

# Laws on Transportation of Cambodia

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# Land transportation Law

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## Land transportation Law

All kind of vehicles driving in Cambodia must be on the right hand side. There must be a driver driving in the vehicle traveling on the road.

It is worth noting that the traffic law of Cambodia was enacted on 08 February 2007 and Decree # 68 on Land Traffic Law adopted on 31 August 1991 was abrogated. Some articles take effect immediately, while some others do not, for example:

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- Chapter 10 on the traffic penalties will be in force six months after the law takes effect except provisions in:
  - Art. 77: use of fake documents related to traffic law
  - Art. 79: vehicles without registration plate and vehicle ID card, and
  - Art. 84: excessive loading of a vehicle.
- Point 7 on the baby sitting in the car and point 8 on the children sitting in the car of Art. 9 on traffic conditions for a driver will be in force 5 years after the law takes effect.
- Art. 43 on driving license score, Art. 44 on issues concerning the scoring card will be in force 5 years after the law takes effect.

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- The law was in force on 01 March 2007 so the provisions which will take effect from six months of the law take effect will be enforced from 01st September 2007. According to the General Department of Transportation, the measures to implement the traffic law will be enforced from 01st September onwards. Also, the provisions which will take effect 5 years from the law in fore will be 01 March 2012.
- To be noted that the law of Cambodia after the National Assembly adoption will take effect 10 days for Phnom Penh City and 20 days for the other cities and provinces in the country.

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## 1 - Traffic Rules for Drivers

- Drivers and passengers who are on the front seats of motor vehicles must wear the safety belt.
- Drivers of motorcycles, tricycles, towing motorcycles must wear helmet. It is noteworthy that the law does not state that the passenger wears the helmet but the passenger should wear it since most of the accident victims suffered severely on their head[1].

[1] 82% of traffic accident victims are suffered on the head, Handicap International Report 2006.

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- No drinking of alcohol that has alcoholic degree from 0.25 milligram per air liter or from 0.5 gram per liter of blood or over. The transportation officer said that 0.25 milligram per air liter or 0.5 gram per liter of blood is equal to 1 or 2 canes of beer. The police Department will bring in the equipments for alcoholic survey for the offence drunken persons soon.
- Vehicles with metal chained wheels (e.g. tanks) are not allowed on public road. Such kinds of vehicles must be carried by the vehicles whose tires are rubber-based.
- Usage of mobile phone is prohibited while driving. Such use is allowed provided a hand-free headset is used to communicate with the phone.
- There must be a guardian to bring a blind person to cross the road.

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## B. Rules for Towing

- The methods for towing must be put into practice as follows:
- For towing a vehicle, the driver must use wire or metal rod or towing equipment which are strong and flexible.
- The driver must not use towing cable for any vehicle whose laden weight is over 5 tons.
- The driver must not tow more than one vehicle or tow any vehicle with a trailer or semi-trailer.
- Towing of bicycles or motorcycles is prohibited.
- The driver must not tow any vehicle containing passengers inside except a driver in control of the towed vehicle.
- Any vehicle with a trailer or semi-trailer must display the triangle sign with mirror reflecting two yellow lights placing in front of the vehicle on both side of the registration plate.
- The technique of towing trailer or semi-trailer and taking off the trailer or semi-trailer from the vehicle must be issued by the Ministry of Public Works and Transport.
- **Note:** It is not allowed to tow more than 2 trailers; only one trailer is permissible.



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## **C. Vehicle Speed**

- Driving speed must follow the guidelines as following:
- **C1. General Vehicle**
- **Downtown**
  - For motorcycles and tricycles, the maximum speed is 30 km/h.
  - For general automobile, the maximum speed is 40 km/h.
- **Out of Town**
  - The maximum speed is 90 km/h for general vehicles. An exception is for goods-carrying vehicles whose total weight is over 3.5 tons. The maximum speed of such vehicle is limited to 70 km/h and 60 km/h for towing vehicles.

