

대한민국 법제경험, 아시아와 나눕니다

Asia shares legislative experience



Legislative Modification Strategies
for Enhancing Efficiency
of ASEAN Transportation Systems

The 4th Asian Legislative Experts Symposium

November 1, 2016 (Tue.)

Grand Ballroom, Millennium Seoul Hilton (B1F)



구 분	시 간	내 용
개회식	14:00 ~ 14:30 30'	• 개회사 • 환영사 • 축사
기조연설	14:30 ~ 14:50 20'	• 기조연설
휴식	14:50 ~ 15:00 10'	커피 브레이크
제1세션	15:00 ~ 16:30 90'	• 제1세션 ASEAN 교통관련 법체계 현황 및 정비 방안 모색 * 발제 및 토론
휴식	16:30 ~ 16:50 20'	커피 브레이크
제2세션	16:50 ~ 18:20 90'	• 제2세션 ASEAN 대중교통 육성을 위한 법제 정비 전략 제시 (베트남 · 필리핀 버스산업 법제를 중심으로) * 발제 및 토론
만찬	18:30~	

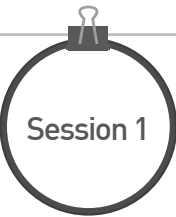
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Korea National University of Transportation

Legislative Modification Strategies for
Enhancing Efficiency of ASEAN Transportation Systems

The 4th Asian Legislative
Experts Symposium

Opening Remarks

Distinguished guests, it is a great pleasure to be with you today.

I thank our guests from the academia, research institutions, and the legal profession as well as public officials from related agencies for taking the time to honor us with their presence here today.

I would also like to welcome our legislative and transportation experts from Laos, Vietnam, the Philippines, Indonesia, and Myanmar who have come from afar to take part in this symposium as well as our foreign diplomats in Korea who have attended today's event with interest in legislative cooperation.

Even in this period of worldwide economic downturn and low growth, Asia is leading the growth of the world economy, increasingly taking a central role in the world, and becoming more interdependent.

In order for Asian countries to take this opportunity to leap forward, their legal systems across all areas of society including the economy should be fine-tuned to support national development.

Legislation has been the answer to maintaining national and social order as well as solving various pending issues.

Korea's rapid economic growth and social development were made possible thanks to the solid institutional framework that legislation provided.

The Ministry of Government Legislation has continuously made efforts to share its legislative experiences and know-how, which it is proud of, with other countries and to promote legislative exchanges and cooperation.

It has concluded MOUs with 19 legislative institutions from 13 countries including Laos, Vietnam, and Cambodia and has promoted various cooperative projects involving workshops, special lectures, and dispatch of experts.

It has also hosted the 'Asian Legislative Experts Symposium' to enhance understanding of legislation, which contains the essence of the most important policies in a country, and to provide a forum for discussions on legislative solutions to various economic and social problems.

Thanks to your interest and participation, the Asian Legislative Experts Symposium is taking root as a conference to discuss legislative strategies for collective economic and social development in Asia.

During the past three symposiums, we were able to elicit various practical measures through discussions on ways to promote legislative exchanges and develop IT legislation and on strategies to improve urban development legislation.

Today, at the 4th symposium, we will discuss legislative strategies to solve various problems in transportation as a result of economic growth and rapid urbanization such as traffic congestion and lack of public transportation.

We will especially focus on legislative strategies to develop public transportation in ASEAN countries where 10% of the entire world population reside and which are experiencing economic growth rates of 6 to 7%.

Korea, as a country which went through rapid growth within a short period of time, encountered shortages in urban infrastructure and experienced serious transportation problems during the course of its economic growth.

To solve these problems, it turned various policy measures into legislation, beginning with the 「Road Act」, the 「Motorway Act」, the 「Railroad Act」, and the 「Subway Construction Promotion Act」 in the 1960s and 1970s to the 「Act on the Support and Promotion of Utilization of Mass Transit System」 in the 2000s.

I hope the wisdom of the legislative experts from various countries present here today, in addition to Korea's legislative experiences and know-how, will allow for discussions on productive measures which may be utilized in each country's legislative policies.

There is a saying that "No road is long with good company."

It means that if you have a partner with whom you can cooperate to join efforts and wisdom, there is nothing that you cannot accomplish.

The Ministry of Government Legislation has faith that sharing experiences in establishing legal systems through the Asian Legislative Experts Symposium and joining efforts to make sure that new demands of the time are reflected in legislation will contribute toward economic growth and prosperity of each country as well as mutual growth and co-existence between countries.

I would like to again express my deepest gratitude to our distinguished guests for their tireless support in making today's symposium possible and for their attendance here today.

I ask for your continued interest and participation and wish you progress and happiness in your future.

Thank you.

Nov. 1, 2016
Minister of Government Legislation
JE Jeong Boo

■ Welcoming Address

Distinguished guests, ladies and gentlemen!

I am Rhee Ik hyeon, the President of the Korea Legislation Research Institute, which is co-hosting the 4th Asian Legislative Experts Symposium (ALES) with the Ministry of Government Legislation.

First, I would like to thank the public officials and legal experts who have come from as far as Vietnam, Myanmar, Indonesia, the Philippines, and Laos to give presentations and participate in discussions, as well as everybody attending the Experts Symposium here today.

The Ministry of Government Legislation and the Korea Legislation Research Institute, as the main government department in charge of legislation and the sole national legislative research institute respectively, have expressed a strong interest in and made a great deal of effort toward promoting legislative exchanges in Asia.

The Ministry of Government Legislation, especially, hosted the 1st and 2nd Asian Forum of Legislative Information Affairs in 2011 and 2012; and since 2013, has hosted the Asian Legislative Experts Symposium, thereby contributing to legislative development across borders through legislative exchanges.

The Korea Legislation Research Institute promotes legislative exchanges through various measures which include publishing booklets and hosting conferences. We have published compendia of Korean law in different languages including English, German, and Chinese, and provided them to foreign countries free of charge or at a cost. We have established the Asia Legal Information Network (ALIN) and used it as a forum for systematic exchange of legislative information between Asian countries. In addition, we are actively providing legislative support to countries such as China and Mongolia in response to their requests for legislative support.

From my understanding, there are currently various policies being implemented throughout Asia to establish green cities or smart cities. Establishing an efficient transportation system

is the most important and the most fundamental part of such urban development, and is directly connected to national economic development. It is the role of transportation system legislation to support and specify policies that make transportation systems efficient.

Korean transportation system is known among many countries as being effective and its transportation legislation is regarded as being well established and advanced. From my understanding, many countries in Southeast Asia also have a great deal of interest in making its transportation systems more efficient through its transportation industry and transportation legislation, and are also showing continued and rapid development.

I hope today's Experts Symposium will allow Korea and Southeast Asian countries to share their experiences in utilization and diffusion of transportation institutions and in legislative development for the creation of more efficient transportation systems. I believe sharing experiences and exchanging ideas will be a good opportunity to promote mutual understanding and the development of related legislation in this field.

As a final note, I hope today's Experts Symposium (ALES), in addition to last year's Symposium, will provide a foundation for continued cooperation between legislative experts in Asia, and enable active communications and exchanges regarding legislative information in Asia to take place so that it is able to contribute to the legislative development of each country.

I would like to conclude by thanking the persons in charge of this Symposium at the Ministry of Government Legislation for their efforts.

Thank you.

President of the Korea Legislation Research Institute
Rhee Ik Hyeon

■ Congratulatory Address

His Excellency Mr. Je Jeong Boo, Minister of Government Legislation, the Republic of Korea,

Distinguished Ministers, Vice Ministers, Head of Delegations
Ladies and Gentlemen.

1. On behalf of my delegation, I would like to convey our sincerest gratitude and appreciation to the Government of the Republic of Korea for organizing and hosting the 4th Asian Legislative Experts Symposium in Seoul, the truly beautiful and modernized capital city of the South Korea, and also for the warm hospitality that has been accorded to us since our arrival. We congratulate you for the great job well done.
2. We would also like to than to express our sincere thanks to the Korea Legislation Research Institute for its support of this important Symposium.

Ladies and Gentlemen.

3. Links within Asia, be it by land, sea, air, information communication technology, energy, trade, investment, institutions or peoples, are improving day by day. Enhancing these links through the three dimensions of physical, institutional and people to people connectivity have been and will be continue to be greatly beneficial not only to ASEAN' s integration, economic growth, and sustainable development but also to the Asia region too.
4. For the Lao PDR, the Lao government attaches great importance to enhancing connectivity. The Lao PDR is putting considerable efforts to transform form a “land-locked” into a “land-linked” country and contribute towards greater connectivity in the ASEAN region. We believed that an improved air, highway, rail and inland waterway network would move the Lao PDR a step closer to achieving our land-linked vision. We pay great attention to and have great efforts put forwards to the upgrade the extension of ASEAN Highway Network to China and India, particularly section that pass through northern part of the country.

Excellencies, Ladies and Gentlemen.

5. On this occasion, I would like to take this opportunity to inform the Meeting that the Master Plan on ASEAN Connectivity 2025 (or MPAC 2025) which was adopted at the 28th ASEAN Summit held in the Vientiane Capital, the Lao PDR. The MPAC 2025 is envisioned to achieve a seamlessly and comprehensively connected ASEAN that will promote competitiveness, inclusiveness and a greater sense of Community. To achieve this vision, the MPAC 2025 will focus on five strategic areas, namely the sustainable infrastructure, digital innovation, seamless logistics, regulatory excellence and people mobility.
6. The adoption of the MPAC 2025 is only the commencement step, whether or not it is likely to be smooth or straight to implement it, it requires greater ever efforts such as resource mobilization, coordination among ASEAN Member States, and other stakeholders both at the regional and international levels, and the legal reform in the ASEAN transport systems.
7. Therefore, I am so confident that today' s forum will provide an opportunity for all participants to explore ways and means for legal reform strategies for enhancing efficiency of the ASEAN transport systems as for effective and timely implantation of the MPAC 2025 for seamless connectivity within ASEAN.
8. Last but not least, I would also like to take this opportunity to express our sincere appreciation to ASEAN Member States, peoples and the Government of the Republic of Korea for their great supports and assistances extended the Lao PDR in hosting the 28th and 29th ASEAN Summits held in Vientiane Capital, the Lao PDR during 6th – 8th September 2016.
9. I shall not take any more of your time but only to say that I wish everyone the best and may we have lively discussions that lead us to a positive outcome that we all aspire to.

Gomabseubnida (ຂອມບຸສະບຸນີດາ)

1st November 2016

Vice Minister of Justice of the Lao PDR
By H.E. Bounsavath BOUPHA

■ Congratulatory Address

Your Excellency Mr. Je Jeong Boo, Minister of Government Legislation, Republic of Korea,

Your Excellency Mr. Bounsavad Boupha, Vice Minister of the Ministry of Justice, the People's Democratic Republic of Laos.

Ladies and Gentlemen,

First of all, I would like to thank the Korean Ministry of Government Legislation for the opportunity to attend the 4th Asian Legislative Expert Symposium (ALES) held in Seoul – such a beautiful city.

It is such a pleasure to witness that the Asian Legislative Expert Symposium has, since the 1st ALES, become an annual and prestigious legal forum, gathering many legal experts, law makers and government officials from the State agencies of many Asian countries. I believe that ALES is an important play ground for all countries to share experience in the legislative progress, to discuss common issues related to development of the legal system, policies and solutions to handle difficulties arising from the socio-economic development process, contributing to the development and improvement of the legal system of our individual country in particular as well as of the Asian legal system in general.

I appreciate and fully welcome this ALES's theme of "Legislative Modification Strategies for Enhancing Efficiency of ASEAN Transportation Systems". As we all aware that the rapid economic development and urbanization progress have resulted in a serious problem of traffic jams. This is not a problem of Viet Nam alone in our context of industrialization and modernization, but also the common problem of other Asian countries. Therefore, it is very useful to share our experience and discuss legal solutions to handle this problem, making contributions towards development of traffic infrastructure and socio-economic development of each country, establishing collaborations among countries.

Ladies and Gentlemen,

Reform and improvement of the legal system to serve the country's stable development has always been one of the top priorities of Viet Nam. 10 years ago, in 2005, Viet Nam for the first time adopted the Strategy on development and improvement of the legal system (Resolution No. 48-NQ/TW) as directive guidelines for the institutional improvement to serve the country's socio-economic development and integration. It aims to make the legal-political super-structure of Viet Nam more rational and better meet requirements of the rapid development of the socio-economic infrastructure. In accordance with directions and solutions prescribed in the above Strategy, the Government, Ministries, sectors, agencies, organizations at the central level, and the local authorities of Viet Nam have made great efforts in implementing it and gained significant achievements.

During the development and improvement of the legal system, a new legislative thinking in the context of building the socialist and rule-of-law State of Viet Nam, "of the People, by the People and for the People", has increasingly been reflected, which brings about positive changes in the awareness of the entire society about the role and status of laws in the socio-economic life. Along with the 2013 Constitution, the legal system of Viet Nam has been improved in all fields, establishing the legal framework for all aspects of the socio-economic development. During the last 3 years since the 2013 Constitution, the National Assembly has adopted approximately 70 laws to detail the Constitution,

including many key laws such as: the Civil Code (revised), Civil Proceeding Code (revised), Penal Code (revised), Criminal Proceeding Code (revised), Administrative Proceeding Code (revised), Law on Promulgation of Legal Normative Documents, Law on Referendum, Law on Access to Information, Law on Social Insurance, etc. These legal documents contribute to building a consistent, coherent, feasible, public, transparent and accessible legal system with low compliance costs; gradually synchronizing between the economic institutions with the political, social, environmental and human rights protection institutions to meet the requirements of the country's stable development and integration.

In such context, the legal document system on transportation in Viet Nam has been improving with more open policies, promoting socialization of public services and flexible mobilization of investments from all society's resources, hence establishing a consistent system between transportation and its infrastructure along with other significant changes in comparison with the previous years. Since 2004 up until now, Viet Nam adopted the Law on Inland Waterway Transport (2004), Law on Railway (2005), Law on Road Traffic (2008) and other relevant laws. These laws are being reviewed and will be revised in 2017 (for instance the Law on Railway) and the coming years. Moreover, other sub-law documents, such as Decrees of the Government, Decisions of the Prime Minister, Circulars of the Minister of Transportation, were promulgated to implement transportation policies. These documents have established a significant legal framework to manage as well as propose development strategies in order to improve the effectiveness and efficiency of the transportation system in Viet Nam, including the infrastructure, transport and transport industry, meeting requirements of the country's socio-economic development. In the 2nd Session of this ALES, a representative of the Ministry of Transportation of Viet Nam will deliver his presentation on "Challenges and solutions for stable development of urban transportation in Viet Nam", which will share information about the urban transportation system in Viet Nam and its policies, laws towards development of a consistent, series hybrid, modern, safe, convenient and environment-friendly transportation system.

Ladies and Gentlemen,

Viet Nam appreciate this initiative and common cooperation efforts in organizing such significant event of the Korean Ministry of Government Legislation and Korean Legislation Research Institute. We are looking forwards to further positive cooperation with Korea and other countries in the region in the legal reform process, aiming towards the target of an increasingly prosperous and developed Asia. I believe that all your valuable initiatives and ideas shared at this ALES will make important contribution to the development and improvement of the legal system, improving the effectiveness of the transportation system in ASEAN in general and in each country in particular.

Last but not least, I would like to wish the Conference success and please let me extend my best wishes of health and happiness to all the distinguished guests.

Thank you for your listening!

Deputy Minister of Justice
Tran Tien Dung

The 4th
Asian Legislative
Experts Symposium

Keynote Speech

>> The 4th Asian Legislative Experts Symposium

- Lee Chang Woon President / The Korea Transport Institute





Keynote Speech

이 창 운

한국교통연구원장

Lee Chang Woon

President / The Korea Transport Institute

» 학력

- 1979 경북대학교 지리학과 졸업
- 1984 서울대학교 환경대학원 도시계획학 석사
- 1993 프랑스 ENPC대학교 교통학 DEA(석사)
- 1997 프랑스 ENPC대학교 교통학 박사

» Academic Background

- 1979 B.S. in Geography, Kyungpook National University
- 1984 M.S. in Urban and Regional Planning, Seoul National University
- 1993 M.S. in Transport, Ecole Nationale des Pontset Chaussées
- 1997 Ph.D. in Transport, Ecole Nationale des Pontset Chaussées

» 주요경력

- 現 한국교통연구원 원장
- 現 국토교통부 수도권정비위원회 위원
- 現 국토교통부 국가교통위원회 위원
- 現 국토교통부 철도산업위원회 위원
- 現 국토교통부 국토정책위원회 위원
- 現 대한교통학회 고문
- 前 세계은행(World Bank) 선임교통전문위원(Senior Transport Specialist)

» Work Experience

- President of the Korea Transport Institute
- Member of the Seoul Metropolitan Readjustment Committee, MOLEG
- Member of the National Transport Committee, MOLEG
- Member of the Railroad Industry Committee, MOLEG
- Member of the Territorial Policy Committee, MOLEG
- Consultant of the Korean Society of Transportation
- Former Senior Transport Specialist of The World Bank(TWITR)

Modification of Urban Transport and Transport Legislation

Lee Chang Woon

President / The Korea Transport Institute

1. Introduction

Today ASEAN member countries continue to experience rapid urbanization, increase in population, and increase in number of cars in the course of pursuing economic growth and are also experiencing problems such as traffic congestion and air pollution due to lack of transport infrastructure and public transport within cities. If these kinds of urban transport problems cannot be solved, they will worsen and negatively affect ASEAN member countries' economic growth and social development. Therefore there is a need for active policy response. In order to solve such urban transport problems, timely urban transport policies need to be implemented and, at the same time, related transport legislation must be modified for stable policy enforcement.

Modification of transport legislation must take into consideration not only a country's politics, economy, and social environment, but also its culture and traditions. As such, it is evident that it is an extremely difficult task. Despite this fact, we cannot overlook its importance because we cannot execute government policies to solve urban transport problems without modification of transport legislation.

It is encouraging that as of late, major developing countries in the ASEAN region are strengthening exchanges and cooperation on transport legislation by asking Korea for advice related to its transport system legislation in order to provide a legal framework in their transport sectors. Such a movement shows willingness to promote qualitative growth through modification of transport legislation in addition to promoting qualitative growth such as through establishment of transport facilities

Advancement of legislative systems in addition to economic growth was a large factor in Korea's



transformation from a country that receives aid to one that provides aid. If we could manage to find measures for improving ASEAN countries' transport legislation based on changes in Korean transport policy and Korea's experiences in developing its transport legislation, it will contribute toward supporting ASEAN member countries' sustainable growth. Therefore, in this address, I will contemplate on the relationship between urbanization and transport as well as the status and achievements of Korea's urban transport laws. I will conclude by making several modification proposals for ASEAN member countries.

2. Urbanization and Transport

The world population has steadily increased since it surpassed 7 billion in 2011 and is predicted to reach 10 billion in 2050. The percentage of urban population out of the entire population surpassed 50% in 2008 and it is predicted that by 2050, 7 out of 10 people will be living in cities. Due to such rapid increase in population and urbanization, various problems are arising worldwide regarding urban transport, and ASEAN member countries are not the exception. Particularly in case of ASEAN member countries, as economic growth leads to increase in personal income, many people are buying cars or motorcycles to satisfy their need for mobility. As a result, these countries are faced with urban traffic congestion and environmental problems caused by car emissions and noise. In order to provide people with high quality transport services and a better living environment, we need to look for solutions in public transport and green transport.

In Korea in the 1960s and 70s, urbanization centered on Seoul gained speed and there was large-scale migration of workforce to cities. As a result of such concentration of people, traffic congestion worsened. Therefore, Seoul transport policy during this period was focused on relieving urban traffic congestion, solving the public transport crisis, and expanding roads and bridges. In 1974, with commencement of subway line 1, traffic dispersion policy took place and in 1980, the bus system was reformed to strengthen public transport systems. In the 1990s, as urbanization still continued at an advanced level and the population of Seoul and its Metropolitan area took up one half of the entire Korean population, transport problems began to emerge as a serious social issue. In order to overcome such problems, emphasis was placed on improving public transport services and transport demand management policies.

After the 2000s, various urban transport policies such as bus system reform, introduction of median bus lanes, introduction of the bus information system, introduction of the smart card

system, installation of screen doors in subway stations, promotion of electric cars, introduction of BRT, securing of connectivity between transport modes, establishment of SMART ITS, increasing transport services utilizing ICT, and establishment of a transport system utilizing transport big data were implemented to solve traffic congestion caused by steady increase in the number of cars, high traffic accident rates, and air pollution caused by car emissions; to actively introduce concepts such as green growth and sustainability in transport systems; and to continuously establish transport advancement systems. In particular, in 2004, bus reformation policies implemented in Seoul based on measures such as introduction of the semi-public bus system, implementation of urban BRT, and introduction of the integrated transfer fare system had the effect of fundamentally reorganizing the urban transport system.

I believe Korea's urban transport policies which were formulated through Korea's experiences in rapid urbanization, increase in population, and increase in the number of cars as well as its efforts to actively solve their resulting urban transport problems such as urban traffic congestion and air pollution will have many implications for ASEAN member countries. Supplying road facilities to satisfy surging transport demand has spacial and financial limitations. As such, it is important to first realize transport policies which enhance transport capacity by promoting public transport. In order to realize such policies which promote public transport and green transport, I believe it is most important to modify urban transport legislation.

3. Korean Urban Transport Acts and their Achievements and Lessons

A. Current State of Korean Transport Acts

Transport law can be classified into those involving roads, railroads, aviation, marine transport, and logistics according to different transport modes. Acts which are not limited to certain transport modes and which comprehensively deal with transport modes and duties across various fields such as transport environment, transport welfare, transport safety, transport economy, and public transport can be classified as "Comprehensive Acts."

〈Table 1〉 Major Comprehensive Acts

Transport Mode	Purpose of Enactment	Act Name	Agency in Charge
Comprehensive	General	National Transport System Efficiency Act	MOLIT
	Environment	Sustainable Transportation Logistics Development Act	MOLIT
	Safety	Traffic Safety Act	MOLIT
	Urban Transport	Urban Traffic Improvement Promotion Act, Special Act on Metropolitan Traffic Management in Large Cities	MOLIT
	Welfare	Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons	MOLIT
	Public Transport	Act on the Support and Promotion of Utilization of Mass Transit System Act	MOLIT
	Procurement of Financial Resources	Act on Special Accounts for Traffic Facilities Traffic, Energy and Environment Tax Act Act on Public-Private Partnerships in Infrastructure	MOLIT MOSF

Comprehensive Acts are not limited to certain transport modes and are instead integrated, multi-modal transport Acts. More specifically, there is the National Transport System Efficiency Act which encompasses all general matters in the transport sector and includes content on urban transport projects and intelligent transport systems (ITS). In the transport environment area, there is the Sustainable Transportation Logistics Development Act which includes content on implementation of transport demand management policies to enhance sustainability in cities.

The Traffic Safety Act which regulates all safety matters in roads, railroads, aviation, etc. also includes content on urban traffic transport safety; and in the welfare transport area for securing the mobility of the disabled, the elderly, children, and pregnant women, there is the Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons. The Act on the Support and Promotion of Utilization of Mass Transit System Act to promote public transport is another important urban transport law. Law on procurement of financial resources for transport is also important, and in this area, there is the Act on Special Accounts for Traffic Facilities, the Traffic, Energy and Environment Tax Act, and the Act on Public-Private Partnerships in Infrastructure.

Most road transport acts are relevant to urban transport due to provincial roads in cities. There is the Road Act and the Toll Road Act for the construction and operation of roads and the Road Traffic Act for road safety and management. The Road Traffic Act was enacted to ensure safe and smooth traffic by preventing and eliminating all dangers and obstacles in road traffic and includes matters such as manner of pedestrian traffic, manner of vehicle traffic, duties of drivers,

etc., education on safe driving, and drivers' licenses. There is also the Promotion of the Use of Bicycles Act for bicycle management and the Pedestrian Safety and Convenience Enhancement Act for promotion of walking.

〈Table 2〉 Major Road Acts

Transport Mode	Purpose of Enactment	Act Name	Agency in Charge
Road	Safety	Road Traffic Act	Police
	Organization	Korea Highway Corporation Act	MOLIT
	Bicycles	Promotion of the Use of Bicycles Act	MOI
	Walking	Pedestrian Safety and Convenience Enhancement Act	MPSS
	Business	Passenger Transport Service Act, Act on the Development of the Taxi Transport Service, Special Act on the Construction and Operation of Bus Rapid Transit, Parking Lot Act	MOLIT
	Cars	Motor Vehicle Management Act, Guarantee of Automobile Accident Compensation Act	MOLIT
		Act on the Promotion of Development and Distribution of Environment-Friendly Automobiles	MOTIE
	Construction and Operation	Road Act, Toll Road Act	MOLIT

For road transport services, there is the Passenger Transport Service Act, the Act on the Development of the Taxi Transport Service, and the Special Act on the Construction and Operation of Bus Rapid Transit. Of these, the Passenger Transport Service Act contains provisions on intra-city buses, town shuttle buses, inter-city buses, taxis, chartered buses, and passenger terminals, and as such is intimately related to urban transport. There is also the Parking Lot Act which contains provisions on matters necessary for the installation, modification, and management of parking lots to enable smooth traffic flow and thus promote public convenience.

In car related laws, there are the Guarantee of Automobile Accident Compensation Act, the Motor Vehicle Management Act, and the Act on the Promotion of Development and Distribution of Environment-Friendly Automobiles. The Motor Vehicle Management Act contains provisions on most matters concerning cars such as its sale, registration, and license plates. The Act on the Promotion of Development and Distribution of Environment-Friendly Automobiles was enacted to support the development and distribution of environment-friendly cars such as electric cars and hydrogen powered cars.



〈Table 3〉 Major Railroad Acts

Transport Mode	Purpose of Enactment	Act Name	Agency in Charge
Railroad	General	Framework Act on Railroad Industry Development	MOLIT
	Safety	Railroad Safety Act	MOLIT
	Organization	Korea Railroad Corporation, Korea Rail Network Authority Act	MOLIT
	Business	Railroad Service Act, Act on the Promotion of Development and Utilization of Subway Station Areas	MOLIT
	Construction and Operation	Urban Railroad Act, Tramway Transportation Act, Railroad Construction Act	MOLIT

Of railroad laws, the Urban Railroad Act and the Tramway Transportation Act are the most relevant to urban transport, and other railroad Acts have certain parts that are relevant. There is the Framework Act on Railroad Industry Development which deals with all general matters in the railroad area and the Railroad Safety Act which deals with railroad safety. There is also the Railroad Service Act and the Act on the Promotion of Development and Utilization of Subway Station Areas for the railroad business as well as the Railroad Construction Act for the construction and operation of railroads. The purpose of the Act on the Promotion of Development and Utilization of Subway Station Areas is to prescribe matters necessary for the systematic and efficient development of subway station areas in order to contribute toward promotion of subway station area development and improvement of urban environment near subway station areas.

The Urban Railroad Act serves the most important role in urban transport and public transport and was enacted to enhance urban transport development as well as the safety and convenience of urban transport users through efficient management of urban railroad vehicles, etc. by promoting the construction of urban railroads and rationalizing their operation for ensuring smooth traffic flow in urban transport areas. There is the Korea Railroad Corporation Act which established KORAIL which is a railroad organization in charge of railroad operation and the Korea Rail Network Authority Act which established the Korea Rail Network Authority in charge of railroad facilities.

〈Table 4〉 Major Aviation Acts

Transport Mode	Purpose of Enactment	Act Name	Agency in Charge
Air	General	Aviation Act	MOLIT
	Safety	Act on Aviation Safety and Security, Aviation Safety and Security Act, Aviation and Rail Accident Investigation Act	MOLIT
	Organization	Korea Airports Corporation Act, Incheon International Airport Corporation Act	MOLIT
	Business	Air Transport Business Promotion Act	MOLIT
	Construction and Operation	Act on the Promotion of a New Airport for Seoul Metropolitan Area Construction	MOLIT

There is the Aviation Act which deals with all general matters in aviation as well as the Act on Aviation Safety and Security, the Aviation Safety and Security Act, and the Aviation and Rail Accident Investigation Act which deal with aviation safety. There is also the Korea Airports Corporation Act and the Incheon International Airport Corporation Act regarding aviation institutions and the Air Transport Business Promotion Act regarding the aviation business. Lastly, there is the Act on the Promotion of a New Airport for Seoul Metropolitan Area Construction regarding construction and operation.

〈Table 5〉 Major Marine Transport Acts

Transport Mode	Purpose of Enactment	Act Name	Agency in Charge
Marine	Safety	Maritime Safety Act, International Ship and Port Facility Security Act	MOF
	Organization	Port Authority Act, Korea Shipping Association Act	MOF
	Business	Marine Transportation Act, Harbor Transport Business Act	MOF
	Construction and Operation	Harbor Act, New Harbor Construction Promotion Act	MOF

Regarding marine safety there is the Maritime Safety Act and the International Ship and Port Facility Security Act, and regarding marine institutions there is the Port Authority Act and the Korea Shipping Association Act. Regarding marine business there is the Marine Transportation Act and the Harbor Transport Business Act, and regarding construction and operation, there is the Harbor Act and the Harbor Construction Promotion Act.



〈Table 6〉 Major Logistics Acts

Transport Mode	Purpose of Enactment	Act Name	Agency in Charge
Logistics	General	Framework Act on Logistics Policies	MOLIT, MOF
	Business	Trucking Transport Business Act	MOLIT
	Construction and Operation	Act on the Development and Management of Logistics Facilities	MOLIT

In the logistics area, there is the Framework Act on Logistics Policies which deals with all general matters, and the Trucking Transport Business Act which deals with the logistics business. The purpose of the Trucking Transport Business Act is to contribute toward enhancement of public welfare by promoting the smooth transport of goods through efficient management and sound development of the trucking transport business. Lastly, regarding logistics facilities, there is the Act on the Development and Management of Logistics Facilities.

Implications

If we look at Korea's transport Acts, we can see that it has enacted and is managing separate laws on general matters, roads, railroads, aviation, marine transport, and logistics. There is an Act that is responsible for the overall management of each transport sector and Acts on safety, organization, business, and construction and operation. In each transport sector, especially, there are Acts for the establishment of organizations for safety and promotion of businesses.

If we look at the agencies in charge of each transport Act, we can see that the Ministry of Land, Infrastructure and Transport is responsible for most of the Acts on general transport, railroads, aviation, and logistics and that the Ministry of Oceans and Fisheries is responsible for marine transport. Roads, however, are the responsibility of the Ministry of Land, Infrastructure and Transport, the National Policy Agency, the Ministry of the Interior, the Ministry of Public Safety and Security, and the Ministry of Trade, Industry and Energy and as its work is divided between various administrative agencies.

In addition to these, there is the National Transport System Efficiency Act which manages the entire transport sector including roads, railroads, and aviation among others and the Traffic Safety Act which is a comprehensive act on traffic safety on roads, railroads, and in aviation. In other words, in addition to Acts which deal with the overall management of each transport sector including roads, railroads, aviation, marine transport, and logistics, there is also a comprehensive

transport Act that deal with the overall management of all transport sectors to form a hierarchical structure.

B. Current State of Urban Transport Acts

In promoting public transport and green transport in Korea, there were many policy factors in play. The most important factor, however, was modification of urban transport legislation. In order for measures to reduce traffic congestion and promote green transport to be implemented, their content must be enacted as law and made into policy.

If I had to choose laws which had a direct and significant effect on urban transport, I would choose the Urban Traffic Improvement Promotion Act, the Special Act on Metropolitan Traffic Management in Large Cities, the Urban Railroad Act, the National Transport System Efficiency Act, the Sustainable Transportation Logistics Development Act, the Act on the Support and Promotion of Utilization of Mass Transit System Act among others. There are many laws regarding urban transport but the purpose of enactment, the contents, and the effects of the most important urban transport legislation are as follows.

Urban Traffic Improvement Promotion Act (1986)

The reasons for enacting this Act is to promote the improvement of traffic facilities and to efficiently operate and manage means of transport and transport systems to ensure smooth traffic and to promote convenience in traffic in urban areas. The major contents of the Act include designation and publication of urban traffic improvement districts, formulation of master plans for urban traffic improvement, conduct of traffic impact assessments, collection of traffic congestion charges, and the establishment of special accounts for local urban traffic projects among others.

Traffic impact assessment system is a system where investigation, prediction, and evaluation of the impact of projects such as new construction of buildings on changes in traffic volume and flow as well as traffic safety are conducted, and measures to minimize any related transport problems are prepared in advance. Also, traffic congestion charges are economic burdens imposed on owners of facilities which cause congestion based on the causer pays principle in order to reduce traffic congestion.



As a result of enacting this Act, improvement of urban traffic facilities was promoted, and traffic demand was restrained through introduction of the traffic impact assessment system and traffic congestion charges. The Act also enabled procurement of funds for investment in local urban traffic facilities through management of special accounts for local urban traffic projects.

Special Act on Metropolitan Traffic Management in Large Cities (1994)

The reasons for enacting this Act is to prescribe matters necessary for the formulation of a metropolitan traffic plan in order to efficiently resolve traffic problems in large cities from a metropolitan dimension and to provide an institutional device for the coordination of metropolitan traffic problems.

The major contents of the Act include formulation of a metropolitan traffic plan in large cities, establishment of measures for the improvement of metropolitan traffic in large-scale development projects, financial support for metropolitan traffic facilities, and imposition of a metropolitan transportation facility fee among others. The effect of this Act was that it contributed to resolution of metropolitan traffic problems outside administrative districts and that it secured funds for investment in public transport through restitution of development gains via metropolitan transportation facility fees.

