

**PROCLAMATION NO.-----/2022**

**ROAD TRANSPORT PROCLAMATION**

WHEREAS the economic and social development of the country requires that road transport service be regulated to make it more competitive, safe and efficient;

WHEREAS the road transport sector has to be restructured in a manner to create favorable conditions for the smooth and effective implementation of the government policy;

NOW, THERFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

**PART ONE**

**GENERAL**

**1. Short Title**

This Proclamation may be cited as the "Road Transport Proclamation No. -----/2022".

**2. Definitions**

In this Proclamation, unless the context requires otherwise:

- 1/ "Minster" or "Ministry" means the Minister or Ministry of Transport and Logistics, respectively;
- 2/ "Enterprise" means a legal person engaged in commercial road transport as established in accordance with the Ethiopian Commercial Code and registered in accordance with this proclamation.
- 3/ "Institution" means any governmental and non-governmental institution engaged in the transport sector and regulated and administered by this Proclamation, the Driver's Qualification Certification Proclamation and the Vehicle Identification, Inspection and Registration Proclamation.

- 4/ "Road Transport Service" means the service of transporting of passengers or goods for hire, remuneration or profit by natural or juridical persons; and is classified as either private or commercial road transport as follows:
  - a) "Private Commercial Road Transport" means if the vehicle used for carrying passengers or goods is owned by the enterprise, and
    - (i) in the case of goods being transported, the goods are owned by the enterprise or have been entrusted to it for the purpose of repairs or transportation by it and the transportation of said goods is necessary and complementary to the principal commercial activity carried out by the enterprise; or
    - (ii) in the case of passengers being transported, the passengers are employees of the enterprise and are being transported to or from their place of work or are engaged in the business of the enterprise;
  - b) "General Commercial Road Transport" means except the city taxi all commercial road transport not classified as private;
- 5/ "Disciplinary Manual" means a Directive to be issued by the Ministry governing disciplinary action and its execution;
- 6/ "Highway" means a road administered and designated as such by the Ethiopian Roads Administration;
- 7/ "Trip Schedule" means yearly, monthly, weekly or daily program scheduled for the operation of public commercial road transport vehicles;
- 8/ "Assigned Route" means the specific departure and destination point to be determined by the Ministry where public commercial road transport vehicles are assigned to operate;
- 9/ "Passenger" means any person boarding for travel in a vehicle, other than the driver, cashier or any other person assigned to work on a vehicle;

- 10/ "Supervision" means monitoring of the proper implementation of Road Transport Proclamation; Regulations, Directives, Rules, Standards and decisions issued in accordance with this Proclamation;
- 11/ "Road" means any road, street, highway or other travel route customarily used by vehicles including bridges;
- 12/ "Vehicle" means any type of wheeled vehicle other than specialized military vehicle; and includes wagons, cycles, motorized vehicles, semi-trailers and trailers;
- 13/ "Wagon" means any vehicle other than a bicycle, a motorized vehicle, a semi-trailer or a trailer;
- 14/ "Cycle" means a pedaled vehicle in tandem as propelled by force of a person or electricity;
- 15/ "Motor Vehicle" means a vehicle moving by mechanical or electrical power; and is classified as truck, motorcycle, private motor car, public service vehicle, truck tractor and special mobile equipment;
- 16/ "Truck" means a motor vehicle made or adapted for the conveyance of goods or used primarily for the conveyance of goods of any description; and includes a truck tractor;
- 17/ "Motorcycle" means a motor vehicle with less than four(4) wheels, the weight of which, exclusive of any side-car attached thereto, does not, when unladed, exceed four hundred kilograms;
- 18/ "Private Vehicle" means a motor vehicle used for private service exclusive of a truck, a motorcycle, a public service vehicle, a truck tractor and special mobile equipment;
- 19/ "Public Transport Vehicle" means a motor vehicle used to carry passengers; and is classified as commercial motor car and motor omnibus;
- 20/ "Commercial Motor Car" means a public service vehicle having accommodation for not more than twelve passengers;

