

The Road Transport Operations Law
(The Pyidaungsu Hluttaw Law No. 3, 2016)
The 11th Waning of Nadaw, 1377 M.E.
(5th January, 2016)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title, Effectiveness and Definition

1. This Law shall be called the **Road Transport Operations Law**.
2. This Law shall come into force commencing from the date of completion of one year of its promulgation.
3. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) **State** means the Republic of the Union of Myanmar;
 - (b) **Road Transport Operation** means a transport operation of passenger or goods or both by using a transport motor vehicle or more than one by a road transport operator for any rent or transport charge or benefit for commercial purposes. Such expression also includes a transport operation for any trade or business performed by any person;
 - (c) **Transport Motor Vehicle** means any driving motor vehicle or tracking motor vehicle or tractor or trailer used an engine or electricity or any other energy for transport of passenger or goods or both on the public roads for commercial purposes;
 - (d) **Transport Operator** means a person who performs a road transport operation by any transport motor vehicle on the road;
 - (e) **Regional Agreement** means an agreement on cross border transport of passenger or goods or both within the region in which the State is a contracting party. Such expression includes the additional agreements and protocols to the said agreement;
 - (f) **Contracting Party** means a member State of the regional agreement;

- (g) **Special Drawing Right** means a monetary system determined specially for drawing money under the rules issued by this Law in accordance with the special drawing right defined by the International Monetary Fund;
- (h) **Force Majeure** means a circumstance resulting in damage, loss or delay including natural disaster that the transport operator could not foresee and avoid, and the consequences of which he is unable to prevent or control;
- (i) **Operation License** means a document issued by the Department according to the category of the road transport operation to the road transport operator;
- (j) **Permit** means a permit issued under this Law for the right to temporary entry of passengers or goods or both into the State or through the State by the cross border transport operator from other contracting parties;
- (k) **Fee** means an operation license fee, operation license renewal fee, service charges for permission and other charges relating to the road transport operation collected under this Law;
- (l) **National Committee** means the National Committee for the Facilitation of Road Transport formed under this Law;
- (m) **Local Supervisory Board** means the Supervisory Board for Road Transport Operations of the respective Region or State, Union Territory, Self-Administered Division or Self-Administered Zone;
- (n) **Ministry** means the Ministry of Rail Transportation of the Union Government;
- (o) **Department** means the Road Transport Administration Department of the Ministry of Rail Transportation;
- (p) **Region or State Department** means the Region or State Road Transport Administration Department;
- (q) **District Department** means the District Road Transport Administration Department;
- (r) **Township Department** means the Township Road Transport Administration Department;
- (s) **Self-Administered Division or Self-Administered Zone Department** means the Self-Administered Division or Self-Administered Zone Road Transport Administration Department.

Chapter II

Objectives

4. The objectives of this Law are as follows:
- (a) to supervise and implement systematically for the development of road transport operations within the State;
 - (b) to coordinate and meet the requirements of the private transport of passenger and goods for the development of economic, social, management and transport of the State;
 - (c) to issue and prescribe the necessary rules and regulations in accordance with the law to be systematic and developed road transport operations;
 - (d) to coordinate and cooperate with the respective departments and organizations for reduction of impact on the environmental conservation from the road transport sector;
 - (e) to cooperate with the respective departments and organizations and implement for road safety;
 - (f) to perform cross border road transport operations systematically and smoothly in accordance with the terms and conditions of the regional agreement in performing it.

Chapter III

Formation of the National Committee and its Responsibilities

5. The Union Government:
- (a) shall form the National Committee for implementing the objectives and provisions of this Law as follows:
 - (1) Union Minister Chairman
Ministry of Rail Transportation
 - (2) Deputy Minister Member
Ministry of Home Affairs

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| (3) | Deputy Minister
Ministry of Foreign Affairs | Member |
| (4) | Deputy Minister
Ministry of Transportation | Member |
| (5) | Deputy Minister
Ministry of Immigration and Population | Member |
| (6) | Deputy Minister
Ministry of Commerce | Member |
| (7) | Deputy Minister
Ministry of Health | Member |
| (8) | Deputy Minister
Ministry of Finance | Member |
| (9) | Deputy Minister
Ministry of Construction | Member |
| (10) | Deputy Minister
Ministry of Rail Transportation | Member |
| (11) | Ministers for Road Transport from
the respective Region and State Government | Member |
| (12) | Representatives from the respective
Road Transport Organization | Member |
| (13) | Experts in the Road Transport Operation | Member |
| (14) | Director General | Secretary |

Road Transport Administration Department

(b) The Committee may be reconstituted if necessary.

