

LIBRARY OF CONGRESS

Law Library

Far Eastern Law Division

Laws of the Far Eastern Countries
Concerning Protruding Parts of Automobiles

by

Members of the Far Eastern Law Division

Washington, D. C.
October, 1963

CHINA (REPUBLIC OF CHINA)

The following provisions of Nationalist Chinese law are related to the prohibition of protruding parts of automobiles.

Section 2 of Article 61 of the Law Governing the Punishment for Police Violations provides:^{1/}

Art. 61.

Sec. 2. The owner shall be subject to punishment if a vehicle's equipment and structure do not meet the specific requirements.^{2/}

Section 4 of the above Article states:

Art. 61.

Sec. 4. If the goods carried by a vehicle protrude above a specific limit, its owner is also subject to punishment.

Dr. Tao-tai Hsia

^{1/} Law Governing the Punishment for Police Violations, promulgated on Sept. 3, 1943, and came into force on Nov. 1, of the same year.

^{2/} It is presumed that Taiwan probably has issued ordinances specifying such requirements. However, the Taiwan Government's ordinances of minor importance, at present, are not included in the collections of the Far Eastern Law Division.

JAPAN

In Japan protruding parts of automobiles are regulated by the Road Transportation Vehicles Law,^{1/} and the Ministry of Transportation Ordinance issued thereunder. Article 40 (Chapter III--the Safety Standards of Vehicles) of the Law provides:

Art. 40. No vehicle shall be operated unless its structure meets the safety technical standards, prescribed by the Ministry of Transportation Ordinance in any of the following items:

1. (Length, width and height.
2. - 8. [Irrelevant and omitted.]

With respect to protruding parts of automobiles, Article 2 of the Ordinance Concerning the Safety Standards of Road Transportation Vehicles states:^{2/}

Art. 2.

I. Length, width and height). An automobile shall not exceed 12 meters in length, 2.5 meters in width and 3.5 meters in height in the following circumstances:

1. - 4. [Irrelevant and omitted.]

II. A vent window or ventilator, "cross-arm direction indicator," or rearview mirror shall not protrude more than 250 m.m. from the far outer side of the automobile or more than 300 m.m. from the height mentioned in the preceding paragraph, when in any of the following positions:

1. When it is widely opened in the case of the vent window or the ventilator;

^{1/} Law No. 185, June 1, 1951, as last amended by Laws No. 105 and No. 141, 1960.

^{2/} Ministry of Transportation Ordinance No. 67, July 28, 1951, as last amended by Ordinance No. 41, Sept. 25, 1958.

2. When it is in operation in the case of the cross-arm direction indicator;
3. When it is in a fixed position in the case of the rearview mirror.

However, in the event that the width of a car being towed is greater than a towing car, the rearview mirror of the latter may be protruded as far as 100 m.m. from the far outer side of the former.

Dr. Sung Yoon Cho.

KOREA (REPUBLIC OF KOREA)

Under the provisions of Article 38 of the Road Transportation Vehicles Law,^{1/} the technical standards required for traffic safety are to be regulated by the Ministry of Transportation Ordinance.^{2/} The provisions relating to protruding parts of automobiles are set forth in Article 2 of the above Ordinance which provides:

Art. 2.

I. (Length, width and height). An automobile shall not exceed 10 meters in length, 3.5 meters in height and 2.5 meters in width in the following instances:

1. - 3. [Irrelevant and omitted.]

However, this shall not apply if permission is otherwise granted by the authorities concerned, due to special reasons.

II. A vent window or ventilator, "cross-arm direction indicator," or rearview mirror shall not protrude more than 300 m.m. from the far outer side of the automobile, when in the following positions. However, in the event that the width of a car being towed is greater than that of a towing car, the rearview mirror of the latter may protrude as far as 100 m.m. from the far outer side of the former.

^{1/} Law No. 962, Jan. 10, 1962.

^{2/} Ministry of Transportation Ordinance Concerning the Safety Standards of Road Transportation Vehicles, Ordinance No. 111, March 29, 1962.

Although the above provision contains the words "shall not protrude . . . in the following positions," it does not indicate in what positions such protruding is prohibited.^{3/}

Dr. Sung Yoon Cho

^{3/} The translation is based on the Korean text as printed in the Official Gazette of the Government.

THAILAND

Thailand does not appear to have laws or regulations directly concerned with the protruding parts of the automobile; however, there is legislation on related subjects.

Article 5 of the Regulations of the Ministry of the Interior, issued according to Article 42 of the Automobile Act of 1930, states that automobiles which travel on public roads may not be wider than 2.50 meters. The length of the body may not exceed 1.50 meters, measured from the rear axle.^{1/}

Article 8 of the Second Regulations of the Ministry of Interior, issued according to the Land Traffic Act of 1934, prohibits automobiles from carrying objects which protrude beyond the width of the car. The object may not protrude over the front bumper; over the rear bumper, the permissible length of protrusion is 2.50 meters. The height of the object carried, measured from the ground up, may not exceed 3 meters. At night a red light must designate the tip of the protruding objects. Exception to this Article is possible only by special permission of traffic officers or heads of police departments.^{2/}

^{1/} Kotrasuang mahatthai ok tam khwan nai mattra 42 haeng phraratchabanyat rotyon B.E. 2473 [Regulations of the Ministry of Interior issued according to Article 42 of the Automobile Act, 1930], Prachum kotmai pracham sok [Annual Collection of Law], v. 43. p. 40.

^{2/} Kotkrasuang mahatthai ok tam khwan nai phraratchabanyat charachon tang bok, B.E. 2477 (chabab ti 2) [Second Regulations of the Ministry of Interior, issued according to the Land Traffic Act, 1934], Prachum kotmai pracham sok [Annual Collection of Law] v. 49. p. 1084-1085.

Violation of the above regulations is punishable by a fine not exceeding 100 baht (five U.S. dollars); or the driver's license of the violator may be forfeited or withheld for one month, according to Article 66 of the Land Traffic Act of 1934.^{3/}

Sirikanya Bancheng-Silpa

^{3/} Phraratchabanyat charachon tang bok, B.E. 2477 [Land Traffic Act, 1934], Prachum kotmai pracham sok [Annual Collection of Law], V. 47. p. 51.