

Measures of Guangdong Province for the Management of Over-limit and Overloaded Road Freight Transport

(Promulgated by Decree No. 305 of the People's Government of Guangdong Province on November 16, 2023)

Article 1 These Measures have been formulated for the purposes of strengthening the management of over-limit and overloaded road freight transport, ensuring the integrity, safety and unimpeded traffic flow of the roads, and protecting the lives and property of the people, in accordance with the *Work Safety Law of the People's Republic of China*, the *Highway Law of the People's Republic of China*, the *Law of the People's Republic of China on Road Traffic Safety*, and other laws and regulations, and in light of the actual situation in Guangdong Province..

Article 2 These Measures are applicable to the management of over-limit and overloaded road freight transport within the administrative region of this Province.

For the purpose of these Measures, the term “over-limit” refers to freight transport vehicles (hereinafter referred to as “freight vehicles”) which exceed the load, height, width, or length limits of roads, road bridges, road tunnels, or automobile ferries.

For the purpose of these Measures, the term “overloaded” refers to the carrying of freight by a freight vehicle in excess of its approved load capacity.

Article 3 The management of over-limit and overloaded road freight transport shall adhere to the principles of prioritizing safety, emphasizing prevention, and adoption of comprehensive measures. A mechanism involving government leadership, inter-departmental cooperation, industry self-discipline, and enterprise management shall be established in this regard.

Article 4 The people's governments at or above the county level shall strengthen leadership of management of over-limit and overloaded road freight transport, establish and improve liaison and coordination mechanisms for such management, support and encourage the relevant departments to perform their duties in accordance with the law, incorporate such management into their work safety assessment system, and include the funding for such management in their financial budgeting at the corresponding level.

Township people's governments and sub-district offices shall assist the relevant departments in properly carrying out the management of over-limit and overloaded road freight transport within their respective administrative regions.

Article 5 The transportation departments and public security organs of the people's governments at or above the county level shall, in accordance with the division of their responsibilities, be responsible for work related to the management of over-limit and overloaded freight vehicles within their respective administrative regions.

The relevant departments of development and reform, industry and information technology, natural resources, housing and urban-rural development, water administration, agriculture and rural affairs, emergency management, market regulation, and forestry, of the people's governments at county level or above shall, in accordance with their division of responsibilities, properly carry out the management of over-limit and overloaded road freight transport.

Article 6 Units and individuals engaged in the production, sales, refitting, and

inspection of freight vehicles and freight transport, as well as freight loading source units, shall bear the primary responsibility for regulating vehicle production, sales, refitting, inspection and freight transport, loading,, and other related activities, in accordance with requirements.

Article 7 Industry associations such as vehicle manufacturing and logistics shall, in accordance with laws and regulations, and the articles of association, promote the establishment of integrity within their industry, strengthen industry guidance and self-disciplined management, and guide their members to implement the requirements for the management of over-limit and overloaded road freight transport.

Article 8 The relevant departments of the people's governments at county level or above shall strengthen the monitoring and analysis of the operation of the road freight transport market, promote the rational formation of freight transport prices and the reasonable utilization of transport capacity, regulate the operation of new network freight transport business models, and maintain a market order of fair competition.

The relevant departments of the people's governments at county level or above shall regulate law enforcement activities regarding the management of over-limit and overloaded road freight transport, and implement effective measures to improve the care, support, and psychological guidance available to freight vehicle drivers, improve their working environment, and protect their legitimate rights and interests.

Article 9 The relevant departments of the people's governments at or above county level, township people's governments, and sub-district offices shall, in accordance with their division of responsibilities, strengthen publicity and education on the management of over-limit and overloaded road freight transport, guiding freight loading source units, freight transport operators, and freight vehicle drivers to load freight legally, operate in compliance with regulations, and implement safe transportation.

Article 10 The work safety rules and regulations and operating procedures of freight loading source units shall contain content related to legal freight loading.

Freight loading source units shall implement the following technical and management measures in order to identify and eliminate potential freight loading hazards in a timely manner:

(1) Installing qualified equipment to detect and monitor over-limit and overloaded transport, as required by regulations;

(2) Registering freight loading or the release of freight vehicles, and no illegal over-limit or overloaded freight vehicles shall be released;

(3) Other technical and management measures for identifying and eliminating potential freight loading hazards.

Article 11 Transportation departments and other departments responsible for work safety supervision and management, township people's governments, and sub-district offices, shall supervise and inspect freight loading source units in accordance with laws and regulations, encouraging them to bear the primary responsibility for work safety, instructing them to immediately eliminate any potential hazards found during inspection, and handling with relevant violations in accordance with the law.

Article 12 Those who use the internet to provide freight information and stowage services shall not engage in over-limit or overloaded stowage, nor instruct or force freight vehicle drivers to transport freight in an over-limit or overloaded manner.

