

## Executive Council Resolution No. (1) of 2014

### Regulating the Tram in the Emirate of Dubai<sup>1</sup>

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**We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council,**

After perusal of:

Federal Law No. (3) of 1987 Issuing the Penal Code and its amendments;

Federal Law No. (21) of 1995 Concerning Traffic, its Implementing Bylaw, and their amendments;

Law No. (7) of 2002 Regulating Roads in the Emirate of Dubai;

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

Law No. (9) of 2004 Concerning the Dubai International Financial Centre and its amendments;

Law No. (17) of 2005 Establishing the Roads and Transport Authority;

Law No. (32) of 2008 Establishing the Government of Dubai Legal Affairs Department;

Law No. (14) of 2009 Concerning the Pricing of Government Services in the Emirate of Dubai and its amendments;

Law No. (35) of 2009 Concerning Management of the Public Funds of the Government of Dubai and its amendments;

Decree No. (22) of 2009 Concerning Special Development Zones in the Emirate of Dubai;

Regulation No. (3) of 2009 Concerning the Unified Fare Scheme for Public Transport in the Emirate of Dubai and its amendments;

Regulation No. (4) of 2009 Regulating Works in the Right of Way in the Emirate of Dubai;

Regulation No. (5) of 2009 Regulating Railways in the Emirate of Dubai and its amendments;

Regulation No. (1) of 2010 Concerning the Use of Special Road Lanes in the Emirate of Dubai;

Executive Council Resolution No. (13) of 2010 Approving the Organisational Structure of the Roads and Transport Authority;

Administrative Resolution No. (68) of 2010 Issuing the Implementing Bylaw of Regulation No. (5) of 2009 Regulating Railways in the Emirate of Dubai; and

The legislation regulating free zones in the Emirate of Dubai,

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<sup>1</sup>*Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict the Arabic text will prevail.*

**Do hereby issue this Resolution.**

**Definitions  
Article (1)**

The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

UAE:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
RTA:	The Roads and Transport Authority.
Police:	The Dubai Police.
Chairman:	The chairman of the board of directors and executive director of the RTA.
Regulation:	Regulation No. (5) of 2009 Regulating Railways in the Emirate of Dubai and its amendments.
Concerned Agencies:	The Traffic and Roads Agency, the Rail Agency, and the Licensing Agency of the RTA, each in accordance with their respective powers.
Traffic and Roads Agency:	An agency of the RTA responsible for the development and implementation of roads and traffic systems and requirements in the Emirate.
Rail Agency:	An agency of the RTA responsible for development, implementation, operation, and maintenance of the rail transport systems.
Licensing Agency:	An agency of the RTA responsible for testing and licensing drivers and vehicles.
Safety Regulatory Entity:	The organisational unit of the RTA responsible for safety planning and regulation.
Railway:	A rail transport system designated for the Tram to run on and which is bound by fixed tracks and positioned in partial or entire alignment along roads, on the road, or on any other place accessible to the public.
Tram:	A rail car or a set of rail cars designated for running on tracks and used for transportation of passengers. .

Railway Right of Way:	The space between the rails and the space running parallel to them as determined by the RTA for purposes of ensuring safe movement of the Tram in it's normal course of operation and in accordance with Traffic Control Measures and Police instructions.
Infrastructure:	All the facilities and utilities, systems, and software necessary to operate the Tram and ensure its safe running, including but not limited to tracks and permanent way; service roads; signalling, communications and control systems; Signalization, signage, electric power supply, Tram vehicle system, associated buildings, stations, warehouses, machinery, equipment, structures, corridors, switches, tunnels, bridges, platforms, barriers and associated works, sewage works, and any constructions or works related to Tram.
Road:	Any public road designed for the use of vehicles, including roads whose use requires paying a certain toll or obtaining a permit from any competent entity.
Road User:	Vehicle drivers and pedestrians.
Passenger:	A person who uses the Tram to commute from a station to another.
Traffic Control Measures:	All warning and information devices placed on the Road and Railway to ensure safety to both Road and Tram users.
Shared Space:	Any part of the Railway intended for use by the Tram and by Road Users such as major and minor intersections and pedestrian crossings.
Traffic Safety Audit:	Verification process of the safety of the Railway or any part thereof and to ensure integration with the Road User safety systems.
Owner:	Any public or private entity that owns the Infrastructure, the Tram, or both.
Operator:	An entity authorised to operate or maintain the Infrastructure, the Tram, or both.
Contractor:	A legal entity appointed by the Owner or Operator to carry out works related to the Infrastructure, or a person who carries out any works that require obtaining permits or no-objection certificates from the Rail Agency or the Safety Regulatory Entity.

