

**Lebanese Republic**  
**Office of the Minister of State**  
**for Administrative Reform**

**Citizens Charter**

**Public Safety**

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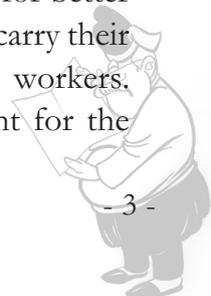
## Introduction

### Public Safety a Public Interest

The Public Safety Charter aims at increasing the awareness of citizens, as well as Public and Private Bodies, so they may reach a more comprehensive, efficient and deep understanding of their role in the society. Hence they will jointly bear the responsibility to cut down the percentage of daily incidents leading to physical injuries and costly financial losses weighing down on citizens and public funds. Public interest requires the consolidation of public safety concept so it will become a practiced right and a followed life style in daily life.

**1. Historical and legal development:** Man lived in caves, covered his body with grass and leather, and used wood, stones, as well as animal horns and bones to protect himself from weather changes and wild animals attacks. Afterwards he lived next to water and built dwellings of wood, clay, and stones. Hence he moved from fishing life to agricultural, commercial, and industrial life which often included wars and invasions during which arms, defense and protection tools were used.

During the Industrial revolution in the eighteenth century, and after the invention and rapid dissemination of machines and engines, many human casualties and injuries occurred among workers due to the lack of safety measures in those machines, as well as the ignorance and lack of experience of those workers who were in majority peasants moving into cities to find work. The recurrence of incidents pushed the workers to ask for better work conditions and development of machines so they carry their production tasks without inflicting damages upon workers. Therefore, they cooperated with employers and fought for the



achievement of these goals. Legislation regarding work, health, safety, prevention, and indemnities was thus promulgated and turned into vested rights like other rights.

The Universal Declaration of Human Rights proclaimed in December 10, 1948 strengthened the recognition of freedom and equality in dignity and rights for all mankind:

“All human beings are born free and equal in dignity and rights. They are with reason and conscience and should act towards one another in a spirit of brotherhood.” (Article 1)

“Everyone has the right to recognition everywhere as a person before the law.” (Article 3)

Hence States, particularly industrial ones, sought to develop the methods of protecting their citizens who become a self sustained value. Factories, institutions, goods, toys, administrations, buildings, schools, universities, hospitals, offices, roads, transportation means, gardens, food control systems, and the various safety legislation... reflect the precious value of citizens' life, which form along with safety and prevention equipments a crucial combination in planning or executing any development project.

However the evolution of safety concept was no longer limited to planning and execution carried out by governments, it is accompanied by the evolution of citizen's mentality. The latter influenced these concepts and was equally influenced by them. He also became sensitive to any minor defect in private or public safety systems. He preserved these systems; defended them before courts whenever damaged and even tried to acquire additional rights regarding safety issues, which touch all the aspects of his life.

**2. Objective of protection:** Safety is a science based on prevention. It has its own rules seeking to protect man from harm, provide him with a risk free environment, train him to the methods of managing incidents and equipments and choose the best of them, as it also seek to limit and prevent casualties and properties losses.

Hence, the most important fact is to protect man and assure him prevention not only from incidents causing him harm, injuries, and death but also from diseases, as well as moral and physical disabilities. If this effort is directed and used in a proper manner, and the work is duly and carefully undertook during execution, incidents and damages are significantly cut down.

The comprehensive and accurate definition and limitation of places where incidents might occur to man is a difficult task due to the intertwinement of many circumstances and factors that are in constant change and that often lead to new circumstances and factors as a result of the rapid technological evolution.

**3. Entwined competences and lack of responsibility:** Traffic accidents increased dramatically and scientific indicators point out to a possible raise in mortality and injury rate caused by all kinds of accidents.

Public institutions did not face this dilemma with the required solidarity and sincerity. However, each party blamed and is still blaming others in order to escape assuming its legal obligations and this is due to recklessness regarding citizens' rights.

The improvement of public safety conditions is limited to efforts exerted within relevant Ministries. Nevertheless, public safety issues, particularly road safety, often need joint efforts between large number of institutions from both public and private sector.

An overview of successful campaigns to prevent injuries caused by all kinds of incidents in developed countries confirms evidently the importance of defining liabilities among authorities and individuals. The interlacement of competences leads to an increased neglect of public safety conditions and puts down negative impact on liabilities defining process.

Any party that neglects its legal obligations regarding the service of citizens through preserving their lives and right to public safety, is committing a contravention and should therefore assume the penal liability stipulated by the Lebanese Penal Code; Hence, the current situation should be modified since those neglecting public safety conditions are not punished.

On the other hand, the civil liability resulting from traffic accidents ought to be more firm. Thus, the value of indemnities due to public safety neglect must be increased in order to push officials to work sincerely to provide public safety.

In Lebanon many incidents were due to the neglect of mere public safety conditions yet the contraveners were never punished. The disregard of liabilities defining process leaves contraveners unpunished and forms a fertile ground for neglect. However, law enforcement constitutes a key factor in deterring contraveners whether they were individuals or institutions.

Regarding traffic accidents prevention, most European countries and some Arab countries such as Kuwait and Jordan formed Traffic Safety Councils aiming at making each contravener assume his responsibility and at eliminating the interlacement of responsibilities between the concerned institutions.

Public safety issues particularly those regarding incidents prevention are numerous and interlaced. There are traffic accidents, fall incidents among elderly, house, maritime, sports,

and school incidents...

To deal with such issues there must be cooperation and collaboration between many governmental and civil institutions, in addition to society members in order to consider incidents prevention as the main required priority.

However, intertwined responsibilities and competences are the key obstacle before considering incidents prevention as the main required priority. As for traffic accidents prevention for instance, a special committee including representatives of Ministries of Interior and Municipalities, Public Works and Transport, Education and Higher Education, and Public Health should be set up in order to provide staid cooperation regarding issues with interlaced competences. In many cases, a competent Minister does not tackle a major public safety issue because he would upset another Minister.

Competence clashes require legislative effort to find the necessary means to prevent the mutual throw of responsibility, particularly in the relation between government institutions and municipalities.

If the administrative decentralization law was concluded and soundly implemented, it would play a positive role in preserving public safety.

**4. Common interest and public streets culture:** it is crucial for us in Lebanon to raise the awareness of public roads users concerning the fact that roads are jointly used by many beneficiaries (pedestrians, bicycles, motorcycles, private cars, taxis, trucks, buses...). Hence, in no event shall the policy of strong and weak be adopted among the users of these roads. On the contrary, we are in desperate need for the contribution of everyone to abide by the traffic rules.

What is street? It is not an abandoned place regarded with hostility, it has rather three functions as a common public space: traffic space (pedestrians, cars...), trade space (markets, shopping, trade...), and communication space (public parks, occasional and public gatherings, collective memory related to the names of streets, heritage sites, memorial status...).

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In the present stage the charter tackles some key and priority issues related to public safety in daily life, with the necessity of drafting other charters including specific and new issues, the most pertinent of which are:

- 1- Environment and safety.
- 2- Providing safety in: leisure spaces, winter sports, water sports, public spaces, cinemas, theatres, exhibitions, restaurants, work places, industrial units, plants, hospitals...

# 1 - Public Safety in Daily Life

## Provide Safety on roads

The road is the only way to get home, school, work....

Road safety depends on: the state of the road itself, whereas if it does not enjoy the required conditions, public safety may not be reached, and the attitude of road beneficiaries which are various and each of them has different rights and obligations.

Safety is reached whenever each individual is aware of road regulations and therefore aware of his rights and abiding by his obligations in order to pave the way for others to practice their rights too. During road planning, it is important to recognize that intersections and two way roads are the main cause of traffic accidents, therefore main roads excavation ought to be avoided and replaced with bridges, in addition to adopting one way inner roads as it is the case in developed countries.

### **A - Required Conditions in roads:**

1. The relevant administration shall be vigilant that roads, highways, bridges... are constantly monitored and repaired.
2. To guarantee that there is nothing hindering traffic or causing danger such as waste, dirt, stones, building materials, bumps, pot-holes, and others.
3. To place necessary signs and signals when undertaking public works or warning signs whenever there are hazards, provided that they are removed as soon as possible.
4. To place required signs and signals to inform drivers about traffic measures stipulated in the International convention concluded in Geneva, 1949.



5. To provide the necessary lighting to public roads and highways.
6. To place barriers and dividers on roads, highways and bridges.
7. To place special signs explaining the instructions to abide by at the entrances and exists of bridges and tunnels in order to ensure the traffic safety.
8. Relevant authorities shall see diligently not to damage road signs and signals, i.e. not to change their shape, position, or direction or to stick advertisement or statements thereon.
9. To provide independent spaces for bicycles and motorcycles drivers.
10. To appoint competent, loyal, and reliable security officers who ensure the observance of traffic law in a transparent and vigorous manner by everyone without any exception.
11. To provide places where waste bins might be gathered without hindering both car and pedestrian traffic.
12. To adapt roads and passageways for disabled people.
13. To place and secure lighting columns in a scientific and studied manner taking into consideration the nature of the road and removing every obstacle that may curtain the light such as tree branches.

### **B- Obligations of road beneficiaries:**

14. In no case shall a certain category of road users proceed on the road, carriageway, or sidewalk devoted to other categories.
15. Vehicles or motor vehicles shall not be using the road unless they fulfilled the legal requirements.
16. Out of order or abandoned vehicles shall not be left on roads, highways, or bridges.
17. Broken down vehicles shall not be repaired on public roads.

