



Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 04/L-179

ON ROAD TRANSPORT

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

LAW ON ROAD TRANSPORT

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose of Law

The purpose of the present Law is to regulate and develop the sector of the road transport of passengers and goods, an open and non-discriminatory access to the market, provision of services in the market of the road transport of passengers and goods sector as well as to establish driving and resting regime.

Article 2
Scope of the Law

1. The present Law regulates conditions pertaining to the access to the market of the operators of the road transport of passengers and goods, using at least one motor or a group of motor vehicles for transportation of goods, whose weight is above 3.5 tons and

not less than 6 tons of overall weight, or at least one motor vehicle which, as to the type of construction and equipment, is in good technical conditions, with capacity of more than 8 + 1 seats, including the driver, for the provision of transportation of passengers.

2. The present Law regulates conditions pertaining to the services of the road transport of goods and passengers, provided by road transport operators set up in Kosovo, carrying out domestic and international transport and by non-residential transport operators carrying out international transports whose final destination is Kosovo or just passing through as transit.

3. In addition, the present Law determines conditions and criteria pertaining to the driving duration and resting duration for motor vehicle drivers who are carrying out services of the road transport of goods and passengers for their own needs or other persons' needs as well as modalities regarding the use of tachograph.

Article 3 **Definitions**

1. Terms used in the present Law shall have the following meaning:

1.1. **Ministry** - the relevant Ministry of Transport;

1.2. **Municipality** - the basic territorial unit of the self-government in Kosovo defined by the relevant Law on Self-Government;

1.3. **Public Road** - a surface of general importance for the traffic where everyone can move under the conditions set by law, and that the competent authority has announced as a public road;

1.4. **Taxi-Operator** - the activity of passengers' transport exercised by physical and legal persons;

1.5. **Bus station** - the premises and associated infrastructure licensed by Ministry for the purpose of providing services to the road passenger transport operators and passengers;

1.6. **Bus stop** - a constructed and particularly marked surface designated for buses to stop and to allow a safe embarking and disembarking of passengers and luggage;

1.7. **Multilateral transport** - transport of passengers and goods between Kosovo and other countries;

1.8. **Itinerary** - an act which determines the direction of the movement of vehicles in the line;

1.9. **License issuer** - the authority, which in accordance with the provisions of present Law is competent to issue the licence;

1.10. **Vehicle certificate** - the document issued by the competent authority for each vehicle separately containing the following data: competent issuing authority, transport operator, the number of the license, respectively of the permit, license plates, type, vehicle chassis number, carrying capacity, type of transport which may be carried out, issuing date of the certificate, the stamp and signature;

1.11. **Operator of the road transport of goods** - the activity of each operator of the road transport of goods, carrying out transports on their own account or on the account of third parties, through the usage of motor vehicles or other combined assets;

1.12. **Operator of the road transport of passengers** - the activity of each operator, operating by means of motor vehicles suitable for transportation of more than nine persons, including the driver, designated for this purpose, for services of transportation of passengers in public or for particular categories of users in exchange of a payment by transported person or by transport organizer;

1.13. **Transport manager** - the natural person holding the Certificate of Professional Competence for manager (CPC) employed by one or more but not more than four (4) operators of the road transport by means of a contract, who effectively and continuously manages operator's transport activities;

1.14. **Regular special service** - the regular and organized service, providing the transportation of a certain category of passengers, excluding other passengers;

1.15. **Public transport** - the transport which under equal conditions is suitable to all users of transport services;

1.16. **Regular public transport of passengers** - the transport performed on given routes and timetable, prices, terms and under previously laid down conditions;

1.17. **Cabotage** - each transport of passengers or of goods performed within Kosovo territory between specific points performed by a non-resident transport operator;

1.18. **License** - the act by which the road transport operator is allowed to exercise the activity of the road transport of passengers or of goods, bus stations and terminals of goods;

1.19. **Transport permit** - the act provided for by present Law or by international agreement based on which the road transport of passengers or of goods is performed;

1.20. **Permit (CEMT)** - the multilateral permit for the performance of international road transportation of goods throughout the territory of CEMT member states, by using motor vehicles registered in one of the CEMT member status;

1.21. **(CEMT)** - European Conference of Ministers of Transport;

1.22. **Line** - the route or collection of routes for the performance of transport in the road traffic, starting from the initial station (departure point) to the final station respectively destination, where passengers are to be transported according to the registered and published timetable with one or more departures;

1.23. **Interurban lines** - the itinerary taking place in Kosovo public highways and regional roads connecting two or more Municipalities;

1.24. **International line** - the route (line) with the initial station (departure point) within Kosovo territory and final destination outside of Kosovo territory;

1.25. **Urban line** - the route (line) connecting two or more stations, respectively bus stops within urban borders of a Municipality-town;

1.26. **Urban-suburban line** - the line connecting two or more stations, respectively stops within the territory of a Municipality;

1.27. **Passengers' Line** - the route of transportation being performed between the initial and final station, respectively between mandatory bus stops throughout all stations, actually bus stops along the route designated in the timetable;

1.28. **Direct line** - the route of transportation being performed between initial and final bus station, respectively bus stops designated in the timetable without stopping at the bus stops along the route;

1.29. **Express Line** - the route of transportation being performed between the initial station and final bus station, respectively bus stops designated in the timetable, with stops in some other important bus stations actually bus stops designated in the timetable;

1.30. **Interurban transport line** - public transport of passengers between two or more Municipalities, which may be performed as line, express or direct transport;

1.31. **International agreement** - each bilateral or multilateral agreement that is mandatory to Kosovo, and is related to road traffic transport;

1.32. **International line transport** - public road transport of passengers and goods between Kosovo and other countries;

1.33. **Passenger** - natural person that is transported by road traffic operators for a

compensation, who based on contract has right to be transported;

1.34. **Special transportation line** - transportation of a certain number of passengers which is carried out on basis of a written contract between the transport operator and the transport requestor, where transport is paid by the requestor;

1.35. **Transport in the road traffic** - each transport of passengers or of goods, including the driving of empty or unloaded motor vehicles;

1.36. **Transport in the domestic road traffic** - the road traffic transport of passengers and of vehicles within the territory of Kosovo;

1.37. **Transport in the international road traffic** - the road traffic transport of passengers and of goods between two or more status;

1.38. **Transport from or to the third countries** - road traffic transport of goods and of passengers performed by a transport operator, which has no office /residence in the state where it initiates or finishes the transportation;

1.39. **Free casual transport of passengers in the road traffic** - the transport by which a previously designated group of passengers is transported in accordance with the conditions agreed upon by a contract established between the transport operator and the transport requestor, which is not a public transport line, special transport line or free casual transport;

1.40. **Free departure–arrival transportation of passengers in the road traffic** - transportation by which groups of previously designated passengers are transported through a range of departures and returns from the same departure point to the same destination. Each group which completes the trip shall return to the departure post with the same or with latter trips provided by the same transport operator;

1.41. **Own account transport** - the transport of passengers or of goods performed without compensation by physical or legal persons, in order to meet the needs of production or of services within the frame of their activities;

1.42. **Transport for third parties** - the transport of goods by a transporting motor vehicle or a collection of motor vehicles performed for commercial purposes for other physical and legal persons;

1.43. **Transport operator** - the natural or legal person, local or international, which owns the license for the performance of activities of transport in the road traffic;

1.44. **Waybill** - the designated form which must be in possession of the transport operator during the performance of the free road transportation of passengers in

the national and in the international transport;

1.45. **Routing order sheet** - the designated form containing the registration number of the bus by which line transport of passengers is performed, the name of the line, departure and arriving time of the trip, data pertaining to the personnel of the motor vehicle and direction of the course, signature of the person authorized to issue the routing order sheet as well as the column where the arrival and departure from the bus station or from the bus stop in the transport line is to be indicated;

1.46. **Route** - the distance between two places of the lines, which in the timetable are indicated as bus stations, respectively bus stops;

1.47. **Overall transport vehicles** - the combination of a towing vehicle and of at least one trailer or semi-trailer;

1.48. **Domestic transport operator** - the physical or legal person with its headquarter/residence in Kosovo, which owns the license for the performance of transports, or performs own account transports in compliance with the present law;

1.49. **External transport operator** - the physical or legal person that owns the license issued by the country of its origin for transportation of passengers' or of goods or the physical or legal person that performs own account transports, whereas its headquarter/residence is based in another country;

1.50. **Terminal of goods** - the building along with other additional facilities that provide services pertaining to the reception and dispatching transport vehicles of the transport operators;

1.51. **Consignment note** - the act accompanying goods, which should contain: the date and place of issuance, name and last name or naming of the sender, then its address, name and last name or the naming of the transport operator, motor vehicle registration sign, date and place of goods freight, name and last name or the naming of the recipient, unloading site, amount and type of load, the list of documents attached to the consignment note, transport expenditures as well as other expenditures;

1.52. **Transit transport** - the transport of passengers or of goods throughout the territory of the Republic of Kosovo without embarking or disembarking of passengers, respectively without loading or unloading of goods in Kosovo;

1.53. **Driver** - the person who has gained the necessary level of qualification for driving transport vehicle;

1.54. **Timetable** - the act which contains: the naming of the transport operator, the line where transport is to be performed, the type of line, bus stations, respectively

bus stops order, then the distance from the departure site, the arrival and departure time from the bus station, respectively from the bus stops, line maintenance regime, the period within which the line is to be maintained and the validity time of the timetable;

1.55. **Tariff** - the act containing the price pertaining to the provision of services and other transport conditions;

1.56. **Rented motor vehicles** - any road traffic vehicle, which is used with pay and for a certain period of time by a traffic operator for the transportation of passengers or of goods, by having a lease with the owner of the motor vehicle;

1.57. **CMR** - the act accompanying goods in the international road traffic transport;

1.58. **Crew member** - the driver, ticket seller and any other person accompanying the driver who usually takes an effective part of transport operations;

1.59. **Week** - the period between Monday 00:00 and Sunday 24:00;

1.60. **Resting** - any uninterrupted period during which the driver uses the leisure time as desired;

1.61. **Break** - any period during which the driver is not allowed to drive or carry out any other task. It allows only the resting;

1.62. **Daily rest time** - the part of the day during which the driver can spend the leisure time as desired and it may be a normal 'daily rest time' or 'reduced daily rest time';

1.63. **Driving motor vehicle duration** - the driving duration by the crew, driving condition between two consecutive daily rests or between one period of daily rest and a weekly rest, when there are at least two drivers in the board of the motor vehicle in order to ensure the replacement. In the first driving hour, the presence of the other driver/drivers is facultative, but for the rest driving period it is mandatory;

1.64. **Daily driving duration** - the total duration accumulated since the end of the day rest and beginning of the next day rest or since the end of the day rest and beginning of the week rest;

1.65. **Driving duration** - the total driving duration registered automatically, semi-automatically or manually under the conditions provided for by present Law;

1.66. **Control device-tachograph** - the device designed to be installed inside the motor vehicle in order to show and record automatically, semi-automatically or manually the data on the itinerary of these motor vehicles and in some others the

working time of drivers as well;

1.67. **Recording sheet** - the sheet designed to collect and indicate records that are to be inserted in the control device, where printer device continuously describes diagrams (charts) of the recorded data.

Article 4

Competences of the Ministry in the Transport Sector

1. Ministry shall, through the Minister, define the development policy and strategy of the road transport and shall regulate the transport sector of Kosovo.

2. In the area of transport, Minister:

2.1. shall propose to the government the strategy on the development of transport and on laws which regulate the transport activity;

2.2. shall approve procedures pertaining to the issuance of licenses and permits to the operators of the road transport of passengers and of goods, to the terminals of goods, bus stations for the exercise of their activities as well as to the authorizations to operate;

2.3. shall propose to the government the establishment of safety, ecological and technical norms of the road transport;

2.4. shall propose and draft policies and rules on road transport control;

2.5. in the area of international cooperation in the field of road transport shall reach and finalize bilateral and multilateral agreements;

2.6. shall draft and designate rules pertaining to the professional competence, driving and resting regime for managers and motor vehicle drivers;

2.7. shall draft and issue rules about the mandatory service for the transport of passengers and shall also determine the criteria about the subvention of the public service of passengers in routes that are necessary for economically unstable citizens.

