**DECREE**

DETAILING AND GUIDING THE IMPLEMENTATION OF A NUMBER OF ARTICLES OF THE ROAD LAW AND ARTICLE 77 OF THE LAW ON ROAD TRAFFIC ORDER AND SAFETY

*Pursuant to the Law on Organization of the Government dated June 19, 2015; Law amending and supplementing a number of articles of the Law on Organization of the Government and the Law on Organization of Local Governments dated November 22, 2019;*

*Pursuant to the Law on Roads dated June 27, 2024;*

*Pursuant to the Law on Road Traffic Order and Safety dated June 27, 2024;*

*Pursuant to the Law on Construction dated June 18, 2014; Law amending and supplementing a number of articles of the Law on Construction dated June 17, 2020;*

*Pursuant to the Law on Planning dated November 24, 2017;*

*At the request of the Minister of Transport;*

*The Government promulgates a Decree detailing and guiding the implementation of a number of articles of the Law on Roads and Article 77 of the Law on Road Traffic Order and Safety.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope of adjustment**

This Decree details and guides the implementation of a number of articles of the Law on Roads and Article 77 of the Law on Road Traffic Order and Safety on:

1. Road infrastructure planning.

2. Classification, decentralization and responsibility for management, operation, exploitation and maintenance of roads.

3. Land for road protection and maintenance; road safety corridors; construction of works within the scope of protection of road infrastructure; protection of road infrastructure; temporarily use roads and sidewalks for other purposes.

4. To organize traffic and connect road traffic.

5. Verification and appraisal of road traffic safety; training in road traffic safety verification.

6. Highways.

7. Road database.

8. Intelligent traffic management system.

**Article 2. Subjects of application**

This Decree applies to agencies, organizations and individuals involved in planning, investment, construction, management, operation, exploitation, use, maintenance and protection of road infrastructure, verification and appraisal of road traffic safety, road database and smart traffic.

**Article 3. Contents, order and procedures for formulation, appraisal, approval and adjustment of road infrastructure planning**

Contents, order and procedures for formulation, appraisal, approval and adjustment of road infrastructure plannings shall comply with the law on planning.

**Chapter II**

**DECENTRALIZATION, CLASSIFICATION AND RESPONSIBILITIES FOR MANAGEMENT, OPERATION, EXPLOITATION AND MAINTENANCE OF ROADS**

**Article 4. Decentralization of highway management**

1. Decentralization for provincial-level People's Committees to manage national highways includes:

a) National highways in provinces and centrally-run cities, except for national highways specified in Clause 2 of this Article;

b) Works and items of road infrastructure associated with national highways that are decentralized (road management districts, works to control vehicle loads, land of roads, road safety corridors and other items of road infrastructure);

c) For bridges, tunnels and ferry terminals located in two provinces and centrally-run cities, the Ministry of Transport shall consult the relevant provincial-level People's Committees before deciding on a provincial-level People's Committee to be delegated to manage these works.

2. Non-decentralized national highways, including:

a) Expressways managed by the Ministry of Transport;

b) National Highway 1, Ho Chi Minh Road to connect national highways and other road routes along the country;

c) National highways have special requirements on national defense and security assurance;

d) Routes and sections of national highways which have been assigned by State enterprises to invest in construction, management, operation, exploitation and maintenance;

dd) Other cases decided by the Prime Minister.

3. Capital sources for investment, construction, management, operation, exploitation and maintenance of national highway infrastructure when decentralized to provincial-level People's Committees shall comply with the provisions of law on state budget, investment, public investment, investment in the form of public-private partnership, management and use of public property and other relevant provisions of law.

4. National highways decentralized to provincial-level People's Committees for management must transfer road infrastructure assets in accordance with the law on management and use of public assets.

5. Responsibilities of provincial-level People's Committees for decentralized national highways

a) Investment in and construction of national highways shall be decentralized according to the approved road network planning and road infrastructure planning;

b) Manage, operate, exploit, maintain and protect road infrastructure being national highways that are decentralized as prescribed in Clause 1 of this Article in accordance with the law on roads;

c) Management, use and exploitation of road infrastructure assets being national highways that are decentralized in accordance with the law on management and use of public assets;

d) Ensure synchronous traffic connection in terms of loads and vehicles participating in traffic on the section of national highway decentralized, managed with road routes in the road network planning, road infrastructure planning, and ensure convenient traffic connection with other roads in the region.

6. Responsibilities of the Ministry of Transport

Inspection and examination of decentralized national highways to ensure the scale and quality of national highways according to the approved road network planning and road infrastructure planning; ensure traffic connection as prescribed at Point d, Clause 5 of this Article; the observance of technical regulations and standards in the field of roads.

**Article 5. Assign provincial-level People's Committees to manage national highways to meet the needs of socio-economic development, ensure national interests, national defense, security and the ability to allocate local resources**

1. In order to meet the needs of socio-economic development, ensure national interests, national defense and security, and base themselves on the ability to allocate local resources, provincial-level People's Committees shall propose the Ministry of Transport to report to the Prime Minister to assign provincial-level People's Committees to manage the sections of national highways specified in Clause 2, Article 4 of this Decree.

Based on the proposal of the provincial-level People's Committee, the Ministry of Transport shall review and submit to the Prime Minister the assignment of the provincial-level People's Committee to manage the national highway enclosed with the draft decision as prescribed in Appendix I to this Decree.

2. Responsibilities of provincial-level People's Committees when assigned by the Prime Minister to manage national highways

a) Receive the assigned national highway routes and sections and organize the implementation according to the assigned purposes; ensure that the scale and grade of works are not lower than the approved road network planning and road infrastructure planning;

b) Ensure resources for management, operation, exploitation and maintenance of assigned national highways, investment in construction, renovation, upgrading and expansion of national highways since they are assigned according to the approved road network planning and road infrastructure planning;

c) Ensuring traffic connection as prescribed at Point d, Clause 5, Article 4 of this Decree.

3. Responsibilities of the Ministry of Transport

a) Hand over national highway routes and sections to provincial-level People's Committees after the Prime Minister's Decision assigns provincial-level People's Committees to manage national highway routes and sections; compile dossiers of transfer of national highway infrastructure assets and assign them to provincial-level People's Committees for management, use and exploitation;

b) Inspection and examination of national highways shall be assigned to provincial-level People's Committees for management under the provisions of Clause 6, Article 4 of this Decree.

**Article 6. Management of national highways passing through special urban areas; routes and sections of national highways are not in accordance with the approved planning; routes and sections of national highways that have had alternative bypass roads in accordance with the planning; collection roads and side roads separated from national highways shall be managed by localities**

1. The Ministry of Transport shall organize the compilation of dossiers of transfer of road infrastructure assets of national highways passing through special-grade urban centers; routes and sections of national highways are not in accordance with the approved planning; routes and sections of national highways that have had alternative bypass roads in accordance with the planning; collection roads and side roads separated from national highways and handed over to provincial-level People's Committees for management.

2. Provincial-level People's Committees shall receive road infrastructure assets and organize the management of national highways, collection roads and side roads specified in Clause 1 of this Article and the following provisions:

a) Ensure resources for implementation: management, operation, exploitation, maintenance and protection; invest in new construction, renovation, upgrading and expansion of works according to the approved planning;

b) Ensuring traffic connection as prescribed at Point d, Clause 5, Article 4 of this Decree.

3. The Ministry of Transport shall reach agreement with the provincial-level People's Committee on the time of handover

a) Sections of national highways and expressways passing through special-grade urban centers for construction, management, operation and exploitation by enterprises assigned by the State;

b) Sections of national highways and expressways passing through special urban areas but there are no provincial roads connecting to national highways or expressways.

**Article 7. Adjustment of road type according to management level**

1. The Ministry of Transport shall decide to adjust national highways into local roads; local roads and other roads become national highways in the following cases:

a) Routes and sections of national highways adjusted into local roads for cases that are not included in the road network planning, road infrastructure planning approved by the Prime Minister, except for cases where national highways have special requirements on national defense assurance, security; have invested in the construction of alternative bypass routes in accordance with the road network planning and road infrastructure planning approved by the Prime Minister;

b) Routes and sections of local roads and other roads included in the road network planning or road infrastructure planning approved by the Prime Minister shall be adjusted into national highways.

2. Provincial-level People's Committees shall decide to adjust local roads according to their management levels when there are changes in provincial planning, urban planning and other relevant plannings approved by competent authorities, except for the provisions of Clause 1 of this Article.

3. The transfer of road infrastructure assets after the issuance of a decision on adjustment of road types in accordance with the law on management and use of public assets.

**Article 8. Naming, renaming and numbering of roads**

1. Road names include the word "Road" enclosed with the names specified at Point a, Clause 1, Article 11 of the Road Law.

2. Road numbers include abbreviated alphanumeric symbols of roads, immediately followed by dots and natural numbers after dots and are prescribed for expressways, national highways, provincial roads, district roads and urban roads as follows:

a) The number of the expressway includes: the letter "CT." followed by the natural number of the road to be placed, and the letter if any;

b) The number of the national highway includes: the letter "National High." followed by the natural number of the road to be placed, and the letters if any;

c) The number of the provincial road includes: the letter "DT." followed by the natural number of the road to be placed, the letter if any;

d) The number of the district road includes: the word "ĐH." followed by the natural number of the road to be placed, and the letters if any;

dd) The number of the urban road includes: the letter "ĐT." followed by the natural number of the road to be placed, and the letter if any.

3. In case the second or more lines use the symbols and natural numbers assigned to other lines, the letters B, C and D must be added immediately after the natural numbers to assign to the second line and subsequent lines.

4. Natural numbers for placing provincial road numbers in provinces and centrally-run cities according to the provisions of Appendix II to this Decree.

5. Provincial-level People's Committees shall decide on natural numbers for placing district road numbers in their localities.

6. In case there are routes or sections of routes with overlapping roads, they shall be named and numbered according to the provisions of Clause 2, Article 11 of the Law on Roads.

7. In case roads have branch roads, branch roads may be named according to the names of main routes and at the same time add ordinal numbers of branch roads.

8. For roads participating in the international road network, the provisions of Point b, Clause 1, Article 11 of the Road Law shall apply.

9. The competence to name road names and numbers and the responsibility to publish road names and numbers on the mass media are prescribed as follows:

a) The Ministry of Transport shall assign names and numbers of national highways and roads to participate in the road network according to international treaties;

b) Provincial-level People's Committees shall name and number provincial roads and district roads;

c) The district-level People's Committee shall name and number the commune road;

d) The competence to name and rename urban roads shall comply with the Government's Regulation on naming and naming of roads, streets and public works.

10. It is not mandatory to assign or change road names and numbers for the cases specified in Clause 3, Article 11 of the Road Law and road routes with special requirements on national defense and security assurance.

**Article 9. Responsibilities for management, operation, exploitation and maintenance of road infrastructure**

1. The Ministry of Transport shall organize the management, operation, exploitation and maintenance of national highway infrastructure, except for national highways specified in Clause 1, Article 4, Clause 1, Article 5 and Clause 1, Article 6 of this Decree and national highways that are within the duration of performance of public-private partnership contracts; routes and sections of national highways that the State has assigned state-owned enterprises to invest in construction, management, operation, exploitation and maintenance.

2. People's Committees at all levels shall organize the management, operation, exploitation and maintenance of local road infrastructure under their management and national highways specified in Clause 4, Article 8 of the Law on Roads, Clause 1, Article 4, Clause 1, Article 5, Clause 1, Article 6 of this Decree.

3. Road managers and users shall be responsible for directly organizing the management, operation, exploitation and maintenance of road infrastructure facilities under their management and the following tasks:

a) Formulate and submit to competent authorities for approval plans on management, operation, exploitation and maintenance of road infrastructure;

b) Organize the management, operation, exploitation and maintenance of assigned road infrastructures;

c) Organize the protection of road infrastructure as prescribed in Article 21 of the Road Law and Article 20 of this Decree; detect, prevent and handle prohibited acts of road infrastructure specified in Clauses 1, 2 and 3, Article 7 of the Law on Roads, acts of administrative violations against road infrastructure;

d) Perform other tasks related to management, operation, exploitation and maintenance in accordance with the Law on Roads, this Decree and relevant laws.

**Chapter III**

**THE LAND FOR ROAD PROTECTION AND MAINTENANCE; ROAD SAFETY CORRIDOR; CONSTRUCTION OF WORKS WITHIN THE SCOPE OF PROTECTION OF ROAD INFRASTRUCTURE; PROTECTION OF ROAD INFRASTRUCTURE; TEMPORARY USE OF ROADS AND SIDEWALKS FOR OTHER PURPOSES**

**Article 10. Land for road protection and maintenance**

1. Land for road protection and maintenance for non-urban roads is determined as follows:

a) The width of the land for protection and maintenance of non-urban roads is not less than 3.0 meters for expressways, grade-I roads and grade-II roads; 2.0 meters for grade III roads; 1.0 meters for grade-IV, grade-V, grade-VI, grade-A, B, C, D, other roads and is determined as follows: calculated from the foot of the embankment, the outermost edge of the apical trench upwards; in places where the apex trench is not built, it is calculated from the top edge of the roof to the dug road; at sections of roads that are not dug or embanked, it is calculated from the outermost edge of the longitudinal trench onwards;

b) For bridges over rivers and streams, the width of the land for bridge protection and maintenance shall not be less than 5.0 meters for special-grade, grade-I and grade-II bridges; 4.0 meters for grade III bridges; 3.0 meters for grade IV bridges and calculated from the outer edge of the foundation of abutments, pillars, outer edges of bridge structures onwards;

c) For viaducts and overpasses, the width of the land for bridge protection and maintenance is calculated from the outer edge of the foundation of abutments, pillars and outer edges of the bridge structure to each side as follows: 3.0 meters for special-grade, grade-I and grade-II bridges; 2.0 meters for grade III bridges; 1.0 meters for grade IV bridges;

d) For road-crossing culverts, the width of the land for protection and maintenance of culverts shall be determined according to the technical grade of the road, counting from the outer edge of the culvert head work items, culvert yards and outermost structural parts of the culvert onwards as follows: 3.0 meters for culverts of expressways, level I and level II; 2.0 meters for culverts of grade III roads; 1.0 meters for culverts of grade-IV, grade-V, grade-VI roads, grade-A, B, C, D, and other roads;

dd) In cases other than those specified at Points a, b, c and d of this Clause, the land for road protection and maintenance shall be located along the outside of the roadside and at least 1.0 meters away from the roadside.

2. The land portion for protection and maintenance of urban roads shall be determined according to the provisions of Clause 2, Article 14 of the Law on Roads.

3. For overlapping or intersecting road sections or adjacent roads, the land for road protection and maintenance shall be determined according to the provisions of Clauses 3, 4 and 5, Article 14 of the Road Law.

4. The land portion for protection and maintenance of road tunnels is determined as follows:

a) The land for protection and maintenance outside the road tunnel entrance is the limit of the tunnel entrance, but not less than 3.0 meters from the outermost edge onwards of the structural items of the road tunnel;

b) The width of the land for protection and maintenance of road tunnels in the horizontal direction is equal to the width of the reinforcement tunnel in the horizontal direction plus 3.0 meters for special-grade, grade-I and grade-II tunnels; 2.0 meters for grade III tunnels; 1.0 meters for grade-IV tunnels but not less than the width specified at Point a of this Clause;

c) The width of the land for protection and maintenance of the road leading to the tunnel, the square and the auxiliary work items in front of the tunnel entrance shall be calculated from the outer edge of these works onwards and determined according to the provisions of Point a, Clause 1 of this Article for the road section at the place where the road tunnel is built;

d) The land for protection and maintenance of ventilation tunnel doors and other tunnel work items from the outermost edge of the work item to the surrounding area according to the design but not less than 3.0 meters.

5. Land for protection and maintenance of road ferry terminals, road pontoon bridges, embankment works and retaining walls shall be determined as follows:

a) The width of the land for protection and maintenance of road ferry terminals shall not be less than 5.0 meters for special-grade and grade-I ferry terminals; 4.0 meters for grade II and grade III ferry terminals; 3.0 meters for grade IV ferry terminals from the outer edge of the road to the wharf, wharf works or wharf surface onwards;

b) The width of the land for protection and maintenance of road pontoon bridges is not less than 3.0 meters for grade-I pontoon bridges; 2.0 meters for level II and level III pontoon bridges; 1.0 meters for grade IV pontoon bridges from the outer edge of the road at the beginning of the pontoon bridge, the outer edge of the pontoon bridge works onwards;

c) The width of the land for protection and maintenance of the road leading to the ferry terminal or pontoon bridge shall be determined according to the provisions of Point a, Clause 1 of this Article;

d) The width of the land for protection and maintenance of embankments and retaining walls must not be less than 2.0 meters from the outer edge of the foundation or the outermost part of the embankment or retaining wall outwards.