6. The responsibilities of the National Committee are as follows:

- (a) laying down the policies, guiding and supervising for the safety, security and facilitation of local and cross border road transport operations;
- (b) laying down the plans for facilitating and implementing road transport operations systematically, and formation of the Local Supervisory Board and stipulating necessary functions and duties;
- (c) cooperating and coordinating with the Supervisory Working Committee of Road Transport Operations, the Supervisory Working Committee of Cross Border Road Transport Operations and the Local Supervisory Board in order to perform the duties and exercise the powers of the National Committee successfully, and fulfilling requirements;
- (d) prescribing terms and conditions and supervising for road safety, and not impact on the environment due to transport motor vehicles in performing transport operations;
- (e) coordinating with the respective departments and organizations to enable the required number of goods and passengers to reach the final destination within the limited period of time and facilitating the movement of vehicle;
- (f) coordinating and organizing in accordance with the stipulations to assign the transport motor vehicles when assigned by the State Level Organizations to use them in other emergency matters including natural disaster for the public interests;
- (g) prescribing terms and conditions, restriction in road transport operations; especially coordinating with the respective departments and organizations for determining motor vehicle lines, motor vehicle stations, motor vehicle societies, itineraries, the number of itineraries, cargo stations, places and areas to be loaded and unloaded goods, transportation rates of passengers and goods;

- (h) forming necessary organizations to supervise the facilitation of road transport operations and road safety, prescribing the functions and duties, and supervising the performance of such organizations;
- (i) coordinating and cooperating with other contracting parties in the region in accordance with the regional agreements for facilitating cross border road transport operations and guiding the Supervisory Working Committee of Cross Border Road Transport Operations;
- (j) performing the functions and duties of road transport operations assigned by the Union Government from time to time.

Chapter IV

Formation of the Supervisory Working Committee of Road Transport Operations and Supervisory Working Committee of Cross Border Road Transport Operations and their Functions and Duties

7. The Ministry, with the approval of the Union Government:
 - (a) shall form the Supervisory Working Committee of Road Transport Operations comprising the Deputy Minister of the Ministry as the chairman, representatives of the respective Union Ministries, government departments and government organizations, and experts from non-governmental organizations and in road transport operations as members, and the Director General of the Department as the secretary;
 - (b) may form the Supervisory Working Committee of Road Transport Operations comprising the vice-chairman and joint-secretary, in forming it under subsection (a), if necessary;
 - (c) may reconstitute the Supervisory Working Committee of Road Transport Operations if necessary.
8. The functions and duties of the Supervisory Working Committee of Road Transport Operations shall be prescribed by the rules issued under this Law.
9. The Ministry, with the approval of the Union Government:
 - (a) shall form the Supervisory Working Committee of Cross Border Road Transport Operations comprising the Deputy Minister of the Ministry as the chairman, the

representatives of respective Union Ministries, Government departments and Government organizations, and the experts in non-governmental organizations and the road transport operations as members, and the Director General of the Department as the secretary;

- (b) may form the Supervisory Working Committee of Cross Border Road Transport Operations comprising the vice-chairman and joint secretary, in forming it under sub-section (a), if necessary;
- (c) may reconstitute the Supervisory Working Committee of Cross Border Road Transport Operations if necessary.

10. The functions and duties of the Supervisory Working Committee of Cross Border Road Transport Operations shall be prescribed by the rules issued under this Law.

