

On the Road

Driving In Thailand

by
*Nilobon Tangprasit,
 Wirat Chanareewiwat
 and
 James Finch*
 of
*Chavalit Finch & Partners,
 Ltd.*

Our battered suitcases were piled on the sidewalk again; we had longer ways to go. But no matter, the road is life.
 --Jack Kerouac

Despite its metaphorical



charm, there is the practical side to taking to the road on the driver's side in Thailand. Of course, driving in a foreign country, however civilized and developed the country, may not be for you. No matter how careful you are, you will always be presented with that cross-cultural experience that may not be positive—the aggressive other driver in the SUV, the fender bender where the guy at fault speeds away, the motorbike turning into traffic on the wrong side of the road, and so on. So first, you should decide. Is independence from having to wait for and pay tuk tuk drivers and taxis worth enough to put up with the potential liabilities? If so, you need to know a few things, so read on.

Everybody needs a license to drive in Thailand. An international license works, but some insurance companies condition coverage on the driver's having a Thai license, so you should check this. To get a Thai license you have to be at least 18 and present in Thailand on a visa other than a tourist visa or the 30-day tourist stay issued at Thai airports.

To apply for a driver's license you have to go to the Department of Land Transport in Bangkok or a Provincial Transport Office branch with the following documents:

- Medical certificate available from practically any street clinic in Thailand. This must be less than 30 days old. Be sure when you go for this you bring your passport, because they may not issue it without some form of identification.

- Passport with signed photocopies of the photo page, the visa page and the most recent entry stamp page.

- Photocopy of your international driver's license, signed by you. If you have this you do not have to take the written or driving tests mentioned below. In case the international license is not in Thai or in English, you must have your country's embassy or consulate translate it into English or issue a certification that you have such a license.

- 2 colour photos 3 cm x 4 cm, direct face, no hat nor dark glasses, more than six months old.

- Residence permit or work permit, or, if you don't have one, a letter issued not more than 1 year previously by the Thai immigration office or your country's embassy or consulate showing your address in Thailand.

If you don't speak or write Thai you should bring an interpreter with you—to help you fill out the application form and take the tests. There are five of them—a written test, a driving test, a depth perception test, a color test and a reflex test. As mentioned above, if you have an international license you can avoid taking the written test and the driving test. After passing these and paying a small fee you will receive a temporary license valid for one year.

A year after you have received the temporary license you can apply for a license valid for five years. You must do this within one year of the expiration of the temporary license or you will have to retake the above tests. At that time you must bring with you the residence or work permit or other proof of address, two new pictures and a new medical certifi-

cate, all the same as discussed above. You must also bring the temporary license and your passport.

What about buying a car? First, after you've selected the car you want, you've got to get an idea about the price. Many buyers don't negotiate over the price with a dealer for a new car because they want financing at the low rates available, currently zero to three percent. Repayment periods range from one to five years, at the preference of the buyer.

If you take the financing, usually there is a prepayment penalty. Likewise, a few companies require a foreign buyer to have a Thai guarantor if financing is to be provided. If you don't take the financing and want to negotiate over price try starting with dealers in Bangkok. They are the most competitive and offer the most generous packages. Also the packages offered by Bangkok dealers of free options such as undercoating, window film and the like are the standard for the rest of the country. So, if you're buying in the provinces, you should be armed with prices and information from dealers in Bangkok. Dealers elsewhere will usually match these.

Thailand has compulsory auto insurance at very low levels of coverage. You should obtain coverage at much higher levels. Some dealers offer a package of free insurance, typically in the premium range of 20,000 baht. There are several considerations in connection with insurance. First, the company. There are five or six big ones. You should look around to see the company that has offices and agents in your area. This is important because in the event of a serious accident you want to be able to call a representative of the company and have that person appear on the scene. Less than an hour wait time is considered acceptable, while a half hour is ideal.

Another consideration in deciding on the insurance company to choose is the coverage. The companies sell car insurance in packages. Thus you can't simply decide what coverage you want for liability (third party) insurance and for accident. Instead you have to see what the package is and try to get one that gives you about what you want. For example, if you want the value of your car 90% covered for loss due to accident, fire or theft and you also want liability insurance of 10 million baht per accident and one million baht per person for each accident,



you may find that a particular company's closest package is only 80% of coverage and 250,000 liability per person. Companies vary widely on these issues.

Every vehicle in Thailand must be registered. When you buy a car the dealer usually adds the official cost for this registration to the price of the vehicle and does the registration for you. Every vehicle must, moreover, have a tax sticker, which has to be renewed annually at the local authority or Department of Land Transport Office. You must remember to do this yearly.

When you drive, you must have your license and a copy of the vehicle registration book with you. As with the tax sticker mentioned above, there is a fine if you are stopped by the police and are without this or the license or copy of the registration book.

When an accident happens, you should be ready. First, if you don't speak Thai, you should travel with your mobile phone and have someone who does speak Thai on call to help you. You or someone else should call the police. You can do this by calling 191 or, in English, the tourist police by calling 1155, anywhere in Thailand. The police will decide if you should file an incident report at the police station. They can also arrange for an ambulance, if necessary. Your insurance company should also be called, and this company may want to send a representative to the scene. The insurance companies seldom have English speakers to take these calls, so your Thai-speaking contact available by mobile phone, mentioned above, should help you with this if you don't speak Thai.

If no one has been seriously injured, move all vehicles out of traffic. If someone

has, do not move the vehicles, even if traffic is being held up, but get everyone involved in the accident out of traffic and in a safe place close by. Get all relevant information from the other drivers, including personal id numbers, insurance companies, vehicle registration and plate numbers. The registration number should come from the registration book, mentioned above,

called *lem tabian* in Thai. You are required to give this information about you and your vehicle to others involved in the accident. In many accidents in Thailand those involved flee, and insurance companies often refuse to pay if you don't have some or all of this information.

If someone involved in the accident or local official demands cash in connection with an accident, understand that whatever you pay will be in addition to what you pay later, and it won't be compensated by insurance. Except for small amounts (often expected of foreigners in fender benders, regardless of who's at fault) it's better, if you're asked for money, to defer this—tactfully if possible—until your Thai representative, such as the insurance company person, arrives.

Ah, the romance and freedom of the road in a new place. But here's what Jack said, too:

All of life is a foreign country.

Chavalit Finch & Partners, Ltd. are lawyers specializing in real estate and business transactions. They can be contacted by email at finch@chavalit-finchlaw.com, on the web at www.chavalitfinchlaw.com or by telephone at 032 522237, 032 522273. Their offices are located at 19/51 Hua Hin Soi 19, (Wat Klai-kangwon), Petch Kasem Road, Hua Hin, Prachuab Kirikhan 77110, Thailand.