6. In case a road has a land section for road protection and maintenance that overlaps with an inland waterway work, the land part for road protection and maintenance shall be determined according to the land boundary between the road work and the inland waterway work.

**Article 11. Road safety corridor**

1. For non-urban roads, the width of road safety corridors shall be calculated from the outer edge of the land for road protection and maintenance to each side as follows: 17 meters for expressways, grade-I and grade-II; 13 meters for grade III roads; 9.0 meters for grade IV and grade V roads; 4.0 meters for grade VI roads and grade A, B, C, D, and other roads.

2. The width of the road safety corridor within the bridge (between the tail of the two abutments of the bridge) and the section of the bridgehead road according to the design shall be determined as follows:

a) For non-urban road bridges, the width of the road bridge safety corridor calculated from the outermost edge of the land for bridge protection and maintenance to each side is as follows: 150 meters for bridges with a length of more than 300 meters; 100 meters for bridges with a length of between 60 meters and 300 meters; 50 meters for bridges with a length of between 20 meters and less than 60 meters; 20 meters for bridges with a length of less than 20 meters.

For the viaduct section that does not cross the river in the section of the road leading to the main bridge crossing the river is greater than 300 meters, the width of the bridge safety corridor calculated from the land for protection and maintenance is not less than 50 meters;

In case of viaducts (including railway overpasses, road overpasses, elevated bridges parallel to other roads, other inland bridges and bridges on the path beyond the distance between the two of the river crossing) on non-urban roads: the width of the road safety corridor of the bridge shall be determined according to the road grade specified in Clause 1 of this Article;

b) For bridges on roads in urban centers, safety corridors along the width of bridges for overland bridges, including bridges running on land that are not regularly flooded and bridges over rivers, canals and canals without waterway transport activities shall be counted from the outer edge of the land section for protection. maintenance of 7.0 meters on each side; the part of the bridgehead road identified as the urban road safety corridor; for the remaining bridges determined according to the provisions of Point a of this Clause;

c) In case the scope of the bridgehead road cannot be determined according to the design, the section of the bridgehead road shall be calculated from the end of the abutment upwards along the length of the bridge not less: 50 meters for bridges with a length of 60 meters or more, 30 meters for bridges with a length of less than 60 meters.

3. The width of the road tunnel safety corridor is determined as follows:

a) For road tunnels outside urban areas, the road safety corridor of the tunnel is the land area, the water area around the tunnel entrance is calculated from the outer edge of the tunnel protection and maintenance land part or more is 100 meters;

b) For road tunnels in urban areas, the road tunnel safety corridor shall be determined by the design consultant in the design dossier on the basis of ensuring the safety and sustainability of the tunnel and approved by the competent authority.

4. The width of the safety corridor of the ferry terminal and road pontoon bridge is determined as follows:

a) Vertically: equal to the length of the road to the ferry terminal or pontoon bridge;

b) Horizontally: 150 meters from the center of the ferry terminal or pontoon bridge to each upstream and downstream side.

5. The width of the embankment safety corridor or protective retaining wall is determined from the outer edge of the embankment or protective retaining wall onwards as follows:

a) For embankments and retaining walls against erosion to protect the roadbed and embankment safety corridors, from the end of the embankment or retaining wall to the upstream and downstream sides of each side for 50 meters; from the foot of the embankment and retaining wall to the river 20 meters;

b) For embankments, retaining walls for water flow control, embankment safety corridors calculated from the foot of the embankment or retaining wall to the upstream and downstream sides of each side 100 meters; from the edge of the embankment, the retaining wall back to the shore is 50 meters; from the foot of the embankment and retaining wall to the river 20 meters;

c) For embankments and protective retaining walls other than those specified at Points a and b of this Clause, the safety corridors of embankments and retaining walls shall be determined according to the road safety corridors specified in Clause 1 of this Article.

6. The width of the safety corridor of the cross-road culvert shall be determined according to the safety corridor of the road specified in Clause 1 of this Article and Point b, Clause 1, Article 15 of the Law on Roads.

**Article 12. Vertical limits of power transmission lines, electric conductors traveling above the road**

The vertical limit of power transmission lines and electric conductors traveling above roads shall comply with the provisions of Clause 5, Article 17 of the Law on Roads.

**Article 13. Approving the location, scale, size, construction plan, assurance of traffic safety and work safety for billboards, information boards promoting and political propaganda for construction and installation within the scope of protection of road infrastructure**

1. In order to ensure traffic safety and safety for road works and adjacent works, the construction and installation of billboard poles and foundations within the road safety corridor shall not include the following positions:

a) Foundations and billboards must not be placed on road infrastructure works and ensure a distance of at least 1.0 meters from the foundation and outer edge of the top trench, retaining wall, road traffic safety works and infrastructure works already built within the road safety corridor;

b) Within the road safety corridor and the land for road protection and maintenance with ferry anchors, pontoon bridges and turnstiles;

c) Locations covering statues, monuments and other billboards, political propaganda and propaganda information boards that have been built and installed within the scope of protection of road infrastructure.

2. The size of the billboard must not affect or obscure road signals, obscure the view of vehicle drivers when participating in road traffic, obstruct the operation, exploitation and maintenance of road infrastructure; covering statues, monuments and other billboards, information boards for propaganda and political propaganda that have been built and installed within the scope of road infrastructure protection. The bottom edge of the billboard is at least 2.0 meters from the ground.

3. For billboards built within road safety corridors, the minimum horizontal distance from the outer edge of the road surface to the nearest point of the billboard must be equal to 1.1 times the height of the signboard (the height of the signboard is calculated from the foot of the billboard post to the highest point of the signboard).

4. Billboards, information boards for political promotion and propaganda must comply with national technical regulations on outdoor advertising media.

**Article 14. Construction, installation and operation of infrastructure works within the scope of protection of road infrastructure**

1. The works specified in Clause 1, Article 19 of the Law on Roads (hereinafter collectively referred to as infrastructure works), when constructed and installed within the scope of protection of road infrastructure, must comply with the following provisions:

a) Formulate, verify, appraise and approve investment projects or economic-technical reports, design, construction and installation of infrastructure works in accordance with the law on construction;

b) Carry out the verification and appraisal of road traffic safety in case the railway works and tram lines intersect or run parallel to the road.

2. Do not install gas pipelines, flammable and explosive substances into road tunnels; failing to install high-voltage transmission lines in accordance with the law on electricity into road bridges, except for cases where road bridges have designs specifically for the installation of high-voltage transmission lines but must ensure electricity safety and safety in prevention and fire and explosion prevention and must be cut off at the request of road managers and users to serve the management, operation, exploitation, maintenance, renovation and upgrading of road bridges.

3. Investors in construction and installation of infrastructure works shall return the affected road infrastructure and must satisfy the following provisions:

a) The returned road infrastructure must be designed, constructed, accepted and guaranteed in accordance with the law on construction and the law on standards and regulations;

b) The scale, quality and technical requirements of the reimbursed road infrastructure must not be lower than that of the road infrastructure before the construction and installation of the infrastructure works.

**Article 15. Construction and installation of technical infrastructure works for common use with roads**

1. The investment in the construction of technical infrastructure works for common use in combination with investment in the construction of road works includes the cases specified at Points a, b and c, Clause 3, Article 20 of the Law on Roads and the following cases:

a) Investment projects on construction of urban infrastructure, investment in construction of industrial parks, export processing zones, economic zones, investment in construction of synchronous infrastructure in other cases, including construction of road works, construction of technical infrastructure works for common use;

b) Other cases as prescribed by relevant laws and cases decided by persons competent to decide on investment in the construction of road works or other works.

2. Investors of road construction projects shall:

a) Organize the formulation and implementation of investment projects on construction of road works, including construction items of technical infrastructure works for common use, for the cases specified in Clause 1 of this Article;

b) Publicize information on road construction investment projects and the situation of road construction investment according to the following provisions: on the road database system specified in Articles 57 and 58 of this Decree; notify the provincial-level state management agency in charge of information and communications to provide information to organizations and individuals wishing to request the investor of the road work construction project to permit the construction and installation of technical infrastructure works for common use within the scope of the road work construction investment project. Expenses for construction and installation of common-use infrastructure technical works and expenses arising from the performance of these works shall be paid by organizations and individuals.

3. The construction and installation of technical infrastructure works for common use with roads that have been put into operation shall comply with the regulations on construction, installation and operation of infrastructure works within the scope of protection of road infrastructure in Article 14 of this Decree.

**Article 16. Installation of other infrastructure works in technical infrastructure works for common use with roads**

1. In case there are already technical infrastructure works for common use with roads, other infrastructure works (information and telecommunications lines, power transmission lines, electric conductors, public lighting, water supply pipes, drainage and energy supply pipes) shall be arranged and installed in the technical infrastructure works for common use. except for the following cases:

a) The installation of other infrastructure works in common-use technical infrastructure works fails to ensure safety for exploitation and use;

b) The common-use technical infrastructure works have an inappropriate scale, size and load for the installation of other infrastructure works, and there is no location for installation of other infrastructure works;

c) Failing to ensure safety for the exploitation and use of road works, infrastructure works and common-use technical infrastructure works;

d) The cases specified in Clause 2, Article 14 of this Decree.

2. Organizations and individuals that need to install infrastructure works shall reach an agreement or sign a contract with the owner or person assigned to manage and use the common-use technical infrastructure work.

3. Organizations and individuals shall arrange signs to identify their owned infrastructure works when they are installed in technical infrastructure works for common use with roads. Signs of identifying infrastructure works include:

a) For energy supply, water supply and drainage pipes, identification signs include the following information: full or abbreviated name of the owner, symbol, color and other necessary information printed or painted directly on the outer shell of the pipeline or inscribed on the tag attached to the outside of the pipe;

b) For lines, identification signs shall be indicated by the color of the wires, enclosed with tags inscribed with information identifying the owner and other necessary information and attached to the lines.

4. In order to ensure safety in exploitation and use, owners, managers and users of technical infrastructure works shared with roads must consult road managers and users before installing the following technical infrastructure works for common use with roads:

a) Gas, fuel and chemical pipelines;

b) Power transmission lines and power lines;

c) Water supply and drainage pipelines;

d) Cases affecting the load-bearing safety and safety of exploitation and use of road works;

dd) Cases in which the provisions of the law on fire prevention and fighting must be complied with;

e) Cases where common-use technical infrastructure works are installed on weak bridges during the bridge repair period.

**Article 17. Dossier of request for approval of location, scale, size, plan to organize the construction of billboards, information boards for propaganda and political propaganda; approving the construction and installation of infrastructure works and technical infrastructure works for common use within the scope of road infrastructure protection; approve the reinforcement of road works when necessary to allow oversized vehicles, overloaded vehicles and tracked vehicles to circulate on roads**

1. Components of a dossier of application for approval of the location, scale and size of billboards, billboards, propaganda and political propaganda, construction and installation of infrastructure works and technical infrastructure works for common use within the scope of protection of road infrastructure include:

a) An application (the original) as prescribed in Form No. 01, Appendix III to this Decree;

b) Explanation of the design, location of construction and installation of billboards, information boards for propaganda and political propaganda, infrastructure works and technical infrastructure works for common use within the scope of protection of road infrastructure.

For works installed in bridges, tunnels, works and road work items belonging to load-bearing structures, there must be calculation results to ensure the bearing capacity of the structure against loads and impacts of wind when installing these works in road works;

c) Design drawings, including general layout drawings, drawings of vertical sections, cross-sections and detailed design drawings showing the scale, size, area and detailed structure of the work for approval; the location of the proposed works on the road section; the distance from the outer edge of the proposed work to the outer edge of the road surface, the road heart, the depth of the work to the road surface and other distances to the items of bridges, culverts and tunnels related to the proposed work.

For political propaganda and propaganda information signs, infrastructure works and technical infrastructure works jointly used for construction and installation within the middle separation strip of roads, there must be information about the distance from the political propaganda and propaganda information signs and works to: the surface of the middle separator, the edge of the middle separator;

d) Structural design drawings and construction measures for return of affected road works;

dd) For billboards built and installed in road safety corridors, there must be construction plans to ensure traffic safety and safety for road works and adjacent works;

e) The documents specified at Points b, c, d and dd of this Clause are originals or copies (authenticated); Number of dossiers: 01 set.

2. For the construction of power transmission lines, conductors with a voltage of 35 kV or less, information and telecommunications lines, and road work reinforcement (when necessary to allow oversized vehicles, overloaded vehicles and tracked vehicles to circulate on roads); except for cases where construction permits are not required as prescribed in Clause 3, Article 32 of the Road Law, the components of the dossier of application for approval for construction or reinforcement shall be carried out simultaneously with the dossier for issuance of construction permits for works on roads under operation. The dossier includes: an application (the original) for approval concurrently with the issuance of a permit for construction of works on roads under operation as prescribed in Form No. 02, Appendix III to this Decree, documents specified at Points b, c, d and e, Clause 1 of this Article and construction measures, traffic organization plan.

**Article 18. Order and procedures for proposing and approving the location, scale, size and plan for organizing the construction of billboards, information boards for promotion and political propaganda; approving the construction and installation of infrastructure works and technical infrastructure works for common use within the scope of road infrastructure protection; approval for construction and reinforcement shall be carried out simultaneously with the dossier for issuance of construction permits for works on roads being exploited**

1. Organizations and individuals requesting approval for the location, scale, size and plan for organizing the construction of billboards, information boards for political promotion and propaganda; approval for construction and installation of infrastructure works and technical infrastructure works for common use within the scope of protection of road infrastructure, approval for construction and reinforcement shall be carried out concurrently with the dossier for issuance of a construction permit for works on roads currently in operation and submit the dossiers specified in Article 17 of this Decree to competent agencies prescribed in Clause 2 of this Article, in one of the forms, in person, through postal services or online at the public service portal.

2. Competence to settle administrative procedures

a) For national highways specified in Clause 3, Article 8 of the Law on Roads, except for the cases specified in Clause 2, Article 17 of this Decree and Point d of this Clause, the Vietnam Road Administration shall apply to expressways, road tunnels and infrastructure works passing through two or more provinces. infrastructure works installed on bridges must be supplemented with reinforcing structures, when it is necessary to dig, drill, cut or cut national highways of grade III or higher, infrastructure works at the request of military agencies or police agencies, except for cases of approval for construction and reinforcement at the same time as the issuance of construction permits for works on roads under construction; Road management zones shall apply to the remaining cases under their management;

b) The Department of Transport shall apply to the cases specified in Clause 4, Article 8 of the Law on Roads and Clause 1, Article 4, Clause 1, Article 5, Clause 1, Article 6 of this Decree; other roads within the scope assigned for management, except for the provisions at Point d of this Clause;

c) District-level People's Committees and commune-level People's Committees shall apply to roads under their management, except for the provisions at Point d of this Clause;

d) The Department of Construction shall apply to road infrastructure in urban areas under its management.

3. Agencies competent to handle administrative procedures shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; guide organizations and individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier and inspection of the dossier components, if the dossier is insufficient, a written notice shall be sent to the organization or individual for supplementation and completion;

c) Within 07 working days from the receipt of a complete dossier as prescribed, the agency competent to handle administrative procedures shall appraise the dossier and, if eligible, issue a written approval for the location, scale, size and plan for organizing billboard traffic, information boards for political promotion and propaganda as prescribed in Form No. 03, Appendix III to this Decree; approving the construction and installation of infrastructure works and technical infrastructure works for common use within the scope of protection of road infrastructure in operation according to the provisions of Form No. 04, Appendix III to this Decree; to approve the construction and reinforcement concurrently with the issuance of permits for construction of works on roads in operation according to the provisions of Form No. 05, Appendix III to this Decree. In case of refusal, there must be a written reply clearly stating the reason.

4. Within 24 months from the date of issuance of written approval for the location, scale, size and plan for traffic organization of billboards, information boards for promotion and political propaganda, approval for construction and installation of infrastructure works and technical infrastructure works for common use within the scope of protection of road infrastructure being exploited by the owner of the if the construction has not yet been carried out or the procedures for granting construction permits have not been completed, a dossier of request for approval for construction and reinstallation must be made.

Within 24 months from the date of issuance of the written approval for construction and installation concurrently with the issuance of permits for construction of infrastructure works within the scope of protection of road infrastructure being exploited but the owners of the works have not yet carried out construction, they must make dossiers of request for construction approval. reinstall it.

**Article 19. Management, operation, exploitation and maintenance of technical infrastructure works for common use with roads**

1. The management, operation, exploitation and maintenance of common-use technical infrastructure works shall comply with the provisions of Clause 4, Article 20, Article 35, Article 36 and Article 37 of the Law on Roads, the provisions of the law on fire prevention and fighting, the provisions of the law on maintenance of construction works, other relevant provisions of law and the provisions of this Decree.

