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# 中华人民共和国国防交通法

# National Defense Transportation Law of the People's Republic of China

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《中华人民共和国国防交通法》已由中华人民共和国第十二届全国人民代表大会常务委员会第二十二次会议于2016年9月3日通过，现予公布，自2017年1月1日起施行。

The Law of the People's Republic of China on Transportation for National Defense, adopted at the 22nd session of the Standing Committee of the 12th National People's Congress of the People's Republic of China on September 3, 2016, is hereby promulgated for implementation as of January 1, 2017.

中华人民共和国主席　习近平

President Xi Jinping

2016年9月3日

September 3, 2016

中华人民共和国国防交通法

National Defense Transportation Law of the People's Republic of China

（2016年9月3日第十二届全国人民代表大会常务委员会第二十二次会议通过）

(Adopted at the 22nd session of the Standing Committee of the 12th National People's Congress on September 3, 2016)

第一章 总 则

Chapter 1 General Provisions

第一条   为了加强国防交通建设，促进交通领域军民融合发展，保障国防活动顺利进行，制定本法。

Article 1 This Law is enacted to strengthen the construction of national defense traffic, promote military-civilian integration in the traffic sector, and ensure the smooth progress of national defense activities.

第二条   以满足国防需要为目的，在铁路、道路、水路、航空、管道以及邮政等交通领域进行的规划、建设、管理和资源使用活动，适用本法。

Article 2 This Law shall be applicable to the planning, construction, management and resource utilization in railways, roads, waterways, aviation, pipelines, postal services and other transportation areas, for the purpose of satisfying the needs of national defense.

第三条   国家坚持军民融合发展战略，推动军地资源优化配置、合理共享，提高国防交通平时服务、急时应急、战时应战的能力，促进经济建设和国防建设协调发展。

Article 3 The State insists on the development strategy of military and civilian integration, promotes the optimized allocation and reasonable sharing of military and local resources, enhances the capability of defense traffic in peacetime services, emergencies and wartime responses, and promotes the coordinated development of economic and defense construction.

国防交通工作遵循统一领导、分级负责、统筹规划、平战结合的原则。

National defense traffic shall be carried out under the principle of unified leadership, hierarchical responsibility, overall planning, and combination of wartime with peacetime.

第四条   国家国防交通主管机构负责规划、组织、指导和协调全国的国防交通工作。国家国防交通主管机构的设置和工作职责，由国务院、中央军事委员会规定。

Article 4 The central national defense traffic authority is responsible for planning, organizing, guiding, and coordinating national defense traffic. The organization and responsibilities of the central national defense traffic authority shall be defined by the State Council and the Central Military Commission.

县级以上地方人民政府国防交通主管机构负责本行政区域的国防交通工作。

Responsible organs of transportation for national defense of the local people's governments above the county level shall be in charge of the transportation for national defense within their respective administrative regions.

县级以上人民政府有关部门和有关军事机关按照职责分工，负责有关的国防交通工作。

Relevant departments of the local governments above the county level and relevant military organs shall be in charge of relevant national defense traffic according to their respective responsibilities.

省级以上人民政府有关部门和军队有关部门建立国防交通军民融合发展会商机制，相互通报交通建设和国防需求等情况，研究解决国防交通重大问题。

Relevant government departments and military organs above the provincial level shall establish a consultation mechanism for the integrated development of the military and civilian for national defense transportation, to communicate traffic construction and national defense demands, and study and solve major issues on national defense transportation.

第五条   公民和组织应当依法履行国防交通义务。

Article 5 Citizens and organizations shall fulfill their obligations of transportation for national defense according to law.

国家鼓励公民和组织依法参与国防交通建设，并按照有关规定给予政策和经费支持。

The State encourages citizens and organizations to participate in the construction of transportation for national defense according to law, and shall provide policy and funding support in accordance with relevant provisions.

第六条   国防交通经费按照事权划分的原则，列入政府预算。

Article 6 National defense traffic funds shall be included in the government budget based on the division of powers.

企业事业单位用于开展国防交通日常工作的合理支出，列入本单位预算，计入成本。

Reasonable expenses incurred in daily work of transportation for national defense by enterprises and public institutions shall be included into their respective budgets as cost.

第七条   县级以上人民政府根据国防需要，可以依法征用民用运载工具、交通设施、交通物资等民用交通资源，有关组织和个人应当予以配合，履行相关义务。

Article 7 Governments above the county level may commandeer civil transportation resources, such as civil carriers, traffic facilities and traffic supplies. Relevant organizations and individuals shall cooperate to fulfill relevant obligations.

民用交通资源征用的组织实施和补偿，依照有关法律、行政法规执行。

The implementation of and compensation for the requisition of civil traffic resources shall be conducted in line with relevant laws and administrative regulations.

第八条   各级人民政府应当将国防交通教育纳入全民国防教育，通过多种形式开展国防交通宣传活动，普及国防交通知识，增强公民的国防交通观念。

Article 8 Governments at all levels shall include national defense traffic in national defense education, and carry out various activities to publicize national defense traffic, spread relevant knowledge, and enhance citizens' awareness of national defense traffic.