18. Vehicles shall not be washed on public roads in order to stop used water and detergents from flowing on the road.
19. Vehicles put for sale, shall not be parked on public roads or sidewalks designed for pedestrians.
20. Public roads or sidewalks designed for pedestrians (or sometimes tunnels), shall not be used as a place for trade and merchandise exhibiting.
21. Vehicles shall not be parked on rail roads passing through roads.
22. No truck shall carry a laden weight in excess of that declared permissible in its driving license.
23. Animals shall not be left on the road.
24. Waste, food remaining and other materials shall not be thrown out of vehicles on the road.
25. Preventive measures shall be taken whenever crossing bridges or tunnels.
26. Priority of passage on mountain roads or inclined ones shall be observed.
27. Priority rules and intersection rules shall be observed.

## **Safety at home**

The house which most people consider as a “safe place” might become the most dangerous place ever.

One third of total injuries rate are due to home incidents. For instance, unfortunate home incidents are the second leading cause of death due to incidents after highway accidents in the United States.

Planning and awareness are two main factors that might turn home into the most secure and comfortable place. To avoid almost all home incidents and reduce losses, some safety

measures must be provided and some security rules must be followed in the kitchen, bath, salon, and throughout the house.

### **a- In the kitchen**

28. Avoid climbing to reach objects from high shelf, and never use chairs, especially foldable ones, or tables for this purpose. If you need to climb use a sturdy step ladder to reach for things and it is better if someone else is there to offer help.
29. Avoid putting heavy loads on high shelves because if they fall they could inflict damage to the person in the kitchen.
30. Avoid leaving water or greasy matter on the floor.
31. Avoid leaving sharp kitchen equipment (knives, meat knife, blades...) within reach of children.
32. Avoid leaving glass furniture within reach of children. However, cracked or broken glass should be removed as quickly and safely as possible with a dustpan never with bare hands. Smaller particles should be picked up with wet paper towels.
33. Keep children away from the electrical cords of refrigerator, heater, or other appliances.
34. Do not keep damaged electrical appliances or refrigerators. They ought to be discarded.
35. Avoid keeping the oven turned on if you must go into another room (because food and oil burning, or any oven defect might cause a fire damaging the entire building not only the kitchen). Always turn pot handles inward to prevent people from bumping against them and hurting themselves or others. In addition, always turn off gas bottles before leaving home.
36. Avoid keeping matches and gas lighters near the stove.

37. Avoid using pesticides in kitchens in the presence of children. Make sure all food containers are covered. Wipe kitchen table (and sink) after using pesticides. Steel wool meshes treated with pesticides are recommended to prevent insect intrusion into houses.
38. Keep repair kits out of reach of children since they can be hazardous (nails, screwdrivers, nippers...).
39. Avoid keeping garden kits in the same place where “provision” (such as saw, shovel, spade...).
40. Avoid eating canned food before checking their validity date. Always ask for canned and frozen food validity dates to be engraved embossed rather than printed or attached.
41. Avoid throwing empty food cans (metal and glass) in waste bins within the reach of children.
42. Avoid leaving food and fruits (such as cherry, grapes, almonds...), clothes, or sweets on the kitchen table to avoid children choking.
43. Lock kitchen cabinets where grains (such as rice) are preserved since they constitute a high risk if eaten by children.
44. Store all cleaning products, pesticides, and chemical products in locked cabinet out of sight and reach of children.
45. Never let children wash kitchen utensils, dishes, or food and beverage equipments.
46. Never let children use breakable dishes and goblets (or forks and knives) and replace these with appropriate utensils that suit their ages.
47. Avoid putting children neither on kitchen tables nor on sinks while playing with them or feeding them.

## **b- In the bathroom**

48. Make sure not to fall in bathrooms because the bathroom can be a hazardous place.
49. Use a non-slip mat or install adhesive safety strips or decals in bathtubs and showers.
50. Install grab bars in bath and shower stalls.
51. Keep necessary products containers (soap bars, shampoo...) on the side of the tub to avoid falls when reaching for them. Make sure these products are out of reach of children.
52. Keep the bathroom floor dry and use suitable bath mats.
53. Keep shaving kits (razor, shaving paste...) out of reach of children.
54. Keep beauty kits sometimes put in bathroom (crèmes, pincers, scissor, hairpins...) out of reach of children.
55. Avoid touching electrical appliances when hands or feet are wet because it would cause an electrocution.
56. Do not leave children alone in the tub for a long time, and do not allow them to lock the bathroom door from the inside.
57. Avoid the use of heaters in bathrooms (electrical, gas, coal...). Find alternative heating methods taking into consideration the slight rate of houses equipped with radiators in compliance with public safety.
58. Don't have a plug-in (electrical) radio while bathing. Plugged-in radio as this can cause an electrical shock if it falls in the water or if someone with wet hands grabs it. Therefore, battery radios are recommended

### **c- In the salon or any other room in the house**

59. Avoid leaving toys, shoes, and other materials on the floor as someone might trip and fall. After using any item it should be put away in its appropriate place.
60. Avoid leaving cleaning electrical appliances in front of children as they contain many small hazardous parts. Make sure to unplug electrical appliances when not in use.
61. Check electrical wires throughout the house and replace frayed or damaged wires.
62. Cover electrical power outlets within the reach of children and use special safety caps on unused outlets.
63. Unplug electrical appliances before cleaning or fixing them, or before changing their parts.
64. Keep matches (cigarettes and lighters), flammable materials, and insect pesticides safely out of reach of children.
65. Store gasoline and other heating, lighting, and flammable materials (such as paint, latex material...) in proper tightly sealed containers away from heat sources as the combustion of some fuel kinds may lead to the emission of toxic gases as may inflict children burns and severe respiratory injuries (2 million children under the age of five die yearly due to this kind of accidents).
66. Avoid smoking in closed areas (particularly in bedrooms) in the presence of children.
67. Quench cigarettes completely in ashtrays.
68. Avoid using candles as a source of light when power is turned off particularly during study time.
69. Install one or more smoke alarms in every house to warn you when first signs of smoke appear.

70. Keep medicine cabinet out of children's sight and reach especially since it contains many hazardous items.
71. Avoid taking any drug or giving it to children without consulting the competent physician. Make sure to throw away expired drugs (out of children's reach).
72. Keep first aid kit out of children's reach.
73. Install good lighting throughout the house especially in hallways. Use nightlights to help light bedrooms and bathrooms during night-time hours.
74. Make sure to be careful when using "insects or reptiles traps" inside the house because the toxic cheese bait might appeal to children and thus kill them.
75. In case you have firearm in your home, make sure to store it unloaded in a locked cabinet with the bullets stored in separately.
76. Make sure to install fire extinguishers in your home:
  - In apparent places noticed by all family members.
  - Above the reach of children.

Check the gauge on all fire extinguishers regularly and replace them whenever necessary. Train all family members in the proper use of fire extinguishers.
77. Secure roof or wall mounted lighting or decoration tools.
78. Use non-slip mats in rooms or halls whenever necessary.
79. Keep fluids and flammable chemicals in proper tightly sealed containers away from heat sources and children's reach. Label containers with the name of the matter therein.
80. Unplug all electrical appliances particularly during sleeping time or whenever leaving home.
81. Never run electrical flexes under rugs, furniture or near curtains.

82. Keep house gas cylinders out of direct sunlight. Gas cylinders shall always be stored in an upright position. Make sure connection pipes are not leaking, and check valve protection cap with water and soap never with lit matches.
83. Ventilate kitchens and bathrooms equipped with gas cylinders before lighting fire especially in the morning or during night-time hours in order to be sure that these areas are gas free. Close valves on gas cylinders before sleeping or leaving home.
84. Always clean stove range burners and remove greasy spills as they may start fires.
85. Avoid using hairdryers to dry clothes or warm beds as they may start fires.
86. Avoid drying clothes in front of fire or above it. Avoid coming close to fire when wearing loose-fitting clothing.
87. Avoid leaving stove, oven, lighting, or fireplace turned on and unattended during sleeping or being in charge of other things.
88. Avoid smoking in bedrooms and quench cigarettes and matches carefully in ashtrays. Only empty ashtrays into waste bins after their contents are quenched.
89. Avoid leaving children alone at home particularly during night-time hours or next to tuned on oven... Keep matches and lighters out of their reach.

#### **d- On balconies**

90. Secure sturdy railings to keep children from “falling through” towards the street.
91. Do not allow children to throw things into the street or the floor below.

92. Secure flower kettles in a sturdy manner so they are not hazardous to other people.
93. Do not allow children to climb onto balcony furniture and lean over railing.

### **e- in the garden**

94. Clean garden periodically (stones...).
95. Garden tools should not be left lying around when not in use.
96. Take care of trees and flowers and spray them with necessary insecticides to keep them from perishing and providing a habitat for insects leading to negative impacts.
97. Keep your child away from the lawn after chemicals are used.
98. Always practice adult supervision around children playing in the garden and make sure that they play with toys in compliance with their ages.
99. Always clean swimming pool -if existing- and add antisepticing products. Always practice adult supervision around children in water (drowning cases).
100. Avoid leaving dry grass in the garden.
101. Make sure to be careful while preparing food in the garden (grilling, fries frying...).
102. Avoid leaving lit coal in the garden. Make sure to douse it completely to prevent any fires.
103. Make sure children do not grab hold of anything dumped on the ground.

Schools and universities should be safe institutions. People in charge of the said institutions shall organize regular training programs to instruct students in safe behavior and sound behavior.