2. Expenses for management, operation, exploitation and maintenance of common-use technical infrastructure works and other parts of works installed in road bridges, cable culverts, trenches and technical tunnels of road tunnels specified in Clause 3, Article 20 of the Road Law shall comply with the principles specified at Point dd, Clause 4, Article 20 of the Road Law.

3. Owners or managers and users of infrastructure works installed in common-use technical infrastructure works shall be responsible for the cost and management and maintenance of infrastructure works, unless otherwise provided for in the installation contract.

4. Owners, persons assigned to manage and use common-use technical infrastructure works, road managers and users, other organizations and individuals shall, based on the identification signs specified in Clause 3, Article 16 of this Decree, promptly notify the owners or managers, using infrastructure works for repair if there is damage, providing information for coordination in the management, operation, exploitation, use and maintenance of all types of infrastructure works installed in common-use technical infrastructure works, ensuring the safe exploitation of works, effective.

**Article 20. Protecting road infrastructure**

The protection of road infrastructure shall comply with the provisions of Article 21 of the Law on Roads, other relevant provisions of law and the following provisions:

1. To carry out activities to ensure the safety of road infrastructure, ensure safety in the exploitation and use of road infrastructure and extend the duration of operation of road infrastructure, including:

a) Carry out periodic inspection, maintenance, repair, irregular repair, quality inspection, work observation and safety assessment of road infrastructure. The contents of inspection, maintenance, periodic repairs, irregular repairs, quality inspection, monitoring of works and safety assessment of road infrastructure shall comply with the provisions of Article 35 of the Law on Roads, regulations of the Minister of Transport on management and operation, exploitation, maintenance and protection of road infrastructure and the provisions of the law on construction;

b) Conduct road patrols and road patrols to monitor the status of road infrastructure; detect and take measures to handle damage and degradation of road infrastructure;

c) Handling of road infrastructure facilities that do not ensure safety for operation and use; handle road infrastructure works that have expired their exploitation and use duration in accordance with the law on construction; decide to stop the exploitation and use of road infrastructure in case of failure to ensure the safety of works and road traffic safety;

d) Carry out the prevention, control, response to and remedy consequences of natural disasters on road infrastructure;

dd) Use road infrastructure in service of road transport in accordance with the Law on Roads, the Law on Road Traffic Order and Safety and other relevant laws.

2. To take measures to prevent, prevent and handle prohibited acts as prescribed in Clause 1, Clause 2, Clause 3 and Clause 4, Article 7 of this Decree and Point b, Clause 1, Article 21 of the Law on Roads and the following provisions:

a) Inspection of vehicle loads at vehicle load control works on roads;

b) Organize road patrols and road patrols to detect and prevent acts of illegal construction of works on roads and within the scope of protection of road infrastructure; illegally connected to roads; encroaching, occupying and illegally using land of roads, road safety corridors and acts of violation against road infrastructure;

c) Exploiting, using, transferring or leasing road infrastructure in contravention of the Law on Roads, the law on management and use of public assets, and the construction law;

d) Identify and publicize road safety corridor boundary markers and land areas for which compensation and recovery have been recovered; protect road boundary markers of road safety corridors and land areas that have been compensated and recovered.

For investment projects on new road construction or road upgrading, road safety corridor boundary markers shall be determined according to the route scale in the approved planning and road boundary markers shall be planted in the stage of road construction investment;

dd) Propagating and disseminating policies and laws on protection of road infrastructure.

3. The Ministry of Transport shall organize the protection of road infrastructure specified in Clauses 1 and 2 of this Article for national highways specified in Clause 3, Article 8 of the Law on Roads and other road infrastructure under its management.

4. The Vietnam Road Administration shall directly organize the protection of road infrastructure specified in Clause 3 of this Article.

5. Provincial-level People's Committees shall organize the protection of road infrastructure specified in Clauses 1 and 2 of this Article for national highways specified in Clause 4, Article 8 of the Road Law and Clause 1, Article 4, Clause 1, Article 5, Clause 1, Article 6 of this Decree. provincial roads and other road infrastructure under their management.

6. The Department of Transport shall directly organize the protection of road infrastructure specified in Clause 5 of this Article.

7. District-level People's Committees and commune-level People's Committees shall directly organize the protection of road infrastructure specified in Clauses 1 and 2 of this Article for road infrastructure under their management.

8. Road managers and users shall directly organize the protection of road infrastructure for road infrastructure facilities under their management; organize the preparation and supply to the commune-level People's Committee drawings showing the diagram and location of the road boundary markers of the road safety corridor being exploited for public announcement at the head office of the commune-level People's Committee of the locality where the road route is located.

9. The investor of the road construction project shall make and provide drawings showing the diagram and location of the road boundary markers of the road safety corridor for roads within the scope of the project for public announcement at the head office of the commune-level People's Committee of the locality where the project is located.

**Article 21. Temporary use of roads and sidewalks for other purposes**

1. The temporary use of roadbeds and sidewalks for other purposes includes:

a) Serving political events and cultural and sports activities; preventing, combating and overcoming the consequences of natural disasters; rescue and rescue; fire and explosion prevention and fighting; search and rescue; disease prevention and control;

b) Serving the construction of works;

c) Gathering and collecting waste and construction materials;

d) Organizing funeral events;

dd) Organizing weddings;

e) To use them for viewing and keeping vehicles in traffic in case of necessity;

g) In case of using the roadbed for other purposes specified at Points c, d, dd and e, Clause 1 of this Article, it shall only be applied on district roads, commune roads, village roads, special-use roads and urban roads, but does not include urban main streets as prescribed by the national technical standards on urban roads;

h) Failing to use roads, sidewalks of expressways and national highways for the purposes specified at Points c, d, dd and e of this Clause.

2. The use of roadbeds and sidewalks for other purposes shall only be carried out when there is a plan to organize traffic, not to cause traffic congestion for road sections with roadbeds or sidewalks used for other purposes or to have a plan to divert road traffic to avoid sections of roads and pavements used for other purposes. sidewalks for other purposes and must comply with the provisions of Points a and b, Clause 3, Article 77 of the Law on Road Traffic Order and Safety.

3. Components of a dossier of request for use of roads and sidewalks for other purposes include:

a) A written application for temporary use of roads and sidewalks for other purposes (the original) made according to Form No. 01, Appendix IV to this Decree;

b) The plan for temporary use of the pavement for other purposes, the plan for traffic organization (the original or a certified copy) specified in Clause 2 of this Article;

c) Number of dossiers: 01 set.

4. Organizations and individuals that temporarily use roadbeds and sidewalks for other purposes shall submit dossiers of request in one of the forms: directly, through postal services or online at public service portals to agencies competent to handle administrative procedures specified in Clause 5 of this Article.

5. Competence to grant permits for temporary use of roadbeds and sidewalks for other purposes

a) Road management zones shall apply to national highways assigned for management, except for the provisions at Point d of this Clause;

b) Departments of Transport shall apply to roads assigned for management, except for the provisions at Point d of this Clause;

c) District-level People's Committees and commune-level People's Committees shall apply to roads assigned for management, except for the provisions at Point d of this Clause;

d) Departments of Construction, for sidewalks in urban areas under their management.

6. Agencies competent to handle administrative procedures specified in Clause 5 of this Article shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; guide organizations and individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, on the day of receipt of the dossier for funerals and within 02 working days for other cases from the date of receipt of the dossier, the dossier components are examined, if the dossier is insufficient, a written notice shall be sent to the organization, individuals to supplement and complete;

c) Within 01 day for funerals and 05 working days for other cases, the agency competent to handle administrative procedures shall conduct an inspection if it fully meets the conditions specified in Clause 1, Article 77 of the Law on Road Traffic Order and Safety and the provisions of Clause 1, Clauses 2 and 3 of this Article shall have a written license for the temporary use of roads and sidewalks for other purposes. The form of the license document is specified in Form No. 02, Appendix IV to this Decree. In case of refusal to grant a license, a written reply must be issued clearly stating the reason.

7. Responsibilities of agencies approving the temporary use of roadbeds and sidewalks for other traffic purposes

a) Send a written license for temporary use of roads and sidewalks for other purposes to the traffic police or police agencies in charge of ensuring traffic order and safety on the route;

b) Guide, inspect and handle organizations and individuals that use roads and sidewalks for other purposes for the following tasks: traffic assurance and traffic safety; management and use of road infrastructure assets; handle administrative violations in accordance with law;

c) Coordinate with the Traffic Police, police agencies on duty on the route and district-level People's Committees, commune-level People's Committees, road managers and users in ensuring traffic safety and other necessary tasks.

8. Responsibilities of organizations and individuals in using roadbeds and sidewalks for other purposes

a) Strictly comply with the contents of the permit for temporary use of roads and sidewalks for other purposes and the plan for temporary use of roads and sidewalks for other purposes; comply with the provisions of Clause 2 and Point b, Clause 3, Article 77 of the Law on Road Traffic Order and Safety;

b) Only temporarily use the roadbed or sidewalk for the right purpose and the temporary use period licensed by the competent agency;

c) Comply with the requests of the Traffic Police and the police agencies on duty on the route; not to disrupt road traffic order and safety; implement traffic organization plans of the Traffic Police and Police Agencies; promptly handle arising situations to ensure the safety of people and vehicles participating in events and people and vehicles participating in traffic;

d) Take measures and work to ensure fire and explosion safety, work safety and environmental protection in accordance with the provisions of the law on fire prevention and fighting, the law on environmental protection, the law on construction and other relevant laws;

dd) Return the roadbed and sidewalk to their original state at the end of use; compensation for damage caused if road infrastructure is damaged.

9. Upon the expiration of the duration of licensing the use of roadbeds and sidewalks for other purposes, organizations and individuals wishing to continue using them shall carry out procedures for re-licensing according to the provisions of Clauses 3, 4 and 5 of this Article.

**Chapter IV**

**ORGANIZATION OF TRAFFIC AND ROAD TRAFFIC CONNECTION**

**Section 1. TRAFFIC ORGANIZATION**

**Article 22. Contents of road traffic organization in the planning stage**

1. Contents of road traffic organization in the road network planning stage include:

a) Assessment of road transport demand in the planning period and identification of road routes and road scales in the planning;

b) Orientations for road connection between socio-economic regions, urban and rural areas; connecting with traffic hubs: airports, airports, seaports, inland waterway ports, railway stations, bus stations, parking lots, economic zones, export processing zones, industrial parks and other locations, areas and areas.

2. Contents of road traffic organization in the road infrastructure planning stage include:

a) The provisions of Clause 1 of this Article;

b) Determine the orientation of the basic route of the road and the intersections between the main road and other road routes in the planning; plans to connect road transport modes with other modes of transport.

**Article 23. Contents of road traffic organization in the stage of formulation of road construction and design investment projects, before putting the completed roads into operation**

1. Contents of road traffic organization in the stage of formulation, appraisal and approval of construction investment projects include:

a) Determine the road traffic service objectives of the project, ensure conformity with the approved master plan and meet the demand for road transport;

b) Determine the scale, quantity and form of intersections connecting roads in the project with roads in the area;

c) Determine the main plan for investment in and construction of auxiliary works attached to roads, vehicles and equipment in service of road management, operation and exploitation; traffic safety works; plans for arranging road signals, road lighting, smart traffic management systems, highway traffic management and operation centers.

2. To organize traffic in the stage of designing road works, including the contents specified in Clause 2, Article 25 of the Road Law and the detailed design of road signs for each road section and each intersection, and must ensure that: suitable to the scale and technical indicators of works, each part and item of work being invested in construction; in accordance with the National Technical Regulation on road signs; designing in detail auxiliary works associated with roads, traffic safety works, intelligent traffic management systems, highway traffic management and operation centers, determining the list, scale, capacity and features of vehicles and equipment in service of management, road operation and exploitation.

3. Organizing traffic before handing over and putting works into operation, including performing the following tasks:

a) Formulate and approve plans on traffic organization for expressways as prescribed at Point k, Clause 2, Article 25 of the Law on Roads;

b) Review of traffic safety works, road signs and other works in service of road traffic organizations which have been invested in comparison with the approved projects and designs;

c) Amend and supplement necessary contents for the design and construction dossier according to the results of verification and appraisal of road traffic safety and the approved traffic organization plan; adjust and supplement road signs, traffic safety works and other necessary cases to ensure smooth and safe traffic when putting road works into operation and use.

4. The investor shall:

a) Organize the implementation of the provisions of Clause 1, Clause 2 and Clause 3 of this Article;

b) Consult the Traffic Police Agency on duty on roads and localities for the following highway traffic organization plans before submitting them for approval; the organization of traffic before handing over and putting into operation the use of grade-I and grade-II roads, urban main streets, bridges and tunnels of special-grade, grade-I and grade-II roads;

c) Hand over to traffic police agencies on roads and localities for operation, exploitation and use of traffic signals.

**Article 24. Organization of road traffic in the stage of management, operation, exploitation and use of road works**

1. To organize road traffic in the stage of management, operation, exploitation and use of road works, including the tasks specified in Clauses 2 and 4, Article 25 of the Law on Roads, and comply with the following provisions:

a) Monitor and assess the traffic situation on the route; Detection: Frequent points of road traffic accidents, potential points of road traffic accidents, inadequacies in traffic organization, traffic congestion locations; organize the counting of all types of cars and special-use vehicles participating in traffic;

b) Adjust the road traffic organization, handle the limitations at Point a of this Clause in order to overcome the situation of failure to ensure traffic safety and traffic congestion in the process of road exploitation and use;

c) Adjust and supplement road signs and road traffic safety works in accordance with the traffic organization specified at Point b of this Clause.

2. The Ministry of Transport and provincial-level People's Committees shall organize traffic on road routes under their management; guide and inspect agencies and organizations to implement the provisions of Clauses 3 and 4 of this Article.

From February 15, 2025: for four-wheeled passenger vehicles with engines, only activities will be organized on roads with signs with a maximum operating speed of 30 km/h, applicable to all vehicles participating in traffic; for four-wheeled cargo vehicles with engines, only operating on roads with signs with a maximum operating speed of 50 km/h applicable to all vehicles participating in traffic, the provincial-level People's Committees shall be responsible for organizing the inspection and closely supervise the schedule, time and scope of operation of motorized four-wheeled vehicles in accordance with law.

3. The Vietnam Road Administration, the Department of Transport, district-level People's Committees and commune-level People's Committees shall:

a) Directly organize the implementation of the provisions in Clause 1 of this Article for roads assigned to management;

b) Coordinate and collect opinions of the Traffic Police Agency assigned to control road traffic in cases of handling inadequacies in traffic organization, traffic congestion locations for expressways, grade-I and grade-II roads, urban main streets, etc bridges and road tunnels of special, grade I, grade II and necessary cases;

c) Implement the approved plan on organization of highway traffic;

d) Guide and inspect road managers and users to comply with the provisions of Clause 4 of this Article; requirements for overcoming the shortcomings in traffic organization; handle or propose competent authorities to handle violations on traffic organization.

4. Road managers and users shall comply with the following provisions for roads under their management:

a) The tasks specified in Clause 1 of this Article;

b) Implement the approved plan on organization of highway traffic;

c) Hand over to traffic police agencies on roads and localities for operation, exploitation and use of traffic signal lights (except for traffic signal lights that have been handed over by road work construction project investors under the provisions of Point c, Clause 4, Article 23 of this Decree); carry out the maintenance of traffic signal lights on the route under their management.

5. Agencies and organizations specified in Clause 3 of this Article shall decide on the implementation of measures to organize traffic on special-use roads during the period of use of special-use roads or decide on the use of special-use roads for public transport purposes.

**Article 25. Traffic organization at road sections when there are construction activities on roads being exploited**

1. Traffic organization at road sections when there are construction activities on roads under operation, including:

a) Constructing works on roads under exploitation specified in Clause 1, Article 32 of the Law on Roads;

b) Construction of renovation, upgrading and expansion works of road construction investment projects; construction of roads other than intersecting with roads in operation; construct and reinforce road works when necessary to allow oversized vehicles, overloaded vehicles, tracked vehicles, oversized and overweight goods vehicles to circulate on roads; construction of intersections connecting with roads in operation.

2. Measures to organize traffic on roads under operation include:

a) Compile a design dossier of ground drawings, vertical sections, cross-sections of works and other drawings describing the scope of traffic organization and surrounding areas; road sections used for vehicles participating in traffic in each direction, plans to use bypass roads and temporary bridges to ensure traffic; the width of the road surface and lanes for traffic; traffic flow diagram to other routes to avoid the location under construction; work structures, work items to be repaired, strengthened, works returned after completion of construction on the road being exploited and other necessary contents; enclosed with an explanation of measures to organize traffic when constructing on the road section being exploited, including the following contents: Presentation of the plan to ensure traffic, traffic lane division in each direction for people and vehicles participating in traffic through the road section with construction activities; the plan for channeling one, some or all of the vehicles and traffic participants traveling on other routes during the construction period on the road being exploited; time to organize traffic;

b) Organize the adjustment and supplementation of road signals; adjust and supplement traffic safety works, traffic warning lights and night lighting; arrange key points for traffic assurance (if any);

c) Arrange the time for organizing traffic, the time for lane division and traffic flow.

