

SEOUL METROPOLITAN GOVERNMENT FRAMEWORK ORDINANCE ON PUBLIC TRANSPORTATION

Enactment No. 5818, Jan. 02, 2015
Partial Amendment No. 5969, Jul. 30, 2015
Partial Amendment No. 6228, May. 19, 2016
Partial Amendment No. 6684, Jan. 04, 2018
Amendment of Other Laws No. 7046, Mar. 28, 2019
Partial Amendment No. 7067, Mar. 28, 2019
Partial Amendment No. 7318, Sep. 26, 2019
Partial Amendment No. 7509, Mar. 26, 2020
Partial Amendment No. 7570, May. 19, 2020
Partial Amendment No. 7710, Oct. 05, 2020
Amendment of Other Laws No. 7912, Mar. 25, 2021
Partial Amendment No. 7932, Mar. 25, 2021
Amendment of Other Laws No. 8127, Sep. 30, 2021

Article 1 (Purpose)

The purpose of this Ordinance is to improve the convenience of the use of public transportation by citizens by systematically developing, operating and managing the public transportation system of the Seoul Metropolitan Government and by enhancing its efficiency and service quality.

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Mar. 28, 2019; Oct. 5, 2020>

1. The term "public transportation" means a transportation system established by means of public transportation and public transportation facilities under Article 2 of the Act on the Support and Promotion of Utilization of Mass Transit System;
2. The term "means of public transportation" means a transportation means falling under any of the following, which is used to transport people in large numbers according to a specific route and operation schedule:
 - (a) Passenger automobiles used for the route passenger transport business under Article 3 (1) 1 of the Passenger Transport Service Act (hereinafter referred to as "route bus");
 - (b) Means of transportation belonging to the urban railroad system under subparagraph 1 of Article 3 of the Urban Railroad Act;
 - (c) Rolling stocks for the transportation of passengers from among the rolling stocks under subparagraph 4 of Article 3 of the Framework Act on Railroad Industry Development;
 - (d) Other transportation means prescribed by the Enforcement Decree of the Act on the Support and Promotion of Utilization of Mass Transit System;
3. The term "public transportation facilities" means facilities or artificial structures falling under any of the following, which are necessary for the operation of means of public transportation:
 - (a) Facilities or artificial structures necessary for the smooth operation of route buses, such as bus terminals, bus stops, depots, exclusive bus lanes, etc.;
 - (b) Transportation facilities belonging to the urban railroad system under subparagraph 1 of Article 3 of the Urban Railroad Act;
 - (c) Railroad facilities under subparagraph 2 of Article 3 of the Framework Act on Railroad Industry Development;
 - (d) Transit facilities under subparagraph 3 of Article 2 of the Urban Traffic Improvement Promotion Act (hereinafter referred to as "transit facilities");
 - (e) Other facilities or artificial structures determined by the Enforcement Decree of the Act on the Support and Promotion of Utilization of Mass Transit System, which are associated with the operation of means of public transportation;
4. The term "public transportation operator" means a person falling under any of the following who operates a means of public transportation, or runs or manages a public transportation facility:
 - (a) A person who has received a license, permit, authorization, entrustment, etc. or completed registration, reporting, etc. for a business for means of public transportation or public transportation facilities under the Passenger Transport Service Act, the Urban Railroad Act and other Acts;
 - (b) A corporation established under the Framework Act on Railroad Industry Development and other relevant Acts for the operation of means of public transportation or the running or management of public transportation facilities;
5. The term "bus rapid transit system" means a transportation system to operate route buses rapidly by being equipped with exclusive bus lanes, transit facilities, preferential passes for buses in the crossroad, and other matters prescribed by the Enforcement Rule of the Act on the Support and Promotion of Utilization of Mass Transit System;
6. The term "district for exclusive use of public transportation" means a district designated pursuant to subparagraph 2 of Article 14 of the Enforcement Decree of the Urban Traffic Improvement Promotion Act in order to promote public transportation by decentralizing or reducing traffic volume through the control of traffic demand, by creating a comfortable traffic environment, etc.;

7. The term "intelligent transport systems" means any transport system enabling the scientific and automated operation and management of the transport system, and the improvement of the efficiency and safety of transport, by developing and utilizing the means of transport and transport facilities with high-tech transport technology and transport information, including electronic controls, communications, etc.