Permit:	A document issued by the RTA which authorises a person to drive the Tram.
Depot:	A part of the Infrastructure used for Stabling and maintaining of the Tram.
Prohibited Zone:	Any part of the Infrastructure or Railway Right of Way designated by the RTA by markings, signs or fences as a zone prohibited to the public or where it is prohibited to conduct any works without the approval of the RTA.
Accident:	An unexpected and undesirable event directly associated with the Tram operations which results or may result in injuries to persons, death, or damage to property.
Investigation:	A technical process aimed at identifying the causes and effects of an Accident and determining the means to redress it and ensure its non-recurrence.

### **Objectives of the Resolution Article (2)**

This Resolution aims to achieve the following:

1. to regulate operation of the Tram in the Emirate, in accordance with best international standards and practices, governing safety and quality requirements, and to ensure smooth flow of traffic and safety of Road Users and Passengers;
2. to provide a safe means of transport that meets the needs of its users and contributes to achieving economic development in the Emirate; and
3. to encourage the use of public transport in the Emirate.

### **Scope of Application Article (3)**

- a. This Resolution will apply to any Railway designated for operating the Tram in the Emirate, including special development zones and free zones including the Dubai International Financial Centre.
- b. The above-mentioned Federal Law No. (21) of 1995 and its Implementation Bylaw, Regulation No. (3) of 2009, and Regulation No. (5) of 2009 and its Implementation Bylaw will apply to any case that is not regulated under this Resolution.

### **Functions of the Rail Agency Article (4)**

For the purpose of achieving the objectives of this Resolution, the Rail Agency, in addition to its duties under the Regulation, will undertake the following functions:

1. to propose policies and plans required for the planning and development of the Railway in the Emirate;
2. to issue the permits required for the construction of the Infrastructure for the provision of transport service using Tram;
3. to operate its owned Trams in accordance with approved specifications and requirements prescribed by the Agency;
4. to approve the technical specifications and requirements and performance standards for Infrastructure systems in the Emirate;
5. to approve and monitor compliance with the standards and criteria for qualification and accreditation of Railway Contractors, consultants, and Operators, and to issue no-objection certificates required for granting them trade licences;
6. to cooperate and coordinate with the Concerned Agencies and competent entities within the Emirate to ensure safe and efficient operation of the Tram;
7. to ensure compliance by the Owners, Operators, and Contractors with this Resolution; and
8. to perform any other tasks, falling within its functions, that are necessary to achieve the objectives of this Resolution.

**Functions of the Traffic and Roads Agency  
Article (5)**

For the purpose of achieving the objectives of this Resolution, the Traffic and Roads Agency will undertake the following:

1. to approve the designs of Railway alignments and tram operating routes;
2. to approve Traffic Control systems specifications and specify their locations;
3. to approve the locations of Shared Spaces and take the traffic measures necessary to ensure the smooth flow of traffic and ensure the safety of the Road User, the Passenger and the Tram;
4. to conduct Traffic Safety Audits; and
5. to perform any other tasks, falling within its functions, that are necessary to achieve the objectives of this Resolution.

