

**KOREAN MOTOR VEHICLE LAWS**  
**USFK Pamphlet 385-2, Guide to Safe Driving in Korea**  
**Supplemental Study Guide**

1 All USFK members, including military members, DOD civilians, and family members, are subject to Korean motor vehicle laws. Korean law requires that the driver of a motor vehicle exercise a high degree of care to avoid an accident. A driver who fails to exercise that duty of care and causes an accident is subject to civil and criminal liability.

2 Criminal liability:

a. Under Korean criminal law, any driver of a motor vehicle is considered a professional driver. Consequently, a driver involved in an accident resulting in death or injury may be found guilty of occupational negligence and subject to imprisonment for a maximum of five (5) years or a fine of 20 million Won. If a driver flees the scene of an accident, the penalty is increased and could result in imprisonment for life.

b. Under a special statute, a driver found at fault in an accident resulting in injuries or property damage may be relieved from criminal liability if the driver enters into a private settlement agreement or has an open-ended comprehensive insurance policy covering bodily injuries and property damage without a limit. However, in the following cases, drivers are not relieved from criminal liability, whether or not they enter into a settlement agreement or hold an open-ended comprehensive insurance policy:

- (1) Causing a fatal accident.
- (2) Leaving the accident scene without taking necessary measures to aid an injured person.
- (3) Violating a traffic signal or an instruction by a police officer.
- (4) Crossing a center-dividing line, making an unauthorized U-turn or initiating an unlawful backing maneuver.
- (5) Exceeding the speed limit by 20 kilometers per hour.
- (6) Passing in an unsafe or illegal manner.
- (7) Violating railroad crossing procedures.
- (8) Disregarding driver's duties to protect pedestrians at crosswalks.
- (9) Driving without a driver's license.
- (10) Driving under the influence of alcohol or drugs.

- (11) Trespassing on the separated sidewalk or improper crossing.
- (12) Neglecting duties to protect passengers from falling out of vehicles.

3 Civil Liability: A driver is liable for any deaths, personal injuries and all property damage resulting from an accident for which the driver is responsible. Entering into a private settlement agreement, however, is a mechanism for resolving the matter between the parties rather than relying upon the courts to do so. As explained above, civil liability is closely connected to criminal liability because a private settlement may also relieve the driver from criminal liability, except when there are aggravating circumstances as described in paragraph 2b above. Even when the driver is not relieved of criminal liability, a private settlement could still significantly reduce the criminal penalty.

4 Sufficient insurance is essential for protection from both civil and criminal liability.