3. The investor of the project on construction of works within the road in operation shall be responsible for the cost and the implementation of measures to organize traffic on the road under operation specified in Clause 2 of this Article from the date of receipt of the handover of the site from the manager, use the road until the end of the construction on the road being exploited; inspect and supervise construction contractors on roads that are being exploited in accordance with the provisions of Clause 4 of this Article and relevant provisions of law.

4. Construction contractors on roads that are exploiting and using

a) Carry out the construction on the roads being exploited in accordance with the Law on Roads, the provisions of this Decree and the contracts signed with the investors;

b) Implement measures to organize traffic when constructing on roads under operation to ensure safe and smooth traffic through the construction area;

c) Comply with the provisions of the permit for construction of works on roads under operation.

5. Road management agencies and road managers and users shall inspect and monitor the implementation of the contents specified in Clauses 2, 3 and 4 of this Article; temporarily suspend or revoke construction permits on roads being exploited, handle violations according to their competence for organizations and individuals that violate regulations on traffic organization on roads being exploited, or propose competent agencies to handle violations.

**Article 26. Formulate, appraise and approve the traffic organization plan before putting the expressway into operation, approve the adjustment and supplementation of the expressway traffic organization plan during the operation period**

1. Responsibilities for elaboration of highway traffic organization plans

a) For expressway construction projects, the project investors shall formulate traffic organization plans and request the agencies specified in Clause 2 of this Article for approval before putting expressways into operation and use;

b) For expressways that have been put into operation, it is necessary to adjust the traffic organization plan to ensure traffic order and safety, in accordance with the road infrastructure being exploited, the flow, load and types of vehicles participating in traffic on the route, expressway managers and users shall formulate adjusted traffic organization plans and request the agencies specified in Clause 2 of this Article to approve.

2. Competence to approve the plan for organization of expressway traffic

a) The Vietnam Road Administration shall appraise and approve the plan on organization of highway traffic before putting the expressway into operation; appraise and approve the adjustment of the plan to organize highway traffic during the period of operation of expressways for: expressways under the management of the Ministry of Transport; expressways for which the Ministry of Transport is the contracting agency for public-private partnership projects; expressways assigned by State enterprises to invest in construction, management and exploitation;

b) Provincial-level People's Committees shall appraise and approve (or decentralize, authorize appraisal and approval) of expressway traffic organization plans before putting expressways into operation; adjustment of the plan for organization of highway traffic during the operation period, except for the case specified at Point a of this Clause.

3. A dossier of request for approval of a plan on traffic organization before the expressway is put into operation and use, a plan on traffic organization adjusted during the period of operation of the expressway shall be submitted in one of the forms in person, through postal services or online at the public service portal to the approving agency specified in Clause 2 of this Article. Components of the dossier include:

a) A written request for approval (the original) as prescribed in Form No. 01, Appendix V to this Decree;

b) The plan for organization of highway traffic before it is put into operation, the plan for adjustment of the current highway traffic organization (the original or a certified copy);

c) Number of dossiers: 01 set.

4. Agencies competent to handle administrative procedures specified in Clause 2 of this Article shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; guide organizations and individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier and inspection of the dossier components, if the dossier is insufficient, a written notice shall be sent to the organization or individual for supplementation and completion;

c) Within 15 working days after receiving a complete dossier as prescribed, the agency competent to handle administrative procedures shall complete the appraisal of the traffic organization plan or the adjusted traffic organization plan, if the conditions are met, issue an approval decision as prescribed in Form No. 02, Appendix V to this Decree. In case of refusal, there must be a written reply clearly stating the reason.

5. Expenses for making traffic organization plans shall be included in the cost of design consultancy when investing in the construction of expressway works; expenses for surveying and making plans for organizing traffic adjustments when expressways have been put into operation shall be included in expenses for management, operation, operation and maintenance of expressways.

6. In case of investment in the construction of an expressway construction project connected to an expressway in operation, before approving the traffic organization plan of the expressway construction project, the following provisions must be complied with:

a) The agency competent to approve the traffic organization plan shall send a written request for opinions from the manager and user of the expressway in operation on the contents of traffic organization at the traffic connection location of the expressway construction project and the expressway in operation; the coordination of vehicle load control and the collection of highway use charges;

b) Within 07 days from the date of receipt of the written request, the manager and user of the expressway in operation and use shall reply in writing to the requesting agency.

**Section 2. TRAFFIC AND ROAD CONNECTIONS**

**Article 27. Traffic connection of road routes**

1. Location of road intersections (intersections) to connect road routes with each other which are identified in road network planning, road infrastructure planning, traffic network development plans in regional plannings, provincial planning, external transport network, main urban traffic network in urban planning, main traffic network in other plannings approved by competent state agencies are not required to comply with the provisions of Article 29 of this Decree. In case national technical regulations and technical standards provide for the distance of intersections, this provision must be ensured.

2. The intersection is designed and built in compliance with technical regulations and standards; in accordance with the road grade and ensuring traffic safety and traffic capacity of the route.

3. Investment projects on new construction, renovation, upgrading and expansion of roads in operation (hereinafter collectively referred to as road construction projects) must build collection roads, side roads and branch roads according to the following regulations:

a) Side roads are built next to main roads as prescribed in Clause 6, Article 28 of the Law on Roads and Points b and c of this Clause;

b) When a road construction project cuts through the existing establishments specified in Clause 3, Article 9 of the Road Law without allowing these establishments to be directly connected to the roads of the road construction project, the road construction project must build a collection road, side roads or branch roads for gathering vehicles participating in traffic from these establishments on collection roads or side roads before connecting to intersections with road construction projects, or on collection roads or side roads and then entering branch roads before connecting to road construction projects;

c) Other cases in which it is necessary to build collection roads, side roads and branch roads of road construction projects to ensure traffic order and safety, serve socio-economic development, national defense and security.

4. Connection of existing road routes in operation with road construction projects shall be carried out as follows:

a) Existing roads in operation may be connected to road construction projects through collector roads, side roads or branch roads as prescribed in Clause 3 of this Article;

b) Except for the cases specified at Point a of this Clause, existing roads in operation may be connected to road projects when existing roads satisfy one or more of the following regulations: existing roads of the same or higher management level; satisfy the provisions of Clause 1 of this Article; ensure the distance of the connection positions specified in the regulations, standards and provisions in Clause 1, Article 29 of this Decree;

c) In case of direct connection of existing roads in operation to road construction projects but failure to ensure traffic order and safety, the connection to road construction projects must be through collection roads, side roads or branch roads;

d) The construction and renovation of intersections specified at Point b of this Clause and intersections of branch roads connected to road construction projects specified at Points a and c of this Clause shall be carried out in road construction projects.

5. Construction of collection roads and side roads of roads being main roads in operation:

a) Owners and managers of special-use roads shall construct collection roads and side roads under their management, in case it is necessary to ensure traffic order and safety of special-use roads as main roads;

b) Investors of industrial parks, export processing zones, economic zones, urban areas and investors of production and business establishments shall have to build collection roads passing through their establishments to connect with road systems in the area, unless there are already collection roads, side roads meet the traffic of designed vehicles of industrial parks, export processing zones, economic zones, urban areas and production and business establishments or do not need to build collection roads;

c) People's Committees at all levels shall organize the construction of collection roads and side roads in cases other than those specified at Points a and b of this Clause in order to connect traffic in areas and localities with main roads passing through areas in order to ensure traffic order and safety and meet the needs of socio-economic development. ensuring national defense and security in the area.

6. Residential areas, agencies, organizations, service establishments, production and business establishments and other places connecting traffic with expressways, national highways and main roads passing through areas and localities through collection roads, side roads and branch roads.

7. In case intersections connecting residential areas, agencies, organizations, service, production and business establishments and other locations directly connected to national highways except expressways and main roads passing through areas and localities at these locations, the People's Committees at all levels have not yet built side roads. collection roads to collect vehicles participating in traffic are allowed to exist existing intersections until there are collection roads and side roads provided that such intersections must ensure traffic safety.

**Article 28. The location of the intersection connecting other roads to the expressway**

1. The location of intersections connecting other roads to non-urban expressways shall be determined in the stage of formulation of construction investment projects in accordance with road network planning, road infrastructure planning, regional planning and provincial planning.

2. In case of supplementing the location of intersections connecting roads other than expressways other than those specified in Clause 1 of this Article in the stage of investment in highway construction or expressway operation, it must ensure:

a) Other roads proposed to be connected to expressways included in the approved planning;

b) The distance of the connection point and the size of the intersection must comply with the national technical regulations and highway design standards.

3. The Ministry of Transport and provincial-level People's Committees shall approve the addition of locations connected to expressways under their management, for the cases specified in Clause 2 of this Article.

4. Agencies and organizations requesting connection to expressways specified in Clause 2 of this Article shall submit 01 set of application dossier in one of the forms in person, through postal services or online at public service portals to agencies competent to handle administrative procedures specified in Clause 3 of this Article. Components of the dossier include:

a) A written request for connection to the expressway (the original), made according to Form No. 01, Appendix VI to this Decree;

b) The original or certified copy: the policy on investment in intersections connecting other roads to expressways, design of intersections connecting to expressways (if any).

5. Agencies competent to handle administrative procedures specified in Clause 3 of this Article shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; guide organizations and individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier and inspection of the dossier components, if the dossier is insufficient, a written notice shall be sent to the organization or individual for supplementation and completion;

c) In case of consultation of agencies, after 02 working days from the date of receipt of complete components of the dossier, the agency competent to handle administrative procedures shall conduct a consultation. Agencies and organizations that are consulted shall reply to the Ministry of Transport or provincial-level People's Committees within 07 working days from the date of receipt of requests from competent agencies.

d) Within 07 working days from the receipt of the application dossier or 7 days after receiving the opinions of agencies (in case of consultation), the agency competent to handle administrative procedures shall conduct the inspection, if the conditions are met, it shall issue a written approval for the intersection connecting to the road as prescribed in Form No. 02, Appendix VI enclosed with this Decree. In case of refusal, there must be a written reply clearly stating the reason.

6. The location of connecting other roads in urban centers with urban expressways shall be implemented in the following cases:

a) Routes connecting to urban expressways according to urban construction plannings or other plannings approved by competent state agencies;

b) Implemented in the approved urban expressway construction investment project.

7. For main roads planned to be expressways, after completing investment in construction into expressways, road routes previously connected to main roads shall be connected to expressways through collector roads, side roads of expressways or other roads to connect to intersections of expressways.

**Article 29. Connection in case of connection to roads not included in the plannings**

1. Except for the cases of connection specified in Clause 1, Article 27 and the cases specified in Clauses 1, 2 and 6, Article 28 of this Decree, the location of the intersection connecting to the new national highway must ensure the distance as follows:

a) For grade-I and grade-II roads: not less than 2000 meters;

b) For grade-III roads: not less than 1500 meters;

c) Not less than 1000 meters for grade-IV, grade-V and grade-VI roads;

d) For national highways with 4 or more lanes of automobiles and with a median dividing the road into two separate directions, the distance of intersections in the form of junctions (only allowing vehicles from the main road to turn right into the branch road, vehicles from the branch road turning right into the main road) for grade-I roads, grade II and grade III shall not be less than 1000 meters; not exceeding 500 meters for other cases;

dd) In case of serving national defense and security tasks, routes and sections of national highways passing through areas and areas with high mountainous terrain, deep ravines, rivers, streams, canals, canals, dikes, lakes, dams, irrigation works, hydropower, railways, areas of important historical and cultural relics and works but difficulties in the construction of collection roads side roads and branch roads shall be reduced in distance compared to the provisions at Points a, b, c and d of this Clause. In this case, the person competent to approve the project with the intersection and the investor of the project to build the intersection must fully arrange traffic safety works and road signs to ensure traffic order and safety at the intersection area and ensure the provisions of Clause 2, Article 27 of this Decree.

2. Areas and establishments located between the two connection points specified in Clause 1 of this Article shall be connected to national highways through collector roads, side roads and branch roads and comply with the provisions of Article 27 of this Decree.

3. The construction of intersections of the same level within the area of road bridgeheads, road tunnel estuaries, road pontoon bridges, road ferry terminals, railway-road intersections, curved road sections with a curve radius smaller than the minimum curve radius shall only be implemented in service of national defense tasks. security at the request of competent agencies in charge of national defense and security but must ensure the following requirements:

a) The provisions of Clause 2, Article 27 of this Decree;

b) Fully arrange traffic safety works and road signals to ensure traffic order and safety at the intersection area;

c) Verification and appraisal of road traffic safety must be organized.

4. In case of building a new intersection to replace the existing intersection, the distance between the new intersection and other intersections must be ensured. After the completion of putting the new intersection into use, the replaced intersection must be closed.

5. Provincial-level People's Committees shall decide on the location of the connection to the national highway in operation in the locality (except for the case where the national highway is a highway) for the location of the intersection other than Clause 1, Article 27 but must ensure the provisions of Clause 2, Article 27 of this Decree and comply with the following provisions:

a) Collect opinions on the location, scale and measures to ensure traffic order and safety of road management agencies assigned to manage national highways in the area; The Traffic Police Agency is responsible for directing and administering traffic on the route; collect opinions of contracting agencies and road managers and users in case national highways are being operated during the term of public-private partnership contracts, transfer or lease of road infrastructure assets.

Agencies and organizations that are consulted shall reply to provincial-level People's Committees within 07 working days from the date of receipt of requests from provincial-level People's Committees;

b) Assessment of impacts on traffic order and safety when adding intersections connecting to national highways in operation for the following contents: transport demand on branch roads to be connected, current vehicle traffic on main roads; surveying, investigating and forecasting vehicle traffic at branch roads connected to main roads, vehicle traffic on main roads after intersections; assess the scale and technical status; topographic conditions, geology, ground, drainage system, other infrastructure works in the area where the intersection is expected to be designed, branch roads, speed lanes within the scope of the intersection, return works (sidewalks, lighting, protection walls, road signals); branch roads, collection roads, side roads and other road systems already in the area; intersections connecting to existing main roads in service of taking advantage of common connection points or abolishing existing connection points and building collection roads and side roads connecting from existing connection points to new connection points;

c) Determine the location of each intersection; type of intersection; the scale of branch roads connecting to the main road, the construction of speed transfer lanes at each branch of the intersection; traffic organization plan in accordance with the intersection; works must be built within the intersection, relocation of technical infrastructure works, compensation for site clearance and return of road infrastructure of the main route, other infrastructure works affected, resources for implementation.

6. Agencies and organizations requesting road connection specified in this Article shall submit 01 set of application dossier in one of the forms: in person, through postal services or online at public service portals to agencies competent to handle administrative procedures specified in Clause 5 of this Article. Components of the dossier include:

a) A written request for connection to the road (the original), made according to Form No. 01, Appendix VI to this Decree;

b) The original or certified copy: the policy for investment in intersections connecting other roads to the roads proposed to be connected, the design of intersections connecting to roads (if any);

c) A complete dossier of contents for the agencies to give opinions as prescribed at Points a, b and c, Clause 5 of this Article.

7. The implementation of administrative procedures for connection to roads shall comply with the provisions of Clause 5, Article 28 of this Decree.

8. The provincial People's Committee shall decide and organize the connection of local roads under its management. Organize the closure of existing intersections connected to national highways in the following cases: there have been replacement intersections; existing intersections do not ensure traffic safety; do not ensure distance.

**Article 30. Responsibilities for organizing the construction of intersections and closing connection points**

1. The construction of intersections connecting national highways and expressways with other roads in investment projects on new construction, upgrading and renovation of national highways and expressways with other roads shall comply with the road construction investment projects approved by competent authorities and must comply with the provisions of Clauses 2 and 4, Article 27 of this Decree. the law on roads and the law on construction.

2. People's Committees at all levels shall:

a) Assign the investor to build a new intersection connecting branch roads under its management to the main roads currently in operation in accordance with the law on construction, the law on public investment and the law on investment in the form of public-private partnership (except for the cases specified in Clause 1, Article 27, Clause 2 and Clause 6, Article 28 of this Decree and in case the investment project is decided by the Prime Minister, ministers and heads of ministerial-level agencies or superior People's Committees);

b) Inspect the implementation of the investor of the intersection to ensure the provisions of Article 27 of this Decree;

c) Organize the connection of traffic in the locality and area on both sides of the main road to the collection road, side road or branch road before connecting to the main road;

d) Close the connection points for cases where new connection points have been built to replace them; connection points where traffic accidents often occur or connection points with potential traffic accidents but have not yet been remedied; to close points directly connecting the offices of agencies, organizations, houses, residential areas, production, business and commercial service areas to the main roads after there are already collection roads, side roads and branch roads to connect traffic in these areas to the main roads through collection roads, side roads, branch roads;

dd) Handle connection violations in accordance with the Law on Roads and other relevant laws.

