motor vehicle in a public place without paying third party liability insurance. This prohibition shall not be applicable to passengers.

83. Any owner of a motor vehicle or any person responsible for a motor vehicle shall not direct or allow any other person to drive a motor vehicle, who does not have a driving licence.

84. Relating to a registered motor vehicle, no person shall:

- (a) intentionally make the registration number plate of the motor vehicle to be blurred;
- (b) fix any other number plates to the motor vehicle which is not issued by the Department;
- (c) drive, direct or allow any other person to drive or stop the motor vehicle in a public place without fixing the registration number plate of the motor vehicle;
- (d) use or allow any other person to use any document or the registration number plate of the motor vehicle issued by the Department, for any other motor vehicles.

85. No person shall:

- (a) drive or direct or allow any other person to drive or stop unregistered motor vehicle in any place including a public place other than exclusive permitted place;
- (b) use or allow any other person to use any document issued by the Department, for an unregistered motor vehicle;
- (c) change any part of a motor vehicle to be different from its model or original design or make any changes in the vehicle inspection certificate without legal authority or strong reasons;
- (d) use a driving licence, conductor's licence, international driving permit, temporary driving permit, registration certificate of a motor vehicle, registration logbook of a motor vehicle, vehicle inspection certificate, document proving that a motor vehicle has been inspected, registration number plate of a motor vehicle, temporary registration certificate, temporary registration number, business licence or any other documents issued by the Department as a genuine document that he or she knows or has reason to believe to be a forged document.

Chapter XIV

Penalties

86. Whoever violates any prohibitions of section 75 shall, on conviction, be punished with a fine not exceeding thirty thousand kyats.

87. If any person who drives a motorcycle violates any prohibitions of section 76, he or she shall, on conviction, be punished with a fine not exceeding thirty thousand kyats.

88. If any person who possesses a motor vehicle violates any prohibitions of section 77, he or she shall, on conviction, be punished with a fine not exceeding three hundred thousand kyats.

89. Whoever violates any prohibitions of section 78 shall, on conviction, be punished with a fine not exceeding one million kyats.

90. Whoever violates any prohibitions of section 79 shall, on conviction, be punished with a fine not exceeding one million and five hundred thousand kyats.

91. Whoever:

(a) violates any prohibitions of section 80 or 81 shall, on conviction, be punished with imprisonment for a term not exceeding one month or with a fine not exceeding one hundred thousand kyats or with both;

(b) commits the same offence again within one year if he or she has been convicted under subsection (a), shall be punished with imprisonment for a term not exceeding three months or with a fine not exceeding three hundred thousand kyats or with both.

92. Whoever violates the prohibition of section 82 shall, on conviction, be punished with imprisonment for a term not exceeding one month or with a fine not exceeding one hundred thousand kyats or with both.

93. Any owner of a motor vehicle or any person responsible for a motor vehicle who:

(a) violates the prohibition of section 83 shall, on conviction, be punished with imprisonment for a term not exceeding one month or with a fine not exceeding one hundred thousand kyats or with both;

(b) commits the same offence again within one year if he or she has been convicted under subsection (a), shall be punished with imprisonment for a term not exceeding three months or with a fine not exceeding three hundred thousand kyats or with both.

94. Whoever violates any prohibitions of section 84 shall, on conviction, be punished with imprisonment for a term not exceeding three months or with a fine not exceeding three hundred thousand kyats or with both.

95. Whoever violates any prohibitions of section 85 shall, on conviction, be punished with imprisonment for a term not exceeding three years or with a fine or with both.

96. Whoever violates or fails to abide by any rules, regulations, by-laws and orders shall, on conviction, be punished with a fine not exceeding thirty thousand kyats.

97. Whoever abets any person to commit any offence punishable under this Law rules, orders, regulations or by laws shall be liable to punishment prescribed for such offence in this Law.

Chapter XV

Miscellaneous

98. The Union Government may, with or without any conditions, exempt any motor vehicle or any class of motor vehicle by notification from the effect of all or any provisions of this Law for the interest of the public.

99. The Union Government shall cooperate with the Ministry, relevant Union Ministries, the Nay Pyi Taw Council, Region or State Governments, Leading Body of Self-Administered Division or Leading Bodies of Self-Administered Zones as may be necessary in implementing the provisions of this Law.

100. When any person makes a driving licence similar to the real one or forges a driving licence, conductor's licence, international driving permit, temporary driving permit, registration certificate of a motor vehicle, registration logbook of a motor vehicle, motor vehicle inspection certificate, document proving that a motor vehicle has been inspected, temporary registration certificate, temporary registration number, business licence and any other document issued by the Department, he or she shall have action taken against him or her under any existing law.

101. If person who operates private motor vehicle inspection business fails to pay collected motor vehicle inspection fees to the Department within the prescribed period, such fees shall be collected as if it were arrears.

102. The offences in sections 89, 90, 94 and 95 are considered as cognizable offences.

103. The registration logbook of a motor vehicle and registration certificate of a motor vehicle, registration record of a motor vehicle, motor vehicle inspection certificate, registration number plate of a motor vehicle, driving licence, conductor's licence, international driving permit, temporary driving permit, record of driving licence and business licence issued before enacting this Law shall be considered as documents issued under this Law.

104. The rules, regulations and by-laws, notifications, orders, directives and procedures issued under the repealed Motor Vehicle Law (The Revolutionary Council of the Union of Myanmar Law No.17, 1964), and the Motor Vehicle Law (The Pyidaungsu Hluttaw Law No.55, 2015), may continue to be applicable insofar as they are not contrary to this Law.

105. The Department shall undertake the office works relating to motor vehicle and road safety.

106. When implementing the provisions of this Law:

- (a) the Ministry may issue rules, regulations and by-laws with the approval of the Union Government;
- (b) the Ministry and the National Council may issue notifications, orders, directives and procedures;
- (c) the Department may issue notifications, orders and directives.

107. The Motor Vehicle Law (The Pyidaungsu Hluttaw Law No.55/2015) is hereby repealed.

I hereby sign under the Constitution of the Republic of the Union of Myanmar.

(Sd.) Win Myint

President

Republic of the Union of Myanmar