National Transport System Efficiency Act (1999)

The reason for enacting this Act is to promote establishment of investment plans for traffic facilities, investment evaluation, development and promotion of intelligent transport systems, strengthening of connected transport facilities, and development of intermodal transfer centers among other measures with the aim of strengthening comprehensive coordination of transport policies. The purpose of this Act is to prescribe matters necessary for the comprehensive coordination of policies for land transport, marine transport, and air transport and the efficient development, management, administration, etc. of the national transport system, including various transport facilities, means of transport, etc. to improve the efficiency, unification and interconnection of transport systems, and thereby to promote convenience in people's lives and contribute to the development of the national economy.

The National Transport System Efficiency Act was originally enacted in 1999 to promote formulation of investment plans regarding traffic facilities, investment evaluation, and creation

of intelligent transport systems in order to strengthen comprehensive coordination of transport policies. In 2009, it was wholly amended to include additional provisions on strengthening interconnection of transport systems regarding transport logistics hubs, developing and operating intermodal transfer centers, and establishment, operation, and support of efficient intelligent transport systems among other contents.

The major contents of the Act include establishment of a national core transport network plan, survey of national transport, establishment of a mid-term plan for building connected transport systems, basic plan for development of intermodal transfer centers, basic plan for intelligent transport systems, and promotion of research and development projects in transport technology. Enacting this Act had the effect of increasing people's convenience by increasing efficiency through promotion of coordinated transport investment according to transport mode and by implementing intelligent transport system projects. Enacting this Act also had the effect of building up a transport DB (database) through national transport surveys.

Act on the Support and Promotion of Utilization of Mass Transit System Act (2005)

The reasons for enacting this Act are to improve and expand public transportation means and facilities and to establish a system which prioritizes public transportation in response to increasing social and economic costs of traffic congestion due to increase in the number of cars despite continued supply of transportation facilities such as expansion of roads.

The major contents of the Act include formulation of a master plan for public transportation, measures for preferential passes for means of public transportation, national inter-operation of transportation cards, public transportation-only districts, designation of public transportation model cities, and business management and service assessment of public transportation operators. Enacting this Act led to implementation of public transportation-only districts and allowed the effects of public transportation-first policies through assessment of public transportation operators among other measures to take place.

Sustainable Transportation Logistics Development Act (2009)

The reasons for enacting this Act are to set the basic direction for sustainable transport logistics policy to cope with changing circumstances in transport logistics such as climate change, energy crises, and demands for environmental protection among other circumstances and to create



foundations for the sustainable development of transport logistics for the contemporary and future generations.

The major contents of the Act include formulation of a plan for development of sustainable transport logistics, establishment of indices and criteria for sustainability management, facilitation of conversion to sustainable transport logistics systems, and activation of non-powered and carbon-free means of transport. Enacting this Act had the effect of promoting transport policies aimed at enabling sustainable transport and reducing greenhouse gases by facilitating conversion of transport means.

C. Achievements from Enactment of Urban Transport Laws

Enacting the Urban Traffic Improvement Promotion Act had the effect of enabling smooth traffic flow by promoting the improvement of urban traffic facilities and reducing traffic congestion by institutionalizing measures for restraining traffic demand. In particular, it had the effect of providing and implementing various measures to minimize traffic congestion in case of construction of facilities which cause traffic congestion in cities through introduction of the traffic impact assessment system, and had the effect of imposing traffic congestion charges even after such facilities were built for maximum restraint on increase in traffic demand. The Act also had the effect of enabling procurement of funds for investment in local urban traffic facilities through management of special accounts for local urban traffic projects.

The Special Act on Metropolitan Traffic Management in Large Cities had the effect of contributing to resolution of metropolitan traffic problems outside administrative districts. In particular, it had the effect of contributing to increase in people's transport convenience by promoting projects such as the construction of metropolitan roads, metropolitan railroads, metropolitan transfer centers, public metropolitan garages, and metropolitan BRT through the government's financial support. It also had the effect of securing funds for investment in public transport through restitution of development gains via metropolitan transportation facility fees.

The National Transport System Efficiency Act had the effect of increasing efficiency in investment through promotion of coordination according to transport mode and of increasing rationality in transport investment assessment through build up of a transport DB. This Act also had the effect of increasing citizens' convenience in transport use by providing real-time transport information of transport modes through development and improvement of ITS based on this Act. Lastly,

this Act established a system for providing transport information on a national scale by utilizing intelligent transport systems in the transport sector.

The Act on the Support and Promotion of Utilization of Mass Transit System Act contributed to the promotion of public transportation. It also enabled the effects of public transportation-first policies to be felt through implementation of public transportation-only districts and assessment of public transportation operators among other measures. In particular, through enactment of this Act, measures to ensure priority passage of public transportation modes were implemented. Heads of local governments may, in cases where the need to promote the use of public transportation such as regular route buses and to ensure smooth traffic flow has been recognized, establish Bus Rapid Transit (BRT), apply grade separation in intersections such as elevated construction and underground roads, and establish intelligent transport systems centered on regular route buses. Such measures have contributed to the enhancement of public transport services.

The Sustainable Transportation Logistics Development Act has the effect of making people consider environment-friendliness in establishing and executing transport policies and promotion of policies to convert to environment-friendly transport modes has the effect of reducing greenhouse gases. Enforcement of this Act contributed to development of transport logistics by enhancing the mobility and accessibility of passengers and freight.

4. Conclusion: Urban Transport Legislation Modification Suggestions for ASEAN Member Countries

Having looked over Korea's experience in enacting transport law, it seems that in order for ASEAN member countries to solve problems arising from rapid urbanization and increase in number of cars such as traffic congestion and air pollution, systematic modification of urban transport related legislation is needed. I would like to suggest that countries first enact an "Urban Transport Act" similar to Korea's Urban Traffic Improvement Promotion Act that promotes improvement of transport facilities for smooth traffic flow and enables introduction of traffic demand management measures such as traffic impact assessment systems and traffic congestion charges.

When urbanization in ASEAN member countries progresses further, they may experience metropolitan traffic problems outside single administrative districts. Therefore, I would like



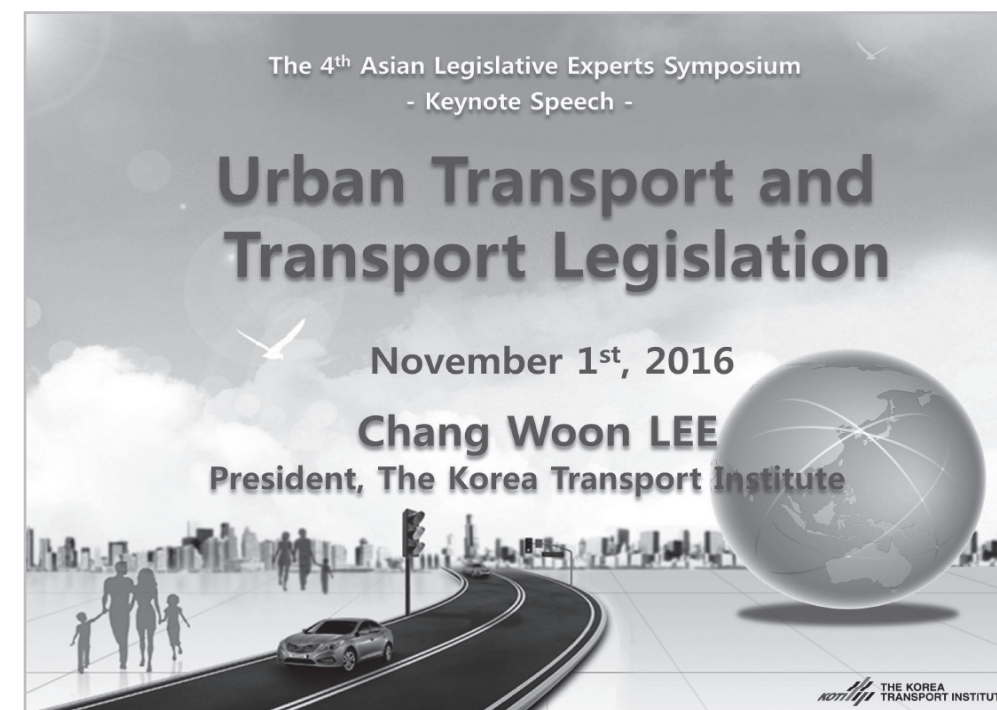
suggest that they enact a "Metropolitan Traffic Act" similar to Korea's Special Act on Metropolitan Traffic Management in Large Cities. Enactment of such an Act will lead to promotion of transport projects such as metropolitan buses, metropolitan roads, metropolitan railroads, metropolitan transfer centers, and metropolitan BRT, and thus enhance citizens' transport convenience.

I would also like to suggest that ASEAN member countries enact an "Integrated National Transport Act" which will enable them to coordinate transport investment in roads, railroads, aviation, and marine transport among others. In addition, there is a need for ASEAN member countries to rationalize its transport investment assessment by increasing investment efficiency and building up transport DBs through coordination of transport investment according to transport mode, similar to Korea's National Transport System Efficiency Act. Enactment of an "ITS Support Act" for ASEAN member countries' ITS development and improvement is also needed to enhance citizens' convenience in transport use by providing real-time transport information on transport modes to users.

Public transport is the most effective solution to deal with rapid urbanization and increase in number of vehicles in ASEAN member countries. I suggest that ASEAN member countries enact a "Public Transport Act" similar to Korea's Act on the Support and Promotion of Utilization of Mass Transit System Act to provide a legal basis for implementation of public transportation-first policies. Enactment of a "Public Transport Act" will contribute toward enhancement of public transport services by promoting public transport and securing smooth traffic flow through construction and operation of bus-only lanes, establishment of Bus Rapid Transit (BRT), applying grade separation in intersections such as elevated construction and underground roads, and establishing intelligent transport systems.

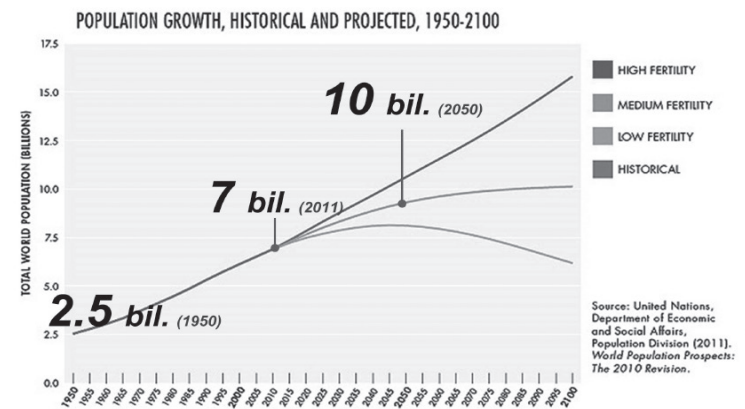
Lastly, I would like to suggest that ASEAN member countries enact a "Sustainable Transport Act" similar to Korea's Sustainable Transportation Logistics Development Act. Enactment of this Act will enable ASEAN member countries to take environment-friendliness into account when formulating and executing transport policies and implement various policies on sustainability.

I hope ASEAN member countries will be able to solve urban transport problems such as rapid urbanization and increase in population as well as problems arising from increase in number of cars such as traffic congestion and air pollution by enacting laws such as the "Urban Transport Act," "Metropolitan Traffic Act," "Integrated National Transport Act," "Public Transport Act," "ITS Support Act," and the "Sustainable Transport Act."





World Population



2

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Global Motorization



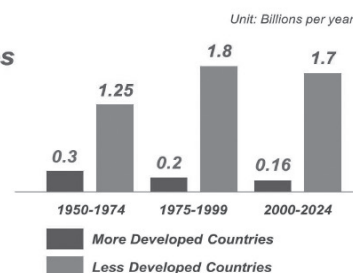
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Urbanization and Transport

- The Rate of Global Urbanization
 - 50% in 2008, **70%** in 2050
 - *More rapid in developing countries*
- Urban transport problems?

Urban Population Growth 1950-2024
(Source: UN Population Division)



3

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The Keys to Solution



5

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Seoul Metropolitan Area

Seoul Metropolitan Area Population

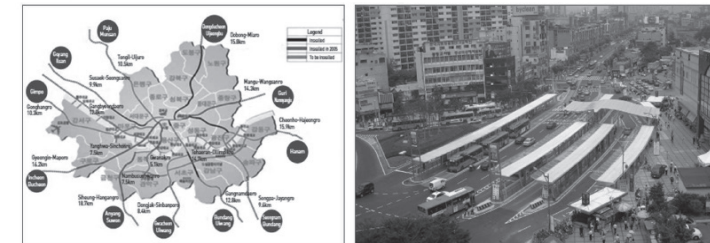


6

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Transit-Oriented Policy

2004 Seoul Public Transport Reform



[2004 Seoul Public Transport Reform Project]

- Redesigning bus routes (hub-spoke bus network)
- Integrated fare system through smart card
- Semi-public operation system
- Median bus lane system and public transfer center

8

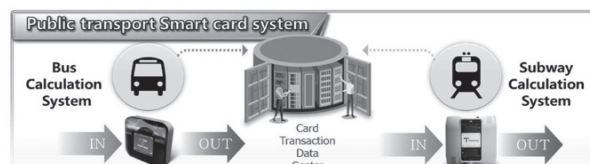
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Public Transport in Seoul

Bus Information System



Metro Lines



7



Smart Cards & Apps



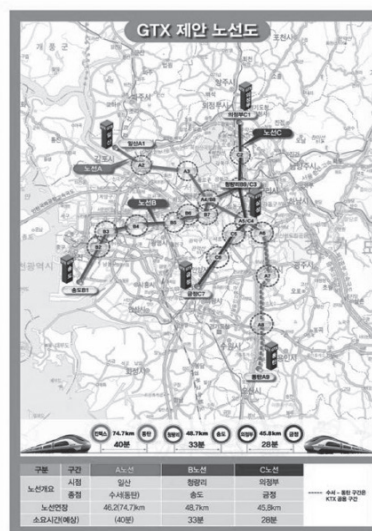
Smart Cards

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Speed Upgrade



10

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Utilization of ICT

Urban ITS Control Center

- Integrating a variety of traffic systems in urban city
- To coordinate, reproduce and provide traffic information



[ITS Control Center]



[Traffic Information System]

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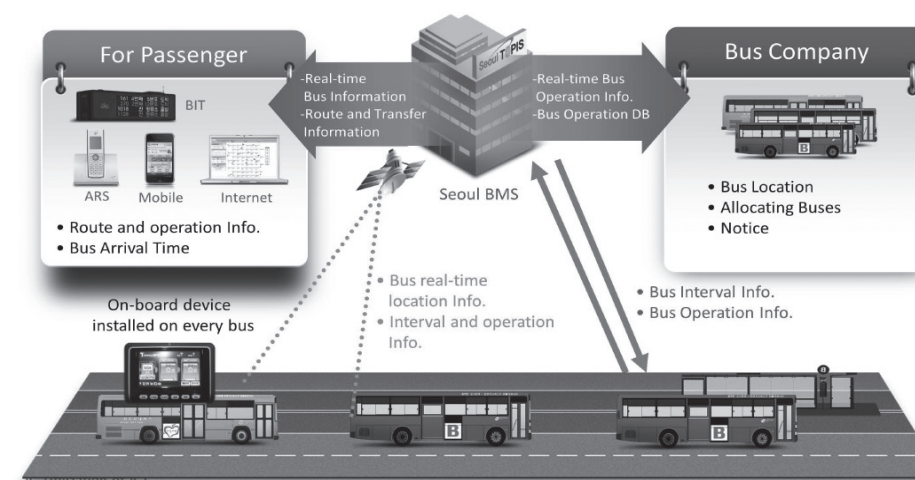
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Utilization of ICT

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Utilization of ICT

Bus Information and Management System

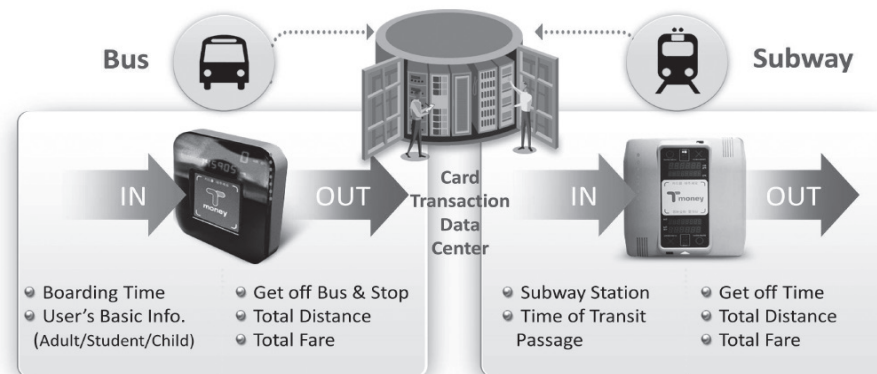


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Utilization of ICT

Smart Card Payment System



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Smart ITS

Smart ITS with ICT Big Data

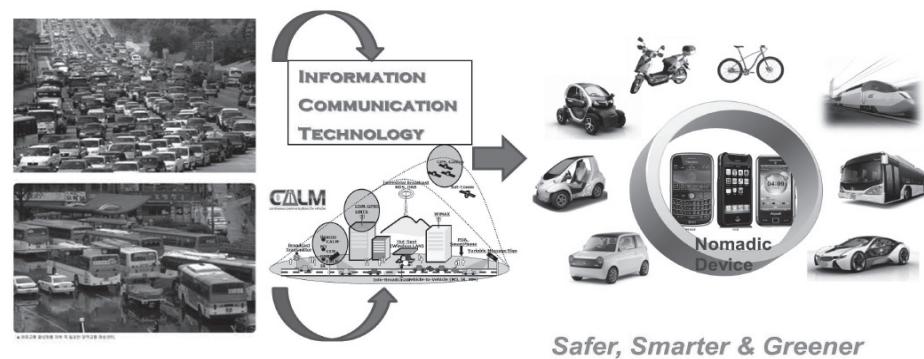


Source : US DOT

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ICT changes Transport



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Smart ITS

◆ Conventional ITS

➢ *Expensive, Complicated, and Difficult*

◆ Green & Smart ITS with ICT

➢ to be **Simpler, Cheaper, and Easier**

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Green Transport

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Green Transport

Transit-Oriented Development

Walking

Non-motorized Modes

Bikes

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Green Transport

Bikes

Motorcycles

Cars ?

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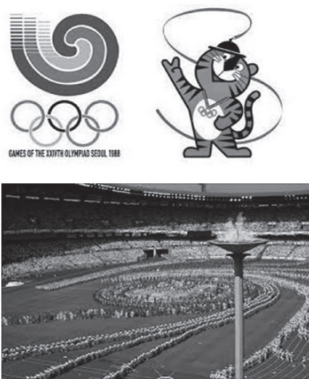
Legislation in Urban Transport

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in 1980's

Urban Transport Management Promotion Act (1986)



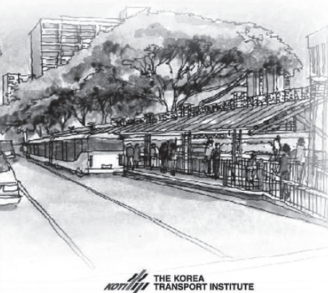
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in 2000's

Public Transport Promotion Act (2005)
Sustainable Transport & Logistics Development Act (2009)



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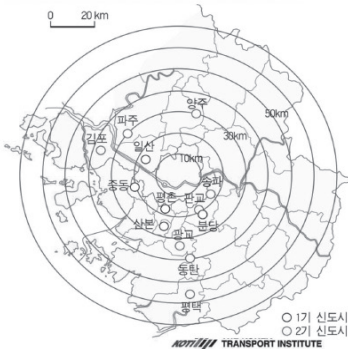


in 1990's

Special Act on Transport Management of Metropolitan
Areas(1997)
National Transport System Efficiency Act (1999)



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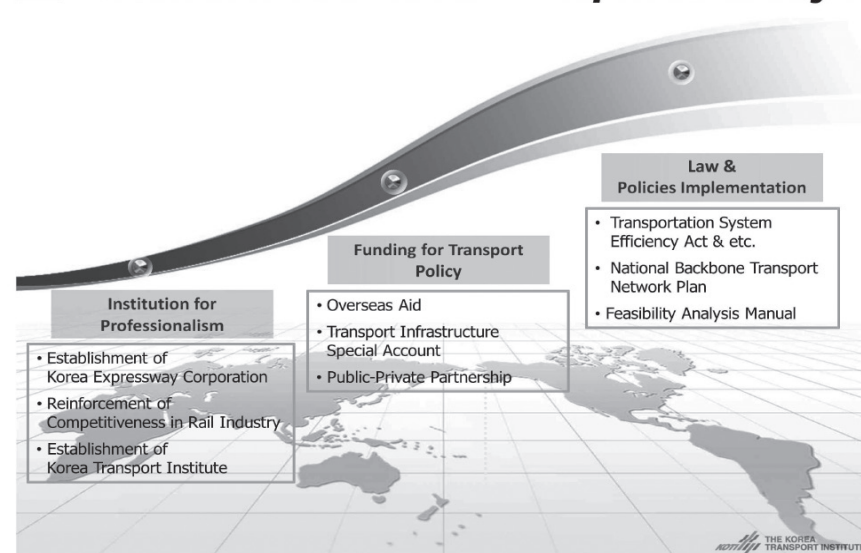


In Closing...

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3 Elements for Transport Policy



26

Key Features of Korea's Transport Model

Achieving both Economic Growth and Sustainable Transport

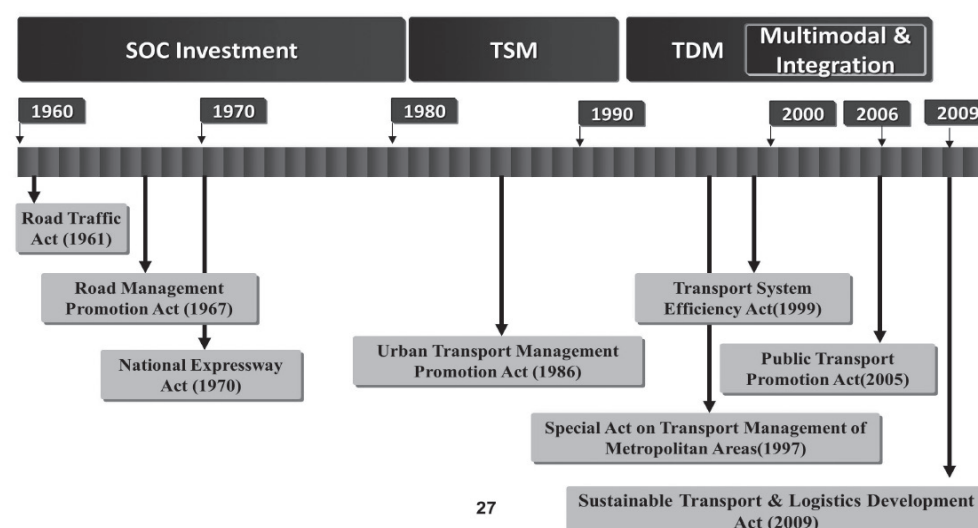
- Timely Transport Investment
- Intermodal Planning and Financing
- Transit-Oriented Policies
- Utilization of ICT



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Legislation in Transport



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Thank You

Chang Woon LEE, President
The Korea Transport Institute (KOTI)



Session 1

The 4th Asian Legislative Experts Symposium

>> ASEAN Transportation Law: Current Status and Potential Areas of Modification

- Introduction of Korea's Transport Law System: History and Types
- Examination of ASEAN Countries' Current Transport Law Systems
- Exploration of Legislative Modification Strategies that Reflect Economic and Social Environments of Each ASEAN Country



Legislative Modification Strategies for
Enhancing Efficiency of ASEAN Transportation Systems

The 4th Asian Legislative Experts Symposium

Session 1 >>

ASEAN Transportation Law:

Current Status and Potential Areas of Modification

- Introduction of Korea's Transport Law System: History and Types
- Examination of ASEAN Countries' Current Transport Law Systems
- Exploration of Legislative Modification Strategies that Reflect Economic and Social Environments of Each ASEAN Country



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Session 1 | Presentation 1

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- 2015~Present Director, Transport Policy Coordination Division; Ministry of Land, Infrastructure and Transport

Transport Development and Legislation in Korea by Stage and Mode

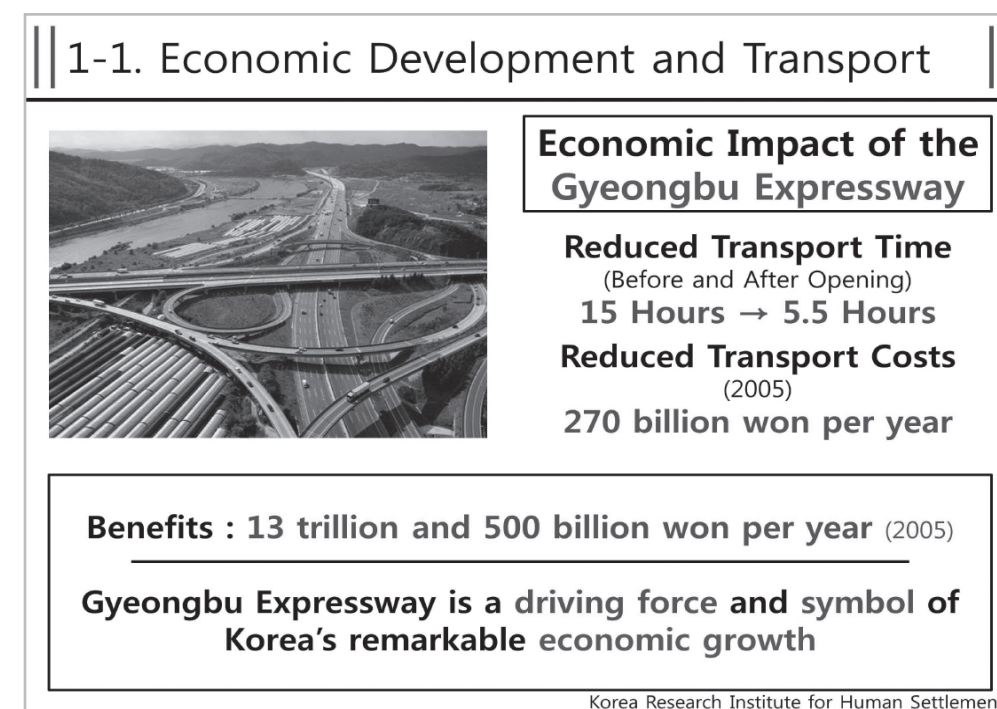
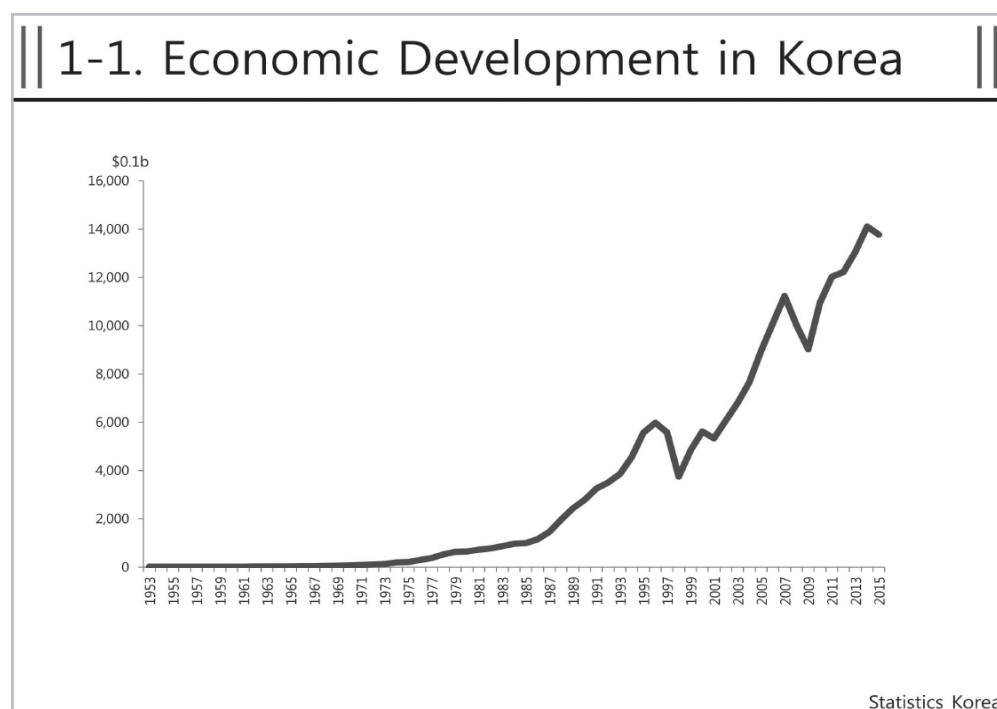
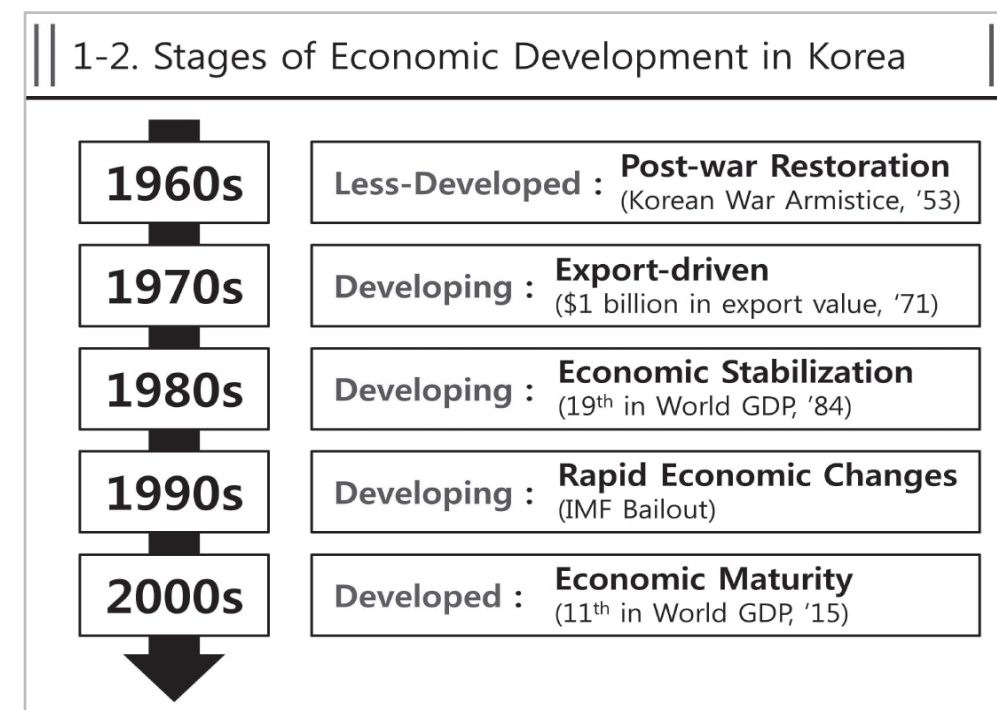
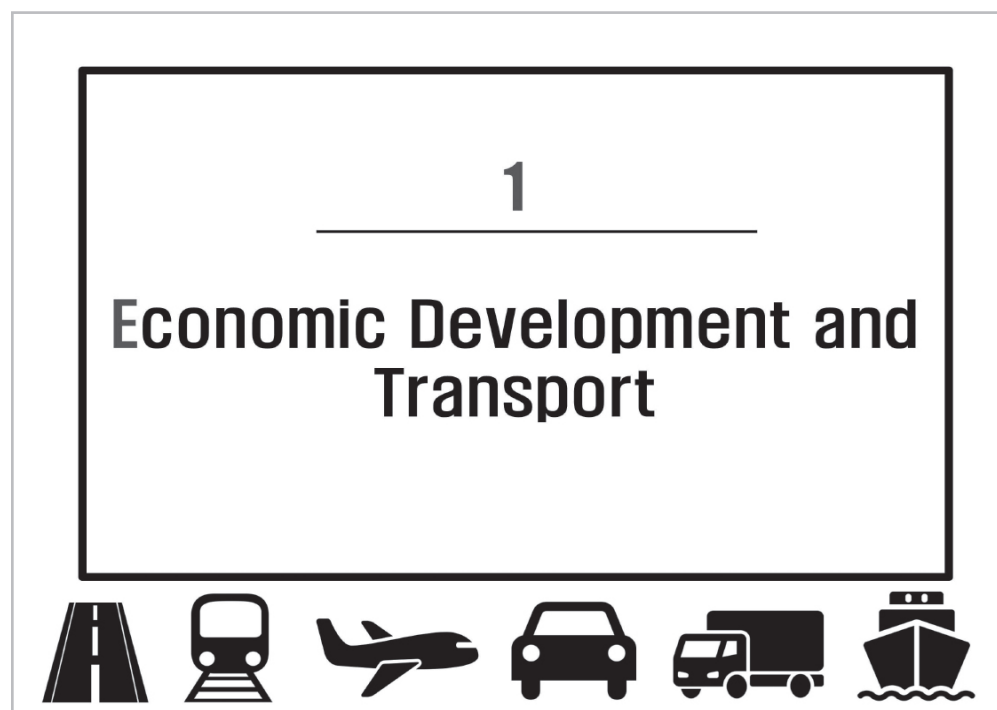
Young-tae Kim

