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Name: Regulations on Management of Over-limit Transport Vehicles Driving on Highways (MOT Decree (2016) No. 62)	
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Regulations on Management of Over-limit Transport Vehicles Driving on Highways (MOT Decree (2016) No. 62)

The Regulations on Management of Over-limit Transport Vehicles Driving on Highways have been passed in the 18th ministerial affairs meeting on Aug. 18, 2016, and now are hereby released, and shall be implemented as of Sept. 21, 2016.

Yang Chuantang (MOT Minister)

Aug. 19, 2016

Regulations on Management of Over-limit Transport Vehicles Driving on Highways

Chapter I. General

Article 1 These Regulations are hereby formulated to strengthen the management of the Over-limit Transport Vehicles (as *defined below*) driving on highways and secure the highway facilities and people's life and property safety, in accordance with the applicable laws and administrative regulations like the Highway Law of the People's Republic of China and the Regulations on Highway Safety Protection, etc.

Article 2 The Over-limit Transport Vehicles transporting cargo via highways shall be in compliance with these Regulations.

Article 3 The Over-limit Transport Vehicles as defined herein shall mean the cargo transport vehicles falling under one of the following circumstances:

- (i) Those with the height of the vehicle and the cargo exceeding 4M from the ground;
- (ii) Those with the width of the vehicle and the cargo exceeding 2.55M;
- (iii) Those with the length of the vehicle and the cargo exceeding 18.1M;
- (iv) Two-axle trucks, with the total mass of the vehicle and the cargo exceeding 18,000KG;
- (v) Three-axle trucks, with the total mass of the vehicle and the cargo exceeding 25,000KG; and three-axle combination vehicles, with the total mass of the vehicle and the cargo exceeding 27,000KG;
- (vi) Four-axle trucks, with the total mass of the vehicle and the cargo exceeding 31,000KG; four-axle combination vehicles, with the total mass of the vehicle and the cargo exceeding 36,000KG;
- (vii) Five-axle combination vehicles, with the total mass of the vehicle and the cargo exceeding 43,000KG;
- (viii) Those combination vehicles with six or more axles, with the total mass of the vehicle and the cargo exceeding 49,000KG, in which, for the trailers with their driving axles being single axles, with the total mass of the vehicle and the cargo exceeding 46,000KG.

The restrictive standards as specified in the above section shall also be recognized by complying with the following requirements:

- (i) The two-axle set shall be calculated as a two-axle, and the three-axle set shall be calculated as a three-axle;
- (ii) The tires at the side of the axles (other than the driving axle) of the two-axle set and three-axle set vehicles and the semi-trailers and full-trailers shall be calculated as two tires, and if the tire at the side of each axle is single, the restricted

http://zizhan.mot.gov.cn/zfxxgk/bnssj/zcfgs/201608/t20160830_2082239.html 2016/9/19

standards shall be reduced by 3,000KG; however, those installed with the wider tires consistent with the applicable state standards are excluded.

(iii) The maximum allowable total mass of the vehicles shall not exceed the sum of the maximum allowable axle load for individual axles;

(iv) The total mass of the tractors, farm trucks and low-speed trucks shall be subject to that as verified by the Vehicle License as the restricted standards;

(v) The refrigerated vehicles, combination vehicles and those vehicles installed with the pneumatic suspensions, and dedicated working vehicles, which are in line with the provisions of the Limits of Dimensions, Axle Load and Masses for Motor Vehicles, Trailers and Combination Vehicles (GB1589), will not be recognized as Over-limit Transport Vehicles.

Article 4 The Ministry of Transport of the People's Republic of China ("MOT") is responsible for the management of Over-limit Transport Vehicles being driven on highways throughout the country.

The relevant competent departments of the people's governments at the level of the county or above are responsible for the management of the Over-limit Transport Vehicles being driven on highways in their respective administrative area.

The highway management authorities are specifically responsible for supervision and management of the Over-limit Transport Vehicles being driven on the highways.