It is of the utmost importance of schools and universities safety that they are equipped with environment-friendly fire extinguishers along with fire fighting sprinkler system which open automatically when exposed to a high temperature due to a fire. In addition, apparent exists, fire stairways and first-aid kits should be provided. Students ought to be trained to evacuation plans.

Students' personal conduct is the main factor in achieving public safety in the classroom, playground, gym, sports playground, laboratories, and art classes as well as whenever going in or out of school.

### **a- In the classroom**

104. Do not push other students or block entrance or exit classroom doors.
105. Sit straight on desks and keep legs away from pathways between desks.
106. Avoid leaving sharp edged materials (used in sport classes) on chairs and tables as they might cause injuries.
107. Do not pelt one another with chalks, pencils, pencil cases, rules, or any other tool that may inflict damage to others.
108. Do not take classrooms as play spaces during recessions and do not carry out violent actions against others.
109. Do not sit on any broken chair or desk. Report damaged



appliances to the administration for immediate corrective action.

110. Substitute blackboard chalk causing allergy to students with dust-free chinks. In case white correction fluid is used it ought to be environment friendly.

### **b- In the playground**

111. Do not litter food leftovers or fruit on the playground floor.
112. Follow the instructions the person in charge of the playground.
113. Do not allow children to play with tools or toys designated for an older age.
114. Do not leave small-size tools within the reach of little children.
115. Do not allow children to run in the playground while holding a glass bottle of water or juice.
116. Do not climb the walls surrounding the playground floor, especially if the upper edge of the wall is aligned with sharp objects (broken glass, pointed spears...); and notify the administration so that they are removed at once.
117. Pay attention to younger children while playing so as to avoid bumping into them or hurting them. It is preferable to provide each age category with special playgrounds that suit their capabilities and needs, and providing the playgrounds of younger children with a floor cover to protect them from the danger of falling.
118. Dedicating special parking lots for buses in the school campus away from the places and hallways where students are present or which they cross.

### **c- In sports halls and sports courts**

119. strictly adhere to the instructions of the sports coach
120. Respect the rules of every sports game and avoid all rash behavior.
121. Wear the sports outfits designed for each game along with the suitable protection gear.
122. Keep calm while playing because defiance and anger can lead to hurting others.
123. Do not throw sports objects at others.
124. Do not hit others while playing sports, even if you are only fooling around.
125. Provide a high and solid fence in open sports courts.

### **d- in scientific laboratories**

126. Clean the laboratory well from the residues of used material; and provide it with one or two types of fire extinguishers (liquid gas or dry chemical substance).
127. Provide the laboratory with first aid tools and with a spray gun for washing the face and eyes.
128. Do not touch any substance in the laboratory unless under the supervision of the subject professor.
129. Do not mix the substances in the laboratory in an arbitrary manner.
130. Wear the apron designed for the laboratory and a goggle on your eyes or face; and use gloves if necessary.
131. Provide effective ventilation all around the laboratory, by installing electric aspirators if necessary.

### **e- in the art and drawing room**

132. Clean the drawing room with excessive care to get rid of the accumulated dust and the remains or splinters of any used substance.
133. Keep used tools in their places, especially the tools which are used for sculpturing.
134. Wear dust masks and safety goggles.
135. Abide only by the movements which the student is trained to do, especially the lesson deals with ballet or dancing.

### **f- When entering or exiting the school**

136. Do not push in the hallways and along the stairs when getting to class or going home.
137. Use the stairs very calmly and keep to the right, holding on to the rail.
138. Do not throw any paper or other object while descending the stairs.
139. Do not jump two steps or more at once while descending the stairs.
140. Do not glide along the rail. Provide both sides of it with a rubber insulating cover.
141. For nursery and elementary class students, it is preferred that they not take the stairs for the above purpose. Rather, they can be given the classes on the ground floor or the first floor, provided they can access it through mildly sloping ramps.

## 2- Public Works Contracts

Construction and works contracts in the public field include public works concluded in the interest of public administrations and institutions and municipalities, and are considered as administrative contracts by which the contractor is subject to the directions of the administration necessary for the public interest. Litigations in these contracts are subject to the control of the administrative judiciary.

### Obligations of the public authorities:

142. Including in public works contracts public safety standards and all of their procedural details.

To know whether the contract of public work respects the concept of public safety, we have to know the nature of this contract first.

The contract of public works is a contract concluded by the administration in the aim of carrying out a public work through another party called the contractor.

There is no legal text that defines the concept of public work; nevertheless, jurisprudence and discretion have been able to announce some of its elements. The judiciary considered that public work is the work that is carried out in an estate for the expense of a public person or through this person or his administration, in the aim of achieving a public benefit, or for the expense of a private person by proxy of a public person in the aim of achieving a public facility.

The concept of public works extended to include works which affect immovables and which are carried out by a public person or by an apparatus legally authorized to perform a public facility task or services, provided that the object of these works is to achieve public interest.

A public work leads to the establishment of the public facility, i.e. the work that has been completed. It also leads to a public benefit or at least a collective benefit.

Public works include roads, highways, bridges, port facilities, military camps, airports, water systems, electricity wiring, gas, water and oil supply, railways, agricultural forestation projects, and all buildings dedicated to public facilities or to public use only.

Both the administration and the contractor, upon concluding the public works contract, shall abide by the specified safety standards and take them into account.

Public works are strongly related to public safety, especially that works involved in executing such works can cause damage and hurt to the public safety. Therefore, it is necessary upon concluding any public works contract, to resort to specialized experts in the field of accident security. They are known as “safety engineers” and carry out studies, designs and programs which make buildings, schools, highways and other works much more safe. Their mission is to prepare a special book of conditions which includes explicit clauses on public safety, which are binding to both parties and irrevocable.

### 143. Following up on the implementation of public works contracts

Upon drafting a construction or public works contract, or entrepreneur contract, both the administration and the contractor shall have certain rights provided to them by the principles and legal customs; and the administration shall have privileges by which it is superior to the contractor.

It is essential to focus on the administration's right to monitor and manage the executed works. The contractor shall carry out the works under the control and supervision of the administration's engineer who is deemed as the effective and true director of the works. The administration has the right to amend the terms of the contract and the right to annul it and impose sanctions upon the contractor who breaches the standards of public safety.

The administration's right to pursue the execution of works to make sure that the effective execution respects the convened conditions relevant to public safety is imposed by the general principles which stipulate compensating for the damages incurred by third parties as a result of the execution procedures of the works when the damage is unfamiliar; and the administration shall remain responsible for the damages which affect individuals due to the execution of public works.

The judiciary further explained the damages incurred by third parties and affecting public safety and provided that the execution of such works must be followed up and monitored, and that the administration be held accountable when it breaches this obligation:

“in the event the administration reserves the right to monitor the works carried out by the contractor on whom the bid was

settled in the matter of extracting gravel and sand from a public property river, thus binding him to the design and instructions given by the Public Works Administration, then the administration becomes responsible jointly with the contractor for his mistakes,

If the contractor, mindless of the contracting conditions, carries out excavations which lead to a decrease in the river level and to a shift in its natural pathway, causing the water to flood over nearby estates and infringing upon the public safety, then these mistakes perpetuated by the contractor are deemed as part of the contracting and for its purpose. In this case, the administration is held accountable for neglecting the effective monitoring of the execution of the works so as to avoid damage to third parties...”<sup>1</sup>

The judiciary consecrated the principle of compensating the damages incurred by third parties and considered that any negligence or remissness that damages public safety holds its perpetuator legally accountable.

- Main and regional roads not habilitated or maintained. (French Council on 20/7/1965, series 265)<sup>2</sup>
- Road not cleaned, and absence of a sign saying that the tree on the sidewalk and leaning over the road is no higher than 3 meters. (FC on 6/7/1966, series 1128)
- Collapse of a wall due to a fault in works and lack in maps. (Lebanese Council number 17 on 19/5/1937, series of the Lebanese State Council Resolutions, 1)
- Expansion of the road by bulldozers, causing walls to shake and collapse. (LC number 308, date 29/5/1978).

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1- *Court of Appeal, Beirut, number 636, date 18/5/1954, Hatem series, V 27, p 37.*

2- *“Juriclasseeur Administratif”, manual 726.*

- Absence of a light reflector on the roads. (LC, 1968, date 10/10/1968, series 68, p 163)
- Absence of a light signal to alert to the presence of pot-holes and gravel mounds on the main road. (LC, number 216, date 29/5/1978)
- Tumbling of a truck due to the piles of fine gravel and sand when the administration was paving the road. (LC, number 243, date 29/6/1979, and number 173, date 9/5/1979)
- A cylinder placed across the highway. (LC, number 380, date 11/12/1979).
- Triumph arc not shown by light signs. (LC, number 940, date 20/5/1965, series 65, p119).
- Water on roads flooding them with a height of 40 cm across. (LC, number 3, date 11/1/1978).
- Direct collapse and cracking of the building following the construction of the facility or road widening works or installation of water networks. (FC, on 1/12/1937, Glanotti series, 1988).<sup>3</sup>
- Damages affecting buildings due to tree roots on the main road. (FC, 28/12/1923, La Cassagne, series 907).
- Damages resulting from decreasing the road level by 75 cm. (LC number 25, date 23/11/1970, series 70, p 76).
- Collapses on main roads and main road walls and tumbling of cars as a cause of them. (LC number 273, date 13/3/1957, series 57, p 123).
- Holes in the main roads 40 cm deep lead to the falling of one person and his death. (LC, number 90, date 9/5/1969, series 65, p 101).
- A pot-hole 10 to 20 cm leads to the swerving of one car and causes harm to the passengers. (LC, number 40, date 16/1/1975, series 65, p 101).