3. Ministry has competencies to certify vehicles with more than seventeen plus one (17+1) seats.

Article 5

Compilation and Determination of Rules

1. Ministry shall draft and designate rules pertaining to the operation of motor vehicle services by the managers of road transport of passengers and goods operators, as follows:

1.1. management of motor vehicle services, including:

1.1.1. the safety of passengers and of the public;

1.1.2. qualifications, training, experience of motor vehicle drivers and other people who are providing services on behalf of bus service managers;

1.1.3. maximum and minimum of driving and resting time of motor vehicle drivers;

1.1.4. insurance;

1.1.5. issuance of passengers tickets;

1.1.6. costumers complaints and inquiries.

1.2. preparation, publication and compliance of the timetable for the regular line services;

1.3. obligations of the drivers of motor vehicles and other people providing services on behalf of the operators of the road transport of passengers and of goods;

1.4. maintenance and cleaning of public buses;

1.5. maintenance, parking and other facilities of public buses;

1.6. establishment and maintenance of record and their inspection;

Article 6

Competencies of the Municipality in the transport sector

1. Designates safe, efficient and economic development policies of the road transport within administrative boundaries of the Municipality.

2. Drafts and adopts the plan of the local road transport and amends it according to the needs depending from the created circumstances, which should not be in contradiction with the network of interurban lines approved and published by the Ministry.

3. Amends that plan not later than five (5) years from the day of its issuance, which should be in full compliance with the overall development policy of the road transport of Kosovo.

4. Publishes the plan or the amended plan and delivers a copy of it to the Ministry.

5. Municipality may issue administrative acts by which determines rules pertaining to the activity of transport operators/ buses provided that these rules do not prejudice/damage rights and interests of none of the communities, which are to be duly respected and they should include:

5.1. regulation or prohibition of the use of public buses in certain roads or road related regions;

5.2. embarking or disembarking of passengers and other matters related to the road transportation of passengers;

5.3. establishment and maintenance of records and their inspection;

5.4. transport of passengers' luggage or of other goods;

5.5. regulation or prohibition of the transport of passengers standing up in buses;

5.6. maximum speed of public buses;

5.7. design, equipment, fittings (internal or external) of public buses;

5.8. station points and bus stops in the bus lines; and

5.9. regulating or prohibiting notices, signs and advertisements inside or outside public buses.

6. Municipality has competence to certify vehicles with more than eight plus one (8+1) seats for urban and urban-suburban transport.

Article7

Performance of the operator's activity

1. Activity of the road transportation of passengers and of goods, bus stations and terminals of goods is to be performed on basis of the license issued to the operators fulfilling conditions (requirements) provided for by present Law.

2. License is required for the following cases:

2.1. transport of passengers;

- 2.2. taxi transport;
 - 2.3. international transport of goods;
 - 2.4. bus stations;
 - 2.5. terminals of goods.
3. License shall be issued in validity of at least five (5) years.
 4. If the transport operator that owns a license for public transport of passengers and goods, is willing to exercise international transport activities, it must be supplied with a license for international transport.
 5. License under paragraph 1 and 2 of this Article is not required for the motor vehicles owned by Kosovo Security Forces, International Armed Forces, Kosovo Police, Mobile Ambulances, Fire Fighters, public institutions and rescue units and for the vehicles with weight up to three point five (3.5) tons or the vehicles whose overall weight does not exceed six (6) tons.
 6. License for the exercise of the activity of the road transport of passengers and of goods, bus stations and terminals of goods is to be issued against a fee.
 7. Minister shall, with a sub legal act, determine the criteria, procedures, tariffs pertaining to the issuance or revocation of the license for the exercise of the activity of road transport of passengers and of goods, bus stations and terminals of goods.
 8. Municipality shall, with a sub legal act, determine the criteria pertaining to the issuance and revocation of the license for the exercise of the activity of road transportation of passengers within the territory of the Municipality:

Article 8

Motor Vehicle Certificate

1. Vehicle certificate is an integral part of the license issued by a competent authority for each vehicle owned by operators of the road transport of passengers and goods that are licensed by the Ministry.
2. Vehicle certificate is to be issued on behalf of the transport operator and it is neither assignable nor transferable and is part of the license.
3. Road transport operator that owns vehicle certificates issued by Ministry is obliged to return them to the issuing authority in terms of (15) days upon the sale of each vehicle.
4. Minister shall with a legal act determine conditions, criteria and procedures pertaining to the issuance of certificates.

Article 9
Electronic registry of the operators

1. All the operators of the road transport established in Kosovo that own licenses, are registered in the domestic electronic registry of the domestic road transport operators, which is maintained by the Ministry in charge of transport.
2. Registry contains all the data pertaining to the licenses, certificates of transport vehicles and transport managers of all operators of the road transport of passengers and of goods.
3. Register is accessible to the public in compliance with the implementation of the provisions pertaining to the data of personal character.
4. Minister shall through sub-legal acts designate the list of information that are to be maintained in the national data register on road transport as well as modalities pertaining to its maintenance.

Article 10
Conditions on licensing of road transport operators, bus terminals and goods' terminals

1. In order to get the license of road transport of passengers and international transport of goods, the operator should fulfill these conditions:
 - 1.1. to be registered (established) in Kosovo;
 - 1.2. to have good reputation;
 - 1.3. to have appropriate/sustainable financial capacity which shall be verified based on the possession over vehicles or financial/bank guarantees;
 - 1.4. to have the necessary professional capacity as transport manager;
 - 1.5. to have the transportation means in a good technical – exploratory state.
2. In order to get the license of bus terminals and goods' terminals, the operator should fulfill these conditions:
 - 2.1. to be registered (established) in Kosovo;
 - 2.2. to have good reputation;
 - 2.3. to have appropriate/sustainable financial capacity which shall be verified based on the possession over vehicles or financial/bank guarantees;

2.4. to have the necessary professional capacity as transport manager.

Article 11 **Professional competence**

1. Professional competence shall mean the command of necessary legal, trade, financial and technical knowledge on exercising the activity of goods and passengers road transport and such competency is also required for transport managers and for non resident drivers of Kosovo.

2. Minister through a sub-legal act shall define the conditions, criteria, procedures, model, fees and the method of the organization of trainings on the professional competence.

Article 12 **The form and content of permit, license and certificate**

1. Minister through a secondary act shall define the form and content of the license, transport permit, vehicle's certificate, driver's certificate (CPC), manager's certificate (CPC), the roads' direction sheet, prices' tariff, procedures on their issuance and the method of keeping records for all the types of road transport of passengers and goods as well as the bus stops and goods' terminals.

2. Minister, respectively the Municipality, through a secondary act shall define the conditions and technical – exploratory and hygienic criteria of the passengers and road transport vehicles.

Article 13 **Revocation of the license and permit**

1. License or permit for the transport activity shall lose the value when:

- 1.1. the operator bankrupts (if it is verified by the decision of competent authorities);
- 1.2. its validity expires;
- 1.3. it is required by its holder;

2. License or permit for the transport activity shall be revoked from the body issuing it when:

- 2.1. it is verified that the operator has lost one of the defined conditions for access

- to the market of road transport operators determined in Article 10 of this law;
- 2.2. the holder of license or permit violates the obligations defined by this Law and sub-legal acts.
 3. License or permit for the transport activity shall be revoked permanently from that operator who was sentenced from the competent court for a criminal act of trafficking with narcotics and trafficking of human beings
 4. The proposal to initiate the procedure on revoking the license or permit shall be done from the Inspectorate of Ministry in accordance with the paragraph 2. of this Article.
 5. The decision shall be taken from the body issuing it, after the testimony of facts and argumentation from the road transport inspectors of MI.

CHAPTER II ROAD TRANSPORT OF PASSENGERS

Article 14 Road transport of passengers

1. The operator of the road transport of passengers can not exercise the transport activity prior to getting a license, permit or a timetable.
2. Road transport of passengers is exercised as:
 - 2.1. regular transport of passengers by bus;
 - 2.2. free transport of passengers by bus;
 - 2.3. taxi transport of passengers;
 - 2.4. transport of passengers for own account.
3. Regular transport of passengers by bus is exercised as:
 - 3.1. transport within the territory of Kosovo;
 - 3.2. transport outside the territory of Kosovo;
 - 3.3. transport for access and transit passing into the territory of Kosovo.
4. Free transport of passengers by bus is exercised:

- 4.1. transport within the territory of Kosovo;
 - 4.2. transport outside the territory of Kosovo;
 - 4.3. transport for access and transit passing into the territory of Kosovo.
5. Transport of passengers by bus for own account is exercised as:
- 5.1. transport within the territory of Kosovo;
 - 5.2. transport outside the territory of Kosovo;
 - 5.3. transport for access and transit passing into the territory of Kosovo.

Article 15
Responsibilities of the Ministry and the municipality for the road transport of passengers

1. Ministry shall be responsible for the coordination and regulation of:
 - 1.1. the road transport within the territory of Kosovo;
 - 1.2. transport of passengers outside the territory of Kosovo;
 - 1.3. transport of passengers for access and transit passing into the territory of Kosovo.
2. Municipality shall be responsible for the coordination and regulation of transport within its territory as follows:
 - 2.1. regular transport of passengers;
 - 2.2. free transport of passengers;
 - 2.3. taxi transport of passengers;
 - 2.4. transport of passengers for own account.

Article 16
Authority for regulation and coordination of transport of passengers and goods

1. Minister can establish an executive regulatory body for the coordination and regulation of the road transport of passengers and goods.
2. Minister shall define the competences, structure, rights and obligations through a sub

legal act.

Article 17
Regular transport of passengers within Kosovo

1. Regular transport of passengers by bus is performed on given routes (lines), according to the defined and verified timetable in advance, defined and published price and other transport conditions.

2. Regular transport of passengers by bus within the territory of Kosovo may be exercised as:

2.1. urban and urban-suburban transport;

2.2. interurban transport;

2.3. special transport of passengers;

2.4. transport for own account.

3. The urban and urban-suburban transport may be performed as regular transport and the same can be subsidized by the municipality.

4. Suburban transport may be performed as regular transport, direct and express transport, and the same can be subsidized from the Ministry.

5. The Ministry, respectively the municipality shall define the conditions, procedures, manner of selecting routes, tariffs through secondary acts, and it can define the routes that can be subsidized.

6. Regular urban and urban-suburban transport of passengers by bus, as a transport of passengers in the public road circulation shall be regulated by a special legal act issued by the Municipality.

7. The network of the urban and urban-suburban lines as well as the number of schedules in them shall be adopted by the Municipality.

8. The network of interurban lines and the number of schedules in them shall be adopted from the Ministry in a timeline of three (3) years after analyzing and studying them.

9. The Minister shall appoint the committee within the Ministry to analyze the interurban lines of the network.

10. Two municipalities may end up with an agreement for the mutual regulation of the transport of passengers between themselves. The agreement is all-powerful if it is adopted by the Ministry.

Article 18 Timetable

1. The timetable according to this Law is an act by which defines the elements for exercising regular transport activity in the road transport, containing:
 - 1.1. name of operator;
 - 1.2. route;
 - 1.3. transport type;
 - 1.4. bus stops ordering and their distance from the starting point in Km;
 - 1.5. time of departure and time of arrival at each terminal and bus stop;
 - 1.6. days of operation, time period on which the line is kept;
 - 1.7. timetable validity.
2. The timetables shall be valid up to three (3) year.
3. Criteria, the way and registration procedure, certification, revocation and continuation of timetables and also setting tariffs shall be regulated by a sub-legal act issued by the Minister.
4. The continuation and certification of the timetable shall be done by the Ministry.
5. Ministry shall hold the register of the verified and recorded timetables.