各级铁路、道路、水路、航空、管道、邮政等行政管理部门（以下统称交通主管部门）和相关企业事业单位应当对本系统、本单位的人员进行国防交通教育。

Administrative departments of railways, roads, waterways, airways, pipelines and postal services at all levels (hereinafter referred to as competent transportation authorities) and relevant enterprises and public institutions shall educate their personnel on the transportation for national defense.

设有交通相关专业的院校应当将国防交通知识纳入相关专业课程或者单独开设国防交通相关课程。

Universities with transport-related majors shall integrate national defense traffic into related majors or offer separate courses concerning national defense traffic.

第九条   任何组织和个人对在国防交通工作中知悉的国家秘密和商业秘密负有保密义务。

Article 9 Any organizations or individuals shall keep national and business secrets learned in national defense traffic work confidential.

第十条   对在国防交通工作中作出突出贡献的组织和个人，按照国家有关规定给予表彰和奖励。

Article 10 Organizations and individuals with outstanding contributions to the transportation for national defense shall be commended and awarded in accordance with the relevant national regulations.

第十一条   国家加强国防交通信息化建设，为提高国防交通保障能力提供支持。

Article 11 The State will strengthen information construction of national defense traffic, to provide support for improving the guarantee capacity of such traffic.

第十二条   战时和平时特殊情况下，需要在交通领域采取行业管制、为武装力量优先提供交通保障等国防动员措施的，依照《中华人民共和国国防法》、《中华人民共和国国防动员法》等有关法律执行。

Article 12 Traffic control during wartime and special situations in peacetime for the armed forces' prioritized provision of transportation, and other national defense mobilization measures shall be subject to the Law of the People's Republic of China on National Defense, the National Defense Mobilization Law of the People's Republic of China, and other applicable laws.

武装力量组织进行军事演习、训练，需要对交通采取临时性管制措施的，按照国务院、中央军事委员会的有关规定执行。

Temporary traffic control due to drills and training of military forces shall be conducted in line with relevant regulations of the State Council and the Central Military Commission.

第十三条   战时和平时特殊情况下，国家根据需要，设立国防交通联合指挥机构，统筹全国或者局部地区的交通运输资源，统一组织指挥全国或者局部地区的交通运输以及交通设施设备的抢修、抢建与防护。相关组织和个人应当服从统一指挥。

Article 13 During wartime and under special circumstances during peacetime, a joint command authority of transportation for national defense shall be established by the State according to relevant needs to coordinate the transportation resources throughout the country or in certain areas, organize and command in a unified manner the transportation and urgent repair, construction and protection of transportation facilities across the country or in certain areas. Relevant organizations and individuals shall follow the unified command.

第二章 国防交通规划

Chapter 2 Transportation Planning for National Defense

第十四条   国防交通规划包括国防交通工程设施建设规划、国防交通专业保障队伍建设规划、国防交通物资储备规划、国防交通科研规划等。

Article 14 Transportation planning for national defense shall include the construction plan for the transportation engineering facilities for national defense, the construction plan for the professional guarantee teams for the transportation for national defense, the plan for material reserves for the transportation for national defense, scientific research plan for the transportation for national defense.

编制国防交通规划应当符合下列要求：

The transportation plan for national defense shall be prepared according to the following requirements:

（一）满足国防需要，有利于平战快速转换，保障国防活动顺利进行；

1. satisfying the needs of national defense, favorable to the rapid conversion between wartime and peacetime, and ensuring the smooth implementation of national defense activities;

（二）兼顾经济社会发展需要，突出重点，注重效益，促进资源融合共享；

2. emphasizing both economic and social development by highlighting key points and profits to promote resource integration and sharing;

（三）符合城乡规划和土地利用总体规划，与国家综合交通运输体系发展规划相协调；

(III) complying with the urban and rural planning and the overall planning on land utilization, and coordinating with the national comprehensive development planning of the transport system;

（四）有利于加强边防、海防交通基础设施建设，扶持沿边、沿海经济欠发达地区交通运输发展；

(IV) benefiting the traffic infrastructure construction in border and coastal defense, and supporting the traffic development in the less developed border and coastal areas; and

（五）保护环境，节约土地、能源等资源。

(V) protecting the environment by saving land, energy and other resources.

第十五条   县级以上人民政府应当将国防交通建设纳入国民经济和社会发展规划。

Article 15 Governments above the county level shall include the construction of transportation for national defense into the national economic and social development plan.

国务院及其有关部门和省、自治区、直辖市人民政府制定交通行业以及相关领域的发展战略、产业政策和规划交通网络布局，应当兼顾国防需要，提高国家综合交通运输体系保障国防活动的能力。

The State Council and relevant departments thereof as well as governments of provinces, autonomous regions and municipalities directly under the Central Government shall consider the needs of national defense to improve the national comprehensive transportation system so as to safeguard national defense activities when formulating transportation industry and related development strategies, industrial policies and traffic network planning.

国务院有关部门应当将有关国防要求纳入交通设施、设备的技术标准和规范。有关国防要求由国家国防交通主管机构征求军队有关部门意见后汇总提出。

Relevant departments of the State Council shall include national defense requirements in the technical standards and specifications for traffic facilities and equipment. The national defense requirements shall be summarized and proposed by the central national defense traffic authority upon consultation with relevant military organs.