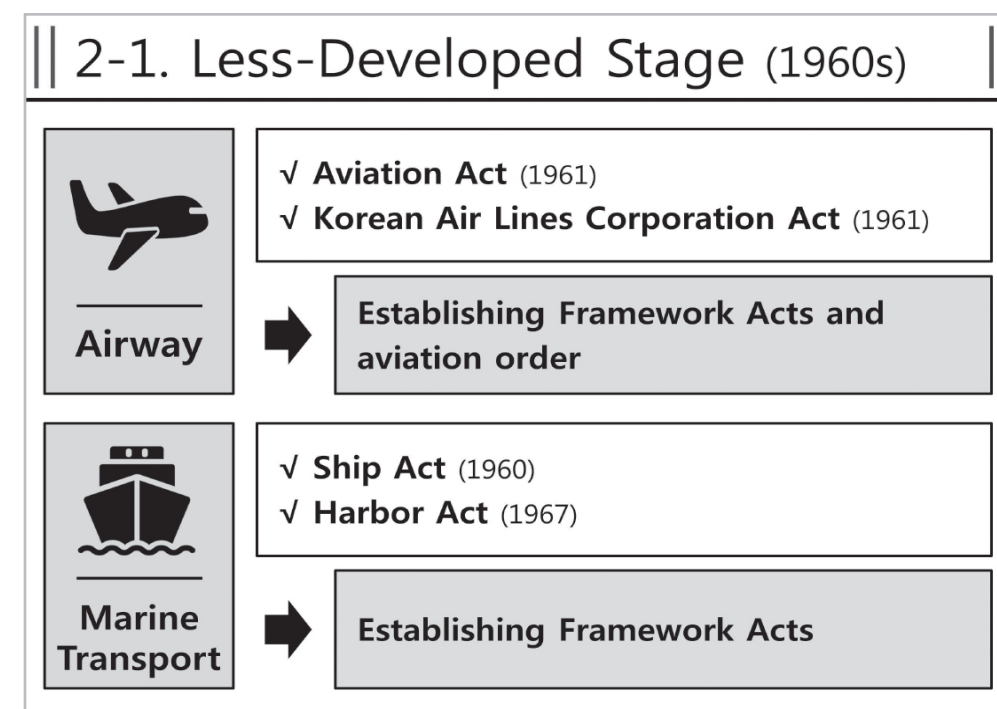
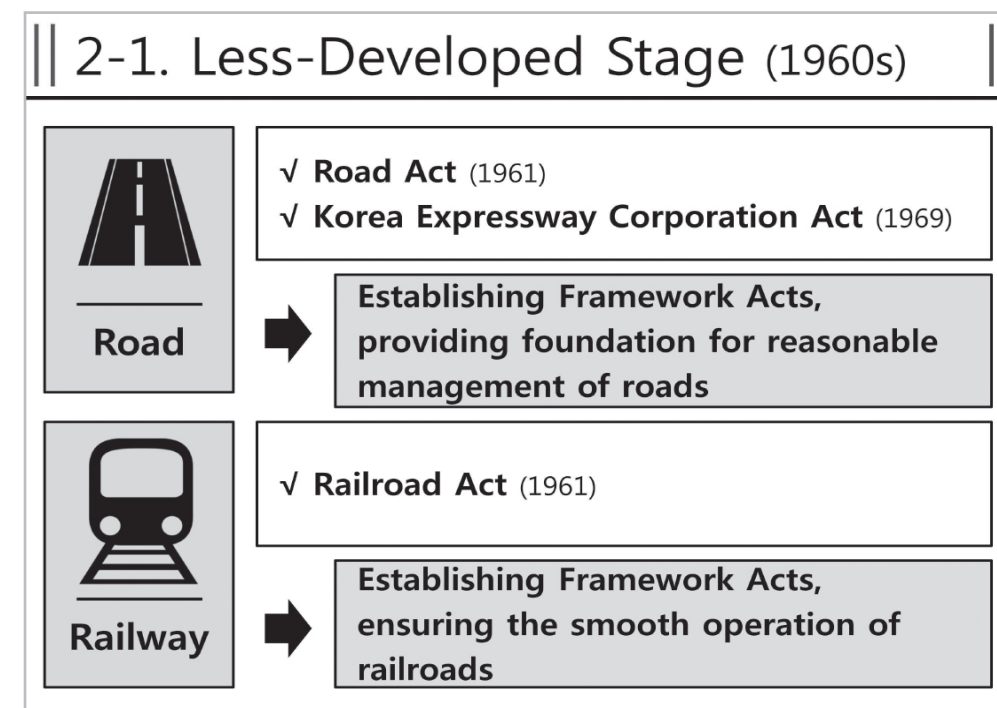
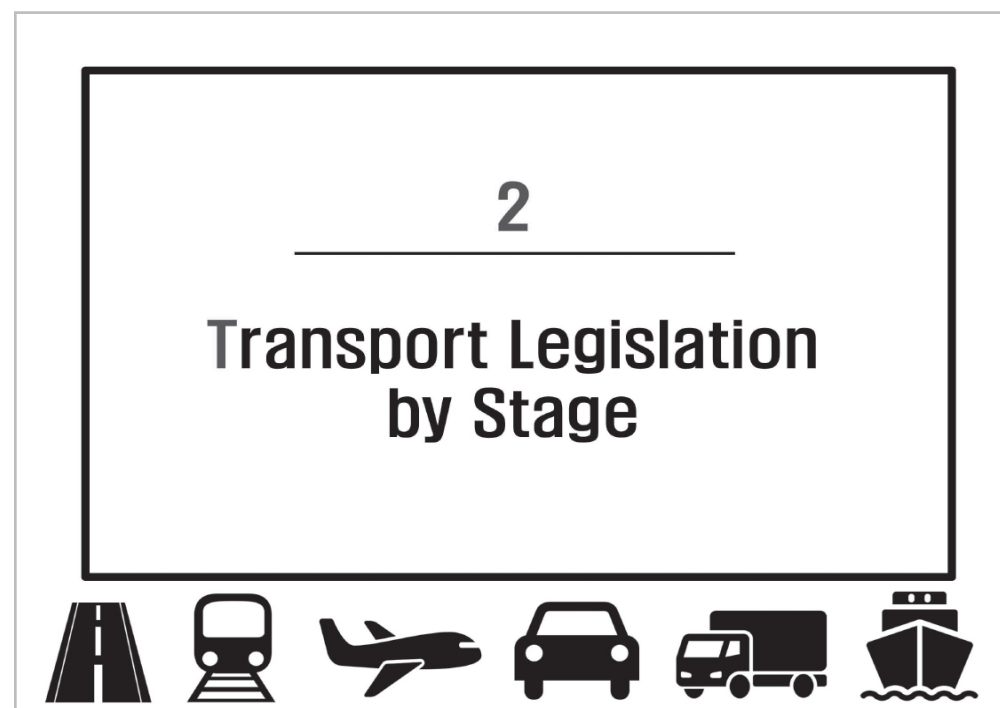
Director of Transport Policy Coordination Division,
Ministry of Land, Infrastructure and Transport

CONTENTS

1. Economic Development and Transport
2. Transport Legislation by Stage
3. Conclusions and Remarks









2-1. Less-Developed Stage (1960s)



Vehicles,
Logistics

- ✓ Transport Service Act (1961)
- ✓ Road Transport Vehicle Act (1962)

Establishing passenger, cargo, etc. transport order,
Establishing vehicle possession rights, compensation for damages, etc.

[Characteristics of Transport Legislation at Less-Developed Stage]

Enactment of Framework Acts and establishment of public corporations, etc. by transport mode for systematic management of transport to enhance efficiency in the beginning stages of economic development

2-2. Developing Stage (1970s)



Transport
System

- ✓ Traffic Safety Act (1979)
- ✓ Korea Transportation Safety Authority Act (1979)

First legislation regarding safety



Airway

- ✓ Safety of Aircraft Operation Act (1974)

Legislation in accordance with international agreement



2-2. Developing Stage (1970s)



Road

- ✓ Motorway Act (1970)

Constructing and managing motorways
ex) Gyeongbu Expressway



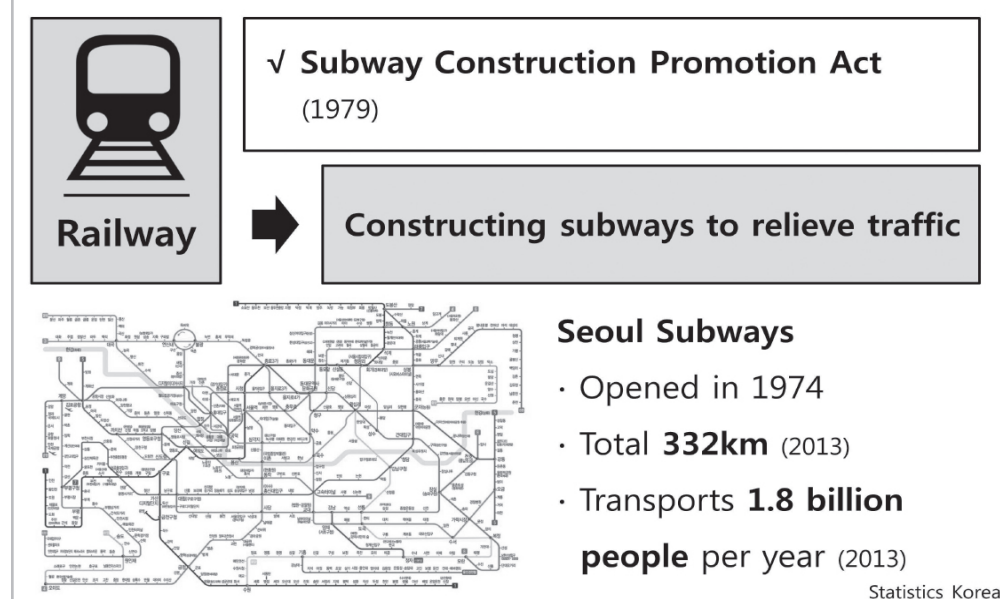
Total Length of Expressway: **4,251km** (2015)
(minimum four-lane roads on all routes)

Expressway Density per Surface Area (km/km²)
6th Among OECD Countries (2003)

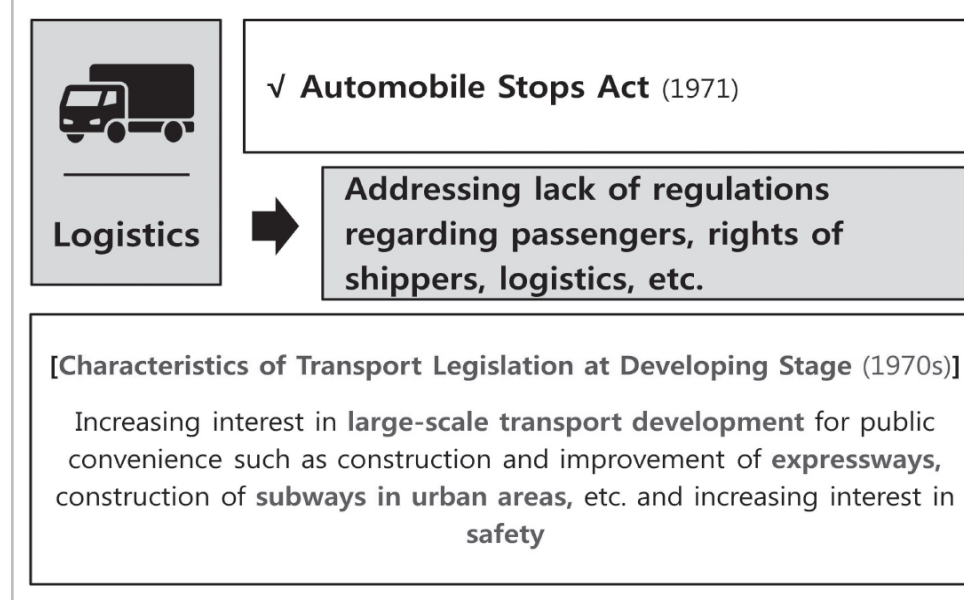
Korea Transport Institute, Korea Expressway Corporation



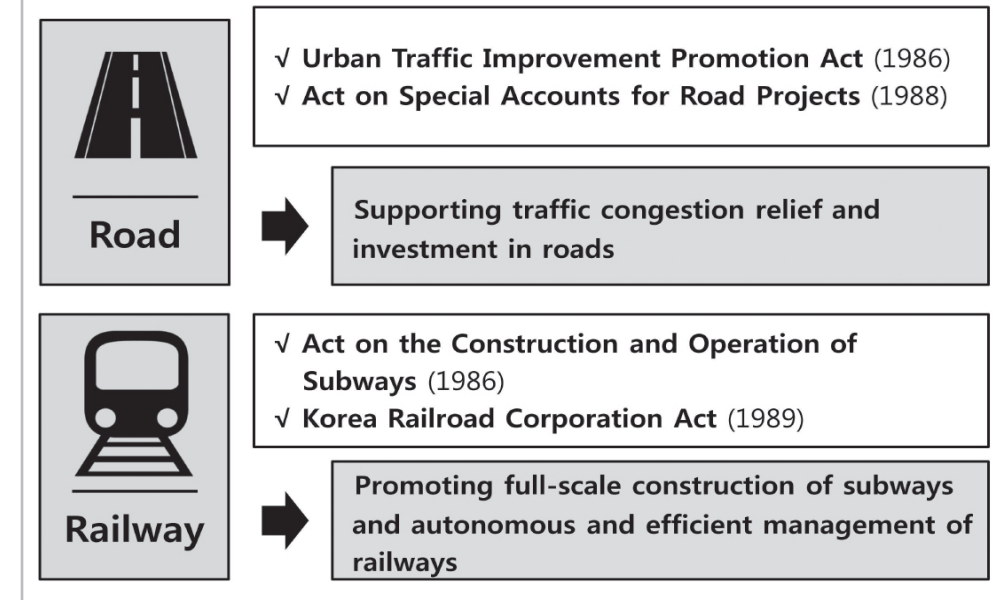
2-2. Developing Stage (1970s)



2-2. Developing Stage (1970s)



2-3. Developing Stage (1980s)





2-3. Developing Stage (1980s)



Vehicles

✓ **Motor Vehicle Management Act** (1986)

Efficiently responding to increase in number of motor vehicles

* Number of registered motor vehicles:
10 thousand ('60)→200 thousand ('80)

[Characteristics of Transport Legislation at Developing Stage (1980s)]

Responding to **traffic congestion** which is becoming a **social problem** as a result of an increase in the number of motor vehicles by **improving urban transport, managing motor vehicles, building subways, etc.**



2-4. Developing Stage (1990s)



Transport System

✓ **Act on Special Accounts for Transport Facilities** (1995)

✓ **Transport System Efficiency Act** (1999)

Steady securing of financial resources for SOC expansion, unifying accounts and promoting efficient management



Road

✓ **Act on the Maintenance and Improvement of Road Networks in Agricultural and Fishing Villages** (1991)

Providing transport service to lagging, neglected areas

2-4. Developing Stage (1990s)

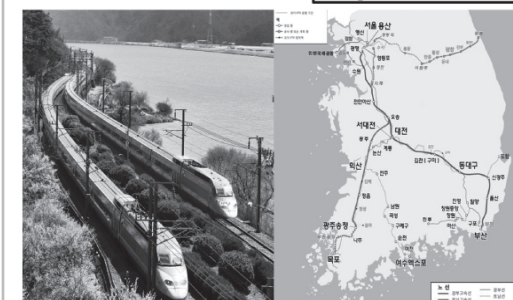


Railway

✓ **High-Speed Railroad Construction Promotion Act** (1996)

✓ **Urban Railroad Act** (1990)

Commencing high-speed railroad construction, promoting efficient operation of subways



Construction started in 1992, opened in 2004
Seoul → Busan : 5h → 2.5h
Transports **60 million people** per year (2015)



2-4. Developing Stage (1990s)



Airway

- ✓ Act on the Promotion of a New Airport for Seoul Metropolitan Area Construction (1991)
- ✓ Incheon International Airport Construction Act (1999)



Constructing new airport to meet increasing air transport demand



Opened in 2001

300 thousand flights operated per year (2015)

50 million users per year (2015)

Ranked 1st for **11 consecutive years** in Airport Service Quality



2-4. Developing Stage (1990s)



Vehicles

- ✓ Promotion of the Use of Bicycles Act (1995)



Interest in resolving traffic congestion and environmental problems

[Characteristics of Transport Legislation at Developing Stage (1990s)]

Increase in demand for various modes of transport following economic development and promotion of transport advancement and support of lagging areas through construction of high-speed railroads, new airport in the Seoul Metropolitan Area, etc.

2-5. Developed Stage (2000s)



Transport System

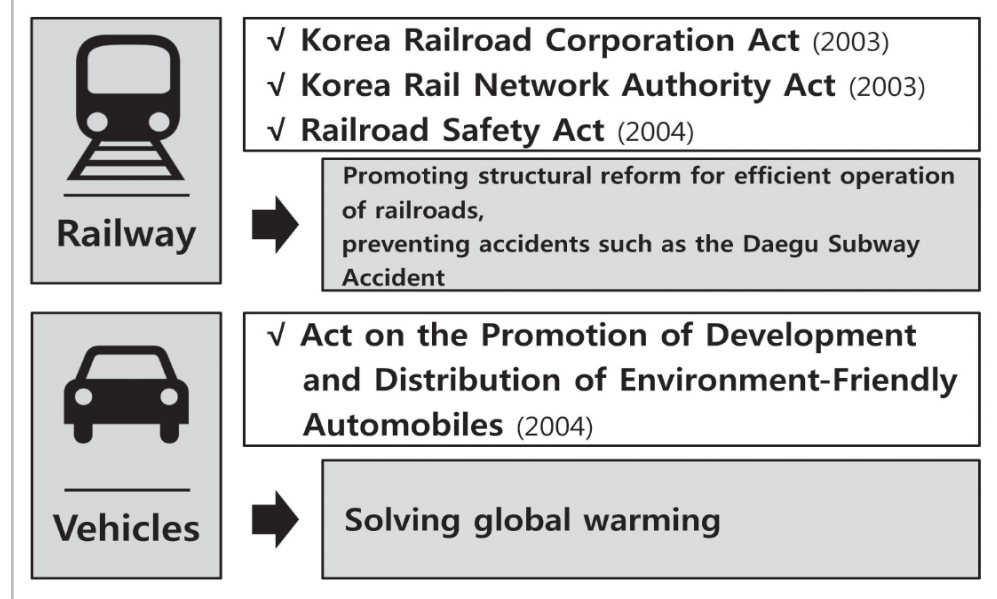
- ✓ Act on the Support and Promotion of Utilization of Mass Transit System Act (2005)
- ✓ Sustainable Transportation Logistics Development Act (2009)
- ✓ Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons (2005)



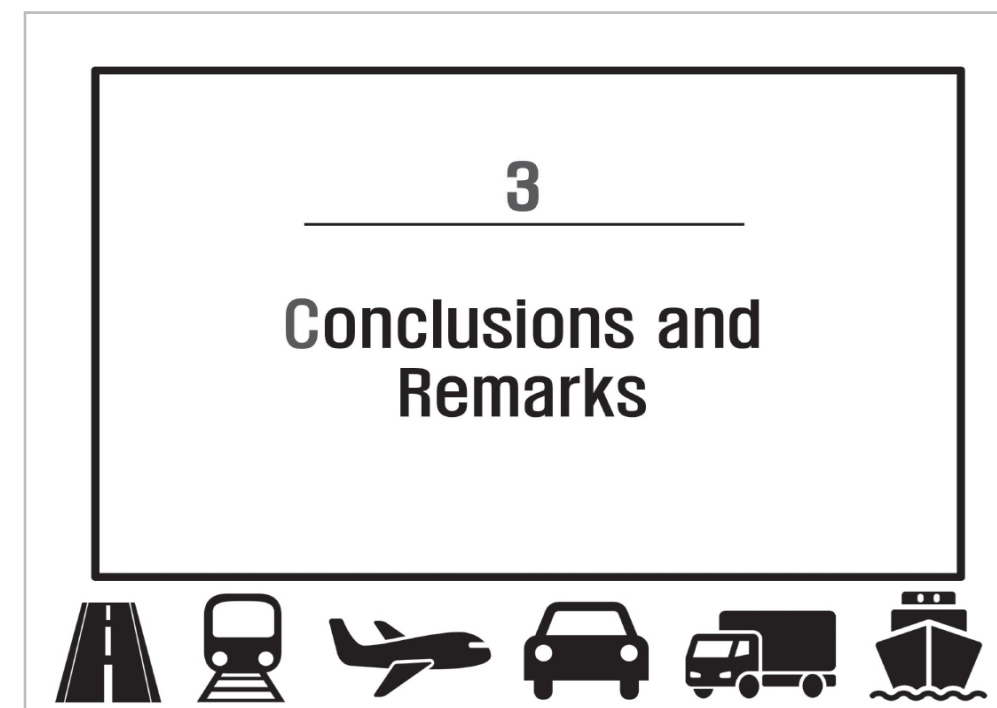
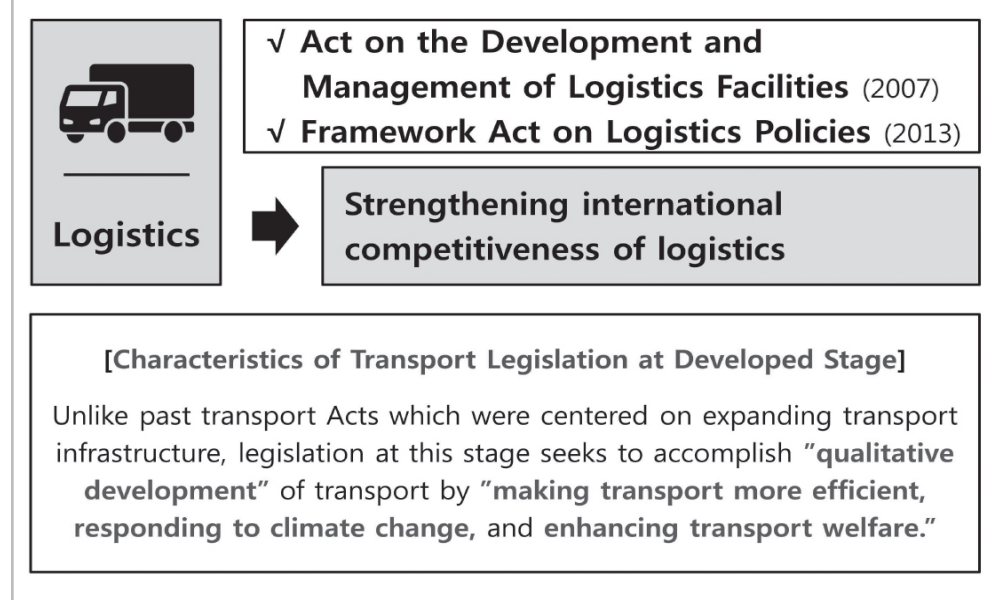
Supporting public transportation to reduce socioeconomic costs of traffic congestion, strengthening participation of mobility disadvantaged persons in society, joining efforts to solve global warming which is an issue of global interest



2-5. Developed Stage (2000s)



2-5. Developed Stage (2000s)



3-1. Conclusions

Less-Developed Stage

Establishment of Framework Acts and corporations, etc. to regulate basic issues in transport

Developing Stage

Legislation for **constructing large-scale transport infrastructure** and **relieving traffic congestion** due to increase in transport demand

Developed Stage

Promotion of qualitative growth in transport such as balancing transport and environment and establishing transport policies for the disadvantaged



3-2. Remarks

- ✓ **Timely enactment of transport Acts** is needed due to the fact that necessary transport SOC, transport problems, etc. differ according to different stages of economic development.
- ✓ Korea **succeeded in developing its economy** through government-driven accumulation of transport SOC on a large-scale, but **encountered transport problems** due to unforeseen variables.
- ✓ Korea's **transport legislation at different stages** of economic development and **relevant cases of trial and error** will provide a **good precedent** for many countries which are also experiencing the transition from a less-developed economy to an advanced one in a short period of time.

◇. References

Mo, Changhwan; Lee, Jae Hong, Transport Policy Changes and Administrative System by the Stage of Economic Development, KOTI, 2013
 Korea Expressway Corporation, www.ex.co.kr
 Korea Railroad Corporation, www.info.korea.com
 Statistics Korea, www.kosis.kr



Thank you



Session 1 | Presentation 2

Tin Maung Htun

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Ministry of Transport and Communications of Myanmar

>> 학력

- 양곤 대학교 수학 학사
- 옥스퍼드 대학교 경영학 고등전문학사
- 양곤 대학교 상법학 전문학사
- 양곤 경제연구소 경영학 석사

>> Academic Background

- B.Sc(Q) Mathematics, University of Yangon
- Advanced Diploma in Business Administration (ADBA), University of Oxford
- Diploma in Business Law (DBL), Yangon University
- Masters Degree in Business Administration (MBA), Yangon Institute of Economics

>> 주요경력

- 1990~1993 교통통신부 도로여객국 주임
- 1993~1994 교통통신부 도로여객국 부과장
- 1994~1998 교통통신부 도로화물국 과장
- 1998~2006 교통통신부 도로화물국 국장보
- 2006~2008 교통통신부 도로여객국 국장보
- 2008~현재 교통통신부 재정국제교류국 부국장

>> Work Experience

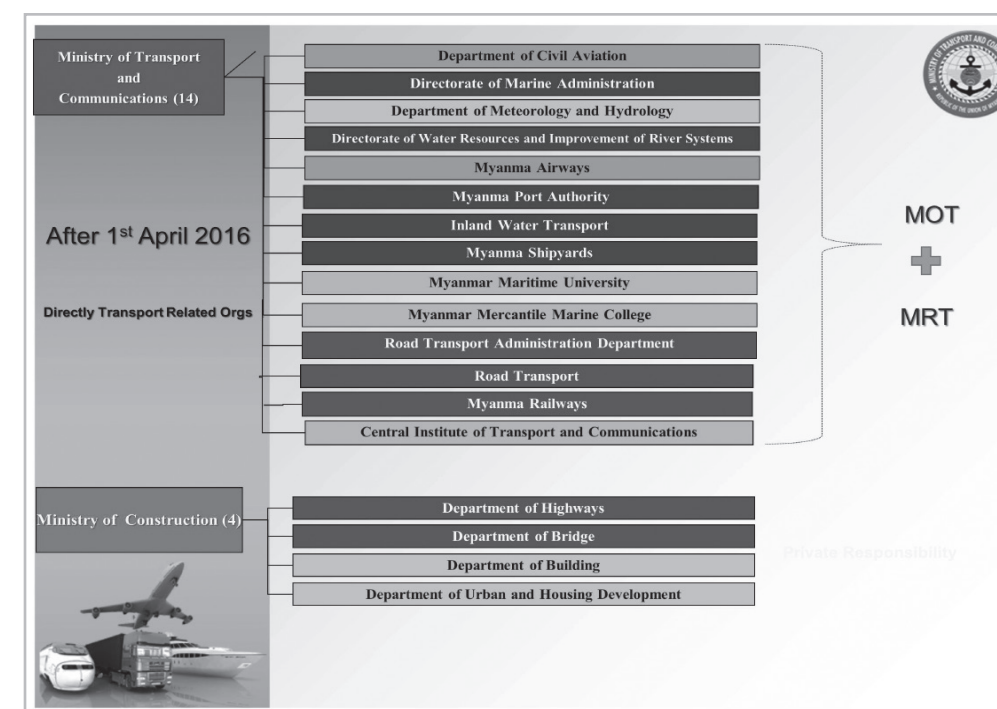
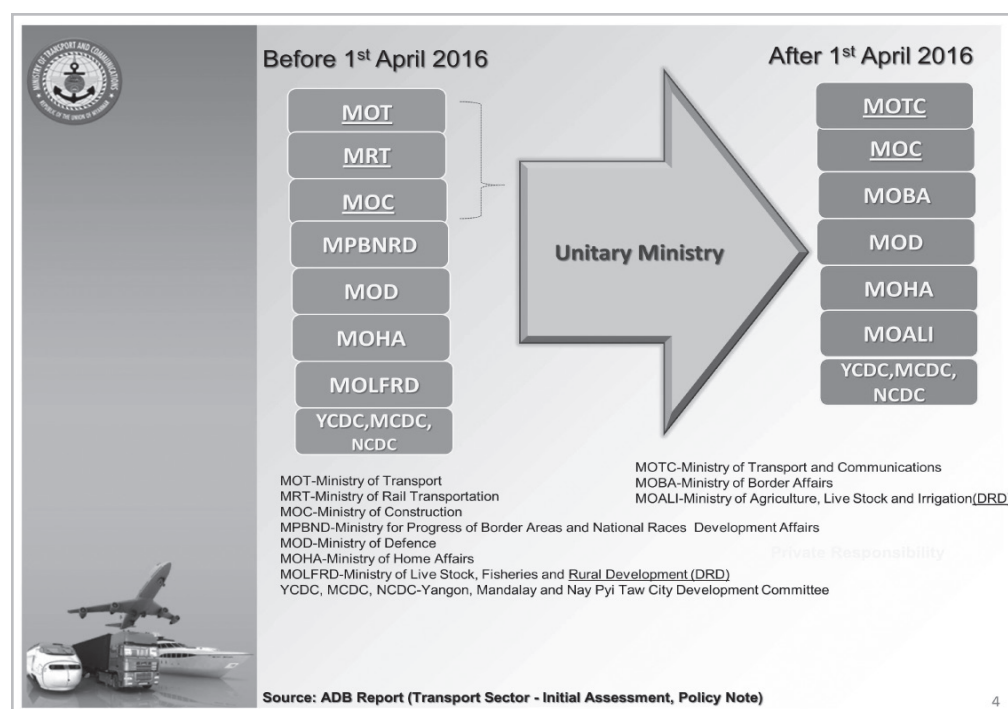
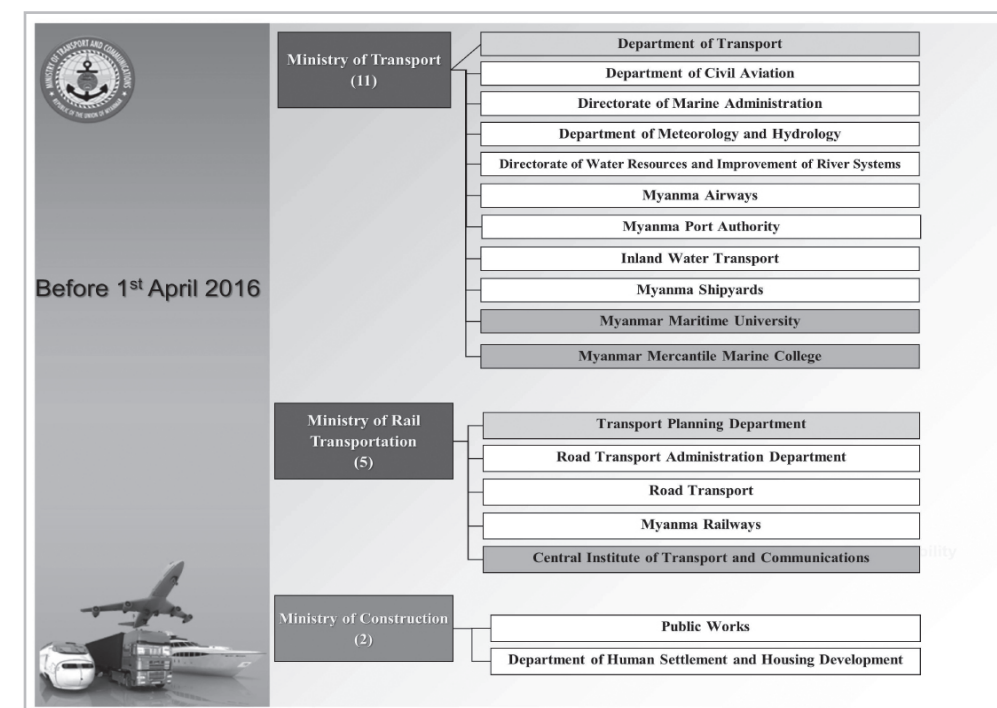
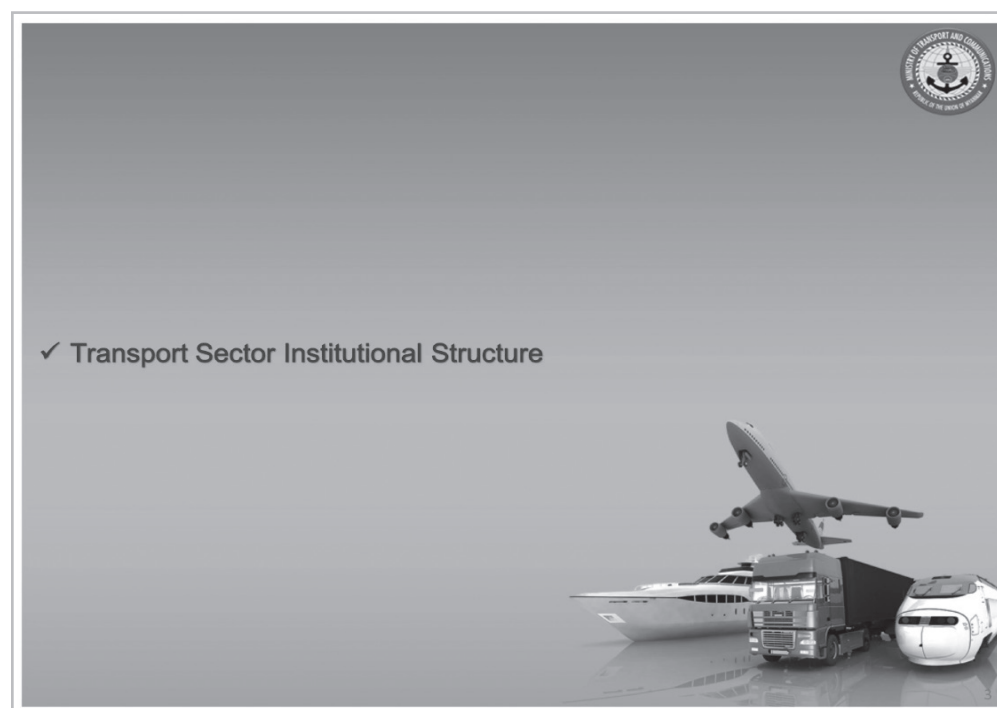
- 1990~1993 Assistant Manager, Road Passenger Department
- 1993~1994 Deputy Manager, Road Passenger Department
- 1994~1998 Manager, Road Freight Department
- 1998~2006 Assistant General Manager, Head of Road Freight Department, Road Transport
- 2006~2008 Assistant General Manager, Head of Road Passenger Department, Road Transport
- 2008~Present Deputy General Manager, Head of Finance and International Relations Dept, Road Transport

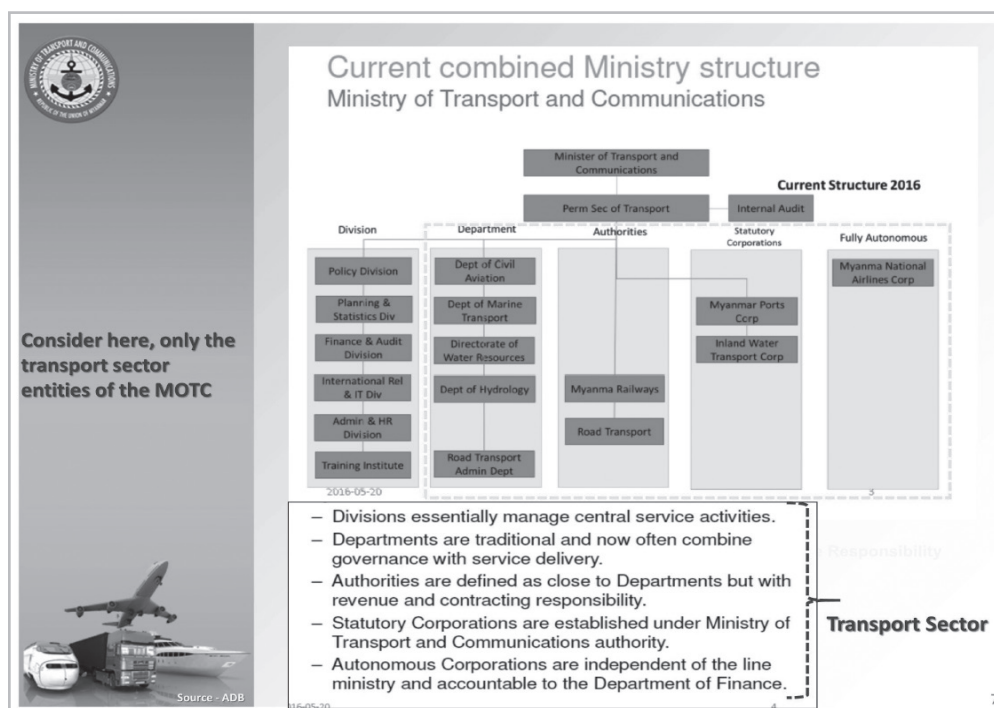


Contents

- ✓ Transport Sector Institutional Structure
- ✓ Statement of Transport Policy
- ✓ Issues for Decisions and Range of Policy Initiatives
- ✓ System, Style, Interaction with the Existing Transport Related Law
- ✓ Structure and Conceptual Contents for the Primary Transport Law
- ✓ Conclusion







Statement of Transport Policy

- offers a foundation for defining how the transport system is organized and managed.
- sets out the government's policies for securing and maximizing the economic benefits of the market-oriented strategy.
- In 2014, a draft transport policy statement was incorporated as part of the National Transport Master Plan (NTMP).