The relevant competent departments of the people's governments at the level of the county or above shall, based on their responsibilities, be legally responsible for or participate in or cooperate to engage in the supervision and management of the Over-limit Transport Vehicles being driven on the highways. The competent traffic transport authorities shall, under the united leadership of the people's governments at this level, establish together with the relevant competent authorities the interactive working mechanisms for the control of over-limit transport.

Article 5 The competent traffic transport authorities at different levels shall organize the highway management authorities and road transport management authorities in establishing the relevant management information system, and promote the linkage of the vehicle over-limit management information system and the road transport administration management information system, thus realizing data exchange and sharing.

Chapter II. Management of Bulk Transport Licenses

Article 6 The vehicles engaging in the over-limit transport of indivisible items ("Bulk Transport") are required to legally handle the relevant license formalities, and after effective measures are taken, drive on highways according to the designated time, route and speed, and without this license, shall not drive on the highways.

Article 7 The consignors for the Bulk Transport shall entrust the road transport operators with the transport operation qualifications for large items for transport, and factually complete the name, specifications, weight, etc. of the cargo transported on the transport bill.

Article 8 Before the Bulk Transport vehicles are driven on the highways, the carriers shall apply for the Highway Over-limit Transport License with the highway management authorities according to the following provisions:

(i) In case of transport crossing a province, autonomous region or municipality directly under the Central Government, it is required to file an application to the provincial highway management authority at the origin of transport. The application agency shall list the provincial highway management authorities along the over-limit transport route. The provincial highway management authority in the origin of transport will receive and organize in coordinating individual provincial highway management authorities for joint review and approval, and when necessary, the MOT may be responsible for united organization and coordination.

(ii) In case of transport crossing cities with districts within a province or autonomous region, or in case of transport crossing districts or counties within a municipality directly under the Central Government, it is required to file an application with the provincial highway management authority that will receive and approve such application.

(iii) In case of transport crossing districts or counties within a city with districts, it is required to file an application with the municipal highway management authority that will receive and approve such application.

(iv) In case of transport within a district or county, it is required to file an application with the county highway management authority that will receive and approve such application.

Article 9 The competent traffic transport authorities and highway management authorities at different levels shall establish their Highway Over-limit Transport License Management Platform by taking information measures, implementing the online handling of the license formalities, and disclosing the relevant information in a timely manner.

Article 10 A carrier who applies for the Highway Over-limit Transport License shall provide the following materials:

- (i) Highway Over-limit Transport Application, mainly covering: name, overall dimension and mass of cargo, brand and model, curb weight, number of axles, axle distance, number of tires of the vehicle, overall dimensions, total mass and axle load of the vehicle and cargo, origin and destination of transport, route and driving time;
- (ii) Carrier's Road Transport Operation License, IC Card of the handler and the Letter of Authorization;
- (iii) Vehicle License or temporary driving plate.

If the total height of the vehicle and the cargoes from the ground exceeds 4.5M, or the total width exceeds 3.75M or the total length exceeds 28M, or the total mass exceeds 100,000KG, and it may seriously affect the completeness, safety and unblocking of the highways, it is also required to submit the outline drawing and escort plan recording the overall dimension information upon loading.

The escort plan shall such contain information such as the configuration plan of the escort vehicle, the escort staffing plan, instructions on escort route, detailed escort operating rules, how to respond to emergencies, etc.

Article 11 If the application for the Highway Over-limit Transport License as filed by a carrier falls within any of the following circumstances, it will be rejected by the highway management authorities:

- (i) The cargo is divisible;
- (ii) The operating qualifications as recorded in the Road Transport Operation License held by the carrier do not cover the Bulk Transport;
- (iii) The carrier is legally prohibited from applying for the Highway Over-limit Transport License, and the prohibition period has not expired;
- (iv) Other circumstances as specified by the laws and administrative regulations happen.

If the Bulk Transport vehicle carrying a single indivisible item is loaded with several indivisible items of a kind, without changing the original over-limit circumstance, it is deemed to be carrying the indivisible items.

Article 12 After a highway management authority receives the application for the Highway Over-limit Transport License, it is required to review the application materials submitted by the carrier. Under circumstances as specified in Article 10 – section 2, the highway management authority shall check the data like overall dimensions, total mass and axle load, etc. of the vehicle and the cargo and the escort plan, and seek for the opinions of the public security department – traffic management section at the same level.