第十六条   国防交通工程设施建设规划，由县级以上人民政府国防交通主管机构会同本级人民政府交通主管部门编制，经本级人民政府发展改革部门审核后，报本级人民政府批准。

Article 16 The construction plan for national defense traffic engineering facilities shall be jointly prepared by the national defense traffic authority of the government at or above the county level and the traffic authority of the government at the same level, be reviewed by the development and reform department of the government at the same level, and be submitted to the government at the same level for approval.

下级国防交通工程设施建设规划应当依据上一级国防交通工程设施建设规划编制。

The construction plan for the engineering facilities of national defense transportation at lower levels shall be based on the construction plan for the engineering facilities of national defense transportation at higher levels.

编制国防交通工程设施建设规划，应当征求有关军事机关和本级人民政府有关部门的意见。县级以上人民政府有关部门编制综合交通运输体系发展规划和交通工程设施建设规划，应当征求本级人民政府国防交通主管机构的意见，并纳入国防交通工程设施建设的相关内容。

The preparation of the construction plan of national defense traffic engineering facilities shall consult relevant military organs and relevant departments of the government at the same level. Relevant departments of the people's governments above the county level that compile the development plan for the comprehensive transportation system and the construction plan for the engineering facilities of national defense transportation shall consult with the responsible organs of national defense transportation of the people's governments at the same level and include such opinions into the relevant content concerning the engineering facilities of national defense transportation.

第十七条   国防交通专业保障队伍建设规划，由国家国防交通主管机构会同国务院有关部门和军队有关部门编制。

Article 17 The construction plan for professional guarantee teams on national defense traffic shall be jointly prepared by the central national defense traffic authority, relevant departments of the State Council and relevant military organs.

第十八条   国防交通物资储备规划，由国防交通主管机构会同军地有关部门编制。

Article 18 The reservation plan of national defense traffic supplies shall be jointly prepared by the national defense traffic authority and relevant military organs.

中央储备的国防交通物资，由国家国防交通主管机构会同国务院交通主管部门和军队有关部门编制储备规划。

For materials for national defense transportation reserved by the Central Government, the reserve plan thereof shall be jointly prepared by the State's responsible organ for national defense transportation together with the competent organ of transportation under the State Council and relevant military departments.

地方储备的国防交通物资，由省、自治区、直辖市人民政府国防交通主管机构会同本级人民政府有关部门和有关军事机关编制储备规划。

The reservation plan of national defense traffic supplies by local governments shall be jointly prepared by the national defense traffic authority of provincial, autonomous regional, or municipal people's governments, relevant departments of the government at the same level and relevant military organs.

第十九条   国防交通科研规划，由国家国防交通主管机构会同国务院有关部门和军队有关部门编制。

Article 19 The scientific research plan of national defense traffic shall be jointly prepared by the central national defense traffic authority, relevant departments of the State Council and military organs.

第三章 交通工程设施

Chapter III Traffic Engineering Facilities

第二十条   建设国防交通工程设施，应当以国防交通工程设施建设规划为依据，保障战时和平时特殊情况下国防交通畅通。

Article 20 The construction of national defense traffic engineering facilities shall be based on the construction plan of national defense traffic engineering facilities to ensure smooth traffic during wartime and under special circumstances during peacetime.

建设其他交通工程设施，应当依法贯彻国防要求，在建设中采用增强其国防功能的工程技术措施，提高国防交通保障能力。

The construction of other traffic engineering facilities shall be in line with the national defense requirements, and engineering measures that can enhance the national defense functions shall be adopted to improve the national defense traffic guarantee ability.

第二十一条   国防交通工程设施应当按照基本建设程序、相关技术标准和规范以及国防要求进行设计、施工和竣工验收。相关人民政府国防交通主管机构组织军队有关部门参与项目的设计审定、竣工验收等工作。

Article 21 The design, construction, and acceptance of national defense traffic engineering facilities shall follow basic construction procedures, relevant technical standards and specifications, and national defense requirements. Responsible organs of national defense transportation of relevant governments shall organize relevant military departments to participate in the design, approval and acceptance of projects.

交通工程设施建设中为增加国防功能修建的项目应当与主体工程同步设计、同步建设、同步验收。

Projects constructed to enhance national defense functions in the construction of transportation engineering facilities shall be designed, constructed, and accepted simultaneously with the main projects.

第二十二条   国防交通工程设施在满足国防活动需要的前提下，应当为经济社会活动提供便利。

Article 22 The national defense traffic engineering facilities shall also be able to facilitate economic and social activities after meeting the needs of national defense activities.

第二十三条   国防交通工程设施管理单位负责国防交通工程设施的维护和管理，保持其国防功能。

Article 23 Management entities of the transportation engineering facilities for national defense shall be responsible for the maintenance and management of such facilities to maintain their national defense functions.

国防交通工程设施需要改变用途或者作报废处理的，由国防交通工程设施管理单位逐级上报国家国防交通主管机构或者其授权的国防交通主管机构批准。

For transportation engineering facilities for national defense that need to change their use or be discarded as useless, management entities of the transportation engineering facilities for national defense shall report level by level to the State's responsible organ for national defense transportation or its authorized responsible organs for national defense transportation for approval.

