

SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON REDUCTION OF TRAFFIC CONGESTION CHARGES, ETC.

Whole Amendment No. 3626, Jun. 30, 1999
Partial Amendment No. 4142, Sep. 25, 2003
Amendment of Other Laws No. 4329, Nov. 10, 2005
Partial Amendment No. 4481, Mar. 08, 2007
Partial Amendment No. 4854, Sep. 29, 2009
Amendment of Other Laws No. 4907, Jan. 07, 2010
Partial Amendment No. 5713, May. 14, 2014
Amendment of Other Laws No. 6016, Oct. 08, 2015
Partial Amendment No. 6226, May. 19, 2016
Partial Amendment No. 6261, Jul. 14, 2016
Partial Amendment No. 6728, Jan. 04, 2018
Amendment of Other Laws No. 7156, May. 16, 2019
Partial Amendment No. 7569, May. 19, 2020
Partial Amendment No. 7688, Oct. 05, 2020

Article 1 (Purpose)

This purpose of this Ordinance to provide for matters delegated concerning traffic congestion charges under the Urban Traffic Improvement Promotion Act and the Enforcement Decree and Enforcement Rule of the same Act, and for matters necessary for the enforcement thereof. <Amended on Jul. 14, 2016>

[This Article Wholly Amended on Sep. 29, 2009]

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Aug. 1, 2013; Jul. 14, 2016; Jan. 4, 2018; May 19, 2020>

1. The term "charges" means the traffic congestion charges defined in subparagraph 9 of Article 2 of the Urban Traffic Improvement Promotion Act (hereinafter referred to as the "Act");
2. The term "traffic volume" means the traffic volume of passenger vehicles operated by persons who work in a facility (hereinafter referred to as "workers") subject to the imposition of charges (hereinafter referred to as "facility") and persons who use the facility (hereinafter referred to as "users");
3. The term "passenger vehicles" means passenger vehicles defined in Article 3 of the Automobile Management Act and Article 2 of the Enforcement Rule of the aforesaid Act, comprising motor vehicles for non-commercial use under Article 6 of the Enforcement Rule of the aforesaid Act and motor vehicles for rental business under the Passenger Transport Service Act;
4. The term "reduction programs" means the following programs implemented in order to reduce traffic volume:
 - (a) No-Drive Day program: A program under which the access by passenger vehicles to the premises and annexed parking lots of a facility is limited according to the correlation between the registration numbers of passenger vehicles and dates or days;
 - (b) Parking demand control: Control of demand for parking to an appropriate level by limiting demand for parking of passenger vehicles of workers and users who use the premises and annexed parking lots of a facility, such as the collection of parking fees, the reduction of the number of parking spaces, and the introduction of a parking information system;
 - (c) Establishment of the environment for using bicycles: Encouraging the use of bicycles through the installation and provisions of convenience facilities, such as bicycle stands and shower stalls, and equipment to check the use of bicycles, such as CCTV and RFID, to promote the use of bicycles by workers and users;
 - (d) Deleted; <May 19, 2020>
 - (e) Operation of commuter buses: Providing workers with buses owned or rented by a company as means of transport for commuting workers;
 - (f) Operation of shuttle buses: Providing workers or users who use a facility with automobiles under Article 82 of the Passenger Transport Service Act owned or rented by a company as means of transport;
 - (g) Corporate taxi program: A program under which workers of a company shall use corporate taxis for business travel and expenses therefor shall be borne by the company;
 - (h) Use of Nanum Car: Allocating parking spaces for sharing automobiles designated by the Mayor and encouraging car sharing for work purposes or the general use of car sharing service;
 - (i) Parking demand control for the reduction of fine dust: Controlling the demand for parking to an appropriate level for passenger vehicles of the workers and users who use the premises and annexed parking lots of a facility through the alternate-day no-driving system and the closure of parking lots in order to reduce fine dust.