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- Damages to buildings due to cracks from constructing a main road without building a support wall to contain the soft soil. (LC, number 471, date 23/5/1961)
- Floods and excess water flooding from public facilities such as bridges, fillings, dams, support walls. (FC, on 9/3/1951, series 176).
- Floods occurring due to works on sea utilities increasing the level of water. (FC on 16/2/1928, series 176)
- Damages incurred by buildings due to leakage of water flowing in burst pipes due to their deteriorated state. (FC, on 21/6/1963, series 420).
- Pollution of sea baths and not fixing a broken sewer or burst waste water pipe pouring near the beach. (FC, number 367, date 29/3/1961).
- Fire resulting from the collapse of an electric cable. (FC, date 24/11/1922, series 881).
- Damages resulting from explosions due to gas leak (FC, on 10/7/1970).
- Damages to pedestrians in a nailed crossing due to the miserable shape of the tiles. (FC, date 20/7/1935, series 855).
- Damages to pedestrians in a pedestrian crossing where the yellow lines had faded. (FC date 17/1/1968).

144. Including in the public works contracts explicit clauses on public safety and resorting in several cases to a “safety engineer” and an “environmental engineer” in all types of water projects and agricultural forestation projects (pollution of soil and groundwater due to usage of pesticides that are harmful to the environment)

The public works contract is formed of the following essential documents:

- Declaration of the bid
- Offer presented by the participant in the bid
- Special book of conditions
- Book of conditions and general terms
- Estimated statement of quantities and prices
- Detailed chart of process
- Analysis of the prices by the presenter
- Minutes of the bidding committee and of the experts committee if solicited
- Decision of the bid approval
- Formality of notification to the successful bidder of the approval decision

The book of conditions and general terms issued in 1942 includes the terms imposed upon public works contractors. Concerning the creation of administrative contracts, the booklet of general clauses and terms has an organizational nature.

The special book of conditions includes the following information:

- Types of requirements, works and services that are to be contracted;
- Conditions imposed upon whoever wishes to participate in the bid;
- Preferential elements used by the administration in case it does not want to execute according to the lowest price;
- The basis followed in the bidding;
- Special execution conditions;
- Period of delivery;

- Amount of guarantee;
- Estimated statement of quantities and prices;
- Price chart.

Some clauses can be excluded from application, and the administration may cease its attachment to the application of certain clauses.

The Lebanese jurisprudence considered the book of conditions which includes the precautions necessary to avoid damage (public safety standards) is much like the regulation to which one has to adhere at his own responsibility:

“The book of conditions based on which the contractor undertakes the digging process towards the municipality and carrying out all precautions that protect the pedestrians from danger is the regulation which the municipality requires him to follow when performing these works. He is then bound to respect its terms at his the risk of penalty, and shall not replace the specific measures mentioned in these conditions by any potentially replaceable measures, because this matter is the authority of the municipality alone, and it is up to the municipality to approve the sufficient measures for public safety. If he does not abide by the book of conditions and does not place the required wooden barriers to block the passage being dug, he shall be accountable...” (Lebanese First Instance number 27/12/1934, the Advocate Magazine, 1936, p 26)

Moreover, the book of conditions must include the obligations which need to be respected at all times for the sake of public safety:

The obligation of main roads maintenance renders the administration responsible for carrying out the **continued** necessary works required by the status of these roads in order to provide public safety.” (Private administrative court, number 58, date 9/4/1970, the Journal, 1970, p 410)

“the administration shall be responsible for “remissness at maintaining the safe driving on main roads, and is deemed remiss if it does not secure that the width of a bridge is equal to that of the road it leads to and if does not place preventive barriers on the sides.

The administration shall issue instructions continually and whenever needed, “such as the instruction to repair or tear down walls and buildings by the main roads when they threaten to collapse, which puts public safety at risk. Authorities shall be answerable in the event they refrain or delay in taking the measures which the need for public guarantees calls for, or in the event they take inadequate measures as to the threat that needs to be stopped”.

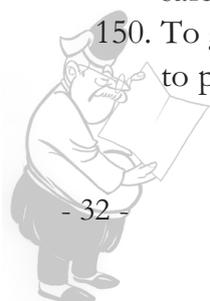
The book of conditions shall also include patent clauses in the aim of maintaining public safety. The French Council of State has stipulated that: “protrusions close to five centimeters, such as a sewer stop or cover, as well as rocks which constitute a protrusion in the street ground, are deemed as unfamiliar and are a danger to public safety.”

### 3 - Prosecution and Punishment of Contraveners And Follow-up

Legislation and administration of issues relevant to public safety have witnessed a rapid and increasing development in all developed nations without exception. In Lebanon, there is a notable development, although lacking in durability.

#### Rights of the citizen

145. To give ultimate priority to preserving the life of the human being.
146. To continuously develop the laws related to public safety and allow the competent authorities, from both the public and private sector, to express their opinion regarding the new legislation.
147. To give more municipal motivations and imposing further obligations in order to maintain public safety in the municipal domain.
148. To insist on activating the control of legislation enforcement through practical mechanisms, and not sufficing with the legislation of laws which often undergo great difficulty ahead of being implemented by executive authorities.
149. To monitor the government in the matter of incompatibility of specialization, and therefore the responsibility of executive authorities to enforce the laws relevant to public safety.
150. To give the legislation passed by the parliament a clear form to punish the contraventions that endanger public safety.



151. To be strict in punishing contraveners who put citizens' lives at risk.
152. To develop mandatory security laws so that they meet the public safety conditions.

### **Obligations of the citizen and civil institutions**

153. To give more attention in all educational institutions to the principles of public safety, and integrating them clearly in educational curricula of all phases.
154. To encourage all media channels to support the efforts necessary for making a change in the citizens' concepts of public safety.
155. To work on allowing the citizen to benefit from the bitter experiences which thousands of families lived due to the injury of one of its members in a disaster caused by risk or negligence of the main principles of public safety, to build a collective memory and erect memorials in public places to control and positively affect citizens' behavior.

### **Obligations of the judicial authorities**

156. To give a privileged priority to public safety.
157. To resolve issues related to public safety in the shortest time possible.
158. To hold the contraveners upon public safety accountable for the necessary penal and civil responsibilities.
159. To commit the person responsible for the damage to pay the proper financial indemnities to the affected individuals.
160. To commit the public authorities and municipalities to bear their financial responsibilities resulting from their inconsideration of public safety.

## 4- Road Beneficiaries: Rights and Obligations

Provisions relevant to public safety in the traffic law number 76/67 dated 26/12/1967.

### Drivers' obligations

What should be done?

#### Driving license

161. Acquisition of a license given by the competent service for the car or vehicle category and type. The driver shall carry this license while driving the vehicle (article 143).

#### Manufacturing

162. He shall make sure that the car has been manufactured in a manner that provides the driver with an adequate range of vision to the front, left, and right, so that he may drive it safely (article 72).

#### Glass

163. Make sure that the glass, including the windshield, is made of a transparent material that does not cause injuries if broken (article 73-1).

164. That the windshield does not deform the shape of objects and does not prevent the driver from clearly seeing the road if broken (article 73-2).

165. Supply the windshield with an automatic glass wiper that works within a range that allows the driver to clearly see the road from his seat (article 74).

### **Side mirror**

166. The car shall be provided with at least one side mirror positioned in a manner that allows the driver to see the road at the back of the vehicle (article 76).

### **Speedometer**

167. The car shall be supplied with a device that indicates the speed and which must always be functional (article 78-1).

### **Seatbelt**

168. The front car seats shall be equipped with seatbelts which must always be functional. (article 78-4)

### **Brakes**

169. The car shall be provided with efficient and fast brakes, powerful enough to put the vehicle to a halt, even in the most inclined slopes (article 79-1).

170. The car shall be provided with two brakes which are independent from the each other and which do not affect the direction of the car or vehicle when it is traveling in a straight direction. At least one of them must operate on parts fixed to the wheel in a technical mechanism (79-2).

### **Headlights**

171. The front of the car shall be equipped with two headlights emitting white or yellow light which is visible at night, in clear weather, at a 150 meter distance, without blinding the vision of other drivers (article 82).

### **Road lights**

172. The front of the car shall be equipped with two road lights

forwardly emitting white or yellow light that illuminates the road at night, in clear weather, at a minimum distance of 100 meters (article 83)

### **Dim Lights**

173. The front of the car shall be equipped with two dim lights emitting white or yellow light which illuminates the road at night, in clear weather, at a minimum distance of 30 meters, without blinding the vision of other drivers (article 84-1).
174. If any point of projection of the dim light is more than forty centimeters away from the width of the car, the driver shall turn on the headlights along with the dim lights (article 84-2).
175. Turning on the dim lights must automatically turn off the headlights (article 84-3).

### **Rear Lights**

176. The rear of the car shall be equipped with two lights emitting red, non dazzling light which is visible at night, in clear weather, at a distance of 150 meters (article 84).

### **Turn Signals**

177. The car shall be provided with apparent blinking lights on both sides of the car, in the front and in the rear, to be switched on when taking a turn (article 89).
178. The rear of the car shall be provided with one or two lights for deceleration, which emit to the back a non dazzling orange or red light, and which are switched on as soon as the driver uses the main brakes (article 88).
179. In the event the signal emits red light, this light must be emitted from the rear light when the signal is adherent to the rear light or incorporated in it; provided that this light

remains non dazing (article 88).