Chapter V

Local Supervisory Boards

11. The National Committee shall:

- (a) form the Local Supervisory Board in coordination with the respective Administration Board to supervise road transport operations in the respective Region or State, Union Territory, Self-Administered Division or Self-Administered Zone and stipulate the duties and authorities;
- (b) form such Local Supervisory Board with the officer in charge of Department from the respective region as the secretary, in forming it under sub-section (a);

12. Local Supervisory Boards shall submit reports on their performances to the National Committee according to the specified period.

Chapter VI

Matters on Operation License

13. An applicant to perform road transport operations shall:

- (a) be able to compensate adequately for the damage, loss or delay of goods for road transport operations;

- (b) be subject to the prescribed requirements under the rules issued by this Law for road transport operations;
- (c) not be a person who is in blacklist for breaking laws, rules, regulations and by-laws related to road transport operations;
- (d) not be a person serving prison term;
- (e) not be a person who is an un-discharged insolvent as being declared by the relevant court.

Chapter VII

Performing Domestic Road Transport Operations

14. The Department may delegate the authority to issue an operation license and take administrative action of the Region or State Department to appropriate District and Township Department for operation license if it is necessary due to the situation of the operation and transport motor vehicles.
15. The applicant to perform road transport operations, if it is in conformity with the stipulations of Section 13, shall:
 - (a) apply for an operation license to the Region or State Department, or District or Township Department delegated by the Department in accordance with the stipulations if it is performed within the Region or State;
 - (b) apply for an operation license to the Department through the respective Region or State Department in accordance with the stipulations if it is performed beyond the Region or State.
16. The Region or State Department or District or Township Department delegated by the Department in accordance with the guidance of the Department:
 - (a) may allow, instruct to re-amend the application or reject to issue an operation license after scrutinizing whether or not the application of an operation license made under sub-section (a) of Section 15 is in conformity with the stipulations;
 - (b) shall issue an operation license to the applicant by prescribing terms and conditions after instructing to pay the operation license fee according to the

category of the operation and transport motor vehicle if it is allowed under sub-section (a).

17. The Department:

- (a) may allow, instruct to re-amend the application or reject to issue an operation license after scrutinizing whether or not the application of the operation license made under sub-section (b) of Section 15 is in conformity with the stipulations;
- (b) shall issue an operation license to the applicant by prescribing terms and conditions after instructing to pay the operation license fee according to the category of the operation and transport motor vehicle if it is allowed under sub-section (a).

18. The applicant for an operation license may apply the term of the operation license from one year to three years on his volition.

19. A licensee:

- (a) shall abide by the prescribed terms and conditions of the operation license;
- (b) shall keep the compulsory third party liability insurance for passengers to be transported, and road insurance of the goods in accordance with the existing law;
- (c) has the right to transfer the operation license or the motor vehicle used under the operation license in accordance with the stipulations for the road transport operation performed within the Region or State;
- (d) has the right to transfer the operation license or the motor vehicle used under the operation license for the road transport operation performed beyond the Region or State in accordance with the stipulations.

20. If a licensee desires to continue the road transport operation, to renew the operation license at least 30 days in advance before the expiry of the prescribed term, shall:

- (a) apply for the road transport operation performed within the Region or State to the respective Region or State Department or District or Township Department delegated by the Department in accordance with the stipulations;
- (b) apply for the road transport operation performed beyond the Region or State to the Department in accordance with the stipulations.

21. The Region or State Department or District or Township Department delegated by the Department in accordance with the guidance of the Department:
 - (a) may allow, allow to re-amend or reject the application to renew the operation license for the road transport operation performed within the Region or State after scrutinizing whether or not the application made under sub-section (a) of Section 20 is in conformity with the stipulations;
 - (b) shall renew the operation license by prescribing terms and conditions after instructing to pay renewal fee according to the category of operation if it is allowed under sub-section (a);
 - (c) shall inform the permission, permission to re-amend or rejection of the application to the applicant within 30 days from the date of receipt of the application to renew the operation license made under sub-section (a).
22. The Department:
 - (a) may allow, allow to re-amend or reject the application to renew the operation license for the road transport operation performed beyond the Region or State after scrutinizing whether or not the application made under sub-section (b) of Section 20 is in conformity with the stipulations;
 - (b) shall renew the operation license by prescribing terms and conditions after instructing to pay the renewal fee according to the category of operation if it is allowed under sub-section (a);
 - (c) shall inform the permission, permission to re-amend or rejection of the application to the applicant within 30 days from the date of receipt of the application to renew the operation license made under sub-section (a).
23. The Department, Region or State Department, or District or Township Department delegated by the Department, on his volition or the application of any person:
 - (a) may issue the temporary certificate up to the maximum of three times for a period not exceeding 30 days for once to perform the road transport operation for the arrangement of the road transport operation to fulfil the urgent and special requirements. The said issue shall not be deemed as the reason to be issued the operation license;