Article 19 Beginning of the activity in road transport of passengers by bus

1. The transport operator shall begin the activity of public regular transport of passengers in a term of three (3) days from the day of reinforcement of the timetable and it cannot terminate it while the timetable validity last.
2. Exceptionally of paragraph 1. of this Article, the transport operator may temporarily terminate the activity as a result of extraordinary conditions which unable the exercise of the activity of regular transport.
3. The transport operator is obliged to inform the authority which certified the timetable for the termination from paragraph 2. of this Article; the authority will issue a decision on the acceptance or rejection of the transporters' request.

4. The transport operator cannot terminate (suspend) the activity of the regular transport of passengers in the line according to the registered and certified timetable without the permission of the authority which issued that timetable.

5. Timetable cannot be transferred nor given on hire.

6. The name of the operator written on the timetable must be the same with the one written on the bus registration paper and the certificate of the bus according to the “C” and “D” license.

7. The Minister shall regulate the exercise of the activity of road transport operator during the official holidays and weekends through a special legal act.

Article 20 **Revocation of the timetable**

1. The timetable will be revoked by the authority issuing it in cases when:

1.1. it does not begin the activity in a term of three (3) days from the day of enforcement;

1.2. it does not hold the departure three (3) times within a calendar month without the approval of the authority issuing it;

1.3. the operator acts in contradiction with this Law and secondary acts;

2. The Inspectorate of MI shall do the proposal to initiate the procedure on revoking the timetable.

3. The decision shall be taken from the body verifying it, after the testimony of facts and argumentation from the inspectors of road transport from MI.

Article 21 **Announcing free departures**

1. The revoked lines and departures will be considered as free and the same will undergo the procedure for their distribution.

2. The Minister shall define the conditions, criteria, procedures and tariffs for announcing the free departures through a secondary act.

Article 22
Price-list

1. The operator shall define the price-list which has to be put on the bus circulating in that line.
2. The personnel of the bus shall receive the payment for services only based on the price-list from paragraph 1. of this Article.
3. Ministry with sub-legal act shall make the price lists for special categories of the society such as children, students, war and work invalids and pensioners.

Article 23
Tickets

1. Every passenger shall be supplied with a ticket to the certain route:
 - 1.1. tickets can be purchased in the bus or bus terminal for the interurban transport;
 - 1.2. tickets for the international transport can be purchased in the bus, bus terminal, business units, agency or other places in which the transport operator has entrusted the tickets' selling.
2. The passenger in the vehicle shall be obliged to show the traveling ticked upon the request of the authorized person from the transport operator, respectively the inspector of the road transport.
3. The ticket shall contain:
 - 3.1. the route;
 - 3.2. the price;
 - 3.3. the serial number;
 - 3.4. the name of the transport operator;
 - 3.5. the date and time of departure;
 - 3.6. evidence on passenger's baggage.
4. Ministry in cooperation with the relevant Ministry of Finance shall prescribe the rules on the evidence of tickets.

Article 24
Rules of code of conduct

1. Members of the crew of the bus with which the road transport of passengers is done and the personnel of the bus terminals shall have official clothes (uniform).
2. Minister shall define the conditions and rules of code of conduct for the road transport operators and bus terminals by a sub-legal act.

Article 25
Special transport

1. Special transport is the transport of certain groups of passengers excluding other passengers on the given route and based on a special permit.
2. The following transport is performed by special transport of passengers:
 - 2.1. pupils and students from the settlement to the destination and vice versa;
 - 2.2. workers from the settlement to work and vice versa;
 - 2.3. invalids and people with special care.
3. Permits of special transport are issued based on a contract which shall contain:
 - 3.1. the route;
 - 3.2. the passenger list;
 - 3.3. transport price;
 - 3.4. places to embark and disembark passengers;
 - 3.5. the time during which the transport is performed.
4. Contract from paragraph 2. of this Article shall be done by the transport operator, prior licensed by the Ministry, and the requester of services for the group of passengers where the requester is at the same time also the transport payee, if the transport is performed within two and more municipalities, whereas if the transport is performed within the territory of a municipality, the contract shall be done by the licensed operator from the Municipality.
5. Transport permit according to this Article shall be issued by the municipality competent authority if the transport is performed within a municipality, respectively the Ministry if this transport is performed in the territory of two or more municipalities.

6. Permits according to this Article have no timetable and price-list determined according to this Law.

7. The inscription "Special transport" shall be on the front part of the bus on a visible place.

8. The transport operator shall be obliged to supply all passengers with an identification card.

Article 26 **International transport of passengers**

1. International transport of passengers by bus between Kosovo and other countries and the transit transport through the territory of Kosovo shall be done in compliance with the provisions of this Law and secondary acts, agreements and other international rules.

2. The operator of the road transport of passengers shall possess the permit for international transport of passengers in order to exercise the activity of international transport of passengers.

3. The operators of non-resident road transport of passengers passing transit through the territory of Kosovo shall possess the permit for transit passing.

4. In case that there is no bilateral agreement with other countries, the transport between Kosovo and those countries shall be done in compliance with the provisions of this Law, according to the reciprocity principle.

Article 27 **Regular international transport of passengers**

1. The permit from Article 26, paragraph 2. of this Law shall be issued upon the request of the local or foreign interested transport operator.

2. The request from paragraph 1. of this Article shall be addressed to the Ministry. All the evidences on fulfillment the defined conditions by this Law and other normative acts shall be attached to the request.

3. The foreign operator shall present the request to receive a permit through the competent body of its country in which its headquarter is.

4. Transport within the territory of Kosovo from the operators of road transport which do not have the headquarters in Kosovo shall be prohibited.

5. The register of permits for operation in the international transport, entry in Kosovo and transit passing through the territory of Kosovo shall be kept by the Ministry.

Article 28
Free transport of passengers

1. Free transport of passengers, in the domestic and international transport, is the transport of the group of passengers known in advance, created with the initiative of the client or touristic agencies, without embarking and disembarking of passengers along the way, to which the route, price of transport and other conditions are defined with the contract between the transport operator and the transport requester.

2. Transport from paragraph 1. of this Article may be done as return and occasional.

2.1. return transport in compliance with this Law shall be:

2.1.1. the transport of groups of passengers organized in advance in many travels from the same departure point and to the same destination;

2.1.2. transport of each group of passengers which has performed a departure, it returns to the departure point with a later drive;

2.1.3. the first travel in return and the last in departure shall be done with an empty vehicle;

2.1.4. other return transports.

2.2. occasional transport according to this Law shall be:

2.2.1. circular driving with closed doors (picnic, tourist travel etc), starting and ending at the starting point, where the same group of passengers is transported with the same bus during the whole journey;

2.2.2. transport consisting of an outward journey with full vehicle and an empty vehicle journey on return;

2.2.3. transport consisting of an outward journey with an empty vehicle and full vehicle journey on return;

2.2.4. other occasional transports.

3. A permit is required to perform free transport of passengers if it is not defined otherwise by an international agreement.

4. Exclusion from paragraph 3. of this Article does sub-paragraph 2.2.1 of this Article.

Article 29
Necessary documents during the operation in the local and international road transport of passengers

1. During the regular interurban transport of passengers, the operator is obliged to have in the bus these documents:

- 1.1. a copy of the license;
- 1.2. the timetable;
- 1.3. direction sheet of the road;
- 1.4. the certificate of the bus according to the C or D license.

2. During the regular transport of passengers in the international transport, the operator is obliged to have in the bus these documents:

- 2.1. permit and conductor documents of the permit in original;
- 2.2. direction sheet of the road;
- 2.3. certificate of the bus according to the B or D license;
- 2.4. certificate of the driver (CPC).

3. During the free transport of passengers, the operator is obliged to have in the bus these documents:

- 3.1. permit and conductor documents of the permit in original;
- 3.2. original waybill of the road certified from the operator or the Border Police;
- 3.3. certificate of the bus according to the “A”, “B” or “D” license;
- 3.4. direction sheet of the road.

4. During the transport of passengers according to paragraph 1., 2., and 3. of this Article the operator is obliged to have other documents defined by this law, other sub-legal acts and international agreements.

Article 30
Waybill

1. The book of the waybill is necessary during the performance of a free transport of passengers.
2. The book of waybills for the transport operator shall be issued by the Ministry if it is not defined otherwise by an international agreement.
3. Minister shall define the conditions, criteria, procedure and tariffs for issuing the book of waybill by a secondary act.

Article 31
Obligations of the operator

1. Transport operator shall be obliged to perform the transport according to the provisions of this Law and other secondary acts.
2. Transport operator shall be obliged to use the bus terminals licensed by the Ministry, and the bus stops signaled with horizontal and vertical signs dedicated for interurban transport:
 - 2.1. embarking and disembarking of passengers shall be done only in the bus terminals and bus stops destined and registered in the timetable.
 - 2.2. transport operator shall be obliged to stop in all the bus stops registered in the timetable.
3. The vehicle used to perform the regular transport of passengers shall have:
 - 3.1. the name of transport operator of passengers in the sidelong part;
 - 3.2. the line and time of departure from the departure terminal and the time of arrival in the last terminal in the bottom right corner of the window (mudguard), by noting at least three bus stops dedicated for the embarking and disembarking of passengers;
 - 3.3. the schedule of travel, price-list and inscription on the prohibition of smoking which should be located in a visible part of the vehicle.
4. The vehicle shall meet the technical-sanitary and hygienic conditions.
5. The vehicle shall meet the technical-exploratory conditions.
6. Local operator shall be obliged, at the end of each calendar year, to submit to the Ministry the data on mileage, the number of travels performed and number of passengers

transported in one or the other direction, for previous year at latest in term of thirty (30) days from the day of termination of the previous year.

7. The transport operator doing the regular public transport, in compliance with the conditions and available capacities of the vehicles shall undertake for transport each passenger or goods which according to special rules are not excluded from the transport.

8. Transport operator shall be obliged to inform the bus terminal for the beginning of holding the line, inability to hold the line, respectively for delays of more than fifteen (15) minutes.

9. Transport operator can not have more passengers in the bus than it has seats.

Article 32 **“Taxi” transport of passengers**

1. Taxi transport is public transport of people on irregular road transport (out of the line), the price of which for the road passed is known in advance and determined based on the taximeter according to the services’ price-list.

2. The price-list shall be certified by the competent authority and placed in a visible place within the vehicle.

3. The taximeter shall be in good condition, attested and sealed according to the defined conditions on taximeter, and placed in a visible place in the vehicle.

4. The transporter performing the taxi transport of passengers is obliged to provide him/her the proof for the accomplished service which shall contain: vehicle number plates, route, time of transportation, price and transporter’s signature.

5. Municipality shall issue a special regulation on the way of performance of “taxi” transport of passengers.

Article 33 **Performance of taxi transport**

1. Taxi transport shall be permitted for the vehicle with five (4+1) seats and which has at least four (4) doors. And for motorcycles one plus one (1+1) seats but only in the city.

2. Vehicle according to paragraph 1. of this Article shall not have a towed vehicle (trailer or semi-trailer).

3. “Auto-taxi” transport shall be prohibited in the territory of Kosovo from the “auto-taxi” transport operators of another country, if it is not defined otherwise by a bilateral agreement.

4. The driver of the “taxi” vehicle shall not stay or embark passengers in the territory of the municipality in which he/she is not registered to exercise the taxi activity.
5. “Auto-taxi” transport shall be developed within the territory of the municipality in which it is registered to exercise the taxi activity, the “Auto-taxi” transport may be performed also outside the territory of the municipality in case that the transport begins in the municipality in which it is licensed.
6. Taxi transport of passengers in a regular line shall be prohibited.

