

Federal Law No. (9) of 2011 regarding the Land Transportation

We Khalifa bin Zayed Al Nahyan **President of the United Arab Emirates,**

- After reviewing the Constitution;
- Federal Law No. (1) of 1972 concerning the jurisdictions of the ministries and the powers of the ministers, as amended;
- Federal Law No. (17) of 1981 concerning the establishment of the Emirates General Transport & Services Corporation;
- Federal Law No. (8) of 1984 concerning commercial companies, as amended;
- Federal Law No. (9) of 1984 concerning insurance companies and brokers, as amended;
- Federal Law No. (8) of 1986 determining the axial load of vehicles using paved roads in the State;
- Federal Law No. (3) of 1987 promulgating the Penal Law, as amended;
- Federal Law No. (35) of 1992 promulgating the Criminal Procedures Law, as amended;
- Federal Law No. (18) of 1993 promulgating the Commercial Transactions Law;
- Federal Law No. (21) of 1995 concerning pedestrians and traffic, as amended;
- Decree by Law No. (1) of 2001 concerning the guard of land and marine borders of the State;
- Federal Law No. (28) of 2001 concerning the establishment of the Emirates Ministry for Standardization & Metrology, as amended;
- Federal Law No. (1) of 2003 concerning the establishment of the Federal Customs Ministry, as amended;
- Federal Law No. (16) of 2007 concerning animal welfare;
- Decree by Federal Law No. (2) of 2009 concerning the establishment of Al Etihad (Union) Railways Company;
- Federal Decree No. (95) of 2006 concerning the accession by the State to the

conventions concerning the international land carriage of goods and traffic on the roads; and

- The proposal submitted by the Minister of Public Works - the Minister of the National Ministry of Communications, approved by the Cabinet and the Federal National Council and attested by the Supreme Council of the Federation,

Have issued the following Law:

Chapter One

Definitions

Article (1)

Upon the application of the provisions of this Law, the following terms and expressions shall have the following meanings, unless the context requires otherwise:

State	: The United Arab Emirates.
Ministry	: the National Ministry of Communications.
Board	: the board of directors of the Ministry.
Minister	: the Minister of the board of directors of the Ministry.
Competent Ministry	: the local Competent Ministry.
Customs Authorities	: the Federal Customs Ministry and the local customs departments.
Land Transport	: any International Land Transport or Land Transport between the emirates on roads, of people or goods, by any licensed Means of Land Transport in consideration of a fee.
International Land Transport	: any Land Transport on the roads of people or goods from the State to other countries and vice versa, by any licensed Means of Land Transport in consideration of a fee.
Licence	: a Licence issued by the Ministry to conduct the Land Transport activity.
Licensee	: any natural or corporate person holding a Licence from the Ministry to conduct the Land Transport activity.

Operation Card	: such document issued by the Ministry, under which the Means of Land Transport is permitted to operate in the licensed activity.
Means of Land Transport	: any vehicle, bus, Truck, lorry and trailer that runs on the roads, including those that move on Railroads.
Truck	: any means of transport designed to carry goods and the like.
Bus	: any vehicle designed to carry over eight passengers excluding the driver.
Regular Transport	: to carry passengers and their luggage and to carry goods by licensed carriers on specific routes at such announced times and for such carriage fees by regular service of Land Transport.
Cars Club	: the body authorized by the State to provide general services to the owners of the cars e.g. the issuance of customs passage carnets and international driving Licenses.
Guarantor	: such body to be established in the State in accordance with the provisions of this Law to secure the payment of fees and taxes in connection with national and international Means of Land Transport under International Land Transport cards issued by such body or by any similar body in another country.
Insurance Policy	: such contract made between the carrier and an insurance company, under which the insurance company shall compensate the passenger in the event of death or injury or compensate any other damage that may arise from the carriage process.
Roads	: the Roads where the means of transport for passengers and goods run on specific routes, including all types of Roads, including maintenance and emergency Roads and side diversions.
Railroads	: the federal Railroads line as determined under a resolution by the Cabinet.

Chapter Two

Licence

Article (2)

No Land Transport activity may be conducted without License from the Ministry in accordance with the provisions of this Law and the regulations and resolutions issued in execution hereof.

Article (3)

It shall be required to fulfill the following conditions and control to issue the license stipulated in Article (2) of this Law:

1. The applicant for the license shall be an owner of or leasing the land transport means.
2. The land transport means shall be adequate for the activity for which the applicant for the license wishes to practice.
3. The land transport means shall be equipped with safety tools and satisfying all the technical requirements determined by the Executive Regulations and other relevant legislation.
4. Approval from the concerned authorities.
5. Any other conditions or controls determined by the Executive Regulations.