- (b) may issue the temporary certificate only once for a period not exceeding 30 days to perform the road transport operation in a circumstance of force majeure when scrutinizing the application submitted properly to renew the operation license.
24. The operation license shall be terminated if any of the following reasons arises:
- (a) applying for the termination of the road transport operation by the licensee;
 - (b) expiry of the term of the operation license.
25. The Region or State Department and the District and Township Department delegated by the Department shall report the operational performance for the operation license to the Department in accordance with the stipulations.

Chapter VIII

Performing Cross Border Road Transport Operations

26. A transport operator who performs cross border transport operations from the State to any other contracting party shall:
- (a) be subject to the requirements of Section 13;
 - (b) possess more than half of the capital by the Myanmar citizen if he operates the joint venture with a foreigner, and have the right to administer in the administrative sector more than the foreigner;
 - (c) be the experienced person and expert in the transport of passenger or goods or both across the border of the State;
 - (d) abide by the laws, rules, regulations and by-laws of the State and other contracting party related to cross border road transport operations.
27. The transport operator shall, if he meets with the stipulations of Section 26 and desires to operate cross border road transport operations, apply to the Department in accordance with the stipulations to get an operation license.
28. The Department:
- (a) may allow, amend the application or reject to issue an operation license after scrutinizing whether or not the application made under Section 27 is in conformity with the stipulations;

- (b) shall issue an operation license to the applicant by prescribing terms and conditions after instructing to pay the operation license fee according to the category of the operation if it is allowed under sub-section (a).
29. A cross border road transport operator from other contracting parties shall, if passengers or goods or both enter into the State temporarily or to transit through the State, apply for a permit to the Supervisory Working Committee of Cross Border Road Transport Operations except the following matters:
- (a) being issued a certificate by his home country that it is transport for own account;
 - (b) movement of non-commercial motor vehicles;
 - (c) funeral transport;
 - (d) operations for the emergency assistance by an ambulance, firefighting vehicle, recovery motor vehicle and humanitarian missions.
30. The Supervisory Working Committee of Cross Border Road Transport Operations:
- (a) may, after scrutinizing urgently the application made under Section 29 and inspecting it at the border inspection camp within the State, issue a permit by prescribing terms and conditions in the prescribed form for a period not exceeding one year if quota to be issued the permit for transport of passengers and goods to a contracting party is not exceeded;
 - (b) shall open a border inspection camp within the State to inspect under sub-section (a). The persons, goods and transport motor vehicles entered into the State across the border shall be inspected concurrently by the persons on duty from the inspection board at such opened border inspection camp;
 - (c) shall, in inspecting under sub-section(b), ensure to be jointly inspected by both inspection boards from two contracting parties which are contiguous border countries. When inspecting so, it may allow the members of inspection board of the State to depart from the State to the other contracting party, and the members of the inspection board of the other contracting party to enter into the State;

- (d) shall supervise for facilitating, and without unnecessary delays and obstructions when inspecting with the members of the inspection board for enabling to issue the permit;
- (e) shall instruct to inspect and supervise whether or not transport motor vehicles entered into the State across the border are piled as the specified route and itinerary to be transported in the State, the passengers and goods are loaded and unloaded, and such vehicles move to and depart from the State as the specified schedule by the inspection board;
- (f) shall allow the transport operator from any other contracting party to enter into the State freely after recognizing the operation licence issued officially in accordance with the stipulations;
- (g) shall exempt the customs duty except other taxes for the goods transported to the other contracting party through the State by the transport operator from abroad;
- (h) shall collect the customs duty and other taxes for the goods entered into the State across the border from any other contracting party in accordance with the stipulations.