Legislative base for transport

- Many current laws will be incompatible with this policy framework;
- A new framework transport law containing the various principles listed here will be developed based on a full review of current legislation;
- To coordinate this process, and to ensure the consistent application of the policies set out herein, the appropriate legal affairs ministry, Ministries of Transport and Communications and Construction will set up, on a temporary basis, a joint Committee for Legal Reform

✓ Statement of Transport Policy

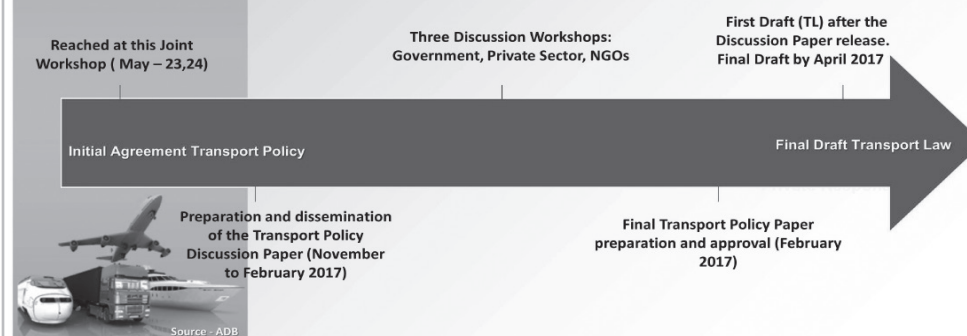
May-23,24-2016, Strategic Transport Sector Policy Joint Workshop

MOTC & ADB

Implementation Plan

- ✓ The public consultation process for the policy statement itself and the timing of that consultation
- ✓ The finalization of the policy and adoption by Government
- ✓ The development of new Transport Law that covers all transport matters and adopts the final transport policy statement.

To meet the objective of inclusion and consultation, the major steps to implement the Transport Policy are:






It's Time to Start

Transport Policy Statement that pulls everything together:

- It will target and guide transport policy issues, investment and regulation
- It will strive for coordination between government actions
- It will start the integration of transport planning,
- It will allow service levels for all to be improved
- And it will bring safety to the forefront of our travel

It will bring forward a new, modern and all the embracing Transport Law.

The Transport Law that covers all sub-sectors of transport and consolidates the Law into a unifying document that is modern and meets the transport needs of Myanmar now and at least 10 years into the future



Source - ADB

11



Issues for Decision

There are two major decisions to be made:

- a) Agreement with the range of policy initiatives that have been incorporated into the first draft of the Transport Law (those policies are based on the National Transport Sector Master Plan with some expansions, discussed thoroughly by Ministerial committee and further reviewed at the May 2016 Transport Sector Workshop)
- b) Approval of the structure of the overall Transport Law, what the law should contain and how it relates to the current sector specific transport laws (eg. rail, ports, multi-modal laws etc)



Source - ADB

13



✓ Issues for Decisions and Range of Policy Initiatives



Source - ADB

12



Policy Initiatives

Be agreed to form part of the primary Transport Law.

- a. improvement to transport sector institution and governance transparency,
- b. flexible institutional arrangements
- c. developing key performance indicators for transport institutions and managing them
- d. in the case of SOE staff redundancies, 'fair compensation' package;
- e. decentralization / devolution of transport related decisions

Followings analysis examines whether it exists in current Myanmar Law, what the policy issue includes and its benefits and time frame over which it could be implemented.



Source - ADB

14



Policy Initiative in Draft Transport Law	In Myanmar Law Now?	Policy Argument	Recommendation and Policy Implementation
Institutions like Myanmar National Airlines, IWT and Myanmar Rail to be established as corporation under the new Companies Law	No	These transport organizations need flexible and relevant commercial structures for them to operate commercially. They need government ability (as government is the only shareholder) to inject capital, provide loans and equity. This is modern practice. A commercially knowledgeable Board is also required. Higher levels of transparency are attainable with a corporate structure and principles. Compliance with OECD governance principles for SOEs	Recommendation: Include as part of the Transport Law Implementation Over a period of 2 years. Restructuring of the Boards and the skills is needed. Capacity building is needed for staff and the Board.
Injection of capital and equity and provide loans for SOEs	No	The government needs to be able to provide funds to SOEs. Currently there is no provision in Law for government support for transport institutions. To enable them to grow, sources of funds are needed. There are several issues to provide for in Law to ensure this is undertaken transparently: - An agreement between the SOE and government on the terms of the capital, equity or loan; - The reasons for the funds are to be clearly explained and available as a public document.	Recommendation: Include as part of the Transport Law Implementation In the case of Myanmar national Airlines and IWT funds are needed now. Implementation of structured funds can be implemented now through MOPF. For Road Transport and Myanmar Rail, this approach can be developed over a 2 year period

Source - ADB

15

Policy Initiative in Draft Transport Law	In Myanmar Law Now?	Policy Argument	Recommendation and Policy Implementation
Introduce key Performance Indicators for SOEs as a key management and performance measurement tool	No	Key performance indicators have been established in a number of benchmark countries for SOEs to ensure a strong core business focus and accountability for performance (Thailand, Korea, Australia, the UK).	Recommendation: Include as part of the Draft Transport Law Implementation Establish over a period of 18 months. Incorporate as part of the corporatization of SOEs and with significant input from MOPF.
Provide for transport sector PPP arrangements. Contracts can be signed by institutions or by Ministers	Yes	Roads and airports as PPP arrangements currently exist. The current contracts require overhaul to modern PPP practices. Parliamentary Law is not essential for PPP arrangements, but good guidelines are essential as well as good internationally based contract structures.	Recommendation: Include as part of the Transport Law. But for further discussion as to who is enabled to enter into the contracts Implementation Develop guidelines over the next 12 to 18 months for PPP contracts.

Source - ADB

17

Policy Initiative in Draft Transport Law	In Myanmar Law Now?	Policy Argument	Recommendation and Policy Implementation
Allow for the continuing medium term transition of transport institutions and SOEs as the transport sector changes	No	Current Law fixes the institutional arrangements for all the transport sector SOEs. No institutional growth is provided for within current Law. The May 2016 Transport Sector workshop established potential institutional arrangements for transport in the medium term. It allowed for IWT to move slowly and certainly to a commercially viable company. This approach was agreed at the workshop. Current transport Laws fix (in concrete) institutional arrangements until they are changed by Parliament. The Draft Transport Law allows the government to make institutional when changes are required.	Recommendation: Include as part of the Transport Law Implementation Implementation will be designed over the long term. As sector needs change, the transport sector institutions will change accordingly. No fixed time frame
Transparency provisions for transport SOEs and open public discussion on public policy issues	No	The Myanmar Government does not have document transparency provisions in Law at the moment. The proposed transparency provisions in the Transport Law set basic level arrangements. For example, budget support for SOEs and SOE performance would be "public documents" and available for public scrutiny. The transparency provisions start to implement the policy of the new Government	Recommendation: Include as part of the Draft Transport Law Implementation Begin implementation in the next 18 months after guidelines are introduced
Introduce key Performance Indicators for SOEs as a key management and performance measurement tool	No	Key performance indicators have been established in a number of benchmark countries for SOEs to ensure a strong core business focus and accountability for performance (Thailand, Korea, Australia, the UK).	Recommendation: Include as part of the Draft Transport Law Implementation Establish over a period of 18 months. Incorporate as part of the corporatization of SOEs and with significant input from MOPF.

Source - ADB

16

Policy Initiative in Draft Transport Law	In Myanmar Law Now?	Policy Argument	Recommendation and Policy Implementation
Develop the concept of Public Service Obligations (PSO) and a payment system from central budget to the service delivery organisation (usually an SOE)	No	A Public Service Obligation means an obligation imposed by the national government or a subnational government on an organisation by legislation or contract to provide within Myanmar or a Region/State, municipality or town within Myanmar: 1. a service which is essential for the economic development of a defined user group; or 2. a service which is essential for connectivity of rural communities. Payments by the central government would be under a service contract that specifies the service, the level and standard of service and the contract duration	Recommendation: Include as part of the Transport Law Implementation A minimum of 18 months is required to establish the PSO regime. PSO arrangements will need to be progressively defined and then service levels and standards as well as payment levels.
Decentralization	No	Decentralisation/devolution of government decisions to subnational government is a central plank of the new government. Current Laws do not provide for a structured approach to decentralisation/devolution. Decentralisation can be applied under the Transport Law through specifically targeted options per subregional government based on capacity. Cross funding of infrastructure and services can also be developed between levels of government	Recommendation: Include as part of the Transport Law Implementation At least 12 months is needed for initial transfer decisions to be made. An assessment of each subnational government will be needed to establish the benchmark for decentralisation/devolution of decisions and management.

Source - ADB

18



Special Recommendations for Myanmar Rail			
Policy Initiative in Draft Transport Law	In Myanmar Law Now?	Policy Argument	Recommendation and Policy Implementation
 Myanmar Rail to be manager of the Rail track	Yes	The new Rail Law gives the management role to Myanmar Rail as of right. The ownership and management of the track should be provided to the Minister of Transport and then contracted to Myanmar Rail for the medium term. This position is in line with: - Myanmar Rail finally becoming a corporatized entity working to KPIs and competitive neutrality principles - Government actually controlling a major asset through a contractual arrangement with Myanmar Rail - Allowing entry of other participants into the rail sector on a competitive neutral basis	Recommendation: Include as part of the Transport Law Implementation Myanmar Rail to manage the rail track for up to 10 years, but under a KPI arrangement and a competitive neutrality model. Develop the contractual arrangements and KPIs over a period of 2 years
Rail track is to be made available to private rail operators – with MA rolling stock or their own rolling stock	Yes	Provides for the transport sector to control their own rail transport services on Myanmar rail track. Begins the process of competitive providers	Recommendation: Include as part of the Transport Law Implementation Provide for implementation over the next 18 months.
Myanmar Rail should be a licenced rail services operator and in the same position as private sector rail operators	No	The policy provides for Myanmar Rail to provide services under the same regulatory environment as the private sector. The current Rail Law provides for MA to be given regulatory advantage. Staged implementation of the licensing arrangement will allow Myanmar Rail to gear up for compliance	Recommendation: Include as part of the Transport Law Implementation Provide for implementation over the next 18 months.

Source - ADB

19

✓ System, Style, Interaction with the Existing Transport Related Laws



Policy Initiative in Draft Transport Law	In Myanmar Law Now?	Policy Argument	Recommendation and Policy Implementation
 Provide for Myanmar Rail to be corporatized and with a corporate governance structure that implements a commercial board membership structure	No	This policy applies the same principle to Myanmar Rail as is proposed for other transport institutions. The policy principle is to allow for the progressive corporatization of Myanmar Rail and to develop sound commercial operating principles with a commercially focused Board. The current Rail Law provides for the public sector to fill Board positions. This is now not considered as good practice.	Recommendation: Include as part of the Transport Law Implementation Provide medium term implementation based on targets and the development of KPIs for measuring performance. A minimum of 5 years should be anticipated for corporatization.
Provide for a rail track rationalisation and decentralization plan,	No	The investment in rail track has been focused on increasing track kilometres, with little or no attention to track upgrade and maintenance. There are many uneconomic tracks within Myanmar. Track rationalization and management decentralization are critical to cutting Myanmar Rail costs. Better forms of transport access can be provided to rural communities. Higher standard services can be provided to main rail track routes	Recommendation: Include as part of the Transport Law Implementation Provide medium term implementation, along with the corporatization program for Myanmar Rail.

Source - ADB

20

System of Myanmar Law

Academic Review of Myanmar Law: The recent academic analysis of the National University of Singapore Centre of Asian Legal Studies has defined the Myanmar system of law as Common Law.

(Myanmar Law Working Paper Series, Working Paper No. 001: An Introduction to the Law and Judicial System of Myanmar)

Law Preparation Principle: The common law system will be assumed and the current Myanmar drafting style will be maintained but with the adoption of a more rigorous structure of subordinate legislation through regulation and ministerial promulgations (declarations and decrees). Legal transparency and structured hierarchy of law will be clearly established within the draft Law itself.

Style of Law

It is also not definitively fixed and has adopted different styles in the past four years. Many of the Laws enacted by the Parliament in the past two years have been drafted in the standard common law style of drafting where obligations are defined and placed on a person or organization. Some have been prepared using a declaratory style of legal drafting more in the civil law declaratory style where obligations are defined but compliance responsibility is not allocated.



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Benchmark Analysis

Country	Civil Law	Common Law	ASEAN Regional	Plain language	Drafting Style	Regulatory Transparency Level
Thailand	✓		✓	✓	Direct Obligation	Only for Regulations
India		✓	X	✓	Direct Obligation	Only for Regulations
Bhutan		✓	X	✓	Abstract Obligation	At least for regulations
Indonesia	✓		✓	Simple language but unclear expression	Abstract Obligation	Only for Presidential and Government Regulations
Korea	✓		X	✓	Direct Obligation	Full transparency
Malaysia		✓	✓	✓	Direct Obligation	Full transparency
Singapore		✓	✓	✓	Direct Obligation	Full transparency
Australia		✓	X	✓	Direct Obligation	Full transparency
Canada		✓	X	✓	Direct Obligation	Full transparency
United Kingdom		✓	X	✓	Direct Obligation	Full transparency




MOTC

1. The Myanmar Registration of Ships Act (India Act 10, 1841, Vol. VII)
2. The Bills Of Lading Act (India Act 9, 1856, Vol. VII)
3. The Carriers Act (India Act 3, 1865, Vol. VII)
4. The Obstruction in Fairways Act (India Act 16, 1881, Vol. VII)
5. The Defile Traffic Act (India Act 8, 1907, Vol. VII)
6. The Ports Act (India Act 15, 1908, Vol. VII)
7. The Myanmar Merchant Shipping Act (India Act 21, 1923, Vol. VII)
8. The Myanmar Carriage of Goods by Sea Act (India Act 26, 1925, Vol. VII)
9. The Myanmar Carriage of Goods by Air Act (India Act 20, 1934, Vol. VII)
10. The Myanmar Aircraft Act (India Act 2, 1937, Vol. VII)
11. The Myanmar Lighthouse Act (India Act 2, 1937, Vol. VII)
12. The Maritime Transport Agreement Act (19/1952, Vol. VII)
13. The Conservation of Water Resources and River Laws (SPDC-8/2007)
14. The Multimodal Transport Law(Union-3/2014)
15. The Laws Relating to International Interest in Mobile Equipment and Aircraft Equipment Law (Union-37/2014)
16. The Inland Water Transport Board Law (Union-50/2014)
17. The Myanmar National Airline Law (Union-52/2014)
18. The Myanmar Costal and Inland Water Transport Service License Law (Union-10/ 2015)
19. The Myanmar Port Authority Law (Union-21/2015)
20. The Inland Vessel Law (Union-29/2015)
21. The Motor Vehicle Law (Union-55/2015)
22. The Road Transport Operations Law (Union-3/2016)
23. The Rail Transport Operation Law (Union-4/2016)




Largely taken from regional experience and indeed specifically ASEAN Member States were included because of the regional connectivity issues that Myanmar is now looking to achieve. These benchmarks like Thailand and India also have cultural ties within their legal systems with Myanmar.

Above table demonstrates that the approach to law preparation is diverse with a range of ways to develop law. The clear indicators are:

- **Plain language is common** – the law drafting uses normal language and does not use specialized legal language expression (the law more accessible and transparent to all)
- **Benchmark countries within ASEAN** have good quality modern law. Most express the law in a ‘direct obligation’
- **Transparency levels for laws are generally high**

Interaction of the Transport Law with Existing Transport Related Laws

Within the transport sector there a number of laws that already exist. Those Laws range from ones that have been in place for some considerable time through to recently passed laws that include:




MOC

1. Law Relating to the Use of Road and Bridge(13/1985)
2. The Highways Law (SPDC-8/2000)
3. The Expressways Law (Union-24/2015)

The intention of the Transport Law is to be the principal Law for Transport in Myanmar. To take that lead role, the Transport Law will state that it is the principal Law and other laws are subordinate to it.

Private Responsibility





✓ Structure and Conceptual Contents for the Primary Transport Law



Key Features of the Transport Law

- The Ministry for the administration of transport will be established.
- Transport services companies will be created.
- Transport regulatory institutions will be created.
- A specific right to contract will be provided.
- All recent and previous Laws will be either repealed or modified to provide that the Transport Law is the principal Law

There are three options for the Transport Law to be drafted. Deciding this issue involves both the legal structure of the Law and whether there is commitment to the recently passed sector laws:

Option 1: The Transport Law is the Primary Law and repeals all existing laws;

Option 2: The Transport Law is the Primary Law and incorporates the institutional aspects and repeals only institutional aspects of the existing sector laws. Existing Sector Laws and their technical content remain.

Option 3: The Sector Laws remain and / are primary Laws. A Transport Policy Law is established and states policy for transport only and amends Sector Laws.

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The Structure of the Transport Law

Based around common law style parliamentary laws. The style of law for the Transport Law will be drafted using plain language. It delivers a modern style of drafting that is accessible and transparent. This approach is evident in all the benchmark countries selected.

A Transport Law must take account of all the existing transport and road laws. Staged implementation is also needed to reflect policy priority and capacity to implement the policy positions in the law.

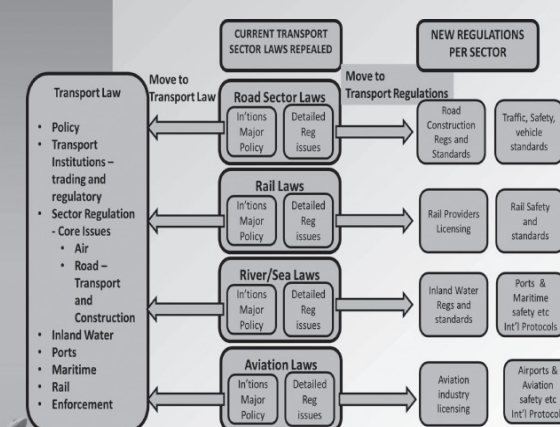
Private Responsibility



Source - ADB

28

Option 1: The Transport Law is the Primary Law and repeals all existing laws.



- The Transport Law is the Primary Law
- All major cross-transport policies are in one Law and apply across the sector
- Provides the most clarity and future flexibility for structuring the transport law and its regulations
- Reflect Myanmar's position now and allows for future amendments
- Modern Approach**



Source - ADB

30




Option 2: The Transport Law is the Primary Law and incorporates the institutional aspects and repeals only institutional aspects of the existing sector laws. The technical content of existing Sector Laws remain as laws.

↓

• Transport Law is the Primary Law • Transport institutions and their powers are defined in the Transport Law • Substantial amendments needed to all sector laws to achieve consistency in and between them • More complex to interpret and implement • Modern Approach.	• Does not deliver the MOTC policy of a Primary Transport Law • No leverage of coordination across transport • Leaves a range of sector laws in place: some new and some old and outdated • Substantial amendments to the sector laws are needed • Older and less modern approach
--	---

↑

Option 3: The Sector Laws remain and are primary Laws. A Transport Law is established and only clarifies policy for transport sector and amends Sector Laws

Source - ADB

31



✓ Conclusion



32



Conceptual Contents

1. Introduction and Scope of the Law
2. Declaration of Transport Policy
3. The Ministry of Transport
4. Regionalization of Transport Management
5. Transport Services Companies
6. Air Transport
7. Road Transport and Safety
8. Rail Transport
9. Road Network Management
10. Maritime, Shipping, Ports and Inland Waterway Management
11. Making of Regulations

Private Responsibility

Source - ADB

32



According to ADB's suggestions Transport Law will address:

- a. All the key policy issues of the Transport Policy (agreed at the Transport Policy Workshop on 23/24 May 2016);
- b. The relationship between the Union Government and the Regional Governments and the potential for regionalization of transport services and infrastructure delivery and management;
- c. The institutional arrangements for the management of each sector, including the establishment of a Ministry for managing transport, the transport regulatory institutions and the transport services companies (current SOE's that are established as commercial transport service delivery companies);
- d. All of the licensing, registration and standards to be applied to the transport sector;
- e. The relationship with existing transport sector laws (in ports, aviation, roads and water transport), including the repeal of laws as required.

Private Responsibility

Source - ADB

34



MOTC is reviewing ADB’s suggestions and the Draft New Transport Law. Also, MOTC intends to take the actions in order to come out the Primary Transport Law as follows;

- a. To take actions for adoption of New Transport Policy Statement
- b. To form a TFT with the legal experts from departments under MOTC
- c. To submit statements and comments made by TFT’s to Union Attorney General Office (UAGO) for getting their suggestions
- d. Finally, it will be implemented the follow up actions with ADB

Private Responsibility

35





THANK YOU



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Deputy General Manager
Road Transport
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Session 1 | Presentation 3

김 원 호

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» 학력

- 1988~1995 충북대학교 공학사 (도시공학전공)
- 1995~1997 서울대학교 도시계획석사 (환경계획학과 교통전공)
- 1998~2004 미국 Texas A&M University 토목공학박사 (교통공학전공)

» Academic Background

- 1988~1995 Bachelor of Science in Urban Engineering, Chungbuk National University
- 1995~1997 Master of Urban Planning, Seoul National University
- 1998~2004 Doctor of Philosophy in Civil Engineering, Texas A&M University

» 주요경력

- 1996~1998 서울시정개발연구원 위촉연구원
- 1996~2004 Texas Transportation Institute 석사연구원
- 2004~2005 Mid-America Transportation Center, 박사후연구원
- 2014 버지니아대학교 교환교수
- 2005~현재 서울연구원 연구위원(연구실장)

» Work Experience

- 1996~1998 Visiting Researcher, Seoul Development Institute
- 1996~2004 Graduate Research Assistant, Texas Transportation Institute
- 2004~2005 Postdoctoral Research Fellow, Mid-America Transportation Center
- 2014 Visiting Scholar, University of Virginia
- 2005~Present Research Fellow, Seoul Institute

Seoul Transport
Vision and Actions

2016. 10



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Overview

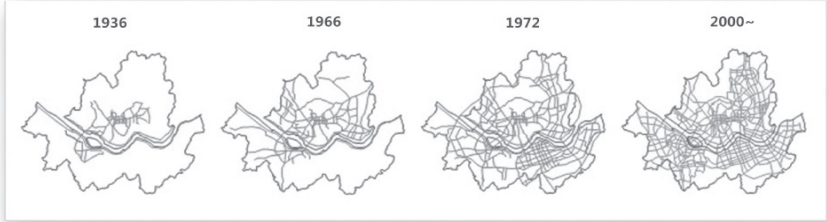
Introduction

Expansion of area and road network

Change of Administration Area



Change of Road Network

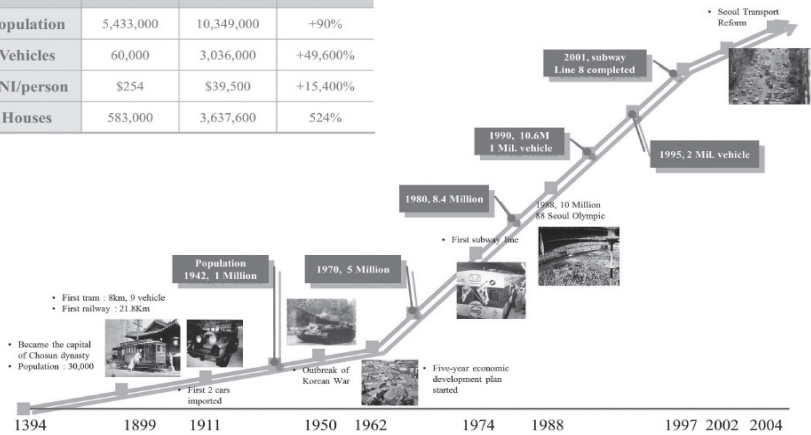


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Introduction

Seoul

	1970	2015	Difference
Population	5,433,000	10,349,000	+90%
Vehicles	60,000	3,036,000	+49,600%
GNI/person	\$254	\$39,500	+15,400%
Houses	583,000	3,637,600	524%



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History of Transportation Policies

Before 1960: Recovery of Transportation Infrastructure

Trend & Problems

- Transportation infrastructure was destroyed due to the Korean War and many recovery projects were carried out
- Expansion of buses occurred when too many people used the tram, and the bus became the main transportation mode of Seoul
- Taxis were beginning to be implemented in Seoul



Road Network

1936



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History of Transportation Policies

1960-1970: Expansion of Public Transportation

Trend & Problems

- Transportation took the majority of SOC projects
- Population suddenly increased due to **urbanization**
- Construction of expressways and expansion of road network
- **Expansion of bus network**
- **Street cars are removed in 1968** due to the danger when boarding/alighting, and disruption of traffic flow

Road Network

1966



Key Policies & Projects

Year	Policy/Project
1960	Establishment of Seoul Transportation Policy
1965	Approval of Express Bus (10 lines, 301 vehicles)
1968	Removal of Streetcar
1968	Construction of Gyeongin Expressway (Seoul-Incheon)
1970	Construction of Gyeongbu Expressway (Seoul-Busan)



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History of Transportation Policies

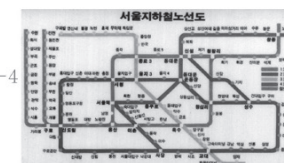
1980-1990: Construction of Transportation Infrastructure

Trend & Problems

- Traffic congestion became more serious with the construction of new cities nearby Seoul
- Number of registered vehicles rapidly increased
- **Opening of subway lines 2,3,4** occurred and the mode choice for subways increased to 16.5% in 1985
- Policies such as TSM and effect evaluation began

Subway Network

- Lines 1-4



Main Policies & Projects

Year	Policy/Project
1984~1985	Opening of subway lines 2,3,4
1986	Opening of Olympic Road
1987	Establishment of transportation effect evaluation policy
1989	Establishment of TSM



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History of Transportation Policies

1970~1980: Increase in Cars and Expansion of Network

Trend & Problems

- Constructing expressways brought economic effects
- Further increase in population caused more traffic chaos
- **Subway era started with the opening of line 1** but the modal share for buses were much higher at 73%
- Seoul showed effort in constructing new facilities and developing efficient transportation operation

Road Network

1972



Key Policies & Projects

Year	Policy/Project
1971	Operation of transportation control center
1973	Establishment of plans for modernization of intersections and traffic signals
1974	Opening of subway Line 1
1977	Establishment of Seoul city basic plan
1979	Establishment of variable lanes for arterial road



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History of Transportation Policies

1990~2000: Concerns Regarding Transportation Demand Management

Trend & Problems

- City expressways were constructed to relieve congestion
- Subway system expanded to lines 5,7,8(mode choice 30.8%)
- Policies regarding congestion fees and traffic demand management to relieve congestion
- **Intelligent transportation system** began with the start of freeway traffic management system (FTMS)

Subway Network

- Opening of Lines 5-8



Main Policies & Projects

Year	Policy/Project
1990	Start of congestion fees
1995	Start of industrial transportation demand management
1996	Opening of subway lines 5,7,8
1996	Implementation of congestion fee for Namsan Tunnel 1, 3
1997	Start of FTMS



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History of Transportation Policies

2000~2010 : Paradigm Shift from Car-oriented to Sustainable City

Trend & Problems

- Projects such as self carfree day and car-sharing began to manage the increase in traffic demand in Seoul
- Public transportation was strengthened with the reformation of the bus system and increase in transfer connectivity
- Pedestrian centered policies were introduced
- ITS was expanded through the establishment of TOPIS center

Road Network

- 2000~



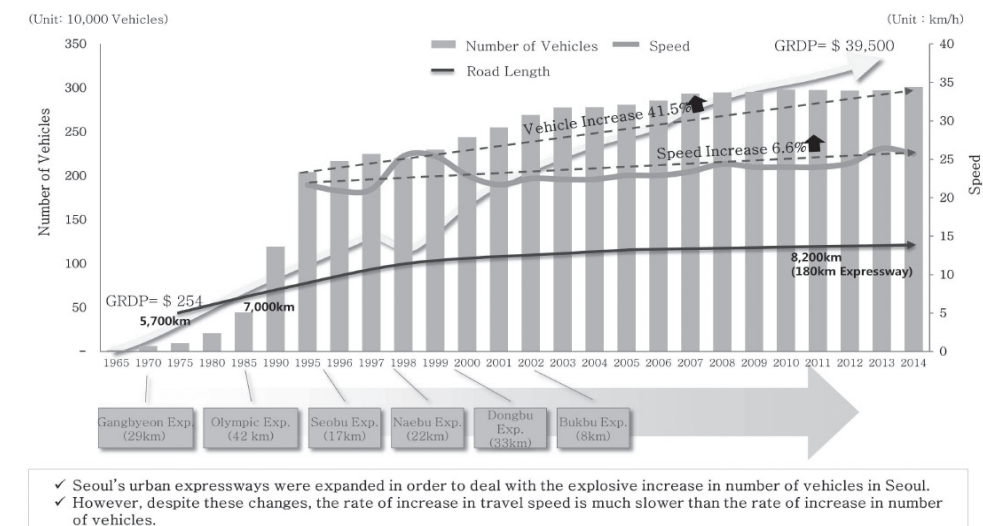
Key Policies & Projects

Year	Policy/Project
2003	Start of Seoul car-free day
2003	Removal of Chungaechun overpass
2004	Bus system reform
2007	Opening of TOPIS
2010	Operation of Namsan electrical bus



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Road Condition



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History of Transportation Policies

2010~Present: Pedestrian-friendly

Trend & Problems

- Rapid transit became a trend after the opening of Shinbundang line which connects Seoul to Bundang
- Many policies centered around pedestrians and environment were established to provide better walking space
- To decrease the number of cars that are no longer needed, the car-sharing program began to be operated

Subway Network

- Lines 1~9
- Inter-Regional Lines



Main Policies & Projects

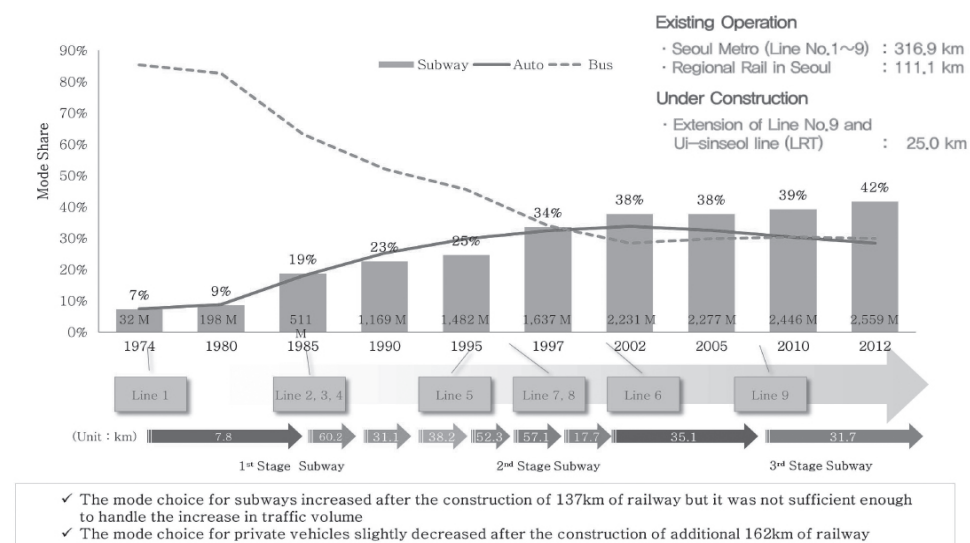
Year	Policy/Project
2010	Implementation of electric cars
2011	Opening of Shinbundang Line
2013	"Pedestrian-friendly city" Project
2013	Start of car-sharing program
2014	Operation of public transportation only roads