Article (4)

The application for Licence shall be provided to the Ministry on such form prepared for such purpose, together with all such documents as required to grant the Licence, as determined by the executive bylaw.

Article (5)

Subject to the provisions of the Commercial Companies Law, companies to conduct the activity of Land Transport may be established.

Article (6)

Upon the establishment of a branch of a company or establishment licensed to conduct the activity of Land Transport in the State, the Licensee shall obtain a Licence for such branch in accordance with the provisions of this Law and its executive bylaw.

Article (7)

No Means of Land Transport may be used other than for such purpose as stated in the Licence.

Article (8)

A Licence issued in accordance with the provisions of this Law shall be personal and may not be assigned or transferred without the consent of the Ministry.

Article (9)

If a Licensee is desirous to cease to conduct the activity of Land Transport, such Licensee shall apply to cancel or suspend the operation of the Licence temporarily on such form prepared for such purpose, in accordance with such procedures as determined by the executive bylaw.

Article (10)

No Means of Land Transport, including a lorry and trailer, may be operated unless the Licensee has obtained an Operation Card from the Ministry.

The executive bylaw shall determine the form of the Operation Card and the information contained in such card, its validity and the conditions required to issue and renew such Card.

Article (11)

The executive bylaw shall determine the conditions to obtain a new Licence or Card instead of a damaged or lost Licence or Operation Card. Such new Licence or Card shall be issued upon payment of the applicable fee.

Article (12)

The Licensee shall maintain the Operation Card in the Means of Land Transport on a permanent basis.

Article (13)

The executive bylaw shall determine the term of a Licence and its renewal. At all events, the conditions required to grant a Licence shall remain available throughout the term of the Licence. If any of such conditions is lost, the Licensee shall notify the Ministry thereof. In such event, the Ministry shall, on its own initiative or by such notice, suspend or cancel the Licence and consequently the Operation Card shall be suspended or cancelled and the Competent Ministry shall be notified thereof.

Article (14)

Upon deregistration or transfer of the title of the Means of Land Transport, its owner shall notify the Ministry thereof to cancel the relevant Operation Card, in accordance with such procedures as determined by the executive bylaw.

Article (15)

The Ministry shall keep electronic or paper records to enter the names of those Licensees to conduct the activity of Land Transport and to enter the Means of Land Transport holding Operation Cards.

The executive bylaw shall determine the forms and contents of such records and the procedures of registration.

Article (16)

The Means of Land Transport that are not registered in the State may not enter the territories of the State or cross the territories of the State in an empty condition without prior permit by the Ministry, in coordination with the Customs Authorities and the Competent Ministry.

Article (17)

The Means of Land Transport that are not registered in the State may not perform any Land Transport operations inside any emirate or emirates. Upon leaving the State to any country other than its country of registration, such Means of Land Transport may not be loaded without a special permit in accordance with the conditions as determined by the executive bylaw, in coordination with the Customs Authorities and the Competent Ministry.

Article (18)

The drivers of the Means of Land Transport shall:

1. Carry such documents as determined by the executive bylaw;
2. Cross from the official cross border points of the State;
3. Move on such routes as determined by the Ministry in coordination with the Ministry of Interior and the Competent Ministry;
4. To stop and assemble together in the relevant places and comply with the operational times as determined by the Ministry in coordination with the Ministry of Interior and the Competent Ministry;
5. Not put the goods on the Roads or the pavements; and
6. Any other conditions as determined by the executive bylaw.

Article (19)

International Land Transport operations shall be covered by insurance from the beginning of the trip to its end. The executive bylaw shall determine the terms and conditions of such insurance.

Article (20)

Those licensed to regularly carry passengers shall be local agents licensed in the country of destination to facilitate the procedures to perform the passenger carriage operations.

Article (21)

The Licensee and its agent and the carrier in connection with International Land Transport of passengers shall:

1. Issue a ticket to every passenger stating the name, address, ID or passport number and destination of the passenger and the name and address of the carrier.
2. Issue a registration card for the luggage of the passenger, including the number and nature of the items of luggage delivered to the carrier, the name and address of the passenger and the name and address of the carrier.
3. Any other information as determined by the executive bylaw.

Article (22)

1. The carrier shall be responsible for the safety of the passengers inside its vehicle, as determined by the Insurance Policy.
2. The carrier shall pay indemnity for the loss, damage, deficiency or improper carriage of the luggage and shall indemnify the value of the luggage in its condition at the time of delivery, provided that the carrier is notified thereof and such loss, damage, deficiency or defect is confirmed by formal minutes.
3. The carrier or its legal representative at its head office or its authorized agent in the country of the other contracting party may be demanded to pay indemnity for the loss, damage, deficiency or improper carriage of the luggage.
4. In the event of denial and lack of lawful excuse, claims for indemnity against the loss, damage, deficiency or improper carriage of the luggage shall not be heard if the carrier or its agent is not notified of the incident within 60 days from the date of the relevant minutes.