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- Drivers must maintain a safe distance with the vehicles in front to minimize the risk of collision. The safety distance depends on the speed of the vehicles – the faster the speed, the longer the distance. Out of town, vehicles whose laden weight is over 3.5 tons or whose width is longer than 7m and traveling at the same speed must maintain a safety distance of at least 50m.

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## C2. Vehicle Carrying Dangerous Goods

- **Downtown**

- For motorcycles and tricycles, the maximum speed is 30 km/h.
- For automobile, the maximum speed is 40 km/h.

- **Out of Town**

- For vehicles whose maximum laden weight is below 3.5 tons and over 3.5 tons for vehicle using brake system, the maximum speed is 70 km/h.
- For vehicles whose maximum laden weight is over 3.5 tons without brake system, the maximum speed is 60 km/h.

**Note:** In the case that there's dangerous goods being transported, there must be a label (diamond shape) with the angel length 0.20 meter placed on the back left side of the motor vehicles.

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Dangerous Goods shall be divided into the following classes:

- Class 1: Explosives
- Class 2: Gases
  - Division 2.1: Flammable gases
  - Division 2.1: Non-flammable, non-toxic gases
  - Division 2.1: Toxic gas
- Class 3: Flammable liquids and liquid desensitized explosives
- Class 4:
  - Division 4.1: Flammable solids, self-reactive substances, and solid desensitized explosive
  - Division 4.1: Substances liable to spontaneous combustion
  - Division 4.1: Substances which in contact with water emit flammable gases

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- Class 5:
  - Division 5.1: Oxidizing substances
  - Division 5.1: Organic peroxides
- Class 6:
  - Division 6.1: Toxic substances
  - Division 6.1: Infectious substances
- Class 7: Radioactive material
- Class 8: Corrosive substances
- Class 9: Miscellaneous dangerous substances and articles

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## **C3. Vehicle Traveling on the Motorway**

- **Downtown**
  - For general vehicle, the maximum speed is 60 km/h.
- **Out of Town**
  - For general vehicle, the maximum speed is 100 km/h; except for goods transportation vehicle whose maximum laden weight is below 3.5 tons, the maximum speed is 80 km/h and for trailer vehicle, the maximum speed is 70 km/h.

## **C4. Vehicle with priority rights**

- The above-mentioned maximum speeds in C1, C2 and C3 do not apply to:
- police march vehicle ;
- military march vehicle ;
- military police march vehicle ;
- fire engine;
- ambulance; and
- other vehicles using the special sound and light signal in the course of work.

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- **D. Driving License**
- All drivers of motor vehicles must have a driving license. Drivers of motorcycles with a cubic capacity of 49cc and above must have driving license according to the kind of vehicle.
- The national and international driving license for all kinds of vehicles must be issued by the Ministry of Public Works and Transport. For special vehicles such as tanks, war vehicles, armed vehicles, motor tricycles, and escorting vehicles belonging to the state, the licenses are issued by the Ministry of Interior and the Ministry of National Defense. There are 5 kinds of land driving license of Cambodia:

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- **Class A** is for motorcycles and tricycles.
  - A1 – motorcycles whose cubic capacity is 49cc to 125cc;
  - A2 – motorcycles whose cubic capacity is over 125cc; and
    - motorcycles with trailer
    - tricycle.
- **Class B** is for passenger carrying vehicle not exceeding 09 persons including the driver.
  - Goods transportation vehicle whose maximum laden weight is below 3.5 tons.
  - Vehicle of this class B can attach with trailer whose maximum laden weight is below 0.75 tons.



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- **Class C** is for goods carrying vehicle whose maximum laden weight is over 3.5 tons and can attach trailer whose maximum laden weight is below 0.75 tons.
- **Class D** is for passenger carrying vehicle.
  - D1 – passenger carrying vehicle from 10 to 20 persons including the driver and can attach trailer whose maximum laden weight is below 0.75 tons.
  - D2 – passenger carrying vehicle exceeding 20 persons including the driver and can attach trailer whose maximum laden weight is below 0.75 tons.
- **Class E** is for any vehicle in class B, C, D whose maximum laden weight of towing trailer is over 0.75 tons. It is categorized as three:
  - E (B);
  - E (c); and
  - E (D).