县级以上人民政府应当加强对国防交通工程设施维护管理工作的监督检查。

Governments above the county level shall strengthen their supervision and inspection of the maintenance and management of national defense traffic engineering facilities.

第二十四条   任何组织和个人进行生产和其他活动，不得影响国防交通工程设施的正常使用，不得危及国防交通工程设施的安全。

Article 24 The production and other activities of any organization or individual shall not affect the normal operation of and endanger the security of national defense traffic engineering facilities.

第二十五条   县级以上人民政府国防交通主管机构负责向本级人民政府交通主管部门以及相关企业事业单位了解交通工程设施建设项目的立项、设计、施工等情况；有关人民政府交通主管部门以及相关企业事业单位应当予以配合。

Article 25 Responsible organs of national defense transportation of the people's governments above the county level shall inquire about approval, design and construction situations of transportation engineering facilities construction projects from competent transportation authorities of the people's governments at the same level and relevant enterprises and public institutions shall cooperate.

第二十六条   县级以上人民政府国防交通主管机构应当及时向有关军事机关通报交通工程设施建设情况，并征求其贯彻国防要求的意见，汇总后提出需要贯彻国防要求的具体项目。

Article 26 Responsible organs of national defense transportation of the people's governments above the county level shall inform relevant military organs of the construction situation of the transportation engineering facilities in a timely manner, seek their opinions on the implementation of national defense requirements, and determine the specific projects that need to implement the national defense requirements.

第二十七条   对需要贯彻国防要求的交通工程设施建设项目，由有关人民政府国防交通主管机构会同本级人民政府发展改革部门、财政部门、交通主管部门和有关军事机关，与建设单位协商确定贯彻国防要求的具体事宜。

Article 27 For construction projects of transportation engineering facilities that implement the requirements for national defense, responsible organs of national defense transportation of relevant governments together with the development and reform department, finance department, competent transportation authority of the people's government at the same level and relevant military organs shall negotiate with the construction unit to determine specific matters concerning the implementation of national defense requirements.

交通工程设施新建、改建、扩建项目因贯彻国防要求增加的费用由国家承担。有关部门应当对项目的实施予以支持和保障。

The additional expenses of newly built, renovated and expanded traffic engineering facilities for carrying out national defense requirements will be borne by the State. Relevant departments shall support and guarantee the implementation of such projects.

第二十八条   各级人民政府对国防交通工程设施建设项目和贯彻国防要求的交通工程设施建设项目，在土地使用、城乡规划、财政、税费等方面，按照国家有关规定给予政策支持。

Article 28 People's governments at all levels shall provide policy support in terms of land use, urban and rural planning, finance, tax and other aspects to the construction projects of transportation engineering facilities for national defense and to the construction projects of transportation engineering facilities that implement national defense requirements in accordance with relevant national provisions.

第四章 民用运载工具

Chapter 4 Civil Carriers

第二十九条   国家国防交通主管机构应当根据国防需要，会同国务院有关部门和军队有关部门，确定需要贯彻国防要求的民用运载工具的类别和范围，及时向社会公布。

Article 29 The central national defense traffic authority shall determine the types and range of civil carriers that need to implement national defense requirements together with relevant departments of the State Council and relevant military organs based on the national defense needs, and promptly disclose the information to the public.

国家鼓励公民和组织建造、购置、经营前款规定的类别和范围内的民用运载工具及其相关设备。

The State encourages citizens and organizations to build, purchase and operate civil carriers and related equipment within the aforesaid types and scope.

第三十条   县级以上人民政府国防交通主管机构应当向民用运载工具登记管理部门和建造、购置人了解需要贯彻国防要求的民用运载工具的建造、购置、使用等情况，有关公民和组织应当予以配合。

Article 30 Responsible organs of transportation for national defense under the people's governments above the county level shall inquire about situations on the construction, purchase and use of civil carriers that implement the requirements of national defense from competent authorities for civil carrier registration and producers or purchasers of such carriers, and citizens and organizations concerned shall cooperate.

第三十一条   县级以上人民政府国防交通主管机构应当及时将掌握的民用运载工具基本情况通报有关军事机关，并征求其贯彻国防要求的意见，汇总后提出需要贯彻国防要求的民用运载工具的具体项目。

Article 31 The national defense traffic authority of the government at or above the county level shall promptly inform relevant military organs of the basic information of civil carriers, and seek their opinions on implementing the national defense requirements, and determine specific projects of civil carriers that need to implement the national defense requirements.

第三十二条   对需要贯彻国防要求的民用运载工具的具体项目，由县级以上人民政府国防交通主管机构会同本级人民政府财政部门、交通主管部门和有关军事机关，与有关公民和组织协商确定贯彻国防要求的具体事宜，并签订相关协议。

Article 32 For specific items of civil carriers that need to implement national defense requirements, the national defense traffic authority of the government at or above the county level shall, together with the fiscal department, traffic department and relevant military organs of the government at the same level, negotiate with citizens and organizations to determine specific matters for the implementation of national defense requirements, and sign relevant agreements.