Chapter Three

Customs Passage Carnets

Article (23)

Means of International Land Transport shall have a customs passage carnet as determined

by the executive bylaw.

Chapter Four

Guarantor and Cars Club

Article (24)

It shall not be permissible to issue customs passage carnets and international driving licenses unless it was licensed by the Ministry, and the Executive Regulations shall determine the procedures off granting the license, its duration, and the conditions of its renewal.

Article (25)

The Guarantor and the Cars Club shall obtain a License to practice the activity or to open branches for any of them, in accordance with the conditions stipulated in this Law or its Executive Regulations.

Article (26)

1. The Guarantor and Cars Club shall fulfill the following conditions to obtain the License stipulated in Article (25) of this Law:
 - a. Approval from Customs Authorities.
 - b. Submission of a bank guarantee in accordance with the controls determined under a resolution by the Cabinet.
 - c. Evidence of its membership of any of the Unions or International Associations determined pursuant to the Executive Regulations.
 - d. Any other conditions as determined by the Executive regulations.
2. The Executive Regulations shall determine the procedures for issuing the License.

Article (27)

The licensed Guarantor and the Cars Club may join the relevant organizations or associations. The executive bylaw shall determine the relevant conditions.

Article (28)

The Ministry shall have the power to control the Guarantor and the Cars Club to verify the procedures and information in connection with the customs passage carnets, the traffic books and the international driving Licences. The executive bylaw shall determine the applicable terms and conditions.

Chapter Five

Penalties

Article (29)

Any person who may violate the provision of Article 14 of this Law shall be punished by imprisonment for at least three months and/or a fine of at least AED 50,000 (AED fifty thousand) but not more than AED 150,000 (AED one hundred fifty thousand). In the event of recurrence, the Means of Land Transport may be ordered to be confiscated.

Article (30)

Any person who violates the provision of Article (24) of this Law shall be punished with imprisonment and a fine of at least AED 100,000 (One Hundred Thousand Dirhams) but not exceeding AED 200,000 (Two Hundred Thousand Dirhams), or either of the two penalties.

Article (31)

Any person who may violate the provision of Articles 7 and 18 of this Law shall be punished by imprisonment for at least one month and/or a fine of at least AED 10,000 (AED ten thousand) but not more than AED 25,000 (AED twenty five thousand).

Article (32)

Any person who may violate the provision of Articles 2, 10 and 19 of this Law shall be punished by imprisonment for at least six months and/or a fine of at least AED 50,000 (AED fifty thousand) but not more than AED 100,000 (AED one hundred thousand). In the event of recurrence, the Means of Land Transport may be ordered to be confiscated.

Article (33)

Any person who may violate any other provision of this Law or of its executive bylaw shall be punished by a fine of at least AED 2,000 (AED two thousand) but not more than AED 5,000 (AED five thousand).

Article (34)

The application of the penalties as provided by this Law shall be without prejudice to any severer penalty set out in any other law.

Chapter Six

Final Provisions

Article (35)

The fees of the Licences, registration certificates and services, to be provided in accordance with the provisions of this Law and its executive bylaw and the resolutions issued in execution of this Law shall be determined under a resolution by the Cabinet, as proposed by the Minister, and in coordination with the Ministry of Finance.

Article (36)

Personnel of the Authority and the Competent Authority appointed as judicial officers under a resolution by the Minister of Justice in agreement with the Minister shall have the capacity of judicial officers to report any violations of the provisions of this Law and its executive bylaw and the resolutions issued in execution hereof, each within the scope of the jurisdiction thereof.

Article (37)

All the entities conducting the activity of Land Transport, Guarantor and Cars Club in the State shall adjust their conditions in accordance with the provisions of this Law within no later than 180 days from the effective date of this Law. The Minister may extend such term for other similar term.

Article (38)

The Cabinet shall issue the Executive Regulations of this Law.

Article (39)

Any provision contradicting or in conflict with the provisions of this Law shall be revoked.

Article (40)

This Law shall come in force after 30 days from the date of issue hereof and shall be published in the Official Gazette.

Khalifa Bin Zayed Al Nahyan

The President of the United Arab Emirates

Issued by us in the Presidential Palace in Abu Dhabi on:

5 Shaban 1432 Hijri

corresponding to 6 July 2011