In case of the transport crossing a province, autonomous region and municipality directly under the Central Government subject to united receiving and centralized handling, the provincial highway management authority at the origin of transport is responsible for conducting a review.

Article 13 When reviewing and approving the Highway Over-limit Transport Application, the highway management authorities shall organize personnel in surveying the access route according to the actual situations. If any reinforcement or reforming measures are required, the carrier shall take effective reinforcement or reforming measures as required. The highway management authorities shall check the plan on reinforcement or reforming measures as proposed by the carrier, and organize a group in conducting an acceptance inspection.

If the carrier has no conditions and ability to take reinforcement or reforming measures, it may entrust the highway management authorities to formulate the corresponding reinforcement or reforming plan by signing an agreement, and the highway management authorities shall take the reinforcement or reforming measures, or the highway management authorities select a qualified organization for reinforcement or reforming by adopting the marketing method.

The fees for the reinforcement or reforming measures taken shall be borne by the carrier. The charging standards shall be open and transparent.

Article 14 The reinforcement or reforming measures taken shall satisfy the safety needs of the highway facilities and be based on the following principles:

- (i) It is required to take temporary measures first, convenient for implementation, dismantling and recycling;
- (ii) If permanent or semi-permanent measures are taken, they may be done synchronously with the technical reforming of the highway facilities;
- (iii) If it is still unable to satisfy the access of the Bulk Transport vehicles after the reinforcement or reforming measures are taken for the highway facilities, it may consider building a temporary bridge or road;
- (iv) If several routes are available, the route with the bridge's technical status with a higher rating and with the lower fees for the reinforcement or reforming measures to be taken shall be the first choice ;
- (v) If different over-limit transport applications during the same period relate to the reinforcement or reforming measures taken for the same highway facility, individual carriers shall share the fees incurred based on the principle of fairness and willingness.

Article 15 The highway management authorities shall make their decisions on whether the administrative license is to be granted within the following timeframes:

- (i) If the total height of the vehicle and the cargo from the ground does not exceed 4.2M, or the total width does not exceed 3M or the total length does not exceed 20M and the total mass and the axle load do not exceed the standards as specified in Articles 3 and 17 hereof, the decision shall be made within 2 working days from the receiving day, and if the Bulk Transport is crossing a province, autonomous region and municipality directly under the Central Government subject to united receiving and centralized handling, the handling period shall not exceed 5 working days at the maximum.
- (ii) If the total height of the vehicle and the cargo from the ground does not exceed 4.5M, or the total width does not exceed 3.75M or the total length does not exceed 28M and the total mass does not exceed 100,000KG, and the Bulk Transport is within the local administrative area, the decision shall be made within 5 working days from the receiving day, and if the Bulk Transport is crossing a province, autonomous region and municipality directly under the Central Government subject to united receiving and centralized handling, the handling period shall not exceed 10 working days at the maximum.
- (iii) If the total height of the vehicle and the cargo from the ground exceeds 4.5M, or the total width exceeds 3.75M or the total length exceeds 28M, or the total mass exceeds 100,000KG, and the Bulk Transport is within the local administrative area, the decision shall be made within 15 working days from the receiving day, and if the Bulk Transport is crossing a province, autonomous region and municipality directly under the Central Government subject to united receiving and centralized handling, the handling period shall not exceed 20 working days at the maximum.

The time for the reinforcement or reforming measures taken will not be included in the timeframe as specified by the preceding section.

Article 16 After receiving the Highway Over-limit Transport Application crossing the province, autonomous region and municipality directly under the Central Government, the provincial highway management authority in the origin of transport shall, within 2 working days, forward its received application materials to the individual provincial highway management authorities along the highways.