第三十三条   民用运载工具因贯彻国防要求增加的费用由国家承担。有关部门应当对民用运载工具贯彻国防要求的实施予以支持和保障。

Article 33 The additional expenses of civil carriers for carrying out the national defense requirements shall be borne by the State. Relevant departments shall provide support and guarantees for civil carriers' implementation of national defense requirements.

各级人民政府对贯彻国防要求的民用运载工具在服务采购、运营范围等方面，按照有关规定给予政策支持。

Governments at all levels shall provide civil carriers that implement national defense requirements with policy support in the service procurement and operation scope in accordance with relevant provisions.

第三十四条   贯彻国防要求的民用运载工具所有权人、承租人、经营人负责民用运载工具的维护和管理，保障其使用效能。

Article 34 Owners, lessees, and operators of civil carriers that implement national defense requirements shall be responsible for maintenance and management of such civil carriers to ensure their effectiveness.

第五章 国防运输

Chapter 5 National Defense Transportation

第三十五条   县级以上人民政府交通主管部门会同军队有关交通运输部门按照统一计划、集中指挥、迅速准确、安全保密的原则，组织国防运输。

Article 35 Responsible organs of transportation for national defense under the people's governments above the county level shall organize the transportation for national defense together with related military transportation departments in accordance with the principle of unified planning, centralized command, swiftness and accuracy, security and confidentiality.

承担国防运输任务的公民和组织应当优先安排国防运输任务。

Citizens and organizations responsible for transportation tasks of national defense shall prioritize such transportation tasks.

第三十六条   国家以大中型运输企业为主要依托，组织建设战略投送支援力量，增强战略投送能力，为快速组织远距离、大规模国防运输提供有效支持。

Article 36 The State relies mainly on large and medium transportation enterprises, to organize and builds up the strategic projection support force and enhance strategic projection capability, so as to provide effective support for rapidly organizing long-distance and large-scale national defense transportation.

承担战略投送支援任务的企业负责编组人员和装备，根据有关规定制定实施预案，进行必要的训练、演练，提高执行战略投送任务的能力。

Enterprises undertaking strategic projection support tasks shall organize personnel and equipment, formulate implementation plans in line with relevant regulations, and conduct necessary training and drills to improve the capacity to execute strategic projection tasks.

第三十七条   各级人民政府和军事机关应当加强国防运输供应、装卸等保障设施建设。

Article 37 Governments and military organs at all levels shall strengthen the construction of national defense transportation supply, loading and unloading, and other support facilities.

县级以上地方人民政府和相关企业事业单位，应当根据国防运输的需要提供饮食饮水供应、装卸作业、医疗救护、通行与休整、安全警卫等方面的必要的服务或者保障。

Local people's governments at or above the county level and relevant enterprises and public institutions shall provide food and drinking water supply, loading and unloading operations, medical aid, transit and rest, security guards and other necessary services and guarantees in light of the needs of national defense transportation.

第三十八条   国家驻外机构和我国从事国际运输业务的企业及其境外机构，应当为我国实施国际救援、海上护航和维护国家海外利益的军事行动的船舶、飞机、车辆和人员的补给、休整提供协助。

Article 38 National institutions functioning abroad and enterprises engaged in international transportation and their overseas offices shall provide assistance in the supply, rest and reorganization of ships, airplanes, vehicles and personnel engaged in international rescue, maritime escort, and military actions safeguarding the national interests abroad.

国家有关部门应当对前款规定的机构和企业为海外军事行动提供协助所需的人员和运输工具、货物等的出境入境提供相关便利。

Relevant departments of the State shall facilitate the exit or entry of personnel, means of transport, and goods needed by the institutions and enterprises specified in the preceding paragraph to provide assistance for overseas military operations.

第三十九条   公民和组织完成国防运输任务所发生的费用，由使用单位按照不低于市场价格的原则支付。具体办法由国务院财政部门、交通主管部门和中央军事委员会后勤保障部规定。

Article 39 Expenses incurred by citizens and organizations for transportation tasks of national defense shall be paid by the using entities at a price not lower than the market price. The specific measures shall be formulated by the finance department of the State Council, the communications administrative department and the Logistics Department of the Central Military Commission.

第四十条   军队根据需要，可以在相关交通企业或者交通企业较为集中的地区派驻军事代表，会同有关单位共同完成国防运输和交通保障任务。

Article 40 The military may station military representatives at relevant transportation enterprises or at such places where a large number of transportation enterprises are concentrated to work with relevant entities for safeguarding the transportation tasks of national defense.

军事代表驻在单位和驻在地人民政府有关部门，应当为军事代表开展工作提供便利。

Entities and relevant departments of local people's governments at which military representatives are stationed shall provide convenience to military representatives for their work.

军事代表的派驻和工作职责，按照国务院、中央军事委员会的有关规定执行。

The military representatives shall fulfill their stationing and responsibilities in accordance with the relevant provisions of the State Council and the Central Military Commission.