Article 34
Necessary experience of the taxi vehicle’s driver

People who drive the vehicle performing the “taxi” transport, apart from the conditions defined with this Law and legislation in force, should have at least five (5) years experience on driving the vehicle.

Article 35
Transport for own account

1. Transports for own account of passengers are operations performed for non-commercial and non-profit purposes by a legal or natural person, for which:
 - 1.1. the transport activity is only a supportive activity for that legal or natural person, and
 - 1.2. vehicles used are a property of that legal or natural person, or have been object of a leasing contract and are driven by a member of the staff of a legal or natural person or by the employed person by him, or are put at disposal of the enterprise under a contractual obligation.
2. Transport activity for own account shall be subject of an authorization/certificate, issued by the Ministry respectively Municipality, depending on the competences exercised based on this law.
3. Transport for own account shall be performed as transport within the territory of Kosovo and international transport:
 - 3.1. in case that the transport for own account is performed in the international transport, the subject shall possess also the respective permit if it is not defined otherwise by an international agreement.
4. The register of employees or other people verified by the owner (operator) or some other proofs for the right of transport of these employees or people shall be filled in for the bus which performs the transport for own account.

5. The inscription “Transport for own account” shall be written in both sides, or in the bottom right corner of the protection window of the bus which performs the transport of passengers for own account.

6. The Minister shall define the conditions, criteria, procedures, tariffs and terms for issuing these permits by issuing a sub-legal act.

Article 36 **Transport in extraordinary situations**

In extraordinary situations, Ministry shall issue a bylaw for the obliged transport of passengers in certain routes and certain period.

Article 37 **Bus terminals**

Bus terminal is the building with its conductor infrastructure to receive and conduct the buses according to timetable, passenger embarking and disembarking, ticket selling and reservation for passengers, dressing room, equipment of informing the passengers and the transport operators, and as well other services in relation to transport of passengers and to transport operators.

Article 38 **Bus terminals categorization**

1. Bus terminals categorization shall be done depending on the equipment level and general services’ quality.

2. Minister by sub-legal act shall define the conditions the bus terminal shall fulfill, the work manner, categorization, the manner of documentation maintaining as well as other obligations of the bus terminal.

3. The bus terminal, on equal conditions, provides services to all transport operators possessing the timetable, the registered and verified permit for international transport by the Ministry, according to the defined tariffs by the Ministry based on bus terminals’ category.

4. Official people of the bus terminal shall be obliged to bear identification cards on a visible place.

Article 39
Obligations of bus terminals

1. The bus terminal does not provide services to the transport operators who do not have the registered and verified timetable from the Ministry, if it is the question for interurban transport respectively the permit for international transport.
2. The bus terminal shall have the inscription “Bus Terminal” as well as the name of the place where the terminal is located.
3. The bus terminal shall be obliged to keep the book of evidence on the bus entries and exits and to report on it to the Ministry in quarterly periods.
 - 3.1. the book of evidence on the entries and exits of busses shall have these data:
 - 3.1.1. the name of transport operator;
 - 3.1.2. the name of the line according to the timetable;
 - 3.1.3. the time of departure and arrival of the bus;
 - 3.1.4. the plates of the vehicle’s registration;
 - 3.1.5. the direction sheet of the road (Serial number)
4. The bus terminal shall be obliged to do systematization of all timetables according to the routes, time of departure of the bus from its terminal upon entry into force of the timetable.
5. The license on performing the activity of services of bus terminals shall be issued by the Minister, in case that the bus terminal is destined to perform services for the foreign and interurban transport. Whereas, for the terminals which are destined to perform services of the urban transport, the license shall be issued by the Municipality.

CHAPTER III
ROAD TRANSPORT OF GOODS

Article 40

Road transport of local and international goods shall be performed as transport of goods for own needs (own account) and transport of rental goods and payment (for the third party).

Article 41
Transport of goods for own account

1. Transport of goods for own account shall be considered the transport which is performed by a legal or natural person without compensation, if the following conditions are fulfilled:

1.1. the good being transposed shall be a property of the legal or natural person or purchased, rented or loaned, produced, fulfilled or repaired from the legal or natural person who performs this transport for own account;

1.2. the aim of transport shall be from or to the legal or natural person performing the transport for own account, to transfer the goods within or outside the headquarter of the legal person or the settlement of the natural person performing the transport for own account;

1.3. the vehicles by which is performed this type of transport shall be driven by the drivers employed from the legal or natural person or the natural person itself;

1.4. the vehicles shall be in the property of the natural or legal person and equipped with the vehicle's certificate,

2. Transport operator possessing a license for transport of goods for own account shall not have the right to apply to be equipped with the CEMT permit according to this Article.

Article 42
Transport of goods rented and payment (for the third party)

1. Transport of goods rented and payment (for the third party) shall be performed based on the written and oral agreement between the sender and receiver of the good who contracts the transport of goods.

2. Vehicles with which is performed this type of transport shall be driven by the drivers employed with legal or natural person or the natural person itself.

3. Vehicles shall be in the property of the natural or legal person and equipped with a vehicle's certificate.

Article 43
Permits for international transport of resident operators in Kosovo

1. Permits for international transport of resident operators for transport of goods shall be performed based on the permit for international transport, if it is not defined otherwise with international agreement that the transport shall be performed without permit.

2. Minister shall define the conditions, procedures, tariffs and the method of issuance and distribution of permits for resident operators with sub-legal act.

3. The Ministry in cooperation with respective Ministry for Finance shall define the level of compensation that should be paid by the operators in order to receive the permit.

Article 44

Permits for international transport of non-resident operators in the territory of Kosovo

1. Permit for international transport of non-resident operators for transport of goods shall be performed based on the permit for international transport, if not defined by an international agreement that transportation shall be performed without permit.

2. Ministry shall define and exchange the necessary number of permits for one (1) calendar year with the competent bodies of other countries.

3. Transport operators of foreign countries without a special permit are prohibited to enter in Kosovo without a special, bilateral, transit permit and to/from the third countries, if it is not defined otherwise by international agreements.

4. Ministry shall define the conditions, procedures, tariffs and the method of distribution of permits for non-resident operators by a secondary act.

5. Road transport of goods within the territory of Kosovo cannot be performed from Kosovo non-resident transporters (cabotage).

6. Transport with transport means between two points in the territory of Kosovo when the towing vehicle and trailer have the registration plates of two different countries shall be prohibited, if it is not defined otherwise by an international agreement.

7. If the non-resident operator performs the transport of goods with a towing vehicle or trailer with a registration in two different states, it shall possess a permit only for the towing vehicle (head) according to this Article.

8. The permit for the transport of goods shall be verified from the border police and the transport operator shall be obliged to have the permit in the vehicle during the entire circulation in Kosovo.

Article 45

Necessary documents during the road transport of local and international goods

1. During the transport of goods, the operator shall possess these documents in the vehicle:

1.1. for local transport in Kosovo:

- 1.1.1. vehicle's certificate (extract from the License);
 - 1.1.2. direction sheet of the road;
- 1.2. for international transport:
 - 1.2.1. vehicle's certificate (extract from the License);
 - 1.2.2. consignment note CMR;
 - 1.2.3. permit for international transport, if it is not defined otherwise by an international agreement;
 - 1.2.4. direction sheet of the road;
 - 1.2.5. driver's certificate (CPC).
2. During the road transport of goods the operator should also have other documents determined by this Law and sub-legal acts.

Article 46 **Exceptions for the permits' regime**

1. Exceptionally of provisions of Article 43 and 44 of this Law, the permit for transport of goods shall not be required for:
 - 1.1. the vehicles with loading capacity up to three point five (3.5) tons and the maximum permitted weight of six (6) tons including the load;
 - 1.2. the transport of damaged vehicles and trailers;
 - 1.3. the transport of postal deliveries;
 - 1.4. the transport of exhibits designated for fairs and exhibitions;
 - 1.5. the transport of medical material or other material as aid in case of natural or war disasters;
 - 1.6. empty vehicle entering to substitute a defected vehicle and taking over to transport things from the defected vehicle;
 - 1.7. technical assistance vehicles to tow defected vehicles (repairing-service vehicles);
 - 1.8. vehicles coming to service or fix in Kosovo, on a condition they are empty;

- 1.9. transport of goods from the Airport and to the airport, in case of any failure and some other accident or in case of landing of the airplane due to the obligatory change of gears or in case of a cancellation of the air line;
 - 1.10. transport of corpses;
 - 1.11. transport in case of displacement;
 - 1.12. transport of accessory equipments and other needs for theater, concerts or other cultural presentations, such as circus, recording of movies and recordings in radio or television;
 - 1.13. transport of birds and (new) fish for cultivation;
 - 1.14. transport of goods for marketing issue or university lectures.
2. For the transport from paragraph 1. of this Article, the transport operator shall have the papers and other documentation from which it could be concluded that the transport from paragraph 1. of this Article is into question.

Article 47

Prohibition of transport of goods

1. Minister shall issue bylaws on the cease of transport of goods into the Kosovo roads for certain roads, certain types and for certain period of time. Ministry shall notify the opinion on issuance of such bylaw.
2. Minister by a sub-legal act shall regulate the conditions, procedures, criteria on the issuance of a permit as well as the organization of transport of goods which overpasses the standards and weight defined by the other laws.

CHAPTER IV

GOODS TERMINAL

Article 48

Goods terminals

1. The services of goods terminals according to this Law shall be the admission and parking of goods vehicles, provision of services for the vehicles and the crew members, storage of goods and other contracted services in relation to the transport of goods.
2. Goods terminals shall provide intermodal services in a specific manner to the goods loading, unloading and storage.

3. Goods terminal shall be obliged to provide services to all transport operators on equal conditions.

4. A licence shall be issued for starting the performance of the activity of providing terminal services, according to this Article.

5. Ministry with a sub-legal act shall define the conditions, criteria, procedures, tariffs and the method of functioning of intermodal service of goods terminals.

CHAPTER V SUPERVISION AND CONTROL

Article 49 Supervision and control in road transport

Supervision and control on the implementation of this Law and of sub-legal acts issued based on it, shall be done by the Ministry (inspectors of road transport), Municipal authorities (inspectors of road transport) and Kosovo Police within the competencies determined by this law.

Article 50 Inspection on road transport

1. Inspection works in road transport of passengers, goods, bus terminals and goods terminals shall be performed by the road transport inspectors of the Ministry.

2. Inspection works in the urban road transport, urban-suburban transport and auto-taxi transport within the territory of the municipality shall be done by the municipal road transport inspector and Kosovo Police (traffic police) within its own competencies defined by the law.

Article 51 Obligations of the operator

Road transport operator shall be obliged to introduce to the inspector all the required documentation and to create him all the facilities to exercise competencies according to this Law and secondary acts.

Article 52
Authorizations of road transport inspector

1. During the exercise of the duty, the road transport inspector shall be authorized as following:

1.1. to inspect and control the road transport operators of passengers, goods, bus terminals, goods terminals if they are exercising their activity in compliance with the provisions of this Law and secondary acts;

1.2. to inspect and control all the vehicles and road transport crew of passengers and goods, other business objects, documentation and evidences belonging to road transport;

1.3. to temporarily prohibit:

1.3.1. performing the transport in case the operator and legal or natural person performing the transport for own account does not meet the conditions defined for performing the transport in the road circulation;

1.3.2. usage of the vehicle if it does not meet the technical-exploratory, technical-sanitary and hygienic conditions;

1.3.3. driving the vehicle if the driver of the vehicle does not possess the driver's license of the respective category;

1.3.4. further movement with vehicle into the Kosovo roads for the foreign transporter by leading him to the closest border crossing, if he does not possess the valid license in the vehicle;

1.3.5. provision of terminal services, if the bus terminal or goods terminal does not meet the conditions defined by the Law or other secondary acts;

1.3.6. regular transport of passengers if the foreign transport operator does not perform the transport in compliance with this Law and secondary laws and international agreements.

