

COALITION PROVISIONAL AUTHORITY ORDER NUMBER 86

TRAFFIC CODE

Pursuant to my authority as the Administrator of the Coalition Provisional Authority (CPA), under the laws and usages of war, and consistent with relevant UN Security Council resolutions including Resolutions 1483 and 1511 (2003),

Having worked closely with the Baghdad General Directorate of Traffic to ensure that an updated traffic code addresses the motor vehicle related issues of Iraq,

Noting the substantial increase in traffic since the end of the war, in particular in Baghdad, and the absence of an enforceable traffic code since the fall of the regime of Saddam Hussein,

Recognizing the CPA's obligation to maintain law and order, and to provide for the effective administration of the laws of Iraq,

Determined to provide traffic officials with the tools necessary to deal with traffic problems, motor vehicle registration and motor vehicle licensing, and

Determined further to eliminate corruption engrained in the traffic law enforcement system under the previous regime, and protect the rights of all motor vehicle owners and operators,

I hereby promulgate the following:

Section 1 Definitions

- 1) "Motor Vehicle" or "Vehicle" means a form of transportation which has wheels and is powered by a mechanical engine or physical power or is dragged by any means. For the purposes of this order the term vehicle does not include trains or any vehicles that operate on a railway. The term vehicle shall include the following:
 - a) "Car" means a vehicle used for transportation powered by a mechanical engine;
 - b) "Private car" means a vehicle used for transporting persons without charge or fees;
 - c) "Public car" means a vehicle used for transporting persons in return for a charge or fees;

- d) “Truck” means a vehicle used for transporting people along with cargo and goods, including pick-up trucks;
 - e) “Agricultural vehicle” means a vehicle used for agricultural purposes and powered by a mechanical engine, such as tractors, harvest machines, etc;
 - f) “Construction vehicle” means a vehicle used for construction purposes and powered by a mechanical engine such as a road paver, crane, etc;
 - g) “Motorcycle” means a two or three wheeled vehicle powered by a mechanical engine of 125 cc or more not designed in the form of a car;
 - h) “Bicycle” means a vehicle with two or three wheels designed to be operated by human power and not by a mechanical engine; not to include children’s bicycle. Any vehicle powered by a mechanical engine of less than 125 cc but with the size, design and form of a bicycle shall be considered a bicycle for the purpose of this section;
 - i) “Wagon” means a vehicle used for transporting persons or goods which is dragged by a human or an animal; and
 - j) “Trailer” means a dragged vehicle with no mechanical engine designed for loading or carrying cargo, goods, or anything else. It may be separated from or attached to a vehicle powered by a mechanical engine and dragged.
- 2) “Driver” means any person who drives a vehicle and possesses a driver’s license.
 - 3) “Driver’s license” means a certificate for driving a vehicle which is issued by a registration officer.
 - 4) “Database for driver’s licenses” means the system which is used to record all proceeding concerning driver’s licenses.
 - 5) “Registration Officer” means the Director General of Traffic or his/her agents and/or designees.
 - 6) “Registration Database” means the system used to record all matters concerning the registration of vehicles.
 - 7) “Registration Certificate” means the certificate which is issued by the registration officer to the vehicle owner and which shall contain, at a minimum, the following information:
 - a) motor vehicle registration number and type of the vehicle;

- b) name and address of the owner of the vehicle;
 - c) chassis number;
 - d) engine number;
 - e) color;
 - f) date of issuance;
 - g) expiration date;
 - h) number of passengers and cargo;
 - i) model.
- 8) “Registration Plate” means a metal plate carrying information that distinguishes a vehicle from other vehicles.
- 9) “Traffic police officer” means an internal security policeman who carries the rank of lieutenant or higher authorized by the Minister of Interior or his/her designee to enforce the provisions of this code.
- 10) “Road” means any area, paved or unpaved that is designed or ordinarily used for vehicular and pedestrian travel as further defined in Section 14 of this Code. May be divided into multiple lanes for traffic to travel in the same direction or in the opposite direction.
- 11) “Shoulder” means that area immediately next to the side of a road.
- 12) “Emergency lane” or “Breakdown lane” means a part of the road on both sides that may be paved or unpaved. It is not more than 2.5 meters wide to permit vehicles to stop or park to allow passengers to enter or exit the vehicle. If the road is paved, it shall be separated from the road by a straight line to indicate the edge of the road. It is used ordinarily on highways.
- 13) “Lane” means one section of a road that is divided into two or more lanes permitting travel in opposite directions. Lanes are designated by either broken or unbroken lines.
- 14) “Passage” means a part of a lane designed to permit vehicles to proceed in one column. The lane usually has three passages. In some conditions these passages increase and decrease according to the kind of road. These passages are:

- a) Left passage: Designed for traffic traveling at the maximum speed allowed by law, turning, or passing to the left side by emergency vehicles;
 - b) Middle passage: Designed for traffic traveling between the minimum and maximum speeds allowed by law; and
 - c) Right passage: Designed for traffic traveling at minimum speed allowed by law, right turns, where authorized, and parking.
 - d) Emergence passage or Breakdown lane: Farthest most left or right passage of the highway separated from traffic movement by connected lines designed for emergency parking. (Based on #12 definition.)
- 15) “U-turn lane” means the part of the road designed and authorized for turning through the median to the opposite side.
- 16) “Intersections of roads” means where two or more roads intersect.
- 17) “Parking” means stopping a vehicle for a limited period of time due to traffic conditions or for purposes of allowing passengers to enter, exit, or load or unload cargo as permitted by traffic signs, markings or signals.
- 18) “Maneuver” means the movement required to drive the car and choose the appropriate lane.
- 19) “Traffic priority” or right of way means vehicles must yield to the vehicle assigned priority as stated in Section 17.

Section 2
Production and Classification of Driver’s Licenses

- 1) Any individual who is driving will carry the driver’s license issued to that person. Upon demand of a traffic police officer, a person who is driving a vehicle shall produce the driver’s license to that person.
- 2) Driver’s licenses will be classified according to the type of vehicle to be driven. Those classifications will be established by the Minister of Interior. A driver is permitted to drive only those vehicles covered by his/her license classification.

Section 3
Driver’s License Eligibility Criteria

- 1) A driver’s license shall be granted to any person who meets all of the following criteria:

- a) The person must have completed his/her sixteenth year of age to drive a motorcycle, eighteenth year of age for all private vehicles, and twenty first year of age to drive public cars and trucks;
 - b) The person must not be prohibited legally from driving a vehicle;
 - c) The person must be of good physical fitness. The person's fitness for driving must be approved by a medical committee according to regulations issued by the Ministry of Health, Baghdad; and
 - d) The person must pass a test on vehicle driving and traffic rules according to the type of driver's license for which the person has applied.
- 2) A traffic police shall revoke a driver's license from a driver who does not meet the conditions stipulated in paragraphs 1b) and c) of this section.
 - 3) When renewing a license, the conditions mentioned in paragraphs 1b) and c) of this article must be taken in consideration.
 - 4) A person who is not a citizen of Iraq may be granted a private driver's license according to the provisions of paragraph 1 of this article on the condition that he/she is residing legally in Iraq in compliance with his/her residence documents.
 - 5) A driver's license issued and valid in any other country shall be considered valid in Iraq according to the principle of reciprocity.
 - 6) The period of validity for a driver's license is five years.

Section 4 Exemptions

- 1) Accredited diplomatic and consular staff, upon presentation of an international driver's license or a valid driver's license issued by his/her country or origin to the Ministry of Foreign Affairs, will receive authorization to drive in Iraq.
- 2) Members of the Multinational Force, their contractors and employees carrying a valid operator's license from another nation will not be required to acquire an Iraqi operator's license or present their operator's license to the Minister of the Interior.

Section 5 Vehicle Registration

- 1) All vehicles must be registered with the registration office except wagons and bicycles, or those exempted by special law.
- 2) No vehicle will be issued a registration certificate unless an inspection document is presented indicating that the vehicle was inspected at an authorized inspection facility and it meets safety qualifications.
- 3) When transferring the ownership of a vehicle to another person, the previous owner and the new owner or their legal representative must appear before the registration officer to inform him/her of the transfer. The previous owner and the new owner must pay transfer fees. The registration officer shall record the transfer in the registration record.
- 4) The Minister of Interior or his/her designee may authorize the transfer of a vehicle registration for humanitarian reasons in order to certify the transfer of the vehicle ownership.
- 5) The registration record (computerized or other) shall be presumptive evidence of the ownership of a vehicle.
- 6) The judiciary shall be competent to settle disputes concerning the ownership of vehicles.
- 7) A vehicle sale shall not be valid unless the vehicle is registered at the competent registration office in accordance with paragraph 3) of this section or unless otherwise exempted by law.
- 8) The period of validity of the vehicle registration is five years.

Section 6 Driver's License and Registration Fees

The Ministry of Interior Directorate of Traffic will establish fees for issuing and renewing driver's licenses and vehicle registrations. These fees are set out in Annex A to this Traffic Code.

Section 7 Exemptions from Vehicle Registration Fees

- 1) The following vehicles owners are exempt from paying vehicle registration fees:

- a) Vehicles that belong to the Government, or official or semi-official departments;
- b) Vehicles owned by accredited diplomatic and consular staff according to the principle of reciprocity;
- c) Vehicles owned by charitable organizations and organizations which are considered to be a public interest as determined by the Minister of Interior of his/her designee;
- d) Vehicles owned by international organizations with an exemption certificate issued by the Ministry of Foreign Affairs;
- e) Vehicles that enter Iraq by Trip Ticket or pass note issued in accordance with customs laws permitting the person and vehicle to stay in Iraq for a designated period of time. Vehicles permitted to enter Iraq under this section must obtain a permission document from a registration officer; and
- f) Vehicles operated by Multinational Forces, their contractors and employees.