第六章 国防交通保障

Chapter 6 National Defense Traffic Guarantee

第四十一条   各级国防交通主管机构组织人民政府有关部门和有关军事机关制定国防交通保障方案，明确重点交通目标、线路以及保障原则、任务、技术措施和组织措施。

Article 41 National defense traffic authorities at all levels shall organize relevant government departments and military organs to formulate guarantee plans for national defense traffic, specifying key traffic targets, routes, guarantee principles, tasks, technical measures, and organization methods.

第四十二条   国务院有关部门和县级以上地方人民政府按照职责分工，组织有关企业事业单位实施交通工程设施抢修、抢建和运载工具抢修，保障国防活动顺利进行。有关军事机关应当给予支持和协助。

Article 42 Relevant departments of the State Council and local people's governments above the county level shall, according to their respective responsibilities, organize relevant enterprises and public institutions to conduct urgent repair and construction of traffic engineering facilities as well as urgent repair of means of delivery, so as to ensure the smooth implementation of national defense activities. Relevant military organs shall provide due support and assistance.

第四十三条   国防交通保障方案确定的重点交通目标的管理单位和预定承担保障任务的单位，应当根据有关规定编制重点交通目标保障预案，并做好相关准备。

Article 43 Management units of key traffic targets and preplanned units for guarantee tasks specified in guarantee plans for national defense traffic shall formulate guarantee plans for key traffic targets according to relevant provisions and make preparations accordingly.

第四十四条   重点交通目标的管理单位和预定承担保障任务的单位，在重点交通目标受到破坏威胁时，应当立即启动保障预案，做好相应准备；在重点交通目标遭受破坏时，应当按照任务分工，迅速组织实施工程加固和抢修、抢建，尽快恢复交通。

Article 44 Management entities for core transportation targets and entities for safeguarding tasks shall activate the guarantee plan immediately and make preparations once the core transportation targets are damaged or threatened; and shall organize and implement the reinforcement, urgent repair and urgent construction work rapidly according to their respective responsibilities when such core targets are damaged so as to restore the transportation as soon as possible.

与国防运输有关的其他交通工程设施遭到破坏的，其管理单位应当及时按照管理关系向上级报告，同时组织修复。

Where other transportation engineering facilities related to national defense transportation are damaged, their management entities shall timely report to their superior entities based on the administrative relations, and organize the repair.

第四十五条   县级以上人民政府国防交通主管机构会同本级人民政府国土资源、城乡规划等主管部门确定预定抢建重要国防交通工程设施的土地，作为国防交通控制范围，纳入土地利用总体规划和城乡规划。

Article 45 National defense traffic authorities of governments above the county level, together with authorities of local land and resources as well as urban and rural planning, shall determine the land for urgent construction of national defense traffic engineering facilities, which shall be included in the overall land use plan and urban and rural planning for national defense traffic control.

未经县级以上人民政府国土资源主管部门、城乡规划主管部门和国防交通主管机构批准，任何组织和个人不得占用作为国防交通控制范围的土地。

No organizations or individuals shall occupy any land used as national defense traffic control area without the approval of competent authorities of land and resources, urban and rural planning, and national defense traffic authorities of governments above the county level.

第四十六条   重点交通目标的对空、对海防御，由军队有关部门纳入对空、对海防御计划，统一组织实施。

Article 46 Air and sea defense of key traffic targets shall be included into the air and sea defense plan by relevant military departments for unified implementation.

重点交通目标的地面防卫，由其所在地县级以上人民政府和有关军事机关共同组织实施。

Ground defense of core traffic targets shall be jointly implemented by local governments above the county level and relevant military organs.

重点交通目标的工程技术防护，由其所在地县级以上人民政府交通主管部门会同本级人民政府国防交通主管机构、人民防空主管部门，组织指导其管理单位和保障单位实施。

Competent transportation authorities of the people's governments above the county level together with competent transportation authorities of national defense under the people's governments at the same level and competent authorities of civil air defense shall organize and guide their management units and guarantee units to implement the engineering technical protection of key transportation targets.

重点交通目标以外的其他交通设施的防护，由其所在地县级以上人民政府按照有关规定执行。

Protection for other traffic facilities besides key targets shall be conducted by local governments above the county level according to relevant provisions.

第四十七条   因重大军事行动和国防科研生产试验以及与国防相关的保密物资、危险品运输等特殊需要，县级以上人民政府有关部门应当按照规定的权限和程序，在相关地区的陆域、水域、空域采取必要的交通管理措施和安全防护措施。有关军事机关应当给予协助。

Article 47 Competent departments of governments above the county level shall take necessary traffic control and protection measures in land, water and air areas of relevant regions in accordance with the prescribed authorities and procedures due to special needs in significant military actions, defense research, production and test as well as transportation of confidential and dangerous materials relating to national defense. Relevant military organs shall provide due assistance.

第四十八条   县级以上人民政府交通主管部门和有关军事机关、国防交通主管机构应当根据需要，组织相关企业事业单位开展国防交通专业保障队伍的训练、演练。

Article 48 Competent transportation authorities of the people's governments above the county level, relevant military organs and responsible organs of transportation for national defense shall organize relevant enterprises and public institutions to carry out training and drills for professional guarantee teams of transportation for national defense as needed.

国防交通专业保障队伍由企业事业单位按照有关规定组建。

Professional guarantee contingents of transportation for national defense shall be established by enterprises and public institutions in accordance with relevant provisions.