Article 13 Expressway operation and management units shall install weighing equipment as required by regulations. Freight vehicles which have not undergone

inspection or which are loaded in excess of limits shall not be allowed to enter the highway.

Article 14 The transportation department of the provincial people's government shall, based on principles of unified planning, reasonable layout, control of total volume, and timely adjustment, propose a plan for setting up over-limit inspection stations and carrying out joint law enforcement at the stations as well as the revocation plan, consulting with the public security organs of the provincial people's government, and submitting these plans to the provincial people's government for approval.

Transportation departments and public security organs shall carry out joint law enforcement at over-limit inspection stations located in inter-provincial areas, at the intersections of multiple national highways or provincial highways, or on major freight transportation channels.

At over-limit inspection stations where joint law enforcement is not implemented, transportation departments shall inspect, supervise, and eliminate violations, notifying public security organs concerning such violations in a timely manner. Public security organs shall then promptly engage in joint law enforcement at these stations.

Article 15 The municipal, county, and district people's governments shall install technical road control monitoring equipment as required for the management of over-limit and overloaded road freight transport, including weighing equipment, vehicle image capture and recognition equipment, and video surveillance equipment.

Before technical road control monitoring equipment is put into service, signs shall be installed in the monitored sections, and information such as the locations of such equipment shall be disclosed to the public 30 days in advance, in accordance with the relevant regulations. Equipment whose installation has not been disclosed as required shall not be put into use.

Article 16 In case of highway construction or renovation, over-limit inspection stations as well as vehicle inspection and other technical monitoring equipment shall be included in the project budget as ancillary highway facilities according to planning and shall be designed, constructed, and inspected along with the main highway works.

The people's governments at or above the county level shall make overall plans fulfilling on-site needs for the parking and unloading of over-limit and overloaded freight vehicles.

Article 17 The transportation departments and public security organs of the people's governments at or above the county level shall establish regular joint law enforcement working mechanisms for the management of over-limit and overloaded freight vehicles.

The transportation department and public security organs of the provincial people's government shall strengthen coordination with the transportation departments and public security organs of neighboring provinces, shall explore and establish a cross-regional coordinated working mechanism for the management of over-limit and overloaded freight vehicles, and shall enhance information sharing on administrative law enforcement.

During the process of transfer registration, if the public security organ of the people's government at or above the county level discovers that a freight vehicle appears to be over-limit or overloaded, but has not been handled, the applicant shall be notified to accept measures on a timely basis.

Article 18 The transportation departments and public security organs of the municipal, county, and district people's governments shall formulate mobile law enforcement plans for the management of over-limit and overloaded freight vehicles,

and engage in mobile joint law enforcement in accordance with the road network structure and freight vehicle traffic flow within their respective administrative regions.

Article 19 Freight loading source unit shall provide freight vehicle drivers with documents containing the vehicle license plate number and freight loading or release information, and shall retain copies of these documents.

When investigating freight vehicles allegedly involved in over-limit or overloaded transportation, the administrative organ shall also collect evidence concerning the wrongdoing of the freight loading source unit, and shall transfer this evidence to the relevant departments in accordance with regulations. The freight loading source unit and the freight vehicle driver shall truthfully provide freight loading or vehicle release documentation, and shall cooperate with the relevant departments during tracing investigation.

Article 20 Staff of people's governments at all levels, or of relevant departments, who, in the management of over-limit and overloaded road freight transportation, abuse their power, neglect their duties, or engage in malpractice for personal gains, shall be punished in accordance with the law. Where the said actions constitute a crime, criminal liability shall be investigated in accordance with the law.

Article 21 Violations of Article 12 of these Measures shall be handled by the transportation departments of the people's governments at county level or above in accordance with the relevant provisions of the *Regulations on the Administration of Highway Safety* and the *Regulations of Guangdong Province on Road Transport*.

Article 22 For the purpose of these Measures, "freight loading source units" include:

(1) Production and operations units such as ports, highway and railway freight stations, logistics parks, and commodity trading markets;

(2) Mining, steel, cement and cement product, non-ferrous metal product, and heavy equipment production and operations units;

(3) Production and operations units including construction sites, sand and gravel quarries, and concrete mixing stations;

(4) Other production and operations units from which freight are loaded and transported.

For the purposed of these Measures, "departments responsible for work safety supervision and management" refers to emergency management departments and the departments engaged in work safety supervision and management in the relevant sectors and fields.

Article 23 The management of over-limit and overloaded freight vehicles carrying dangerous freight or operating on urban roads shall be carried out in accordance with the relevant laws and regulations.

Article 24 The Measures shall come into force as of January 1, 2024. The *Accountability Measures of Guangdong Province for the Management of Over-limit and Overloaded Freight Vehicles* and the *Measures of Guangdong Province on the Management of the Sources of Oversized and Overloaded Road Freight Transport* shall be repealed simultaneously.