- 21/ "Motor Omnibus" means a public service vehicle other than vehicles engaged in taxi service; and having a seat accommodation for more than twelve passengers;
- 22/ "Truck Tractor" means a motor vehicle made or adapted for drawing other vehicles, and so constructed as to carry no load other than part of the weight of the vehicle and the load thereon;
- 23/ "Special Mobile Equipment" means any motor vehicle designed, made, adapted or used for agricultural, horticultural, livestock, road construction, building, digging or any other similar purposes in exclusion of vehicles designed, adapted or used for the transportation of persons or goods;
- 24/ "Semi-Trailer" means a vehicle designed or adapted for carrying passengers or goods; and so constructed as to be drawn by a motor vehicle that some part of its weight and the load thereon rest upon or is carried by the motor vehicle;
- 25/ "Trailer" means a non-motorized vehicle designed to be pulled by and behind a motor vehicle; and so constructed that no part of its weight rests upon the motor vehicle by which it is drawn, but shall not include a side car attached to a motorcycle;
- 26/ "Non-motorized Transport Equipment" means any equipment used for transport services except motor vehicles operated with mechanical or electrical force;
- 27/ "Public Transport Station" means infrastructure designated for the boarding and/or disembarkation of Omnibus passengers and/or their cargo;
- 28/ "Bus Depot" means a hub infrastructure designated for maintenance, car-wash, fueling and parking of Omnibuses;
- 29/ "Cargo Terminal" means a hub infrastructure designated for loading, unloading, packing and unpacking by cargo transport operators;
- 30/ "Warehouse" means a joint infrastructure specifically designated for the purpose of departure and destination of cargo transport services;

- 31/ “National Road Transport Services” means a commercial transport service operated on roads connecting two or more regions;
- 32/ “Region” means the regional states established as per Article 47 of the Constitution of the Federal Democratic Republic of Ethiopia; and includes the Addis Ababa and Dire-Dawa City Administrations;
- 33/ "International Road Transport Service" means any commercial road transport service conducted in international trade on roads crossing the Ethiopian borders;
- 34/ "Bureau" means a state executive organ in charge of enforcing transport laws;
- 35/ "Special Training" means training specially given for holder of a valid driving license as identified by the Ministry or States for acquiring a special driving license;
- 36/ "Regular Training" means training given for the first time to persons with no driving qualification; or to persons changing their valid driving license category; or to persons upgrading their valid driving license;
- 37/ “Person” means any natural or juridical person;
- 38/ Any expression in the masculine gender includes the feminine.

### **3. Scope of Application**

This Proclamation shall be applicable on the transport services and infrastructures carried out on roads linking two or more regions, on all vehicles, drivers and all other road users.

### **4. Objectives**

The Proclamation has the following objectives:

- 1/ to ensure the accessibility of an reliable, integrated, efficient and comprehensive road transport services;
- 2/ to ensure the safety of the road transport services;

- 3/ to ensure the road transport is non-polluter and environment friendly;
- 4/ to ensure a strong regional transport integration that enables an enhanced logistics performance;
- 5/ to ensure intermodal integration of the national transport services.

## **Part Two**

### **Powers and Duties of the Ministry**

#### **5. Powers and Duties of the Ministry**

Without prejudice to the powers and duties vested in it through The Federal Executive Organs Proclamation No. 1263/2021, the Ministry shall, on road transports in particular, have the following powers and duties:

- 1/ initiate policies and laws relating to road transport and execute when approved; follow up and supervise their execution;
- 2/ undertake, cause to be undertaken, and supervises activities that ensure the safety, reliability, fairness and accessibility of road transport services;
- 3/ ensure the availability of safe and suitable road transport service for people with special needs due to disability; monitor and inspect its implementation;
- 4/ follow up the implementation at national level of International, Continental or Regional Road Transport related Agreements to which Ethiopia is a Party;
- 5/ administer, supervise and ensure accessibility of road transport services carried out on high ways linking two or more regions;
- 6/ issue directives for the development of an integrated passenger and cargo transport system throughout Ethiopia; the transport of passengers, goods and postal services through commercial arrangements; and supervise their enforcement;
- 7/ enforce appropriate remedial measures where persons or enterprises may face demand deficit or where the public faces with supply side deficit of road transport services; including where necessary employing a market based approach;

- 8/ Approve trip schedules submitted to it by persons or enterprises engaged in public transport services; inspect and supervise the fairness and implementation of approved trip schedules; develop schedules where no such schedules are submitted to it, monitor and control their implementation and enforce disciplinary procedures issued thereon;
- 9/ mobilize and assign commercial road transport vehicles to operate in areas and routes where their service are demanded, where the occurrence of a natural disaster, severe economic reasons, social crises or public interest so demand; monitors and supervises the execution of same;
- 10/ issue directives governing the operation of the transport services of persons and enterprises engaged in national and international commercial road transport services; determine, issue, renew or cancel operators permit; issue cross-border permits;
- 11/ undertake periodic review of tariff and may determine tariff cap on persons or enterprises engaged in national commercial public transport services having due considerations to their services as well as the overwhelming economic capability of the consumer;
- 12/ assess and employ mechanisms on the development and expansion of international commercial road transport services; and follow up and supervise their execution;
- 13/ determine the registration system of drivers and vehicles engaged in international traffic; issue registration certificate or other permits to these drivers and vehicles; decide on other specifications to be issued to them; and administer international road traffic;
- 14/ provide mediation and arbitration services when so requested by adversaries engaged in commercial road transport services; and provide administrative decisions on issues relating to road transport services or disputes that may arise between regions relating to road transport;
- 15/ ensure the development of non-motorized transport services in our country as may be suitable to the geography and demand of the society; implement incentive mechanisms; monitor and control their execution;
- 16/ determine the weight and dimension, number of passengers and payload of motor vehicles depending on the transport services they are engaged in;
- 17/ follow up and implement decisions relating to vehicle age limit on imported, locally manufactured, assembled, semi-assembled motor vehicles or motor vehicles already in use; and issue technical specifications thereof and supervise their proper enforcement;

