

**Joint Circular No. 05/2011/TTLT-BVHTTDL-BGTVT
of January 26, 2011, providing for tourist
transportation by car and the grant signboards for
tourist cars**

Pursuant to June 14, 2005 Tourism Law No. 44/2005/QH11; and the Government's Decree No. 92/2007/ND-CP of June 1, 2007, detailing a number of articles of the Tourism Law;

Pursuant to November 13, 2008 Road Traffic Law No. 23/2008/QH12; and the Government's Decree No. 91/2009/ND-CP of October 21, 2009, on road transport business and business conditions;

Pursuant to the Government's Decree No. 185/2007/ND-CP of December 25, 2007, defining the functions, tasks, powers and organizational structure of the Ministry of Culture, Sports and Tourism;

Pursuant to the Government's Decree No. 51/2008/ND-CP of April 22, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Transport;

The Ministry of Culture, Sports and Tourism and the Ministry of Transport jointly provide for tourist transportation by car and the grant of signboards for tourist cars as follows:

I. GENERAL PROVISIONS

Article 1. Scope of regulation

This Joint Circular provides for the transportation of tourists by car and the grant of tourist car signboards in Vietnamese territory.

Article 2. Subjects of application

1. Authorized state management agencies, agencies and organizations involved in the management of tourist transportation by car.
2. Enterprises, cooperatives and business households (below collectively referred to as business units) that conduct commercial transportation of tourists by car.

II. SPECIFIC PROVISIONS

Article 3. Tourist car interiors and conveniences

1. Under 9-seat cars must have air conditioners, drink containers, first-aid kits and standby medicines.

2. In addition to those specified in Clause 1 of this Article, cars of between 9 and under 24 seats must have sunlight curtains, safety instruction sheets, fire extinguishers, emergency escape hammers, dustbins and boards showing the names and addresses of vehicle owners stuck at the back of the driver's seat.

3. In addition to those specified in Clause 2 of this Article, over 24-seat cars (except caravans and double-deckers) must have microphones, TV and luggage compartments.

4. In addition to those specified in Clause 3 of this Article, double-deckers and caravans must have first-aid seats or temporary relax rooms, respectively.

Article 4. Tourist car drivers and attendants

1. Tourist car drivers must satisfy law-prescribed requirements applicable to drivers and possess a tourism training certificate.

2. Tourist car attendants, except those who are concurrently tourist or relic site guides, must possess a tourism training certificate.

3. Provincial-level Culture, Tourism and Sports Departments shall coordinate with concerned departments and branches in organizing tourism training courses and granting tourism training certificates, made according to the form provided in Appendix 5 to this Circular. Training contents must comply with the framework program provided in Appendix 6 to this Circular, covering: overview of Vietnamese tourism; protocol and etiquettes; tourist psychology, traditions and customs; first aid and emergency treatment; and English language. A training course will last for 5 days.

Article 5. Dossiers of application for tourist car signboards

1. Dossiers of application for tourist transportation eligibility certificates shall be sent to provincial-level Culture, Sports and Tourism Departments of localities where business units or their branches are based. Such a dossier comprises:

a/ An application for tourist transportation eligibility certificates, enclosed with a list of cars requiring certification, made according to the form provided in Appendix 1 to this Circular;

b/ Copies of the license for passenger transportation by car and the international travel service license or the travel service registration certificate, enclosed with their originals for comparison;

c/ Copies of the following papers: registration certificates and technical safety and environmental protection inspection certificates of cars requiring certification; and certificates of car owners' civil liability insurance.

2. Dossiers of application for tourist car signboards shall be sent to provincial-level Transport Departments of the localities where business units or their branches are based. Such a dossier comprises:

a/ An application for tourist car signboards, made according to the form provided in Appendix 3 to this Circular;

b/ Tourist transportation eligibility certificates, issued by provincial-level Culture, Sports and Tourism (originals);

c/ A copy of the license for passenger transportation by car;

d/ Papers specified at Points b and c, Clause 1 of this Article.