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- The various conditions regarding the driving license are the following:
- Drivers belonging to each class can drive only vehicles of that particular class. Drivers with disability are entitled to drive a special vehicle provided that he has the special license.
- The license holders must submit an application for renewal prior to the expiration date of the driving license. Failure to do so will result in a legal sanction.

## **D1. Age of Drivers**

- The age of the drivers according to the Class of driving licenses are as following:
- At least 16 years of age for Driving license Class A1
- At least 18 years of age for Driving license Class A2 and B
- At least 22 years of age for Driving license Class C and D1
- At least 24 years of age for Driving license Class D2 and E

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## D2. Validity of Driving License

- The time limit of validity of driving licenses is the following:
- Driving license Class A and B have the validity till the drivers reach the age of 65 but their health has to be checked and the driving licenses have to be renewed once in 5 years.
- The driving license of Class C, D, and E have the validity of 3 years. The drivers have to submit for license renewal once every 3 years after health check-up before being permitted to drive.
- Drivers aged of 65 or over, the health of drivers using all kinds of license must be checked once every 2 years. The driving license must be renewed once 2 years.
- **Driving License Scoring**
- All driving licenses have a scoring note which consists of a total of 12 points and the score will be reduced once there's a traffic offence.

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## **D3. Foreign Driving License**

Except in the case that there is an agreement or international treaty – bilateral or multilateral – which recognize international driving licenses with the kingdom of Cambodia, any foreigner who is a legal immigrant intending to on the road of Cambodia must have a Cambodian driving license in two ways:

- Take the driving exam as Cambodians do;
- Submit the driving license of his own country to the Ministry of Public Works and Transport in order to exchange for the Cambodian driving license subject to approval.

The exchanged Cambodian driving licenses has a validity of 1 year. The validity of driving license for foreigners who pass the driving test would be as long as the Cambodian one. And in the case that the foreigner' driving license becomes invalid, the foreign drivers shall re-take the theoretical test and practical driving test.

Foreign drivers holding driving license type C, D and E shall not be able to exchange for those types, but shall be able to exchange for type A or B.

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## D3. License Driving School

All driving schools must have permission letter and should be under the control and management of Ministry of Public Works and Transport. In order to set up driving school, the owner of the school has to submit to the Ministry of Public Works and Transport the following documents:

- Family book
- Photos 3×4
- Ownership Certificate or lease contract
- The address and map of headquarter of the school
- Insurance for each vehicle
- The qualifications of driving teachers

It is required that vehicles for teaching at the driving school have auto insurance for all kind of accident cases which are likely to happen and caused by the driving student during the training.

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## E. Inspection and Control on Vehicles

- Before hitting the road, all kinds of vehicles, trailer, or semi-trailer whose laden weight is over 750 Kg must apply for the registration plate and vehicle ID card at the Ministry of Public Works and Transport. Any vehicle without the above-mentioned items must be carried by a registered vehicle during its transit on the road.
- All of the automobiles, motorcycles, tricycles and other vehicles belonging to the state and used for security, public order and defense service must be registered and have vehicle ID and registration plate issued by the Ministry of Interior or Ministry of National Defense.
- All trailer, semi-trailer, motorcycles or tricycles traveling on the road must have the technical inspection certificate issued by the Ministry of Public Works and Transport or a private company authorized by Ministry of Public Works and Transport.
- In this regard, any vehicle which modify the height, size, and the body of the vehicle or equip with unusual lights without technical standard must be permitted by the inspection authority of the Ministry of Public Work and Transportation.