- 18/ issue standards relating to road safety; issue directives for the registration and inspection of vehicles; and monitor its proper enforcement;
- 19/ issue directives under which certification of technical competence, operational license and levels of vehicle maintenance and overhaul garages may be determined, issue, renew or cancel certificate of competence;
- 20/ determine through directives the manufacturing, dismantling, refurbishment or changing the original purpose of motor vehicles; scraping or disposing of motor vehicles either due to damage or vehicle age limit; and supervise its implementation through guidelines developed for this purpose;
- 21/ monitor the movement of commercial road transport services through technology based platforms; consolidate data relating thereof and employ the data for appropriate purposes;
- 22/ determines standards to motor vehicle parking areas, public bus stations, cargo terminals, depots; ensure their observance; and where appropriate it shall develop and administer such infrastructures;
- 23/ determines, through directives, standards for vehicle inspection and drivers training institutions including special machinery drivers training institutions; issue, renew or cancel certificate of competence for them and supervise the enforcement of same by other competent organs;
- 24/ determine through directives the different classes of driving permits, the designs<sup>7</sup> colors and detailed contents; and requirements for getting such driving permits; and monitor and supervise their proper enforcement;
- 25/ set standards through directives and cause the manufacturing of plates for all categories of motor vehicles to be registered either at the federal or regional transport bureau; monitor their production, distribution and proper usage; discard and dispose worn-out plates and vehicles abandoned with no claims; issues a single trip pass for new vehicles having no plates;
- 26/ assign its supervisors on permanent or temporary basis in any region in Ethiopia for the proper execution of its duties and responsibilities as per this Proclamation;
- 27/ Cause measures to be taken against any bodies engaging in illegal acts that may harm the safety of the road transport sector and the public using it;

- 28/ identify and implement, in coordination with concerned organs, measures that mitigate the impact of road transport service on the environment and the climate;
- 29/ form an advisory council comprising of members from persons and enterprises engaged in public commercial road transport, the concerned government organs and the society;
- 30/ modernize the road transport services through developing technology based data collection and dissemination systems to be utilized by stakeholders;
- 31/ in cooperation with the concerned organ, issues standards of technologies and communications equipment that may be fixed to vehicles or operated by drivers for the efficient and safe road transport service; and issue, renew or cancel certificate of competence for persons providing such services; supervise their proper implementation;
- 32/ identify and publicize annual performance ratings of transport bureaus based on international rating standards;
- 33/ conduct or cause to be conducted by organs to which such duty is delegated, the registration and annual technical inspection to motor vehicles engaged in commercial road transport services or which are owned by diplomatic missions, international organizations, aid organizations operating in more than one region, or the Federal Government;
- 34/ ensure that international and national commercial road transport routes are fairly distributed and available; and supervise their implementation;
- 35/ represent Ethiopia in the Tripartite Transport and Transit Facilitation Program in which Ethiopia is a party; execute activities in the Program that are of the Ministry; follow up and supervise their national implementation;
- 36/ support and follow up the expansion of commercial road transport services on linking road of urban and rural areas;
- 37/ develop a technical manual and register vehicles that are designed or repurposed for special purposes; monitor and supervise that such vehicles are employed only for the purpose they are designed or repurposed;
- 38/ identify, where necessary, persons and enterprises engaged in the road transport service that deserve special assistance or incentive and submit to the government; and execute when approved;

- 39/ study ways through which vehicles using renewable energy could be more accessible in Ethiopia, in cooperation with concerned organs, ensure the development of charging infrastructures;
- 40/ issue, renew or cancel competency license to manufacturers, assemblers, semi-assemblers or importers of any types of motor vehicles in Ethiopia;
- 41/ Provide assistance to manufacturers of motorized and non-motorized vehicles in Ethiopia; ensure a suitable investment environment for such investments in cooperation with concerned organs.

### **PART THREE**

#### **COMMERCIAL ROAD TRANSPORT ACTIVITIES**

##### **6. Business License Necessary**

- 1/ any person intending to be engaged in commercial road transport services shall first secure a valid transport business license from a legally authorized entity;
- 2/ the requirements to be issued with operator's permit for undertaking a commercial road transport service shall be determined by a directive to be issued by the Ministry.