In case of the circumstance specified in Article 15 – section 1 (ii), individual provincial highway management authorities along the highways shall, within 5 working days after receiving the forwarded application materials, make their administrative decisions; and in case of the circumstance as specified in Article 15 – section 1 (iii), it is required to make their administrative decisions within 15 working days after receiving the forwarded application materials, and feedback the same to the provincial highway management authority in the origin of transport. If it is required to take the reinforcement and reforming measures, the provincial highway management authorities shall handle the same subject to Article 13 hereof. In case of any adjustments to the route or driving time within the scope of the upstream and downstream provinces, autonomous regions and municipalities directly under the Central Government, it is required to notify in a timely manner the carriers and the provincial highway management authority in the origin of the transport of the same, and the provincial highway management authority in the origin of transport organizes the group in coordinating and handling the same.

Article 17 In case of any of the following circumstances, the highway management authorities shall make their decisions on the rejection of administrative licenses:

- (i) If the ordinary flat truck is adopted for transport, the average axle load of the individual axles exceeds 10,000KG or

the maximum axle load exceeds 13,000KG;

- (ii) If the multi-axle and multi-tire hydraulic flat truck is adopted for transport, the average axle load of each axle (one line, two axles and 8 tires) exceeds 18,000KG or the maximum axle load exceeds 20,000KG;
- (iii) The carriers fail to perform its obligations to take reinforcement and reforming measures;
- (iv) Other circumstances as specified by the laws and administrative regulations happen.

Article 18 If the highway management authorities approve the Highway Over-limit Transport Application, it is required to designate the time, route and speed when driving on highways, depending upon the actual situations of the Bulk Transport, and issue the Over-limit Transport Vehicle Permit. As for the approval of the transport crossing the province, autonomous region and municipality directly under the Central Government, the provincial highway management authority at the origin of transport shall issue the Over-limit Transport Vehicle Permit.

The format of the Over-limit Transport Vehicle Permit shall be designated by the Ministry of Transport of the People's Republic of China, and individual provincial highway management authorities are responsible for printing and management of the Over-limit Transport Vehicle Permit. The applicants may take the Over-limit Transport Vehicle Permit at the permit window or print it by means of the online self-help.

Article 19 If the same Bulk Transport vehicle passes a fixed route within a short term, with the same loading mode and the same cargo loaded, and no reinforcement or reforming measures are required, the carriers may apply with the highway management authorities to handle the Over-limit Transport Vehicle Permit with the driving period of not more than 6 months, according to the transport plan. If the transport plan changes, it is required to handle the change formalities according to the applicable regulations of the original licensing authority.

Article 20 As for vehicles that are approved to engage in the Bulk Transport, when driving on the highways, it is required to comply with the following:

- (i) Taking valid measures to fix cargo , and hanging obvious marks on the vehicles according to the applicable requirements, thus guaranteeing transport safety;
- (ii) Driving per the designated time, route and speed;
- (iii) If the vehicles with the total mass of the vehicle and the cargo exceeding the limit pass the highway bridges, they shall drive in the middle at the same speed, and avoid braking, changing speed or stopping on the bridges;
- (iv) If they need to pull over on highways for the time being, in addition to conforming with the road traffic safety regulations, it is also required to set up warning marks around the vehicles, and take corresponding safety and prevention measures; and if it needs to park for a longer time or it encounters any inclement weather, they shall drive away from highways and park in a safe area;
- (v) When passing the highway facilities for which the reinforcement or reforming measures are taken, the carriers shall notify the maintenance management organization of the highway facilities of the same in advance, and such maintenance management organization will be responsible for strengthening on-site management and guidance;
- (vi) If the Bulk Transport vehicles cannot continue being driven due to abnormal access status resulting from acts of god or other circumstances that cannot be foreseen, the carriers shall follow the onsite management and notify the highway management authorities making the administrative decisions for the same in a timely manner, and continue driving after such highway management authorities coordinate with the local highway management authorities to take measures.

Article 21 The valid Over-limit Transport Vehicle Permit shall be attached to the Bulk Transport vehicles. It is required to take the initiative to accept the supervision and checks from the highway management authorities.

The information about the Bulk Transport vehicles and the loaded items shall be consistent with those as recorded in the Over-limit Transport Vehicle Permit.

No units and individuals are allowed to lend, borrow and transfer the Over-limit Transport Vehicle Permit, nor use a fake or altered Over-limit Transport Vehicle Permit.

Article 22 As for the Bulk Transport vehicles as specified in Article 10 – section 2, carriers shall organize an escort according to the escort plan.