参加训练、演练的国防交通专业保障队伍人员的生活福利待遇，参照民兵参加军事训练的有关规定执行。

Welfare benefits of personnel of professional guarantee teams of transportation for national defense participating in such training and drill shall be subject to relevant provisions applicable to militia participating in military training.

第四十九条   国防交通专业保障队伍执行国防交通工程设施抢修、抢建、防护和民用运载工具抢修以及人员物资抢运等任务，由县级以上人民政府国防交通主管机构会同本级人民政府交通主管部门统一调配。

Article 49 National defense traffic authorities and traffic authorities of governments above the county level shall implement unified deployment for urgent repair, construction, and protection of national defense traffic engineering facilities, urgent repair of civil carriers, and urgent transportation of personnel and materials by professional guarantee contingents of national defense traffic.

国防交通专业保障队伍的车辆、船舶和其他机动设备，执行任务时按照国家国防交通主管机构的规定设置统一标志，可以优先通行。

Vehicles, ships, and other power equipment of professional guarantee contingents of national defense traffic shall bear unified marks as required by the national defense traffic authority to gain traffic priority.

第五十条   各级人民政府对承担国防交通保障任务的企业和个人，按照有关规定给予政策支持。

Article 50 People's governments at all levels shall provide policy support to enterprises and individuals undertaking transportation guarantee tasks for national defense pursuant to the relevant provisions.

第七章 国防交通物资储备

Chapter 7 Material Reserves for National Defense Transportation

第五十一条   国家建立国防交通物资储备制度，保证战时和平时特殊情况下国防交通顺畅的需要。

Article 51 The State has established a system for material reserves for national defense transportation so as to ensure smooth transportation for national defense during wartime and under special circumstances during peacetime.

国防交通物资储备应当布局合理、规模适度，储备的物资应当符合国家规定的质量标准。

Materials reserved for national defense transportation shall be reasonably distributed at an appropriate scale, and shall meet the national quality standards.

国防交通储备物资的品种由国家国防交通主管机构会同国务院有关部门和军队有关部门规定。

The types of reserved national defense traffic supplies shall be jointly determined by the central national defense traffic authority, relevant departments of the State Council and relevant military organs.

第五十二条   国务院交通主管部门和省、自治区、直辖市人民政府国防交通主管机构，应当按照有关规定确定国防交通储备物资储存管理单位，监督检查国防交通储备物资管理工作。

Article 52 Competent transportation authorities of transportation for national defense under the State Council and responsible organs of transportation for national defense of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, in accordance with the relevant provisions, determine the administrative entities for material reserves for national defense transportation, and supervise and inspect the administration of material reserves for national defense transportation.

国防交通储备物资储存管理单位应当建立健全管理制度，按照国家有关规定和标准对储备物资进行保管、维护和更新，保证储备物资的使用效能和安全，不得挪用、损坏和丢失储备物资。

The units for reservation and management of national defense traffic supplies shall establish a sound management system, and safekeep, maintain, and update the reserved supplies according to national regulations and standards to ensure the effectiveness of use and security of the reserved supplies, and shall not misappropriate, damage, or lose the reserved supplies.

第五十三条   战时和平时特殊情况下执行交通防护和抢修、抢建任务，或者组织重大军事演习，抢险救灾以及国防交通专业保障队伍训练、演练等需要的，可以调用国防交通储备物资。

Article 53 Reserved national defense traffic supplies can be allocated to traffic protection and urgent repair and construction during wartime and special situations in peacetime, major military exercises, disaster relief, and training and exercises of professional guarantee teams of national defense traffic.

调用中央储备的国防交通物资，由国家国防交通主管机构批准；调用地方储备的国防交通物资，由省、自治区、直辖市人民政府国防交通主管机构批准。

Allocation of central reserved national defense supplies shall be approved by the central national defense traffic authority; allocation of local reserved national defense supplies shall be approved by national defense traffic authorities of provincial, autonomous regional, or municipal people's governments.

国防交通储备物资储存管理单位，应当严格执行储备物资调用指令，不得拒绝或者拖延。

Administrative entities for material reserves for national defense transportation shall strictly execute the deployment order of material reserves and shall not refuse or delay such order.

未经批准，任何组织和个人不得动用国防交通储备物资。

No organizations or individuals may use reserved national defense traffic supplies without approval.

第五十四条   国防交通储备物资因产品技术升级、更新换代或者主要技术性能低于使用维护要求，丧失储备价值的，可以改变用途或者作报废处理。

Article 54 Reserved national defense traffic supplies may be used for other purposes or scrapped due to technology upgrades, product updates, major technical performance degradation, or loss of reservation value.

中央储备的国防交通物资需要改变用途或者作报废处理的，由国家国防交通主管机构组织技术鉴定并审核后，报国务院财政部门审批。

Function alteration or scrapping of central reserved national defense traffic supplies shall be identified and reviewed by the central national defense traffic authority before approval by the fiscal department of the State Council.

地方储备的国防交通物资需要改变用途或者作报废处理的，由省、自治区、直辖市人民政府国防交通主管机构组织技术鉴定并审核后，报本级人民政府财政部门审批。

Function alteration or scrapping of local reserved national defense traffic supplies shall be identified and reviewed by the national defense traffic authority of provincial, autonomous regional, or municipal people's governments before approval by the fiscal department of the government at the same level.