### **PART FOUR**

#### **MISCELLANEOUS PROVISIONS**

##### **7. Establishment of Data Center**

- 1/ The Ministry shall establish a data center to collect and compile the necessary information in relation to national road transport services.
- 2/ The Regional Bureau, Federal and State Police Commissions, persons or enterprises engaged in commercial road transport services and other organizations shall have the duty to supply or transfer the necessary information relating to road transport through the technology infrastructure established for this purpose to the Ministry, the regional or city administration as per the directives to be issued by the Ministry;
- 3/ The Ministry shall develop sample format and technology infrastructure necessary for the supply or transfer of such information; and disseminate same to organs having the obligation to transfer the information.

## **8. Delegation of Powers**

- 1/ The Ministry may, where necessary and as may be appropriate, delegate part of its powers and duties to Regional Bureau, municipalities and other government organs.
- 2/ The organs referred to in Sub-Article (1) of this Article shall, in exercising the powers and duties delegated to them, be abide by and observe laws and standards relating to road transport.

## **9. Repealed, Cancelled and Effective Laws**

- 1/ The Transport Proclamation No.468/2005 is hereby repealed.
- 2/ Without prejudice to the provisions of Sub-Article (1) of this Article all regulations and directives issued based on Proclamation No. 468/2005 shall, in so far as they are not inconsistent with the provisions of this Proclamation, be deemed to have been issued under this Proclamation and shall remain in force.
- 3/ Article 15 and Annex of Vehicle Identification and Registration Proclamation No. 681/2010 is cancelled;
- 4/ Article 7; 12 and Annex of Drivers' Competence Certification Proclamation No. 1074/2019 is cancelled;
- 5/ Matters covered by Article 15 and Annex of Vehicle Identification and Registration Proclamation No. 681/2010 and Article 7; 12 and Annex of Drivers' Competence Certification Proclamation No. 1074/2019 shall be governed by directives to be issued by the Ministry in accordance with the international agreements ratified by Ethiopia.
- 6/ Any proclamation, regulations, directives or practice inconsistent with the provisions of this Proclamation shall have no effect on matters stated herein.

## **10. Transfer of Rights and Obligations**

- 1/ The Addis Ababa Transport Bureau and the Diredawa Administration Transport Agency shall be established as independent bureaus of their respective city administrations through the appropriate organ;
- 2/ The rights and obligations of the Addis Ababa and Diredawa Transport Branch office are hereby transferred to the respective transport bureaus to be established by the respective city administrations;

## **11. Transitional Provisions**

- 1/ Commercial Road Transport enterprises and persons established or registered pursuant to Proclamation 468/2005 shall be considered as being established by this Proclamation and shall continue their activities.
- 2/ Notwithstanding the provisions of sub-article (1) of this Article, persons and enterprises established as per Proclamation No. 468/2005 shall be re-registered within one year from the coming into force of this Proclamation;
- 3/ Commercial Road Transport Associations established pursuant to Transport Proclamation No. 468/2005 shall be re-established as a business company in accordance with the appropriate laws and secure their operators permit with six months from the coming into force of this Proclamation;
- 4/ After the lapse of the period provided under sub-article (3) of this Article any Commercial Road Transport Association shall have considered dissolved and shall have no legal personality.
- 5/ Commercial Road Transport Associations registered in the former Authority and intending to re-establish as a commercial entity as per sub-article (3) of this Article may transfer they accumulated assets to the newly reestablished commercial entity.
- 6/ Without prejudice to the provisions of sub-article (5) of this Article, the accumulated assets of an Association which failed to be reestablished as a commercial entity shall be treated in accordance with the relevant provisions of the Ethiopian Civil Code.
- 7/ The provisions of Article 15 and Annex of Vehicle Identification and Registration Proclamation No. 681/2010 and Article 7; 12 and Annex of Drivers' Competence Certification Proclamation No. 1074/2019 shall continue to be applicable until such time that sub-article (5) of Article 11 of this Proclamation becomes effective.

## **12. Power to Issue Regulation and Directive**

- 1/ The Council of Ministers may issue Regulations for the proper implementation of this Proclamation.
- 2/ The Ministry may issue directive necessarily for the proper implementation of this proclamation and regulations issued pursuant to this proclamation.

**13. Duty to cooperate**

Any person shall have the duty to cooperate for the implementation of this Proclamation and laws issued pursuant to this Proclamation.

**14. Effective Date**

This Proclamation shall enter into force from the date of its publication in the Negarit Gazette.

Done on this ----- day of 2022 in Addis Ababa

**SAHLEWORK ZEWIDE  
PRESIDENT OF THE FEDERAL  
DEMOCRATIC REPUBLIC OF ETHIOPIA**