Section 8
Changing Color or Classification of Vehicle Registration

- 1) A vehicle owner must obtain approval from the registration officer if he/she intends to change the vehicle's color.
- 2) A vehicle owner may request a change in the classification of a vehicle from private to public or from public to private by presenting a request to the registration officer and obtaining an amended registration certificate.
- 3) The Minister of Interior or his/her designee may establish additional rules and regulations to facilitate vehicle registration.

Section 9
De-Registration

- 1) If a person elects not to renew a driver's license or if the vehicle owner elects not to renew the registration certificate, the person must inform the registration officer and return the driver's license or registration certificate so that it may be cancelled and recorded. A driver's license or registration certificate so that it may be cancelled and recorded. A driver's license or registration that has been cancelled cannot be renewed. Operation of an unregistered vehicle is prohibited.

- 2) In the event of the death of a person who was issued a driver's license, his/her heirs must notify a registration officer of the person's death and return the driver's license.

Section 10 Discretion of the Minister of Interior to Alter Fees

The Minister of Interior in coordination with the Minister of Finance may increase or decrease fees and fines as reasonable and necessary, and according to economic conditions.

Section 11 Use of Proceeds from Fees

Half of the revenue from license fees, registration fees, and fines stipulated in this law shall be allocated to the budget of the Ministry of Interior to be used for expenditures related to traffic safety. The remaining fifty percent of the revenue shall be allocated to the general revenues of the Ministry of Finance.

Section 12 Unregistered Vehicles

Unregistered vehicles shall not be driven, except those exempted under this Code or other law, treaty or this order. If a vehicle is unregistered, the traffic police officer shall seize the vehicle until it is registered and the owner shall pay all expenses. If the owner is not able to prove the date of entrance into Iraq the vehicle shall be referred to customs.

Section 13 Safety Standards

- 1) Traffic police officers shall stop and inspect a vehicle, in accordance with applicable laws and regulations, when the vehicle does not meet safety standards.
- 2) Vehicles – The following equipment on vehicles must meet or exceed minimum safety standards:
 - a) Engine;
 - b) Steering – must be located on the vehicle's left side, unless exempted;
 - c) Lights – front, rear, reverse, hazard, and turn signals;
 - d) Horn – shall be factory installed or equivalent;

- e) Exhaust system;
 - f) Brakes;
 - g) Mirrors – side and rearview;
 - h) Windshield;
 - i) Registration plate illumination or reflective plates; and
 - j) Shatterproof glass on windows and windshield.
- 3) Motorcycles – the following equipment on motorcycles must meet or exceed minimum safety standards:
- a) Engine;
 - b) Brakes;
 - c) Horn shall be factory installed or equivalent;
 - d) Lights: front, rear, reverse, hazard, and turn signals;
 - e) Exhaust system; and
 - f) Mirrors.
- 4) Agriculture, construction vehicles, and trailers – the following equipment on agriculture and construction vehicles must meet or exceed minimum safety standards.
- a) Engine;
 - b) Brakes;
 - c) Steering; and
 - d) Lights: front, rear, reverse, hazard, and turn signals.

Section 14 Road Types

Iraq has the following road types:

- a) Expressway – Limited access highway composed of two or more traffic lanes traveling in two directions designed to eliminate the principal traffic hazards.
- b) Divided highway – Road composed of two paved lanes separated by a protective fence or other divider. Points of entrance and exit are not designed for turn around except for emergency vehicles;
- c) Secondary – Not designed for pedestrians, bicycles or any transport vehicle traveling at less than the minimum speed limit.
- d) Outside roads – Roads that link governorates.
- e) Internal roads – Roads used inside a city, divided into major and minor. Major roads are wider to allow for heavy traffic.
- f) Service roads – Roads that serve the surrounding areas and are separated from major roads.

Section 15 Driving Regulations

All road users shall comply with the regulations set out in Annex A of this Traffic Code.

Section 16 Regulations Pertaining to Different Road Users

Road users are divided into three categories - Pedestrians, Passengers and Drivers. Regulations pertaining to these road users are contained in Annex A.