Article 6. Procedures for the grant of tourist car signboards

1. Within 3 working days after receiving a complete and valid dossier, the provincial-level Culture, Sports and Tourism Department shall examine the dossier and conduct physical inspection of each car under Article 3 of this Circular and grant tourist transportation eligibility certificates, made according to the form provided in Appendix 2 to this Circular. In case of refusal, it shall issue a written reply to the applying business unit, clearly stating the reason.

2. Within 2 working days after receiving a complete and valid dossier, the provincial-level Transport Department shall grant tourist car signboards. In case of refusal, it shall issue a written reply to the applying business unit, clearly stating the reason.

Article 7. Tourist car signboards and their validity duration

1. A tourist transportation car signboard must show the name of the business unit, be made of materials and have a size, color and design according to the form provided in Appendix 4 to this Circular.

2. A tourist car signboard is valid nationwide for 24 months.

Article 8. Priorities for cars with tourist car signboards

1. To be arranged at priority stopping and parking places convenient for tourist pick-up and see-off at car terminals, stations, airports, harbors, wharves, tourist resorts, tourist sites, tourist accommodation establishments and other tourism service establishments.

2. To be permitted to operate without any time limit on routes leading to 3-star or higher-class hotels.

III. ORGANIZATION OF IMPLEMENTATION AND IMPLEMENTATION PROVISIONS

Article 9. Responsibilities of tourist transportation enterprises

1. From the time cars which are granted tourist car signboards are put into operation, once every 6 months, business units shall send reports on tourist transportation business results, made according to the form provided in Appendix 7 to this Circular, to provincial-level Culture, Sports and Tourism Departments and Transport Departments.
2. At least 15 days before the expiration of tourist car signboards, business units shall send a dossier of application for re-grant of signboards to competent state management agencies. Procedures for re-grant of tourist car signboards are similar to those for first-time grant.
3. Funds for organization of training courses, grant of certificates and grant and re-grant of signboards comply with current regulations.

Article 10. Responsibilities of provincial-level Culture, Sports and Tourism Departments

1. In October every year, to send statistics on the number of cars which have been granted tourist transportation eligibility certificates and reports on tourist transportation business results of business units operating in their respective localities to the Vietnam National Administration of Tourism for summarization and reporting to the Ministry of Culture, Sports and Tourism;
2. Twice a year (in May and October), to send statistics on the organization of tourism training courses for drivers and attendants of tourist cars to provincial-level Transport Departments for coordinated management.
3. Once a year, to coordinate with provincial-level Transport Departments and functional agencies in inspecting tourist transportation business activities (excluding cases of unexpected inspection) and send reports on inspection results to the Vietnam National Administration of Tourism and the Vietnam Road Administration for summarization and reporting to the Ministry of Culture, Sports and Tourism and the Ministry Transport.

Article 11. Responsibilities of provincial-level Transport Departments

1. To organize rational traffic so as to ensure operation of cars with tourist transportation car signboards under Clause 2, Article 8 of this Circular.
2. In October every year, to send statistics on the number of cars which have been granted tourist transportation car signboards and reports on the grant of tourist transportation car signboards to the Vietnam Road Administration for summarization and reporting the Ministry of Transport.

3. Twice a year (in May and October), to send statistics on the number of cars which have been granted tourist transportation car signboards to provincial-level Culture, Sports and Tourism Departments for coordinated management.

4. To coordinate with provincial-level Culture, Sports and Tourism Departments in inspecting tourism transportation business activities.

Article 12. Effect

1. This Circular takes effect 45 days from the date of its signing.

2. The Vietnam National Administration of Tourism (the Ministry of Culture, Sports and Tourism) and the Vietnam Road Administration (the Ministry of Transport) shall, within the ambit of their functions and tasks, direct, guide and jointly inspect the implementation of this Circular.

3. Any problems arising in the process of implementation of this Circular should be reported to the Ministry of Culture, Sports and Tourism and the Ministry of Transport for study and settlement.

(All appendices to this Circular are not printed herein)

For the Minister of Culture, Sports and Tourism

Deputy Minister

HO ANH TUAN

For the Minister of Transport

Deputy Minister

LE MANH HUNG