**Functions of the Licensing Agency  
Article (6)**

For the purpose of achieving the objectives of this Resolution, the Licensing Agency will undertake the following:

1. to receive and process Permit applications in accordance with the requirements and criteria stipulated in this Resolution and resolutions issued under it;
2. to take the necessary action to revoke or suspend a Permit based on the recommendations of the Rail Agency;
3. to accredit specialised centres for qualification and training of Tram drivers; and

4. to perform any other tasks, falling within its functions, that are necessary to achieve the objectives of this Resolution.

### **Functions of the Police Article (7)**

For the purpose of achieving the objectives of this Resolution, the Police will have the following duties and powers:

1. to take necessary action to protect the Infrastructure, the Railway Right of Way, the Tram, Passengers, and Road Users;
2. to ensure, in coordination with the Owner, the Operator, or the competent entities, the smooth flow of traffic, clear any hindrances that obstruct the movement of the Tram, take necessary action to reduce disruption of its service due to the Road User, or Accident, or Investigation, and where the cause of discontinuation falls within the powers of the Police;
3. to cooperate and coordinate with inspectors of the RTA in Investigations conducted by them, in accordance with the functions of the Police prescribed in the legislation in force and as agreed upon between the Police and the RTA;
4. to take, in cooperation and coordination with the Concerned Agencies, all measures necessary for facilitating the movement of the Tram in the event of breakdown of any Traffic Control systems, particularly in Shared Spaces; and
5. to record violations related to operation of the Tram in accordance with the legislation in force.

### **Functions of the Safety Regulatory Entity Article (8)**

For the purpose of achieving the objectives of this Resolution, the Safety Regulatory Entity, in addition to its functions under the Regulation, will undertake the following:

1. to issue safety certificates for the Railway and the Tram;
2. to issue operational safety certificates to Operators, and ensure their compliance with the requirements;
3. to ensure compliance by all entities with the legislation related to operational safety of the Railway and Tram;
4. to review staff and Passengers protection and safety manuals in order to reduce the risks that may endanger their safety, which are related to operation of the Railway and the Tram;
5. to set and implement plans and programmes necessary for inspection of the Railway and the Railway Right of Way, the Infrastructure and the Tram to ensure safe operation; and
6. to perform any other tasks, falling within its functions, that are necessary to achieve the objectives of this Resolution.

### **Operation of the Tram Article (9)**

it is prohibited for public or private entity to operate a Railway and a Tram in the Emirate, or perform any works within the area designated to the Railway or the Railway Right of Way, or conduct any activity outside this area that may affect operation of the Railway and Tram, unless a relevant prior permit is obtained from the Rail Agency in accordance with the Regulation, this Resolution, and the resolutions issued under it.

### **Obligations of the Owner Article (10)**

In addition to the obligations stipulated in the Regulation, the Owner must comply with the following:

1. to obtain no objection certificates and coordinate with all entities involved in designing the Infrastructure and the Railway Right of Way before applying for permits required for construction and development of the Infrastructure;
2. to ensure that the route of the Railway complies with the designs approved by the RTA;
3. to place Traffic Control Measures at the locations approved by the Traffic and Roads Agency before starting the operation of the Tram in accordance with the requirements of the testing and operation plan;
4. to abstain from placing any Traffic Control Measures on any part of the Railway before obtaining the approval of the Traffic and Roads Agency;
5. to place information signs to raise awareness among Passengers on how to use the Tram in areas designated by the Concerned Agencies and the Safety Regulatory Entity in accordance with the relevant requirements and conditions set by the RTA;
6. to submit a comprehensive insurance policy issued by a licensed insurance company and acceptable to the RTA in accordance with its prescribed requirements, covering third party damages. The insurance policy must be valid throughout the period determined by the RTA;
7. to provide all necessary items and meet all the requirements set by the Police and the competent entities and determined through coordination between RTA and these entities for the purposes of ensuring security and safety.
8. not to allow any carriage to run on the Railway unless it bears identification code approved by RTA; and
9. to perform any other obligations determined under the relevant resolutions issued by the RTA.