If the carriers cannot take escort measures, they may entrust the highway management authorities making administrative

decisions to coordinate with the highway management authorities along the highways for the escort purposes, and bear the fees incurred thereby. The escort charging standards shall be formulated by the competent provincial traffic transport authorities together with the competent fiscal and pricing authorities at the same level according to the applicable regulations, and shall be released to the public.

Article 23 During driving, the escort vehicles shall form a complete fleet with the Bulk Transport vehicles, and maintain real-time and unblocked communications.

Article 24 The approved Bulk Transport vehicles are subject to the access fees according to the standards for the basic rate, when passing the charged highways according to the weight, except for those with the information about the vehicles and the cargo loaded inconsistent with those as recorded in the Over-limit Transport Vehicle Permit.

Article 25 The highway management authorities shall strengthen communications with the major equipment manufacturing and transport enterprises in the administrative area, and know their manufacturing and transport plans, enhance their services and provide convenient conditions for transporting the major equipment.

As for the areas with a large Bulk Transport demand, it may consider those factors like construction costs, transport needs, etc. in an overall manner, and improve the technical conditions for the access sections, as appropriate.

Article 26 The highway management authorities and the highway operating enterprises shall regularly test and evaluate such facilities as highways, highway bridges and tunnels, etc., and provide convenience for the social public to access information about their technical status.

The highway tollgates shall set up super-wide lanes according to the applicable requirements.

Chapter III. Management of Illegal Over-limit Transport

Article 27 The over-limit transport vehicles carrying divisible items ("Illegal Over-limit Transport") are prohibited from driving on the highways.

As for the vehicles driving on highways, if the overall dimensions of the vehicle and the cargo or the total mass do not exceed the limits as specified in Article 3 hereof, but exceeds the limits for the relevant highways, highway bridges and the limits for load, height, width and length of the highway tunnels, they are not allowed to be driven on the highways, highway bridges or highway tunnels.

Article 28 The operators and managers of the goods collecting and distributing centers and freight stations for coal, steel products, cements, sands, commodity vehicles, etc. (hereinafter referred to as the "Freight Transport Source Organizations" collectively) shall install qualified detection equipment at such centers and stations, for the purpose of detecting the vehicles leaving the centers and stations, thus guaranteeing legal loading of the vehicles leaving the centers or stations.

Article 29 The Freight Transport Source Organizations and road transport enterprises shall strengthen education and management of the freight transport vehicle drivers and urge them to transport cargo according to the law.

The road transport enterprises, which are responsible for preventing the Illegal Over-limit Transport, shall reinforce the monitoring of the loading and running of the vehicles and prevent the drivers from engaging in Illegal Over-limit Transport according to the applicable regulations.

No units and individuals are allowed to instigate or force the freight transport vehicle drivers to engage in Illegal Over-limit Transport.

Article 30 No freight transport vehicle drivers are allowed to drive the Illegal Over-limit Transport vehicles.

Article 31 The road transport management authorities shall strictly implement the supervision and check of the key Freight Transport Source Organizations as released by the governments. The round the clock checks and technical monitoring measures, etc. shall be taken to urge them to implement the responsibilities to supervise the vehicles for legal loading and prevent the Illegal Over-limit Transport vehicles from driving away from the stations.

Article 32 The highway management authorities and road transport management authorities shall establish the interactive enforcement working mechanisms and incorporate the Illegal Over-limit Transport acts into the quality credit evaluation and drivers' credit evaluation of the road transport enterprises, and implement the Illegal Over-limit Transport "Black List" management system, and investigate the liabilities against the vehicles, drivers, road transport enterprises and Freight Transport Source Organizations involved in the Illegal Over-limit Transport according to the law.

Article 33 The highway management authorities shall detect the freight vehicles for over-limit transport, by means of fixed detection, moving detection and technical monitoring, etc.

Article 34 The fixed detection shall be conducted at the highway over-limit detection stations set up under the approval of the provincial people's government.

Article 35 The highway management authorities may conduct the moving detection by using the moving detection equipment. The Illegal Over-limit Transport vehicles as recognized by the moving detection authorities shall be directed to the highway over-limit detection stations for further treatment.