Section 17 Right of Way

- 1) Traffic priorities shall be as follows unless otherwise directed by a traffic police officer or traffic signs:
 - a) Obey the signs given by traffic police officers, the traffic lights and traffic signs on the road;
 - b) Moving vehicles have priority over stopped vehicles;
 - c) Vehicles operating on a major road have priority over vehicles operating on a minor street;

- d) Vehicles operating on the straight portion of a road has priority over vehicles operating on a curved portion of the road;
 - e) Vehicles operating in front have priority over vehicles behind it;
 - f) Vehicles in the intersection or crossroad have priority over vehicles approaching the intersection of the crossroad, unless turning left;
 - g) At an intersection or crossroad, vehicles coming from the right have priority;
 - h) Vehicles going up a gradient have priority over vehicles descending a gradient;
 - i) Vehicles traveling in the lane or passage have priority over vehicles that intend to move into the lane; and
 - j) Trains or other means moving on a railway have priority over other vehicles.
- 2) Emergency vehicles have priority over all other vehicles when they are on duty. The following are emergency vehicles:
- a) ambulances;
 - b) fire and rescue vehicles;
 - c) police vehicles;
 - d) vehicles of the Directorate of Traffic;
 - e) vehicles involved in official ceremonies;
 - f) vehicles of members of Multinational Forces operating in accordance with United Nations Security Council Resolutions; and
 - g) any vehicle being used for emergency purposes.
- 3) Pedestrians in a crossing zone have priority over vehicles.
- 4) A vehicle is not allowed to occupy two lanes of a road in which priority is for others.

Section 18
International Traffic Signs

The international traffic signs, including traffic signs, markings and signals as stated in international treaties are observed by Iraq.

Section 19
Fines for Motor Vehicle Violations

The Ministry of Interior Directorate of Traffic will establish fines for motor vehicle violations. These are contained in Annex A.

Section 20
Traffic Police Powers and Right of Appeal

- 1) No police officer, including traffic police officers, shall ask for or accept money or any form of payment for any type of traffic violations. All amounts and fines shall be paid directly to the accounts officer at the police sector headquarters within 30 days of the date of violation.
- 2) Traffic police officers, as defined in section 1, paragraph 9 of this Code shall have the authority of a misdemeanor judge in imposing punishments for the violations that occur before him and which are stipulated in paragraph 27 of Annex A of this Code. All other offenses, including any for which the punishment is jail, will be referred to the appropriate court (not the Appeal Committee).
- 3) In the case of a person not paying the fine within the period stipulated in paragraph 1 of this section the fine shall be doubled for one time and entered in the computer record of the vehicle.
- 4) The violating driver, upon payment of the administrative fee of five thousand (5,000) ID, shall have the right to appeal to the Appeal Committee formed for this purpose in the competent Traffic Department. The rules of this Appeal Committee are to be established by the Minister of Interior. Members of the Appeal Committee are to be appointed by the Minister of Interior or his/her designee and shall include the following: an officer from the Internal Affairs Division, a representative from the City Council, a representative from the community. Appeals shall be filed within two weeks from the date of offense. The Appeals Committee shall have the right to adjust, to cancel or to approve the fine.
- 5) If the driver appears before the Appeals Committee, he/she shall be informed by the Appeals Committee of the decision. The driver must acknowledge receipt of the decision. If the driver does not appear before the Appeals Committee, then he/she shall be considered informed of the

decision by mailing to the decision to the address recorded on the driver's license.

- 6) If the driver who commits a violation according to paragraph 21 d of Annex A of this Code drives a car that belongs to a Government office, official, or semi-official office and fails to pay the fine within the fixed period, then a traffic police officer shall inform his/her office to pay the fine from his/her salary. And the amount is to be sent to the competent Traffic Directorate.
- 7) If the driver who commits a violation according to paragraph 21 d of Annex A of this Code drives a car with the customs entry registration plates and did not pay the fine during the fixed period, then the traffic police officer shall inform the customs department in order to send the sum to the competent Traffic Directorate.

Section 21 Unlicensed Drivers

- 1) A driver who drives a vehicle without having a driver license or whose driver's license has been cancelled, or suspended or who has a license different from the type of vehicle he/she is driving, will be punished by a period of incarceration of no less than one month and not to exceed six months.
- 2) A person who owns a vehicle and who knows or should have known that another person does not possess a driving license shall not permit that person to drive his/her vehicle. A driver who violates this section will be punished by a period of incarceration for not less than one month and not to exceed six months or a fine of not less than one hundred thousand (100,000) ID and not to exceed one hundred and fifty thousand (150,000) ID or both

Section 22 Impaired Driving

- 1) A driver who drives while under the influence of alcohol or drugs will be punished by a period of incarceration of not less than three months and not to exceed one year or a fine of not less than three hundred thousand (300,000) ID and not to exceed five hundred thousand (500,000) ID, or both, and seizure of the vehicle for one year. The driver's license will be revoked for not less than two months and not to exceed one year.
- 2) A driver who within one year from the date of sentence on a first violation under this section commits a second violation of the provisions of paragraph 1) of this section will be punished by a period of incarceration not less than six months and not to exceed one year, or a fine of not less than five hundred thousand (500,000) ID and not more than one million

(1,000,000) ID, or both, and his/her driver's license will be revoked for a period of time not less than six months and not to exceed one year.