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**NOTE:** In the past, all the vehicles either at city or province have to come to the General Department of Transportation located in Phnom Penh to do the registration and technical inspection, but for the present the vehicle owner at the province do not need to go to Phnom Penh since there's a Praskas on the delegation of the vehicles registration and other specific work to the city/provincial Public Work and Transportation Department. Through this mechanism they are able to register or do the inspection directly in their respective province or city.

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## **E1. Validity of technical inspection**

Validity of technical inspection certificate is as the following:

- New tourist vehicles which have not yet been used must go through a technical inspection and get the first inspection certificate whose validity lasts 4 years. Afterwards it must have the technical inspection every 2 years.
- Old tourist vehicles which have already been used must have a technical inspection every 2 years.
- New vehicles used for carrying passengers and goods and new industrial vehicle used as a tool of trade which have not yet been used must have a technical inspection and get the first inspection certificate whose validity lasts 2 years. Afterwards it must have the technical inspection every year.
- Old vehicles carrying passengers and goods, and old industrial vehicles used as a tool of trade must have the technical inspection every year.



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- New trailers or semi-trailers which have not yet been used must go through the technical inspection and get the inspection certificate whose validity lasts 2 years. Afterwards it must have the technical inspection every year.
- Old trailers or semi-trailers which have already been used must have the technical inspection every year.
- Prior to registering for the plate number and vehicle ID card, all vehicles, trailers, or semi-trailer which have been modified locally must first have the technical inspection and afterwards it must have the technical inspection every year.
- New motorcycles and tricycles which have not yet been used must come to get the technical inspection whose validity lasts 4 years.
- Old motorcycle and tricycles which have already been used must have the technical inspection every 2 years.

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## **E2. Auto Business License**

All garages must have a business license issued by the Ministry of Public Works and Transport and in case of necessity there must be inspection by the Ministry of Interior.

All vehicles, trailers, semi-trailers used in transportation business must have business license issued by the Ministry of Public Works and Transport. The validity of this license is 1 year.

For transportation business activities, all transportation must have documents issued by the Ministry of Public Works and Transport and relevant Ministry as below:

- Vehicle identification card and license plate
- Driver license according to the type of vehicle
- Technical inspection certificate
- License to transport goods for the vehicle
- Transportation business license
- Insurance Document issued by Insurance Company
- Other licenses issued by relevant authority

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## **F. Usage of Light and Sound Signals**

The usage of the horn is allowed in daytime in order to inform other road users to avoid an eventual accident. From dusk till dawn, flashing of headlight is used instead of horn to alert other drivers.

Equipping with the sound, light, or others beyond the technical specification of the vehicle is prohibited.

## **F1. Usage of special sound and light signals**

Special light is an additional equipment with multi-color rotating lights which means as follows:

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- **Special light**
  - Red or blue special light – for police, military, military police vehicles, fire engine and hospital ambulance.
  - Dark yellow special light – for public service vehicles such as those used for road cleaning and repairing and special transportation vehicle equipped with this special light sign. These vehicles must be driven at slow speed.
- **Special sound**
  - Special sound is a sound signal used by vehicles with priority rights such as police, military, military police, or fire engine vehicles which have an additional siren sound. Hospital ambulances have an additional siren wailing twice time up and down.
- When these vehicles use the special lights and sound signals, road users must move to the right hand side, slow down or stop in order to make way for these vehicles.

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In the course of their duties, the drivers of the above-mentioned vehicle can drive:

- in reverse direction on one-way road;
- through the red traffic light;
- in unlimited speed;
- with priority rights on a crossroad;
- pass or cross the traffic line.

In whatever the circumstances, the drivers of these kinds of vehicles must always drive carefully in order to avoid a traffic accident with other road users and must follow the order signals of traffic agents.

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## **G. Traffic Accident**

In Cambodia, traffic accidents have increased 15% on average every year from 2000 to 2006. In 2006, there were 4 deaths and 100 injuries per day and damages to property either public or private. Pertaining to this point, the Cambodian death rate from traffic accident was the highest of the ASEAN nations in comparison to the number of vehicles in use.