中央和地方储备的国防交通物资改变用途或者报废获得的收益，应当上缴本级国库，纳入财政预算管理。

Where materials of national defense transportation reserved by the Central Government and local governments are to be changed in their use or be discarded as useless, such materials shall be handed over to the State Treasury at the corresponding level and included in the fiscal budget management.

第八章 法律责任

Chapter 8 Legal Liabilities

第五十五条   违反本法规定，有下列行为之一的，由县级以上人民政府交通主管部门或者国防交通主管机构责令限期改正，对负有直接责任的主管人员和其他直接责任人员依法给予处分；有违法所得的，予以没收，并处违法所得一倍以上五倍以下罚款：

Article 55 Where any party commits any of the following acts in violation of the provisions hereof, the competent transportation authority of the people's government above the county level or the competent transportation authority for national defense shall order it to make corrections within a time limit, and impose punishments on the person directly in charge and other directly liable persons; and confiscate illegal gains, if any, and impose a fine of not less than one time but not more than five times of the illegal gains:

（一）擅自改变国防交通工程设施用途或者作报废处理的；

1. Altering the use of engineering facilities of transportation for national defense or undertaking disposal without approval;

（二）拒绝或者故意拖延执行国防运输任务的；

2. Refuse or purposely delay national defense transportation;

（三）拒绝或者故意拖延执行重点交通目标抢修、抢建任务的；

(III) Refuse or purposely delay urgent repair and construction of key traffic targets.

（四）拒绝或者故意拖延执行国防交通储备物资调用命令的；

(IV) Refuse or purposely delay execution of allocation orders of reserved national defense traffic supplies;

（五）擅自改变国防交通储备物资用途或者作报废处理的；

(V) Alter the function of or scrap reserved national defense traffic supplies without authorization;

（六）擅自动用国防交通储备物资的；

(VI) Use reserved national defense traffic supplies without authorization;

（七）未按照规定保管、维护国防交通储备物资，造成损坏、丢失的。

(VII) Damage and loss of reserved national defense traffic supplies due to non-compliance with regulations in safekeeping and maintenance.

上述违法行为造成财产损失的，依法承担赔偿责任。

Where losses are caused to property as a result of the above illegal acts, the liability for compensation shall be assumed in accordance with the law.

第五十六条   国防交通主管机构、有关军事机关以及交通主管部门和其他相关部门的工作人员违反本法规定，有下列情形之一的，对负有直接责任的主管人员和其他直接责任人员依法给予处分：

Article 56 Where personnel of responsible organs of transportation for national defense, relevant military organs, competent transportation authorities or other relevant departments violate this Law, if any of the following circumstances applies, the directly responsible person in charge and other directly responsible persons shall be punished in accordance with the law:

（一）滥用职权或者玩忽职守，给国防交通工作造成严重损失的；

1. Any state functionary who abuses his/her power of office or neglects his/her duties, causing serious damages to national defense traffic;

（二）贪污、挪用国防交通经费、物资的；

2. Any state functionary who embezzles or misappropriates defense traffic funds and materials;

（三）泄露在国防交通工作中知悉的国家秘密和商业秘密的；

(III) Divulging state and commercial secrets learned in national defense traffic work;

（四）在国防交通工作中侵害公民或者组织合法权益的。

(IV) Infringing the legitimate rights and interests of citizens or organizations in national defense traffic work.

第五十七条   违反本法规定，构成违反治安管理行为的，依法给予治安管理处罚；构成犯罪的，依法追究刑事责任。

Article 57 For violation of the provisions of this Law which constitute a violation of public security administration, the offender shall be subject to public security administration punishment pursuant to the law; where the case constitutes a criminal offence, criminal liability shall be pursued in accordance with the law.

第九章 附 则

Chapter 9 Supplementary Provisions

第五十八条   本法所称国防交通工程设施，是指国家为国防目的修建的交通基础设施以及国防交通专用的指挥、检修、装卸、仓储等工程设施。

Article 58 National defense traffic engineering facilities herein refer to the traffic infrastructure and special command, repair, handling, and storage facilities built for national defense.

本法所称国防运输，是指政府和军队为国防目的运用军民交通运输资源，运送人员、装备、物资的活动。军队运用自身资源进行的运输活动，按照中央军事委员会有关规定执行。

National defense transportation herein refers to the activities of governments and armies to transport personnel, equipment, and materials with military and civilian traffic resources for the purpose of national defense. Transportation activities conducted by armies with their own resources shall comply with the relevant provisions of the Central Military Commission.

第五十九条   与国防交通密切相关的信息设施、设备和专业保障队伍的建设、管理、使用活动，适用本法。

Article 59 This law applies to the construction, management and employment of information facilities, equipment and professional guarantee teams closely related to national defense traffic.

国家对信息动员另有规定的，从其规定。

Where the State has other provisions on information mobilization, such provisions shall prevail.

第六十条   本法自2017年1月1日起施行。

Article 60 This Law shall come into force as of January 1, 2017.