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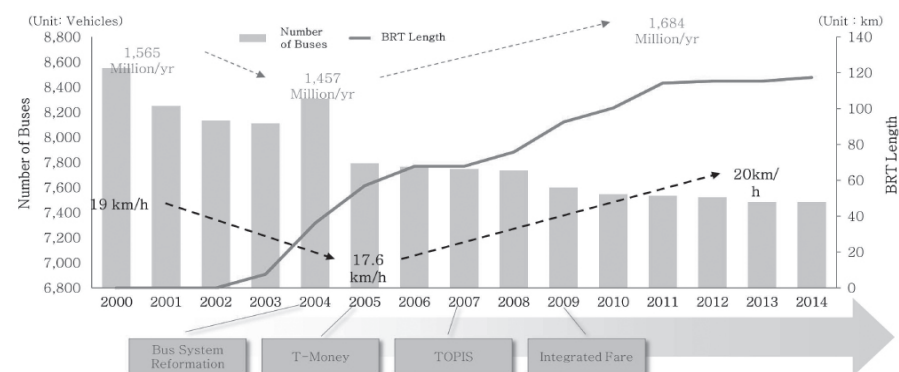
Rail Condition



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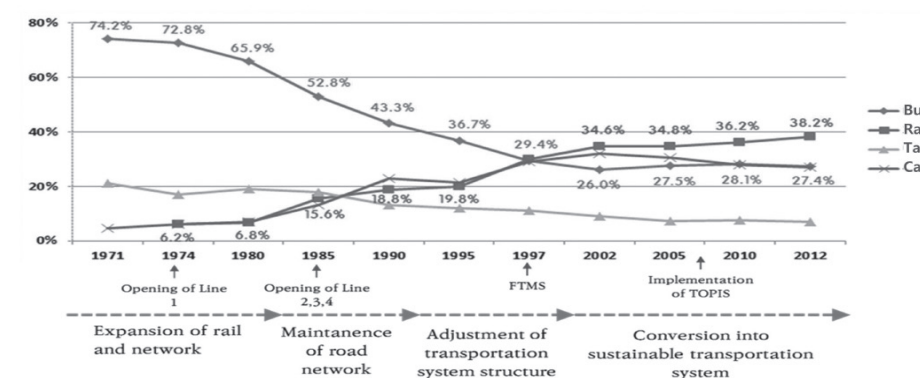
Bus Condition



- ✓ As a result of the bus system reformation that was proceeded to relieve the congestion on the road, the ratio of the number of bus lines to passengers increased
- ✓ Also, in order to increase mobility, BRT was implemented, resulting in a steady increase in average bus speed

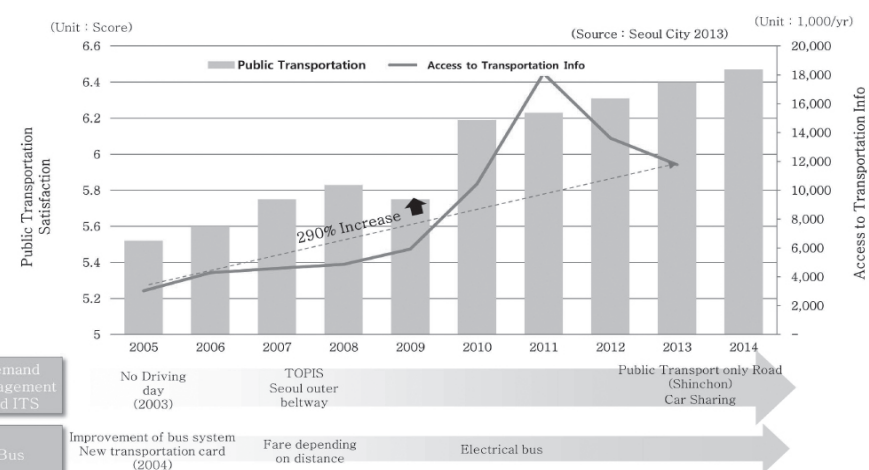
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Change of Mode Share



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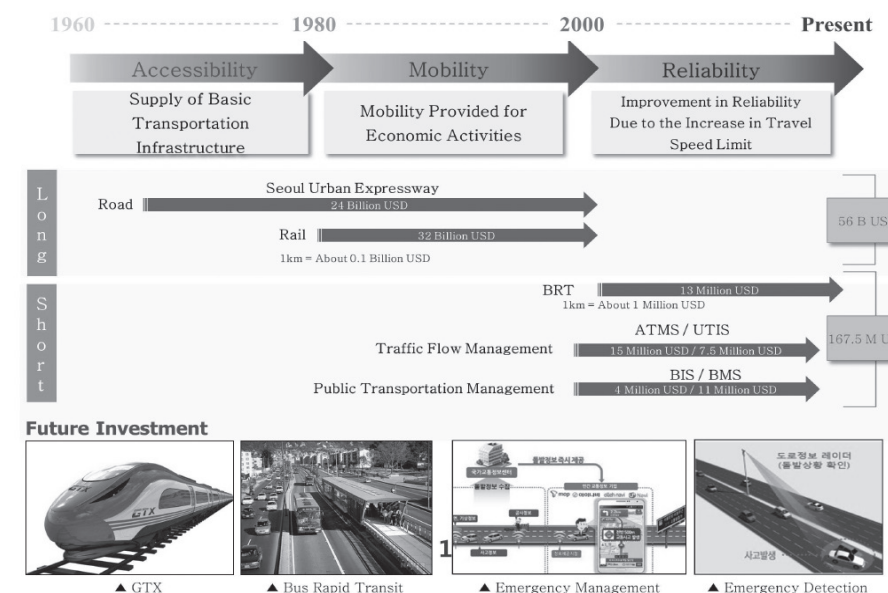
Public Transport Evaluation



- ✓ Policies related to demand management were implemented due to the saturation of transportation infrastructures
- ✓ Citizens' satisfaction and access to transportation information steadily increased

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Investment for Transportation

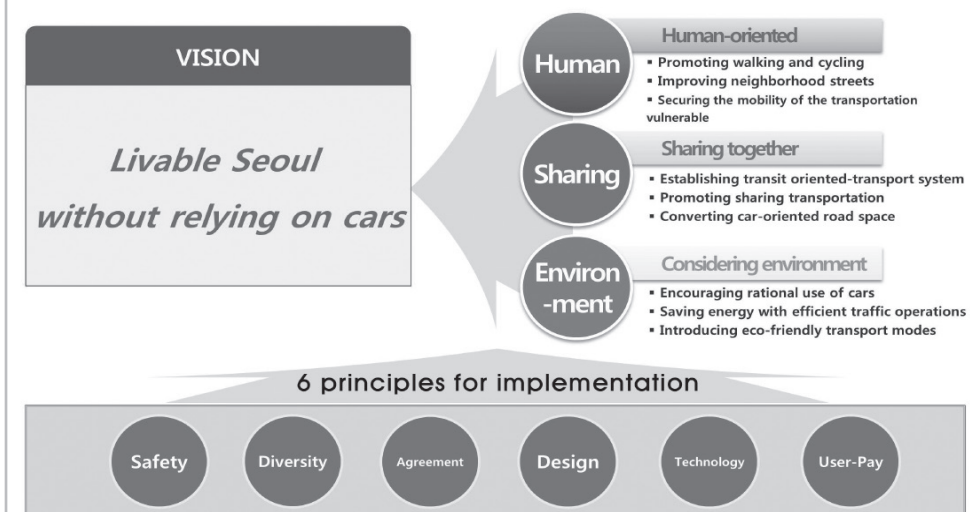


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Vision & Goals

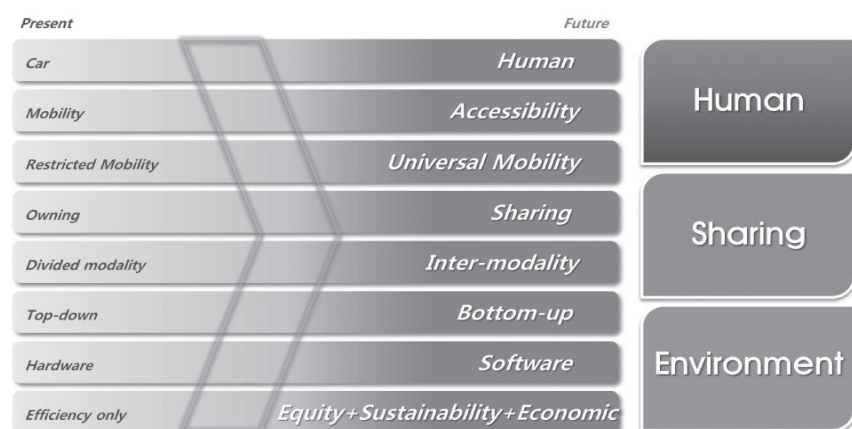
Vision & Goals



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Vision & Goals

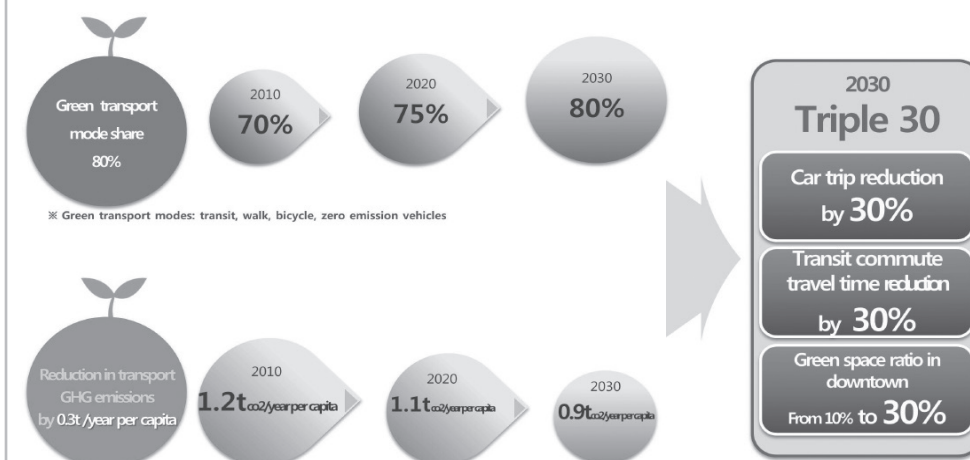
Future Outlook



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Vision & Goals

Goals



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Implementation

Implementation

01 Building pedestrian-oriented environment

Temporal and spatial expansion of 'Car-free day'
Introducing the concept of shared road



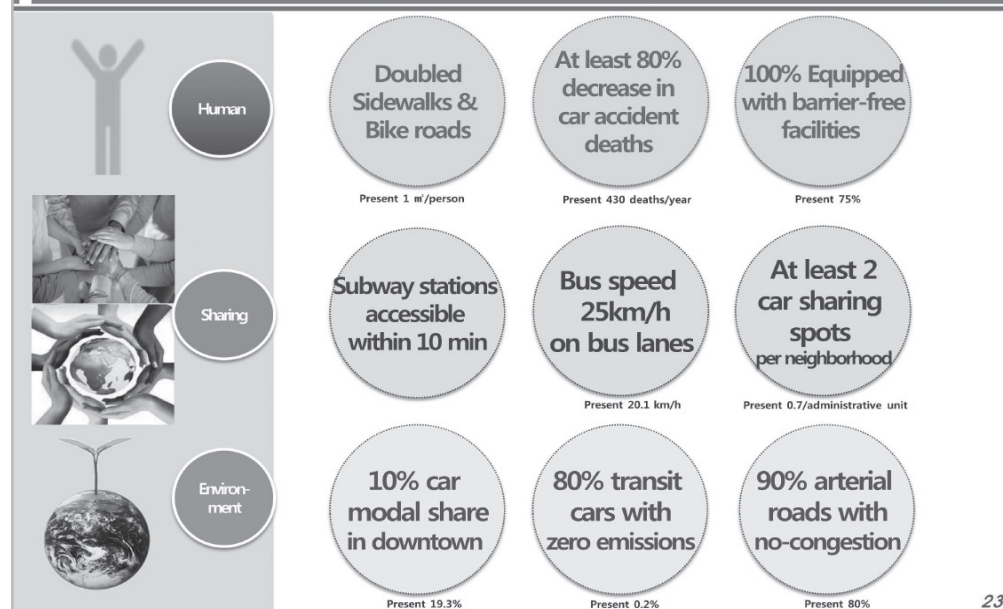
2013 Seoul Car-Free Day



Conversion to shared roadway

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Implementation



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Implementation

01 Building pedestrian-oriented environment

Key Policies

Creation of space where people can walk freely

- Expansion of pedestrian-first space
 - Expansion of pedestrian-only spaces such as Sejong-ro
 - Creation of pedestrian-friendly areas and public transportation-only districts
 - Creation of "promenades" (urban pedestrian streets)
- Establishment of an urban underground pedestrian road network
 - Establishment of pedestrian roads in connection with existing subway stations, underground shopping centers, etc. in urban areas
- Creation of car-free towns

No need to wait or take the long road because of cars

- Expansion of pedestrian-first road facilities
 - Installation of pedestrian-friendly crosswalks: diagonal crosswalks, wide width crosswalks, etc.
 - Sweeping removal of pedestrian overpass facilities (urban areas → whole city)
- Introduction of pedestrian-first signal light system
 - Coordination of pedestrian signals and extension of green-light time
 - Installation of pedestrian push-button signals, etc.
- Guide to pedestrian-only roads
 - Establishment of a system for providing guides to pedestrian routes
 - Creation of an electronic map for pedestrians



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Implementation

01 Building pedestrian-oriented environment

Key Law

- National Law
 - Pedestrian Safety and Convenience Enhancement Act, Enforcement Decree, Enforcement Rule
- Municipal Ordinances of the Seoul Metropolitan Government
 - Seoul Metropolitan Government Framework Ordinance on Securing of Pedestrian Rights and Improvement of Pedestrian Environment
- Municipal Ordinances of Autonomous *Gus*
 - Jung-gu, Seoul Metropolitan Government Ordinance on Securing of Pedestrian Rights and Improvement of Pedestrian Environment



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Implementation

01 Building pedestrian-oriented environment

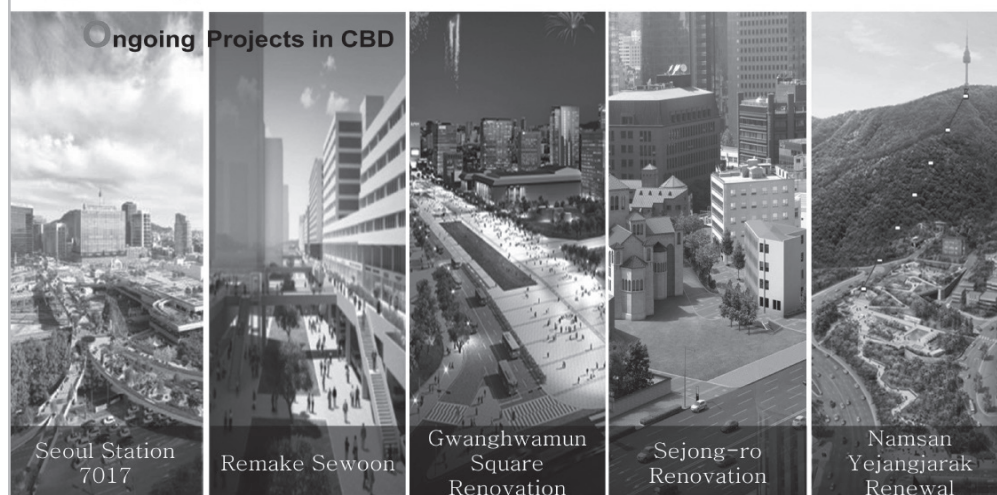


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Implementation

01 Building pedestrian-oriented environment

Ongoing Projects in CBD



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Implementation

01 Building pedestrian-oriented environment



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Implementation

01 Building pedestrian-oriented environment



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Implementation

02 Encouraging the wide use of bike



Introduction of bike-friendly town and roadways
Expansion of bike sharing systems



<Seoul Bike Station>

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Implementation

01 Building pedestrian-oriented environment



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Implementation

02 Encouraging the wide use of bike



Key Policies

Establishment of bicycle tracks in various places in Seoul

- Creation of bicycle-friendly towns
 - Expansion of bicycle tracks in living zones and expansion of parking facilities, repair centers, etc.
- Establishment of arterial roads for bicycles
 - Expansion of connected networks between living zones
 - Establishment of arterial roads for bicycles (Han river/streams, bicycle-first road system, etc.)
 - Securing of bicycle roads through bicycle-only and bicycle-first road system, road diets, etc.

Safe use of bicycles

- Operation of a theft-prevention system for bicycles
 - Bicycle registration system, theft-prevention parking facilities, stricter punishment standards
- Strengthening support for transfers in public transportation
 - Installation of parking lots near subway stations, transfer discounts, expansion of bicycle carriage, etc.
- Promotion of bicycle use
 - Expansion of bicycle-bus routes, etc.

Bicycle rental service that allows you to rent and ride bicycles anytime, anywhere

- Operation of public bicycles around living zones
 - Expansion of city-owned public bicycles
 - Interconnected operation of bicycle rental services in cities, autonomous gus, and around the Han river



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Implementation

02 Encouraging the wide use of bike



Key Law

- **National Law**
 - Promotion of the Use of Bicycles Act, Enforcement Decree, Enforcement Rule
 - Rule on Structure and Facility Standards of Bicycle Facilities
- **Municipal Ordinances of the Seoul Metropolitan Government**
 - Seoul Metropolitan Government Ordinance on Promotion of the Use of Bicycles
- **Municipal Ordinances of Autonomous *Gus***
 - Jung-gu, Seoul Metropolitan Government Ordinance on Promotion of the Use of Bicycles

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Implementation

03 Making an accident-free city

Key Policies

Less conflict with vehicles in living zones

- Integrated modification of transportation environment in living zones
 - Speed limit of 30km/h throughout living zones, restriction of through traffic
 - Improvement of road functions to fit regional characteristics, modification of parking spaces, etc.
 - Integrated management, etc. of children and elderly protection zones, etc.
- Introduction of garage option for car buyers in living zones

Strengthening transportation safety standards for arterial roads

- Stricter speed limitations for vehicles on urban arterial roads (60→50km)
- Establishment of a system for immediate response to all car accident deaths
 - Constant operation of a field-action team for prompt response through joint efforts of cities, autonomous *gus*, the police, etc.
 - Supplementary improvements, etc. to field investigation on death accidents, accident-prevention facilities, etc.



Public transportation use without fear

- Improvements to safety of public transportation
 - Introduction of real-time surveillance system based on CCTVs installed within urban railway cars
 - Measures for stricter management of transportation workers and speed limit measures
 - Reduction in lifespan of vehicles and facilities
- Strengthening security (crime prevention) of public transportation
 - Introduction of on-demand, late-night-only taxis for women, etc.

Safer transportation in Seoul through implementation of a high-tech traffic safety management system

- Operation of "Seoul EYE," a dynamic control management system
 - Control of traffic violations using public vehicles, etc. (buses, taxis, vehicles of public institutions)
- 24-hour operation of the Seoul Safety Center
 - System for sharing information on and responding to various situations such as traffic, fires, disasters, etc.

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Implementation

03 Making an accident-free city



Reducing speed limit in neighborhood and arterial roads
Equipment installation for safety



<Zone 30 in Neighborhood Road>



<Reducing Speed Limit from 60km/h to 50km/h in Arterial Road>

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Implementation

03 Making an accident-free city

Key Law

- **National Law**
 - Road Traffic Act, Enforcement Decree, Enforcement Rule
 - Traffic Safety Act, Enforcement Decree, Enforcement Rule
- **Municipal Ordinances of the Seoul Metropolitan Government**
 - Notice on Road Traffic Act (Seoul Metropolitan Police Agency)
 - Seoul Metropolitan Government Ordinance on Establishment of a Traffic Safety Countermeasure Committee
- **Municipal Ordinances of Autonomous *Gus***
 - Yongsan-gu, Seoul Metropolitan Government Ordinance on Traffic Safety
 - Yongsan-gu, Seoul Metropolitan Government Ordinance on Formation and Operation of a Traffic Safety Policy Deliberation Committee

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Implementation

04 Removing barriers for the transportation vulnerable



Replacing all city buses with low-floor buses
Enhancing transport services for the handicapped

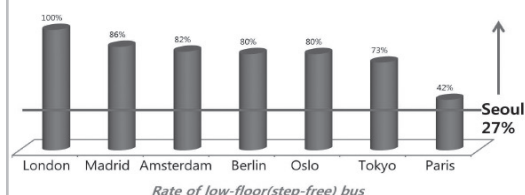


Call taxi for the handicapped

Elevator and escalator for easier access to station



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Implementation

04 Removing barriers for the transportation vulnerable



Key Law

National Law

- Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons, Enforcement Decree, Enforcement Rule
- Pedestrian Safety and Convenience Enhancement Act, Enforcement Decree, Enforcement Rule

Municipal Ordinances of the Seoul Metropolitan Government

- Seoul Metropolitan Government Ordinance on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons, Enforcement Rule
- Seoul Metropolitan Government Framework Ordinance on Securing of Pedestrian Rights and Improvement of Pedestrian Environment

Municipal Ordinances of Autonomous GUs

- Jung-gu, Seoul Metropolitan Government Ordinance on Securing of Pedestrian Rights and Improvement of Pedestrian Environment

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Implementation

04 Removing barriers for the transportation vulnerable



Key Policies

Easy Transportation for the Transportation Vulnerable

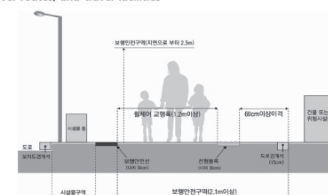
- 100% change of city buses into non-step buses
- Establishment of a support system for the transportation vulnerable in all urban railway stations
- Securing transportation vulnerable-only routes, etc.

Gradual Elimination of Obstacles to the Mobility of the Transportation Vulnerable

- Creation of a pedestrian environment without obstacles
 - Expansion of effective sidewalk width, installation of raised crosswalks, etc.
- Transportation design based on the needs of the transportation vulnerable (Universal Design)
 - Institutionalizing the consideration of the transportation vulnerable before designing transport modes and facilities

Expansion of transportation services customized for the transportation vulnerable

- Expansion of call-taxi services for persons with disabilities
 - Increase in number of call-taxis for persons with disabilities (wheelchair accessible vehicles)
 - Providing call-taxi services using general taxis (for persons with disabilities who do not need wheelchairs)
- Introduction of welfare (emergency) taxis
 - In case of an emergency situation involving elderly people who live alone, the elderly and the infirm, etc., calls automatically sent to nearby taxis
- Establishment of an Integrated Travel Support Center for the Transportation Vulnerable
 - Providing integrated information and connected services on modes of transport, travel routes, and travel facilities



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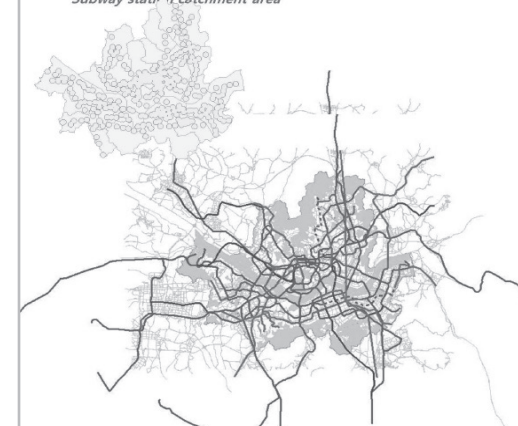
Implementation

05 Making public transit faster and more convenient



Introducing light rail and inter-regional railway system

Subway station catchment area



Light-rail way system



Street car in downtown (planned)

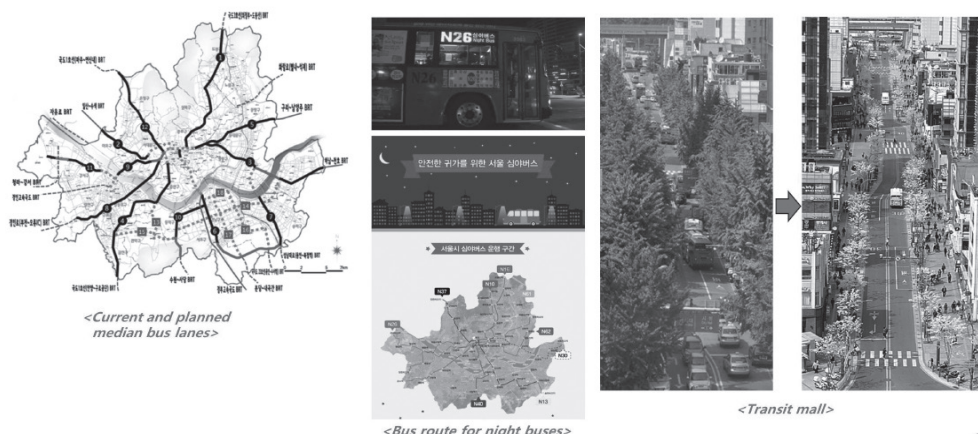
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Implementation

05 Making public transit faster and more convenient

Expansion of exclusive median bus lanes
Introducing transit mall and night buses



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Implementation

05 Making public transit faster and more convenient

Key Policies

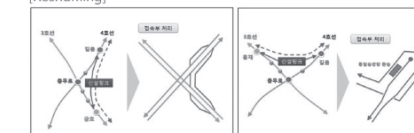
Increase in operating speed of public transportation

- Expansion of rapid transit services in urban railways and establishment of an urban arterial network
- Expansion of rapid transit services through extension and construction of regional railways
- Establishment of an rapid transit arterial railway network connecting old urban areas, Gangnam, and Yeouido
- Establishment of exclusive median bus lanes
 - Establishment of a network connecting 12 principal arterial axes, east-west, and clockwise directions
 - Operation of bus signal priority systems in median bus lanes
- Introduction of demand responsive bus rapid transit
 - BRT, empty running buses, etc.

Reduction of transfer time and distance

- Reshuffling of urban railways
 - Reduction of transfer inconvenience and trip distance through reform of urban railway routes
- Establishment of a transfer support system
 - Establishment of a No-Tag, Non-Stop, All-pass system
 - Provision of integrated transfer information
- Systematic expansion of transfer facilities according to function
 - Regional bases: Regional Transfer Centers in outer areas of the city (cars ↔ public transportation)
 - Internal bases: Public Transportation Transfer Centers (urban railways ↔ buses)

[Reshuffling]



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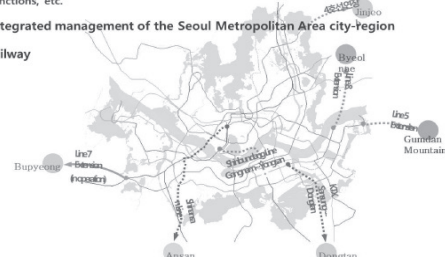
Implementation

05 Making public transit faster and more convenient

Key Policies

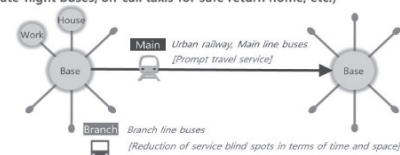
Continued expansion and improvement of urban railways

- Expansion of regional railways, light rail transit systems
 - Functional reinforcement of the Seoul-Seoul Metropolitan Area GTX
 - Expansion of light rail transit system routes for neglected areas in railway service
- Improvement of subway congestion
 - Establishment of a subway car congestion forecasting system
- Maintenance/replacement of old urban railways
 - Full-scale replacement of old cars/facilities, reinforcement of seismic functions, etc.
- Integrated management of the Seoul Metropolitan Area city-region railway



Reduction of blind spot areas in public transportation through bus system reform

- Reform of main-branch line system in railway-support type buses
 - Establishment of a transportation ranking system between railways-buses-village (short-haul) buses
 - Reform of branch line functioning bus route system (connection with urban railways, main line buses)
 - Public transportation-connected circulation buses (urban areas, neglected areas in railway service, etc.)
 - Integrated coordination of regional bus routes
- Reduction of blind spot areas in public transportation service in terms of time
 - Expansion of transport modes to meet late-night travel demands (late-night buses, on-call taxis for safe return home, etc.)



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Implementation

05 Making public transit faster and more convenient

Key Law

National Law

- National Transport System Efficiency Act, Enforcement Decree, Enforcement Rule
- Special Act on the Management of Intercity Transportation in Metropolitan Areas, Enforcement Decree
- Act on the Support and Promotion of Utilization of Mass Transit System Act, Enforcement Decree, Enforcement Rule
- Urban Railroad Act, Enforcement Decree, Enforcement Rule
- Special Act on the Construction and Operation of Rapid Transit Bus System, Enforcement Decree, Enforcement Rule

Municipal Ordinances of the Seoul Metropolitan Government

- Seoul Metropolitan Government Ordinance on the Imposition and Collection of Metropolitan Transportation Impact Fees and the Establishment and Operation of the Metropolitan Transportation Special Accounts
- Seoul Metropolitan Government Framework Ordinance on Public Transportation
- Seoul Metropolitan Government Ordinance on the Establishment of Special Accounts for Urban Railroad Construction Costs
- Seoul Metropolitan Government Ordinance on Public Bonds of the Seoul Metropolitan Rapid Transit Corporation, Enforcement Rule
- Seoul Metropolitan Government Rule on Urban Railroad Construction Standards
- Seoul Metropolitan Government Ordinance on Citizens' Committee on Bus Policy
- Seoul Metropolitan Government Ordinance on Financial Support and Safe Operation Standards of City Buses

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Implementation

06 Encouraging shared transport



Expansion of exclusive median bus lanes
Introducing transit mall and night buses



Complete Streets are Safe Streets



Walking
Bicycles
Cycling
Public Transportation
Cycling
Walking



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Implementation

06 Encouraging shared transport

Key Policies



Space once occupied by cars are returned to the people

- Operation of a Complete Street
 - Priority in consideration of user safety and convenience as to all transport modes including cars, public transportation, walking, bicycles, etc.
- Creation of Shared Road
 - Pedestrian priority roads without separation of sidewalks and driveways
- Expansion of road diets
 - Expansion of sidewalks, bicycle roads, etc. through reduction of existing driveways
- Introduction of parking lot sharing
 - Separation of private and public parking lot property rights by time
 - Introduction of parking reservation system

Efficient use of transportation resources

- Generalization of car sharing service "Nanum Car"
 - Expansion of service centers (community centers, public parking lots, etc.)
 - Promotion of car sharing using private cars (P2P)
- Introduction of bus sharing
 - Operation of shuttle buses using surplus vehicles (commutation, welfare, etc.)
- Expansion of bicycle sharing (public bicycles)
- Urban logistics collaboration project
 - System for joint carriage and processing of delivery freight at building/district level



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Implementation

06 Encouraging shared transport



Key Law

- National Law
 - Road Act, Enforcement Decree, Enforcement Rule
 - Municipal Rule on Connection of Roads and Other Facilities
 - Municipal Rule on the Standard of Road Structure and Facility
 - Passenger Transport Service Act, Enforcement Decree, Enforcement Rule
- Municipal Ordinances of the Seoul Metropolitan Government
 - Seoul Metropolitan Government Ordinance on the Management of Roads and Other Major Facilities
 - Seoul Metropolitan Government Ordinance on Financial Support and Limited License, Etc. of Passenger Transport Services

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Implementation

07 Reducing unnecessary trips



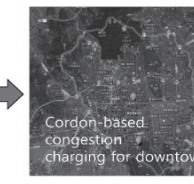
Implementing road diet
Expansion of congestion charging



Congestion map



Point-based congestion charging at Namsan 1



Cordon-based congestion charging for downtown

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Implementation

07 Reducing unnecessary trips

Key Policies

Reasonable car use

- Strengthening the "user pays principle" regarding car use
 - Introduction of congestion charges based on mileage
 - Substantiation of business transport demand management
- Introduction of parking demand management by block

Reduction of commute burden through job-housing accessibility

- Improvement and management of the city by considering the volume and expansiveness of public transportation
 - Urban design that integrates job and housing from the planning and reorganization stages
 - System for prior installation of transportation infrastructure in urban development
 - Activation of Transit Oriented Development (TOD)
- Expansion of flexible work programs
 - Strengthening flex-time work, at-home work, etc.
 - Expansion of smart work centers through sharing of private facilities

Creation of a pleasant city through reduction of cars

- Operation of a Zero Emission Zone
 - Traffic restrictions, etc. for air pollutant emitting vehicles
- Strengthening management of mass traffic instigating facilities
 - Designation and management of special transportation management zones and facilities
- Strengthening urban parking demand management system
 - Introduction of large structures with zero parking lots
 - Expansion of parking maximums (installation limitations for annexed parking lots)



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Implementation

08 Introducing environmentally friendly transport modes

Replacing bus fleet with zero emission vehicles
Constructing Solar Way



<Electric bus>



<Solar energy powered bus stop>



<Electric cars>



<EV car sharing>

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Implementation

07 Reducing unnecessary trips

Key Law

National Law

- Urban Traffic Improvement Promotion Act, Enforcement Decree, Enforcement Rule
- Sustainable Transportation Logistics Improvement Act, Enforcement Decree, Enforcement Rule (Green Transport Promotion Zone)
- Special Act on the Improvement of Air Quality in Seoul Metropolitan Area, Enforcement Decree, Enforcement Rule
- Clean Air Conservation Act, Enforcement Decree, Enforcement Rule
- Parking Lot Act, Enforcement Decree, Enforcement Rule

Municipal Ordinances of the Seoul Metropolitan Government

- Seoul Metropolitan Government Ordinance on Reduction of Traffic Congestion Charges, Etc.
- Seoul Metropolitan Government Ordinance on Collection of Congestion Fees
- Seoul Metropolitan Government Ordinance on Designation of Low Emission Zones and Restrictions on Operation
- Seoul Metropolitan Government Ordinance on Tackling Climate Change
- Seoul Metropolitan Government Ordinance on the Installation and Management of Parking Lots (areas where the installation of parking lots is restricted)

Municipal Ordinances of Autonomous GUs

- Jung-gu, Seoul Metropolitan Government Ordinance on the Installation and Management of Parking Lots

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Implementation

08 Introducing environmentally friendly transport modes

Key Policies

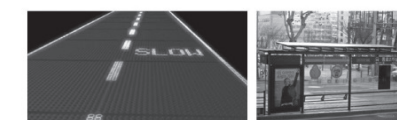
Reduction in pollutants emitted by vehicles

- Promoting the introduction of environmentally-friendly transport modes
 - Generalization of zero emissions by transport vehicles (electric vehicles, hydrogen vehicles, etc.)
 - Conversion of general purpose vehicles (cars and trucks) into environmentally-friendly transport modes
 - Introduction of environmentally-friendly transport modes in urban areas (trams, segways, etc.)
- Establishment of environmentally-friendly infrastructure for operation support and management
 - Expansion of charging infrastructure, etc. for environmentally-friendly cars
 - Introduction of system for monitoring air quality in connection with traffic volume



Energy production and environmental purification on roads

- Expansion of new and renewable energy production on road space
 - Construction of Solar Ways (solar batteries, etc.)
 - Streetlights, bus stations, urban railway garages, etc.
- Creation of environmentally-friendly road space
 - Air pollutant and rainwater absorbent pavement, self-healing asphalt pavement, etc.
 - Introduction of environmentally-friendly road design



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Implementation

08 Introducing environmentally friendly transport modes



Key Law

- National Law
 - Act on the Promotion of Development and Distribution of Environment-Friendly Motor Vehicles, Enforcement Decree, Enforcement Rule
- Municipal Ordinances of the Seoul Metropolitan Government
 - Seoul Metropolitan Government Ordinance on Promotion of Development and Distribution of Environment-Friendly Motor Vehicles

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함께 만드는 서울, 함께 누리는 서울

Thank you.