31. The transport operators, drivers and conductors who perform the transport operations and enter into the State across the border shall hold their valid passport or international travel document and, if they are not exempted from the visa under the regional agreement or bilateral treaty with other contracting parties, they shall apply for visa or multiple entry visa to the Supervisory Working Committee of Cross Border Road Transport Operations within at least one year in accordance with the stipulations.

32. If it is not exempted from the visa under the regional agreement or bilateral treaty with other contracting parties, after scrutinizing the application made under Section 31, the Supervisory Working Committee of Cross Border Road Transport Operations may issue a visa or multiple entry visa within at least one year to the applicant after coordinating with the respective government department.

33. In respect of entering into the State across the border from abroad:

- (a) the valid motor vehicle registration certificate registered in any other contracting party shall be brought with the motor vehicle. In addition, the registration number plate shall be fixed in the front and rear of the transport motor vehicle and the sign of the country in which it is registered shall be displayed obviously;
 - (b) the transport motor vehicle shall be subject to the standards and norms of the safety of motor vehicles, the exhaust emission and air pollution, and payload of the motor vehicles stipulated by the State;
 - (c) the motor vehicle issued by any other contracting party shall bring the vehicle inspection certificate inspected that vehicle is in good condition, and the inspection board formed by the working committee shall recognize the inspection certificate of the said motor vehicle;
 - (d) the owner of the transport motor vehicle entered into the State shall keep compulsory third party liability insurance in accordance with the existing law of the State for the said motor vehicle;
 - (e) if the valid motor vehicle registration certificate registered in any other contracting party is in conformity with the stipulations, the temporary recognition certificate shall be issued for the said motor vehicle.
34. The owner of the motor vehicle, driver and the respective person in charge shall recognize and obey mutually the provisions of Section 33 in respect of the transport motor vehicle moved to any other contracting party across the border from the State.
35. The driver and spare man of the transport motor vehicle entered into the State across the border shall:
- (a) bring the valid driving license issued by the host contracting party or the international driving certificate together with the driver;
 - (b) bring the valid spare man certificate issued by the host contracting party together with the spare man;
 - (c) obey the existing laws, rules and regulations promulgated by the State in respect of the disciplines of the motor vehicle and road.

36. The Supervisory Working Committee of Cross Border Road Transport Operations shall scrutinize the holding driving license and spare man certificate in accordance with the provisions of Section 35 and issue the temporary recognition certificate.
37. The transport operator performed the transport operation across the border of the State in accordance with the regional agreement, the owner of the motor vehicle, driver, spare man and the respective person in charge shall abide by the rules, regulations, notifications, orders, directives and procedures issued under this Law in respect of the following matters:
- (a) transport of dangerous goods;
 - (b) registration of cross border transport motor vehicles;
 - (c) transport of perishable goods;
 - (d) performing to facilitate cross border road transport;
 - (e) entry of the transport operator, driver, spareman and passengers across the border;
 - (f) transit through a contracting party and clearance of the national customs duty;
 - (g) regulations and signal systems relating to the road transport;
 - (h) matters relating to the temporary import of transport motor vehicles;
 - (i) issue of operation licenses to cross border transport operators;
 - (j) prescribing the terms and conditions for transport of goods;
 - (k) facts in respect of the road, bridge design and construction standards and details of the status;
 - (l) facilitation and providing service in border crossing and transit through the contracting party;
 - (m) liability to compensate in transport operations performed by more than one of the transport operators;
 - (n) procedures of customs duty on the container;
 - (o) classification system for the category of goods;
 - (p) requirements for a driving license;
 - (q) specification of the gate and route of cross border transport motor vehicles;
 - (r) fees to be collected for cross border transport;

- (s) frequency of operations, number of motor vehicles, capacity of service and number of permit quota for the movement of transport motor vehicles across the border.