If the moving detection point is away from the highway over-limit detection station, the Illegal Over-limit Transport vehicles shall be directed to the nearby place where parking and unloading conditions are available like enforcement stations, parking lots, unloading sites, as designated and released by the local competent traffic transport authorities at the level of the county or above.

Article 36 If it is recognized after detection to fall within the Illegal Over-limit Transport, the highway management authorities shall order the persons concerned to take unloading measures to eliminate the violation circumstances. If the persons concerned have difficulties in eliminating the violation circumstances, they may entrust the third persons or highway management authorities to assist in eliminating the violation circumstances.

As for the vehicles carrying indivisible items, if they continue driving on the highways after completion of the investigation, it is required to apply for the Highway Over-limit Transport License according to the law.

Article 37 No detection fees shall be charged for the over-limit detection as conducted by the highway management authorities. No parking administration fees shall be charged for the Over-limit Transport Vehicles that are legally detained or parked for investigation. If the highway management authorities assist in unloading, sub-packaging or custody of cargo , and if the persons concerned fail to take the cargo after being notified after expiration of the custody period, they shall be disposed of according to the applicable regulations.

Article 38 The highway management authorities are required to use the detection equipment that is calibrated by the relevant state departments to be qualified, for the over-limit detection. If no regular calibration is done or it is calibrated to be disqualified, the detection data shall not be used as the enforcement reference.

Article 39 The detection equipment shall be set up at the charging highway entries for detection of the freight vehicles, and no Illegal Over-limit Transport vehicles are allowed to drive on the highways. If the weight based charging mode is adopted for other charging highways, and when the Illegal Over-limit Transport vehicles are found by using the detection equipment, such vehicles are not allowed to drive on the highways. The charging highway operators and managers shall report in a timely manner the Illegal Over-limit Transport vehicles to the highway management authorities or the public security department – traffic management section for handling according to the law.

The highway management authorities shall be entitled to consult and call the materials like the weight data, pictures, monitoring videos, etc. of the highway toll stations, which may be deemed as references for administrative punishments if proven to be true.

Article 40 The highway management authorities shall set up the technical monitoring equipment for detection of vehicles at the important sections and nodes of the ordinary highways and open highways like main freight transport passes, important bridge entries, etc. for investigation of the Illegal Over-limit Transport, according to the highway protection needs.

Article 41 Upon new building and rebuilding of highways, it is required to consider the technical monitoring equipment like the over-limit detection stations and vehicle detection, etc. as the facilities attached to the highways, which shall be incorporated into the project budget, subject to synchronous design, synchronous construction and synchronous acceptance inspection and running with the principal highway projects.

Chapter IV. Legal Liabilities

Article 42 Any circumstances in violation of these Regulations are administered subject to the Highway Law of the People's Republic of China, the Regulations on Highway Safety Protection, the Regulations of the People's Republic of China on Road Transport and these Regulations.

Article 43 Any Illegal Over-limit Transport is subject to punishment administered by the highway management authorities

based on the nature, case and dangerous extent of the violations, in accordance with the following provisions:

- (i) If the total height of the vehicle and the cargo from the ground does not exceed 4.2M, or the total width does not exceed 3M or the total length does not exceed 20M, it is subject to a fine of less than RMB200; and if the total height of the vehicle and the cargo from the ground does not exceed 4.5M, or the total width does not exceed 3.75M or the total length does not exceed 28M, it is subject to a fine of between RMB200 and RMB1,000; and if the total height of the vehicle and the cargo from the ground exceeds 4.5M, or the total width exceeds 3.75M or the total length exceeds 28M, it is subject to a fine of between RMB1,000 and RMB3,000.
- (ii) If the total mass of the vehicle and the cargo exceeds the limit as specified in Article 3 – section 1 (iv) ~ (viii) hereof, but does not exceed 1,000KG, it is subject to a warning, and if exceeding 1,000KG, subject to a fine of RMB500 for every 1,000KG exceeded, but not exceeding RMB30,000 at the maximum.