180. This signal shall not be fixed on trailers if their sizes do not hide the deceleration signal on the trailing vehicle from a driver coming from the back (article 88).

### **Fire extinguisher**

181. Every shipping vehicle or public or private bus shall be supplied with two fire extinguishers, provided that each extinguisher is always functional (article 109-2).

### **Driving**

182. The driver shall keep to the utmost right of the road in the following cases:

First: when another driver is coming towards him from the opposite direction.

Second: when another driver wants to overtake him.

Third: when the front vision of the road is inadequate.

Fourth: when the speed of his car is below the average speeding on the road, especially on mountain roads (article 5).

### **Speed, overtaking, and distance between cars**

183. The driver who is about to effectuate a major change in the speed or direction of his vehicle or animals, shall make sure in advance that it is possible to do so without any danger, and shall alert other drivers on the road to his intention (article 7).

184. a- Before making any maneuver, or exiting from a building or estate or a line of parked cars, and before driving in reverse or taking a turn, the driver shall alert the other

beneficiaries to the move he intends to make, and he shall not proceed to its execution unless he makes sure it is possible to do so without any risk.

- b- The driver shall decelerate or stop his vehicle to allow the blind or handicapped to cross.
- c- The driver shall not prevent other vehicles and beneficiaries from conveniently using the road, and he shall not use the brakes abruptly unless for safety purposes.

Drivers of cars which total authorized weight exceeds three thousand kilograms shall leave between their cars and the cars of the same category ahead of them on the road outside habilitated areas a distance of fifty meters at least (article 8).

185. If on a certain road or square or crossroads, a building, memorial, monument, or honorary is built in a manner that prevents the vehicle from proceeding in a straight direction, the driver shall turn his vehicle around to the right, unless otherwise indicated (article 10).

186. The driver shall remain, in all cases, awake, alert and in good control of his vehicle, so that he may carry out all the required operations and maneuvers.

187. Upon determining the speed of his vehicle, he shall take into consideration the position and status of the roads, the loads of his vehicle, the weather conditions and the level of traffic, so that he may put his vehicle to a halt within the forward range of vision available to him and before he encounters any potential obstacle.

He shall also decelerate his vehicle or put it to a halt whenever conditions so obligate, particularly when the vision is low (article 11-1).

188. The driver of the vehicle which is moving behind another

vehicle shall leave between his vehicle and the one in front of him a safety distance sufficient enough to prevent collision in case the driver of this latter suddenly decelerated or stopped (article 11-3).

### **Speed**

189. The driver shall decelerate his vehicle whenever conditions so obligate, especially in the following cases:

a- When driving in habilitated areas

b- Outside habilitated areas:

- At turns, slopes, crossroads, and when approaching the climax of an uphill.
- Upon encountering or passing by a civil group or military infantry.
- Upon encountering or passing by dragging, loading or riding animals or cattle. (article 11-4)

190. The driver shall not exceed the maximum speed or drive below the minimum speed determined in enforced regulations. Excluded from this term are drivers of security forces, fire department and ambulances when they are carrying out a task that requires rapid intervention; as well as every car driver who is transporting a critically injured person (article 12-1).

### **Conjunction, overtaking and priorities**

191. In case of a conjunction, the driver shall keep to the right side of the road as permissible by other drivers on that road (article 14)

192. Before proceeding to the overtaking, the driver shall make sure that it is possible to do so without any risk, that he has

enough time and room for it, and that none of the drivers behind has yet proceeded to such a process. He shall, when necessary, and taking into account the allowable traffic measurements in habilitated areas, notify the road beneficiary he intends to overtake (article 15-1).

193. The overtaking driver shall return immediately to the right of the road after making sure the same is possible without any restriction (article 20).
194. Drivers to be overtaken shall immediately keep to the right side of the road without accelerating their vehicles (article 21).
195. In the cases where the road's shape, status or free range of width do not allow an easy or completely safe conjunction or overtaking, drivers of vehicles with a width or freight width exceeding two meters and a height exceeding 8 meters (including the trailer) shall decelerate its speed, and stop it or park it aside if necessary so as to facilitate the passage of smaller vehicles (article 22-1).
196. In the same cases, if a vehicle of the security forces, fire squad, civil defense or ambulance announces its approach; other drivers on the road shall decelerate and stop their vehicles if necessary to facilitate the passage of these vehicles (article 22-2).
197. On mountain roads or strongly inclined slopes where conjunction is difficult or impossible, the driver of the vehicle heading downward shall make way for the vehicle going upward. In the event either of the vehicles has to move in reverse to allow for the conjunction, it is the driver of the declining vehicle who should do so (article 22-3).
198. The vehicle driver shall make sure, upon approaching an intersection, that the road he intends to cross is free. He shall drive with a speed which he decreases according to the

deterioration of vision, and shall make his approach known whenever necessary, while taking into account the potential traffic measures within habilitated areas (article 24).

199. The driver who is preparing to leave one road and enter another road to his right shall keep too the right side of the road; and he shall in all cases take the turn with a moderate speed, after making sure he can do so without threatening or disturbing others (article 25-2).
200. The driver who is preparing to leave one road and enter another road to his left shall slowly take his left without surpassing the axis of the road (page 25-2).
201. In the event two drivers approach the same crossroads from two different roads, the driver coming from the left shall make way to the other driver (article 26).

### **Road signs and directions**

202. The driver shall, in all cases, abide by the directions specified through signs and banners placed on the road sides, conjunctions, and intersections, or those painted on the road itself (article 28-1).
203. When the orange light is lit, parked vehicles shall prepare to move off without actually moving before the green light is lit (article 28-4).

Moving vehicles shall have the right to pass if they have already accessed the intersection.

204. The beneficiary shall not access the intersection, even if the traffic sign allows him to, if the traffic status will oblige him to stop in the middle of the intersection and disturb or obstruct the flow of traffic across (article 28-5).

### **Directions of the security officer**

205. The beneficiary shall abide, in all cases, by the orders of the security officer charged of organizing the traffic, even if these orders conflict with the directions given by the traffic lights or the light and ordinary signs, or even the general traffic rules (article 28-6).

### **Priority of passage**

206. In all cases, the driver shall give the right of passage to the vehicles of the army, internal security forces, fire squad, civil defense and the ambulance (article 29-1).

207. The driver shall give the priority of passage to school students entering or exiting their schools (article 29-2).

208. The driver shall make way to the public transport vehicles to allow them to effectuate the necessary procedure to turn into their parking spots or to move off therefrom (article 29-3).

209. The vehicle shall be parked along the road in such a manner that does not disturb the flow of traffic or obstruct the entry to nearby properties; provided that this parking is done in the same direction as the traffic (article 38-1)

210. In all cases, the vehicle shall be parked to the utmost right of the road so as to vacate as much of the road as possible; unless this side of the road is dedicated to a particular line of traffic or if the land does not allow it (article 38-2).

### **How to use the lights**

211. At night, and as necessary during the day, particularly when there is fog or heavy rain or snow or when passing through a tunnel, the driver shall:

a- Turn on the road lights or the dim lights.

b- Turn on the measurement lights if the vehicle is equipped with them (article 41-1).

212. The driver shall use the dim lights instead of the road lights and anti-fog lights in all conditions which so require so as to avoid blinding the vision of other drivers; particularly:
- a- At conjunction
  - b- When driving behind another vehicle at a short distance (article 41-2).
213. At night, and as necessary during the day, particularly when there is fog, every vehicle parked along a road that is not adequately lit shall be made seen - either by the headlights or by the rear red lights, or by the parking light – from the side opposite to the sidewalk or to the side of the road (article 42-1).
214. In all cases, when parking at night on the main road outside cities and habilitated areas and on unlit roads, vehicle drivers shall place on the road behind their vehicles or cars and along its left side at a reasonable distance, a triangular light reflecting sign (article 42-4).
215. If the length of the vehicle or a group of vehicles exceeds six meters, or if its width exceeds two meters, it must be made seen while parked by two headlights and two red lights (42-2).
216. If it is impossible, due to a force majeure, to stop the vehicle within the aforementioned conditions, or if the vehicle freight or a part thereof fell on the road and it was impossible to remove it immediately, then the driver shall take all the necessary measures to point to these obstacles if vision is unclear, and especially at night (article 42-3).

### **Freight and specifications of vehicle**

217. All necessary precautions shall be made to prevent any damage or danger that may result from the freight of the vehicle or trailer (article 65-1).

218. In all cases, freight must be coordinated in a manner that completes secures safety of commute and does not affect the equilibrium of the car at turns and slopes (article 65-4)
219. If the vehicle or the group of vehicles is loaded with trees or other objects extending in length, then the length of the freight from the front shall not go beyond the front of the vehicle. From the back, however, the freight may extend over the rear of the vehicle or trailer up to two meters only, provided they do not touch the ground of the main road (article 67).
220. Object which are excessively long shall be firmly tied together and to the vehicle so that the vibrations do not allow this freight to glide more than the permissible limit (article 68-1)
221. If the car load includes objects that can fly or fall off during the motion of the vehicle, they shall be securely covered (article 68-2).
222. Every car, vehicle, trailer, or half trailer intended to be put in traffic must be manufactured and equipped in such a manner that limits, in case of collision, the risks of body accidents for both its users and other road beneficiaries (article 109-1).