### **Obligations of the Contractor Article (11)**

In addition to the obligations stipulated in the Regulation, the Contractor must comply with the following:

1. to obtain no objection certificates and coordinate with all entities involved in designing the Infrastructure and the Railway Right of Way before applying for the permits required for the construction and development of the Infrastructure;

2. to ensure that the route of the Railway complies with the designs approved by the RTA;
3. to place Traffic Control Measures at the locations approved by the Traffic and Roads Agency before testing and operating the Tram as per the requirements of the testing and operation plan;
4. to abstain from placing any Traffic Control Measures on any part of the Railway before obtaining approval of the Traffic and Roads Agency;
5. to place information signs to raise awareness among Passengers on how to use the Tram in areas designated by the Concerned Agencies and the Safety Regulatory Entity in accordance with the relevant requirements and conditions set by the RTA;
6. to submit a comprehensive insurance policy issued by a licensed insurance company and acceptable to the RTA in accordance with its prescribed requirements, with a view to covering third party damages. The insurance policy must be valid throughout the period determined by the RTA;
7. to abstain from allowing any person to drive the Tram or any carriage intended for running on the Railway outside the Depot unless a Permit is obtained whether for purposes of testing, operation, or any other purpose.
8. not to allow any vehicle to run on the Railway unless it bears identification code approved by RTA; and
9. to perform any other obligations determined under the relevant resolutions issued by the RTA.

**Obligations of the Operator**  
**Article (12)**

In addition to the obligations stipulated in the Regulation, the Operator must comply with the following:

1. to meet the criteria, requirements, and conditions approved by the RTA when operating the Railway and the Tram;
2. to abstain from deploying any person to drive the Tram or any carriage intended for running on the Railway outside the Depot unless that person holds a Permit;
3. not to allow any carriage to run on the Railway unless it bears identification code approved by RTA;
4. to take the necessary action for ensuring compliance by the Tram driver with safe operation, particularly the speed limits;
5. to take the necessary action to prevent obstructing traffic when operating the Tram particularly in Shared Spaces and to avoid negatively affecting the Road User;
6. to submit a comprehensive insurance policy issued by a licensed insurance company and acceptable to the RTA in accordance with its prescribed requirements, to cover third party damages. The insurance policy must be valid throughout the period determined by the RTA;
7. to cooperate and coordinate with the Concerned Agencies to ensure that the Tram operation is integrated with the road systems; and



8. to perform any other obligations determined under the relevant resolutions issued by the RTA.

### **Driving the Tram Article (13)**

No person may drive the Tram outside the Depot unless that person holds a Permit issued by the Licensing Agency. Resolutions issued by the RTA will determine the conditions and requirements for granting that Permit.

### **Obligations of the Tram Driver, Trainer and Trainee Article (14)**

In addition to the obligations of vehicle drivers prescribed in the above-mentioned Federal Law No. (21) of 1995, the Tram driver, trainer, and trainee, as the case may be, must:

1. not drive the Tram unless he holds a current valid Permit;
2. carry the Permit during the period of driving or training to drive the Tram, and produce it to inspectors of the RTA and mandated policemen whenever so requested;
3. observe Traffic Control Measures;
4. adhere to Line speed limits;
5. adhere to safety regulations related to driving the Tram which are set by the Concerned Agencies, the Safety Regulatory Entity, the Owner, the Operator, or the Contractor; and
6. perform any other obligations determined under the relevant resolutions issued by the RTA.