3. Investors in the construction of intersections shall, apart from complying with the provisions of the law on construction and the law on investment, comply with the provisions of the Law on Roads, Article 27 of this Decree and the following provisions:

a) Comply with the construction permit of intersections connected to roads in operation in accordance with the law on roads;

b) Ensure traffic safety, fully implement measures to ensure traffic safety during the construction of intersections; be responsible for reimbursing road infrastructure affected by the construction of intersections;

c) Hand over the section of the main road belonging to the intersection and 01 set of as-built drawings of the intersection to the manager and user of the main road to serve the management, operation, exploitation and maintenance of the intersection; handing over the intersection to the manager, using the branch road connecting to the main road and 01 set of as-built drawings of the intersection to serve the management, operation, exploitation and maintenance of the intersection.

In case a branch road is connected to a main road but does not build or renovate the main road infrastructure, only the branch road and the as-built drawings shall be handed over to the manager and user of the branch road;

d) Close the connection positions upon completion of the project on construction of new connection intersections to replace the connection positions available before the project implementation.

4. Managers and users of branch roads at intersections shall:

a) Manage, operate, exploit, use, maintain and protect branch road infrastructure at intersections in accordance with the Law on Roads, this Decree, the law on construction and other relevant laws;

b) Ensuring traffic order and safety at intersections under their management;

c) Close existing connection points when there are new connection points to replace them;

d) Coordinate with managers and users of main roads at intersections in connecting roads, adjusting traffic organizations, adjusting and supplementing road signals and traffic safety works to ensure traffic order and safety during the operation of intersections.

5. Managers and users of main roads at intersections shall:

a) Manage, operate, exploit, use, maintain and protect the main road infrastructure at the intersection in accordance with the Law on Roads, this Decree, the law on construction and other relevant laws;

b) Ensuring traffic order and safety on the main roads at the intersection area;

c) Coordinate with managers and users of branch roads at intersections in connecting road traffic, adjust traffic organization, adjust and supplement road signals and traffic safety works to ensure traffic order and safety;

d) Request the manager and user of the branch road to handle the shortcomings and inadequacies of traffic safety during the operation and use of the intersection;

dd) To propose People's Committees at all levels to build side roads, collection roads and branch roads to connect traffic on both sides to the main roads through intersections built under the provisions of Article 27 of this Decree and to propose the closure of connection points as prescribed at Point d, Clause 2 of this Article.

**Article 31. Temporary connection for a limited time to national highways and local roads currently in operation**

1. Temporary connection to national highways and local roads currently in operation shall be carried out in the following cases:

a) Building official-duty roads in service of transportation and exploitation of materials and transportation of work construction equipment; the duration of temporary connection must not exceed the project implementation time in accordance with the law on public investment and the law on construction;

b) Serving the tasks of national defense and security, prevention, control and remedy of consequences of natural disasters, management, exploitation, use and maintenance of dike works.

2. Upon the expiration of the temporary connection duration, the project investor, organization or individual requesting the temporary connection must perform and bear the following tasks:

a) Removing or closing temporary connection points;

b) Return to the status quo of road safety corridors; repair and supplement road infrastructure affected by the implementation of temporary connections.

3. Competence to approve the location and design of temporary connections and grant construction permits to national highways and local roads

a) Road management zones for national highways specified in Clause 3, Article 8  *of the Road Law*;

b) The Department of Transport, for national highways specified in Clause 4, Article 8 of the Law on Roads and National Highways, specified in Clause 1, Article 4, Clause 1, Article 5 and Clause 1, Article 6 of this Decree; provincial roads and other roads assigned by provincial-level People's Committees for management;

c) District-level People's Committees and commune-level People's Committees shall apply to roads under their management.

4. Organizations and individuals wishing to make temporary connections shall submit dossiers in one of the forms in person, through postal services or online at public service portals, dossiers of request to competent agencies specified in Clause 3 of this Article. Components of the dossier include:

a) A written request as prescribed in Form No. 03, Appendix VI to this Decree;

b) The written approval for the investment guidelines or the decision on approval of the investment project (in case the project investor requests temporary connection); the project construction contract in case the contractor requests temporary connection;

c) Dossier of design drawings for construction of temporary intersections; the traffic organization plan of the temporary intersection;

d) Number of dossiers: 01 set;

dd) The components of the dossier at Point a of this Clause are the originals, and the components specified at Points b and c of this Clause are the originals or certified copies.

5. Agencies competent to handle administrative procedures shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; guide organizations and individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier and inspection of the dossier components, if the dossier is insufficient, a written notice shall be sent to the organization or individual for supplementation and completion;

c) Within 07 working days from the receipt of a complete dossier as prescribed, the agency competent to handle administrative procedures shall appraise the dossier and, if eligible, issue a written approval for the temporary intersection as prescribed in Form No. 04, Appendix VI to this Decree. In case of refusal, there must be a written reply clearly stating the reason.

**Chapter V**

**ROAD TRAFFIC SAFETY INSPECTION AND APPRAISAL, ROAD TRAFFIC SAFETY VERIFICATION TRAINING**

**Section 1. VERIFICATION AND APPRAISAL OF ROAD TRAFFIC SAFETY**

**Article 32. Verification and appraisal of road traffic safety**

The verification and appraisal of road traffic safety shall comply with the provisions of Article 29 of the Road Law, Articles 33 and 34 of this Decree and the following provisions:

1. In the stage of formulation of investment projects and implementation designs after basic design, the verification and appraisal of road traffic safety shall be carried out together with the verification and appraisal of feasibility study reports, construction designs and the following provisions:

a) The project investor shall be responsible for selecting a qualified traffic safety inspection service provider to conduct traffic safety verification during the stage of formulation of the investment project, implementation design after the basic design. In case of hiring a consultant to verify the project or design implemented after the basic design and the project or design verification consultant is fully qualified for road traffic safety inspection, it may be selected to carry out the project traffic safety inspection. implementation design after basic design.

b) The person competent to decide on the approval of the investment project or the design shall carry out the traffic safety appraisal on the basis of the traffic safety appraisal report of the traffic safety appraisal consultancy organization together with the appraisal of the road construction investment project, appraise the design of road works implemented after the basic design to adjust and supplement items related to traffic safety to the project, the design to be implemented after the basic design.

For a road construction investment project for which the investment project is approved by the Prime Minister, the Ministry of Transport shall carry out the traffic safety appraisal during the stage of formulation of the investment project on the basis of the traffic safety verification report of the traffic safety verification consultancy organization.

2. Before putting road works into operation, investors shall:

a) Select a qualified traffic safety inspection service provider to conduct traffic safety inspection;

b) Conduct traffic safety appraisal on the basis of the traffic safety appraisal report of the traffic safety appraisal consultancy organization.

3. The Vietnam Road Administration, the Department of Transport, district-level People's Committees, commune-level People's Committees, road managers and users shall: select consultancy organizations that are fully qualified for road traffic safety verification; road traffic safety appraisal on the basis of traffic safety verification reports for roads in operation assigned to manage to implement solutions to strengthen conditions to ensure smooth and safe traffic as prescribed at Point d, Clause 3, Article 29 of the Road Law when all three indicators of traffic accidents (number of cases, the number of deaths and injuries) in the next year will increase by 20% or more compared to the previous year, or there will be at least 02 targets to increase by more than 30% compared to the previous year, or 01 target to increase by more than 50% compared to the previous year and necessary cases shall be decided by road managers and users.

4. Traffic safety inspection consultancy organizations shall carry out road traffic safety verification according to the provisions of Clause 2, Article 29 of the Road Law, and take responsibility for the verification results; detect the possibility of traffic accidents, assess the factors that cause traffic accidents, propose remedial solutions to ensure smooth and safe traffic on roads; make road traffic safety verification reports and send them to organizations and individuals responsible for traffic safety appraisal.

5. Organizations and individuals conducting traffic safety appraisal shall:

a) Receive traffic safety inspection reports and recommendations of road traffic safety appraisal consultants in service of road traffic safety appraisal;

b) Adjust and supplement the project and design of road works to ensure the efficiency of the project, traffic order and safety in the course of exploitation and use;

c) The appraisal of traffic safety before putting the road works into operation and the appraisal of road traffic safety during the operation shall comply with the provisions of Article 34 of this Decree.

**Article 33. Dossiers and documents for verification and appraisal of road traffic safety**

1. Dossiers and documents in service of verification and appraisal of road traffic safety specified in Clause 1, Article 32 of this Decree include dossiers and documents for formulation and appraisal of construction investment projects and road construction designs in accordance with the law on construction.

2. Dossiers and documents in service of verification and appraisal of traffic safety before putting road works into operation specified in Clause 2, Article 32 of this Decree include:

a) The approved work design dossier (including the adjusted and supplemented design);

b) Dossiers and documents related to construction investment results;

c) Dossiers and documents collected from the scene; opinions of functional agencies on traffic organization, the assurance of traffic order and safety in the period of temporary operation (if any).

3. Dossiers and documents in service of verification and appraisal of road traffic safety in operation for the implementation of solutions to enhance conditions for ensuring smooth and safe traffic specified in Clause 3, Article 32 of this Decree, include:

a) The approved traffic organization plan for expressways; the operation and exploitation process and dossiers and documents related to the management, operation, exploitation and use of road works; data on vehicle nights and components of vehicles participating in road traffic;

b) Dossiers and documents related to road traffic order and safety during the operation period; the situation and results of handling points where traffic accidents often occur and points of potential traffic accidents; the adjustment and supplementation of road signs and road traffic organization; the situation of connection to the route;

c) Opinions of functional agencies on traffic organization, road traffic order and safety;

d) Documents on the results of the actual inspection of traffic on the road, the technical condition of the route, the light, smoke, dust and noise around the route affecting the traffic order and safety of the route being exploited.

**Article 34. Contents of verification and appraisal of traffic safety before putting road works into operation; Verification and appraisal of road traffic safety in the process of exploitation**

1. Consultancy on road traffic safety verification shall perform the following contents:

a) Collect dossiers and documents in service of traffic safety verification in accordance with the stage of traffic safety verification;

b) Examine, study and compare with technical regulations, technical standards and the provisions of law on traffic order and safety and the law on construction; analyze and evaluate information and data on infrastructure, collected databases on the traffic situation to identify potential factors causing traffic unsafety caused by road infrastructure, vehicles participating in traffic and vehicle operators, etc road users;

c) Identify factors that may cause traffic unsafety, through inspection, collection and analysis of actual information and data at the scene: scale, condition and nature of road infrastructure; connection points, other relevant routes; traffic situation, vehicle counting data, vehicle components for roads that have been put into operation; terrain, weather and surrounding environment affecting traffic order and safety on the route;

d) In case of necessity, collect opinions from relevant agencies and organizations and people in the area of the route section (if any) on the situation of road traffic order, safety and accidents, study feedback and proposals on the demand for vehicles and the time to allow vehicles to participate in traffic, the need for connection to roads and other information;

dd) Study and evaluate the contents specified in Appendix VII to this Decree in the course of traffic safety verification;

e) Make a report on traffic safety verification as prescribed in Clause 4, Article 32 of this Decree and send it to the agencies and organizations specified in Clause 3 of this Article.

2. A report on the results of road traffic safety inspection, including:

a) Name of the project/route section and stage of implementation of traffic safety inspection;

b) Names of the chief inspector and the verifier;

c) List of collected documents;

d) Time of verification, time and place of on-site inspection, components of on-site inspection;

dd) Comments of organizations and individuals received before or during the verification process;

e) Results of study of dossiers, documents and on-site inspection; the reception and explanation of opinions of relevant agencies and organizations;

g) Assessment of the assurance of traffic safety of road works, clearly stating the shortcomings and limitations affecting road traffic safety; identifying the causes of existence and limitations;

h) Propose and propose solutions to handle and overcome shortcomings and limitations affecting road traffic safety.

3. Organizations and individuals conducting road safety appraisal shall receive traffic safety appraisal reports and recommendations of road traffic safety appraisal consultants in service of road traffic safety appraisal and perform the following tasks:

a) For cases before putting newly-built, upgraded or renovated roads into operation: adjusting and supplementing necessary contents to ensure traffic safety before putting roads into operation; adjusting and supplementing the highway traffic organization plan in the process of formulation and approval;

b) For roads in operation: to implement solutions to enhance conditions to ensure smooth and safe traffic safety; adjust and supplement the speed allowed for traffic participation, lane division and traffic flow; regulating the direction and time of travel at traffic intersections controlled by signal lights; adjust the opening point of the middle divider; overcome the frequent points of traffic accidents, potential points of traffic accidents, inadequacies in traffic organization affecting traffic order and safety; adjust the plan to organize highway traffic during the exploitation process.

**Section 2. CONDITIONS FOR PROVIDING ROAD TRAFFIC SAFETY INSPECTION SERVICES; TRAINING IN VERIFICATION AND ISSUANCE OF CERTIFICATES OF ROAD TRAFFIC SAFETY INSPECTORS**

**Article 35. Conditions for providing road traffic safety inspection services**

1. A consultancy organization conducting traffic safety verification must be established in accordance with law, ensuring the provisions of Clause 4, Article 29 of the Law on Roads and satisfying the following conditions on capacity:

a) For projects of national importance, group-A and group-B projects, there must be at least 10 inspectors; in which, there are at least 04 inspectors who are road engineering engineers, 01 inspector who is an engineer or bachelor of road transport and at least 01 inspector who is qualified to be the chief inspector of traffic safety;

b) For group-C projects and road works under operation, there must be at least 05 inspectors; in which, at least 01 inspector is a road engineer, 01 inspector is an engineer or bachelor of road transport and at least 01 inspector is a person who is qualified to be the chief inspector of traffic safety.

2. Traffic safety inspectors must be trained and granted valid road traffic safety inspector certificates.

3. In addition to satisfying the conditions specified in Clause 2 of this Article, the chief traffic safety inspector must also satisfy one of the following conditions:

a) Assume the title of project formulation manager, design plan formulation of at least 03 road works;

b) Having a university degree or higher in road works, having worked in the design and verification of road works for at least 07 years;

c) Having a university degree or higher in road traffic (road works, road transport) and having at least 10 years of experience in the fields of traffic management, road transport, road construction and road maintenance; in which, having participated in one of the following jobs: designing, verifying or appraising construction projects and repair projects of at least 03 road traffic safety works;

**Article 36. Conditions of business establishments training road traffic safety inspectors**

A business establishment for training road traffic safety inspectors must be an agency or organization established in accordance with law and meet the following conditions:

1. Regarding material foundations

a) Ensure that the classroom has an area of at least 1.5 m2/classroom and has audio-visual equipment, including: projection screens, projectors, computers, amplifiers, microphones with speakers;

b) Means and equipment for teaching and learning in the field, at least 50 reflective vests, 01 reflector of signs or road markings.

2. Lecturers

a) Having the number of full-time lecturers teaching at least 40% of the number of topics of the framework program for training road safety inspectors;

b) Standards of lecturers as prescribed in Clause 1, Article 38 of this Decree.

**Article 37. Order and procedures for approving business establishments to train road traffic safety inspectors**

1. A dossier of application for approval of a training business institution shall be made in 01 set, comprising:

a) A written request (the original) for approval of the business establishment to train road traffic safety inspectors as prescribed in Form No. 01, Appendix VIII to this Decree;

b) Declare material foundations in service of training and verification of traffic safety;

c) Declare the list of lecturers, enclosed with a declaration of professional qualifications and practical experience in professional activities;

d) Draft curriculum and teaching materials;

dd) The dossier components specified at Points a and d of this Clause are the originals, and the dossier components specified at Points b and c are the originals or certified copies.

2. Organizations and individuals wishing to approve business establishments to train traffic safety inspectors or request for re-issuance shall submit dossiers in one of the forms in person, through postal services or online at public service portals to competent agencies for settlement specified in Clause 3 of this Article.

3. The Vietnam Road Administration shall:

a) Approve the business establishment to train traffic safety inspectors;

b) Publicize the list of business establishments training road traffic safety inspectors on the web portal of the Ministry of Transport and the Vietnam Road Administration.

4. Agencies competent to handle administrative procedures specified in Clause 3 of this Article shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; guide organizations and individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier and inspection of the dossier components, if the dossier is insufficient, a written notice shall be sent to the organization or individual for supplementation and completion;

c) Within 07 working days from the receipt of a complete dossier as prescribed, the agency competent to handle administrative procedures shall examine the dossier, if it is sufficient and meets the requirements, it shall issue a written approval for the business establishment to train road traffic safety inspectors as prescribed in Form No. 02, Appendix VIII enclosed with the Decree this design. In case of refusal, a written reply must be issued clearly stating the reason.