Session 1 | Debate 1

김 형 수

법제처 경제법제국장

Kim Hyung Soo

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» Academic Background

- 1981~1986 Bachelor's Degree in Public Administrations, Youngnam University
- 2001~2003 Master's Degree in Public Administrations, Syracuse University

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- 법제처 총무과장
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- 법제처 기획재정담당관
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» Work Experience

- Administrative Official of the Legislative Office, Ministry of Government Legislation
- Chief of the General Affairs Section, Ministry of Government Legislation
- Legislator of Social and Cultural Affairs, Ministry of Government Legislation
- Officer of Planning and Finance Division, Ministry of Government Legislation
- Dispatched to the National Assembly Secretariat
- Director General of the Legislation Bureau of Economic Affairs, Ministry of Government Legislation

Changes in Korean Transport Legislation
and their Implications

Director General / Legislation Bureau of Economic Affairs

Kim Hyung soo

First, I would like to thank the three presenters who allowed me to gain a more comprehensive understanding of the state of transport related legal systems in Myanmar and Korea as well as measures for modifying such systems.

Previously in this session's presentation, we were introduced to Korea's economic development process and the specific stage-by-stage changes in transport legislation which contributed to such economic development. I believe Korea's experience in developing from a less-developed country to a developed country within a short period of time will be a helpful case study for ASEAN member countries.

I will first briefly mention my thoughts and concerns regarding measures for modifying transport related legislation based on the contents of the presentation so far and then go on to ask the presenters several questions.

First, we need to recognize the importance of transport related legislation. As Director Kim Young-tae of the Transport Policy Coordination Division of the Ministry of Land, Infrastructure and Transport showed us in his presentation, economic development and investment in transport to support such development are inextricably linked. Transport related legislation determine the procurement method of financial resources needed for transport investment and is also responsible for efficiently allocating and coordinating such resources. In case of Korea, through enactment of the Act on Special Accounts for Traffic Facilities in the 1990s, it was able to reform its procurement system regarding financial resources for transport investment by breaking away from road centered investment to balanced allocation of financial resources in road, railway, airport, and harbor infrastructure. Such procurement system which supported the continued expansion of social overhead capital (SOC) is considered to have played a large role in Korea's rapid economic growth. Therefore, we need to keep in mind that the modification of transport related legislation can significantly affect transport development, and even economic



growth and national happiness.

Second, modification of legislation needs to lead economic development from a macroscopic perspective. As in the case of the Gyeongbu Expressway which commenced construction in 1968 and was completed in 1970, many people consider such important transport policies to have been the driving force leading Korea's economic development. The significance of Korea's transport administration which led such large-scale infrastructure policies lies in the fact that it was always one step in advance of Korea's economic development. Of course, considering the fact that transport related policies such as establishment of transport infrastructure require significant initial costs and that such costs tend to be irreversible after policy execution, transport related policies must be backed up by careful long-term plans and specific details.

Lastly, I would like to emphasize that although I agree with the statement that it is important to have timely transport legislation according to different stages of economic development and according to changes in the social and economic environment, it is also important to foresee problems and side effects which may arise in the next stage of development and prepare for them in advance through legislation. Environmental pollution such as particulate matter, logistical obstacles due to traffic congestion, and transport safety concerns such as traffic accidents currently facing Korea are all foreseeable side effects of large-scale transport infrastructure construction and transport policy centered on cars which occurred at the developing stage. There is a need to prepare for such foreseeable side effects in advance by learning from Korea's trial and error.

Specifically, there needs to be investment in promotion of public transport modes such as regular route buses and Bus Rapid Transit (BRT) at least within cities before expanding investment in social capital (SOC) such as roads from the less-developed stage. Expansion of public transport modes should be centered on buses which are able to utilize existing roads and do not require a great deal of capital. Countries should also show interest in developing and supplying environment-friendly cars in response to climate change such as global warming and make legislative efforts to promote transport safety such as providing transport safety standards.

I would like to conclude my part of the discussion by asking each presenter a question.

My first question is for Director Kim Young-tae. You mentioned in your remarks that Korea succeeded in developing its economy through government-led establishment of large-scale transport SOC but encountered transport problems due to unforeseen variables. Can you give us some examples of such variables? I am asking you this because if it is possible that these

variables will arise in other ASEAN countries, knowing what they are will help these countries prepare in advance.

My next question is for Deputy General Manager Tin Maung Htun of Myanmar. Considering what you have heard in this session's presentations, which stage of Korea's economic development do you think is most similar to Myanmar's present social and economic environment? Also, what kind of legislation do you think is most needed in Myanmar at the moment?

My last question is for Director Kim Wonho of the Seoul Institute. Through your presentation I was able to learn about various transport related problems currently facing Seoul and policies to solve them. Concentration of population in industrial areas and traffic congestion due to increase in transport demand are problems which are predicted to occur not just in Seoul but in other developing countries as well. What would you say is the most important policy that a developing country should implement to prevent these kinds of problems?

This is the end of my discussion.

Thank you for listening.



Session 1 | Debate 2

Prof. Dr. Widodo Ekatjahjana, S.H., M.Hum.

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- 2002 파자자란 대학교 법학부 법학 석사
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- 2013 태국 탐마삿 대학교 법학부 CPG 겨울 학기 과정 이수

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- 1994 Bachelor of Law (S.H) at Faculty of Law, University of Jember
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- 2012 Spring School Program at Faculty of Law, University of Passau, Germany
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- 2010~2012 쟈버 대학교 법학부 헌법학과장
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- 2014 인도네시아 국민협의회 연구 센터 전문 직원
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» Work Experience

- 2006~2008 Expert Staff of the House of Representative, Republic of Indonesia
- 2010~2012 Head of Constitutional Law Department at Faculty of Law, Jember University
- 2011~2016 Dean of Faculty of Law, Jember University
- 2014 Expert Staff at Study Center of the People's Consultative Assembly
- 2015~present Director General of Legislation
- 2015~present Member of Institute of People's Consultative Assembly of Indonesia
- 2015~present Commissioner of Jasindo

DEVELOP NATIONAL CONNECTIVITY TO REACH DEVELOPMENT EQUILIBRIUM

Comment to Transportation Legal System in Korea and Myanmar

By: Prof. Dr. Widodo Ekatjahjana, S.H., M.H.

Through infrastructure development and good transportation facility, will support economic growth in a country. It is concluded from the Korean's presentation concerning legal transportation development in Korea, and the objectives will be reach by other develop countries in Asia including Myanmar and Indonesia.

Although every country has a different legal and bureaucracy systems concerning different transportation, however it is concluded that national connectivity supporting infrastructure in the form of transportation and telecommunication networks holds an important role in accelerating development. Inter-mode transportations facilities connected efficiently and effectively will encourage interregional connectivity development, so they can accelerate and extend economic growth. Transportation infrastructure equipping which encourages connectivity will reduce transportation and logistics expenses, so they can improve products competitiveness, and accelerate economic movement.

The dependence against transportations modes must be deductible with developing multi-modes transportation system. Creating a more balance of transportation roles distribution by encouraging a development of more progressive railway and water/sea transportations, so they step by step take place the movement of mode from road to railway as well as sea/water.

To reach the national objective, one of the instrument we have to use is regulations/laws and regulations. Roscoe Pound stated that Law as a Tool of Social Engineering must capable to follow people's development, not only a development in one country but also international development, because nowadays the globalization influences national legal policy.

The Legal Transportation Development in Korea is adjusted by economic developments occur today, which is divided into steps: restoration step after war (1960s) emphasized to push the efficiency improvement and transportation system first arrangement.



Development step (1970s) marked by the issuance of regulations related to the safety of transportation modes. In 1980, the government issued a regulation related to a development of huge transportation projects, such as subways, and a regulation related to overcome the amount of vehicles that already become a social problem. In 1990s a regulation issued to push a demand of transportation modes supported to economic growth, marked by fast railway lines and airports constructions.

The characteristic of transportation law in Korea in 2000s is no more stressed on quantity but quality, with encouraging more efficient and friendly environment transportations. We can see this situation from the policy of government of Seoul.

Transportation Development in big cities must encourage people to use mass transportations, such as ERP (Electronic Road Pricing), raise the parking tariff, given subsidy (PSO) to mass transportation companies, better service and facilities of mass transportations. Today develop better infrastructure, such as busway, subway, and LRT (Light Rail Train).

Based on the presentation of transportation law development in Korea, the keywords that we can learn is a sustainability of development. Apart from the changes of President and Government, or the party winner of the election, the law development phase planning must be keep straight on schedule according with the first agenda of national development. In Indonesia is well-known as RPJP and RPJM.

We can take a look the same transportation law of Myanmar. In 2014, they have formulated a National Transport Master Plan, one of the main issue is a legal base of transportation law must be accord with the development of existing structures, especially the formed of Ministry of Transportation and Communication (MOTC).

It is clear that the government of Myanmar has a roadmap/timeline in making law of transportation which regulates all modes of transports. In the Statement of Transport Policy, it is clear that the purposes of Myanmar government policy are:

- offers a foundation for defining how the transport system is organized and managed.
- sets out the government's policies for securing and maximizing the economic benefits of the market-oriented strategy.

From the policy above, it is clear that the role of transportation is as an economic growth supporting.

The government of Myanmar is trying to collect codification from many regulations concerning transportation modes (air, water, road, and rail) in one Transportation Law that covers all sub-sectors of transport and consolidates the Law into a unifying document that is modern and meets the transport needs of Myanmar now and at least 10 years into the future.

One thing is different from Indonesia, there are: Law Number 22 of 2009 on Traffic and Road Transportation, Law Number 23 of 2007 on Rail, Law Number 17 of 2008 on Sea Voyage, and Law Number 1 of 2009 on Aviation.

There are weaknesses of among others. The strength of codification form is it has a clear roadmap in integrated transportation sector. The weakness is it needs a long period to implement the process of making. The regulation needs many substances to regulate all modes of transport. It is also needs many revisions/amendments adapted to technology and people developments.

From the Myanmar presentation, we can conclude that the problems they are facing are the same situation with the condition in Indonesia. They are: the development of road, railway, harbor, and airport infrastructures that can make easier of people and goods mobility, so that it can support the economic growth.

Transportations development must consider the geographic conditions in a country. In example the President Jokowi program is to build a Sea Toll Road, with building new harbors connected many islands in Indonesia. It is important because the geographic condition of Indonesia with 17,000 islands.

Another attention in the future is about the changes of climate. Today, the climate changes happen in all countries in the world. The changes are related to policy in the transportation, using fossil fuel, private vehicles proprietary and transportation sectors must able to anticipate by:

- a. preparing environment-friendly transportations facilities;
- b. developing transportations infrastructures that resistance to climate changes/extreme weather;
- c. preparing new and renewable energy resources;
- d. developing transportations human resource capacity;
- e. developing transportations equipment to be more responsive to climate changes/extreme weather.



Session 1 | Debate 3

이 동 현

한국국제협력단 경제사회개발부 기술총괄팀장

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- 북한대학원대학교 북한경제 석사

» Academic Background

- Bachelor's Degree in Department of Politics, Yonsei University
- Master's Degree in Department of North Korean Economics, University of North Korean Studies

» 주요경력

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- 2014~2016 기획예산팀장
- 2016~현재 농어촌개발팀장
- 2016~현재 기술총괄팀장

» Work Experience

- 2010~2013 Vice Representative of the KOICA Office in Vietnam
- 2014~2016 Director of Budget Planning Team, KOICA
- 2016~present Director of Rural and Agricultural Development Team, KOICA
- 2016~present Director of Technology and Innovation Supporting Team, KOICA

Discussion Material for the 4th Asian
Legislative Experts SymposiumKorea International Cooperation Agency (KOICA)
Technology & Innovation Supporting Team / Director
Lee Dong hyeon

First, I would like to thank the persons in charge at the Ministry of Government Legislation for hosting the Asian Legislative Experts Symposium on transport and for giving us an opportunity to have discussions. I would also like to thank the three presenters for their excellent presentations which allowed me to gain a more comprehensive understanding of various transport issues such as Korea's transport legislation according to different stages of development and transport modes, Myanmar's transport law, and Seoul's transport vision.

I would like to talk about ASEAN transport legislation, which is the subject of this session, from an Official Development Assistance (ODA) perspective.

(Importance of Transport Infrastructure in ASEAN Partner Countries) According to UN's issue report, there are studies that show that infrastructure, including transport, contributed greatly to accomplishing the Millennium Development Goals (MDGs, 2000-2015) by improving market accessibility and reducing transaction costs for residents in rural areas, providing employment and technology transfer opportunities, increasing girls' school attendance rates, improving accessibility to health care facilities, and enabling trade and export through connection of countries and regions¹⁾. As you can see, transport is an important factor in improving life quality through reduction of inequality in opportunity and benefits, and in enabling under-developed areas to enter the platform of development.

(International Trends) In accordance with the expiration of the MDGs in 2015, the international society agreed upon a set of Sustainable Development Goals (SDGs, 2016-2030) at the UN last December. In accomplishing the SDGs, the international society expects the transport sector to contribute not just to creating good quality jobs and economic growth, but also to

1) UN General Assembly Open Working Group on SDGs 2014, "Compendium of TST Issues Briefs" New York: UN.



realizing sustainable transport that takes account of transport disadvantaged persons, improves traffic safety, enhances energy efficiency of cars, improves transport accessibility, and deals with climate change by reducing carbon dioxide emissions among other factors. *Goal 3.6 on improvement of traffic safety, 7.3 on enhancement of energy efficiency in transport, 9.1 on improvement of transport accessibility, 11.2 on establishment of sustainable transport, 12c on rationalization of fossil fuel subsidy programs, etc.

On a side note, if there is greater use of 「public transport」, which is the subject of the next session, it will help reduce carbon dioxide emissions, energy consumption of cars, and traffic congestion costs among others.

- According to the IPCC, the transport sector is accountable for 15% of total greenhouse gas emissions and consumes about 50% of total oil production.

McKinsey estimated that by 2030, a total of 57 trillion dollars (3.2 trillion dollars per year) would need to be invested in worldwide infrastructure development, and that the biggest share of such investment would be in the transport sector (41.5%, 1.33 trillion)²⁾. The Asian Development Bank (ADB) estimated that between 2010 and 2020, demand for transport infrastructure development in Asia would amount to a total of about 2.5 trillion dollars (230 billion dollars per year)³⁾. Such demand for transport infrastructure development cannot be satisfied through official development assistance alone, and as such, the international society is implementing various innovative initiatives to provide development funds.

(Current State of General Transport Legislation in ASEAN Partner Countries) Expansion of transport infrastructure requires various transport legislation⁴⁾ according to different stages of transport development and different transport modes as the presenters mentioned.

- (Less-Developed Stage) Need for a framework Act that regulates basic transport matters
- (Developing Stage) Need for legislation to promote construction of large-scale transport infrastructure and to reduce traffic congestion in response to greater traffic demand
- (Developed Stage) Need to promote qualitative growth of the transport sector (taking into account the environment, safety, equality, etc.)

2) McKinsey, "Infrastructure Productivity: How to Save \$1 Trillion a Year", 2013.

3) ADB, ADBI, "Infrastructure for a Seamless Asia", 2009.

4) Quoted in Kim Young-tae, 'Transport Development and Legislation in Korea by Stage and Mode', 2016

However, most ASEAN partner countries face difficulties investing in various transport infrastructure due to lack of development funds, and as a result, are unable to systematically enact transport legislation in the way Korea was able to do so during its period of rapid economic development. In many cases, temporary legislation are enacted according to the nature and trend of development assistance projects through the needs and assistance of more developed foreign countries. In such cases, such legislation must be modified so that it is more suitable to the transport environment of each country.

(Recommendations for Contributing to Modification of ASEAN Transport Legislation) Korea has experience in developing transport legislation by going through trial-and-error in providing a vision for transport development and in carrying out specific actions. I believe Korea's experience will be very helpful in modifying transport legislation to prevent cases of steep socioeconomic loss and reduction in national and urban competitiveness such as restriction of transport and logistical activities in the ASEAN region due to international greenhouse gas emission controls and increase in transport environment costs. My recommendations as to how Korea could contribute to the modification of ASEAN transport legislation is as follows:

- First, I believe that when Korea's central administrative agencies or institutions invite developing countries to training programs regarding transport, enabling those agencies or institutions to use that opportunity to share Korea's experiences in transport legislation development with other countries and to spread awareness of the strength of Korean transport legislation would act as a driving force for Korea to contribute to modification of ASEAN partner countries' transport legislation.
- Second, it is my wish that Korea not only show continued interest in and support ASEAN partner countries in terms of legislation, but also help them achieve SDGs such as traffic safety, dealing with climate change through enhanced energy efficiency of cars, sustainable transport, and rationalization of fossil fuel subsidy programs. I believe many people would especially sympathize with the fact that ASEAN countries need to enact and modify legislation that improve traffic safety and thereby protect the lives and property of their citizens.
- Lastly, I would like to mention that governments of ASEAN partner countries are making a lot of effort to attract private investment because they do not have sufficient funds to expand transport infrastructure on their own. However, there are cases where the Public-Private Partnership (PPP) laws of each partner country are insufficient to be effective. I believe that if Korea could help improve such PPP laws, it will bring greater positive effect to Korea.

In addition, I believe that there is a need to establish legislation regarding transport that connects markets throughout the ASEAN region in accordance with the launch of the ASEAN Economic Community last December.

This has been my humble opinion on this subject so far. I would like to ask everyone present here today for their continued interest in and support for ASEAN partner countries' transport legislation in light of today's Experts Symposium.

That brings me to the end of my discussion.

Thank you for listening.





Session 2

The 4th Asian Legislative Experts Symposium

>> Legislative Modification Strategies for Promoting Development of ASEAN Public Transportation: Focus on Vietnamese and Philippine Bus Industry Legislation

- Introduction of Korea's Legislative Modification Experience for the Promotion of Public Transportation
- Examination of Public Transportation Laws in Vietnam and the Philippines
- Sharing of Legislative Modification Strategies for Promoting Public Transportation (e.g. bus industry)



Legislative Modification Strategies for
Enhancing Efficiency of ASEAN Transportation Systems

The 4th Asian Legislative Experts Symposium

Session 2 >>

Legislative Modification Strategies for Promoting Development of ASEAN Public Transportation: Focus on Vietnamese and Philippine Bus Industry Legislation

- Introduction of Korea's Legislative Modification Experience for the Promotion of Public Transportation
- Examination of Public Transportation Laws in Vietnam and the Philippines
- Sharing of Legislative Modification Strategies for Promoting Public Transportation (e.g. bus industry)



Session 2 | Chairperson

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- 2005 미국 UCLA 도시계획학 박사

>> Academic Background

- 1996 Bachelor of Science in City Planning, Hanyang University
- 1998 Master of Science in City Planning, Hanyang University
- 2005 Ph.D. in Urban Planning, University of California, Los Angeles

>> 주요경력

- 충북대학교 공과대학 도시공학과 조교수
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- 대한국토도시계획학회 「국토계획」 편집위원(2008~2010)
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>> Work Experience

- Assistant Professor at Department of Urban Engineering, Chungbuk National University
- Head of the Future City Research Center, Korea Transport Institute
- Director of Board at the Korea Planning Association(2016~)
- Editor, Journal of Korea Planning Association(2008~2010)
- Editor for the Journal of Korean Society of Transportation(2008~2009)



Session 2 | Presentation 1

모 창 환

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- 1993~1995 Florida State University (Tallahassee, FL), 행정학 석사(MPA)
- 1997~2001 Rutgers, the State University of New Jersey (Newark, NJ), 행정학 박사(Ph.D.)

>> Academic Background

- 1981~1988 B.A. Business Administration, Sogang University
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- 1997~2001 Ph.D. Public Administration, Rutgers University

>> 주요경력

- 1998~현재 한국교통연구원 연구위원
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- 2013~2014 한국교통연구원 교통행정·법제연구실 실장

>> Work Experience

- 1988~Present Research Fellow, The Korea Transport Institute
- 2003~2009 Part-time Lecturer, Graduate School of Public Policy, Sogang University
- 2004~2005 Special Advisor, Regulatory Reform Group, Prime Minister's Office
- 2008~2011 Committee Member, Regulatory Reform and Review Committee, MLIT
- 2009~2011 Director, Transport Research Center for Social Cohesion, KOTI
- 2011~2012 Guest Researcher, LTH's Division of Transport & Roads, Lund University
- 2012~Present Committee Member, Conflict Resolution and Review Committee, Ministry of Land, Infrastructure & Transport (MLIT)
- 2013~2013 Director, Division of Public Transportation & Administration, KOTI
- 2013~2014 Director, Division of Transport Administration & Legal Affairs, The Korea Transport Institute (KOTI)

The 4th Asian Legislative Experts Symposium, Millennium Hilton Seoul Grand Ballroom

Dreams of a world where people, the environment, and transportation are in harmony
The Korea Transport Institute turns those dreams into reality.

Strategies for Modification of Transport Legislation to Develop Public Transportation in ASEAN Countries

Nov. 1, 2016

Mo Chang Hwan, Research Fellow
The Korea Transport Institute

THE KOREA TRANSPORT INSTITUTE

Contents

- Chapter 1. Introduction
- Chapter 2. Korean Transport Legislation Development Process
- Chapter 3. Direction of Transport Legislation Modification for ASEAN Countries
- Chapter 4. Strategy for Modification of ASEAN Transport Legislation
- Chapter 5. Conclusions and Policy Proposals

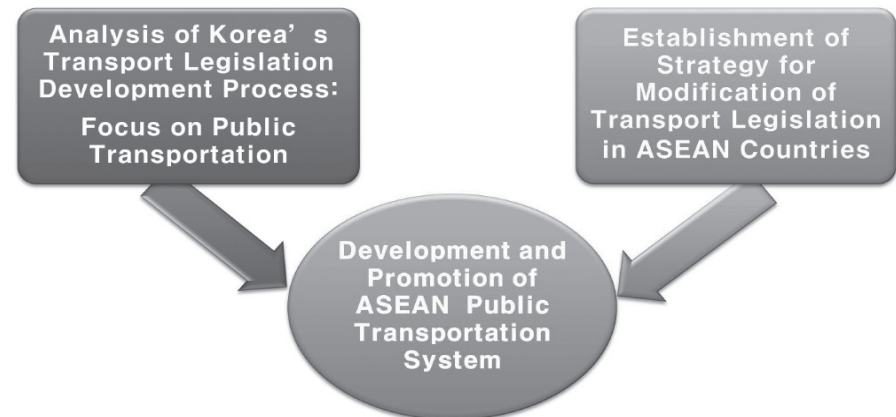
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2



Chapter 1. Introduction

■ Research Objective



■ Research Background

- ✓ Currently ASEAN countries are experiencing various problems such as traffic congestion, increasing air pollution, and lack of public transportation due to rapid urbanization.
- ✓ There are requests for Korea to share its experiences and knowledge in modification of transport legislation which contributed to Korea's socioeconomic development.
- ✓ ASEAN countries which face difficulties in expanding road infrastructure due to problems in land expropriation, etc. seek to modify legislation to promote efficiency in and develop public transportation through public transportation development and introduction of Intelligent Transport Systems (ITS).

Chapter 2. Korean Transport Legislation Development Process



1. Periodic Development of Transport Law in Korea

■ 1960s

Major Laws

- **Enactment of the Road Act, the Railroad Act, the Aviation Act, and the Harbor Act**
 - Expanded investment in infrastructure by enacting laws according to transport mode at the beginning of the developing stage
- **Passenger Transport Service Act**
 - Enacted law regulating passenger vehicles and trucking transport businesses
 - Improved public welfare by establishing order in and seeking ways to improve the automobile transportation business
 - Later, separated into the Passenger Transport Service Act and the Trucking Transport Business Act
 - The Passenger Transport Service Act applies to intra and inter city buses, rental cars, and passenger terminals
 - Prescribes licensing, licensing standards, fares, etc. of transport businesses
 - Prohibits commercial transport by non-commercial motor vehicles

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1. Periodic Development of Transport Law in Korea

■ 1970s

Major Laws

- **Motorway Act**
 - Enacted to maintain motorways and transport networks after opening of expressways
- **Subway Construction Promotion Act**
 - Established a smoothly functioning transport system in cities and nearby regions
- **Automobile Stops Act**
 - Reasonable operation and management of automobile stops businesses
- **Parking Lot Act**
 - Installation, maintenance, and management of parking lots

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1. Periodic Development of Transport Law in Korea

■ 1960s (Continued)

Major Laws

- **Act on Special Accounts for Road Readjustment Projects (1968~1977)**
 - Enacted for the construction of expressways but repealed after 10 years
 - Financed by transfers from general accounts, loans, debts, etc.
- **Road Transport Vehicle Act**
 - Certification of property rights in road transport vehicles by a notary public, securing of safety, vehicle inspection and maintenance
- **Road Traffic Act**
 - Enactment of Act on Prevention of Road Traffic Accident Risks
- **Korea Highway Corporation Act**
 - Establishment of a public organization for highway operation

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1. Periodic Development of Transport Law in Korea

■ 1980s

Major Laws

- **Urban Traffic Improvement Promotion Act**
 - Introduced a system for managing traffic demand while focusing on smooth traffic passage
 - Provided a ground for establishing the Korea Transport Institute, a transport policy research institute
- **Act on Special Accounts for Road Projects (1989)**
 - Established special accounts financed by special consumption tax on oil to secure a stable source of revenue for road investment
 - Established special accounts to overcome shortcomings in securing road investment finances through general accounts
 - Financed through special consumption tax regarding gasoline, diesel, and cars
- **Enacted the Traffic Safety Act, Marine Transportation Business Act, etc.**

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1. Periodic Development of Transport Law in Korea

■ 1990s

Major Laws
• Act on Special Accounts for Urban Railway Construction Projects (1990) - Established special accounts based on special consumption tax on gasoline and tariff on imported cars - Provided a legal ground for procuring finances for investment in public transportation in addition to roads - Foundation for subway investment expansion in large cities with growing traffic congestion • Act on Special Accounts for Transport Facilities (1995) - Enacted the above Act by integrating the Act on Special Accounts for Urban Railway Projects and the Act on Special Accounts for Road Projects - Changed from a fund procurement system centered on road investment from other countries to balanced distribution of funds on roads, public transportation, railways, airports, and harbor infrastructure - Expanded investment in infrastructure such as KTX, Incheon International Airport, Busan Harbor, and Gwangyang Harbor, etc. which contributed greatly to Korea's economic development

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1. Periodic Development of Transport Law in Korea

■ After 2000s

Major Laws
• Act on the Support and Promotion of Utilization of Mass Transit System - Expanded public transport modes and facilities and established a transport system that prioritizes public transport due to increasing traffic congestion despite road expansion, etc. • Special Act on the Construction and Operation of Bus Rapid Transit (BRT) - Supported the expansion of BRT • Act on Promotion of the Transportation Convenience of Mobility Disadvantaged Persons - Established a transport system for the physically disabled, the elderly, pregnant women, children, etc. • Sustainable Transportation Logistics Development Act - Supported environmentally-friendly transport policies for low carbon green growth • Pedestrian Safety and Convenience Enhancement Act

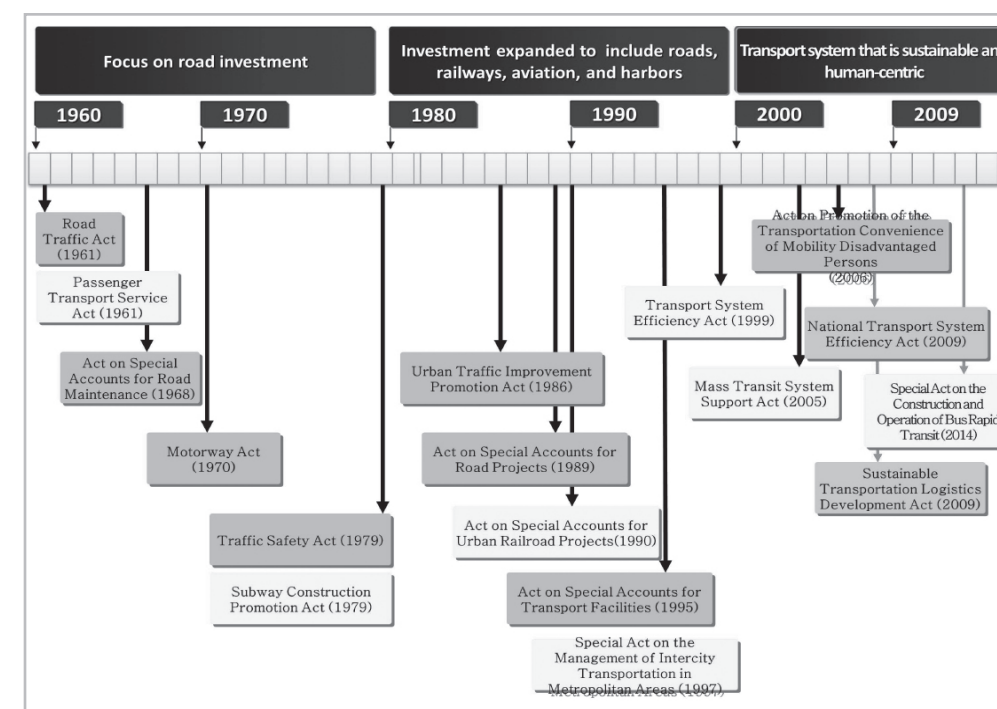
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1. Periodic Development of Transport Law in Korea

■ 1990s (Continued)

Major Laws
• Traffic Tax Act - Secured funds for use in expanding transport facilities such as roads and urban railways • Urban Railroad Act - Enacted to fundamentally improve traffic congestion in large cities • Enacted the Special Act on the Management of Intercity Transportation in Metropolitan Areas - Sought solutions to traffic problems in metropolitan areas caused by development of new towns, etc. • Transport System Efficiency Act - Enacted to comprehensively coordinate transport investment and policies - Provided the basis for ITS development • Enacted the Act on the Promotion of a New Airport for Seoul Metropolitan Area Construction, New Harbor Construction Promotion Act, etc. - Supported continued expansion of large scale infrastructure

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2. Policy Implications

■ Implications

- ✓ Laws need to be enacted to establish a system for stable procurement of funds for investment in transport
 - Establishment of a fund procurement system is key to public transport development
 - ASEAN countries have various public transport investment plans but they are not being implemented due to lack of funds
- ✓ A law that integrates various scattered pieces of transport legislation into one is needed
 - Securing consistency and connectedness in transport law
 - Enacting law to deal with changes in transport environment

Chapter 3. Direction of Transport Legislation Modification for ASEAN Countries

2. Policy Implications

■ Implications (Continued)

- ✓ Systematic support of public transport policies through enactment of public transport related bills is needed for ASEAN countries.
- ✓ Laws supporting public transport according to development stage need to be enacted.
- ✓ Laws regarding passenger terminals, metropolitan transport, intermodal transport, ITS, and BRT need to be enacted after law on passenger transport service is enacted.