### **Upon accident**

223. In the event of an accident, the driver shall park his vehicle immediately. If damages are strictly material, he shall stop and not move before he reveals to the damaged party the number of his vehicle, his name and address, as well as the name and address of the vehicle owner.

If a person is hurt and his injuries prevent him from commuting, then the vehicle driver shall transport him in his own

vehicle to the closest place where first aid can be given to him. If necessary, the driver shall go fetch the doctor himself and return the injured person to his home. The driver may never leave the accident site before he is interrogated by the public force officers.

If staying at the accident site poses a threat to the driver's person or to his vehicle, then he may leave the premises to the closest public forces headquarter to notify them of the accident and return with them to the accident site (article 274-1).

### **Security chair for children**

224. Parents of children three years of age and below shall seat their children in the special children security seat sturdily positioned in the backseat.

## **Prohibited actions**

### **Pathways, lanes, and lines**

225. If the road is divided into two determined pathways by continual lines or intervals, the driver moving on either of these pathways may not cross or drive over these lines or intervals (article 6-1).

226. If the road is divided into two determined pathways by intermittent lines, the driver, if driving normally, shall use the right pathway and not cross over the lines unless he means to overtake another vehicle (article 6-2).

227. If the pathway is defined by an intermittent line alongside a continual line, the driver shall not cross this continual line if it is directly to his left (article 6-2).

If the intermittent line is directly to his left, he can cross over the continual line (article 6-2).

228. If the single pathway is divided into several lanes, it shall be



ultimately forbidden to cross the line separating one pathway from another. In all cases, the lanes of the other pathway must be left for opposite flow of traffic (article 6-4).

229. If the single pathway is divided into several lanes, it is possible to drive one car next to the other in the same direction, provided that the slow cars stay in the lane to the utmost right, unless they are preparing to leave the road and take another one to the left. This shall be done after making sure that this move does not involve danger to others and after alerting other drivers on the road of this intended turn (article 6-5).

230. The driver shall not:

- Interrupt the lines of military troops, security forces and other types of convoys while in motion.
- Turn off his car engine to let it move downhill by force of its own weight.
- Drive from side to side along the road, unless when overtaking another driver.
- Effectuate a maneuver (turn) in the middle of the main road within habilitated areas.
- Drive in a direction other than the one specified.
- Drive his vehicle when drunk.
- Use any communication device while driving (article 9).

231. Drivers of transport vehicles shall not:

- Slow down to solicit passengers.
- Use roller blades on main roads.
- Wash or repair his vehicle on the main road unless in very urgent situations (article 9).

232. The driver shall not disturb the flow of other vehicles by exaggeratingly decelerating for no reason, or by trading in moving off when given the traffic signal (article 11-1).

233. Drivers of vehicles which maximum speed are less than the speed indicated on the roads shall not access or drive on these roads (article 12-2).

### **Overtaking**

234. In case of overtaking, the driver may not use the left half of the road unless it does not inconvenience the drivers coming in the opposite direction (article 15-2).

235. The driver shall not overtake a vehicle moving on new lines, or a vehicle that is parked as passengers descend or ascent it, from the side of the door through which passengers are descending or ascending (article 17-2).

236. If the road is not divided into pathways defined by lines, overtaking shall be forbidden at turns and at the peak of heights, and particularly if forward vision is inadequate, unless the left half of the road remains vacant (18-1).

237. a- at intersections with unwatched railways, on bridges and in tunnels.

b- At crossroads, unless the drive is moving at the side of the road to which he has the right of priority.

c- If the driver to be overtaken is overtaking his priority thereto.

If a line of cars has stopped due to traffic jam or due to a sign commanding them to stop (article 18-2).

238. If traffic is flowing in both directions on a three-lane road defined by intermittent lines, the overtaking driver shall not use the lane to his utmost left. He shall be allowed to use the middle lane when overtaking only (article 19).

### **Parking, leaving the vehicle or animals**

239. It shall be forbidden to park on road sections occupied or traversed by railways. It shall also be forbidden to leave

vehicles or animals in such sections or to use the railways to drive foreign vehicles along them (article 31).

240. It shall be forbidden:

- To park or leave a vehicle or animal on the main road if it infringes upon the usage of the road (article 37-1).
- For the driver to move away from his parking spot without taking the necessary precautions to avoid any accident during his absence (article 37-2).
- For the vehicle driver to descend it or ascend it or open one of its doors before previously making sure that it is possible to do so without any risk (article 37-3).

241. It shall be forbidden to park:

- a- In the places designated with the “No Parking” sign.
- b- In places less than ten meters away from the parkings of electric buses and other public transport vehicles.
- c- At the curve or the summit of a road or crossroads, or when vision is unclear.
- d- In places where parking prevents another parked vehicle from moving off.
- e- On bridges, pedestrian trails, entrances and exits of garages, public gardens, roads and schools.
- f- At the mouths of roads leading to public, official, or private buildings.
- g- On sidewalks dedicated to pedestrians, and on railways and other tracks designed for velocity transport (article 38-3).
- h- On roads with designated stops for picking up passengers, taxis may not park in this places unless for their designated purpose (article 38-4).
- i- No vehicle shall park in a parking spot dedicated to a different vehicle category (article 38-5).
- j- It shall be forbidden to display or park vehicles for sale for

trade purposes, whether the vehicles are new or used, on main roads or even in the places where parking is allowed (article 38-6).

### **Lights**

242. It shall be forbidden to use the road lights:

- a- At a conjunction.
- b- In habilitated areas when public lights are enough.
- c- Outside habilitated areas when public lighting is continuous in a manner that allows the driver to see a good distance away.
- d- When the vehicle is parked. (article 41-3).

### **Light Signals**

243. Vehicles shall be forbidden to use any light signal or light-reflecting signal meant for advertising (article 43).

### **Towing trailers**

244. Tourism vehicles may not tow trailers for commercial or industrial or agricultural purposes, except for the trailers designed for excursion, tourism, and hunting or similar personal use (article 48-2).

245. Buses may not tow any trailer for any reason whatsoever (48-4).

### **Racing**

246. No race of any type may be done on main roads, except after obtaining a special authorization from the Minister of the Interior which defines the conditions to be respected (article 51-1).

### **Projector**

247. It shall be strictly forbidden to use a projector to light the road, with the exception of army, security forces, fire squad and ambulance vehicles (article 91).

### **Transport of animals or goods**

248. It shall be strictly forbidden to transport animals or goods inside buses (article 170-1).

### **Unsafe circulation**

249. Cars shall be forbidden to circulate without doors or motor hood, or with open doors or hood, or without fenders for the back wheels. Freight vehicles shall also be forbidden to leave the rear door to their trunk hanging off, or to transport any loads outside the trunk (article 170-2).

### **Children seating**

250. Children under ten years of age shall not sit in the front seats of tourism cars.

### **Speed**

251. The driver may not drive in an excessive speed in congested traffic or unclear vision, or at road crosses or turns, or in conditions that require deceleration.

## Obligations of freight vehicle drivers, and agricultural and public works machinery

### What should be done?

#### Driving license

252. Acquisition of a driving license for an agricultural vehicle or public works machinery issued by the competent service and valid for the vehicle category he his driving (article 204-1).

#### Transporting individuals

253. Freight cars shall be licensed to transport two people next to the driver provided the height of the seat does not exceed the measurements defined by the Minister of the Interior (article 171-1).

254. Freight cars shall be licensed to transport maximum three workers in the trunk, with or without cargo, provided that it is equipped with the necessary seats (article 171-2).

#### Moving parts of the vehicle

255. Moving or easily disassembled parts shall be folded inwards when driving on the main road (article 180).

#### Weight

256. It shall be forbidden to drive a vehicle with a weight exceeding the total weight specified for it and registered in its license (article 174).

#### Vision

257. If the vision range of the driver in every direction is not enough to allow him to drive in total safety, he shall let another person guide him to drive safely (article 183).

## **Speed**

258. Maximum speed for vehicles and agricultural and public works equipment on main roads shall be set at thirty kilometers per hour (article 197).

## **What should not be done?**

### **Tires**

259. If vehicles and agricultural equipment are not equipped with inflatable tires, their pressure against the ground should not exceed, at any time, one hundred fifty kilograms per centimeter of the tire width (article 175).

260. Equipment and tractors with chained wheels shall not be driven on main roads (article 177)

261. They shall not be driven on bridges where the maximum allowed weight has been determined and where they exceed this specified maximum.

## Obligations of motorcycle and motorcycle trailer drivers

### What should be done?

#### Driving license

262. Acquisition of a driving license given by the competent service (article 223).

#### Weight

263. The weight of the motorcycle when empty shall not exceed four hundred kilograms (article 207).

#### Tires

264. The motorcycle and its trailers shall be equipped with inflatable tires or other adequately versatile means.

The outer tires should be in good shape and the rubber thickness above the carved lines should not be less than two millimeters (article 208).

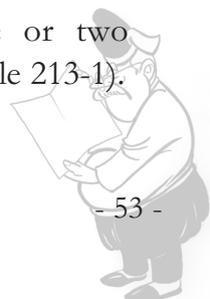
#### Vision

265. The motorcycle shall be manufactured in such a way that provides to its driver enough range of vision to the front, right and left, so that he may drive it safely (article 211).

#### Brakes

266. The motorcycle shall be equipped with brakes efficient, fast and strong enough to put the motorcycle to a halt even in the most sloping inclines (article 212).