Article 3 (Responsibilities of Mayor)

(1) In order to help the citizens use public transportation safely and conveniently, the Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall develop and implement policies for each of the following: <Amended on Jul. 30, 2015; Mar. 28, 2019; Sep. 26, 2019; May 19, 2020>

1. Enhancement of public transportation services;
2. Provision of various means of public transportation and expansion of facilities and equipment for public transportation;
3. Enhancement of the convenience in transits between means of public transportation;
4. Support for the establishment, operation and management of a public transportation system;
5. Provision of information necessary for the use of public transportation;
6. Disclosure of transport cost of public transportation;
7. Improvement of public transportation services for mobility disadvantaged persons such as visually impaired persons;
8. Enhancement of the connectivity of public transportation services in the Seoul metropolitan area;
9. Improvement of public transportation services under Article 10 of the Enforcement Decree of the Act on the Support and Promotion of Utilization of Mass Transit System;
10. Development and supply of environment-friendly means of public transportation;
11. Plans for the operation of public transportation when an infectious disease occurs.

(2) The Mayor shall develop and implement plans and policies related to public transportation in harmony with the transportation policies and plans of the State and in consideration of the local characteristics.

Article 3-2 (Collection of Additional Fare)

(1) Where a passenger using public transportation fails to pay a required fare, a public transportation operator may collect the required fare for the trip with additional fare of 30 times that fare. <Amended on Mar. 25, 2021>

(2) Where the additional fare under paragraph (1) is collected, details including criteria for collecting such fare and acts subject to additional fare shall be stated in terms and conditions of transportation.

[This Article Newly Inserted on May 19, 2016]

Article 4 (Rights and Obligations of Citizens)

(1) With respect to the use of public transportation services, all citizens shall have the right to use public transportation safely and conveniently without facing any unfair discrimination.

(2) All citizens shall give their cooperation for public transportation policies, and use public transportation in a way that promotes the public safety and interest.

(3) All citizens shall not commit any act that undermines the safety of means of public transportation used by numerous people and shall comply with the established safety rules. <Newly Inserted on Mar. 28, 2019>

(4) All citizens shall fully cooperate in policies for preventing infectious diseases and stopping the spread and proliferation of such diseases. <Newly Inserted on May 19, 2020>

Article 5 (Obligations of Public Transportation Operators)

(1) A public transportation operator shall maintain a pleasant environment inside public transportation vehicles, and operate public transportation means in a safe manner.

(2) When installing or managing public transportation means or public transportation facilities, a public transportation operator shall endeavor to enhance their connectivity with other public transportation systems.

(3) A public transportation operator shall endeavor to prevent and control infectious diseases with regard to employees under his or her authority, means of public transportation, and public transportation facilities pursuant to the Infectious Disease Control and Prevention Act and the Seoul Metropolitan Government Ordinance on Prevention and Control of Infectious Diseases. <Newly Inserted on May 19, 2020>

(4) A public transportation operator shall measure drivers' blood alcohol content before assigning them to the job and have a computer system necessary for such measurement. <Newly Inserted on May 19, 2020>

Article 5-2 (Support for Mobility Disadvantaged Persons)

(1) A public transportation operator shall endeavor to improve public transportation services for mobility disadvantaged persons.

(2) A public transportation operator shall make a passenger announcement on consideration, care, etc. for mobility disadvantaged persons in public transportation.

(3) When patrolling subway trains, a subway guard may recommend passengers other than pregnant women to leave seats for pregnant women empty.

[This Article Newly Inserted on Mar. 26, 2020]

Article 6 (Formulation of Public Transportation Plans)

The Mayor shall formulate a public transportation plan every five years, listening to the opinions of citizens and relevant experts under Article 7 of the Act on the Support and Promotion of Utilization of Mass Transit System to cultivate and support public transportation systematically and encourage residents to use public transportation.