Chapter IX

Responsibility and Liability of a Transport Operator

- 38. A transport operator has the liability for the goods from the period between the time that he takes the goods in charge and the time delivery of goods under the contract.
- 39. A transport operator shall, during the performance of his functions and duties, have responsibility for the act and omission of his servant or agent, or for the act and omission of subcontractor in performing under the subcontract with any other person as if it is acted and omitted by himself.
- 40. A transport operator shall:
 - (a) record the remark in the consignment note after checking the quantity, weight and the apparent condition of the goods when receiving the goods. If the remark is not recorded, it shall be presumed as the cargo is in good condition;
 - (b) ensure to contain the detail particulars specified by the rules issued under this Law in the consignment note;
 - (c) duplicate the consignment note in three copies after signing the consignment note. The original consignment note shall be handed to the consignor and the first copy of consignment note shall be accompanied by the transport motor vehicle together with the goods, and the second copy of consignment note shall be handed to the transport operator;
 - (d) recognize the right to the management of the goods, stop on the route or return to the other consignee under the right of the consignor unless otherwise agreed in the consignment note;
 - (e) coordinate with the consignor in respect of the right of return to the place of departure of the goods or the right of redirect them to another designation if there is a specific agreement in the consignment note.
- 41. A transport operator shall:

- (a) be liable for damage or loss if he cannot prove the evidence that he or his servant or agent has no liability for the loss of and damage to or loss of and damage to the goods for the delay in delivery of the goods that occurred from the time that the transport operator or himself or his servant or agent takes the goods in charge under the contract of goods transportation;
 - (b) not be liable for the loss of and damage to the goods for delaying in delivery of the goods if the goods are received without declaration by the consignor in respect of the period to be delivered the goods.
42. The person who is entitled to claim the goods may, if a delay is occurred for not enabling to deliver the goods to the consignee on the agreed delivery date of the goods to the consignee or within 60 days commencing from the date of receipt of the goods unless it is agreed so, proceed it that the goods shall be deemed lost unless other grounds to the contrary.
43. Notwithstanding any provision contained in Sections 38, 39 and sub-section (a) of Section 41, a transport operator shall not be liable for the loss of and damage to the goods or the delay in delivery of goods if he can prove that any of the following situations have arisen within the period of transport for the goods:
- (a) act or negligence of a consignor, consignee or person to do acts on his behalf or an agent;
 - (b) insufficiency or inadequacy in packaging, labeling or numbering the goods;
 - (c) handling, loading, unloading or storing the goods negligently by the consignor or consignee or person acting on behalf of him or agent;
 - (d) being the perishable goods, inherent defect of the goods or unapparent defect;
 - (e) striking by the assembly of relevant employees, closing the work, suspension of the work, obstruction not to work totally or partially;
 - (f) occurrence of force majeure including a natural disaster.
44. In calculating the compensation for the loss of and damage to or delay in delivery of the goods, it shall be based on the value of goods determined at the place and delivery period of the goods to the consignee or the current market price of goods at the place and period to be delivered the goods in accordance with the contract.

45. In respect of delivering the goods by reducing or the loss of and damage to the goods:
- (a) the compensation to be paid for domestic road transport operation by the transport operator shall be issued as prescribed in the rules under this Law;
 - (b) the compensation to be paid for cross border road transport operations by the transport operator shall not be exceeded the maximum amount of the special drawing right to be paid prescribed in the rules issued under this Law.
46. If the goods are lost totally or partially, a transport operator shall:
- (a) compensate the value contained in declaration of the value of goods or current market price at the place of goods are accepted if it is not declared as such;
 - (b) refund the transport price, customs duty and other charges.
47. The amount of compensation to be paid by the transport operator shall be limited to an amount not exceeding the transport price if it is delayed in the delivery of goods.
48. The responsibility for a transport operator, passenger and consignor in respect of the transport of passenger and goods according to the category of transport operations shall be prescribed by rules.

Chapter X

Prescribing and Collecting Fees

49. The Ministry shall prescribe the following fees to be collected in the rules issued by this Law with the approval of the Union Government:
- (a) operation license fees and operation license renewal fees;
 - (b) service charges for a permit;
 - (c) other charges relating to road transport operations.
50. The fees payable under this Law may be deemed and recovered from the defaulter, as if it were an arrear of land revenue, by the Department, Region or State Department, or District or Township Department delegated by the Department.