### **Duties of the Road User Article (15)**

In addition to the obligations of vehicle drivers and pedestrians prescribed in the above-mentioned Federal Law No. (21) of 1995, the Road User must:

1. give priority to the movement of the Tram, with the exception of drivers of firefighting vehicles, ambulances, Police, and civil defence vehicles while on their way to attend to emergencies, and when they use audio and visual warning systems. In addition to drivers of official convoys, including military or civilian vehicles that accompany these official convoys;
2. remain at the scene of Accident until the arrival of the Police and the concerned authorities unless the nature of the Accident dictates that they should leave the scene;
3. not obstruct the movement of the Tram in any manner whatsoever, or conduct any activity on the Railway Right of Way which may disrupt the movement of the Tram;
4. not to throw or be the reason to throw waste on the Railway or within the Railway Right of Way;
5. preserve the Infrastructure;

6. not to access any of the sites designated for the Tram which are prohibited to the Public unless authorised;
7. not to cross the Railway except designated crossings which are clearly marked, and any other area so demarcated by the RTA; and
8. perform any other obligations determined under the relevant resolutions issued by the RTA.

### **Duties of Passengers Article (16)**

In addition to the obligations stipulated in the above-mentioned Regulation No. (3) of 2009, the RTA may, with a view to ensuring safe operation and optimal use of the Tram, issue resolutions stipulating the rules, conditions, and controls for passengers to govern the use and to preserve the Tram and the Infrastructure, in particular setting Passenger drop-off and pick-up areas, seating, prohibited items on the tram and prohibited actions.

### **Fees Article (17)**

In addition to the fees prescribed by virtue of the above-mentioned Regulation No. (3) of 2009 and Regulation No. (5) of 2009, the RTA will collect, in return for the Permits issued and the services provided by it or, on its behalf pursuant to this Resolution, fees as set out in schedule (1) attached hereto.

### **Violations and Penalties Article (18)**

- a. Without prejudice to any stricter penalty stipulated in any other legislation:
  1. any person who drives through a red light at the intersection of the Road with the Railway and causes an accident leading to death will incur a fine of not less than ten thousand Dirhams (AED 10,000) and not more than thirty thousand Dirhams (AED 30,000), in addition to withdrawal of the driving licence of the driver who causes the accident for a minimum of thirty (30) days and a maximum of one (1) year;
  2. any person who drives through a red light at the intersection of the Road with the Railway and causes an accident leading to bodily injury will incur a fine of not less than five thousand Dirhams (AED 5,000) and not more than fifteen thousand Dirhams (AED 15,000), in addition to withdrawal of the driving licence of the driver who causes the accident for a minimum of thirty (30) days and a maximum of six (6) months;
  3. any person who drives through a red light at the intersection of the Road with the Railway without causing an accident will incur a fine of not less than two thousand Dirhams (AED 2,000) and not more than five thousand Dirhams (AED 5,000), in addition to withdrawal of the driving licence of the violating driver for a minimum of thirty (30) days and a maximum of three (3) months;
- b. Without prejudice to any stricter penalty stipulated in any other resolution, any person committing any violation stipulated in schedule (2) will incur the fines indicated

opposite each violation, and the amount of a fine will be doubled in case the violation is repeated within a period of one (1) year from the date of committing the previous violation provided that the doubled fine will not exceed five hundred thousand Dirhams (AED 500,000).

- c. In addition to the fines and penalties mentioned in paragraphs (a) and (b), the RTA may take one or more of the following actions against the person committing the violation:
1. to suspend the works assigned to the Owner, Operator, or Contractor until the violation is remedied; or
  2. to revoke or suspend any approval, Permit, certificate, or permission granted or issued by virtue of this Resolution.

### **Remedy of Violation Article (19)**

If the Owner, Operator, or Contractor fails to remedy the violation within the period so determined by the RTA, the RTA may take the necessary action to remedy the violation, and order the violator to pay the incurred costs in addition to twenty-five per cent (25%) of such costs as administrative fees. The RTA's estimate of the incurred costs will be final.

### **Law Enforcement Article (20)**

Without prejudice to the jurisdiction of the Police to record the acts committed in violation of this Resolution, the employees and inspectors of the RTA or the employees of the Operator nominated by a resolution of the Chairman, issued in coordination with the Director General of the Government of Dubai Legal Affairs Department, will have the capacity of law enforcement officers to record the acts committed in violation of the provisions of this Resolution and the resolutions issued under it. In this capacity, they may issue the necessary violation reports in this regard.