Article 7 (Formulation of Yearly Implementation Plans)

The Mayor shall formulate yearly implementation plans to execute public transportation plans.

Article 8 (Safety of Public Transportation)

In order to protect the lives, bodies, and property of the citizens, the Mayor shall endeavor to improve public transportation safety by securing the safety of public transportation means and public transportation facilities, by establishing an emergency system for rescuing persons injured in traffic accidents, etc. as prescribed by the Traffic Safety Act. <Amended on May 19, 2020>

Article 9 (Public Health and Sanitation Related to Public Transportation)

(1) In order to protect and enhance the health of citizens using public transportation means and public transportation facilities and to protect and maintain the health of employees of public transportation operators to ensure stable operation of public transportation means, the Mayor shall endeavor to enhance the public health and sanitation in the field of public transportation by taking such measures as preventing infectious diseases, risks and harm under the Infectious Disease Control and Prevention Act and the Seoul Metropolitan Government Ordinance on Prevention and Control of Infectious Diseases. <Amended on Mar. 25, 2021>

(2) Where a public transportation operator deems that any of the following causes harm to the safety of passengers or damage to passengers, he or she may refuse transportation, and require a passenger to alight if he or she has already taken on board:
<Newly Inserted on Mar. 25, 2021>

1. Where the passenger is likely to affect hygiene or quarantine in the means of public transportation;
2. Where the passenger refuses to comply with an official request of a public transportation operator or interfering with performance of duties by means of violence or intimidation;
3. Where the passenger fails to comply with any policy of the Government or a local government in responding to infectious diseases;
4. Other acts, etc. that cause harm to the general public and passengers.

[This Article Wholly Amended on May 19, 2020]

Article 10 (Gathering Opinions for Fare Adjustment)

The Mayor shall gather opinions of the public by holding public hearings or discussions before listening to the Seoul Metropolitan Council (hereinafter referred to as the "Seoul Council") for adjustment of public transportation fare. <Amended on Sep. 26, 2019>

[This Article Newly Inserted on Jul. 30, 2015]

[Previous Article 10 moved to Article 11 <Jul. 30, 2015>]

Article 11 (Promotion of Voluntary Public Transportation Activities of Civil Organizations)

(1) In order to promote voluntary activities of civil organizations, etc. related to the promotion of public transportation, the Mayor may offer necessary support including the provision of information, etc.

(2) The Mayor shall implement policies for helping citizens deepen their understanding of public transportation and encouraging them to voluntarily use public transportation in their daily lives through education and publicity activities related to public transportation.

[Moved from Article 10; previous Article 11 moved to Article 12 <Jul. 30, 2015>]

Article 12 (Systematic Expansion of Public Transportation Facilities)

(1) Where the Mayor establishes transportation-related plans or expands transportation facilities, he or she shall make sure to secure public transportation first and take measures for the improvement, etc. of the accessibility of citizens including mobility disadvantaged persons to public transportation. <Amended on Mar. 28, 2019>

(2) The Mayor shall provide administrative, financial, technological or other support necessary for the expansion of public transportation facilities.

[Moved from Article 11; previous Article 12 moved to Article 13 <Jul. 30, 2015>]

Article 13 (Enhancement of Connectivity of Public Transportation)

(1) The Mayor shall take measures necessary to enhance the connectivity among public transportation systems or between public and private transportation and to improve the convenience of transit, including the expansion of transportation facilities and transit services.

(2) Where the Mayor develops an intermodal transfer center, etc. referred to in subparagraph 15 of Article 2 of the National Transport System Efficiency Act, he or she shall give a priority consideration to its connectivity to other public transportation.

[Moved from Article 12; previous Article 13 moved to Article 14 <Jul. 30, 2015>]

Article 13-2 (Formulation of Intelligent Traffic Systems)

Where the Mayor intends to implement a project for establishing, operating, and utilizing intelligent transport systems using means of public transportation and public transportation facilities pursuant to Article 74 of the National Transport System Efficiency Act, he or she shall formulate a regional plan for intelligent transport systems before implementing the project.