1.4. to exclude the vehicle from the circulation up to forty eight (48) hours:

1.4.1. in case that it concludes that the operator is performing the road transport of passengers and goods in contradiction with this Law or secondary acts;

1.4.2. if it does not meet the technical-exploratory, technical-sanitary and hygienic conditions;

1.4.3. in case that it concludes that the operator is performing the road

transport of passengers and goods with an unregistered vehicle.

1.5. in case that the inspector enounces the mass of punishment for the same operator for the second time for the causes determined by sub-paragraph 1.4. of this Article, the vehicle shall be excluded from circulation in duration of up to five (5) days;

1.6. on the occasion of exclusion of the auto taxi vehicle, the sign taxi shall be taken off and the respective permit for exercising the activity;

1.7. in cases when the inspector excludes the vehicle for circulation, he shall take the decision that the prohibited vehicle shall be transported under the expenditures of the holder of the license in certain locations, it is necessary the help of the Kosovo Police may be required related to this;

1.8. to order the operator for the elimination of irregularities in the road transport of passengers, goods, bus terminals and goods terminals;

1.9. to initiate the procedure on license, permit, timetable, vehicle's certificate, driver's certificate (CPC), manager's certificate (CPC) revocation;

1.10. to initiate the procedure in the competent court when it finds out that the road transport operator of passengers, goods, bus terminals and goods terminals has violated the provisions of this Law and secondary acts;

1.11. to issue decision on:

1.11.1. temporary prohibition according to sub-paragraph 1.3 of this Article;

1.11.2. exclusion of vehicle from the circulation according to sub-paragraph 1.4. of this Article;

1.11.3. elimination of irregularities according to sub-paragraph 1.5 of this Article.

1.12. road transport inspectors shall do the verification of license conditions of road transport operators, goods terminals, bus terminals and also the verification of the permit conditions and timetables in periodic manner.

Article 53 **Traffic police**

Road traffic police shall be authorized to implement the provisions of Articles 29, 32, 33, 34, 45 and 47 of this Law while performing the regular control in the road transport.

Article 54
Border police

1. The border police shall be authorized to control in the border crossing that the road transport operator of passengers and goods possesses or not the respective permit and the necessary documentation defined by this Law and secondary acts, or by the international agreements.
2. In case that the transport operator does not possess the respective permit and the necessary documentation defined by this Law and secondary acts, or by international agreements, the border police shall prohibit entry of the vehicle in the territory of Kosovo or its exit from it and shall inform the Ministry of Infrastructure for this.
3. Ministry shall make the border police familiar with the models of documents with which the road transport operators' vehicles of passengers and goods performing international transport and the advantages of their crossing.
4. The language of documents shall be determined in agreements between Kosovo and other countries, signed on behalf of Kosovo.

CHAPTER VI
REGIME OF DRIVING AND RESTING

Article 55
Team driving

1. The minimum ages for drivers engaged in the transport of goods shall be as follows:
 - 1.1. for the vehicles consisting of a trailer or semi-trailer, whose maximal authorized weight is less or equal to seven point five (7,5) tons, over eighteen (18) years old;
 - 1.2. for other vehicles, over twenty one (21) years old.
2. Drivers who are engaged in transport of passengers should be at least twenty one (21) years old. Any driver engaged in transport of passengers on journeys beyond a fifty (50) kilometers radius from the place where the vehicle is normally based must also fulfill one of the following conditions:
 - 2.1. he/she must have worked for at least one (1) year in the transport of goods as a driver of vehicles with a permissible maximum weight exceeding three point five (3.5) tons;
 - 2.2. he/she must have worked for at least one (1) year as a driver of vehicles used to provide passenger services on journeys within a fifty (50) kilometer radius

from the place where the vehicle is normally based, or other types of passenger transport services.

Article 56 Driving time

1. The duration of daily driving defined by this Law shall not exceed nine (9) hours. It can be extended to a maximum of ten (10) hours, but not more than twice during the week.
2. The duration of weekly driving defined by this Law shall not exceed fifty six (56) hours:
 - 2.1. the duration of the total driving accumulated during two (2) consecutive weeks shall not exceed ninety (90) hours;
 - 2.2. driving time shall consist of the entire driving performed in whatever territory;
 - 2.3. the driver shall record in a form of other work the entire time of performing other tasks, as well as the time passed during the driving of the used vehicle for commercial operations which does not fall within the scope of action of this law, and shall record the availability periods. This record shall be inserted manually in the sheet of data or printed sheet by manual insertion of the inspection means.

Article 57 Breaks

1. After driving for four and a half hour, the driver shall take an incessant pause of at least forty five (45) minutes, except using the leave.
2. This break may be substituted through a break of fifteen (15) minutes continued by a break of at least thirty (30) minutes, where both shall be distributed in the driving time or can be taken immediately after it, in that form that the provision of paragraph 1. of this Article is obeyed.
3. For purposes of this article, the waiting time and time not passed in driving, time passed in the vehicle, ship or train in movement shall not be considered as other works but it can be qualified as “break”.
4. Distinct breaks according to this Article shall not be considered as daily leave.

Article 58

Rest time

1. Driver shall use the daily and weekly rest time defined by this law.
2. In each time period of twenty-four (24) hours after termination of the daily or weekly rest time, the driver shall take a new time of daily rest. If a part of daily rest falling within that period of twenty-four (24) hours is at least nine (9) hours but less than eleven (11) hours, the time of daily rest in question shall not be considered as a shortened time of daily rest.
3. Regardless of paragraph 2. of this Article, the driver included in the vehicle treatment should have had used the new period of daily rest for at least nine (9) hours in the thirty (30) hours after the termination of daily or weekly rest.
4. The daily rest time may be extended to be a normal time of weekly rest or weekly shortened rest time.
5. A driver may not use more than three (3) periods of daily shortened rest time between two (2) periods of weekly rest.
6. During two (2) consecutive weeks, the driver shall use at least:
 - 6.1. two normal times of weekly rest, or;
 - 6.2. one normal time of weekly rest and one shortened time of weekly rest from at least twenty-four (24) hours. Nevertheless, the shortened time shall be compensated through the equal time of the used rest as a whole before the termination of the third week after the week in question;
 - 6.3. weekly rest time shall begin the latest at the end of six (6) periods of twenty-four (24) hours taking into consideration the previous time of weekly rest.
7. Regardless of paragraph 6. subparagraph 6.1 of this Article, the driver shall provide only one service of international transport of passengers, different from the regular one, can postpone his time of weekly rest for the latest till the end of the past twenty-four (24) hours period of weekly rest upon the condition that:
 - 7.1. the service lasts for at least twenty-four (24) consecutive hours different from it in which the service started, and after the use of exception, the driver shall take:
 - 7.1.1. two time periods of normal weekly rest, or;
 - 7.1.2. one normal time period of weekly rest. A normal time period of weekly rest and one shortened period of weekly rest of at least twenty four (24) hours. The shortening in each circumstance shall be compensated with a same period of rest taken as a whole before the end of the third

week of the third period of exclusion;

7.1.3. the vehicle shall be equipped with digital tachograph in conformity with the Law into force, if the country where the vehicle is registered has started to use it four (4) years ago;

7.1.4. after January, 1st 2014, in case of driving between 22.00 and 06.00 hours, the vehicle shall be driven from a crew side, but the period will be shortened in three (3) hours.

7.2. Each driver participating in the crew shall use the weekly rest of at least forty five (45) hours. This time may be shortened in at least twenty four (24) hours (shortened time of weekly rest). However, each shortening shall be compensated with an equal period of rest used as a whole at least during the third week after the week when the shortening was done. The time of weekly rest shall begin at least at the end of six periods of twenty-four (24) hours, from the previous period of weekly rest.

8. Each rest taken by the means of compensation of weekly rest shall be joined with another rest time from at least nine (9) hours.

9. In case that a driver wishes, the time of daily rest and shortened time of weekly rest, taken outside of the stopping point, may be used within the vehicle, upon the condition that the vehicle into question is equipped with an appropriate bed for each driver, as it is foreseen by the producer during the vehicle planning and the vehicle should be immovable.

10. The weekly rest time falling between two (2) weeks may be calculated in whichever week, but not in both.

Article 59 **Exclusions from the rest time**

1. In case that a driver accompanies a vehicle transported through the ferryboat (ship) or train and uses the normal daily rest, it can be intermitted the most twice from another activity, upon the condition that the following conditions are met:

1.1. a part of the daily rest used in land shall be taken before or after using a daily rest on the ship or train;

1.2. periods between two parts of daily rest shall be as shorter as possible and in any case cannot be longer than an hour before the embarking or disembarking, including here the custom formalities in the loading and unloading operations;

1.3. during all the daily rest parts, the driver shall have a bed at disposal.

2. Each time passed in the journey towards a location to undertake the vehicle within the scope of action of this law, or to return it, in case that the vehicle is not at home and neither in the operative center of the driver's employer, where the stopping point is located, shall not be calculated as rest or pause only in case that the driver is in a ship or train and has appropriate sleeping access.

3. Each time of driver passed in driving of a vehicle not within the scope of action of this Law towards the vehicle within the scope of action of this law, or in return, and which is not the home of the driver and neither the operative center of the employer which is the random point of stopping of the driver, shall be recorded as "other works".

Article 60 **Avoidances**

1. Provided that it does not affect the road safety and that it is allowed to arrive at a suitable stopping, the driver may elude from this Law if it is necessary to provide security to the people, vehicle or his load.

2. The driver should point out the nature and purpose of avoidance in a data sheet or printed sheet of the control device or service register, the latest at the time of arrival in the suitable stop or before it.

CHAPTER VII **CONTROL DEVICE**

Article 61 **Equipments of the vehicle**

1. All vehicles listed in Article 87 of this Law and registered in the territory of Kosovo shall be equipped with a control device in compliance with the provisions of this law.

2. The control device, according to the definition in this law, as regards the conditions of its construction, installation, operation and control, shall meet the requirements of this Law and secondary acts deriving from this law.

3. The control device, in compliance with the Council Regulation (EEC) no. 3821/85 of 20 December 1985 on the conditions of its construction, installation, operation and control whether it is in compliance with the requirements of this Law and secondary acts deriving from this law.

4. The same shall be applied for the device in accordance with the European Agreement concerning the work of crews of vehicles engaged in International Road Transport (AETR) as regards the conditions of construction, installation, operation and control.

Article 62

Probate

Control device installed in transport vehicles defined in Article 2 of this Law shall contain the probate sign issued by one contracting party of the European Agreement dealing with the work of Crews engaged in International Road Transport (AETR), and the installation slab according to the Article 11 of this Act.

Article 63

Installation and Inspection of Control Device

1. Installers or licensed and approved workshops for this purpose by the competent authority (Ministry) are the only ones allowed to perform the installation and repair of inspection equipments.
2. The duration of the administrative validity of workshops cards and licensed installers shall not be longer than one (1) year.
3. In case of a renovation, damage, malfunctioning, loss or theft of the card issued for the workshops and installers, the competent authority shall provide an expletive card within five (5) working days after receiving the detailed request for this purpose.
4. In case there is a new card issued to replace an old one, the new card shall have the same number of information of “workshop”, but the index is increased for one unit. The issuing authority shall hold a register of lost, stolen, or defective cards.
5. The competent authority shall undertake all the necessary measures to avoid risks of counterfeit of distributed cards for the approved fitters and workshops.
6. The approved fitter or workshop shall put a special sign in its plumbed closure in the control equipment and it inserts the security electronic data enabling authentic controls. The competent authority (MI) shall hold a Register of Trademarks and security electronic data in use, as well as for the cards of approved fitters and workshops.
7. Kosovo competent authorities may inform the Contracting party of AETR with the list of approved fitters and workshops as well as regarding the issued cards for them and copies of brands and necessary information concerning security electronic data in use.
8. The compliance of installation of control equipment with the requirements of this Law shall be testified from the installment slab.
9. Plumbs may be removed from the approved fitters or workshops from competent authorities in compliance with the provisions of paragraph 1. of this Article.
10. Ministry of Infrastructure shall be the competent body for issuing cards of workshops (services), drivers, transport companies and control bodies for digital tachograph in

cooperation with the Ministry of Internal Affairs.