**Article 38. Standards for lecturers and trainees participating in the training of road traffic safety inspectors**

1. Lecturers participating in the teaching and training of road traffic safety inspectors must meet one of the following criteria:

a) Eligible to hold the title of chief inspector of road traffic safety;

b) Having a university degree or higher in road traffic and having at least 10 years of experience in one of the following fields: teaching road traffic safety, state management related to traffic organization and road traffic safety.

2. Students must satisfy the following conditions:

a) Being a Vietnamese citizen or a foreigner who is allowed to reside or work or study in Vietnam;

b) Having civil act capacity; have sufficient health;

c) Having a university degree or higher in road works and having worked in road work design for at least 03 years; or have a university degree or higher and have at least 05 years of participation in activities in the fields of traffic management, road transport, road construction and road maintenance.

**Article 39. Issuance of road traffic safety inspector certificates**

1. The certificate of road traffic safety inspector (hereinafter referred to as the certificate) shall be issued and uniformly managed by the Vietnam Road Administration nationwide; the certificate form is specified in Form No. 03, Appendix VIII to this Decree and is valid for 05 years from the date of issuance.

2. A dossier of application for a road traffic safety inspector certificate shall be made in 01 set by the training business institution within 30 days from the date of the exam, including:

a) A report on the issuance of the certificate (the original) as prescribed in Form No. 04, Appendix VIII to this Decree;

b) Decision on recognition of exam results of trainees participating in the training course;

c) 02 color photos or JPG format electronic photo files of each student applying for a certificate (photo size 4 cm x 6 cm), ID card type, taken within 06 months).

3. Organizations wishing to submit dossiers in one of the forms in person, through postal services or online at the public service portal to the Vietnam Road Administration. The Vietnam Road Administration shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; guide organizations and individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier and inspection of the dossier components, if the dossier is insufficient, a written notice shall be sent to the organization or individual for supplementation and completion;

c) Within 15 working days after receiving a complete dossier as prescribed, the agency competent to handle administrative procedures shall appraise the dossier, if eligible, and issue a certificate to each trainee according to the form specified in Clause 1 of this Article. In case of refusal to issue a certificate, there must be a written reply clearly stating the reason.

**Article 40. Renewal of road traffic safety inspector certificates**

1. Conditions for renewal of road traffic safety inspector certificates:

a) Within the validity period of the certificate, the person who is granted the certificate of verifier must participate in the verification and appraisal of road traffic safety or participate in the design, appraisal and approval of the handling of points where traffic accidents often occur or points of potential traffic accidents at least 03 works;

b) The renewal of certificates must be completed before the issued certificates expire.

2. A dossier of application for renewal of a certificate shall be made by an individual in 01 set, comprising:

a) An application (original) for the issuance of the certificate as prescribed in Form No. 5, Appendix VIII to this Decree, enclosed with a photo as prescribed at Point c, Clause 2, Article 39 of this Decree;

b) A declaration of experience (the original) of road traffic safety inspection and appraisal, design, appraisal and approval of handling of traffic accidents or potential road traffic accidents (within the validity period of the certificate of application for renewal); the declaration as prescribed in Form No. 06, Appendix VIII to this Decree.

3. Individuals wishing to renew certificates shall submit dossiers in one of the forms: in person, through postal services or online at the public service portal to the Vietnam Road Administration. The Vietnam Road Administration shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; instruct individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier, check the dossier components, if the dossier is insufficient, send a written notice to the individual for supplementation and completion;

c) Within 07 working days after receiving a complete dossier as prescribed, the agency competent to handle administrative procedures shall appraise the dossier and, if eligible, renew the certificate of traffic safety inspector according to the form specified in Clause 1, Article 39 of this Decree. In case of refusal to issue a certificate, there must be a written reply clearly stating the reason.

4. The certificate of renewal is valid for 05 years from the date of renewal.

**Article 41. Re-issuance of road traffic safety inspector certificate**

1. Within the validity period of the road traffic safety inspector certificate, except for cases of revocation, the road traffic safety inspector shall be re-issued with the certificate when the certificate is lost or damaged.

2. A dossier of application for re-issuance of a certificate shall be made by an individual in 01 set, comprising:

a) An application (original) for re-issuance of the certificate as prescribed in Form No. 05, Appendix VIII to this Decree, enclosed with a photo as prescribed at Point c, Clause 2, Article 39 of this Decree;

b) Old certificates (in case of damage).

3. Individuals wishing to re-issue certificates shall submit dossiers in one of the forms in person, through postal services or online at the public service portal to the Vietnam Road Administration. The Vietnam Road Administration shall receive, examine dossiers and handle them as follows:

a) In case of direct submission, after examining the components of the dossier, if it complies with regulations, the dossier shall be received and an appointment form shall be written to return the result; instruct individuals to complete dossiers in case of insufficient dossier components;

b) In case of indirect submission, within 02 working days from the date of receipt of the dossier, check the dossier components, if the dossier is insufficient, send a written notice to the individual for supplementation and completion;

c) Within 05 working days from the receipt of a complete dossier as prescribed, the agency competent to handle administrative procedures shall appraise the dossier and, if eligible, re-issue the certificate of traffic safety inspector according to the form specified in Clause 1, Article 39 of this Decree. In case of refusal to re-issue the certificate, there must be a written reply clearly stating the reason.

4. The re-issued certificate shall be valid according to the duration of the issued certificate.

**Article 42. Revocation of the certificate of approval of the training business establishment, revocation of the certificate of road traffic safety inspector**

1. Revocation of the written approval in one of the following cases:

a) The training business establishment conducts the training of road traffic safety inspectors not according to the framework program promulgated as prescribed in Form No. 07, Appendix VIII to this Decree;

b) The training business establishment shall recognize the exam results for persons who do not attend the training course for road traffic safety inspectors;

c) For a period of 03 consecutive years, the training business establishment fails to provide training for road traffic safety inspectors.

2. Revocation of road traffic safety inspector certificates in one of the following cases:

a) The contents of the certificate have been erased, deleted or modified;

b) Renting or borrowing for use in contravention of regulations;

c) Detecting any dishonesty (about the student's conditions) in the student's study registration dossier;

d) To be granted in case the training institution violates the provisions of Points a and b, Clause 1 of this Article.

3. Agencies competent to approve and grant certificates shall:

a) A decision on revocation of the approval of the business establishment for training of road traffic safety inspectors and send it to: the training business establishment, the superior agency directly managing the training business establishment (if any) and publicize it on the website of the agency issuing the approval certificate;

b) The decision on revocation of the road traffic safety inspector certificate shall be sent to the person whose certificate is revoked, the training business institution or the individual management agency whose certificate is revoked (if any) and published on the website of the certificate-granting agency.

**Article 43. Training programs and materials for road traffic safety inspectors**

1. The training program for road traffic safety inspectors includes:

a) The curriculum and teaching materials ensure that students clearly understand the following provisions: the provisions of the Law on Roads, the Law on Road Traffic Order and Safety, the provisions of this Decree, technical regulations and standards on the design of road works, etc road signals, legal documents on traffic organization; responsibilities, obligations and powers of road traffic safety inspectors and road traffic safety inspectors; equip skills in research, document analysis, conduct on-site inspections and skills in making traffic safety verification reports;

b) The framework program for training road traffic safety inspectors as prescribed in Form No. 07, Appendix VIII to this Decree.

2. Training and teaching materials for road traffic safety inspectors include:

a) Teaching materials compiled by business establishments training road traffic safety inspectors;

b) Teaching materials must meet the requirements and contents specified in Clause 1 of this Article.

**Article 44. Organization of training of road traffic safety inspectors**

1. The business establishment training road traffic safety inspector shall notify the enrollment and requirements for trainees, the estimated plan, time and place of the course, funding and other necessary information; receiving and reviewing dossiers; ensure that trainees meet the conditions specified in Clause 2, Article 38 of this Decree.

2. A student's enrollment dossier comprises:

a) An application for registration of a traffic safety inspector (the original) as prescribed in Form No. 08, Appendix VIII to this Decree;

b) 02 color photos (in case of direct submission of dossiers, or the postal system), photos of ID cards of size 4 cm x 6 cm taken within 06 months from the time of submission of dossiers;

c) A certified copy of the university or postgraduate diploma;

d) A declaration of working experience in the field of roads (the original), certified by the agency or unit directly managing the trainee as prescribed in Form No. 09, Appendix VIII to this Decree.

3. Organize training

a) The training business establishment shall make a training plan and a list of trainees, notify the Vietnam Road Administration and trainees at least 07 working days before the class starts;

b) The training business establishment receives trainees and arranges classes (each class does not exceed 45 trainees);

c) The training business establishment shall organize the training according to the notified training framework program and plan.

4. A business establishment for training road traffic safety inspectors shall establish an exam council with at least 05 people, including:

a) The Chairman and Vice Chairman of the Exam Council are leaders of business establishments that train road traffic safety inspectors;

b) Members of the Exam Council are officials and lecturers of business establishments training road traffic safety inspectors; The number of committee members depends on the number of exam rooms (each exam room has at least 02 exam invigilators).

5. Duties of the Exam Council

a) Assume all responsibilities related to the process of organizing the exam;

b) Organize the formulation and confidentiality of exam questions;

c) Examining and determining the list of students eligible for the exam;

d) Organize the exam, keep the exam papers and scores; marking and reporting of exam results.

6. Conditions for taking the exam and recognition of exam results

a) Participants are allowed to take the exam when attending more than 80% of the duration of the course;

b) Learners are recognized as satisfactory exam results when they have exam results of 60/100 points or more.

7. Business establishments training road traffic safety inspectors shall issue decisions on recognition of exam results.

**Article 45. Responsibilities of the Vietnam Road Administration, training business establishments and road safety inspector certificate holders**

1. Responsibilities of the Vietnam Road Administration

a) Inspect and examine the training of road traffic safety inspectors for business establishments training road traffic safety inspectors;

b) Archive the approval, re-issuance and revocation of the certificate of approval for the road traffic safety inspector training institution;

c) Publicize the list of business establishments training road traffic safety inspectors on the website of the Vietnam Road Administration;

d) Archive the grant, renewal, re-grant and revocation of road traffic safety inspector certificates;

dd) Publicize the list of road traffic safety inspectors who are granted certificates on the website of the Vietnam Road Administration.

2. Responsibilities and powers of business establishments training road traffic safety inspectors

a) Organize the training of road traffic safety inspectors in accordance with the provisions of this Decree;

b) Arrange the person in charge of the course to have experience in organizing professional training courses in the fields of transport; arrange lecturers with professional qualifications and work experience suitable to teaching topics and ensure full qualifications;

c) Organize the exam and make a dossier of application for a road traffic safety inspector certificate;

d) Maintain and strengthen material foundations in service of teaching and learning in order to improve the quality of verifier training;

dd) Collect and use training tuition fees according to current regulations;

e) Archiving and preserving learner dossiers, compiling, preserving and preserving dossiers and documents related to the training of road traffic safety inspectors in accordance with the law on archiving;

g) Subject to examination and inspection by competent agencies;

h) Report to the Vietnam Road Administration before January 31 of each year on the training of road traffic safety inspectors in the previous year.

3. Responsibilities of persons granted road traffic safety inspector certificates

a) Preserving and using the certificate for the right purpose;

b) Renewal and re-issuance of certificates in accordance with regulations;

c) Produce certificates and comply with inspection and examination requirements when requested by competent agencies.

**Chapter VI**

**HIGHWAY**

**Section 1. EXPANSION AND UPGRADING OF EXPRESSWAYS OR ROADS INVESTED IN THE FORM OF PUBLIC-PRIVATE PARTNERSHIPS BEING EXPLOITED AND UPGRADED INTO EXPRESSWAYS**

**Article 46. Expansion and upgrading of expressways in case of formulation of expansion and upgrading investment projects for bidding for selection of investors in the form of public-private partnerships**

The contracting agency shall reach an agreement with the existing investor executing the project (hereinafter referred to as the existing investor) on the expansion and upgrading of expressways or roads in operation into expressways (hereinafter collectively referred to as expressway expansion and upgrading) for bidding for selection of investors in the form of public-private partnerships under the specified at Point b, Clause 2, Article 48 of the Law on Roads shall be implemented as follows:

1. The contracting agency shall preliminarily agree with the existing investor on the following contents:

a) The existing investor commits to coordinate with relevant agencies and units when formulating and implementing expansion and upgrading projects; responsibilities and obligations of existing investors in case of failure to comply with commitments;

b) The principle of revenue division between the existing investor and the investor to be selected for the implementation of the expansion or upgrade project (hereinafter referred to as the expansion or upgrading investor);

c) Responsibilities for management, operation, exploitation and maintenance of works after expansion or upgrade, including existing works and expanded or upgraded works. Expenses for management, operation, exploitation and maintenance shall comply with Point d or Point dd of this Clause;

d) In case the existing investor is responsible: the existing investor and the contracting agency shall sign an appendix to the contract to adjust the financial plan, supplement the cost of management, operation, exploitation and maintenance of the work after expansion or upgrading. Expenses for management, operation and maintenance of works after expansion and upgrading shall be updated according to the bid dossiers of expansion and upgrading projects of the winning bidders;

dd) In case the expansion or upgrading investor is responsible: the existing investor and the contracting agency shall sign an annex to the contract to adjust the financial plan, reduce the cost of management, operation, exploitation and maintenance of the work after the expansion, upgrade. The financial plan of the expansion and upgrade project calculates the cost of management, operation and maintenance of the work after expansion and upgrade;

e) Contents related to the rights and obligations of investors to ensure the continuity of the provision of public services; contents that need to be amended to the project contract due to the impact of the implementation of the expansion and upgrading project.

2. In case of agreement or agreement on expansion or upgrading according to the plan for formulation of investment projects in the form of public-private partnerships for bidding for selection of investors for expansion and upgrading, the project preparation unit shall make a pre-feasibility study report or a feasibility study report on the expansion project, upgrading in accordance with the law on investment in the form of public-private partnership, the law on construction, ensuring:

a) The synchronization of infrastructure of the expansion and upgrading project with the existing road works;

b) The financial plan of the existing project and the expansion or upgrade project in accordance with law, the signed contract and the negotiation result in Clause 1 of this Article.

3. The preparation and appraisal of pre-feasibility study reports, investment policy decisions and project announcements; preparation and appraisal of feasibility study reports, project approval; investor selection; establishing PPP project enterprises and signing PPP project contracts; implement the implementation of project contracts in accordance with the law on investment in the form of public-private partnership.

4. In case an existing investor participates in bidding for an expansion or upgrading project, the consideration of the investor's eligibility shall comply with the provisions of Article 29 of the Law on Investment in the form of public-private partnership.

5. Existing investors and investors in expansion and upgrading shall:

a) Coordinate and ensure synchronization and safety in the process of organizing the implementation of investment projects on expansion, upgrading and management, operation and exploitation of expressways under investment project contracts in the form of public-private partnerships;

b) Implement the plan on revenue division between the existing project and the expansion or upgrade project on the basis of the financial plan in the pre-feasibility study report, feasibility study report, bidding dossier and bid dossier of the expansion or upgrade project and the existing project contract.

6. In case the agreement on expansion or upgrading under the plan for formulation of investment projects in the form of public-private partnership for bidding for selection of investors for expansion or upgrading under Clause 1 of this Article is unsuccessful, the contracting agency shall reach an agreement with the investor on the existing investor's proposal to adjust the project as prescribed in Article 47 of this Decree.

**Article 47. Expansion and upgrading of expressways or roads in operation to be upgraded into expressways in case the existing investor proposes to adjust the project**

The contracting agency agreeing with the existing investor to propose adjustment of the project for the expansion and upgrading of the expressway under the provisions of Point a, Clause 2, Article 48 of the Law on Roads shall be implemented as follows:

1. In case of an agreement on expansion or upgrading according to the plan proposed by the existing investor to adjust the project, the existing investor shall compile a dossier of project adjustment and submit it to the competent authority for consideration. The adjustment of investment policies, adjustment of projects, approval of construction designs after the basic design, cost estimates and costs of the proposed investors shall comply with the law on investment in the form of public-private partnership and the law on construction.