Section 23 Careless/Reckless Driving

- 1) A driver is guilty of negligent driving by operating a vehicle in a careless or imprudent manner that endangers any person or property by causing serious property damage, personal injury, or permanent disability or defect. A driver who violates this section will be punished by a period of incarceration not less than six months and not to exceed two years, or a fine not less than four hundred thousand (400,000) ID and not to exceed one million (1,000,000) ID, or both.
- 2) If the offense is due to reckless driving, or under the influence of alcohol or drugs, and if the driver does not request help for any person injured as a result of his/her actions, then the driver will be incarcerated for not less than one year and not to exceed 3 years, or a fine not less than five hundred (500) ID and not to exceed one million (1,000,000) ID, or both.

Section 24 Causing Death by Dangerous Driving

- 1) A driver who causes the death of another by driving his/her vehicle in a careless and imprudent manner will be punished by a period of incarceration of not less than five years and not to exceed seven years, or a fine of not less than one million (1,000,000) ID and not to exceed one million, five hundred thousand (1,500,000) ID, or both.
- 2) If a driver commits the crimes stipulated in section 22, paragraph 1 and causes the death of one or more persons, or causes the death of a person and causes physical illness, damage, or permanent defect to more than one person, then the driver will be punished by a period of incarceration of not less than seven years and not to exceed 10 years, or a fine of not less than one million, five hundred thousand (1,500,000) ID and not to exceed three million (3,000,000) ID, or both.
- 3) A driver who causes the death of another person by driving a vehicle in a reckless and negligent manner and was under influence of alcohol, or who flees the scene of the accident and does not notify the competent authorities of the accident will be punished for a period of incarceration of not less than seven years and not to exceed 10 years, or a fine of not less than three million (3,000,000) ID and not to exceed five million (5,000,000) ID, or both.

- 4) If the offense indicated in paragraph 3 of this section caused the death of one or more persons, or the death of one person and caused physical damage, illness, or permanent defect to more than one person, then the driver will be incarcerated for not less than 10 years and not to exceed 20 years, or a fine of not less than five million (5,000,000) ID and not to exceed seven million (7,000,000) ID, or both.

Section 25 Pedestrian Crossings

- 1) It shall be considered an aggravating circumstance for the punishments stipulated in sections 23 and 24 of this Code if the accident takes place in the area of a pedestrian crossing where there are signs for crossing pedestrians, if the driver doesn't help the injured person by transferring him to hospital, or if the driver leaves the scene of the accident without permission from the traffic police officer.
- 2) It shall be considered extenuating circumstance for the punishments stipulated in sections 23 and 24 of this Code if the accident takes place outside of a pedestrian crossing area, if the driver transfers the injured person as soon as practicable to a hospital, or if he/she informs the police station of the accident.

Section 26 Interfering With or Assaulting Traffic Officials

- 1) Anyone who interferes with or threatens a traffic police officer while he/she is performing his/her duties shall be punished by a period of incarceration not to exceed two years.
- 2) Anyone who assaults a traffic police officer while he/she is performing his/her duties shall be punished by a period of incarceration not to exceed three years.
- 3) Anyone who assaults a traffic police officer while he/she is performing his/her duties and causes a wound or injury shall be incarcerated for a term not to exceed five years. The punishment shall not violate any other more severe punishment stipulated in any other law.

Section 27 Suspension of Driver's Licenses

When the court issues a conviction judgment in accordance with the provisions of this Code, it may suspend the driving license of the convicted person for a period of not less than one year and not to exceed three years. If the driver is

unlicensed, then the court may prevent him/her from getting a driver's license for three years starting from the date of judgment or the date of the fine.

Section 28
Application of Severest Available Punishment

If any other law stipulates a more severe punishment for an act stipulated in this law, then the more severe punishment may be applied.

Section 29
Admissible Evidence

The following evidence is admissible at trial for an offense under the Traffic Code if the court finds it is relevant: pictures, statements and decisions taken by means of checking and measuring the degree of intoxication, a plan for the accident that is organized by a traffic police officer whose rank shall be Sergeant, forensics reports, video/surveillance camera tape, sketches, and recorded statements.

Section 30
Issuance of Receipt Sufficient for Court Notification

Issuance of a Receipt for Seized Driver's License by the traffic police officer shall be considered notification to appear before the designated court.

Section 31
Maximum Period of Seizure of Vehicle

When a driver commits a violation of the provisions of paragraph 21 of Annex A, section 21, section 22 or section 24 of this Code, the traffic police officer shall have the authority to seize the vehicle for no more than 10 days subject to a valid third party claim.

Section 32
Impounding of Vehicles

- 1) When ordered by a judge, the traffic police must tow away any vehicle to be seized and deposit it with a third person, who is authorized to perform this type of duty, at the expense of the vehicle's owner until the legal procedures are completed in accordance with a judicial or executive decision.
- 2) If a vehicle is illegally parked, creating a hazard or otherwise impeding the movement of traffic, the traffic police officer has the authority to tow such vehicle at the expense of the vehicle's owner.