[This Article Wholly Amended on Sep. 29, 2009]

Article 3 (Exemption from Charges)

(1) Facilities eligible for the exemption from the charges under Article 17 (1) 19 of the Enforcement Decree of the Urban Traffic Improvement Promotion Act (hereinafter referred to as the "Decree") shall be as follows: <Amended on Aug. 1, 2013>

1. Transformer substations for the transmission and distribution of electricity;
2. Waste disposal facilities, water pumping facilities, water purifying facilities, and water renewal facilities owned by local governments;
3. Welfare facilities in collective housing complexes;
4. Combined residential buildings (facilities for the combined purposes of collective housing and any use other than residential purpose) in which the area subject to the imposition of charges is less than 500 square meters.

(2) Notwithstanding paragraph (1), the Mayor shall make a decision on whether to exempt facilities under paragraph (1) 3 and 4 from charges through deliberation by the Committee for Deliberation on Reduction of Traffic Congestion Charges under Article 12 (hereinafter referred to as the "Committee for Deliberation on Reduction"), if such facilities meet any of the following requirements: <Amended on Aug. 1, 2013>

1. A welfare facility in a collective housing complex under paragraph (1) 3, if the aggregate of the areas subject to the imposition of charges within the collective housing complex is less than 3,000 square meters and if the facility abuts a road of not more than 20 meters wide;
2. A facility under paragraph (1) 4, if the facility abuts a road of not more than 20 meters wide.

[This Article Wholly Amended on Sep. 29, 2009]

Article 4 (Adjustment of Unit Charge and Traffic Congestion-Causing Coefficients)

(1) The unit charges for facilities under Article 37 (2) of the Act shall be as specified in attached Table 3: <Amended on May 14, 2014>

1. Deleted; <May 14, 2014>
2. Deleted. <May 14, 2014>

(2) The traffic congestion-causing coefficients for facilities under Article 37 (2) of the Act shall be as specified in attached Table 2. <Amended on Aug. 1, 2013; May 14, 2014>

(3) Pursuant to Article 3-3 (3) of the Enforcement Rule of the Urban Traffic Improvement Promotion Act (hereinafter referred to as the "Rule"), the Mayor shall adjust the traffic congestion-causing coefficients for facilities within the scope of the following subparagraphs, if he or she concludes that the traffic volume in such facilities will be reduced as a result of the implementation of a long-term public project: <Amended on Jul. 14, 2016>

1. If the implementation period of a public project is not less than six months: Within 30/100 of the original traffic congestion-causing coefficient;
2. If the implementation period of a public project is not less than 12 months: Within 50/100 of the original traffic congestion-causing coefficient.

[This Article Wholly Amended on Sep. 29, 2009]

Article 5 (Scope of Facilities Eligible for Reduced Charges)

In order for a facility to become eligible for the reduction of charges under Article 24 (7) of the Decree (hereinafter referred to as "facility subject to traffic demand control"), its total floor area of all floors shall be at least 1,000 square meters. <Amended on Oct. 8, 2015; Jul. 14, 2016>

[This Article Wholly Amended on Sep. 29, 2009]

Article 6 (Reduction Rates of Charges)

(1) The standards for implementing the reduction program for facilities subject to traffic demand control under Article 24 (7) of the Decree and the rates of reduction shall be as specified in attached Table 1, and other detailed matters shall be determined by the Mayor. <Amended on Aug. 1, 2013; Jul. 14, 2016; May 19, 2020>

(2) Notwithstanding the provisions of paragraph (1), the Mayor may increase or decrease the rates of reduction within the range of 20 percent of the rates of reduction under attached Table 1 through deliberation by the Committee for Deliberation on Reduction, taking the environments for implementation and other factors into consideration. <Amended on Aug. 1, 2013>

(3) The calculation of the rate of reduction for cases where two or more reduction programs are applied to the same facility shall be conducted in accordance with the formula in attached Table 4 (Note 1) of the Decree: Provided, That when a program for limiting access in which workers participate differs from the one in which users participate in terms of their operating method, 50 percent of the rate of reduction of each reduction program shall apply. <Amended on Aug. 1, 2013; May 14, 2014; Oct. 8, 2015>

(4) The amount reduced pursuant to paragraph (3) shall not exceed the total amount of charges.