2. Based on the decision on approval of the project for adjustment and construction design after the basic design and cost estimate, the competent agency shall select investors according to the provisions of Point b, Clause 1, Article 39 of the Law on Investment in the form of public-private partnership, in which it is determined:

a) Requirements on capacity, experience and eligibility for existing investors to carry out the expansion and upgrading of expressways as prescribed at Point c, Clause 1, Article 67 of the Government's Decree No. 35/2021/ND-CP dated March 29, 2021 detailing and guiding the implementation of the Law on Investment in the form of public-private partnership (Decree No. 35/2021/ND-CP);

b) The draft contract appendix for the expansion and upgrading of expressways built in accordance with the provisions of Article 47 of the Law on Investment in the form of public-private partnership and the guidance for making a model PPP project contract in Appendix VI attached to Decree No. 35/2021/ND-CP based on the scope of the expansion works, upgrade;

c) The updated financial plan for the addition of expansion and upgrading works shall comply with the law on investment in the form of public-private partnership;

d) The process of selecting investors shall comply with the provisions of Clause 2, Article 37 of Decree No. 35/2021/ND-CP;

dd) The dossier as required in this Clause shall be approved by the competent authority and sent to the existing investor.

3. Existing investors being investors proposed for appointment shall submit dossiers as required in Clause 2 of this Article, including:

a) Additional proof of capacity, experience and eligibility for the expansion and upgrading of expressways;

b) Explanation of the project implementation plan, in which at least 5% of the estimated value approved by the competent authority is saved, as a basis for calculation of the financial plan and time for project fee collection.

4. Competent agencies shall assess additional requirements on capacity, experience and eligibility for expansion and upgrading as follows:

a) The assessment of the investor's capacity and experience shall be the same as the assessment of the investor's capacity and experience in case of open bidding; in which there is no ranking of investors, no appraisal and approval of the list of investors meeting technical requirements;

b) The eligibility of investors shall comply with the provisions of Article 29 of the Law on Investment in the form of public-private partnership and Clause 5, Article 29 of Decree No. 35/2021/ND-CP.

5. Based on the assessment results in Clause 4 of this Article, the competent agency shall decide:

a) In case the existing investor is assessed as satisfactory, the contracting agency shall negotiate and sign the contract annex according to Article 50 of the Law on Investment in the form of public-private partnership;

b) In case the existing investor is assessed as unsatisfactory, the contracting agency shall negotiate with the investor to comply with Article 48 of this Decree. The existing investor shall bear the cost of preparing the project adjustment dossier, the design after the basic design, the cost estimate, the dossier proving the capacity, experience, technique, and implementation plan of the implemented project and shall not be added to the project's financial plan.

6. In case the agreement on expansion or upgrading according to the existing investor's plan proposed to adjust the project under Clause 1 of this Article is unsuccessful, the contracting agency shall reach an agreement with the investor on the State's formulation of a project on expansion or upgrading of expressway in the form of public investment as prescribed in Article 48 of this Decree.

**Article 48. Expansion and upgrading of expressways in case of formulation of investment projects on expansion and upgrading in the form of public investment**

Agencies that sign contracts to agree with existing investors on the expansion and upgrading of expressways in the form of public investment under the provisions of Point b, Clause 2, Article 48 of the Law on Roads shall be implemented as follows:

1. The contracting agency shall preliminarily agree with the existing investor on the following contents:

a) Existing investors commit to coordinate with relevant agencies and units in the stage of investment preparation and implementation of expansion and upgrading projects in the form of public investment;

b) Plans to ensure the synchronization of infrastructure in work construction investment; plans for receiving extensions, renovations, upgrades, and management, operation and maintenance in sync with PPP projects after being handed over by competent agencies;

c) Contents that need to be amended in the project contract due to the impact of the implementation of the expansion or upgrade project in the form of public investment and the existing investor receives the expanded or upgraded works for management, operation, maintenance and exploitation.

2. The investor shall make a pre-feasibility study report and a feasibility study report on the expansion or upgrading project in accordance with the law on public investment, the law on construction and the following contents:

a) Technical requirements to ensure the synchronization of the expansion and upgrading project with the existing road project;

b) Other contents related to the implementation of expansion and upgrading projects in the form of public investment according to the negotiation results in Clause 1 of this Article.

3. The preparation and appraisal of pre-feasibility study reports and investment policy decisions; preparation and appraisal of feasibility study reports and investment decisions; contractor selection; implement the implementation of project contracts in accordance with the law on public investment, the law on bidding, and the law on construction.

4. Existing investors and expansion and upgrading contractors shall coordinate in the process of organizing investment in expansion and upgrading. After the highway expansion and upgrading project is completed, the investor shall report to the competent authority to organize the handover of the work to the existing investor for management and maintenance under the investment project contract in the form of public-private partnership.

5. Competent agencies and existing investors shall sign an appendix to the project contract and update the financial plan in accordance with the law on public-private partnership investment, in which:

a) Estimated revenue of existing projects when expanding or upgrading;

b) Adjustment of expenses for management, operation and maintenance of works after expansion or upgrade;

c) The price, charge and duration of the contract shall be adjusted based on turnover, expenses and other contents of the financial plan;

d) Other necessary contents that need to be amended due to the impact of the expansion and upgrading of expressways.

6. Existing investors shall manage, operate and trade the entire project works, including existing works and extensions and upgrades under the project contract after the contract is amended. The collection of fees shall be carried out on the entire scope of the project, including existing works and expansion and upgrading works according to the appendix to the contract signed in Clause 5 of this Article.

7. Contractors executing expressway expansion and upgrading projects in the form of public investment are obliged to provide warranty for works in accordance with the law on construction and other relevant laws.

**Article 49. Handling in case of failure to reach an agreement with investors on expanding and upgrading**

In case of failure to reach an agreement with the investor as prescribed in Clause 2 or Clause 3, Article 48 of the Law on Roads, the contracting agency shall report to the competent authority to terminate the contract in accordance with the provisions of the Law on Investment in the form of public-private partnership, in case of termination of the contract in the national interest. ensure the requirements of national defense and security and comply with the provisions of Decree No. 35/2021/ND-CP detailing the implementation of the Law on Investment in the form of public-private partnership.

**Section 2. INVESTMENT IN REST STOPS OF EXPRESSWAY WORKS**

**Article 50. Investment in rest stops for public investment highway projects**

1. Based on the contents of the location and scale of rest stops in the decision approving the expressway construction investment project, the competent agency shall organize the selection of investors to build rest stops in accordance with the law on bidding on selection of investors in land-using projects.

2. In case of unsuccessful selection of rest stop investors in accordance with the law on bidding for the selection of investors in projects with land use, competent agencies shall organize investment in rest stops in expressway projects in the form of public investment.

3. The organization of selection of units to operate, exploit or upgrade, expand, renovate, modernize, operate and exploit rest stops invested by the State in Clause 2 of this Article shall comply with the provisions of Article 52 of this Decree. During the period when the operator and operator of the rest stop have not been selected, the management, operation, exploitation and maintenance of the rest stop works shall be organized by the road management agency.

**Article 51. Investment in rest stops for highway projects invested in the form of public-private partnerships**

1. A rest stop is an item of an investment project on construction of expressways invested in the form of public-private partnership and is defined in the project as follows:

a) The total investment in the expressway project includes the cost of site clearance of rest stops but does not include the cost of investment in the construction of rest stops. Investors are not allowed to return capital on investment expenses for the construction of rest stops;

b) The financial plan in the pre-feasibility study report, feasibility study report and bidding dossier for expressway project does not include revenue and investment expenses for construction, operation and operation of rest stops.

2. Contents of rest stops in the bidding dossier for expressway projects include:

a) Technical requirements in investment in the construction of rest stops, meeting the national technical regulations on rest stops;

b) Request investors to estimate the business value of rest stops in order to reduce prices and charges for public products and services or reduce State capital to support the construction of works and infrastructure systems or increase social and state interests in bid dossiers, depending on the criteria for evaluation of bids;

c) Principles for settlement of investment capital for construction of rest stops;

d) Principles for handing over rest stop items.

3. Contents of rest stops in the bidding dossier of expressway project include:

a) Explanation of the plan for investment in the construction, management, operation, operation and operation of rest stops;

b) Propose a reduction in prices and charges for public products and services or a reduction in the State's capital contribution to support the construction of works and infrastructure systems or increase social benefits and State interests on the basis of summarizing the results of calculation of the financial plan and the business value of the rest stop as required at Point b, Clause 2 of this Article;

c) The financial plan in the bid dossier does not include revenue and investment expenses for construction, operation and operation of rest stops.

4. In case the contract for an expressway project invested in the form of public-private partnership is subject to adjustment of the contract term due to an increase or decrease in revenue under Article 51 of the Law on Investment in the form of public-private partnership, sharing of the increase or decrease in revenue under Article 82 of the Law on Investment in the form of public-private partnership, the turnover shall be used as a basis for the implementation of the following The above amount does not include revenue from rest stops.

5. After the termination of the contract for an investment project on construction of an investment expressway in the form of a public-private partnership, the investor shall transfer all invested assets, including rest stops, to competent agencies in accordance with the provisions of law. use of public property.

**Article 52. Selection of investors to operate, exploit or upgrade, expand, renovate, modernize, operate and exploit existing rest stops as public assets**

1. The selection of investors to operate, exploit or upgrade, expand, renovate, modernize, operate and exploit existing rest stops that are public assets shall comply with the provisions of the law on bidding or the law on management and use of public assets or in combination with the implementation of expressway projects in the form of public-private partnerships Pursuant to the following:

a) Current status, form and method of asset management;

b) Demand for upgrading, expanding, renovating, modernizing, operating and exploiting;

c) Time and requirements of the investment project under the public-private partnership mode in case of combined implementation in the expressway project under the public-private partnership mode.

2. Rest stop investors shall operate, exploit or upgrade, expand, renovate, modernize, operate and exploit rest stops in accordance with law and contracts signed with competent agencies.

**Section 3. MANAGEMENT, OPERATION, OPERATION AND MAINTENANCE OF EXPRESSWAY WORKS**

**Article 53. Organize the management, operation, exploitation, maintenance and protection of expressway infrastructure**

The management, operation, exploitation, maintenance and protection of expressway infrastructure shall comply with the provisions of Article 49 of the Law on Roads, this Decree and the following provisions:

1. Operators and maintenance units shall carry out road patrol work to patrol, inspect and monitor traffic organization, traffic accidents and status of expressway works; apply smart traffic to manage, operate, exploit and maintain expressway infrastructure to promptly detect damage or acts of infringement on expressway works, acts of encroachment and illegal use of land of expressways and highway safety corridors for handling according to their competence or report to competent authorities for handling.

2. Managers and users of expressways shall carry out patrol inspections to inspect and supervise the performance of patrol tasks; inspect and protect expressway infrastructure, handle according to its competence or coordinate in handling violations of expressway infrastructure; participating in rescue, rescue, handling and solving incidents on highways.

3. Work items and equipment must have the following operation and exploitation process:

a) Tunnel works on expressways with the use of ventilation, dust filtration, environmental control, fire prevention and fighting, electrical systems and other equipment in service of exploitation and use;

b) Route traffic management and operation centers;

c) Vehicle load control works;

d) Other items and equipment decided by the investor, manager and user of the expressway.

4. In case the investment phased expressway is cleared according to the planned lane size, the management of the land that has not yet been built is as follows:

a) The construction investor shall be responsible for managing and protecting the land already cleared during the construction investment stage; handing over the land that has been cleared to the expressway manager and user after completing the construction investment;

b) Expressway managers and users shall manage the land that has been cleared.

**Article 54. Highway Maintenance**

1. The maintenance of expressway works shall comply with the provisions of the law on roads, the law on construction, technical regulations and standards and the process of maintenance of works. Items related to vehicle safety, bridges, road tunnels and works and equipment related to safety in operation and exploitation must be regularly and periodically inspected and evaluated; timely repair and remedy.

2. Before the expiration of the duration of exploitation and use of parts and work items of expressway infrastructure, road signals, equipment installed in expressway infrastructure or have been exploited or used more than the number and frequency prescribed by the manufacturer, the expressway manager and user must organize the inspection and inspection to re-determine the quality and condition of the works and equipment installed in the works and handle them as follows:

a) In case of quality and safety assurance, it may continue to be used;

b) In case of failure to ensure quality and safety, there must be a plan for repair and replacement.

**Section 4. ROADMAP FOR INVESTMENT IN CONSTRUCTION OF EXPRESSWAY INFRASTRUCTURE WORKS**

**Article 55. The construction investment roadmap for expressways that do not meet the standards and technical regulations according to Clause 1, Article 45 of the Law on Roads, Collector Roads, Side Roads, Highway Traffic Management and Administration Centers, Vehicle Load Control Works, Non-stop Electronic Toll Collection Systems**

1. For expressway works that do not meet the standards and technical regulations specified in Clause 1, Article 45 of the Law on Roads

a) For expressway projects invested in the form of public investment and expressways invested by state-owned enterprises: Based on the demand, the investor or the expressway manager and user shall report to the competent authority on allocation of capital for the investment organization to meet the technical regulations;

b) For expressway projects invested in the form of public-private partnerships: Based on their demands, competent agencies shall organize the implementation in accordance with Article 48 of the Law on Roads and the provisions of this Decree.

2. For collector roads and side roads: Agencies and units specified in Clause 4, Article 30 of the Law on Roads shall organize the construction of collector roads and side roads connected to main roads based on the demand and time of connection to main roads in accordance with law.

3. For expressway traffic management and operation centers, vehicle load control works

a) For expressway projects invested in the form of public investment and expressways invested by state-owned enterprises: in case the project balances capital sources for investment in the above items, the investment shall be organized before December 31, 2027. In case the project fails to balance capital sources for investment, the investor or the expressway manager and user shall report to the competent authority to allocate investment capital for investment, ensuring safe exploitation;

b) For expressway projects invested in the form of public-private partnerships: competent agencies and investors shall agree on the addition of expressway traffic management and administration centers, vehicle load control works, and organize the investment before December 31, 2027.

4. For non-stop electronic toll collection systems

a) For expressway projects owned by the State and directly managed and exploited, the non-stop electronic toll collection system must be completed before toll collection;

b) For expressway projects invested in the form of public-private partnerships, the payment of road use levy must be made in the form of non-stop electrons.

**Article 56. Roadmap for investment in the construction of rest stops**

1. For investment projects on construction of rest stops for which the form of investment has been determined, they shall continue to comply with law.

2. For an investment project on construction of an expressway that has been put into operation but the form of investment in the construction of rest stops has not yet been determined, the competent agency shall determine the form of investment before December 31, 2025 and organize the implementation in accordance with law.

3. For an investment project on highway construction in the form of public-private partnership for which the investment policy has been decided, in the pre-feasibility study report or feasibility study report or bidding dossier, other documents in the PPP project contract dossier there is a plan for synchronous investment rest stops in the PPP project but not yet specifying the rights and obligations of investors, competent agencies and investors are responsible for agreeing on construction investment plans before June 30, 2025 according to one of the following plans:

a) PPP investors invest in the construction and operation of rest stops in PPP projects, ensuring conformity with standards and regulations on rest stops. In case the financial plan of the public-private partnership project has not yet calculated the cost and revenue of the rest stop, it shall be implemented as follows:

Construction investment costs are not included in the financial plan. The value of concession of rest stop business is calculated as the average value paid to the state budget according to the decision approving the bidding results for investor selection of 03 similar projects to the project under consideration according to the proportion of exploitation time and scale of rest stop works. Similar projects are projects: implemented in the same area of provincial-level administrative units or neighboring provinces, with investor selection results in 02 years before the date of negotiation of the contract annex; In case there is no project implemented in the same area mentioned above, the project shall be referred to the location closest to the project implementation location, and the reference time shall be specifically considered and decided by the contracting agency.

The investor pays the value of the franchise in the form of a lump-sum payment to the state budget or adjusts the contract, reduces the fee collection time;

b) Competent agencies shall organize the selection of rest stop investors in accordance with the law on selection of investors in projects using land. The selected rest stop investor shall be responsible for reimbursing the expenses of the expressway project investor for the rest stop item (if any). Investors of PPP expressway projects are responsible for coordinating with competent agencies and investors of selected rest stops to ensure synchronous and safe operation of expressways and rest stops.

**Chapter VII**

**ROAD DATABASE**

**Section 1. GENERAL PROVISIONS**

**Article 57. Information in the road database**

1. Databases on road network planning, road infrastructure planning

a) The database on road network planning includes the following information: a list of roads; name and number of the route; starting point, end point; expected length; scale. For expressways, in addition to the above information, there must be information on the investment process;

b) The database on road infrastructure planning includes the following information: basic route orientation, main control points, length and scale of road routes through each province; determine land use demands, investment capital needs, and roadmaps for planning implementation.

2. The database on investment and construction of road infrastructure includes information specified in Appendix IX to this Decree.

3. The database on road infrastructure that has been put into operation and use includes the information specified in Appendix X to this Decree.

4. The e-payment database for road traffic includes information as prescribed in the Appendix issued together with the Government's Decree No. 119/2024/ND-CP dated September 30, 2024 on e-payment for road traffic.