- 3) Traffic patrols are not responsible for any damages caused to the vehicle during the tow or seizure.

Section 33 Promotion of Traffic Safety

The Minister of Interior or his/her designee may appoint such committees as necessary to facilitate and promote traffic safety.

Section 34 Implementation of the Traffic Code

- 1) The Minister of Interior or his/her designee may issue such statements, rules, and instructions as necessary to implement the provisions of this law.
- 2) The Director General of Traffic may issue a statement according to the Code in the following matters:
 - a) Assigning the direction of traffic on the public roads;
 - b) Fixing the shape and dimensions of the registration plate, driver's license, and the vehicle registration along with the color and contents;
 - c) Implementing the provisions of the international treaties to which Iraq is a signatory related to the Traffic Code; and
 - d) Testing procedures and information used to approve an application for a driver's license.

Section 35 Road Safety Training

- 1) The Traffic Division in each Governorate shall reserve a week every year to try to focus the public's attention on traffic safety, which reduces accidents.
- 2) In cooperation with other related offices, the Traffic Division in each Governorate shall prepare appreciation certificates for drivers who do not commit any traffic violations in 20 years.

Section 36
Issuance of Regulations by Minister of Interior

Regulations regarding the following matters shall be issued by the Minister of Interior:

- a) Teaching the vocation of driving cars;
- b) Inspecting and checking vehicles by private garages; and
- c) Dimensions for color of and the placement of the registration plate on the vehicle, and who will manufacture such registration plates.

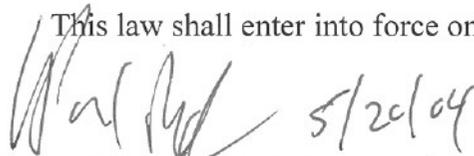
Section 37
Revocation of Previous Traffic Laws

This Traffic Code revokes and replaces the following previous traffic laws:

- a) Traffic Law number 48 of 1971 and all amendments from whatever source, including but not limited to: the Revolutionary Command Council, the Ministry of Interior, and the Office of Traffic Directorate.

Section 38
Entry into Force

This law shall enter into force on the date of signature.



L. Paul Bremer, Administrator,
Coalition Provisional Authority

ANNEX A

DRIVING AND VEHICLE REGULATIONS, VEHICLE REGISTRATION FEES AND FINES FOR MOTOR VEHICLE VIOLATIONS

Regulations Pertaining to Different Road Users

1. Pedestrian road users are to abide by the following regulations when walking along the road:

- a) Pedestrians must walk on the sidewalk of a road;
- b) If no sidewalk is available, pedestrians must walk safely, close to the left edge facing traffic. If pedestrians are walking in a group, they should walk in single file;
- c) Pedestrians walking during darkness or cloudy weather shall wear light or reflective clothing.

2. Pedestrians crossing roads and passing to the opposite side of the road shall be conducted according to following conditions:

- a) Pedestrians shall cross roads from designated areas such as marked cross walks, bridges, tunnels and traffic light controlled pedestrian cross places. If these are not available, pedestrians shall cross according to the following: stop at the sidewalk of the road, look left, then right, then left and pass smoothly and quickly. If the road contains a median divider, the crossing procedure shall be repeated as looking right and left then right;
- b) Pedestrians shall not cross from between parked vehicles for it is not easy for drivers to observe pedestrians;
- c) Pedestrians crossing one way roads or lanes shall make sure of traffic direction;
- d) Pedestrians crossing roads shall attempt to cross in illuminated areas.

3. Passengers - The following regulations should be observed when entering and exiting vehicles:

- a) Passengers shall enter and exit only from fully stopped vehicles in designated or otherwise safe locations;
- b) Passengers seeking to cross after exiting a bus, shall wait until the bus has moved and the driver is able to observe the road;
- c) Passengers seeking to exit a bus or hire vehicle must inform the driver at adequate distance to permit a safe stop.

4. Drivers – The following regulations should be observed when driving:

- a) The driver must be capable of driving with complete control of the vehicle and with a clear view of the road and traffic movement;
- b) The driver shall hold the steering wheel with both hands;

- c) The driver shall obey the speed limits as set by law;
- d) The driver shall obey traffic signs and signals and directions from traffic police;
- e) The driver shall check the front lights and back lights while driving at night;
- f) Use of high beams is prohibited when approaching oncoming traffic;
- g) Proper use of horn to warn and in emergency conditions only;
- h) Safety belts must be worn especially on outside roads or highways;
- i) Adequate space must be left between vehicles. This distance shall increase according to vehicle speed and if the road is wet;
- j) Traffic priority (Right of way) must be given for pedestrians crossings at unmanned or unmarked areas;
- k) Emergency vehicles shall be given the right of way in the left lane;
- l) Long distance driving may cause drowsiness or fatigue. To avoid this, rest should be taken for 5 minutes to every one hour driving;
- m) Drivers shall slow down and not use the horn when driving close to animals.