11. Ministry of Infrastructure, excluding of paragraph 10. of this Article, may authorize a public or private legal subject to issue cards for the usage of digital tachograph.

12. Ministry, by sub-legal act, shall define the conditions, criteria, procedures, tariffs and other rules on the issuance of cards pointed out in paragraph 10. of this Article.

13. Ministry, by sub-legal act, shall define the conditions, criteria, procedures, tariffs and other rules concerning licensing of workshops (services) for tachographs.

Article 64 **Usage conditions**

1. The employer and drivers shall ensure the appropriate functioning of the control equipment, as well as the card of the driver since the driver is asked to direct the vehicle equipped with digital tachograph control equipments.

2. The employer shall issue an adequate number of data sheets for the drivers of vehicles equipped with analogous tachograph recording equipment, taking into consideration the personal nature of these sheets, duration of service and obligation for eventual change of damaged sheets or those taken from the control officer.

3. The employer shall issue for the drivers only sheets of the appropriate approved model for usage in the installed equipment in the vehicle.

4. In case that the vehicle is equipped with a digital tachograph control device, the employer and the driver shall ensure that, taking into consideration the duration of service, the printing according to the request may be done in adequate manner in cases of control.

5. The company shall hold, in chronological order and readable form, the data sheets and printer papers every time they are printed in accordance with Article 69 of this Law, for at least one (1) year after their usage, and it shall provide a copy to drivers requiring such a thing. In addition, the company shall provide a copy of the downloaded data from drivers' card to the drivers in case they are required and the printed versions of these copies. The data sheets, printed papers and the downloaded data shall be presented or delivered upon the request of the authorized inspection officer.

6. Each transport operator using the vehicles equipped with control equipments which do not fall within the scope of action of this Law shall:

6.1. ensure that all the data are downloaded from the unit in the vehicle and the driver's card regularly according to the request of the competent authority, and that all the relevant data are downloaded more often to ensure that all the performed activities from that enterprise or for that have been downloaded;

6.2. ensure that all the downloaded data from the unit of the vehicle and driver's card are held for at least twelve (12) months after the registration and if an inspection officer requires them, these data are accessible, either directly or in distance in the company's locations.

7. The driver's card shall be issued upon the request of the driver from the competent authority of his usual residence country.

8. For purposes of this law, the term usual residence means the settlement in which the person lives usually, i.e. has lived for at least one hundred eighty five (185) calendar days per year, for personal or professional reasons or, in case of a person with no professional connection because of personal reasons showing close connections between the latter and the settlement where the person lives:

8.1. however, normal residence of a person whose professional connections are in another country from his personal connections and who consequently shall reside in different countries located in one or more states - Contracting Parties of AETR, it shall be supposed to be the settlement of personal connections, upon the condition to regularly return. The latter condition shall not be mandatory for those persons living in contracting states of AETR for performing a task with a fixed term;

8.2. drivers shall provide a proof of their usual residence country through different manners, including the identification card or some other valid document;

8.3. drivers shall bring the proofs in their usual residence country in all manners, especially by the means of their identification card or whatever other valid document. In case that the competent authorities have doubts for the validity of the declaration of usual residence in compliance with subparagraph 8.2 of this Article or for some specific controls, they may require different elements of information or additional proofs;

8.4. responsible authorities on issuing cards, for as much as it is possible shall ensure that the applicant does not possess a valid card of drivers.

9. The competent authority shall personalize the driver's card in compatibility with the provisions of this Law and secondary acts deriving from this law:

9.1. the driver's card validity shall not be longer than five (5) years; The driver can possess only one valid card. He shall be authorized to use only his personalized card. The damaged or expired card cannot be used;

9.2. if a new card is issued for the driver to replace the old one, the new card shall contain the same serial number of the driver's card but the index is increased for one. The issuing authority shall hold a register of issued, stolen, lost or malfunctioning cards;

- 9.3. in case of a damage, malfunctioning, loss or theft of the driver's card, the authority shall provide a replacement card within five (5) working days after the reception of the request for this purpose;
- 9.4. in case of applying for extending the card, whose date of validity is expiring, the authority shall provide a new card prior to the appropriate date upon the condition that the request shall be delivered within the deadline defined in paragraph 4. Article 65 of this Law;
10. Driver's cards shall be issued only for the applicant subject to the provisions of this Law;
11. The driver's card shall be personal. During the duration of its administrative validity it cannot be object of withdrawal or cancellation for any reason, only if the competent authority considers that the card is counterfeit, if the driver uses a card without being its legal possessor, or if the card is provided based upon false declarations and/or counterfeit documents. If the cancellation or withdrawal measure is undertaken against the driver whose card is issued from the contracting party of AETR, the competent authority in Kosovo shall deliver the card to the authorities of contracting party in AETR issuing the card into question by pointing out the reasons for this action.
12. As far as a possessor of the valid driver's card has fixed his usual residence in Kosovo, he may ask for an exchange of his card with another equivalent card. It shall belong to the competent authority in Kosovo which does the exchange to verify if needed whether the presented card in fact is still valid or not.
13. The competent authority performing the exchange shall return the old card to the authority issuing it and it shall point out the reasons for this action.
14. If the Kosovo competent authority replaces or exchange the driver's card, the replacement or exchange, and the next renovations or replacements shall be registered in this competent authority.
15. The competent authorities shall undertake all necessary measures to prevent the driver's card counterfeit risk.
16. The competent authorities shall ensure that the necessary data to implement the respect of this law, registered and preserved in the registration equipment are preserved for at least three hundred sixty five (365) days after the registration date and can be made available in conditions ensuring the security and correctness of these data.
17. The competent authorities shall undertake all necessary measures to ensure that the reselling and decommissioning actions of the control equipment do not harm the appropriate application of this paragraph.

Article 65

Drivers

1. Drivers shall not use harmed or dirty data sheets or cards. For this purpose, the driver's sheets or card shall be protected in an adequate manner.
2. In case of damaging of a sheet or the driver's card holding registers, the drivers shall attach the damaged sheet or card in a reserve sheet or in the sheet used to replace it.
3. In case of damage, malfunctioning, loss or theft of the driver's card, the drivers shall require the replacement within seven (7) calendar days from the competent authorities in which they have their usual residence.
4. In case that the drivers want to renovate their driver's card, they shall apply to the competent authorities where their usual residence is not later than fifteen (15) days before the expiration date of the card.
5. Drivers shall use data sheets or driver's card every day they drive, from the moment they take the lead of the vehicle. The data sheet or the driver's card shall not be withdrawn before the end of the daily work period, except if that withdraw is authorized. No data sheet or driver's card may be used for a time period longer than the aimed one. If more than a driver is found in the cabin of a vehicle with digital tachograph control device, they ensure that their card is inserted in the correct place in the tachograph.
6. In case that, due to the distance from the vehicle, the drivers cannot use the installed device in the vehicle:
 - 6.1. if the vehicle is equipped with analogous tachograph control device, it is noted in the data sheet in a readable manner and without dirtiness, manually or automatically, or through other manners, or;
 - 6.2. if the vehicle is equipped with a digital tachograph control device, it is inscribed in the driver's card by the means of the function of manual insertion of data available in the device.
7. Drivers shall hold the necessary changes in the data sheet where in the vehicle is more than one driver.
8. Drivers shall be obliged to:
 - 8.1. ensure consistency between the time registered in the sheet and legal time of the country of the vehicle's registration;
 - 8.2. operate with the passing equipments enabling separate and visible registration of the time periods.
9. Each contracting party may allow for the registration sheets used in the registered

vehicles in their territory, that the time period shall be registered under the sign according to the definition in paragraph 8. of this Article.

10. Each crew member shall hold the following information in the registration sheet:

10.1. name and surname at the beginning and at the end of the sheet;

10.2. date and place at the beginning and at the end of the usage of the sheet;

10.3. number of registration plate of the vehicle appointed to the driver, before the first travel is registered in the sheet and then, in case of the change of vehicle, during the usage of the sheet;

10.4. reading of the odometer:

10.4.1. before the first travel registered into the sheet;

10.4.2. at the end of the last travel registered into the sheet

10.4.3. in case of change of vehicle during the working day (the vehicle which was appointed to the driver and the vehicle in which he will be appointed).

10.5. if it is necessary, the time of vehicle's change.

11. The driver shall insert in the control device the state symbol in which he begins and the state in which he terminates his period of working day.

12. The above insertions of data shall be made active from the driver, and they can be inserted manually or automatically if the tester is connected with the satellite positioning system. Thirty five (35) symbols used in digital tachograph. thirty six (36) symbols used in digital tachograph. thirty seven (37) symbols used in digital tachograph. Thirty eight (38) symbols used in digital tachograph.

13. The control device (analogous tachograph) should be worked in that manner that allows the officers of implementation of Law to read, after the possible opening of the device, without a permanent deformation, damage or contamination, the registration sheet concerning the nine last hours before the control time. The devices shall be designed in a form to allow the verification, without opening the box, if the registrations are being conducted or not.

14. When the driver drives a vehicle equipped with control equipments (analogous tachograph), he should be able to provide the following to the competent authority:

14.1. the data sheets for the current week and those used from the driver during fifteen (15) previous calendar days;

14.2. the driver's card, if he holds such a card;

14.3. each manual and printed data of the current week and fifteen (15) previous calendar days as it is foreseen by this law. From the date of application defined in Article 64 of this law, the referred periods in sub-paragraphs 14.1 and 14.2 of this Article will cover the current day as well as the twenty eight (28) previous calendar days.

15. When the driver drives the vehicle equipped with data registration equipment (digital tachograph), he, upon the request of the controlling agent, should present:

15.1. the driver's card whose possessor is he himself;

15.1.1. each handwritten data and every printed material for the current week and for fifteen (15) previous calendar days as it is foreseen in this agreement;

15.1.2. data sheets corresponding with the same period as that one covered in the previous paragraph during which he has driven the vehicle equipped with analogous tachograph data registration equipment;

15.2. the referred periods in subparagraph 15.1.1 shall cover the current date and twenty eight (28) previous calendar days from the date of application defined in Article 64 of this law.

16. Counterfeit, erasure or destruction of registered data in the data sheet, of the data saved in the controlling means or the driver's card and the printed sheets from the digital tachograph control equipment shall be prohibited. It is also illegal to manipulate with the control equipment, data sheet or the driver's card and/or the printed sheets purposely to counterfeit their data, making them inaccessible or their destruction. No equipment for performing the abovementioned manipulations shall be left in the vehicle's cabin.

Article 66

Failure and Malfunctioning of Control Equipment

1. In case of failure or malfunctioning of the control equipment, the employer shall repair it as soon as possible through the registered installers or workshops. If the return to headquarter cannot be done faster than a week from the day of failure or finding the defect, the repair shall be done during the travel. The contracting party shall enable the competent authority to stop using the vehicle in case that the failure is not fixed according to the conditions defined above.

2. During the period of failure or malfunctioning of the control equipment, drivers shall report the time indicators, since those are not saved and not printed in regular manner in the equipment, registration list or in a temporary list attached to the registration list or driver's card, in a report in which the identifying elements are presented (name and

number of the license of the driver and the number of the driver's card) and which is signed by them.

3. In cases when the driver's card is damaged, does not work, loses or is not possessed by the driver, the driver shall be obliged:

3.1. to present in a visible part at the beginning of the travel the details of the vehicle he drives:

3.1.1. detailed identifying information on the driver (name, number of the card or license) and his signature;

3.1.2. periods to which it refers of paragraph 8. of Article 65 of this Law.