5. Database on automobile transport activities

a) Information about the vehicle: license plate; vehicle type; capacity; the owner or person with the right to use;

b) Information about the transport business unit: tax identification number; the Department of Transport manages; type of transport business; legal representatives; means of transport business management;

c) Information on insignia management: type of signboard; control signs; issuing units; issuance time; validity of information related to revocation; stripping of insignia;

d) Information on management of cross-border transport: control signs; transport units; type of transport; type of license; license number; time for issuance of licenses; the validity of the license; information on routes and border gates allowed to circulate.

**Article 58. Principles for building, updating, managing, operating, exploiting, using and maintaining road databases**

1. Road databases shall be built and managed centrally and uniformly from the central to local levels.

2. The road database shall be updated in a timely, complete and accurate manner; maintain continuous, stable and smooth operation to meet the requirements of exploitation and use of agencies, organizations and individuals in accordance with law.

3. Road databases shall be stored, confidential and ensure information safety.

4. The construction, management, exploitation and use of road databases shall comply with the provisions of the Law on Roads, the Law on Information Technology, the Law on Cyber Information Security, the Law on Cyber Security and the Law on Electronic Transactions; legal provisions on the Digital National Master Architecture Framework and the e-Government Architecture Framework; regulations on management, connection and sharing of digital data of state agencies; regulations on assurance and protection of private life and personal secrets and other relevant legal provisions.

5. The Ministry of Transport is the managing agency of the road database; assume the prime responsibility for building, updating, maintaining, exploiting and using the road database.

6. Funding for the construction, updating, management, exploitation, use and maintenance of road databases shall be ensured by the state budget in the state budget estimates and assigned to the Ministry of Transport and localities in accordance with the law on the state budget.

**Section 2. BUILDING, UPDATING, EXPLOITING AND USING THE ROAD DATABASE**

**Article 59. Building a road database**

1. Building a road database includes the following activities:

a) Ensuring technical and information infrastructure;

b) Design and organization of databases;

c) Deploy, upgrade, develop and expand database management software systems;

d) Collecting, standardizing and entering data;

dd) Storage, confidentiality, assurance of information safety and security for databases; have solutions to ensure the integrity and anti-rejection of data;

e) Training, training, retraining, organization of the human apparatus, operation, management, updating, exploitation and use of databases;

g) Operation and adjustment of databases;

h) Other activities as prescribed by law.

2. The design of the system structure of the road database must meet the standards of the database and standards, technical regulations, information technology and economic-technical norms; have compatibility, integration, information sharing, and scalability of data fields in system and application software design; ensure the expansion, upgrading and development; ensure centralized and unified management from the central to local levels.

**Article 60. Collecting, updating, and adjusting information in the road database**

1. Information specified in Clause 1, Article 57 of this Decree shall be extracted, selected and synchronized from specialized databases and databases of the Ministry of Transport and the Ministry of Planning and Investment.

2. The information specified in Clause 2, Article 57 of this Decree shall be extracted, selected and synchronized from databases and specialized databases of the Ministry of Transport, the Ministry of Construction, the Ministry of Planning and Investment and localities.

3. The information specified in Clause 3, Article 57 of this Decree shall be extracted, selected and synchronized from databases and specialized databases of the Ministry of Transport and localities.

4. The information specified in Clause 4, Article 57 of this Decree shall be extracted, selected and synchronized from databases and specialized databases of the Ministry of Transport, the Ministry of Public Security, the Ministry of National Defense, road traffic e-payment service providers and localities.

5. The information specified in Clause 5, Article 57 of this Decree shall be extracted, selected and synchronized from databases and specialized databases of the Ministry of Transport, the Ministry of Public Security and the Departments of Transport.

6. Information in the road database shall be updated and adjusted from the following sources:

a) Results of the implementation of administrative and specialized procedures; the process of management, maintenance, operation, exploitation and use of road infrastructure;

b) Proposals for amendment and supplementation of agencies, organizations and individuals when changing or detecting incomplete and inaccurate information in the road database;

c) From other relevant databases when there are changes.

7. The managing agency of the road database and relevant specialized databases shall update and adjust the information in Clause 6 of this Article.

8. Provincial-level People's Committees shall update and adjust information in the road database under their management.

**Article 61. Exploitation and use of road databases**

1. Forms of exploitation and use of road databases include:

a) Through the platform of data integration and sharing according to the Digital National Master Architecture Framework;

b) Through direct data sharing connection between databases that do not have a data integration and sharing platform;

c) Via the website of the Ministry of Transport;

d) Approval of the request form or written request.

2. Objects of exploitation and use

a) Agencies participating in building, collecting, updating information and maintaining road databases are entitled to exploit road data under their management;

b) State management agencies and socio-political organizations operating in the field of roads according to their functions and tasks of exploiting and using data in service of state management activities according to their competence;

c) Agencies, organizations and individuals are permitted to exploit and use their information in accordance with the law on management, connection and sharing of digital data of state agencies and protection of personal information and personal data;

d) Agencies, organizations and individuals shall exploit and use information in the road database according to the regulations and use of each database in the road database promulgated by the database managing agency.

**Article 62. Connect and share data**

1. The connection and sharing of information between road databases and other specialized databases and databases shall be carried out through data sharing services.

2. The connection and sharing of data between road databases and other databases of ministries, sectors and localities shall be implemented by default in accordance with the law on management, connection and sharing of digital data of state agencies, on the basis of agreement between the Ministry of Transport and the managing agencies on the scope and the form and structure of connected data, the responsibilities of the parties in ensuring information safety and security and personal data protection.

**Article 63. Responsibilities of organizations and individuals managing road databases**

1. To comply with the provisions of this Decree and relevant provisions of law on management, exploitation and use of road databases.

2. Not to provide third parties with data provided to them by competent agencies for exploitation and use, unless otherwise agreed upon by competent road database management agencies.

3. To promptly notify the data management agency of the errors of the provided data.

**Chapter VIII**

**INTELLIGENT TRAFFIC MANAGEMENT SYSTEM**

**Article 64. General regulations on intelligent traffic management systems**

1. The intelligent traffic management system provides the following intelligent traffic services:

a) Manage, supervise and administer road traffic;

b) Electronic payment for road traffic;

c) Management of means of transport;

d) Providing traffic information.

2. An intelligent traffic management system consists of the following components:

a) Highway traffic management and administration system;

b) Traffic electronic payment system;

c) Urban traffic management and administration system, including: road traffic signal light system; camera system on traffic routes in urban areas;

d) The system of management of means of transport, including: the system of data management of itinerary monitoring equipment and the device for recording the driver's image; vehicle load control works; system of professional technical equipment for inspection and control of motor vehicle loads;

dd) Supervision system to ensure road traffic security, order and safety;

e) Road database management system;

g) Database management system on road traffic order and safety.

3. Systems: road traffic signal light system; camera systems on road routes and road intersections; data management system, journey monitoring equipment and driver image recording device; system of professional technical equipment for inspection and control of motor vehicle loads; the monitoring system to ensure road traffic security, order and safety; the database management system on road traffic order and safety shall comply with the provisions of the Law on Road Traffic Order and Safety.

4. The e-payment system for traffic shall comply with the provisions of the Government's Decree No. 119/2024/ND-CP dated September 30, 2024 on e-payment for road traffic.

5. Vehicle load control works shall comply with Clauses 4 and 5, Article 39 of the Road Law.

6. The road database management system shall comply with the provisions of this Decree.

**Article 65. Principles for building, managing, operating, exploiting and using the intelligent traffic management system**

1. The construction, management, operation and use of the smart traffic management system must strictly comply with the processes and rules, ensure the continuous operation and connection between the components of the smart traffic management system.

2. The smart traffic management system shall be built according to the following principles:

a) Having the ability to integrate, store and analyze data in service of the management, operation, exploitation and maintenance of road infrastructure;

b) Support for road traffic e-payment and transportation activities;

c) Providing smart traffic services;

d) Ensure data connection and sharing with the traffic command center and relevant agencies and organizations.

3. The management, operation, exploitation and use of the smart traffic management system shall comply with the following principles:

a) Components of the smart traffic management system shall be managed, operated and exploited in accordance with regulations on information technology, data management in the cyber environment, protection of state secrets and assurance of information security of law;

b) Promptly serve the state management in the field of roads and meet the requirements of ensuring national defense and security;

c) Ensure accuracy, truthfulness and objectivity;

d) Ensure the scientificity and convenience for exploitation and use;

dd) Ensure up-to-dateness, completeness and systematic;

e) Use the data for the right purposes.

**Article 66. Highway traffic management and operation system**

1. The expressway management and administration system shall be established to support the management, supervision and administration of traffic, operation and maintenance of expressway sections when they are put into operation. The system has the function of collecting, processing, deciding and communicating information and control orders to management departments and road users in order to promptly grasp the operation status, coordinate handling to ensure the improvement of the quality and efficiency of highway operation through the Management Center, operating highway traffic.

2. The expressway traffic management and administration center shall comply with the provisions of Article 53 of the Law on Roads.

**Chapter IX**

**IMPLEMENTATION TERMS**

**Article 67. Amending and supplementing a number of articles of relevant Decrees**

1. To amend and supplement Clause 1, Article 13 of the Government's Decree No. 56/2019/ND-CP dated June 24, 2019 detailing the implementation of a number of articles related to the field of transport in the Law amending and supplementing a number of articles of 37 laws related to planning as follows:

"1. The principal contents of the road infrastructure planning, the detailed planning on seaports, harbors, wharves, buoy terminals, water areas, water areas, land areas and seaport waters, the planning on development of the inland clearance depot system, the planning on railway lines and railway stations shall comply with the provisions of Clause 2, Article 1. Clause 6, Clause 10, Article 2, Clause 2, Article 3 of the Law amending and supplementing a number of articles of 37 Laws related to planning.".

2. To amend and supplement Clause 1, Article 3 of the Government's Decree No. 28/2021/ND-CP dated March 26, 2021 stipulating the mechanism for financial management of investment projects in the form of public-private partnership as follows:

"1. The financial plan of a PPP project must fully reflect the lawful expenses and revenues as prescribed in the stage of investment preparation, implementation and operation of the PPP project, unless otherwise provided for by law.".

3. Amending and supplementing a number of contents in the Government's Decree No. 35/2021/ND-CP dated March 29, 2021 detailing and guiding the implementation of the Law on Investment in the form of public-private partnership as follows:

a) Section V.1, Part D, Form No. 01, Appendix II is amended as follows:

"- Revenue: determination of the project's revenue over each year (revenue at the base level, revenue at the maximum level and revenue at the minimum level) on the basis of the contents of demand forecast; prices and fees for products, services and other revenues of the project (considering the legal basis for determining prices and fees; expected roadmap for price and fee increase), unless otherwise provided for by law.".

b) Section V.1, Part D, Form No. 01, Appendix III is amended as follows:

"- Revenue: determination of the project's revenue over each year (revenue at the base level, revenue at the maximum level and revenue at the minimum level) on the basis of the contents of demand forecast; prices and fees for products, services and other revenues of the project (considering the legal basis for determining prices and fees; expected roadmap for price and fee increase), unless otherwise provided for by law.".

4. To amend and supplement Point d, Clause 2, Article 4 of the Government's Decree No. 115/2024/ND-CP dated September 16, 2024 detailing a number of articles and measures to implement the Law on Bidding on selection of investors to implement projects using land as follows:

"d) Investment projects on construction of rest stops in accordance with the law on roads, except for cases where rest stops are invested in construction together with the project in the form of public-private partnerships or the State selects investors to operate, exploit or upgrade, renovate, expand and modernize operation and exploitation in accordance with the law on management and use of public assets or in combination with the implementation of expressway projects in the form of public-private partnership.".

**Article 68. Enforcement effect**

1. This Decree takes effect from January 01, 2025.

2. In case the legal documents invoked in this Decree are amended, supplemented or replaced, the provisions of such amended, supplemented or replaced legal documents shall apply.

3. This Decree replaces the following Decrees:

Decree No. 11/2010/ND-CP dated February 24, 2010 of the Government regulating the management and protection of road infrastructure.

Decree No. 100/2013/ND-CP dated September 03, 2013 of the Government amending and supplementing a number of articles of Decree No. 11/2010/ND-CP.

Decree No. 64/2016/ND-CP dated July 1, 2016 of the Government amending and supplementing a number of articles of Decree No. 11/2010/ND-CP.

The Government's Decree No. 125/2018/ND-CP dated September 19, 2018 amending and supplementing a number of articles of the Government's Decree No. 64/2016/ND-CP dated July 1, 2016 amending and supplementing a number of articles of the Government's Decree No. 11/2010/ND-CP dated February 24, 2010 regulating the management and protection of road traffic infrastructure.

Decree No. 117/2021/ND-CP dated December 22, 2021 of the Government amending and supplementing a number of articles of the Government's Decree No. 11/2010/ND-CP regulating the management and protection of road traffic infrastructure.

Decree No. 01/2024/ND-CP dated January 1, 2024 of the Government amending and supplementing a number of articles of Decree No. 11/2010/ND-CP.

Decree No. 32/2014/ND-CP dated April 22, 2014 of the Government on management, exploitation and maintenance of expressway works.

Decree No. 25/2023/ND-CP dated May 19, 2023 of the Government amending and supplementing a number of articles of Decree No. 32/2014/ND-CP.

4. To annul Article 1 of the Government's Decree No. 70/2022/ND-CP dated September 27, 2022 amending and supplementing a number of articles of Decrees related to business activities in the field of roads.

**Article 69. Transitional Regulations**

1. For roads in operation for which road safety corridor boundary markers have been planted, the adjustment and re-insertion of road safety corridor markers shall be carried out in case the route corridor or route section affects the assurance of traffic order and safety or in case of change in the technical grade of the road according to the approved planning.

2. For cases in which the construction of billboards, information boards for political promotion and propaganda has been approved, and the construction of infrastructure works within the roads being operated before the effective date of this Decree shall continue to be carried out according to the written approval.

3. Business establishments that have been approved for training road traffic safety inspectors before the effective date of this Decree may operate under written approvals; individuals who are granted road safety inspector certificates before the effective date of this Decree may operate according to the issued certificates and the prescribed time limit stated in the issued certificates.

4. The change of road names and numbers inconsistent with the provisions of this Decree shall be completed before January 1, 2026, except for the case specified in Clause 3, Article 11 of the Law on Roads.

5. Construction investment projects and maintenance jobs on national highways specified in Articles 4, 5 and 6 of this Decree shall be implemented as follows:

a) For contracts on management, operation, exploitation and maintenance of national highway infrastructure funded by the central budget which the assigned road management agency has signed before the effective date of this Decree, the parties shall negotiate and sign an appendix to the contract adjustment for the transfer of rights, obligations to provincial-level People's Committees (or agencies authorized or assigned by provincial-level People's Committees) to continue to perform contracts from the completion of the handover of road traffic infrastructure assets from the central government to localities and competent authorities to adjust state budget estimates from the Ministry of Transport to localities to perform this work;

b) For a project on investment in the construction of road works, repair of road works and other maintenance jobs (hereinafter collectively referred to as the project) which has been approved before the effective date of this Decree, the investor shall continue to implement the project until the project is completed and put into operation. use;

c) For investment projects on construction of road works, projects on repair of road works and other related works for which consultants and other relevant contractors have been selected but the approval of the project has not yet been completed by the effective date of this Decree, shall continue to be implemented until the approval of the project is completed. The handover of the project to the provincial-level People's Committee (or the agency authorized or assigned by the provincial-level People's Committee) to receive the project shall be carried out after the competent authority adjusts the state budget estimate from the Ministry of Transport to the locality for project implementation;

d) For the consequences of natural disasters occurring on national highways before they are handed over to localities, the assigned agencies shall have to comply with the provisions of law on prevention, control and remedy of consequences of natural disasters and search and rescue in the field of roads until the completion of the work of remedying the consequences of natural disasters in order to ensure safe road traffic. smooth and ensure the safety of road works;

dd) For routes and sections of national highways invested in the form of public-private partnerships for which the Ministry of Transport is a competent agency in the stage of executing project contracts, the handover of national highway routes and sections to provincial-level People's Committees for management shall be carried out after the termination of the project contracts; or the contracting parties have agreed to transfer road infrastructure works and assets before the contract term in accordance with the law on public-private partnership investment.

For routes and sections of national highways invested in the form of public-private partnerships assigned by the Prime Minister to provincial-level People's Committees as competent agencies, the provisions of Articles 4, 5 and 6 of this Decree shall be implemented after the termination of the project contracts; or the contracting parties have agreed to transfer road infrastructure works and assets before the contract term in accordance with the law on public-private partnership investment.

**Article 70. Implementation responsibilities**

1. Ministries, ministerial-level agencies and provincial-level People's Committees shall review promulgated documents for amending, supplementing or replacing them in accordance with the provisions of this Decree.

2. Ministers, heads of ministerial-level agencies, heads of government-attached agencies, presidents of provincial-level People's Committees and relevant organizations and individuals shall be responsible for the implementation of this Decree.