267. The motorcycle shall be equipped with one or two headlights, one road light, and one dim light (article 213-1).



### **Lights and signals**

268. The rear of the motorcycle shall be equipped with one or two lights; and if the motorcycle has a trunk, then the front shall be equipped with a headlight and the rear with a red light. (Article 213-2).
269. Both sides of the motorcycle shall be equipped with stop lights emitting to the back and to the front the same lights emitted by the head lights and the rear red lights (article 214).
270. The motorcycle shall be equipped with a light-reflecting device (article 215).
271. The rear of the motorcycle shall be equipped with one or two deceleration signals (article 216).
272. The motorcycle shall be equipped with blinkers for changing directions (article 217).

### **The protective Helmet**

273. Motorcycle users (the driver and his escort) shall wear the protective helmet to protect themselves from collisions while driving.

### **What should not be done?**

#### **Towing motorcycles**

274. Motorcycle drivers shall not resort to other vehicles to tow their motorcycles (article 9).

#### **Modifying the shape of the motorcycle**

275. No protruding metal parts between the tires and their contact surface with the ground shall be installed (article 308).

276. Load measurements shall not, in any case, exceed the size of the motorcycle trunk in width or in length (article 209).

### **Moving things**

277. Motorcycle drivers shall not move objects which might hinder driving or form a danger to traffic.

Nevertheless, two-wheel motorcycles manufactured with a rear seat, foot steps, and a hand holder, may transport one person on this seat (article 209).

### **Acrobatic movements**

278. Motorcycle drivers shall not do any acrobatic moves on the main road, such as lifting the motorcycle and moving off on one wheel and other similar moves..

279. It is worth noting that the provisions of the traffic law related to motorcycles needs to be enforced as it is presently enforced on cars in terms of penalizing contravening car users (not abiding by traffic lights or by the commands of the police officer, parking on the sidewalks, exceeding the allowed speed limit, speeding in-between cars).

## **Obligations of the motorbike and motorbike trailers drivers**

### **What should be done?**

#### **Registering the motorbike**

280. The motorbike shall be registered at the municipality house of the residence area of its owners (article 238).

281. The section assigned for circulation

When a certain section of the road is assigned for motorbikes,

- drivers of these vehicles shall adhere to this section (article 228).
282. Two-wheel motorbikes may drive on the sidewalk if their drivers are dragging them by hand as they walk, provided the width of the sidewalks allows it (article 229).
283. Two-wheel motorbikes may drive on sidewalks and crosses dedicated to pedestrians in inaugurated roads, roads under reparation, and roads outside habilitated areas. In this case, the drivers shall secure a moderate driving when they run into pedestrians and when they are close to houses (article 230).

### **Moving things**

284. A motorbike may be equipped with a basket for carrying certain objects which do not exceed 25 kilograms in weight (article 231).
285. The motorbike shall be provided with two effective rakes (article 232).

### **Lights**

286. At night and during the day, wherever necessary, the front of the motorbike should be equipped with one light that emits non dazing light to the front, and another apparent red light in the rear (article 233).
287. The motorbike shall be equipped, night and day, with a device that reflects or emits to the back a non dazing red light (article 234).
288. If the motorbike has three wheels and comprises a side basket for carrying goods, the utmost edge of the basket shall be provided with a standard non dazing red light (article 235).

### **Beeping device**

289. The motorbike shall be equipped with a beeper heard at a

minimal distance of 25 meters. No other alerting device shall be used (article 236).

## **What should not be done?**

### **Driving**

290. Motorbike drivers shall drive side to side except when one of them is overtaking the other. They shall always keep to the utmost right side if the road and maintain a straight driving direction (article 227).

### **Moving people, things, and towing motorbikes**

291. Two-wheel motorbike drivers shall not carry along a second person (article 231).

292. Motorbike drivers shall not use other vehicles to tow their bikes (article 290).

293. Motorbike drivers shall not move objects which might inconvenience driving or form a danger to traffic (article 209).

### **Acrobatic moves**

294. Motorbike drivers shall not perform acrobatic moves on main roads.

## Obligations of cattle herders, drivers of a single or group of animals

### What should be done?

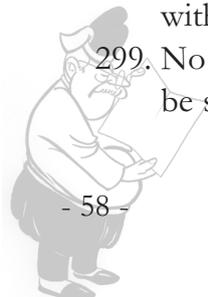
#### Cattle herding

295. Herding cattle, single animals or group of animals on the road shall be done in manner that does not induce any inconvenience to public traffic, and in such a way that allows for passing them by or conjoining with them in satisfactory conditions (article 266 Traffic).
296. Herders of cattle, single animals or group of animals shall make them seen, especially at their end, by holding a light clearly visible at night outside lit roads habilitated areas. These terms do not apply for cavaliers and drivers of animals walking on the roads used by engine vehicles (article 267).
297. The animal driver shall keep to his utmost right in the following cases:
- When another beneficiary approaches him from the opposite direction.
  - When another beneficiary wants to overtake him.
  - When vision of the road ahead is inadequate (article 5).

### What should not be done?

#### Leaving and transporting animals

298. Animals shall not be left unrestrained on the main road; and cattle shall not stop on the main road. They must be driven in an organized manner that makes their overtaking possible without obstructing the traffic (article 4-2).
299. No animal shall be left on main roads; and herds shall not be stopped on the road (article 268).



300. It shall be strictly forbidden to transport animals in buses (article 170-1).

### **Drivers' rights**

301. Securing road safety.

302. That the concerned service carry out the necessary and continued maintenance works for roads, highways and bridges..

303. Securing the absence of everything that obstructs traffic or causes threats, such as garbage, soil, rocks, building material, protrusions, pot-holes, and others.

304. Setting up necessary signs or signals when doing public works or warning signals to any danger, provided that it is eliminated as fast as possible.

305. Setting up signs and signals which should be used to inform drivers of the traffic measures adopted in the international convention signed in Geneva in 1949.

306. Promoting main roads and highways... with the proper lighting.

307. Setting up barriers and intermissions on roads, highways and bridges.

308. Setting up special signs to clarify the instructions that need to be followed at entrances and exits of bridges and tunnels, to secure traffic safety.

309. Concerned parties making sure no harm is done to traffic signs and signals, whether by deforming them, moving them or diverting their directions, or posting advertisements and statements on them.

310. Providing separate places for motorcycle and motorbike drivers.

311. Presence of a competent, upright and trustworthy security officer who applies traffic laws with utmost transparency and strictness on everyone without exception.
312. Providing the necessary ventilation for tunnels by use of electric aspirators.

### **Obligations and rights of pedestrians**

313. Pedestrians shall only walk on sidewalks or pedestrian zones, when they are available. If it were impossible to do so, pedestrians should not go beyond the borders of the sidewalks or zones unless they make sure they could do so without any danger. (article .262)
314. Pedestrians walking on a paved road shall remain on the sides and should take the extreme of the side closest to them upon hearing any vehicle or animal coming near them. They should do the same at curbs, intersections, tops of hills, upon getting close to such areas, or, in general, in any place where visibility is insufficient. (article.263)
315. Pedestrians shall not cross a paved road unless they have made sure that they could do so safely. If available, they should cross in the pedestrian zones made especially for that purpose. In such a case, pedestrians have the priority in crossing when there is no stop sign or police man to direct the traffic. (Article 264)
316. Pedestrians shall use pedestrian bridges when they are available and not haphazardly cross streets and highways.

### **Rights of Pedestrians**

317. To specialize certain sidewalks and zones for pedestrians.

318. To specialize places for pedestrian crossing on paved roads.
319. To oblige vehicles to stop away from the pedestrian zones.
320. To provide pedestrian stop signs.
321. To provide stops specialized for pedestrians waiting for public transport vehicles.
322. To provide pedestrian bridges.
323. To provide public phones on streets and roads to report any emergency or accident involving pedestrians.
324. To prohibit anyone from parking on pedestrian zones for trade purposes.
325. To prohibit vehicles from parking on sidewalks or pedestrian zones.
326. To maintain pedestrian zones in a good and tidy condition.
327. To prohibit placing garbage containers on pedestrian sidewalks.

## 5 - Public Safety in Natural Disasters: Damage Control

Lebanon is situated on the earthquake line and its geographic nature is composed mostly of many mountains the tops of which are covered with snow, highlands of non-stable soil, and plains that contain rivers and streams. Even though Lebanon is not constantly and daily threatened by disasters or emergencies, as is the case in other areas where people are on constant alert awaiting a major earthquake, it is wise to take natural disasters seriously and deal with them on scientific and logical basis in order to avoid losses in lives and property.

The heavy showers that poured on Lebanon in March 2003 caused the drifting of soil off several highlands leading to grave losses and cracks in properties, private buildings, and public roads. The water also flooded plains and seeped into houses and institutions displacing many citizens. Although these showers were exceptional, they revealed an obvious shortage in the public and private sewage infrastructure in addition to violations on public canals and rivers which increased the gravity of the losses. Disasters can also have human causes such as fires, car accidents, or airplane crashes.

### Obligations of Public Authorities, Vocational Unions Dealing with Architecture, and Municipalities

328. To abide by the content of decree number 11266/1997 which specifies the conditions for designing and building facilities that resist earthquakes since most great human losses occur in building that have not abided these conditions.

329. To refrain from giving building licenses in areas that are prone to avalanches and to convince citizens not to build on public property or on lands that are prone to land slides and others.
330. To make the dangers of disasters public and take the procedures that will control the percentage of losses most important of which is to improve the competency of rescue commissions and to train them, to ameliorate the standards of development in all regions, to encourage the foundation of associations concerned with public safety, and to stop building violations on public property.