[This Article Wholly Amended on Sep. 29, 2009]

Article 6-2 (Reduction of Charges in Cases of Natural Disasters)

Where a crisis alert at the serious level is issued for disasters pursuant to Article 38 of the Framework Act on the Management of Disasters and Safety, the Mayor may reduce traffic congestion charges imposed pursuant to this Ordinance by up to 30% for a specified period and facilities subject to the reduction.

[This Article Newly Inserted on Oct. 5, 2020]

Article 7 (Implementation Plan for Reducing Traffic Volume)

(1) If the owner (including the tenant or manager if leased or sold; hereinafter referred to as "owner") of a facility subject to traffic demand control intends to have charges reduced in return for the implementation of a reduction program, he or she shall submit an implementation plan for reducing traffic volume in attached Form 1 (hereinafter referred to as "implementation plan") to the Mayor not later than July 31 each year.

(2) The Mayor, in receipt of an implementation plan pursuant to paragraph (1), shall monitor and inspect in accordance with the following subparagraphs whether the traffic volume the facility subject to traffic demand control is reduced and may conduct joint inspections between the Metropolitan Government and an autonomous Gu for particular facilities:

1. If the total floor area of each floor is less than 3,000 square meters: At least once semi-annually;
2. If the total floor area of each floor is at least 3,000 square meters: At least once quarterly.

(3) If the Mayor discovers as a result of an inspection under paragraph (2) on whether the traffic volume has been reduced in compliance with the plan for reduction submitted in accordance with paragraph (1) that a person has charges reduced wrongfully by submitting false data, he or she shall recover the reduced amount.

[This Article Wholly Amended on Sep. 29, 2009]

Article 8 (Period for Reduction of Traffic Volume)

(1) Each reduction program under the implementation plan submitted in accordance with Article 7 (1) shall be implemented continuously for at least three months during August 1 each year through July 31 of the following year (hereinafter referred to as "period for reduction of traffic volume").

(2) Notwithstanding the provisions of Article 7 (1), a person who intends to have charges reduced may submit an implementation plan even after August 1. <Amended on Aug. 1, 2013>

(3) The period for reduction of traffic volume shall be counted on a monthly basis, but if there are 15 days or more left over, the reduction for the number of such days shall be counted on a daily basis: Provided, That the foregoing shall not apply to one-time installation costs for facilities, such as a parking information system. <Amended on Aug. 1, 2013; May 19, 2020>

[This Article Wholly Amended on Sep. 29, 2009]

Article 9 (Flexibility in Implementation of Traffic Volume Reduction Programs)

The owner of a facility eligible for the reduction shall be deemed to have implemented a traffic reduction program if he or she has submitted an implementation plan in accordance with Article 7 (1) but fails to implement the traffic volume reduction program partially within the extent under any of the following subparagraphs, and in such cases any figure less than the decimal point in the number of units shall be deemed one unit: <Amended on Jul. 14, 2016; Jan. 4, 2018>

1. The fifth-day no-driving system and the alternate-day no-driving system for passenger vehicles:
 - (a) The fifth-day no-driving system for passenger vehicles: Not more than four percent of parking spaces;
 - (b) The alternate-day no-driving system for passenger vehicles: Not more than 10 percent of parking spaces;
2. Operation of commuter buses: Where commuter buses have not been in operation for not more than five days a month for repairing and maintenance of the buses;
3. Charging for parking lots: Not more than five percent of parking spaces.

[This Article Wholly Amended on May 19, 2016]

Article 10 (Exception to Application of Traffic Volume Reduction Programs)

No traffic volume reduction program shall be applicable to any of the following cases: <Amended on Aug. 1, 2013>

1. Passengers that merely pass through the premises of a facility subject to the program;
2. Where a passenger vehicle used as an emergency vehicle under Article 2 of the Road Traffic Act enters and exits the premises of a facility subject to the program;
3. Where it is necessary to enter and exit the premises of a facility subject to the program in an autonomous Gu office or any other authority by a passenger vehicle for the purpose of attaching number plates to the passenger vehicle or such;
4. The operation of commuter buses for workers who reside in dormitories in the premises of a facility subject to the program and a staggered working-hour system for such workers;
5. The fifth-day no-driving system or the alternate-day no-driving system on the 31st day and the hours between ten o'clock in the evening and seven o'clock in the following morning;
6. Passenger vehicles owned by a disabled person registered in accordance with the Act on Welfare of Persons with Disabilities and identifiable with the mark "person with disability" attached to the exterior of such vehicles;
7. Passenger vehicles approved as those to transport patients of medical institutions.