In case of several violations as specified in the preceding section, the fines against the violations shall be accumulated, but not exceeding RMB30,000 at the maximum.

Article 44 The highway management authorities shall, within 7 working days after settlement of the Illegal Over-limit Transport cases, give a copy of the following information relating to the cases to the road transport management authorities in the place where the vehicles belong, via the vehicle over-limit management information system:

- (i) The vehicle's plate number, model, owner, road transport license number;
- (ii) Name of the driver, number of the driver's practicing qualification license, and information about the driver's employer;
- (iii) Information about the Freight Transport Source Organization and the loading bill;
- (iv) Information about the administrative punishment decision;
- (v) Other materials and information relating to the cases.

Article 45 Where the highway management authorities find in their supervision and check that the vehicles involved in Illegal Over-limit Transport are inconsistent with the Limits of Dimensions, Axle Load and Masses for Motor Vehicles, Trailers and Combination Vehicles (GB1589) or inconsistent with those as recorded in the Vehicle License, the same shall be recorded and regularly copied to the public security department – traffic management section, etc. in the place where the vehicles belong.

Article 46 The vehicles were involved in Illegal Over-limit Transport for more than 3 times in a year and their drivers, and the road transport enterprises with the number of the vehicles involved in Illegal Over-limit Transport accounted for more than 10% of their total freight vehicles, are administered by the road transport management authorities pursuant to Article 66 of the Regulations on Highway Safety Protection.

The accumulated calculation cycle of the Illegal Over-limit Transport records as specified in the preceding section shall start from the day upon initial taking of the Road Transport License, the Road Transport Practicing Qualification Certificate and the Road Transport Operation License, and may be extended to another calendar year.

Article 47 In case of any of the following circumstances, the Bulk Transport vehicles are deemed to fall under the Illegal Over-limit Transport:

- (i) They drive on highways without license;
- (ii) The information about the vehicles and the loaded items are inconsistent with those as stated in the Over-limit Transport Vehicle Permit;
- (iii) They fail to drive on highways according to the licensed time, route and speed;
- (iv) No escort measures were taken according to the permitted escort plan.

Article 48 If a carrier conceals the relevant information or provides false materials to apply for the Highway Over-limit Transport License, in addition to the legal punishment, it is not allowed to apply for the Highway Over-limit Transport License within one year thereafter.

Article 49 Any acts of instigating or forcing the drivers to engage in over-limit transport of cargo without following these Regulations are subject to rectifications as ordered by the road transport management authorities and a fine of no less than RMB30,000.

Article 50 The highway management authorities in the place where the violations happen or the vehicles involved belong

may legally impose a punishment against the Illegal Over-limit Transport vehicles according to the materials as recorded by the technical monitoring equipment, and disclose appropriate modes for the social public to inquire the Illegal Over-limit Transport records.

Article 51 The personnel of the highway management authorities and road transport management authorities who are involved in dereliction of duty, fraudulent practices or abuse of authority are subject to administrative punishments according to law, and if suspected of a crime, will be transferred to the juridical agency for investigation according to the law.

Article 52 Where the Illegal Over-limit Transport vehicles frequently drive on the highways, thereby causing any gross safety accidents, for example, collapse of highway bridges, etc., or serious damage to highways, or obvious degrading of access ability of highways, the MOT and the competent provincial traffic transport authorities may stop the approval of applications for local highway construction projects in the areas concerned within one year, according to their responsibilities.

Article 53 Where the units and individuals refuse or impair the personnel of the highway management authorities and road transport management authorities from carrying out their duties legally, thereby constituting violation of the public security management provisions, they are subject to the public security punishment by the public security bureaus legally, and in case of a crime, will be investigated for criminal liabilities.

Chapter V. Supplementary Provisions

Article 54 These Regulations shall also be applicable for the Bulk Transport vehicles carrying the confidential items due to military and national defense and scientific research that need to drive on highways; however, if otherwise specified by the state, the state regulations shall control.

Article 55 These Regulations shall be implemented as of Sept. 21, 2016. The original Regulations on the Management of Over-limit Transport Vehicles Driving on Highways (MOT Decree (2000) No. 2) as issued by the MOT shall be abrogated at the same time.