

State Peace and Development Council

Roads Law

(State Peace and Development Council Law No. 8/2000)

1362 7th full moon day of Tan Saung Mon.

(November 17, 2000)

[Updated: 24.07.2014, 27.11.2015]

Amending Law

The State Peace and Development Council enacted the following law:

Chapter 1

Title and Definition

1. This shall be called the Road Law .
2. The following expressions contained in this Law shall have the meanings given herein:
 - (a) **Road** means all roads designated by the Ministry of Construction as roads. The term also includes road boundaries and bridges on either side of the road, but does not include roads constructed or maintained by the relevant development authority.
 - (b) **Vehicle** means a type of vehicle driving on land to ride by mechanical power to transport goods with one kind of energy;
 - (c) **Animal** means buffalo, cows, elephant, horse, donkey, sheep, dogs, goats and pigs;
 - (d) **Cart** means a type of wheelbarrow vehicle that is moved by pushing or pulling by a person drawing with animals;

<Revised 24.07.2014>

Chapter (2)

Objectives

3. The objectives of this law are as follows:
 - (a) To develop all aspects including social development by facilitating transportation between the autonomous regions and promotes national unity and solidarity to strengthen friendship within Region or State or Union Territory including self-administered government by constructing roads;
 - (b) To facilitate traffic safety and speed up the flow of goods;
 - (c) To support the modern development of the country by constructing roads in the Union and constructing roads to connect the neighboring countries;
 - (d) To carry out systematic maintenance work for widening of roads, repair and long-term sustainability;
 - (e) To be able to systematically supervise the use of transit on the roads.
- <Revised 24.7.2014>

Chapter 3

Duties and Powers of the Ministry of Construction

4. The responsibilities and powers of the Ministry of Construction are as follows:
 - (a) formulating policies with the approval of the Government for the modern development of roads in the State;
 - (b) formulating short-term, long-term and special plans for road construction with the approval of the Union Government;
 - (c) planning and construction of roads connecting neighboring countries with the approval of the Union Government;

- (d) supervising the implementation of projects within the stipulated period;
- (e) declaring as roads;
- (f) declaring the boundaries of roads;
- (g) laying down the business plans for the construction and expansion of roads, if necessary, coordinating with the relevant government department and government organizations;
- (h) supervising and guiding for repair and maintenance of roads;
- (i) allowing a business organization or individual or Joint venture with any business organization to operate under certain conditions for construction of roads and expansion in accordance with existing laws;
- (j) carrying out land confiscation and removal of buildings in accordance with existing laws for the construction and expansion of roads;
- (k) importing the equipment required for the construction of roads with the approval of the Government;
- (l) cooperating with local organizations, international organizations and technology exchange with foreign countries regarding roads construction;
- (m) carrying out research work related to repair, maintenance and construction of roads.

Chapter 4

Duties and Powers of the Road Department

- 5. The responsibilities and powers of the Road Department are as follows:
 - (a) implementing in accordance with the policies set by the Ministry of Construction for the modern development of roads in the Union;

- (b) drawing up and submitting special plans and action plans to the Ministry of Construction regarding short-term and long-term plans of construction of roads;
- (c) implementing projects for completion within the stipulated time;
- (d) repair and maintenance of roads for long-term sustainability;
- (e) planting trees within the boundaries of roads and clearing dangerous trees;
- (f) announcing the traffic on the road will be closed for a period of time and the diversion will be constructed when the road is closed in widening roads or during the repairing work;
- (g) inspecting, supervising and action taking for types of vehicles and wheels not allowed to drive on the roads, vehicle with load and weight, determining the steering wheel of the cart whether or not these terms are complied with;
- (h) setting rules to be followed in relation to suspension, checking for compliance with these rules, supervising and taking action to the carts and animals passing by on the roads;
- (i) issuing necessary prohibitions to prevent damage to roads, supervising, checking and taking action for compliance with these prohibitions;
- (j) issuing necessary prohibitions to prevent censorship of billboards, construction of buildings within the boundaries of highways, building something across the road by supervising, checking and taking action for compliance with these restrictions;;

<Revised 27.11.2015>

6. The Road Department shall carry out its duties and powers to the Region or State, Union Territory, every self-Administered Area, District and Township Road Departments can be delegated responsibilities.

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Chapter (5)

Offenses and penalties

7. Whoever is convicted of committing any of the following offenses without the permission of the Road Department shall be punished with imprisonment for a term not exceeding three years or with fine not exceeding a minimum of 50,000 kyats and a maximum of 100,000 kyats or a fine. Or both penalties shall be imposed:

- (a) constructing or constructing something across the road;
- (b) digging or excavating a pond within the boundaries of the road;

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- 7-a. Whoever is convicted of constructing a building within the boundaries of the road without the permission of the Road Department shall be fined not less than one hundred thousand kyats but not more than five hundred thousand kyats.

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- 7-b. Whoever commits another offense under section 7 shall be punished with imprisonment for a term of up to one year and a fine of not less than one hundred thousand kyats but not more than ten thousand kyats.

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8. Anyone who commits any of the following acts: If convicted, he faces up to six months in prison or a minimum of 50,000 kyats and a maximum of 500,000 kyats. Or both penalties shall be imposed:

- (a) disrupting or obstructing on construction of road, expansion, repairing, or maintenance work;
- (b) Vehicles driving or using a wheelbarrow which is not allowed to drive on the roads;
- (c) planting, cutting or destroying trees within the boundaries of the road without the permission of the Road Department;;
- (d) obstructing the clearing of dangerous trees by the Road Department;
- (e) causing damage to the road, bridge and ground condition within the boundary of the road without the permission of the Road Department;
- (f) erecting billboards without the permission of the Road Department within the boundaries of the road;
- (g) construction of roadside restaurants and sale of shops within the boundaries of the road without the permission of the Road Department;.

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9. Whoever is convicted of any of the following acts shall be punished with imprisonment for a term not exceeding three months or a minimum of 10,000 kyats and a maximum of 100,000 kyats. Or both penalties shall be imposed:
- (a) violating any prohibition issued to prevent damage to roads;
 - (b) violating any regulation relating to the passage of carts and animals on the roads;
 - (c) disturbing traffic on the road; Deliberate possession of a hazardous substance;

- 9-a. Whoever causes any damage to the road as a result of his actions is liable to pay compensation or compensation to the Ministry for such damage.

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- 9-b. The Ministry may file a lawsuit in the relevant court, calculating the amount of compensation or compensation for the damage caused by any person on the road.

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Chapter (6)

General

10. The Government Department, government organization, the pipeline will be connected across the main road or construction of underground power lines, or connect to the underground telecommunication line or build a canal according to the needs of the organization, shall consult with the Ministry of Construction in advance.

- 10-a. The Ministry of Construction shall demarcate the boundaries of roads that pass through or through towns and villages. The condition of the residential buildings in the village, time of completion, urban development status, the effect of other existing civil laws must also be considered.

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11. Pursuant to this Law, the Ministry of Construction may, in accordance with the provisions of the Road and Bridge Use Law (Law No. 13/85) , apply for toll collection as it is used on the designated road.

12. According to this law, rules, procedures, notifications, regulations issued under The Highways Act, 1907 prior to the issuance of notifications, orders and directives may continue to apply as long as they are not conflict with this Law.

13. In implementing the provisions of this law:

- (a) The Ministry of Construction shall issue the necessary rules and regulations with the approval of the Union Government.

- (b) The Ministry of Construction shall issue the required notification, orders, directives and procedures;
 - (c) The Road Department may issue necessary orders and directives.
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14. The Highways Act, 1907 is hereby repealed.

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