1. Current State of Transportation in ASEAN Countries

■ 5 Major Transportation Problems in ASEAN Countries

1. Urbanization and increase in cars
 2. Traffic congestion
 3. Air pollution
 4. Traffic accidents
 5. Low quality of public transport services
- ✓ Due to economic development and rapid urbanization, the number of cars and motorcycles has increased rapidly, causing traffic congestion and air pollution



2. Direction of Transport Legislation Modification for ASEAN Countries

■ Direction of Modification for Establishment of an Effective Legal System in Transport

- ✓ Need to enact an integrated transport act covering land, sea, and air transport
 - Coordination of transport policy between central and local governments
 - Efficient coordination of transport investment
 - Supporting the establishment and execution of transport plans
 - Reflection of sustainable transport
 - Establishment of a human-centric transport system

3. Direction of Public Transport Legislation for ASEAN Countries

■ Passenger Transport Service Act

- Overall regulation of the bus industry
- Recognition of private bus companies' exclusive rights in their routes
- Systematic support and management of bus service supply

■ Act on the Support and Promotion of Utilization of Mass Transit System

- Legal grounds for promotion of public transport
- Implementation of public transport-only districts, evaluation of local governments' public transportation policies, etc.

2. Direction of Transport Legislation Modification for ASEAN Countries

■ Direction of Modification for Establishment of an Effective Legal System in Transport (Continued)

- ✓ Need to enact an act establishing a comprehensive financial resource procurement system for transport investment
 - Establishment of special accounts based on special consumption tax on oil and automobile tax
 - Utilization of investment in public transport, railways, aviation, and harbors in addition to investment in roads
 - Utilization of development profit redemption measures in transport investment

3. Direction of Public Transport Legislation for ASEAN Countries

■ Special Act on the Construction and Operation of Bus Rapid Transit (BRT)

- Act supporting BRT promotion
- Regulation of overall matters regarding BRT such as construction, operation, evaluation, etc.
- Provisions regarding financial support, etc. of BRT

■ Transport System Efficiency Act

- Act comprehensively supporting ITS projects: arrival information, smart cards, etc.
- Framework plans, standardization, institutions in charge, evaluation, etc. regarding ITS



3. Direction of Public Transport Legislation for ASEAN Countries

■ Urban Railroad Act

- Act supporting promotion of urban railway construction and operation
- Regulation of overall matters regarding urban railways such as construction, operation, evaluation, etc.
- Provisions regarding financial support, etc. of urban railways

■ Act on Special Accounts for Urban Railroad Projects

- Financing by special consumption tax on oil (gasoline, diesel) and tariffs on auto parts
- Procurement of financial resources for urban railways such as subways: central government provides support for about 50% of construction costs to the local government

3. Direction of Public Transport Legislation for ASEAN Countries

■ Modification Direction for Effective Modification of Public Transport Legislation (Continued)

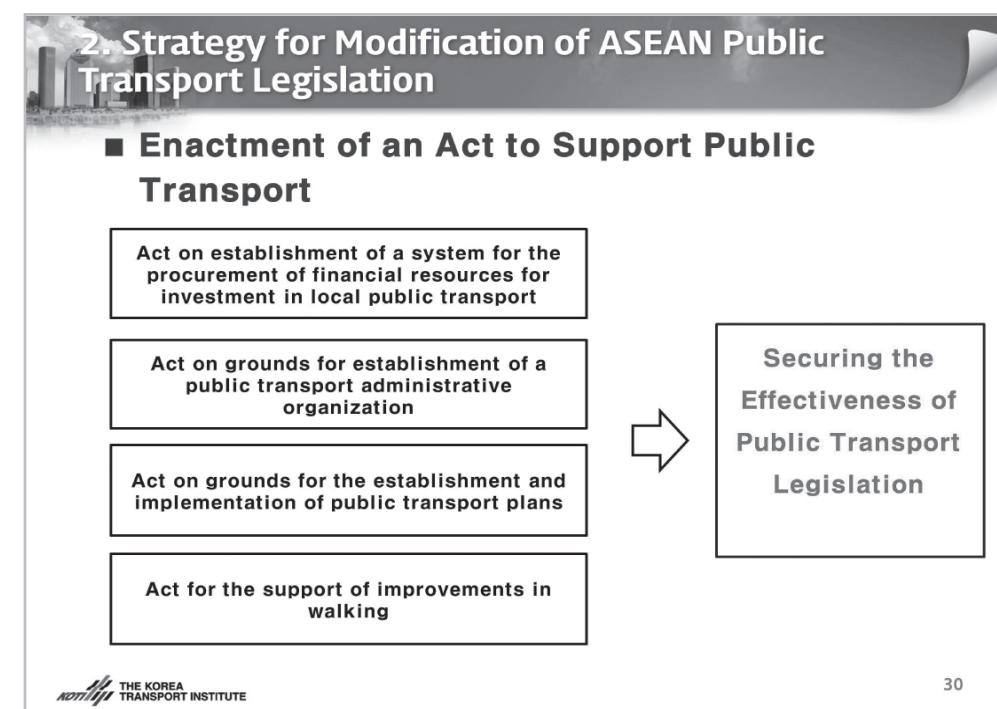
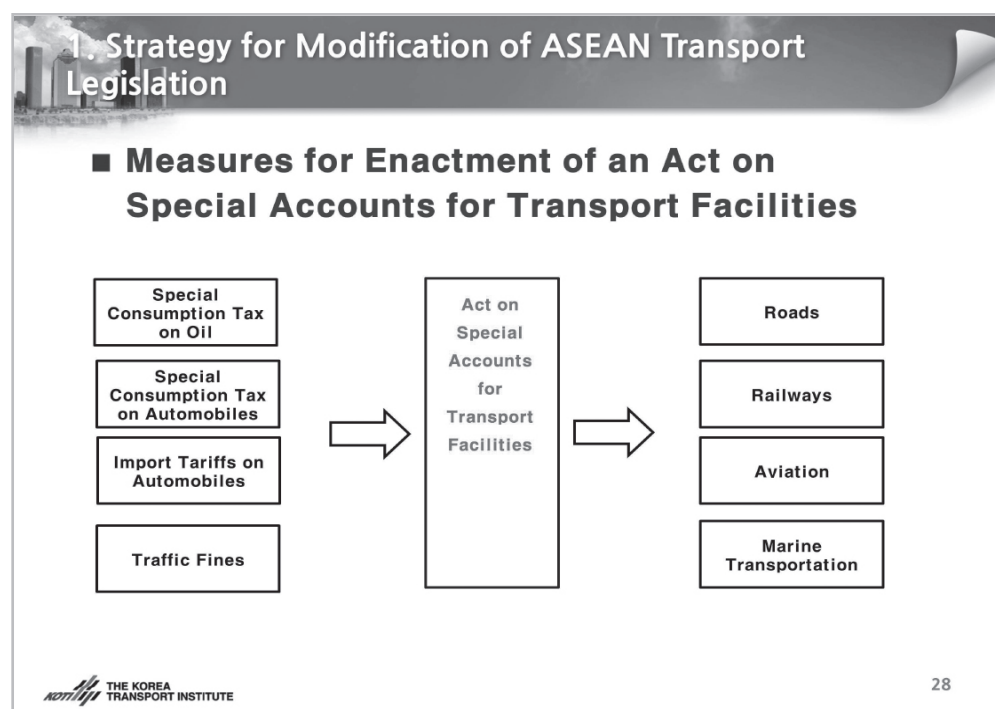
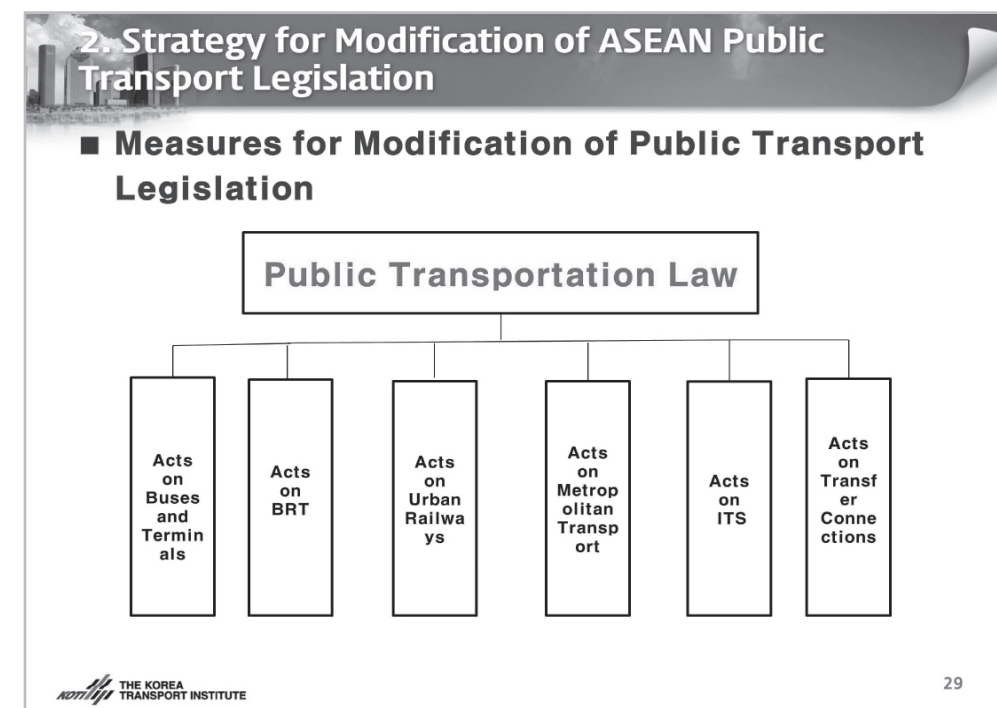
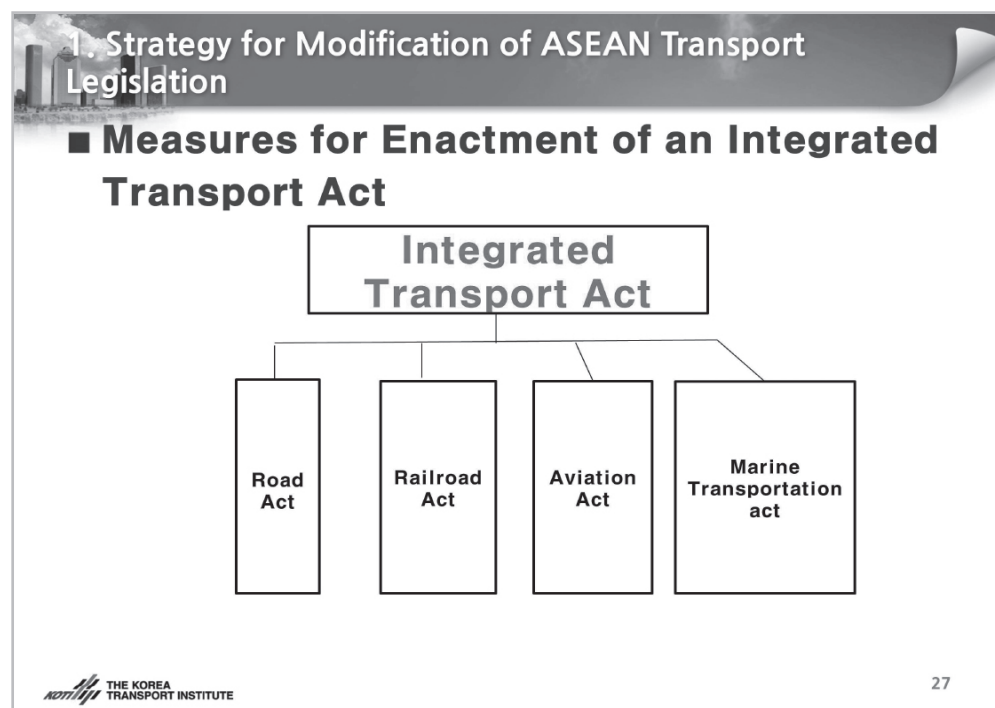
- ✓ Need to enact an act supporting the promotion of public transport
 - Need to enact an act that establishes a system for the procurement of financial resources for investment in local public transport
 - Need to enact an act that establishes an organization to play a leading role in execution of public transport policy
 - Need to enact an act for improvement of pedestrian environment
 - Need to enact an act for the establishment and implementation of public transport plans

3. Direction of Public Transport Legislation for ASEAN Countries

■ Modification Direction for Effective Modification of Public Transport Legislation

- ✓ Need to enact an act for the development and support of public transport
 - Act supporting the profitability of passenger transport services
 - Act on the construction and operation of bus rapid transit (BRT)
 - Act on the construction and operation of urban railways
 - Act on mandatory transfers and connections in public transport
 - Act supporting metropolitan transport
 - Act for the establishment of an intelligent transport system (ITS)
 - Establishment of a legal system that utilizes the private sector such as private bus companies

Chapter 4. Strategy for Modification of ASEAN Transport Legislation





3. Follow-up Projects and Public Relations

■ Promotion of Follow-up Projects

- ✓ Performance in connection with ODA
 - Promotion of measures for modifying transport law systems according to ASEAN country as ODA tasks
 - Suggestion of customized transport law enactments and amendments by country
- ✓ Performance in connection with KSP
 - Specific implementation measures formulated as KSP tasks
 - Visits to ASEAN countries to hold workshops or inviting public officials and national assembly assistants from ASEAN countries to Korea for training

Chapter 5. Conclusions and Policy Proposals

3. Follow-up Projects and Public Relations

■ Public Relations and Diffusion Strategy

- ✓ Promotion of need to modify transport legislation
 - Strengthening promotion as to the fact that it is the establishment of a transport system through transport legislation, not the construction of transport facilities, that is the condition precedent for high quality transport services
- ✓ Implementation of measures for diffusion to ASEAN countries
 - Promoting diffusion of Korea's model for modification of transport legislation to other ASEAN countries
 - Visiting transport ministries, etc. in ASEAN countries to hold transport legislation workshops and training sessions

■ Conclusions

- ✓ Implementation of measures to improve transport law systems
 - Enactment of an integrated transport act
 - Enactment of an act on special accounts for transport facilities
- ✓ Legislative modification for promotion of public transport
 - Enactment of an act for the support of public transport
 - Enactment of acts on buses, terminals, BRT, urban railways, transfer facilities, ITS, and walking
 - Enactment of acts regarding measures to procure financial resources for investment in local transport and establishment of an organization for transport administration



■ Policy Proposals

- ✓ **Legislative modification regarding transport systems and promotion of public transport**
 - Enactment of an integrated transport act and an act on special accounts for transport facilities
 - Re-modification of the public transport law system and modification of acts according to area
- ✓ **Implementation of measures for promoting connectedness in follow-up projects and implementation of public relations strategies**
 - Promotion of transport legislation modification projects customized according to country in the ASEAN region through ODA and KSP
 - Promotion of the importance of establishing a transport system through modification of transport legislation and diffusion of modification strategies according to country in the ASEAN region



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Thank You.

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Session 2 | Presentation 2

Julianito G. Bucayan

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Former Undersecretary / Department of Transportation and Communications

>> 학력

- 1985 미 해군사관학교
- 1995 아테네오 대학원 컴퓨터 공학 석사

>> Academic Background

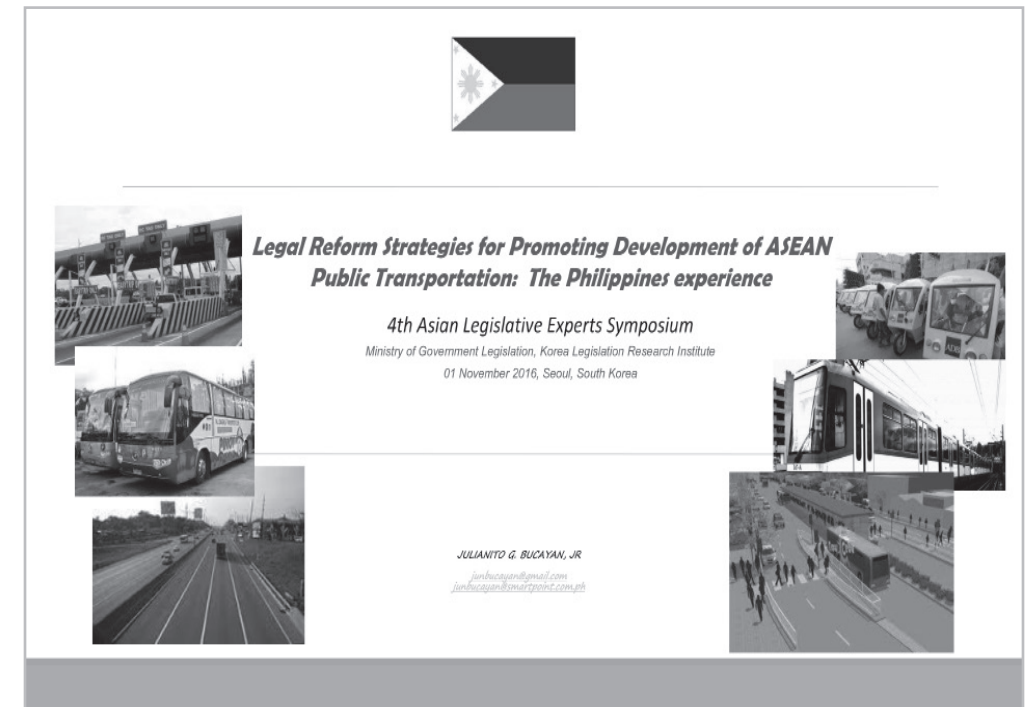
- 1985 United States Naval Academy
- 1995 Masters Degree in Computer Science, Ateneo de Manila University Graduate School

>> 주요경력

- 필리핀 해군 대령 (21년간 복무)
- 2013~2016 필리핀 항만청 대리 의장
- 2013~2016 세부 항만청 대리 의장
- 2013~2016 해양 산업청 대리 의장
- 2015~2016 민간 항공 관리국 대리의장
- 교통 통신부 前 차관

>> Work Experience

- Philippine Navy Captain (served for 21 years)
- 2013~2016 Alternate Chairman of the Board, Philippine Ports Authority
- 2013~2016 Alternate Chairman of the Board, Cebu Ports Authority
- 2013~2016 Alternate Chairman of the Board, Maritime Industry Authority
- 2015~2016 Alternate Chairman of the Board, Civil Aviation Authority
- Former Undersecretary for Project Implementation and Special Concern at the Department of Transportation and Communications



OUTLINE

- I. Overview
- II. The challenges
 - a. Congestion
 - b. Air pollution
 - c. Loss of productivity
 - d. Implementation related challenges (Right of Way)
- III. Addressing the Challenges



Overview

- Philippines is an archipelago with more than 7000 islands
- Transportation plays a major role in ensuring sustainable economic growth
- Rapid urbanization in recent years
- By 2030, approximately almost 80% of the population will live in urban areas
- Risk of degradation in the mobility of urban population



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The Challenges

- Increasing number of Old vehicles
- Poor maintenance
- Frequent component failure

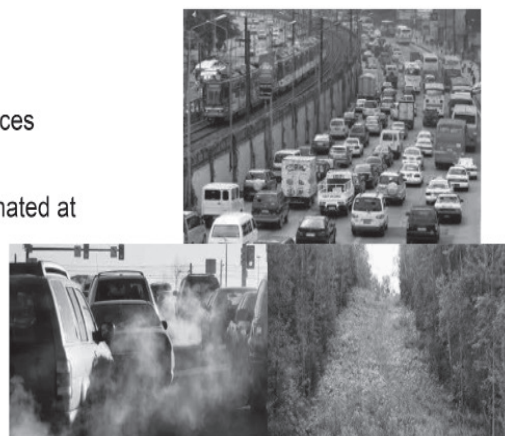


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The Challenges

- Traffic congestion
 - Air pollution
 - Waste of energy and resources
 - Low productivity
 - Losses due to traffic is estimated at Php2.4 Billion per day
- Safety
- Implementation related
 - Right Of Way



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The Challenges

- Over 3.5 million gasoline fueled tricycles aggravate traffic condition and air pollution
- Heavy migration to urban centers due to perceived lack of opportunities in the countryside.



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The Challenges

Acquisition of Right of Way

- Common cause of delays in Infrastructure Projects
- Can be a long and tedious process



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Addressing the Challenges (Congestion)

- A network of tollways in central Luzon
 - 84 km North Luzon Expressway (NLEX)
 - 51 km South Luzon Expressway (SLEX)
 - 42 km Southern Tagalog Arterial Road (STAR Tollway)
 - 93.77 km Subic-Clark-Tarlac Expressway (SCTEX)
 - 88.85 km Tarlac-Pangasinan-La Union Expressway (TPLEX)
- Implemented through PPP and bilateral development assistance
- Tollways have reduced travel time



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Addressing the Challenges

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Addressing the Challenges (Congestion)

- Rehabilitation/Expansion of the rail system
- Line 2, line 7, line 1, PNR North-South Railway Project (PNSRP) – South Line
- PNSRP – South Line: Php170.7 Billion



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Addressing the Challenges (Congestion)

INTEGRATED TRANSPORT SYSTEM

- integrate different modes of public transport
- mitigate many of the problems currently associated with urban transport
- reduce the costs of urban mobility
- improving the economic productivity and competitiveness



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Addressing the Challenges (Congestion)

WHY BRT ?

- Cheaper to implement
- faster to implement
- Passenger Per Hour Per Direction (PPHPD) is not far from light rail system



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Addressing the Challenges (Congestion)

CEBU BRT

- World Bank Funded
- 34 km
- Target completion: 2018



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Addressing the Challenges (Air Pollution)

- RA 8749 or The Philippine Clean Air Act of 1999: phasing out gasoline run tricycles and replacing them with electric powered trikes
- **Executive Order No. 290:** signed by President Gloria Macapagal-Arroyo on 24 February 2004 to promote the use of natural gas on public transport vehicles
- Phaseout of buses that are 15 years and older



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Addressing the Challenges (Safety)



- **R.A 10586 or the Anti-Drunk and Drugged Driving Law (2013):** provides tougher penalties and sanctions to the acts of driving under influence of alcohol, dangerous drugs and other intoxicating substances



- **R.A 10913 or the Anti-Distracted Driving Act of 2016:** penalizes motorists who engage in distracted driving, like using mobile phones and other electronic gadgets, whether in motion or in full stop at a red light



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Addressing the Challenges (Other Relevant Laws)



LAW	DESCRIPTION
RA 7160 s1991	Local Government Code that defines the powers and responsibilities of 4 layers of sub-national government units
RA 7924 s1994	Revised charter of the Metro Manila Development Authority, which gave it responsibilities for services (e.g., garbage and traffic) common to 17 LGUs in the national capital region, and delineated its relationships with other national government agencies like DPWH and DOTC

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Addressing the Challenges (Right of Way)



- **R.A 8974 (2000): AN ACT TO FACILITATE THE ACQUISITION OF RIGHT-OF-WAY, SITE OR LOCATION FOR NATIONAL GOVERNMENT INFRASTRUCTURE PROJECTS AND FOR OTHER PURPOSES**

➢ Defines the process in acquiring right-of-way

- **RA 10752 (2016): AN ACT FACILITATING THE ACQUISITION OF RIGHT-OF-WAY SITE OR LOCATION FOR NATIONAL GOVERNMENT INFRASTRUCTURE PROJECTS**

➢ offer to purchase the property at fair market value instead of zonal value

➢ Right-of-way acquisition is faster but more expensive

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Legislation will help address the transportation related challenges, but more importantly, it provides the much needed institutional memory to ensure continuity.

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Session 2 | Presentation 3

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>> 학력

- 해양훈련 · 지도론 석사
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>> Academic Background

- Master of Training and Coaching Maritime
- Ph.D. in Marine Control

>> 주요경력

- 1993~1996 Lecturer of Marine Control Faculty, Vietnam Maritime University
- 1996~1997 Working at International Cooperation Department, Vietnam Maritime University
- 1997~2009 Principal Official of the Personnel Department, Ministry of Transport of Vietnam
- 2009~2014 Deputy General Director of Personnel Department, Ministry of Transport of Vietnam

>> Work Experience

- 1993~1996 베트남해양대학교 해양제어론 강사
- 1996~1997 베트남해양대학교 국제협력부서
- 1997~2009 베트남 교통부 인사 담당 부서
- 2009~2014 베트남 교통부 인사 담당 부서 부국장



BỘ GIAO THÔNG VẬN TẢI
MINISTRY OF TRANSPORT



CHALLENGES AND SOLUTIONS FOR SUSTAINABLE URBAN TRANSPORT IN CITIES OF VIETNAM

Tran Bao Ngoc, PhD.
General Director - Department of Transport
Vietnam Ministry of Transport

CONTENT

I

• OVERVIEW OF URBAN
TRANSPORT IN VIETNAM

II

• THE PROBLEMS AND
CHALLENGES THAT URBAN
TRANSPORT SYSTEM IS FACING

III

• CURRENT POLICY ON URBAN
TRANSPORT

IV

• PERSPECTIVE SOLUTIONS,
POLICIES AND DEVELOPMENT
OF URBAN TRANSPORT







OVERVIEW OF URBAN TRANSPORT IN VIETNAM

As of 2015, Vietnam's urban network has been extended to 765 cities and towns:

- 2 special cities including Hanoi and Ho Chi Minh City;
- 3 type-I cities under the management of Government including Hai Phong, Da Nang, Can Tho;
- 9 type-I cities under the management of Provinces;
- 751 type II, III, IV and V cities and towns.

Urban areas contribute annually about **70-75% of GDP** of the whole country. Urban Systems has been formed with clearer functional distinction according to national, regional, provincial and district levels

Over the years, Vietnam has witnessed a rapid development in the urban transport system. Many modern urban transport infrastructures have been invested and operated; plenty of means of public transport, modern facilities have been used in order to improve the quality of services to meet the travelling needs of urban population.



OVERVIEW OF URBAN TRANSPORT IN VIETNAM

Currently, land for urban transport is too small compared to urban centers in the region and in the world (both dynamic and stationary transport: other countries 20% - 30%, Vietnam 6% - 15%). Other transport infrastructure as walking space and space for terminals, parking is also very limited.

In addition, the process of urbanization is happening quickly leading to the increasing demand in travelling, thus to the rapid increase of the transport means, especially personal vehicles. As a result, the rapid development of transport infrastructure did not catch up with the growth of transport means

To 12/2015, total number of road motor vehicles registered in the country is around 46 million vehicles (including 2.5 million cars, 43.5 million motorcycles), account for 90% in urban areas. Especially, the largest concentration of vehicles is in Ho Chi Minh City with 7.4 million vehicles (including 562,185 cars and about 6.9 million motorcycles) and Hanoi with 5.8 million vehicles (including 376,417 cars and 5.4 million motorbikes).



OVERVIEW OF URBAN TRANSPORT IN VIETNAM

Transport Infrastructure system of urban areas throughout the country in general and 05 big cities (Hanoi, Ho. Ho Chi Minh City, Hai Phong, Da Nang, Can Tho) in particular have been paid much attention for investment and development in recent years. Transport infrastructure has been invested for newly construction or upgrading of existing facilities. Especially, Hanoi and Ho Chi Minh City have been invested for the construction of the slight structure overpass, elevated highway, ring roads, etc.

However, the structure of urban transport network has developed mainly under the uni-directional radial structure and herringbone structure along the national highway, typically urban centers along Highway No.1 from the North to the South over 2,300 km long. This structure has set many restrictions and nowadays many cities are to restructure the urban road network by adding the urban ring roads and radial roads in many directions.

Along with the structural limitations, density of urban road is irregular and not high¹, the size of urban road network is small², intersections are unintentionally support for personal transport instead of public transport. Urban arterials primarily consist of 3-4 lanes, and only 3 lanes for inter-regional roads.

(1) The percentage of land transportation / urban construction land in Hanoi around 8.65% and 8.28% in the city around

(2) In Hanoi and HCMC. Ho Chi Minh City, the percentage of urban roads (road name) from 3 lanes wide only about 10-11% of the length.

OVERVIEW OF URBAN TRANSPORT IN VIETNAM

Public transport systems in urban areas of Vietnam were paid attention to be invested and developed, focussing on buses (BRT and urban railway are under construction in Hanoi and HCMC).

Currently, Vietnam has **58/63 provinces using buses**, in which Hanoi and Ho Chi Minh City have the most developed network.

However, public transport at urban areas meet only partially the travelling demand of urban people, specifically, public transport meet only **14.2%** demand in Hanoi and **7%** in Ho Chi Minh city, and under **1%** in remaining cities.





OVERVIEW OF URBAN TRANSPORT IN VIETNAM

In 2015 there were a total of 654 bus routes with a total length of 25,693 km, including 521 urban routes with 19,241 km length, 133 km adjacent route with 6,020 km length.

Transport volume reached about 1.06 billion passengers/year, including Hanoi and Ho Chi Minh city accounted for 76% of the total volume to 803.4 million passengers.

Total buses in 2015 are 9,030 units which are mostly small and medium buses (with 78.14%).



THE PROBLEMS AND CHALLENGES THAT URBAN TRANSPORT SYSTEM IS FACING

- *The speed of development of road infrastructure (roads, static transport system, etc.) is slow, unable to catch up with the growth of the vehicles* as well as the travel demand of people, especially in urban areas of big cities (Hanoi, Ho Chi Minh City, Hai Phong, Da Nang, Can Tho).
- *The growth of personal vehicles is still high* (especially motorcycles and cars) despite the finance policy to control its growth (i.e increase the excise taxes, registration fee, etc.). In Hanoi and Ho Chi Minh City, the quantity of motorcycles, motorcycle contain up 95% of total vehicles.
- *Passenger public transport system has not yet met the travel demand and the explosion of personal vehicles*, especially in Hanoi and Ho Chi Minh City, the progress of construction and operation for the big volume public transport (BRT, urban railway) missed the deadline. The productivity of buses in urban areas tends to be restrain and even going down in some cities (the productivity of Hanoi buses reduced 0, 35% in 2015 compared to that of 2014).
- *The planning and management of urban transport* is inadequate in urban areas (the projection target is high but fail to obtain).
- *The system of urban transport infrastructure is still in the process of investment and construction (many key projects are under construction and in planning)*, especially in Hanoi and Ho Chi Minh City, construction projects tend to be increased thus causing traffic jams.
- *The policies of Vietnamese Government, people's committees of provinces and cities do not target to control the personal vehicles in the traffic system.*

CURRENT POLICY ON URBAN TRANSPORT

In the current context, the Government and People's Committees of provinces and cities have paid much attention in the development of national transport systems in general and urban transport systems in particular, through the development of schemes and planning, together with the promulgation of the main mechanism and policies. Regulation content on urban transport development in documents prescribes mainly the market share of public transport in big cities; policy priorities for development of public transport; portfolio of projects, investment projects, etc.

Some schemes, planning and policy mechanisms have been enacted in recent years, specifically as follows:

- Road Traffic Law (Law No. 23/2008 / QH 12 dated 13/11/2008).
- Decision No.280/QD-TTg dated 08/03/2012 of the Prime Minister approving the Scheme on development of public passenger transport by buses from 2012 to 2020.
- Decision No. 355/QD-TTg dated 25/02/2013 of the Prime Minister on approving the adjustments of Transport Development Strategy in Vietnam to 2020, with a vision to 2030.
- Decision No. 356/QD-TTg dated 25/02/2013 of the Prime Minister on approving the adjustments of Master Plan for Development of Road Transport in Vietnam to 2020, with a vision to 2030.
- Decision No. 318/QD-TTg dated 04/03/2014 of the Prime Minister approving the Transport Development Strategy until 2020 and vision to 2030.

CURRENT POLICY ON URBAN TRANSPORT

- Document No. 148/TTg-KTN dated 27/01/2014 of the Government on the implementation of appropriate solutions for the development of transport modes in big cities.
 - Decision No. 13/2015/QD-TTg dated 05/05/2015 of the Prime Minister on mechanisms and policies to encourage the development of public passenger transport by bus.
 - Decision No. 568/QD-TTg of the Prime Minister dated 04/08/2013 approving the adjustments of Master plan for Transport Development of Ho Chi Minh City to 2020, with a vision after 2020;
 - Decision No. 519/QD-TTg dated 31/03/2016 of the Prime Minister approving the Master plan for Transport Development of Hanoi to 2030, with a vision to 2050.
 - The other relevant documents.
- Furthermore, the Government, the Ministry of Transport and the People's Committees of provinces and cities have been and will implement a series of urban transport projects contribute to the development of key sustainable urban transport system. Basically the key projects currently concentrated in large urban areas mainly in Hanoi and HCMC (*Details of the key projects in the Annex*).



PERSPECTIVE SOLUTIONS, POLICIES AND DEVELOPMENT OF URBAN TRANSPORT

❖ *The goal of urban transport development:*

- Transport in the urban areas of Vietnam is developed with the following key objectives:
- Development of urban transport must be associated with socio-economic development strategy of the country and individual localities;
- Development of appropriate infrastructure system for urban transport and public transport;
- Ensure land for urban transport from 16-26%;
- For big cities, especially Hanoi and Ho Chi Minh City, promoting bus system; speedy investment in the construction of public transport services such as elevated railway and metro;
- Appropriate policies to manage and limit the growth of private vehicles in big cities such as Hanoi, Ho Chi Minh City and the type-I localities directly under the government.

PERSPECTIVE SOLUTIONS, POLICIES AND DEVELOPMENT OF URBAN TRANSPORT

Solutions and policies for management and planning of urban transport

Review and complete institutions to improve the quality of planning and urban transport planning. One of the principle is to develop the Planning Law with the general scope covering all kinds of planning on a national scale.

