

# Transport Policies Laws and International Agreements

Full Description

## **Laws providing for PPPs in Transport Sector**

Listed below are samples of transport legislation relevant to and enabling the implementation of PPPs:

### **Canada, Quebec**

- [Loi concernant les partenariats en matière d'infrastructures de transport](#) (Law Regarding Transport Infrastructure Partnerships), décembre 2000.

### **Ireland**

- [The Transport \(Railway Infrastructure\) Act 2001](#) is relevant to PPPs in Ireland because it facilitates private sector participation in the development of the rail sector in Ireland. The Act establishes the Railway Procurement Agency (RPA), which is an independent statutory public body with responsibility for procuring new metro and light rail infrastructure and services through public private partnerships, joint ventures or other means, as determined by the Minister for Transport. For additional PPP legislation in Ireland, visit the [Irish Government Public Private Partnership \(PPP\) website](#).

## **Laws for Roads and Highways**

(providing for PPPs, tolling, etc.)

### **Canada**

- British Columbia: [Transportation Investment Act 2002](#) - Provides a framework for developing public-private partnerships (referred to as "P3s" in Canada) to expand and improve provincial transportation infrastructure, and also creates the Transportation Investment Corporation, a public corporation established with the purposes of delivering, managing, operating, tolling or funding transportation projects, including P3s. The Act also provides for the charging of tolls.

### **India**

- National: [The National Highways Authority of India Act, 1988](#)
- Orissa State: [Toll Roads Act 2010 and Tolling Rules 2011](#)

### **Ireland**

- [Roads Act 1993](#) - sections 56 to 63 provide for the tolling of roads and for the entry by the government into PPPs (including arrangements to design, build, finance and operate) roads and for the charging by the private operator of tolls.

### **Poland**

- [Polish Law on Toll Motorways](#)

### **South Africa**

- [South Africa National Roads Agency and National Roads Act 1998](#)

- [Standard Template for Legislation to Set Up an Autonomous Road Authority](#)

## United Kingdom

- [Toll Road Legislation](#)

## United States

- [SATCC and USAID Draft Model Legislative Provisions: Road Network Financing and Management](#)
- [California Toll Road Law](#)

## Tolling Policies

A number of countries have introduced toll roads to allow for cost recovery of capital costs and maintenance. Some of these toll roads will be privately financed and tolling will be

carried out by the private sector. In other cases the government itself uses tolls to generate funds to pay for the infrastructure or to manage traffic flow.

Where tolling of users is considered as providing the most appropriate means for recovering some or all of the costs of a significant investment in new highway infrastructure, governments typically develop guidelines or policies for use of tolls. [World Bank summary of issues and analysis on tolling and concessioning](#).

A number of examples of such policies/ guidelines from different jurisdictions are set out below:

### Canada

- British Columbia - [Guidelines for Tolling](#)

### Ireland

- National Roads Authority – [Key PPP Principles and Tolling Guidance](#)

### India

- [National Highways Fees \(Determination of Rates and Collection\) Rules 2008](#)
- [Andhra Pradesh tolling policy, India \(2007\)](#)

### Serbia

- [Serbia Roads Report](#)

### South Africa

- [South Africa National Roads Agency and National Roads Act 1998](#) - including powers of SANRAL to charge tolls
- [Why toll?](#)

### United States

- [91 Express Lanes in Orange County, California](#) Orange County Transportation Authority (OCTA) uses congestion management pricing to establish tolls for the 91 Express Lanes. OCTA also created "Three Ride Free" as a separate toll policy to encourage carpooling on the 91 Express Lanes.

## Laws for Ports

[to be developed]

## **Laws for Airports**

[to be developed]

## **Railway Laws and Regulations**

When private participation in a PPP railway project is envisaged, the applicable regulatory framework must be considered. Laws and regulations that can affect PPP projects in the railway sector may deal with railway safety, environmental and technical standards, private sector participation, track access, cross-border traffic, the administration of the railways and competences of railway authorities. [Find more](#).

## **International Transport Agreements**

- [A Review of International Legal Instruments - Facilitation of Transport and Trade in Africa](#) (Les instruments juridiques internationaux de facilitation du transport et du commerce en Afrique), second edition, Jean Grosdidier de Matons, Sub-Saharan Africa Transport Program (SSATP), March 2014 (English and [French](#))
- [International UNECE Transport Agreements and Conventions](#) - The UN Economic Commission for Europe (UNECE) guides the process of harmonizing and simplifying border crossing procedures for the various modes of inland transport and provides an overview of international UNECE Transport Agreements on its website.

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