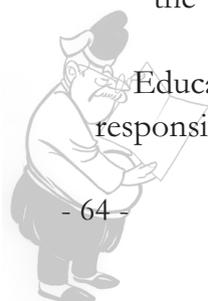
## 6 - Work and follow up mechanism to anchor public safety education

Public safety education consists of appreciating and preserving the value of the human being as an individual, not only as a group, knowing that each individual builds himself a safety system around him without necessarily meaning to.

The causes of accidents are due to cultural residues, including the following:

- The false assumption that denies the value of an individual, therefore denying him the necessary care and protection. This leads to undermining the human life.
- Not using the power of imagination to realize the meaning of losing an eye, a hand, a finger or a leg.
- The belief that the usage of protective gears is demeaning to an individual in his own perception and in the perception of others.
- The desire to look brave and show off about not using preventive gears despite the risks it involves and which may not be seen
- The belief that the protective gears obstruct movement and delay or prevent the accomplishment of accurate work
- Usage of old equipment and protective gears that do not suit the nature of work carried out.
- Not knowing of availability of special protective gears for the work to be implemented.

Education which aims at accident prevention is a common responsibility to be assumed by all social sectors.



A large number of victims from accidents in Arab countries in general and in Lebanon in particular die due to delays in the necessary medical aids that help treat the injured people, or due to certain mistakes that could have been avoided.

First aid procedures, performed by either fire department specialists or the civil defense forces or even the Red Cross, are often obstructed by the curiosity of people who gather around the accident site, and this might harm the audience itself. Gathering around the accident site may cause disasters. It is better to move away from the site and leave room to the specialists to perform immediate treatment for injuries resulting from all kinds of accidents.

Sometimes, a simple sign or a light reflecting signal can save someone from an accident.

### **Citizens' obligations**

331. Undertaking the initiative to provide primary protective gears and inform the concerned authorities (police headquarters, municipalities...) about the hazardous sites that may be a threat to public safety (i.e. pot-holes on the roads, broken public electricity wire etc... )
332. Abiding by laws of public safety and preserving public infrastructure without incurring any damage to it by digging up and sabotaging the roads, throwing garbage, soil and rocks in rivers, waterways and channels. The citizen shall also refrain from stealing electric power and installing generator electric wires over telephone and electricity poles, as well as from disfiguring road signals by putting up

posters on them or writing on them, or doing other illegal practices whose perpetrators shall be punished, jailed, and fined.

333. Reading the pointers and directions of all equipments and tools before use.

### **Public authorities' obligations**

The pot-hole that is given no attention and stays for days and months without being repaired will cause severe accidents and deaths. The care public authorities give to citizens' rights and safety is measured according to the following:

334. Making sure that their workers are well equipped with safety and protective gears that are functional and appropriate for the nature of the work they are performing

335. Spreading instructions, directions, and warning signs in public sites that can be hazardous to the citizen's public safety.

336. Rehabilitating, at the soonest time possible, the infrastructure facilities such as pot-holes and dangling electrical wires that might be hazardous to citizens' safety.

337. Periodical cleaning of drainers on the roads before dirty sewers water burst out and pollutes the atmosphere and streets.

338. Issuing exceptional laws to treat urgent matters, so that existing maintenance services can carry out their functions at the required speed, away from the administrative routine.

339. Facilitating the prosecution processes and resolution of cases which the public authorities are a party thereof due to accidents resulting from their own responsibility. Delaying

the procedure of justice may be considered as an aspect of justice denial that thereby infringes upon civil freedoms.

340. Implementing its legal obligations towards the citizens in anticipating and avoiding accidents by ensuring the execution of preventive and safety procedures in all the projects it supervised or carried out by the public authorities themselves or by individuals and institutions.
341. Imposing national and international standards, norms and specifications on all produced and imported items, and working by the sanction by points system in food production and sales shops.
342. Coordinating between different public and private institutions in order to monitor the implementation and development of public procedures on both technical and legal levels.

The mechanism of acquiring a driving license is very important in preserving public safety, where the license often lacks the main elements that are necessary to its existence. Therefore, the following shall be necessary:

343. Adopting serious and strict driving examination conditions, emphasizing not only on the technical aspects of driving, but also on the rules of public safety stipulated in the traffic law as well as in the present charter.
344. The public administrations shall adopt the preventive maintenance principle that consists of undertaking maintenance works according to a specific program and schedule even if the equipment and facilities were not damaged.
345. Securing and maintaining public safety and security as well as welfare to the citizens who work for the public authorities

and who watch public institutions and properties. All public workers are entitled to the minimum rights offered by the administration, and that is ensuring safe work sites for them and providing them with adequate and functional equipment and tools suitable for their work. These workers include all the people who are prone to injuries and risks, i.e. members of the military forces, internal security forces, all security forces departments, in addition to governmental workers and employees working in fire departments, civil defense, electricity, telephone, water, construction and transportation facilities, and municipalities.

346. Securing and maintaining public sites and ensuring the safety of citizens who use them or visit them. The process consists of building walls around the dangerous sites and instantly fixing the damages and sabotages thereto once they occur. Adding signals and warning signs near the sites that are considered hazardous for the public safety of the citizens
347. Contribution of the legislative commissions in planning, amending, and developing the appropriate legislation regarding public safety and defining the conditions related to them in mandatory lists.

### **Obligations of the public authority and municipal councils**

348. Setting up visible banners and signs on all main roads and branch roads in cities, villages and neighborhoods, to clearly guide, without any misleading, all drivers, pedestrians, and walkers to the places they are passing through or to which they headed. This is to prevent repetitive stopping and

asking for directions, to maintain the comfort of citizens during their travel, save their time, and encourage foreign and internal tourism.

### **Obligations of educational institutions, syndicates, technical institutions and civil organizations**

349. Introducing safety arrangements, designs, and procedures as an integral part of projects, and regarding them economically as a profitable investment, since any negligence or leniency in their enforcement may lead to big human losses and destruction of infrastructure.
350. Healthy planning that takes into account the material used in construction and their flammability (decision of the Mayor of Beirut number 27/M, dated 12/12/80) and specifies the locations of warehouses, how to store chemical and flammable material, how to provide enough space to safely transport workers on passages, roofs, and ladders; it also refers to the urgency exits, how to do carry out maintenance works and fire alert systems, the compatibility of lighting and ventilation systems, and other things that show how much care is given to the life and safety of the human being.
351. Keeping the work precincts safe and exempt of danger. In this sense, work tools and spare parts shall not be left on the ground or in high places, the ground shall be kept dry of water and oils to avoid slipping accidents, malfunctioning tools and connected or bad electric cables shall not be used, and step ladders used shall satisfy the proper safety and protection conditions.
352. Mandatory distribution of the different precautionary devices in work precincts according to the techniques and

works and dangers involved. Generally, they include helmets, shoes, boots, gloves, goggles, covers and clothes protective against heat, radiation, and biological and chemical material, as well as breathing masks, respirators, earplugs, and colored signals. It is worth signaling and alerting that each of these equipments provides protection against the danger to which it was designed, and not to another danger.

The availability, diversity, and meager cost of these equipments leave no room for comparison between them and any accident or physical injury. The cost or protection goggles may seem insignificant when compared to the cost of treating a simple and superficial eye wound.

353. Encouraging students to participate in first aid sessions organized by competent parties.

354. Notifying the citizens of the accident in a clear, non tensioned manner, and specifying the number of injuries.

355. Encouraging high schools and universities to participate in live maneuvers organized by some institutions and organizations in collaboration with the civil defense and the Red Cross.

356. Punishing people who call to report a false accident, because in this case it may hinder the first aid and saving process in a real accident where the injured are in desperate need for help. It is worth noting that these institutions now have the technology to find out the identity and number of the caller.

357. Posting up emergency numbers on land frontier crossings with Syria, at sea ports, and inside Beirut airport, so that visitors to Lebanon may know these numbers.

358. Introducing the essential first aid principles in the official school curriculum.

359. Establishing organizations which interested and specialized in public safety to spread awareness, conduct studies in the matter of public safety and safety of consumer products, correct disequilibrium, organize contests, and giving away prizes to institutions which respect and meet the public safety conditions and procedures and which have the lowest record of accidents.
360. Having media channels increase the broadcasting time of special shows related to public safety, by clarifying the causes of the accidents in detail when publishing and not attributing them to “fate and destiny”.
361. Joining ambulance and aid organizations which provide first aid programs.
362. Avoiding the broadcasting of violent TV programs and news, as well as hostile movies, especially in the times dedicated to children and youth, because they can develop hostile behavior and thereby increase the rates of accidents and injuries committed by these people, intentionally or unintentionally.
363. Notifying all engineers syndicates, contractors, entrepreneurs, and construction workers, through university institutes and technical institutions, of the rules of “organizing work protection, precaution, and safety at construction workshops” mentioned in decree number 7380, dated 22/5/1967, which is mentioned in legislation related to “work” and on in legislation related to “construction”; particularly that a lot of entrepreneurs and contractors do not know the content or details of this decree or that it even exists.
364. Memorizing the numbers 112 (Internal Security Forces), 125 (Civil Defense), 140 (Red Cross) and 175 (Fire Squad),

which are dialed without entering a region code, even from a mobile phone, and which are automatically transferred to the closest headquarters that can provide help. This might save critical minutes for the injured person. Upon the arrival of competent organisms, individuals must immediately move away from the site of the reported case or accident.