5. Start conditions – Before starting vehicles, drivers should check for any obstacle behind them, check the conditions of the tires, then start the engine and tighten safety belt before observing the following conditions:

- a) Mirror: check to make sure of passing vehicles by inside and outside mirror and look left. If there are any approaching vehicles, the driver must wait;
- b) Turn signals: Left turn signal must be used to warn other road users of movement.

6. Passing: Passing another vehicle from the left side shall be conducted according to the following conditions:

- a) Where passing is allowed;
- b) After making sure the road is clear for adequate distance;
- c) Using side mirrors to make sure road is clear of vehicles;
- d) Using signals; and
- e) Start acceleration and pass then go back to normal lane.

7. Illegal Passing – Passing is prohibited in the following conditions:

- a) Near pedestrian crossings;
- b) Near crossroads, curves, bridges, tunnels, hill, on slippery roads, narrow roads and at railway cross roads;
- c) Where posted “No Passing” or where obstructed by a barrier;
- d) When passing would force another driver to change his speed or direction;
- e) If the vehicle ahead is passing another car;
- f) If the vehicle behind is passing another car;
- g) If an oncoming vehicle is passing on a roadway with no separation, median or connected lines;

- h) If the vehicle to be passed is traveling at the maximum speed limit; and
 - i) If visibility is bad.
8. In the case of passing a column of vehicles, passage must be done in stages.
9. Left turn must be conducted as follows:
- a) Move to left lane at a safe distance;
 - b) Use the mirrors to check traffic movement behind;
 - c) Use left turn signal;
 - d) Turn left safely.
10. Right turn must be conducted as follows:
- a) Move to right lane at a safe distance;
 - b) Use the mirror to check traffic movement behind;
 - c) Use right turn signal;
 - d) Turn right safely.
11. Changing lanes must be conducted as follows:
- a) Look in mirror to make sure that the lane you intend to move into is clear of traffic;
 - b) Use turn signal to warn road users;
 - c) Change lanes safely.
12. Parking – When parking for more than five minutes with the engine off, drivers shall park vehicles parallel to and not more than thirty centimeters from the sidewalk with the doors closed. Parking shall be conducted as follows:
- a) Slowdown;
 - b) Use rearview mirror to observe traffic;
 - c) Use turn signal to indicate direction of travel;
 - d) Pull over to far most right side of the road before opening vehicle doors;
 - e) Make sure lane is clear of pedestrians before opening vehicles doors;
 - f) Exit from vehicles right side close to side walk.
13. Parking is prohibited as follows:
- a) Where traffic signs indicate parking prohibited;
 - b) When parking will obstruct visibility at or near to:
 - i. Crossroads;
 - ii. Curves;
 - iii. Railway crossroads;
 - iv. Cliff edge;

- v. Arched bridge;
- vi. Bus stop;
- vii. Pedestrians crossing area;
- viii. School and office main gates;
- ix. Parking on left side of roadway;
- x. Double parking;
- xi. When parking will obstruct movement of traffic;
- xii. On narrow roads;
- xiii. In tunnels;
- xiv. On bridges;
- xv. At entrances of garages (private and public);
- xvi. Near road works and construction sites;
- xvii. If parking obstructs visibility of a traffic light or sign.

14. Lights – The following conditions should be observed in using lights:

- a) Make sure front and back lights of vehicle are according to its design;
- b) Use high beams on roads with no electric lights and dim lights when a vehicle approaches from the opposite direction;
- c) Use full lights in case of fog or bad visibility;
- d) Flash headlights to give warning, same as with horn, especially during hours of darkness;
- e) Use of high beams is prohibited when stopped, parking and waiting;
- f) Use emergency flashers when vehicle is disabled.

15. Other general driving and vehicle regulations are as follows:

- a) Vehicles are not permitted to enter or exit roads except from special points which are acceleration and slow down lanes;
- b) Backing, turning and parking except as designated by traffic control signs or for emergency reasons is prohibited;
- c) Vehicle travel at more than the maximum and less than the minimum speed limit provided for by law is prohibited;
- d) Vehicle tires must be properly checked before travel and petrol, water and oil quantities must be sufficient;
- e) Drivers of defective or disabled vehicles must exploit continuation of the vehicle's movement to exit to emergency lane and use emergency flashers or a reflective triangle at a distance not less than 50 meters on highways and at an appropriated distance on internal roads continuation of the vehicle's movement to exit to emergency lane and use emergency flashers or a reflective triangle at a distance not less than 50 meters on highways and at an appropriate distance on internal roads;
- f) It is unlawful to use a vehicle not designed for towing to tow a vehicle. When towing a disabled or defective vehicle, the vehicle's emergency flashers shall be activated;

- g) Vehicles more than 2.5 meters wide are prohibited from operating on highways unless escorted by a traffic vehicle to direct and warn other drivers;
- h) Parking, stopping or waiting inside a vehicle at locations other than those designated is not permitted except in case of emergency.