[This Article Wholly Amended on Sep. 29, 2009]

Article 11 (Application for Reduction of Charges)

(1) An owner who has reduced traffic volume shall file an application for the reduction of charges with the Mayor in attached Form 2

not later than August 31 each year. <Amended on Jul. 14, 2016>

(2) The Mayor shall determine the rate of reduction of charges after submitting an application for the reduction of charges received under paragraph (1) to the Committee for Deliberation on Reduction prescribed in Article 12 for its deliberation, and shall notify the owner thereof within seven days from the date of the determination. <Amended on Aug. 1, 2013>

[This Article Wholly Amended on Sep. 29, 2009]

Article 12 (Establishment of Committee for Deliberation on Reduction)

(1) Each autonomous Gu shall establish the Committee for Deliberation on Reduction in order to deliberate on the following matters: <Amended on Jul. 14, 2016>

1. Matters concerning the calculation of rates of reduction for any reduction program other than the reduction programs under subparagraph 4 of Article 2;
2. Matters concerning the determination of facilities eligible for exemption from charges under Article 3 (2);
3. Matters concerning facilities eligible for reduced charges under Article 4 (3) and the adjustment, etc. of traffic congestion-causing coefficients.

(2) The Committee for Deliberation on Reduction shall be comprised of not less than nine but not more than 15 members, including one chairperson and one vice chairperson.

(3) The term of office for each member of the Committee for Deliberation on Reduction shall be two years but may be renewed consecutively: Provided, That the term of office for a public official who serves as a committee member shall correspond to the term of service in his or her position.

(4) Members of the Committee for Deliberation on Reduction shall consist of public officials from related administrative agencies, members of the relevant Gu council, attorneys-at-law, representatives from non-governmental organizations, and experts recognized as those who have good knowledge and experience in traffic issues; the committee chairperson shall be elected by and from among committee members. In such cases, at least 2/3 of committee members shall consist of persons who are not public officials. <Amended on May 16, 2019>

(5) A meeting of the Committee for Deliberation on Reduction shall be duly formed with the attendance of the majority of incumbent committee members and shall adopt a resolution by a concurrent vote of a majority of committee members present at the meeting.

(6) Except as provided in paragraphs (1) through (5), matters necessary for the organization and operation of the Committee for Deliberation on Reduction shall be determined by the committee chairperson through deliberation by the Committee for Deliberation on Reduction.

[This Article Wholly Amended on Sep. 29, 2009]

Article 13 (Allowances)

Members of the Committee for Deliberation on Reduction may be reimbursed within the budget for allowances and travel expenses.

[This Article Wholly Amended on Sep. 29, 2009]

Article 14 (Delegation of Authority)

Pursuant to Article 29 (1) of the Decree, the Mayor shall delegate his or her authority for the following matters to the head of each Gu: <Amended on Jul. 14, 2016>

1. Matters concerning the imposition and collection of charges under Article 36 of the Act;
2. Matters concerning determining exemption from charges under Article 3 (2);
3. Matters concerning the adjustment of the rates of reduction of charges under Article 6 (2);
4. Matters concerning accepting plans for reduction under Article 7, the inspection on whether the implementation plan has been performed;
5. Matters concerning accepting the application for the reduction of charges under Article 11 and the determination and notification of rates of reduction.

[This Article Wholly Amended on Sep. 29, 2009]

Article 15 (Grant for Collection of Charges)

(1) Pursuant to Article 29 (2) of the Decree, the Mayor shall grant an amount calculated in accordance with the following guidelines to the head of each Gu within the maximum of 30/100 of the collected amount. In such cases, the total grant shall include expenses incurred in collection such as general operating expenses: <Amended on Oct. 8, 2015>

1. 1/2 of the total grant shall be granted according to the results of collection;
2. Another 1/2 of the total grant shall be granted according to the results of traffic demand control.

(2) The Committee for Deliberation on Results of Traffic Demand Control shall be organized to assess and pay the grant under paragraph (1) 2.