Chapter XI

Imposing Administrative Penalties

51. The Region or State Department may, if it is found that a licensee for transport operations within the Region or State violates any terms and conditions of the operation license or any provision of rules, orders and directives issued under this Law, impose any of the following administrative penalties on the said person:
 - (a) temporarily suspending the operation license after specifying period;
 - (b) cancelling the operation license.
52. The Department may, if it is found that a licensee for transport operations beyond the Region or State or a licensee for cross border transport operations or the person who obtains a permit violates any terms and conditions of the operation license or permit or any provision of rules, orders and directives, impose any of the following administrative penalties on the said person:
 - (a) temporarily suspending the operation license after specifying period;
 - (b) cancelling the operation license.
53. The District or Township Department delegated by the Department may impose the penalty of sub-section (a) of Section 51 out of the administrative penalties.

Chapter XII

Appeal

54. The person who dissatisfies the order of rejection for the application to issue an operation license or renew the operation license for the road transport within the Region or State passed by the Region or State Department, or the District or Township Department delegated by the Department may appeal to the Ministry within 30 days from the date of passing the said order.
55. The person who dissatisfies the administrative penalty imposed under Section 53 by the District or Township Department delegated by the Department may appeal to the Ministry within 30 days from the date of imposing the said penalty.
56. In appealing under Sections 54 and 55, the Ministry may confirm, amend or cancel the order.

57. The person who dissatisfies the administrative penalty imposed under Section 52 by the Department may appeal to the Ministry within 30 days from the date of imposing the said penalty.
58. The person who dissatisfies the order of rejection of the application to issue an operation license or renew the operation license for road transport operations beyond the Region or State or cross border road transport operations by the Department may appeal to the Ministry within 30 days from the date of passing the said order.
59. The person who dissatisfies the order passed by the Department in the appeal under Section 56 may appeal to the Ministry within 30 days from the date of passing the said order.
60. In appealing under Sections 57, 58 and 59, the Ministry may confirm, amend or cancel the order.
61. In respect of the appeal, the decision of the Ministry is final and conclusive.

Chapter XIII

Prohibitions

62. No one shall:
 - (a) perform road transport operations without an operation license for cross border road transport operations;
 - (b) perform road transport operations within the State without the permit issued under this Law for the right to the temporary entry of passengers or goods or both into the State across the border from any other contracting party or for the right to transit through the State.
63. No one, in respect of an operation license or permit or documents related to them, shall:
 - (a) alter, amend or imitate;
 - (b) use for other purposes except for the relevant transport motor vehicle and road transport operations.
64. No transport operator, in respect of the transport motor vehicle entered into the State across the border without the sufficient grounds, shall:

- (a) change and ply not as the route and itinerary to be transported specified in the State;
 - (b) depart not later than the specified departure time.
65. No one, without an operation license, shall:
- (a) perform road transport operations within the Region or State;
 - (b) perform road transport operations beyond the Region or State.
66. No one shall transfer the operation license without the prior sanction of the Department except the prescribed manner in the rules issued under this Law.
67. The provisions of this Chapter shall not apply to the emergency transport by transport motor vehicles for the persons of illness, injury or the deceased, performing the emergency relief work for the persons who are in danger and providing foods, medicines and equipment for the emergency relief.

Chapter XIV

Offences and Penalties

68. Whoever violates any provision of Section 62 shall, on conviction, be punished with imprisonment for a term not exceeding three years or with a fine from a minimum of one million kyats to a maximum of ten million kyats or with both.
69. Whoever violates any provision of Section 63 shall, on conviction, be punished with imprisonment for a term not exceeding three years or with a fine from a minimum of one million kyats to a maximum of ten million kyats or with both.
70. Whoever violates any provision of Section 64 shall, on conviction, be punished with imprisonment for a term not exceeding two years or with a fine from a minimum of seven million kyats to a maximum of seventy million kyats or with both.
71. Whoever violates the provision of sub-section (a) of Section 65 shall, on conviction, be punished with imprisonment for a term not exceeding one year or with a fine from a minimum of five hundred thousand kyats to a maximum of fifty million kyats or with both.
72. Whoever violates the provision of sub-section (b) of Section 65 shall, on conviction, be punished with imprisonment for a term not exceeding two years or with a fine

from a minimum of seven million kyats to a maximum of seventy million kyats or with both.