### **Grievance Article (21)**

Any affected party may submit a written grievance to the Chairman against any decision or measure taken against him under this Resolution, within fifteen (15) working days from the date of being notified of the decision or measure. The grievance will be determined, within thirty (30) days from the date of submission, by a committee formed by the Chairman for this purpose, and the decision on the grievance will be final.

### **Seeking Assistance from Government Entities Article (22)**

For the purposes of implementing this Resolution, the RTA and Concerned Agencies may seek assistance from Government entities in the Emirate, including the Police personnel, and such entities must provide support and assistance as soon as possible whenever so requested.

**Payment of Fees and Fines**  
**Article (23)**

The amount of fees and fines collected by virtue of this Resolution will be paid to the Public Treasury of the Government of Dubai.

**Issuing Implementing Resolutions**  
**Article (24)**

- a. The Chairman will issue the resolutions necessary for the implementation of this Resolution, and in particular:
  1. the Railway and Tram insurance requirements that must be met by the Owners, Contractors, and Operators;
  2. the conditions, rules, controls, and requirements that must be complied with when the Owner launches a public awareness campaign, and the approvals to be obtained before launching that campaign;
  3. criteria, conditions, and requirements that must be met for issuing Permits;
  4. conditions and rules related to Road crossings; and
  5. any other provisions necessary for achieving the objectives of this Resolution.
- b. Resolutions issued by the RTA for the implementation of this Resolution will be published in the Official Gazette of the Government of Dubai and will come into force on the day on which they are published.

**Repeals**  
**Article (25)**

Any provision in any other resolution or regulation will be repealed to the extent that it contradicts the provisions of this Resolution.

**Commencement and Publication**  
**Article (26)**

This Resolution comes into force on the day on which it is issued, and will be published in the Official Gazette.

[signed]

**Hamdan bin Mohammed bin Rashid Al Maktoum**  
**Crown Prince of Dubai**  
**Chairman of the Executive Council**

Issued in Dubai on 24 January 2014  
Corresponding to 23 Rabi al-Awwal 1435 A.H.

**Schedule (1)**  
**Permit Issuing Fees**

<b>S</b>	<b>Description</b>	<b>Fee</b>
1	Issuance and renewal of a Tram driving Permit	AED 500
2	Issuance and renewal of a Tram trainer driving Permit	AED 500
3	Issuing a Tram trainee driving Permit	AED 500

4	Issuing a Permit in replacement of a lost or damaged Tram driving Permit	AED 200
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**Schedule(2)**  
**Violations and Fines**

<b>S</b>	<b>Violation</b>	<b>Fine</b>
1	Throwing or causing to throw waste on the Railway Right of Way	AED 500
2	Failure to carry a valid Tram driving Permit or training permit when driving the Tram or training to drive it	AED 1,000
3	Crossing the Railway track anywhere other than the designated areas	AED 1,000
4	Unauthorised access into a Prohibited Zone	AED 1,000
5	Driving the Tram without obtaining a Tram driving Permit or with an expired Permit	AED 2,000
6	Driving the Tram in violation of paragraphs (3) to (6) of Article (14) of this Resolution	AED 2,000
7	Failure by the trainer to meet the Tram driving training requirements prescribed by the RTA	AED 2,000
8	Taking or attempting to take an action by any person which may interfere with the operation of the Tram or affect its safety or the safety of its Infrastructure	AED 2,000
9	Unauthorised interception by any person of the Tram on the Railway Right or Way	AED 3,000
10	Failure by the Owner, Contractor, or Operator to meet the Tram driving requirements in violation of the security and safety requirements stipulated in this Resolution and the resolutions issued under it	AED 500,000
11	Failure by the Owner, Contractor, or Operator to meet the insurance requirements stipulated in this Resolution and the resolutions issued under it	AED 500,000