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

Article 14 (Public Transportation Fare)

(1) The Mayor shall decide the level of public transportation fare in accordance with the procedures prescribed by the Seoul Metropolitan Government Ordinance on Establishment and Operation of Price Stabilization Committee, taking into consideration transport cost, the size of deficit, fairness of public transportation fare compared to that of metropolitan area, inflation, economic conditions and others.

(2) The Mayor shall analyze and adjust the appropriateness of the level of public transportation fare every two years to make it possible to secure financial resources to invest in improving the quality of public transportation service and ensuring the safety of citizens.

[This Article Newly Inserted on Jan. 4, 2018]

[Previous Article 14 moved to Article 15 <Jan. 4, 2018>]

Article 15 (Establishment and Operation of Bus Rapid Transit System)

The Mayor may establish and operate a bus rapid transit system to promote public transportation through the development of a foundation for a fast and convenient public transportation, etc.

[Moved from Article 14; previous Article 15 moved to Article 16 <Jan. 4, 2018>]

Article 16 (Designation of District for Exclusive Use of Public Transportation)

(1) The Mayor may designate some sections of a commercial area as a district for exclusive use of public transportation.

(2) Where the Mayor intends to designate a district for exclusive use of public transportation under paragraph (1), he or she shall develop a plan for the designation, maintenance and management of a district for exclusive use of public transportation (hereinafter referred to as "designation plan").

(3) Where the Mayor intends to develop a designation plan, he or she shall, in advance, consult with the heads of relevant administrative agencies and hear the opinions of residents of a corresponding area and relevant experts before determining and publicly notifying such plan.

(4) The Mayor may cancel or change the designation of a district for exclusive use of public transportation when the purpose of the designation of a district for exclusive use of public transportation is lost or when it is necessary to change the scale of a district for exclusive use of public transportation.

[Moved from Article 15; previous Article 16 moved to Article 17 <Jan. 4, 2018>]

Article 17 (Measures for Preferential Passes for Means of Public Transportation)

(1) The Mayor shall, when it is recognized as necessary to encourage the use of public transportation and to secure a smooth flow of traffic, take the following measures, subject to consultation with the relevant administrative agencies for preferential passes for route buses and other means of public transportation:

1. Establishment of a bus rapid transit system;
2. Turning junctions into interchanges, such as an overpass or an underground passage;
3. Establishment of a route bus-centered intelligent transportation system;
4. Installation and operation of urban railroad facilities which use the surface of roads;
5. Installation of exclusive bus lanes pursuant to Article 15 of the Road Traffic Act.

[Moved from Article 16; previous Article 17 moved to Article 18 <Jan. 4, 2018>]

Article 18 (Business Management and Service Assessment of Public Transportation Operators)

(1) The Mayor may assess the state of business management of public transportation operators and their services to systematically support and cultivate public transportation and improve public transportation services. In such cases, the Mayor shall notify public transportation operators of the results of such assessment. <Amended on Sep. 26, 2019>

(2) After conducting a business management and service assessment under paragraph (1), the Mayor shall report its results to the Standing Committee of the Seoul Council, and may publicize the results (excluding the results of business management assessment) in accordance with Article 21 of the Enforcement Decree of the Act on the Support and Promotion of Utilization of Mass Transit System. <Amended on Sep. 26, 2019>

(3) With respect to those who have achieved an outstanding result in a business management and service assessment conducted under paragraph (1), the Mayor may give a prize under Article 23 of the Enforcement Decree of the Act on the Support and Promotion of Utilization of Mass Transit System or preferentially provide financial support, etc. under Article 12 of the Act on the Support and Promotion of Utilization of Mass Transit System. <Amended on Sep. 26, 2019>

(4) The Mayor may demand the submission of data necessary for a business management and service assessment under paragraph (1) from public transportation operators. In such cases, a public transportation operator in receipt of such demand shall comply therewith unless there is a compelling reason not to do so. <Amended on Sep. 26, 2019>

[Moved from Article 17 <Jan. 4, 2018>]

Article 19 (Enforcement Rule)

Matters necessary for the enforcement of this Ordinance shall be prescribed by rule of the Seoul Metropolitan Government.

[Moved from Article 17 <Jul. 30, 2015>]