73. Whoever violates the provision of Section 66 shall, on conviction, be punished with imprisonment for a term not exceeding three months or with a fine from a minimum of two hundred thousand kyats to a maximum of two million kyats or with both.

Chapter XV

Jurisdiction

74. In respect of claiming the compensation for the loss of, delay in delivery of or damage to goods in performing cross border road transport operations, it shall have the right to sue in a competent court of any of the following places of a contracting party under the consent of the plaintiff:
- (a) the starting place carried the goods or the ending place of itinerary;
 - (b) if knowing the loss of or damage to the goods, the place known as such;
 - (c) the place where the main business of the transport operator exists;
 - (d) the permanent residence place of the plaintiff who claims the compensation;
 - (e) the place agreed by the plaintiff and defendant out of any place contained in sub-sections (a) to (d).
75. The dispute occurred in claiming the compensation for the loss of or delay in delivery of or damage to the goods in undertaking cross border road transport operations may be settled by the arbitration at any place of Section 74 if the plaintiff and defendant agree the settlement of arbitral proceedings.

Chapter XVI

Miscellaneous

76. In respect of sending notice, prosecution, claiming, application in the Court and Arbitral Tribunal for any damage and limitation under this law in the cross border road transport operations, it shall be as prescribed manner specifically issued by any rules, notifications, orders, directives and procedures issued under this Law. If it is not specified as such, it shall be carried out as prescribed manner in the existing law.

77. The Ministry shall, the whole or part of fees collected by the Region or State Department, or the District or Township Department delegated by the Department under this Law for road transport operations within the Region or State, deposit to the relevant fund in accordance with the direction of the Union Government.
78. The provisions relating to get an operation licence in this Law shall not apply to the performance of road transport operations for the purpose of public interests by the Union Government and Union Ministries.
79. The members of the National Committee, members of the Supervisory Working Committee of Road Transport Operations and members of the Supervisory Working Committee of Cross Border Road Transport Operations who are not civil service personnel shall have the right to enjoy the remuneration specified by the Ministry with the approval of the Union Government.
80. All expenses of the National Committee, the Supervisory Working Committee of Road Transport Operations and the Supervisory Working Committee of Cross Border Road Transport Operations shall be incurred by the budget of the Ministry.
81. The members of the Local Supervisory Board who are not civil service personnel shall have the right to enjoy the remuneration specified by the Ministry with the approval of the Union Government.
82. All expenses of the Local Supervisory Board shall be incurred by the budget of the Region or State Government.
83. The members of the National Committee, members of the Supervisory Working Committee of Road Transport Operations, members of Supervisory Working Committee of Cross Border Road Transport Operations and members of the Local Supervisory Board who are not civil service personnel shall be deemed as public servants during performing the functions and duties assigned by this Law.
84. The operation license issued by the Road and Inland Water Transport Operations Law, 1963 repealed by this Law shall be deemed as valid till the expired date of such term.
85. The rules, regulations, by-laws, notifications, orders, directives, guidance and procedures issued by the Road and Inland Water Transport Operations Law, 1963

may continue to be applicable in so far as they are not contrary to the provisions of this Law.

86. In implementing the provisions of this Law:

- (a) the Ministry may issue rules, regulations and by-laws with the approval of the Union Government;
- (b) the Ministry, the National Committee, the Supervisory Working Committee of Road Transport Operations and the Supervisory Working Committee of Cross Border Road Transport Operations may issue notifications, orders, directives and procedures;
- (c) the Department may issue orders and directives.

87. The Road and Inland Water Transport Operations Law, 1963 shall be repealed by this Law.

I hereby sign in accordance with the Constitution of the Republic of the Union of Myanmar.

Sd/

Thein Sein

President

The Republic of the Union of Myanmar