Article 1 (Enforcement Date)

This Ordinance shall enter into force on August 1, 1999.

Article 2 (Applicability to Facilities Owned by State or Local Governments)

In order to become eligible for reduction of traffic congestion charges imposed from the year 2000 onward pursuant to Article 1 of the Addenda to the Enforcement Decree of the Urban Traffic Improvement Promotion Act with respect to a facility owned by the State or a local government, the implementation plan for reducing traffic volume shall be submitted on or before July 31, 1999.

ADDENDA <Ordinance No. 4142, Sep. 25, 2003>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Article 2 (Applicability of Guidelines for Calculation of Charges)

The amended provisions of Articles 2-2, 3, 5, and 11 shall apply to charges imposed on or after the date this Ordinance enters into force.

Article 3 (Transitional Measure concerning Implementation Plan for Reducing Traffic Volume)

The implementation plans for reducing traffic volume, which were submitted and have been performed in accordance with the previous provisions before this Ordinance enters into force, shall be deemed to have been submitted and performed in accordance with the provisions of this Ordinance.

Article 4 Omitted.

ADDENDA <Ordinance No. 4329, Nov. 10, 2005>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Ordinance No. 4481, Mar. 8, 2007>

(1) (Enforcement Date) This Ordinance shall enter into force on the date of its promulgation.

(2) (Applicability to Grant for Collection) The grant under the amended provisions of Article 14 (1) 1 shall be paid as follows: Provided, an amount not paid for the current year shall be paid and settled in the following year:

1. Collection grant for the year 2007: 20/100 of the total amount collected shall be paid;
2. Collection grant for the year 2008: 25/100 of the total amount collected shall be paid;
3. Collection grant for the year 2009 and subsequent years: 30/100 of the total amount collected shall be paid.

(3) (Transitional Measure concerning Implementation Plan for Reducing Traffic Volume) The implementation plans for reducing traffic volume, which were submitted and have been performed in accordance with the previous provisions before this Ordinance enters into force, shall be deemed to have been submitted and performed in accordance with the provisions of this Ordinance.

ADDENDA <Ordinance No. 4854, Sep. 29, 2009>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Article 2 (Applicability to Guidelines for Calculation of Charges)

The amended provisions of Articles 3 and 5 through 8 and attached Tables 1 and 2 shall apply to charges imposed on or after the date this Ordinance enters into force: Provided, That if the rates of reduction of charges are changed, the charges shall be calculated on a monthly or daily basis from the enforcement date of this Ordinance onward.

ADDENDUM <Ordinance No. 4907, Jan. 7, 2010>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 5539, Aug. 1, 2013>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDA <Ordinance No. 5713, May 14, 2014>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 4 and 6 and attached Tables 1 and 3 shall enter into force on August 1, 2014.

Article 2 (Applicability to Unit Charges)

The amended provisions of Article 4 and attached Table 3 shall begin to apply to unit charges of which imposition period starts on or after August 1, 2014.

Article 3 (Applicability to Reduction of Charges)

The amended provisions of Article 6 and attached Table 1 shall begin to apply to unit charges of which imposition period starts on or after August 1, 2014.

ADDENDUM <Ordinance No. 6016, Oct. 8, 2015>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDUM <Ordinance No. 6226, May 19, 2016>

This Ordinance shall enter into force on January 1, 2017.

ADDENDUM <Ordinance No. 6261, Jul. 14, 2016>

This Ordinance shall enter into force on August 1, 2016.

ADDENDA <Ordinance No. 6728, Jan. 4, 2018>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Article 2 (Applicability to Special Cases)

The amended provisions of attached Table 1 excluding the "No-Driving Day program" column shall apply retroactively from January 1, 2017.

ADDENDUM <Ordinance No. 7156, May 16, 2019>

This Ordinance shall enter into force on the date of its promulgation.

ADDENDA <Ordinance No. 7569, May 19, 2020>

Article 1 (Enforcement)

This Ordinance shall enter into force on August 1, 2020.

ADDENDUM <Ordinance No. 7688, Oct. 5, 2020>

This Ordinance shall enter into force on the date of its promulgation.