- As a response to this problem, the National Committee on Traffic Safety was set up in 2005 with 15 detailed strategies for 2006-2010 to reduce traffic accidents.
- According to the GPS, the zone which has the highest rate of accidents is the Khan Orseykoe (Sangkat ToulsanKer) during the second half of 2006. The 3 Sangkats with the highest incidences are Prek Leap, Chrouychangva, and Chamtumok. Most traffic accidents occurred in Phnom Penh 12%, Kompong Cham 9%, Kandal 8% and Battambang 8%.

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- All traffic accidents are the duties of the traffic police. In case of a traffic accident, the driver, other road users, or eyewitness involved in the accident have to stop the vehicles, report to the police or local authority. They should not use violence, and are prohibited from leaving the scene without mutual agreement or permission from the traffic police.
- If the accident caused damages to property only, both parties can settle the case through reconciliation regardless of intervention from the traffic police.
- If there were death or bodily injuries, the drivers , road users or eyewitness involved the accident would:
  - Immediately report to the nearest traffic police or local authorities;
  - Send the victim to the nearest hospital. Vehicle users may not allow to reject the rescue measure.
  - Co-operate to maintain safety of the parties involved and traffic flow at the scene.
  - Avoid activity that may remove traces of evidence useful for identifying the person responsible for the accident.
  - Keep waiting at the scene until the arrival of a traffic agent. They should not allow the person causing the accident to leave the scene prior to obtaining the permission from the traffic agent.

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## **G1. Traffic Regarding Diplomatic Agent**

For traffic accident involving foreign diplomats or envoys, traffic police must record the incident and submit a report to the Ministry of Foreign Affairs and International Cooperation who in turn arrange a representative to cooperate with traffic police, examine the case and take necessary action.



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## **G2. Duties of the Land Traffic Police**

- Traffic offenders have the right to bring the file to the court in case of disagreement on the offence penalties.
- Traffic police have the right to withdraw and suspend the driving license for at least 1 month.
- In case of traffic accident, traffic police at the accident scene has a duty to seize the vehicle and keep it at the police station, hold the driver for interrogation, and make a report of the accident.
- If the driver is drunk, the police will send him to the hospital to get a certificate of alcoholic degree and forward it along with the police report to the court. With respect to the seized vehicle, it will be released upon the payment of fine or penalty.
- Traffic offences whose penalty is imprisonment or fine shall be under the competency of the court. On the other hand, minor traffic offences may be penalized by the traffic police. Principally, the police have the right to conciliate in case of accident causing only property damages. If the case does not reach an agreement, the traffic police must forward the case to the court.

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## **G3. Penalties for traffic offences**

- The driver may be liable for both criminal and civil penalties for his traffic offences.
- Owner or vehicle driver must be responsible for civil action in case of accident causing property damages.
- All traffic offences must be brought to the court except for minor offences for which the drivers may be penalized or warned.
- Any driver who causes bodily injuries to others unintentionally and as a result the victim is disabled and unable to perform his work for 8 days or more must be penalized by imprisonment for 6 days to 1 year and/or be fined 25,000.00 Riel to 2,000,000.00 Riel.

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The offender must be penalized to the maximum extent for committing one of the following offences:

- Driving without driving license or the driving license is not properly in conformity with the law;
  - Drunk driving;
  - Causing many injuries to the people;
  - Evade the scene in order to escape liability.
- Any driver who unintentionally causes permanent bodily injury or disablement to others must be penalized by imprisonment for 1 to 3 years and/or be fined 2,000,000.00 Riel to 6,000,000.00 Riel. Also, the penalty is at the maximum if the offence is one of the above.
  - Any driver who intentionally causes bodily injury, disablement, or death must be penalized according to the penal law.
  - The legal guardian who allows children below the age of 6 to walk on the road in a disorderly manner and cause a traffic accident must be liable for civil action.
  - The owner of the pet who lets the pet walk disorderly on the road and cause traffic accident must be liable for civil action.

Q & A