3.2. at the end of the travel, to print the information on the registered time periods from the registration equipment, to register the periods passed in other activities, periods of availability and rest conducted from the beginning of the travel, in case that these information were not registered in the tachograph, and to transfer in this document the identifying data of the driver (name, card number or license number) and to put his signature.

4. In case of damage or malfunctioning of the card, the driver shall return it to the competent authority of the contracting party in which he has the permanent residence. Theft of card shall be reported adequately and genuinely to the competent authorities of the contracting party where the thievery happened.

5. Loss of driver's card shall be reported adequately and genuinely to the competent authorities of the contracting party where that was issued and of the contracting party where the usual residence is registered, if it does not concern the same authority.

6. The driver may continue to drive his vehicle without a driver's card for the most fifteen (15) calendar days, or a longer period if this is necessary to return the vehicle in the headquarter of the company, on the condition that he is able to verify the inability of production or usage of the card during this period.

7. In cases when the authorities of contracting party where the driver has his usual residence are not the same with those issuing the card, and it is required from the first to proceed with the renovation, replacement or exchange of the driver's card, they shall inform the authorities issuing the old card for the correct reasons for renovation, replacement or exchange.

CHAPTER VIII
OBLIGATIONS AND RESPONSIBILITIES OF THE COMPANY

Article 67
Obligations of the company

1. The company shall organize the road transport and to provide the crew members with the adequate instructions so that they respect the provisions of this Law.
2. It shall regularly monitor the driving times and other works, as well as rest hours, using those documents it possesses, such as the individual control books. If a violation of this Law is noticed, the company shall cease the respective activity immediately and undertake measures to prevent the repetition of the violation, such as the change of timetables and routes.
3. Payment, even in a form of bonuses or promotion, of drivers with a payment based on mileage and/or volume of transport goods shall be prohibited, except when such payments do not endanger the road safety and when they do not induce violation of it.
4. The company shall ensure to hold the data covering at least three hundred sixty five (365) previous days of the activity of each employed driver within its space. Each driver should be able to present the data on his daily activity and his activity for the twenty eight (28) previous days in cases of road control.

Article 68
Responsibilities of the company

1. The transport companies shall be responsible for the violations performed from the company drivers, even if the violation is performed in the territory of another country, regardless if it is a contracting party of AETR or not. This responsibility can be interrelated with the discrepancy of the company with paragraphs 1. and 2. of Article 67 of this Law. Proofs defining that the transport company cannot be considered responsible reasonably for the violation may be taken into consideration.
2. Companies, transporters, bearer of loads, tourist tours operators, subcontractors and drivers' recruitment agencies shall be ensured that the working hours for the transport defined with the contract are in compliance with this law.

CHAPTER IX INSPECTIONS

Article 69 Number of inspections

1. All parties shall undertake adequate measures to ensure the respect of provisions of this law, especially by conducting an adequate inspection number in road and company's spaces, covering a considerable number of drivers, companies and other vehicles of all transport categories within the field of action of this law.
2. The controls shall be organized in a form that:
 - 2.1. at least 3% of working days within a calendar year the drivers of vehicles on which this Law is implemented shall be controlled;
 - 2.2. at least 30% of the total number of working days controls shall be performed in road and at least 50% in local companies.

Article 70 Nature of inspection

1. Inspection in road shall be treated as follows:
 - 1.1. daily and weekly driving schedule, rests and daily and weekly rest periods;
 - 1.2. register of passed days, which should be in the vehicle's plate and/or the saved data for the same periods in the driver's card and/or in the memory of the control equipment and/or printed versions, if they are in use;
 - 1.3. adequate functioning of the control equipment.
2. These controls of vehicles, companies and drivers shall be conducted without any difference (regardless of being resident or not) and without taking into consideration the initial point and the destination of the travel or tachograph's type.
3. Points in which the control in the company's space should be focused, apart from those which are subject to road controls and compatibility control with provisions of paragraph 6. of Article 63 of this Law shall be:
 - 3.1. weekly rest periods and periods of driving during them;
 - 3.2. limitation of driving hours in two (2) weeks;
 - 3.3. compensation for the shortened rest periods according to paragraph 7. of

Article 58 of this Law;

3.4. usage of registers and/or data and copies of documents coming from the disembarking unit and the driver's license and/or data of organization of the working hours of drivers.

Article 71

Bilateral Cooperation

1. Within the bilateral cooperation framework, the competent authorities of both countries shall be able to:

1.1. regularly exchange all the available information related to violations conducted from their inhabitants in the territory of other countries. In cases of serious violations, this information may include the applicable sanctions;

1.2. assist each other to clarify the situations when, during a road control of the driver of a vehicle registered in the other country, data providing a basis to doubt that there was a violation conducted were found which is not discoverable during a control in case the necessary elements are absent. In cases when in this regard, the state into question performs an audit of the company's spaces, the findings of this control will be put at disposal of the other country;

1.3. organize joint road inspections.

Article 72

Models of standard forms

1. The Ministry shall provide models of standard forms to be filled in order to facilitate the conduct of international road inspections. These forms shall be implemented and can be modified.

2. Ministry by sub-legal act shall define the models of standard forms for inspection.

Article 73

Authorizations of inspectors

1. Traffic police as well as the road transport inspectors of the Ministry shall be authorized, within their respective competencies, to control traffic on the road. They also have the right to control the vehicles inside to verify the recording equipments and all equipments related to them.

2. Road transport inspectors of the Ministry within their own competencies shall be authorized to perform controls in companies concerning all provisions of this Law and its sub-legal acts.

CHAPTER X SANCTION PROVISIONS

Article 74 Fines

1. The transport operator, respectively the other legal or natural person shall be punished with a fine of eight hundred (800) to one thousand (1.000) Euro for offence (administrative offence):

- 1.1. if it acts in contradiction to Article 7 (paragraph 1., 2. and 3.) of this Law;
- 1.2. if it acts in contradiction to Article 14 (paragraph 1.) of this Law;
- 1.3. if it acts in contradiction to Article 26 (paragraph 1., 2. and 3.) of this Law;
- 1.4. if it acts in contradiction to Article 28 (paragraph 1., 2. and 3.) of this Law;
- 1.5. if it acts in contradiction to Article 36 of this Law;
- 1.6. if it acts in contradiction to Article 37 of this Law;
- 1.7. if it acts in contradiction to Article 38 (paragraph 3.) of this Law;
- 1.8. if it acts in contradiction to Article 39 (paragraph 1., 2., 3. and 4.) of this Law;
- 1.9. if it acts in contradiction to Article 48 (paragraph 1., 2., 3., 4. and 5.) of this Law.

2. In case that the transport operator, respectively the legal or natural person does a repetition of the same conviction, apart from punishing with a fine, also the protection measure of intercepting the exercise of the transport activity will be given for a duration of six (6) to twelve (12) months.

3. The transport operator, respectively the other legal or natural person shall be punished with a fine of five hundred (500) to seven hundred (700) Euro for offence (administrative offence):

- 3.1. if it acts in contradiction to Article 10 (paragraph 1., 2. and 3.) of this Law;
- 3.2. if it acts in contradiction to Article 17 (paragraph 1.) of this Law;
- 3.3. if it acts in contradiction to Article 19 (paragraph 1. and 2.) of this Law;
- 3.4. if it acts in contradiction to Article 19 (paragraph 1., 3., 4., 5. and 6.) of this Law;

- 3.5. if it acts in contradiction to Article 25 (paragraph 1.) of this Law;
 - 3.6. if it acts in contradiction to Article 27 (paragraph 4.) of this Law;
 - 3.7. if it acts in contradiction to Article 31 (paragraph 1. and 7.) of this Law;
 - 3.8. if it acts in contradiction to Article 35 (paragraph 1.,2.,3.,4. and 5.) of this Law;
 - 3.9. if it acts in contradiction to Article 41 (paragraph 1. subparagraph 1.1. and 1.2.) of this Law;
 - 3.10. if it acts in contradiction to Article 42 (paragraph 1.) of this Law;
 - 3.11. if it acts in contradiction to Article 43 (paragraph 1.) of this Law;
 - 3.12. if it acts in contradiction to Article 44 (paragraph 1., 3., 5., 6., 7. and 8.) of this Law;
 - 3.13. if it acts in contradiction to Article 51 of this Law.
4. For similar offences that the operator, respectively the legal or natural person repeats, apart from punishing with a fine, also the protection measure of intercepting the exercise of the transport activity will be given for a duration of six (6) to twelve (12) months.
5. The transport operator, respectively the other legal or natural person shall be punished with a fine of one hundred (100) to three hundred (300) Euro for offence (administrative offence):
- 5.1. if it acts in contradiction to Article 8 (paragraph 1. and 3.) of this Law;
 - 5.2. if it acts in contradiction to Article 22 (paragraph 1., and 2.) of this Law;
 - 5.3. if it acts in contradiction to Article 23 (paragraph 1., 2., and 3.) of this Law;
 - 5.4. if it acts in contradiction to Article 24 (paragraph 1.) of this Law;
 - 5.5. if it acts in contradiction to Article 29 (paragraph 1., 2., 3. and 4.) of this Law;
 - 5.6. if it acts in contradiction to Article 30 (paragraph 1.) of this Law;
 - 5.7. if it acts in contradiction to Article 31 (paragraph 2., 3., 4., 5., 6., 8. and 9.) of this Law;
 - 5.8. if it acts in contradiction to Article 32 (paragraph 1., 2., 3. and 4.) of this Law;
 - 5.9. if it acts in contradiction to Article 33 (paragraph 1,3.,4.,5. and 6.) of this Law;

- 5.10. if it acts in contradiction to Article 34 of this Law;
- 5.11. if it acts in contradiction to Article 38 (paragraph 4.) of this Law;
- 5.12. if it acts in contradiction to Article 41 (paragraph 1. subparagraph 1.3 and 1.4) of this Law;
- 5.13. if it acts in contradiction to Article 42 (paragraph 2. and 3.) of this Law;
- 5.14. if it acts in contradiction to Article 45 (paragraph 1. subparagraph 1.1, 1.2. and paragraph 2.) of this Law;
- 5.15. if it acts in contradiction to Article 19 (paragraph 1. and 6.) of this Law;
- 5.16. if it acts in contradiction to Article 25 (paragraph 7. and 8.) of this Law;
- 5.17. if it acts in contradiction to Article 47 of this Law.

Article 75
Rejection and providing information

1. In case that an operator rejects to return the transport documents after a fine of temporary or permanent withdrawal of vehicle's certificates or license or the authorization for the transport, he shall be punished based on Article 74 paragraph 3. of this Law.
2. If an operator consciously gives false information to receive a license or certificate of transport vehicles or the required license for performing the transport activity shall be punishable according to Article 74 paragraph 1. of this Law.

Article 76
Convictions in the time of driving and rest regime

1. Disrespect of the minimal age of the driver foreseen in Article 55 of this Law shall be considered as a serious violation and the driver shall be punished with a fee of twenty five (25) Euros and two hundred fifty (250) Euros for the operator.
2. Exceed of the duration of daily driving more than nine (9) hours, is punishable according to Article 56 of this Law as following:
 - 2.1. for exceeding the duration of daily driving from nine (9) to ten (10) hours it is foreseen as a slight violation and the driver shall be punished with twenty five (25) Euros and two hundred fifty (250) Euros for the operator;
 - 2.2. for exceeding the duration of daily driving from ten (10) to eleven (11) hours

it is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and three hundred fifty (350) Euros the operator;

2.3. for exceeding the duration of daily driving more than eleven (11) hours the driver shall be punished with fifty (50) Euros and five hundred (500) Euros the operator.