16. Public vehicle regulations:

- a) Smoking is not allowed inside public vehicles;
- b) Passengers must keep their body fully inside public vehicles;
- c) Passengers on public vehicles shall not distract the driver;
- d) Public vehicles must be kept clean;
- e) Visibility shall not be obstructed by materials or baggage;
- f) Passengers shall not give traffic signs instead of the driver;
- g) Children shall be seated in the back seat;
- h) Standing inside transport buses is prohibited for it obstructs driver's rear view vision.

Vehicle Registration Fees

17. The following fee schedule is in effect until amended or replaced pursuant to section 32 of this Code.

18. The following are the fees for issuing and renewing driver licenses:

- a) Motorcycles – five thousand ID;
- b) All other vehicles – ten thousand ID.

19. The following are fees for vehicle registration certificates, first time and renewals:

- a) Motorcycles – five thousand ID;
- b) All types of cars – ten thousand ID;
- c) Trailers carrying over 12 tons and vehicles carrying more than 25 passengers – fifty thousand ID.

20. Transfer of ownership fees must be paid fifty percent by the previous owner and fifty percent by the new owner. The following are fees for transfer of ownership of vehicles:

- a) Private cars – fifty thousand ID;
- b) Public cars and buses – fifty thousand ID;
- c) Trucks and trailers – one hundred thousand ID;
- d) Agriculture vehicles, construction vehicles, trailers (dragged vehicles) and tourist caravan vehicles – fifty thousand ID;
- e) Motorcycles – five thousand ID.

21. The following are fees for reissuing a driver license or registration certificate when it is lost, stolen or destroyed:
- a) The first time – ten thousand ID;
 - b) The second time – twenty thousand ID;
 - c) More than two times – forty thousand ID.
22. The following fees are for losing or destroying the vehicle registration plate:
- a) The first time – twenty thousand ID;
 - b) The second time – forty thousand ID;
 - c) More than two times – sixty thousand ID.
23. If the loss or destruction of the registration plate is accidental or unintentional the fee is two thousand ID.
24. There is no fee for the loss or destruction of the registrations plate caused by the burning of, robbery and/or collision of the vehicle when certified by documents.
25. Transactions related to vehicles and driver licenses shall be exempted from the provisions of the law of stamp fees number 16 of 1974.

Fines for Motor Vehicle Violations

26. The following fines will be in effect until changed or amended pursuant to section 32 of this Code.
27. Anyone who commits the following violations shall be fined thirty thousand ID:
- a) Failure to obey traffic control device or traffic police signal;
 - b) Driving against traffic;
 - c) Driving without front or rear lights at night;
 - d) Driving a vehicle without registration plate;
 - e) Reckless or negligent driving;
 - f) Driving at a speed greater than reasonable or in excess of speed limit;
 - g) Failure to register vehicle within 30 days of purchase;
 - h) Violating the rules of traffic on highways;
 - i) Violating instructions or statements issued by the Directorate General of Traffic.
28. Anyone who commits the following violations shall be fined twenty thousand ID:
- a) Failure to cover the cargo securely to prevent cargo from falling during driving or shaking;
 - b) Parking in no-parking area;
 - c) The use of tinted windows or textile or metal curtains on rear or side windows;

- d) Turning in the places where it is not allowed to turn;
- e) Failure to stop when exiting from side road to main road;
- f) Failure to yield the right of way to pedestrians.

29. Anyone who commits the following violations shall be fined fifteen thousand ID:

- a) Stopping large trucks, buses, construction or agricultural vehicles in travel lanes, on internal streets or in residential regions, except when loading or unloading;
- b) Carrying cargo in trucks in excess of height requirements;
- c) Driving a vehicle with damaged or unclear registration plate;
- d) Failure to use safety belts in moving vehicle;
- e) Improper use of horn, including use of horns other than factory installed or equivalent;
- f) Passing a vehicle on the right side on roadways.

30. Anyone who commits the following violations shall be fined ten thousand ID:

- a) Improper use of high beam lights;
- b) Driving a vehicle that doesn't meet the minimum safety standards for equipment (as stipulated in section 13 of this law);
- c) Putting stickers, decorations or notices on the front windshield or rear window;
- d) Violating the rules of safe driving;
- e) Failure to renew driving license or vehicle registration;
- f) Failure to observe clear traffic signs, signals or markings;
- g) Transporting passengers on the side, decks, hood roof or tail of a vehicle;
- h) Opening a vehicle door and causing traffic obstruction.

31. Anyone who commits one of the following violations shall be fined five thousand ID:

- a) Failure to signal intention prior to turning;
- b) Moving the vehicle before being sure that the traffic side is empty;
- c) Failure to produce a driver license on demand.