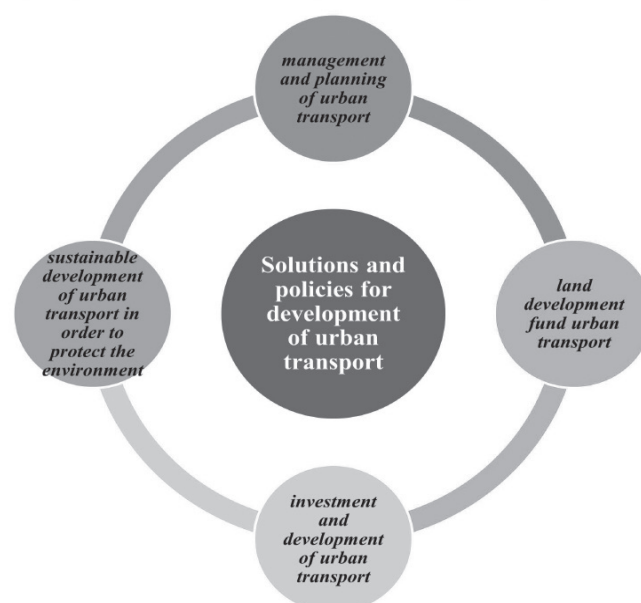
Urban spatial planning to ensure economic-ecological efficiency, convenient for public transport development, increase the attractiveness, competitiveness and environmental friendly, saving travel time of residents

Complete and develop regulations, standards and guidelines for urban transport planning

Develop procedures and standards for integrating GIS in planning and urban management

Promote the formation of the Center for Management and Controlling urban transport in major cities

PERSPECTIVE SOLUTIONS, POLICIES AND DEVELOPMENT OF URBAN TRANSPORT



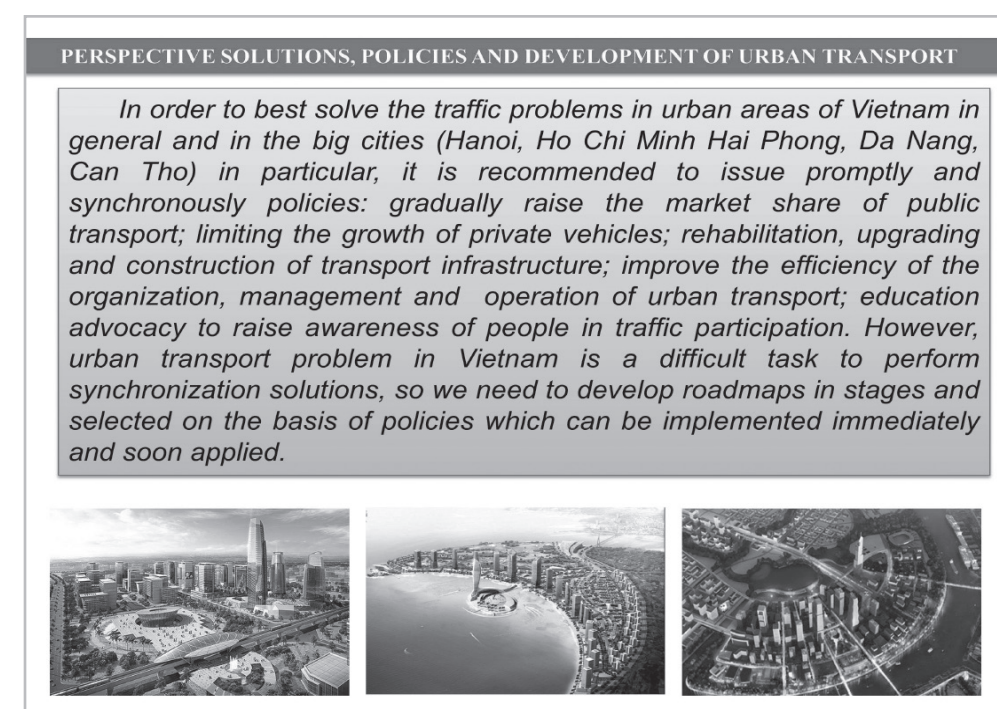
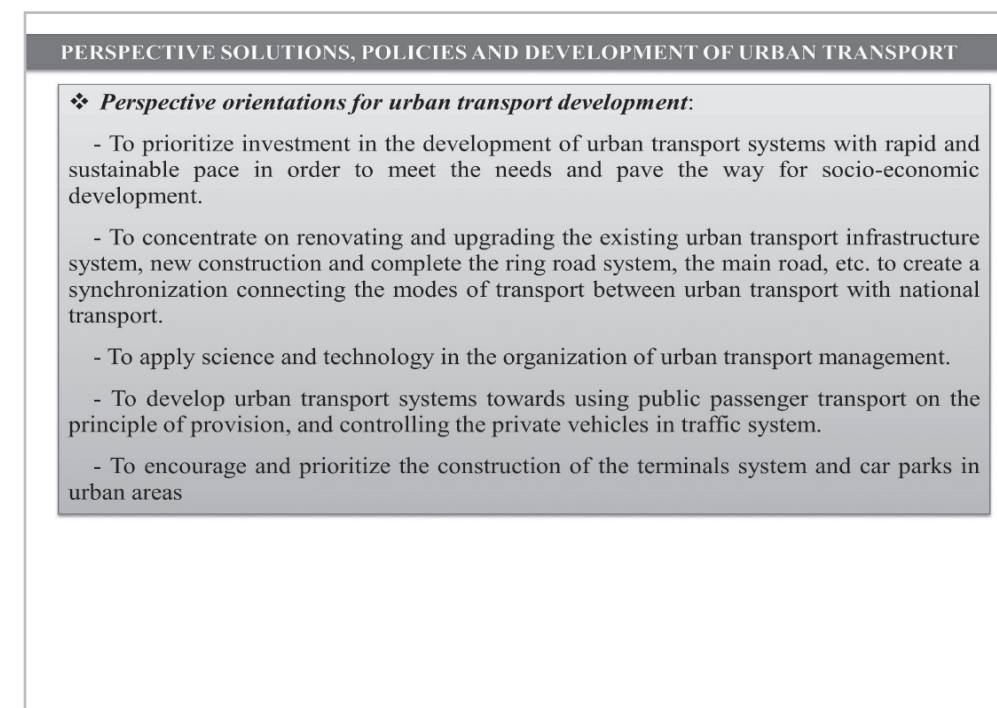
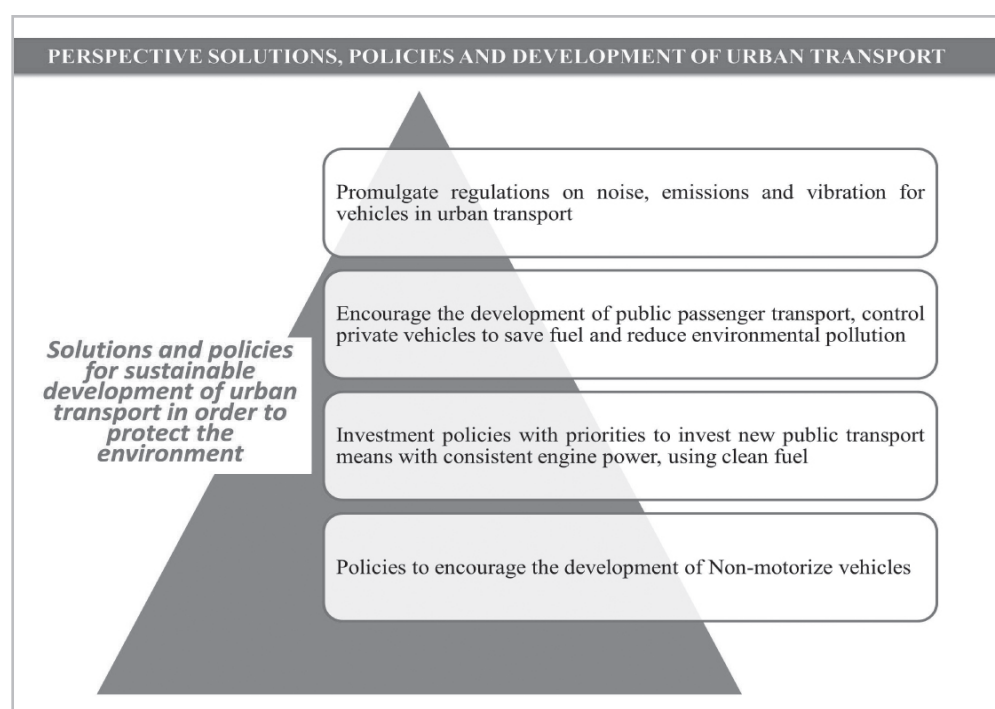
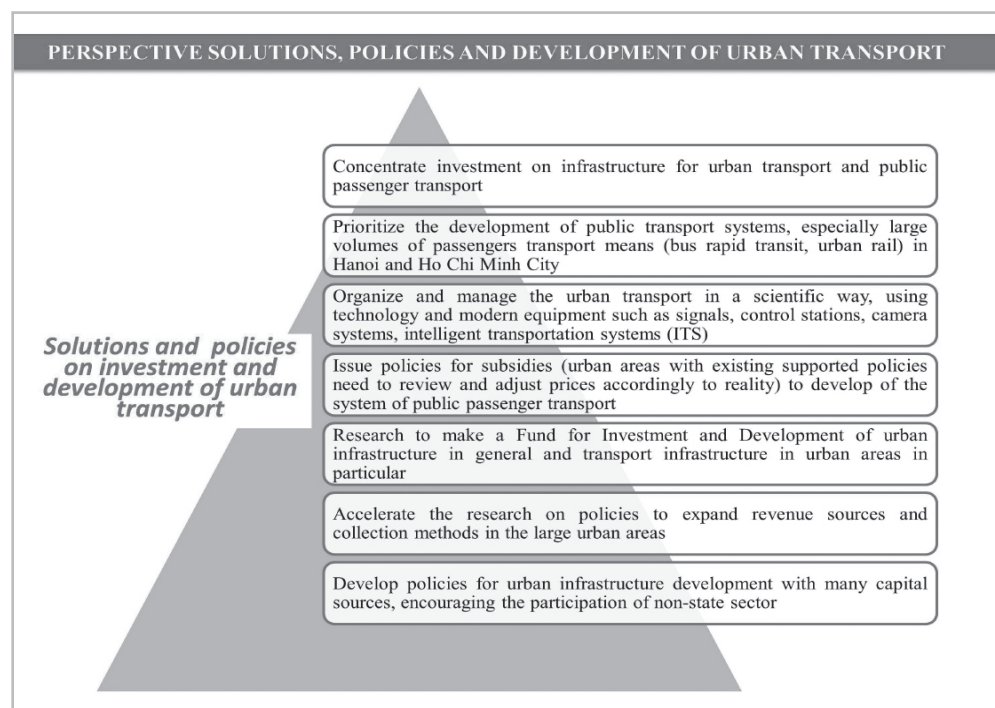
PERSPECTIVE SOLUTIONS, POLICIES AND DEVELOPMENT OF URBAN TRANSPORT

Solutions and policies on land development fund urban transport

Issue land management policies for transport in urban areas

Regulate the land ratio for transport in old urban areas

Investment policies for multifunctional projects combining public and business on urban land





APPENDIX 1: LIST OF URBAN RAILWAY AND BRT PROJECTS FOR THE PERIOD 2016 - 2020 IN HANOI

No	Content	Implementation	Comments, Evaluation
I	URBAN RAILWAY		
1	Route 1 (Ngoc Hoi - Yen Vien - Nhu Quynh)		
	- Line Ngoc Hoi - Yen Vien	Not yet	2020
	- Line Gia Lam - Duong Xa	Not yet	2030
2	Route 2 (Noi Bai - Thuong Dinh - Buoi)		
	- Line Nam Thang Long - Tran Hung Dao	Not yet	2020
	- Line Tran Hung Dao - Thuong Dinh	Not yet	2020
	- Line Thuong Dinh - Road 2,5 - Buoi	Not yet	2030
	- Line Noi Bai - Nam Thang Long	Not yet	2030
3	Route 2A		
	- Route 2A (Cat Linh - Ha Dong)	In progress	2017
	- Extending Route 2A to Xuan Mai	Not yet	After 2030

APPENDIX 1: LIST OF URBAN RAILWAY AND BRT PROJECTS FOR THE PERIOD 2016 - 2020 IN HANOI

No	Content	Implementation	Comments, Evaluation
II	MONO RAIL		
1	Route M1 (Lien Ha - Tan Lap - An Khanh)	Not yet	2030
2	Route M2 (Mai Dich - My Dinh - Van Mo - Phuc La and Giap Bat - Thanh Liet - Phu Luong)	Not yet	2030
3	Route M3 (Nam Hong - Me Linh - Dai Thinh)	Not yet	2030
III	BRT		
1	Line Kim Ma - Le Van Luong - Yen Nghia	In progress	2016
2	Line follow Road 3 from Mai Dich - Duong Xa (Period 2 of Urban Railway Route 8)	Not yet	2020
3	Line follow Road 2.5 and QL5 (Urban Railway Route 4)	Not yet	2020
4	Line Ngoc Hoi - Phu Xuyen (follow QL1)	Not yet	2030
5	Line Son Dong - Ba Vi	Not yet	After 2030
6	Line Phu Dong - Bat Trang - Hung Yen (follow Road 3 and Road Ha Noi - Hung Yen)	Not yet	2030
7	Line Gia Lam - Me Linh	Not yet	2030
8	Line Me Linh - Son Dong - Yen Nghia - Ngoc Hoi - QL5 - Lac Dao	Not yet	2030
9	Line Ba La - Ung Hoa	Not yet	2030
10	Line Ung Hoa - Phu Xuyen	Not yet	2030
11	Line Son Tay - Hoa Lac - Xuan Mai	Not yet	2030

APPENDIX 1: LIST OF URBAN RAILWAY AND BRT PROJECTS FOR THE PERIOD 2016 - 2020 IN HANOI

No	Content	Implementation	Comments, Evaluation
4	Route 3 (Troai - Nhon - Yen So)		
	- Line Nhon - Hanoi rail station	In progress	2018
	- Line Troi - Nhon	Not yet	2030
	- Line Hanoi rail station - Yen So	Not yet	2030
	- Extending Route 3 to Son Tay	Not yet	After 2030
5	Route 4 (Me Linh - Sai Dong - Lien Ha)	Not yet	After 2030
6	Route 5 (Van Cao - Hoa Lac)		
	- Line Van Cao - Road 4	Not yet	2020
	- Line Road 4 - Hoa Lac	Not yet	2030
7	Route 6 (Noi Bai airport - Ngoc Hoi)	Not yet	2030
8	Route 7 (Me Linh - Ha Dong)	Not yet	2030
9	Route 8 (Son Dong - Mai Dich - Duong Xa)		
	- Line Son Dong - Mai Dich	Not yet	2030
	- Line Mai Dich - Road 3 - Duong Xa	Not yet	After 2030

APPENDIX 2: LIST OF URBAN RAILWAY AND BRT PROJECTS FOR THE PERIOD 2016 - 2020 IN HO CHI MINH CITY

No	Content	Implementation	Comments, Evaluation
I	URBAN RAILWAY - UMR (8 lines)		
-	Route No. 1: Ben Thanh-Suoi Tien	Its construction started in 2012, is expected to complete the route in 2019 and put into operation in 2020.	In progress, Put into operation in 2020
-	Line 2: Urban Northwest (Cu Chi) - Thu Thiem	Its construction started in 2010, the entire route is scheduled for completion in 2019, put into operation in 2020.	In progress, Put into operation in 2020
-	Line 3a: Ben Thanh - Tan Kien station	Not yet	Investment in construction before 2020, operating after 2020, use of ODA
-	Line 3b: Intersection No. 6 Cong Hoa - Hiep Binh Phuoc	Not yet	
-	Line 4: Thanh Xuan - Hiep Phuoc urban area	Not yet	Investment in construction after 2020
-	Line 4b: Gia Dinh Park Station (Line 4) - Ga Lang Cha Ca	Not yet	
-	Line 5: Can Giuoc - Saigon Bridge	Has started a feasibility study phase 1 construction of the Bay Hien intersection segments - Saigon Bridge; The pre-feasibility study is the construction of phase 2 Bay Hien intersection segment - the new bus station Giuoc	Investment in construction in 2017, operating after 2020
-	Route No. 6: Ba Queo - Phu Lam roundabout	Chưa thực hiện	Investment in construction before 2020



APPENDIX 2: LIST OF URBAN RAILWAY AND BRT PROJECTS FOR THE PERIOD 2016 - 2020 IN HO CHI MINH CITY

No	Content	Implementation	Comments, Evaluation
II	OTHER URBAN RAILWAYS - TRAMWAY, MONORAIL (03 lines)		
-	Tramway 1: Ba Son-existing Western Bus Station	Not yet	Investment in construction after 2020
-	Monorail Route No. 2: QL50- Binh Quoi new town	Not yet	Investment in construction before 2020, operating after 2020, use of ODA
-	Monorail Route No. 3: Intersection 4 (Phan Van Tri Nguyen Oanh) Tan Chanh Hiep dispatch station	Not yet	Investment in construction after 2020



THANK YOU FOR YOUR ATTENTION!



APPENDIX 2: LIST OF URBAN RAILWAY AND BRT PROJECTS FOR THE PERIOD 2016 - 2020 IN HO CHI MINH CITY

No	Content	Implementation	Comments, Evaluation
III	BRT (6 lines)		
-	BRT Route No. 1: Mai Chi Tho-Vo Van Kiet	Preparing BRT No.1 online investment, the project is in the detailed design process and selection of contractors.	Investment in construction in 2017, put into operation in 2020
-	BRT Route No. 2: New Western Bus Station - Phu My Bridge	Not yet	Investment in construction before 2020, mining after 2020
-	BRT Route No. 3: Intersection 4 An Suong - new Western Bus Station	Not yet	
-	BRT Route No. 4: Kha Van Can - Victory Park	Not yet	
-	BRT Route No. 5: Intersection FourCommunes -Nguyen Van Linh	Not yet	Investment in construction after 2020
-	BRT Route 6: Quang Trung axial road	Not yet	



Session 2 | Debate 1

Ketsana Phommachane

라오스 법무부 국장

Director General / Department of Legal Affairs
Ministry of Justice

>> 학력

- 라이프치히 대학교 공법학 석사
- 콜로라도 대학교 경제연구원 기초 경제, 금융 및 경영학 9개월 과정 수료
- 버클리 대학교 회사법학 석사
- 캘리포니아 대학교 국제 무역법학 석사

>> Academic Background

- Masters Degree in Internal Public Law, University of Leipzig
- 9 month course on Basic Economic, Finance and Business Management in Economics Institute, Colorado University
- Masters Degree in Business Corporation, UC Berkley
- Masters Degree in International Trade Law, University of California

>> 주요경력

- UNDP/세계은행 법제도 사업 법률 보조원
- 외국 법률 전문가 및 라오스 입안 위원회 보조
- 라오스 메콩강 위원회 법률 자문사
- 규칙개발을 위한 초안 작업반 회원
- 라오스 상법 및 기업법 개발 방안 입안자
- 2020에 시행될 법률종합계획 (LSMP) 진행자 및 편집장

>> Work Experience

- Legal assistant to the UNDP/World Bank Legal Framework Project
- Assistance to Foreign Legal Experts and the Lao Law Drafting Committee
- Legal Consultant to Lao National Mekong
- Member of Drafting Group for Development of Rules
- Author for Development of Commercial and Lao Business Law
- Coordinator and main editor of Legal Sector Master Plan (LSMP) toward the year 2020

A BRIEF OF LEGAL FRAMEWORK ON TRANSPORT SYSTEM IN THE LAO PDR

At the 4TH ALES “Legal reform strategies for
enhancing efficiency of the ASEAN transport systems”

(Soul, Republic of KOREA, November 1, 2016)

By Mr. Ketsana Phommachane, MoJ Lao PDR

1. OVERVIEW

Being a landlocked country, Lao PDR sets goals to transform the country to land-bridge country in the region and graduate from LCD by the year 2020. The transport system in the Lao PDR depends heavily on road transport. Total length of road network is 39,546Km dividing into national roads of 7,235Km, provincial roads 7,923, and other roads 24,388Km¹⁾. Overall, the road network has been expanded and steady improved, event faster growth in number of vehicles across the country followed by high traffic density in Vientiane Capital and some other big cities.

Recent assessment on the transport sector for the period 2011-2015 by ADB, shown that road transport represents over 90% of total passenger travelled. Air transport plays increasingly important role between big cities, Vientiane - Luang Phrabang and Champasak Provinces, with limited access to remote area. Water transport provides transport along navigable waterway in the northern and southern regions. Rail transport is in very early stage marking current development of railway from China's border to Vientiane Capital City 417 Km to be completed in next five years.

Urban transport system has been building up slowly, while the number of vehicles has been increasingly in line with figure of national economic development. Mass rapid transport in any urban areas is not yet introduced, only public bus run by state owned enterprise provides service in Vientiane Capital City and insufficient in number. A 2008 study on Vientiane's urban

1) Math Sounmala, Director general, Dept. of Planning and Cooperation, MPWT, Lao PDR.



transport network forecasted a rise in vehicle trips from 418,775 in 2007 to 958,144 in 2025, a growth of 2.3 times, which will impact congestion in the city similar to Bangkok and Manila²⁾. With poor quality of road and lack of strict road safety measures, Lao PDR has the highest death rate in Southeast Asia from road accidents.

The Ministry of Public Works and Transport (MPWT) is the key agency responsible for main road and transport development throughout the country. Currently, Lao PDR is implementing a decentralization policy, which include classify of roads and transport system between national, provincial and district roads. At the province, Division of Public Works and Transport (DPWT) is directly responsible for the city, provincial roads and road transport's development, vehicles control and traffic police to serve law enforcement on road traffic in provincial and district levels.

2. POLICY AND LEGAL FRAMEWORK ON URBAN TRANSPORT DEVELOPMENT

Geographical location in the heart of the Greater Mekong Sub-region (GMS) and ASEAN region, Lao Government has set policies for facilitating socio-economic development and integration by transforming from landlocked country into land-linked. ASEAN connectivity has been set as the first priority for regional and international integration. To realize this goal, huge investment on the road infrastructure becomes a big challenge for the Government. One option for such investment is in form of Public Private Partnership (PPP), recently considered by the Government.

Prior to mid-90s, legal framework on transportation was solely developed by administrative agencies through Ministry of Communication, Transport, Post and Construction (MCTPC) former MPWT. Law on inland transport was first adopted by National Assembly in 1997, and then amended in 2012 promoting private business to invest in transport sector, tighter technical control on transport vehicles and the National Committee on National Transportation is created, which comprises of MPWT, MOC, MOF, MAF, MOFA, MPS, other relevant Ministries, representatives of State and Private Transport Enterprises as the members. The main task of the committee is to lay down policy, consider on transport strategy, propose laws and guide on those implementations.

2) Government of Lao PDR, MPWT and the Japan International Cooperation Agency (JICA) 2008. The Study of Master Plan on Comprehensive Urban Transport in Vientiane, Lao PDR. (A draft document, has not been approved by the Government).

The Urban Planning Law and National Road Law were introduced in 1999; the Law on Road Traffic passed in 2000 and amended in 2013. The Law on Civil Aviation was adopted in 2005, and the Law on multi-transport was in 2013 providing multi-transport system combining land, water, air and other forms of transport's system.

On regional and bilateral cooperation, Laos signed bilateral Transport Agreements with all neighboring countries, GMS Cross Border Transport Agreement (CBTA), Air Service Agreements and Quadripartite Commercial Navigation Agreement on the upper Mekong and Lancang River, including implementation of Mekong Agreement by four Countries in lower part of Mekong River.

Other lower level of legislations on the transport's administration are governmental decrees regulating the areas of transport not governed by laws or to implement existing transport related laws, including:

- Decree No 188/PM, dated 3 July 2007 on the penalty and other measures on the violation of road traffic, inland transport and protection of national road;
- Decree No. 09/PM, dated 15 January 2001 on the road maintenance fund.

The MPWT issues significant number of ministerial regulation, both prior the adoption of current laws related to transport some are still effective, and many new ministerial regulations, instructions, guidelines are putting into effect. The effective laws and regulation can be found in <http://laoofficialgazette.gov.la> and <http://www.mpwt.gov.la>.

3. LEGISLATIVE AGENDA, CHALLENGES ON TRANSPORT

The current legislative agenda (2016-2020) plans two new transport related laws including: new Law on the Vehicles Control; Law on Railway. The National Road Law, The Law on Urban Planning and Law on Civil Aviation are planned to amend in the next five year plan. Recently, the MPWT creates a legal department to deal with legislative development under the MPWT responsibility.

Major challenges, specifically, on road transport, the country is facing: development demand far exceeds available fund; national and local roads are under-funded; transport services below international standard; frequent natural disasters (flood, land slide, erosion) occur; poor public transport system causes traffic congestion in big cities; unpredictable and weak legal framework affects transport sector; planning, institutional capacities involving transport sector need to be more effective and strengthen; and stricter discipline, measures on transport, traffic roads need to be imposed.



Session 2 | Debate 2

박 광 동

한국법제연구원 연구위원

Park Kwang Dong

Senior Research Fellow / The Korea Legislation Research Institute

>> 학력

- 1996 건국대학교 법학 박사

>> Academic Background

- 1996 Ph.D. in Law, Konkuk University

>> 주요경력

- 2007~현재 한국법제연구원 연구위원
- 2010~2014 강남대학교 법학과 겸임교수
- 2012 보건복지부 장사(葬事)관련 TF위원
- 2012 KOICA 베트남 법관아카데미 설립지원사업 실시협의를 위한 조사위원
- 2013~2014 법제처 법제교류 자문위원

>> Work Experience

- 2007~Present Senior Research Fellow of the Korea Legislation Research Institute
- 2010~2014 Adjunct Professor of Kangnam University
- 2012 Funeral Services Task Force member of Ministry of Health and Welfare
- 2012 Research committee member of Inspection Negotiations for KOICA Vietnam Judicial Academy Foundation project
- 2013~2014 Legislative Exchange advisory committee member of Ministry of Government Legislation

KLRI is a platform organization in supporting legislations related to public transportation system

Senior Research Fellow in Korea Legislation Research Institute
PARK, KWANG DONG

Economic growth in ASEAN countries has been leading increasing urban populations. To support the activities of the increasing urban populations ASEAN countries shall establish and operate efficient public transportation system. However, ASEAN countries have had no sufficient capital to make investment for developing public transportation infrastructures and no high technologies to develop efficient public transportation system with advanced ITC equipment. Under this situation people in ASEAN countries use personal transportation system, which result air pollutions. They also suffered conflicts related with eminent domains on constructing public transportation infrastructures.

In the economic development era of 1960s to 1980s Korea also suffered similar situations. At that times Korea had made and implemented National Economy Development Plans including development of public transportation infrastructures and implementing related strategies. In the 1960s Korea enacted the Public Road Act, the Railroad Act, and the Port Act to develop infrastructures with foreign investments. In the 1970s Korea enacted the Express Road Act, the Subway Construction Act and the Parking Act to make advanced establishment of public transportation system. In the 1980s, the Enhancing City Transportation Management Act and the Transportation Safety Act was enacted to increase investment on public transportation infrastructures.

Establishing these infrastructures, Korea has developed the advanced and expended public transportation infrastructures. The City Railroad Act, the Transportation System Efficiency Act, the Enhancing New Airport Construction Act was enacted as a result of sustainable expanding infrastructures, in 1990s. After establishing sufficient infrastructures, Korea has turned its transportation policy to comfortable and safe use. Based on this concept, the Encouraging and

Enhancing Use of Public Transportation Act, and the Comfortable Use on Public Transportation by the Weak were enacted since 2000. Korea has also done its efforts to reduce air pollutions arising from public transportations especially bus. Korea has also developed laws and regulations related with eminent domains on the land needed for constructing public transportation infrastructures with fair market value. Based with advanced ICT technologies Korea have developed smart public transportation system. In Korea you can find out the locations of bus and metro with your smart phone. And the approaching and reaching times of bus and metro shall be supplied to your smart phone.

To support their development on public transportation systems, Korea is ready to share these experience with ASEAN countries, which will increase efficiency in their public transportations, make for their citizens comfortable use, reduce air pollutions and bring efficiency to their economy. With understanding Asian countries situations, KLRI has presented Korean laws and regulations such as banking, foreign investment, and stock markets, and made consults with these countries to establish and develop their own legislations. KLRI has worked as a platform organization to collect, share and distribute information related to legislation support programs for underdeveloped countries with other Korean organizations including governmental authorities. Based on these experience KLRI will share Koreans' development plans and legislations about public transportation systems with ASEAN countries by presenting related Korean laws and regulations, and consulting and proposing legislations needed and appropriated to them. When ASEAN countries are under difficulty in making legislation to establish, develop or enhance public transportation systems or infrastructures, they shall first ask KLRI to appropriate support.





Session 2 | Debate 3

김진태

한국교통대학교 교통시스템 공학과 교수

Kim Jin Tae

Professor / Transportation Systems Engineering,
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>> 학력

- 1988~1992 한양대학교 교통공학과 학사
- 1996~1997 University of Florida, 토목공학과 (교통공학 석사)
- 1997~2001 University of Florida, 토목공학과 (교통공학 박사)

>> Academic Background

- 1988~1992 Bachelors Degree in Transportation Engineering, Hanyang University
- 1996~1997 Masters Degree in Transportation Engineering, Department of Civil Engineering, University of Florida
- 1997~2001 Doctors Degree in Transportation Engineering, Department of Civil Engineering, University of Florida

>> 주요경력

- 1996~1997 Graduate Assistant, Florida State Technology Transfer (T-square) Center
- 1997~2001 Research Assistant for Transportation Research Center (TRC), University of Florida
- 2001~2004 한양대학교 첨단도로 연구센터 (한국과학재단 ERC) 연구교수
- 2004~2005 한국교통연구원 첨단교통연구센터 책임연구원
- 2005~2007 서울지방경찰청 교통개선기획실 실장
- 2007~2012 연세대학교 도시공학과 도시교통과학연구소 부소장, 연구교수
- 2009~2011 대통령자문 국가경쟁력강화위원회 교통운영체제선진화 실무위원
- 2012~현재 한국교통대학교 교통대학원 교통시스템공학과 부교수

>> Work Experience

- 1996~1997 Graduate Assistant, Florida State Technology Transfer (T-square) Center
- 1997~2001 Research Assistant for Transportation Research Center (TRC), University of Florida
- 2001~2004 Research Professor of Advanced Highway Research Center, Hanyang University
- 2004~2005 Senior Researcher at Advanced Transport Research Center, Korea Transport Institute
- 2005~2007 Head of Traffic Improvement Plan Department, Seoul Metropolitan Police Agency
- 2007~2012 Deputy Manager and Research Professor of Urban Transportation Technology Institute, Department of Urban Engineering, Yonsei University
- 2009~2011 Executive Member of the President at the Presidential Council on National Competitiveness for Advancing Traffic Operation Systems
- 2012~현재 Associate Professor at Transportation Systems Engineering, Korea National University of Transportation

Discussion Paper

Professor / Korea National University of Transportation
KIM Jin tae

I would like to thank the three presenters for their excellent presentations. The Korea Transport Institute mentioned in its presentation that technological development and legislative development went hand in hand in Korea's transport sector and, based on this experience, suggested a direction for development through legislative modification in Asia. The former Deputy Minister of Transport in the Philippines suggested a direction for development of legislation that, after examining transport techniques, supports their continuity as a measure to overcome various social problems in the Philippines such as rapid urbanization, air pollution, and safety. The General Director at the Ministry of Transport in Vietnam suggested a direction for development of legislation after examining problems caused by urbanization and transport systems which can overcome such problems.

We are gathered here today to discuss legislative modification strategies for promoting development of public transportation and, from what I understand, the focus of this session's discussion is on how to do so through the bus industry. The social problems we are currently facing due to urbanization are the result of having too many people crowd into small spaces. As a result, it is inevitable that there should be a lot of attention paid to public transportation which deals with how to efficiently transport a large number of people. Coming up with ideas on how to efficiently install, operate, and manage public transportation systems, however, cannot be done through the private sector because it will have to overcome problems regarding both (1) efficiency from an operation standpoint and (2) equality from a public welfare standpoint.

Currently Korea's effort in developing its public transportation has passed the stage where it emphasizes convenience in public transportation through creation of payment cards. Nowadays, in Korea and elsewhere, leading development of public transportation systems requires compatibility between (1) an administrative execution system from a public sector standpoint and (2) a profit structure system from a private sector standpoint. In ensuring compatibility, it is necessary to make sure that the private sector does not get greedy and try to make excessive

profit. Also, when there is some loss, it is necessary for the public sector to provide support. It is the role of legislation to help create such harmony between the public and private sectors.

Changes in the transportation system can be made through ideas but, without support from a legislative standpoint, continuity cannot be secured. I thank the Ministry of Government Legislation in Korea for leading legislative development to accomplish greater social development. I believe it will be worthwhile, however, to take a moment to think about the circumstances upon which legislative changes were led.

A few years ago, I had a chance to examine Korea's laws and regulations on traffic safety. After examining many laws and regulations which support national transportation development such as the Traffic Safety Act, the Transport System Efficiency Act, the Mass Transit System Act, and the Road Traffic Act, I realized that most of their content was spent on providing a legal basis to commence projects. As a result, there was rather a lack of specific details on how to deal with various problems which arise when the private sector and the public sector perform their respective roles. For example, Korea has a relatively high number of traffic accident deaths compared to other OECD countries, but there is a lack of interest in the many problems which arise during the course of designing, constructing, maintaining, repairing, supervising, and managing public transportation systems for their provision and use.

As you can see, public institutions tend to be more interested in carrying out new projects than in keeping existing systems in good working order. I believe this may be because private businesses with thirst for projects tend to take the lead in the process of providing legal systems. There is a need to break away from legal systems centered on projects that are of concern to private businesses. Instead of focusing on aggressive efforts to carry out projects, there should be greater focus on providing legal systems with more conservative approaches to ensure people's safety. I would like to emphasize that when providing for people's public welfare and ensuring stability in the course of developing cities and transportation, legal systems should be improved so that development is not skewed toward projects.



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