3. Exceed of the duration of daily driving in case of agreeing for the extension in more than ten (10) hours:

3.1. for exceeding the duration of agreed daily driving from ten (10) hours to eleven (11) hours, it is foreseen as a slight conviction and the driver shall be punished with thirty five (35) Euros and three hundred (300) Euros the operator;

3.2. for exceeding the duration of agreed daily driving from eleven (11) hours to twelve (12) hours, it is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and three hundred fifty (350) Euros the operator;

3.3. for exceeding the duration of agreed daily driving for more than twelve (12) hours, it is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and five hundred (500) Euros the operator.

4. Exceed of the duration of weekly driving in more than fifty six (56) hours according to Article 56 paragraph 2. of this Law shall be punished as follows:

4.1. for exceeding the duration of weekly driving from fifty six (56) hours to sixty (60) hours, it is foreseen as a slight offence and the driver shall be punished with twenty five (25) Euros and two hundred fifty (250) Euros the operator;

4.2. for exceeding the duration of weekly driving from sixty (60) hours to seventy (70) hours, it is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and three hundred fifty (350) Euros the operator;

4.3. for exceeding the duration of weekly driving from more than seventy (70) hours, it is foreseen as a very serious conviction and the driver shall be punished with fifty (50) Euros and five hundred (500) Euros the operator.

5. Exceed of the duration of accumulated driving after two (2) consecutive weeks in more than ninety (90) hours according to Article 56 paragraph 3. of this Law shall be punished as follows:

5.1. for exceeding the duration of accumulated driving during two (2) consecutive weeks from ninety (90) hours to one hundred (100) hours, it is foreseen as a slight offence and the driver shall be punished with twenty five (25) Euros and two hundred fifty (250) Euros the operator;

5.2. for exceeding the duration of accumulated driving during two (2) consecutive weeks from one hundred (100) hours to one hundred and twelve (112) hours and thirty (30) minutes, it is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and three hundred fifty (350) Euros the operator;

5.3. for exceeding the duration of accumulated driving during two (2) consecutive weeks from more than one hundred and twelve (112) hours and thirty (30) minutes, it is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and five hundred (500) Euros the operator.

6. Exceed of the duration of ceased driving in more than four (4) hours and thirty (30) minutes according to Article 58 of this Law shall be punished as follows:

6.1. exceed of the duration of ceased driving from four (4) hours and thirty (30) minutes to five (5) hours is foreseen as a slight offence and the driver shall be punished with twenty five (25) Euros and the operator with two hundred fifty (250) Euros;

6.2. exceed of the duration of ceased driving from five (5) hours to six (6) hours is foreseen as a serious conviction and the driver shall be punished with thirty five (35) Euros and three hundred fifty (350) Euros the operator;

6.3. exceed of the duration of ceased driving from more than six (6) hours is foreseen as a very serious conviction and the driver shall be punished with fifty (50) Euros and five hundred (500) Euros the operator.

7. Daily rest time fewer than eleven (11) hours if the reduction is not agreed according to Article 58 paragraph 2. of this Law is punishable as follows:

7.1. disrespect of the daily rest time from ten (10) hours to eleven (11) hours is foreseen as a slight offence and the driver shall be punished with twenty five (25) Euros and the operator with two hundred fifty (250) Euros;

7.2. disrespect of the daily rest time from eight (8) hours and thirty (30) minutes to ten (10) hours is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and the operator with three hundred fifty (350) Euros;

7.3. disrespect of the daily rest time for less than eight (8) hours and thirty (30) minutes is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

8. Daily rest time less than nine (9) hours if the reduction is not agreed according to Article 58 paragraph 2. of this Law is punished as follows:

8.1. disrespect of the daily rest time less than nine (9) hours up to eight (8) hours is foreseen as a slight offence and the driver shall be punished with twenty five

(25) Euros and the operator with two hundred fifty (250) Euros;

8.2. disrespect of the daily rest time for less than seven (7) hours up to eight (8) hours is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and the operator with three hundred fifty (350) Euros;

8.3. disrespect of the daily rest time for less than seven (7) hours is foreseen as a very serious conviction and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

9. Daily rest time divided in lesser than three plus nine (3+9) according to Article 58 paragraph 2. of this Law is punished as follows:

9.1. for the daily rest time divided in lesser than three hours plus eight up to nine hours (3 + 8-9) is foreseen as slight offence and the driver shall be punished with twenty five (25) Euros and the operator with two hundred fifty (250) Euros;

9.2. for the daily rest time divided in lesser than three hours plus seven up to eight hours (3+7-8) is foreseen as a serious conviction and the driver shall be punished with thirty five (35) Euros and the operator with three hundred fifty (350) Euros;

9.3. for the daily rest time divided in less than three hours plus up to seven hours (3+ up to 7) is foreseen as a very serious conviction and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

10. Daily rest time less than nine (9) hours in case of crew driving:

10.1. disrespect of the daily rest time in case of crew driving in less than nine (9) hours up to eight (8) hours is foreseen as slight conviction and the driver shall be punished with twenty five (25) Euros and the operator with two hundred fifty (250) Euros;

10.2. disrespect of the daily rest time in case of crew driving in less than eight (8) hours up to seven (7) hours is foreseen as a serious conviction and the driver shall be punished with thirty five (35) Euros and the operator with three hundred fifty (350) Euros;

10.3. disrespect of the daily rest time in case of crew driving in less than seven (7) hours is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

11. Weekly rest time reduced in less than twenty four (24) hours is foreseen as a offence and is punished as follows:

11.1. disrespect of the weekly rest time during driving in less than twenty four (24) hours up to twenty two (22) hours is foreseen as slight offence and the driver shall be punished with twenty five (25) Euros and the operator with two hundred

fifty (250) Euros;

11.2. disrespect of the weekly rest time during driving in less than twenty two (22) hours up to twenty (20) hours is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and the operator with three hundred fifty (350) Euros;

11.3. disrespect of the weekly rest time during driving in less than twenty (20) hours is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

12. Weekly rest time less than forty five (45) hours if the reduction is not agreed according to Article 58 sub paragraph 7.2. of this Law presents an offence and is punished as follows:

12.1. disrespect of the weekly rest time during driving in less than forty five (45) hours up to forty two (42) hours is foreseen as slight offence and the driver shall be punished with twenty five (25) Euros and the operator with two hundred fifty (250) Euros;

12.2. disrespect of the weekly rest time during driving in less than forty two (42) hours up to thirty six (36) hours is foreseen as a serious offence and the driver shall be punished with thirty five (35) Euros and the operator with three hundred fifty (350) Euros;

12.3. disrespect of the weekly rest time during driving in less than thirty six (36) hours is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

13. The offence according to Article 67 paragraph 3. of this Law is foreseen as a very serious offence and the operator shall be punished in the amount of one thousand (1.000) Euros.

14. The conviction according to Article 62 of this Law is foreseen as a very serious conviction and the operator shall be punished with a fine of one thousand (1.000) Euros.

15. The conviction according to Article 63 paragraph 1. of this Law is foreseen as a very serious conviction and the operator shall be punished in the amount of one thousand (1.000) Euros.

16. The offence according to Article 64 paragraph 1.,2., 3., 4., 5. and 6. of this Law is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

17. The conviction according to Article 65 paragraph 1., 2., 3., 5., 7., 8. of this Law is foreseen as a very serious conviction and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

18. The offence according to Article 66 paragraph 1., 2., 3. of this Law is foreseen as a very serious offence and the driver shall be punished with fifty (50) Euros and the operator with five hundred (500) Euros.

Article 77
Exclusion from Circulation

1. Authorized people of control can enounce the exclusion form circulation of a vehicle to find out the conviction based on this Law and its secondary acts in cases as following:

1.1. exceed of authorized driving time or insufficient rest. The driver shall be excluded from circulation during the necessary time to rest or to do a rest based on the regulation;

1.2. inappropriate or illegal control device. In this case, the vehicle shall be shown in the closer licensed workshop, which with the expenditures of the operator, shall install the control device. The exclusion from circulation cannot be taken off until a certificate from the licensed workshop is issued testifying the regular state;

1.3. the load of the vehicle excluded from circulation shall remain under the transporter's responsibility using this vehicle.

CHAPTER XI
TRANSITIONAL AND FINAL PROVISIONS

Article 78
Equipping with control equipments for vehicles operating in the international transport

For international transport, all vehicles referred to in Article 84 of this Law shall be equipped with control equipments – analogous tachograph – the latest six (6) months after the publication of Law in the Official Gazette.

Article 79
Equipping with control equipments for vehicles operating in the national transport

1. For national transport, the vehicles listed below whom are referred in Article 84 paragraph 2. of this Law, will be equipped with control equipments – analogous tachograph – in compliance with the following schedule:

1.1. interurban transport of passengers – not later than six (6) months after the

publication of Law in the Official Gazette;

1.2. road transport of goods (MASS > 12 T) – within six (6) months after the publication of Law in the Official Gazette;

1.3. for other vehicles – not later than one (1) year after publication of the Law in the Official Gazette.

Article 80

Digital Tachograph

1. Two (2) years after the entry into force of this law, all the new transport vehicles defined in Article 84 of this Law will be equipped with control equipments – digital tachograph.

2. All the transport vehicles registered in Kosovo and performing road transport of goods and passengers shall not be obliged to do the modification of the control equipment from analogous tachograph in that digital.

Article 81

Incomes

The incomes created from the collected tariffs and fines decided according to this Law are sent to the Kosovo Consolidated Budget.

Article 82

Issuance of sub-legal acts

Ministry shall issue respective secondary acts in a term of six (6) months from the entry into force for the implementation of provisions of this law.

Article 83

Regulation of road transport activity

Operators exercising the road transport activity, shall be obliged to harmonize their business with the provisions of this Law and other sub-legal acts. Whereas, existing permits and licenses shall be valid till their expiration and shall be replaced automatically in accordance with this Law.

Article 84
Time set for driving and rest

1. Driving and rest time defined by this Law shall be implemented in the territory of Kosovo for the International Road Transport, provided by all vehicles, regardless of the state of registration, regardless if it is or not a signing party of the European agreement concerning the work of crew of vehicles providing international road transport (AETR).

2. The provisions of the driving and resting time regime shall not be implemented for the road transport, only in case that the conventions stressing otherwise and signed between Kosovo and another state, performed by:

2.1. vehicles used for the carriage of goods where the permissible maximum mass of the vehicle, including any trailer or semi-trailer, does not exceed three point five (3.5) tones;

2.2. vehicles used for the carriage of passengers which, by virtue of their construction and equipment, are suitable for carrying not more than nine persons, including the driver, and are intended for that purpose;

2.3. vehicles used for the carriage of passengers on regular services where the route covered by the service in question does not exceed twenty (20) kilometers;

2.4. vehicles with a maximum authorized speed not exceeding forty (40) kilometers per hour;

2.5. vehicles owned or hired without a driver by the armed services, civil defense services, fire services, and forces responsible for maintaining public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control;

2.6. vehicles used in emergencies or rescue operations, including the noncommercial transport of humanitarian aid;

2.7. specialized vehicles used to provide medical services;

2.8. specialized breakdown vehicles operating within one hundred (100) kilometers of their base;

2.9. vehicles undergoing road tests for technical development, repair or maintenance purposes, and new or rebuilt vehicles which have not yet been put into service;

2.10. vehicles with a maximum permissible mass not exceeding seven point five (7.5) tons used for non-commercial carriage of goods;

2.11. commercial vehicles which have a historical status according to the Laws of

Kosovo, which are used for the noncommercial carriage of passengers or goods.

Article 85
Final provisions

Regulations and directives of the European Union legislation will have legal power in the Kosovo road transport sector in case they replace the regulations and directives in which this Law is based.

Article 86
Abrogation

At the date of entry into force, this Law shall abrogate the Law on Road Transport No. 2004/1 and the Law on the Amending and Supplementing the Law on Road Transport No.02-L/127.

Article 87
Entry into force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of Republic of Kosovo.

Law No. 04/L-179
16 May 2013

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI