

# **THE LAW ON ROAD TRAFFIC SAFETY**

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The revised text, conclusive with Amendments from the Official Gazette of the Republic of Serbia № 53/10, being implemented since 6<sup>th</sup> of August 2010.

(Amended Articles: 7, 45, 156, 243, 244, 296, 314a, 327, 328, 330, 331, 333, 334.)

## **I GENERAL PROVISIONS**

### **Article 1**

- (1) This Law shall regulate the rules of traffic, the conduct of traffic participants, traffic restrictions, traffic signals, signs and instructions to which all traffic participants shall adhere, the conditions which drivers shall meet in order to drive a vehicle, driver's education, passing driving tests, right to drive a vehicle, issuing of driving licenses, issuing of the labels for disabled persons' vehicles, the demands vehicles shall meet, technical examinations, inspections and vehicle registration, special measures and powers applied to road traffic, as well as other issues related to road traffic safety (hereinafter: traffic safety).
- (2) This law shall regulate the basic prerequisites roads shall meet regarding the traffic safety.

### **Article 2**

- (1) The control and direct regulation of road traffic shall be conducted by the Ministry of Interior – Traffic Police Department and the district police departments.
- (2) Exceptionally, the control and direct regulation of the movement of military vehicles on roads can also be conducted by authorized bodies of the military.
- (3) Direct regulation of traffic within school zones may be conducted by school traffic patrols and the citizens' traffic patrols.
- (4) Direct regulation of the traffic at portions of roads which are under construction may be conducted by persons authorized by this Law.

- (5) More precise directives on exercising control and direct regulation of road traffic shall be passed by the Minister of Interior.
- (6) More precise directives on exercising control and direct regulation of the road traffic of military vehicles shall be passed by the minister in charge of the issues of defence.
- (7) More precise directives on direct regulation of road traffic in school zones shall be passed by the Minister of Interior, after obtaining the opinion of the minister in charge of the issues of education.
- (8) More precise directives on direct regulation of traffic at portions of the road under construction shall be passed by the minister in charge of the issues of traffic.

## **II THE GENERAL PRINCIPLES OF ROAD TRAFFIC SAFETY**

### **Article 3**

- (1) All participants in traffic shall behave in such manner as not to hinder, jeopardize or inflict injuries upon other participants, as well as take all precautions necessary to avoid and terminate dangerous situations caused by other participants in traffic, if it does not endanger themselves or others.
- (2) A participant in traffic shall aid any person that is incapable or partially capable of safely participating in traffic or a person in need of assistance, unless the participant thus exposes him/herself to danger.

### **Article 4**

- (1) Every legal entity or entrepreneur which operates in the areas of production, maintenance, trading, repairing or modification of vehicles, related devices, spare parts and vehicle equipment, shall conduct such business in accordance with regulation and the rules of trade so that the vehicles can safely participate in traffic.
- (2) A company, any other legal entity or an entrepreneur which conducts design, construction, maintenance or management of roads shall do so in a manner which enables safe traffic conduct.
- (3) Legal entities and entrepreneurs which are referred to in the Paragraph 1 of this Article may conduct aforementioned activities provided they are granted a license by the ministry in charge of trade and services.

### **Article 5**

- (1) Every legal entity or entrepreneur which is either in possession of a vehicle or utilizes one, shall ensure:
  - 1) That their vehicles present in the road traffic are technically appropriate and that they fulfil other prescribed conditions,
  - 2) That the drivers of their vehicles fulfil prescribed health regulations and other prerequisites for safe driving.
- (2) Every physical entity that owns or utilizes a vehicle shall ensure that their vehicles which participate in road traffic are technically appropriate.

## **Article 6**

- (1) The following parties shall be held responsible for the measures in traffic education for the purposes of acquiring knowledge, skills and habits necessary for safe participation in traffic, improving and confirming positive attitudes and behaviours of importance for the safe participation in traffic:
  - 1) The family, for traffic education of children,
  - 2) Bodies and organizations in charge of care for children, for passing the syllabus for traffic education of pre-school children and monitoring the implementation of such syllabus,
  - 3) Bodies and organizations in charge of education, for passing the syllabus for traffic education in pre-school institutions and monitoring the implementation of such syllabus,
  - 4) Bodies in charge of interior affairs, for the implementation of portions of the syllabus for the traffic education in pre-school institutions, primary and secondary schools, at the institutions' request, and particularly for the operation of school traffic patrols and citizens' traffic patrols,
  - 5) Bodies in charge of traffic affairs, for improvement of traffic environment in school zones and other areas with an increased number of vulnerable traffic participants, as well as improvement of the behaviour of the traffic participants in these areas,
  - 6) Bodies in charge of the affairs of health, for the education of citizens about health-related aspects of safe traffic conduct,
  - 7) The Agency for Traffic Safety (*Agencija za bezbednost saobraćaja*), for the analysis, monitoring and improvement of traffic safety,
  - 8) The bodies of the local self-government, for the support in the planning and execution of all measures and activities of traffic education at the local self-government level, as well as for undertaking special measures of protection of vulnerable traffic participants and safety in particular areas,
  - 9) Pre-school institutions, primary and secondary schools, for the implementation of the traffic education syllabus to children, within their competencies,

- 10) Expert and scientific institutions in the field of traffic safety, for the improvement of the scientific basis of the traffic education system,
  - 11) The media establishments, for informing citizens regarding safe participation in traffic and the consequences of unsafe traffic conduct,
  - 12) Citizens' associations dealing with traffic safety, child and youth protection, for partaking in traffic education in accordance with their area of work.
- (2) The syllabi of pre-school establishments, primary and secondary schools shall contain chapters referring to the safety of children and pupils in traffic.
  - (3) More detailed provisions on the content of the syllabi covering the children and pupils safety in traffic shall be passed by the Minister in charge of the affairs of education.
  - (4) Any legal entity which educates trainee drivers shall train them in such a way as to ensure that the candidate has the theoretical and practical knowledge and skills required for independent and safe driving of vehicles in road traffic.

#### **Article 7**

- (1) The terms used in this Law shall have the following meaning:
  - 1) The traffic is the movement of vehicles and persons on the road, conduct of which has been regulated with the aim of its safe and undisturbed realization,
  - 2) A road is a constructed or a determined area which may be used as a traffic area by all or some traffic participants under conditions provided by laws or other regulations,
  - 3) A public road is a road of overall importance used under same conditions by all or some traffic participants and registered as such by incumbent authorities,
  - 4) An unclassified road is a road which may be used by a number of users under same conditions,
  - 5) A motorway is a state road designated only for the traffic of motorcycles, passenger vehicles, freight vehicles and motorbuses, with or without trailers appended, with two physically separated roadways for opposite traffic directions, with at least two traffic lanes and one lay-by for each direction, with no crossroads or railway crossings, with complete access control, junctions separated by grade, and marked as a motorway by the stipulated traffic sign,
  - 6) A road reserved for the traffic of motor vehicles is a state road designated exclusively for the traffic of motorcycles, passenger vehicles, freight vehicles and motorbuses, with or without trailers appended, and marked as such a road by the stipulated traffic sign,
  - 7) A street is a public road situated in a residential area, providing traffic linkage between different parts of that area,

- 8) A fire way is a separately marked length-oriented portion of roads around residential areas, garages, sport and other business facilities where it is forbidden to stop or park vehicles,
- 9) An earth road is a road which has no firm roadway surface constructed upon it other than those constructed at junctions with other roads,
- 10) A roadway is the part of the road constructed primarily for the traffic of vehicles,
- 11) A roadway lane is a length-oriented part of the roadway for vehicle traffic moving in one direction,
- 12) A traffic lane is a marked horizontal part of the roadway intended for one line of vehicle traffic,
- 13) A cycle track is a traffic lane earmarked exclusively for the traffic of bicycles, mopeds, and light tricycles,
- 14) A slow traffic lane is a traffic lane intended for movement of slower vehicles, unless they hinder the movement of other vehicles,
- 15) A lay-by is a marked length-oriented part of the roadway exclusively intended for stopping of vehicles due to unpredictable conditions (a breakdown, a sudden incapacity of the driver to drive the vehicle etc.)
- 16) An entering lane is the traffic lane for vehicles which are in the process of entering a main road,
- 17) An exit lane is a traffic lane intended for vehicles which are in the process of exiting the main road,
- 18) A public transport lane is a traffic lane marked exclusively for the traffic of public transport vehicles, and trams if appropriately constructed,
- 19) An intersection is the part of the roadway where roads at the same level cross, connect or divide,
- 20) A tram area is a specifically constructed part of a road intended exclusively for the movement of trams,
- 21) A sidewalk is a specifically constructed part of the road adjacent to a roadway primarily intended to be used by pedestrians,
- 22) A parking area is the part of a road marked, constructed and designated primarily for vehicle parking, consisting of one or more parking places,
- 23) A parking place is the part of a parking area marked for the parking of only one vehicle,
- 24) A pedestrian crossing is a marked part of a roadway on which pedestrians cross the roadway,
- 25) A pedestrian path is a road intended for the pedestrian movement only,
- 26) A bicycle path is a road intended for movement of bicycles only,
- 27) A square is a specific plateau intended for movement and gathering of pedestrians, defined by urban planning authorities and declared as a square by the competent body of a local self-government,
- 28) A level crossing is a point in which a road crosses railroad or tram tracks at the same level,
- 29) A pedestrian island is a marked or elevated part of a roadway on which pedestrians may temporarily stay during their crossing of roadway, entering or exiting vehicles of public transport,

- 30) A residential area is a constructed functionally unified area which has living and working conditions provided for its residents and whose borders are marked with the appropriate traffic sign,
- 31) A vehicle is utility appropriate and adequate for road traffic regarding its construction, instruments, assemblies and equipment,
- 32) A bicycle is a human powered vehicle with two wheels, ridden by a passenger moving its pedals,
- 33) A motor vehicle is a vehicle whose motion is powered by its own engine, which is intended and adequate for passenger and freight transport, performance of works, or trailer towing regarding its construction, instruments, assembly and equipment, excluding rail borne vehicles,
- 34) A moped is a motor vehicle with two wheels whose maximum possible speed does not exceed 45 km/h regardless of the type of transmission, with the maximum engine operating capacity, if a vehicle has an internal combustion motor, of no more than 50 cm<sup>3</sup>, or with an engine whose maximum lasting nominal power does not exceed 4 kW if the vehicle is electric-powered.
- 35) A light tricycle is a three-wheeled motor vehicle whose maximum possible speed does not exceed 45 km/h regardless of the type of transmission, with the maximum operating capacity of no more than 50 cm<sup>3</sup> for a petrol powered engine, with a maximum nominal power of the engine of no more than 4 kW for engines with other forms of internal combustion or with an engine whose maximum lasting nominal power does not exceed 4 kW if the vehicle is electric-powered.
- 36) A motorcycle is a motor vehicle with two or three asymmetrical wheels (with or without a side car, respectively) with the maximum possible speed of no more than 45 km/h, regardless of the type of transmission, with the maximum engine operating capacity, if a vehicle has an internal combustion motor, of no more than 50 cm<sup>3</sup>, or with an engine whose maximum lasting nominal power does not exceed 4 kW if the vehicle is electric-powered,
- 37) A heavy tricycle is a motor vehicle with three symmetrical wheels, with the maximum possible speed of no more than 45 km/h, regardless of the type of transmission, with the maximum engine operating capacity, if a vehicle has an internal combustion motor, of no more than 50 cm<sup>3</sup>, or with an engine whose maximum lasting nominal power does not exceed 4 kW if the vehicle is electric-powered,
- 38) A light quadricycle is a motor vehicle with four wheels whose maximum mass does not exceed 350 kg, excluding the electric battery mass, with the maximum design speed of no more than 45 km/h, regardless of the type of transmission, with the maximum engine operating capacity, if a vehicle has an internal combustion motor, of no more than 50 cm<sup>3</sup>, or with an engine whose maximum lasting nominal power does not exceed 4 kW if the vehicle is electric-powered,
- 39) A heavy quadricycle is a motor vehicle with four wheels, whose maximum vehicle mass does not exceed 400 kg, or 550 kg for freight vehicles,

- excluding electric battery mass, with the engine whose maximum lasting nominal power does not exceed 15 kW,
- 40) A vehicle for the transport of passengers, is a motor vehicle used primarily for the transport of persons, whose empty mass is over 400 kg and whose maximum nominal engine power is over 15 kW,
  - 41) A passenger vehicle is a vehicle for the transport of passengers, with no more than nine seats, including the driver seat,
  - 42) A motorbus is a vehicle for the transport of passengers with more than nine seats, including the driver seat,
  - 43) A trolleybus is a bus that draws electric power from overhead wires with the use of trolley poles,
  - 44) A freight vehicle is a motor vehicle with at least four wheels which used only for freight transport i.e. towing trailers with the mass of more than 550 kg, and the maximum nominal engine power of more than 15 kW,
  - 45) A vehicle set is the set consisting of a powered and an non-powered vehicle, i.e. a towing vehicle and a trailer or trailers, participating in the traffic as a single unit,
  - 46) A tourist train is an array of vehicles consisting of a powered vehicle and trailers, used for the transport of passengers in parks, hotels and tourist resorts and similar areas, moving on a traffic-free road or a road used for tourist purposes, with the maximum possible speed of no more than 25 km/h,
  - 47) A working machine is a motor vehicle used primarily to perform certain tasks (such as combine harvesters, rollers, graders, lift trucks, trench diggers, bulldozers, fork-lift trucks etc.) with the maximum possible speed of no more than 45 km/h,
  - 48) A tractor is a motor vehicle with at least two axes primarily used for hauling, pushing, carrying, towing and mounting of implements and trailers used for purposes of agricultural works, forestry and other works,
  - 49) A motor cultivator is a motor vehicle which consists of one part intended for towing and control and another part for loading, that act like a single unit on the roadway, appropriate for hauling, pushing, carrying, towing and mounting of implements and trailers used for agricultural works in terms of construction, instruments, assembly and equipment, with the maximum possible speed of no more than 30 km/h and engine power of no more than 15 kW,
  - 50) A trailer vehicle is a vehicle that is appropriate and adequate to be towed by another vehicle in terms of construction, instruments, assembly and equipment and used for passenger or freight transport or performance of works,
  - 51) A tractor trailer is a trailer constructed to be towed exclusively by tractors,
  - 52) Agricultural implements are tools used for agricultural works, forestry or other activities, towed by or mounted on a motor vehicle for this purpose,
  - 53) An animal-drawn cart is a vehicle adequate to be safely pulled by harnessed animals,

- 54) A tram is a rail-borne vehicle constructed for the transport of passengers that moves on rails and is connected to an electric line in order to be electrically powered,
- 55) A military vehicle is any combat, non-combat and any other vehicle registered according to special regulations passed by the Ministry in charge of the issues of defence, as well as any other duly marked vehicle used by units and institutions of the Ministry in charge of the issues of defence and the Serbian Armed Forces,
- 56) A registered vehicle is a vehicle introduced into the unified vehicle registry having a registration card, registration plates and a registration label,
- 57) The vehicle mass is the mass of a vehicle while vacant, with full tanks and the compulsory equipment,
- 58) The bearing capacity is the maximum mass a vehicle may be loaded with, according to the manufacturer's specification, along with the vertical bearing of the trailer,
- 59) The maximum permitted mass of a vehicle is the sum of the vehicle mass and its bearing capacity,
- 60) Total vehicle mass is the sum of the vehicle mass, the mass of persons on board and the mass of the vehicle's load,
- 61) The maximum permitted mass of vehicles, or a set of vehicles is the maximum mass of a loaded vehicle or a set of vehicles prescribed by the competent state authority as maximum,
- 62) The maximum permitted mass of a set of vehicles is the sum of the maximum permitted masses of vehicles composing the set, minus the trailer vehicle load,
- 63) A total set of vehicles is the mass of a loaded set of vehicles (persons and cargo),
- 64) The axis forces is the part of the total vehicle mass horizontally burdening the roadway when not working,
- 65) Vehicle conversion is the change of design vehicle characteristics which alters the purpose or the type of the vehicle or declared vehicle's technical characteristics or the declared characteristics of the vehicle's instruments and assemblies,
- 66) Vehicle repair is a process of reparation of a broken vehicle, its instruments or assemblies,
- 67) A traffic participant is a person participating in the traffic,
- 68) A driver is a person driving a vehicle on a road,
- 69) A pedestrian is a person moving along a road, pulling or pushing a vehicle on their own, a handcart, a baby carrier, a wheelchair or a motor wheelchair, as well as persons riding skates, skis, sledges, rollers, skateboards etc.,
- 70) Average vehicle speed on a certain portion of the road is the quotient between the length of that portion and the time needed to drive that length,

- 71) Vehicle stopping is every interruption in vehicle movement on the road lasting up to three minutes with the driver remaining in the vehicle, except for stopping due to a traffic sign or any rule of traffic,
- 72) Parking of a vehicle, is every interruption in the vehicle's movement, except for the purpose of stopping due to a traffic sign or any rule of traffic,
- 73) Passing from opposite directions is passing of one traffic participant by another traffic participant coming from the different direction,
- 74) Overtaking is passing of a traffic participant beside another traffic participant moving in the same direction,
- 75) Passing by immobile objects is passing of a traffic participant beside another traffic participant that is immobile or beside an object or a barrier on the road,
- 76) Yielding is an action performed by a traffic participant in order to enable movement of another traffic participant who has the right-of-way, so that the vehicle with the right-of-way does not change its moving and so that the two vehicles do not collide,
- 77) A line of vehicles is a line of at least three vehicles which are immobile or moving behind each other in the same lane and the same direction, the movement of which is inter-conditioned and between which another vehicle cannot enter without hindering,
- 78) Visibility is the distance at which a traffic participant is able to see the roadway clearly,
- 79) The view is the distance at which a traffic participant can, taking into consideration physical barriers, under normal visibility conditions, clearly see other traffic participants and other possible barriers on the road,
- 80) Bad visibility is the occurrence of visibility being less than 200 m on roads outside of residential areas and 100 m on roads within residential areas,
- 81) A reflective safety vest is a vest which reflects light,
- 82) A traffic accident is an accident which either occurred on the road or began on a road with at least one operating vehicle participating and with at least one casualty, one injured person or some material damage inflicted,
- 83) The European Traffic Accident Report is the prescribed form participants in a traffic accident fill in after the accident which caused minor material damage,
- 84) A driving instructor is a motor vehicle driver authorised to implement practical training for trainee drivers,
- 85) An examiner is a member of a driving exam commission that certifies whether the trainee has acquired the necessary knowledge and skills in order to drive on the road safely and independently,
- 86) Distance is the shortest length-oriented distance between the two most prominent points on two vehicles, persons or objects,
- 87) Side distance is the shortest width-oriented distance between two most prominent points on two vehicles, persons or objects,

- 88) A vehicle of historical significance (an old-timer) is a motor vehicle or a trailer which represents a material monument for the technical culture, tradition and social heritage,
- 89) An abandoned vehicle is a vehicle on the road which is obviously neglected and not registered,
- 90) A car seat is a seat or a space without a seat with the required elements to build in a seat or a space without a seat with safety belts built in.
- 91) The traffic signals are a system of utilities, devices and signs for traffic regulation and management,
- 92) A traffic sign is a sign which uses graphic or light or numerical or letter symbols in order to warn other traffic participants about the dangers on the road, limitations, bans and obligations and provide information for the safe movement on the road,
- 93) A registration card is a public document which, along with the registration label, enables a person to drive a vehicle as long as the registration label is valid.
- 94) A registration plate is the sign on a vehicle which indicated that the vehicle has been entered into the unified registry of vehicles,
- 95) A registration label is a label which confirms that a vehicle is allowed to take part in the traffic for a certain time period,
- 96) A driving license is a public document issued by a competent authority which enables a person to drive a vehicle of a certain category on the road for a certain time period,
- 97) The license for an instructor, teacher or examiner is public document which enables a person to carry out driving lessons, lectures or examinations for a certain period of time,
- 98) A license for a technical inspection supervisor is a public document which enables a person to carry out technical inspections of vehicles for a certain time period,
- 99) A psychoactive substance is a narcotic or a drug which shall not be consumed before or during driving, as well as any other chemical substance which may impact the psychophysical abilities of a traffic participant, excluding alcohol.
- 100) the daily driving time is the total amount of time spent driving a vehicle between two daily rests or between a daily and a weekly rest.
- 101) A daily rest is an uninterrupted time period during which a driver manages their time freely and it may be a full daily rest when it lasts at least 11 hours or a shortened daily rest when it lasts at least 9 hours, but less than 11 hours,
- 102) a week is the time period between 00:00 hours on a Monday and 24:00 hours on Sunday,
- 103) A weekly rest is an uninterrupted time period during which the driver manages their time freely and it may be a full weekly rest when it lasts at least

45 hours or a shortened weekly rest when it lasts at least 24 hours, but less than 45 hours.

- (2) A more precise classification of motor and trailer vehicles from the 1<sup>st</sup> Paragraph of this Article shall be prescribed by the Minister in charge of the issues of traffic.
- (3) The terms and expressions used in this Law which are not specified in the 1<sup>st</sup> Paragraph of this Article shall have the meaning which is specified in other regulations.

### **III THE BASIS OF THE TRAFFIC SAFETY SYSTEM**

#### **1. Road Traffic Safety Coordination Body**

##### **Article 8**

- (1) For the purpose of establishing cooperation and harmonised work efforts in order to improve road traffic safety, as well as initiation and monitoring of preventive or other activities related to road traffic safety, the Government shall form the Road Traffic Safety Coordination Body (hereinafter: the Coordination Body), as a coordination body of the Government composed of ministers in charge of the issues of traffic, interior affairs, health, labour, justice, education and trade and services,
- (2) Executive bodies of autonomous territorial units or local self-government units and municipal or city councils shall be allowed to establish a coordination body (a commission, council, etc.) aimed at harmonisation of road traffic safety activities within their respective units.
- (3) Establishment of expert work groups for the need of the Coordination Body, as well as organisation and work of the Coordination Body shall be regulated by the act of the Government or the competent executive bodies,

## **2. Traffic Safety Agency**

### **Article 9**

- (1) The Government, at the proposal of the Ministry in charge of the issues of traffic, shall establish the Traffic Safety Agency as a public agency (hereinafter: the Agency).
- (2) The Agency shall:
  - 1) Analyse, monitor and improve the traffic safety system (the development and application of a unified database essential for traffic safety),
  - 2) Work on improvement of safety for drivers and other traffic participants as well as the enhancement of the traffic safety system from the perspective of vehicles,
  - 3) Execute preventive and promotional activities in cooperation with centres for the promotion of public health and the Institute for Public Health, founded in accordance with regulations related to health protection, and shall conduct traffic safety campaigns,
  - 4) Provide a database of motor vehicles' and trailers' characteristics which are of importance for the application of road traffic safety regulations,
  - 5) Supervise tests, organise advanced seminars and knowledge tests for the theoretical instructors in driver training,
  - 6) Organise advanced seminars and supervise knowledge tests for driving instructors and professional drivers,
  - 7) Supervise tests for examiners, organise advanced seminars and knowledge tests for the examiners,
  - 8) Organise training and organise and supervise tests for drivers of tourist trains,
  - 9) Organise training and organise and supervise tests for tram drivers,
  - 10) Organise training and organise and supervise tests for drivers deprived of their driving license due to unconscious driving,
  - 11) Supervise tests for the supervisors of vehicle technical inspections and organise advanced seminars and knowledge tests for the supervisors of vehicle technical inspections,
  - 12) Issue licenses and certificates in accordance with this Law,
  - 13) Cooperate with regional and local bodies related to traffic safety,
  - 14) Publish periodical analyses and publications containing records on the traffic and traffic accidents,
  - 15) Organise and provide publishing of the textbooks for driver training,
  - 16) Work on the application of digital tachograph,
  - 17) Perform other tasks related to the enhancement of traffic safety defined by this Law and other regulations.
- (3) The Activities from the 2<sup>nd</sup> Paragraph of this Article shall be committed by the Agency as entrusted activities,

- (4) For the purpose of executing certain activities related to works described in the 2<sup>nd</sup> Paragraph of this Article, the Agency shall be allowed to hire legal entities which are financially and professionally apt to perform such activities.

### **Article 10**

- (1) The Agency shall be financed from:
  - 1) The service fees paid by service users and special fees paid for the activities of the Agency,
  - 2) Donations, contributions and other grants donated to the founder or the Agency,
  - 3) Other sources.
- (2) The prices and fees from the Paragraph 2, Item 1 of this Article shall be determined by the Government at proposals made by the Agency, after consulting the Ministry in charge of the affairs of traffic and trade and services.
- (3) Assets needed for the founding and initiation of the Agency's work shall be allocated from the budget of the Republic of Serbia.
- (4) The Government shall provide consent to pass the Act determining the number of the Agency's employees and their salaries.
- (5) Expenditures of the Agency shall not be executed before the Government approves the financial plan.

## **3. The strategy on traffic safety**

### **Article 11**

- (1) The Government shall pass the National Strategy on Road Traffic Safety (hereinafter: the National Strategy).
- (2) The National Strategy shall contain the most important properties of the current situation in road safety, long and short term objectives, guidelines, key areas of work, and the time limits for the adoption of the adequate National Plan.
- (3) The National Strategy shall be proposed by the Coordination Body for at least a five year period, until the end of June in the last year of the previous National Strategy's validity.

## **Article 12**

- (1) The Government shall pass the National Plan on Road Traffic Safety (hereinafter: the National Plan) for at least one year period, in accordance with the National Strategy, at the proposal of the Coordination Body.
- (2) The National Plan shall primarily consist of: tasks, measures according to priorities, responsible entities, deadlines and financial assets for the key areas of work.

## **Article 13**

- (1) The assemblies of the territorial autonomy units and of local self government units shall pass their strategies on road traffic safety and annual plans for their respective units in accordance with the National Strategy and the National Plan.

## **4. The monitoring of traffic safety**

## **Article 14**

- (1) The Government shall submit a report on road traffic safety to the National Parliament at least twice a year.
- (2) The competent executive bodies of territorial autonomy units and of local self government units, the municipal councils or city councils shall submit a report on traffic safety for their respective units to the National Parliament at least twice a year.

## **Article 15**

- (1) The Agency shall propose a unified system of registering and monitoring most important traffic safety properties for the purpose of continuous monitoring of the road traffic safety in the Republic of Serbia.
- (2) State bodies and other entities shall submit the prescribed data on the important characteristics of traffic safety to the Agency.

## **Article 16**

Information on traffic safety characteristics from the unified database from the Article 9, Paragraph 2, Item 1 of this law shall be available publicly and under equal conditions, except when their issuance is forbidden by the Law.

## **5. Financing of traffic safety**

### **Article 17**

- (1) The Republic, territorial autonomy unit and local self government units shall, within their rights and duties, shall earmark financial resources for the improvement of traffic safety.
- (2) The improvement of traffic safety shall be financed from the following sources:
  - 1) The budgets of the Republic of Serbia, of the territorial autonomy unit and of the local self-government unit,
  - 2) The fines collected for traffic offences prescribed by the regulations on road traffic safety,
  - 3) Gifts or contributions granted to the Republic, territorial autonomy unit or the local self-government unit,
  - 4) Other revenues.

### **Article 18**

- (1) The funding amassed from the fines due to Article 17, Paragraph 2, Item 2 of this Law shall belong 70% to the budget of the Republic of Serbia, and 30% to the budget of the unit of the local self-government on territory of which the infringement was committed. Of the 70 % of the funding that belong to the budget of the Republic, 75% shall be used to equip the traffic police units. Of the 30% of the funding that belong to the budget of the unit of the local self-government on territory of which the infringement was committed, 50% of the funding shall be used for mending of the traffic infrastructure in the unit of the local self-government on territory of which the infringement was committed.
- (2) The funding from the 1<sup>st</sup> Paragraph of this Article shall be used for financing improvement of the road traffic safety.

## **Article 19**

- (1) The funding from the Article 17 of this Law shall be used for:
  - a. The operation of the Coordination Body,
  - b. Improvement of traffic education,
  - c. Preventive and promotional activities on traffic security issues,
  - d. Scientific research on traffic security issues,
  - e. Technical equipment of the units of traffic police which control and regulate the road traffic and of other bodies in charge of traffic safety issues.
- (2) The funding from the Article 17 of this Law shall be used in accordance with the program passed by the Government of the Republic, the competent executive body of the unit of the local territorial autonomy and the competent executive body of the unit of local self-government, at the proposal of the Coordination Body.

## **IV THE RULES OF TRAFFIC**

### **1. General Provisions**

## **Article 20**

- (1) The traffic participants shall act in accordance with the regulations referring to the rules of traffic, traffic signalization and the signs and orders issued by the officials of the competent body.
- (2) Traffic participants shall act in accordance with the traffic signalization even if such action contradicts the rules of traffic. The traffic participants shall act in accordance with the traffic signalization even when their meaning is different than that of roadway or sidewalk markings.
- (3) Traffic participants shall act according to traffic lights even if its meaning contradicts the meanings of other traffic signals and the rules of traffic. The right-of-way of traffic participants on a crossroad who are simultaneously given the right-of-way by traffic signals shall be regulated by the rules of traffic.
- (4) Traffic participants shall act in accordance with the signals and orders issued by the authorized individuals (hereafter: police officials) even when such act contradicts traffic lights, other traffic signals or the rules of traffic.

## **Article 21**

A driver shall, considering the speed of the vehicle and other circumstances of traffic, keep the vehicle at such a distance from other vehicles and traffic participants that they do not jeopardize nor hinder other traffic participants.

## **Article 22**

- (1) An object or matter which can jeopardize or hinder the traffic safety shall not be situated on the road.
- (2) A traffic participant shall, with no delay, remove the object or matter which is situated on the road due to their action as well as the object or matter which originate from the vehicle they are driving.
- (3) If the traffic participant is capable and does not hinder the traffic safety, they shall, for the purpose of traffic safety, remove from the roadway all objects and obstacles that jeopardize the traffic security, and if they are not capable of doing that, they shall, with no delay, inform the police or the company that manages the road.
- (4) A traffic participant shall, with no delay, inform the police of all events or phenomena which may jeopardize or does jeopardize the traffic safety.
- (5) The owner or the user of a vehicle shall not leave a discarded vehicle on a road or a place where stopping or parking of vehicles is allowed.

## **Article 23**

- (1) The driver shall pay special attention to pedestrians on the roadway, moving on the roadway or about to step onto the roadway.
- (2) The driver shall adjust the speed when approaching a pedestrian crossing the street so that the vehicle may safely stop before reaching the pedestrian.
- (3) The driver shall be specially cautious when driving on a portion of the road frequented by children or are marked by traffic signs which indicate presence of children in traffic, so as to be able to spot the vehicle in due time.

## **Article 24**

- (1) Blind persons participating in the traffic independently as a pedestrian shall move with the assistance of a white stick and/or a trained guide dog.
- (2) A vehicle adjusted for a disabled person may, at the person's request, be marked by a label whose form, contents, placement and issuing conditions shall be established by the Minister in charge of traffic issues.
- (3) The label from the 2<sup>nd</sup> Paragraph of this Article shall be issued by the competent local self-government authority.

## **Article 25**

- (1) The driver of the vehicle which is overtaking a public transport vehicle or a passenger motorbus at a stop shall drive the vehicle in a manner that does not jeopardise persons getting on or off the vehicle.
- (2) The person from the 1<sup>st</sup> Paragraph of this Article who is about to set their foot on the roadway while getting on or off the vehicle, shall firstly make sure that such action does not disturb nor jeopardise traffic safety.
- (3) The driver shall stop behind the vehicle from the 1<sup>st</sup> Paragraph of this Article if the persons getting on or off the vehicle shall cross the traffic lane or a cycle track or the lane the vehicle is in.

## **Article 26**

- (1) If a vehicle for organised transport of children stops so that children may get on or off, on a road with only one lane for each direction, the drivers of other vehicles shall stop while the children are getting on or off the vehicle.
- (2) The driver of such a vehicle shall turn on all four direction indicators while children are getting on or off the vehicle.
- (3) Vehicle used for organised transport of children shall be marked with a special label, as prescribed by the Minister in charge of the issues of traffic.
- (4) More precise regulations regarding the form and the position of the special sign marking the vehicles used for organised transport of children shall be passed by the Minister in charge of the issues of traffic.

### **Article 27**

A driver shall yield to the motorbus entering the traffic in an ordinary manner from a stop in a residential area.

### **Article 28**

- (1) A driver shall not use a mobile telephone or any other communication device, unless they poses and use the hands-free telephone equipment while driving.
- (2) A driver shall not use any audio or video devices which prevent them from hearing sound signals of other traffic participants nor shall they take part in any other activities which distract them from their driving.
- (3) A person riding in a vehicle shall not disturb the driver while driving nor shall they influence the driver to drive in a way which jeopardises traffic.
- (4) Provisions from the 1<sup>st</sup> Paragraph of this Article regarding other communication devices shall not apply to the drivers of vehicles with the right-of-way, escorted vehicles and taxi drivers while performing their official duties.

### **Article 29**

- (1) Any equipment or devices which may detect or hinder the work of speed-measuring radars or any other devices used for offence detection and documenting shall not be used or present in a vehicle in road traffic.
- (2) It is forbidden to sell or advertise equipment and devices from the 1<sup>st</sup> Paragraph of this Article.

### **Article 30**

- (1) The driver and the passengers in a motor vehicle which has built-in seatbelts or has an area for building in seat belts shall fasten their seatbelts during the ride, in the manner prescribed by the vehicle' manufacturer.
- (2) A passenger vehicle, freight vehicle or a motorbus participating in vehicular traffic shall have a reflective safety vest in it.

### **Article 31**

- (1) A child below the age of 12, a person under the influence of alcohol or psychoactive substances or incapable of controlling their behaviour for any other reason, shall not be transported in the front seat of a motor vehicle.
- (2) A child up to the age of 3 shall be transported in a secured infant seat or basket, except in the vehicles of public transport.
- (3) As an exception from the 1<sup>st</sup> Paragraph of this article, it is permissible to transport children up to the age of 3 in the front seat if they are transported in a secured infant seat or basket, facing opposite to the direction of the driving, in a vehicle which either has no airbag or the airbag is switched off.
- (4) More precise provisions on the manner in which children shall be transported and the conditions that the secured infant seat shall fulfil shall be determined by the Minister in charge of the issues of traffic.

### **Article 32**

- (1) A driver shall not abruptly change the manner of their driving, except when avoiding immediate danger.
- (2) A driver attempting to steer the vehicle left or right, change the traffic lane, to overtake, pass, stop, take a right or left turn or a U-turn, reverse, realign etc. may begin to take such action only after making sure that it can be initiated in a safe manner.
- (3) After assuring that the desired action is feasible, the driver shall inform other traffic participants of it clearly and in due time, signalling either with direction indicators, or, if such do not exist, by the use of hand signals. The driver who uses direction indicators for signalling shall keep signalling during the entire time of the action and shall stop signalling once the action is completed.

## **2. Vehicles' entering into traffic**

### **Article 33**

- (1) A driver shall enter the road traffic from an area where the traffic is not conducted or a place where the vehicle had been stopped or parked only if certain that they will not hinder other traffic participants and if the other traffic participants are informed.

- (2) When a driver enters the road traffic from a courtyard, a garage or another area with bad visibility conditions, they shall enter the traffic safely, aided by another person standing on a suitable position outside the vehicle and giving proper signals.

### **3. Movement of vehicles on the road**

#### **Article 34**

- (1) For the movement of a vehicle, the driver shall use an area intended for the transport of the type of vehicle they are driving, except in the cases provided by this Law.
- (2) The driver of the vehicle moving on the area not intended for the traffic of the respective type of vehicle, provided that it is allowed by this Law, shall drive it with particular caution.

#### **Article 35**

- (1) Vehicles shall move on the right-hand side of the road, in the direction of movement.
- (2) The driver shall drive the vehicle as close as possible to the right-hand side edge of the roadway and at such distance that it does not jeopardize other traffic participants or the drivers themselves, considering the speed of the vehicle, the traffic conditions and the conditions and qualities of the road.
- (3) On a road in a residential area with at least two lanes for one direction, the driver may drive in lanes which are not closest to the right hand side, provided that they do not hinder the vehicles moving behind.
- (4) The provision from the 3<sup>rd</sup> Paragraph of this Article shall not apply to the drivers of freight vehicles with the maximum permitted mass of over 3 500 kg, the drivers of vehicles with the maximum driving speed on the flat road of 40 km/h or less, and the drivers of non-motor vehicles, except on the portion of the road before a crossroad or another place where the vehicle takes a left turn, or when the vehicle overtakes or passes another vehicle.

#### **Article 36**

- (1) On a road intended for two-way traffic with four or more lanes, the driver shall not drive on or move on to the lane intended for the traffic moving in the opposite direction.
- (2) On a road intended for two-way traffic with three lanes, the driver shall not use the lane on the left-hand side of the roadway.
- (3) On a road where the sides of the roadway are physically separated, i.e. dual-carriageway, the driver shall not move on the side of the roadway intended for the vehicles from the opposite direction.

- (4) On a road intended for one way traffic, the driver shall not move in the direction that is forbidden.
- (5) If, on a road with multiple lanes intended for one direction of traffic, one of the lanes is unsuitable for driving or the lane is ending, the driver moving in the same direction in the adjacent lane shall enable one vehicle to enter the lane in which they are moving.

#### **Article 37**

- (1) The driver shall not move the vehicle backwards.
- (2) Driving backwards is allowed only on a short portion of the road, on the side of the roadway on which the vehicle has been moving, provided that such conduct does not jeopardize nor hinder other traffic participants.
- (3) The backward movement of the vehicle is not allowed on a portion of the road where the view is hindered, in the case of reduced visibility, in tunnels, on the portion of the road where stopping is forbidden and on railway crossings.

#### **Article 38**

- (1) The driver shall not abruptly reduce the speed of the vehicle, except when avoiding immediate danger.
- (2) The driver who significantly reduces the speed of the vehicle shall do so in a manner which will not jeopardize nor hinder drivers moving behind.

#### **Article 39**

The vehicles with the right-of-way and escorted vehicles shall be allowed to move on tram areas and on the traffic lane intended for public transport.

#### **Article 40**

If there is not a road or a lane specifically intended for bicycle riding in the area, the bicycles may be ridden on the roadway within the width of no more than one meter from the right hand side of the roadway.

## **4. Aggressive driving**

### **Article 41**

- (1) Aggressive driving is constituted by such behaviour of a driver that severely infringes traffic regulations, during which the driver does not exercise concern for the safety of other traffic participants.
- (2) Aggressive driving is also constituted by the following:
  - 1) When a driver fails to stop in spite of a traffic signal more than once, provided that no more than 10 minutes had passed between two consecutive infringements.
  - 2) When a driver overtakes a line of vehicle, while passing over or moving over a solid line which separates roadway into two-way lanes.

## **5. Speed**

### **Article 42**

- (1) Driver shall adjust the speed of their vehicle to the qualities and the condition of the road, visibility, clearness of view, weather, the state of the vehicle and its load, traffic density and other traffic conditions, so as to be able to stop the vehicle in due time in front of any obstacle which is either visible or expectable under given circumstances and to drive the vehicle in a manner that does not jeopardize the traffic safety.
- (2) If a driver drives the vehicle at a speed so low that it hinders the ordinary flow of traffic, shall enable another vehicle to overtake or pass them at the nearest suitable position.
- (3) All provisions of this Law which refer to speed are applied to both the currently measured speed and the average speed.

### **Article 43**

- (1) On a road in a residential area, the driver shall not drive the vehicle at a speed exceeding 50 km/h or the speed limit allowed by the traffic sign for the entire residential area or its respective portion.
- (2) Exceptionally, on a road in a residential area which meets specific technical requirements, a speed limit of 80 km/h may be allowed by a traffic signal.

#### **Article 44**

- (1) On a road outside of a residential area, driver shall not drive a vehicle at the speed exceeding:
  - a. 120 km/h on the motorways,
  - b. 100 km/h on the roads reserved for motor traffic,
  - c. 80 km/h on other roads.
- (2) On a road outside of a residential area, the driver shall not drive at the speed exceeding the one allowed by a traffic signal.

#### **Article 45**

- (1) The speed limits on roads depending on the class of the vehicle shall be as follows:
  - 1) 80 km/h - for motorbuses and motorbuses with trailers for cargo transport as well as for freight motor vehicles up to 7 500 kg, except on motorways, where the limit shall be 100 km/h,
  - 2) 80 km/h - for motor vehicles pulling a caravan,
  - 3) 70 km/h - for motorbuses for organised transport of children, for jointed motorbuses with no standing places, for freight motor vehicles of more than 7 500 kg and for freight motor vehicles with a trailer, except on motorways where the limit shall be 90 km/h,
  - 4) 50 km/h – for motorbuses with a trailer for passenger transport, for city motorbuses and for buses with both sitting and standing places,
  - 5) 40 km/h – for tractors, and 30 km/h when a trailer hauled by a tractor is used to transport one or more persons,
  - 6) 20 km/h for tourist trains and working machines transporting persons,
- (2) Freight vehicles and vehicle sets with the maximum permitted mass of more than 3 500 kg and motorbuses shall have a functioning speed limiter built in them.

### **6. Turning**

#### **Article 46**

- (1) The driver of the vehicle turning right shall do this moving in the rightmost lane of the roadway, unless a traffic signal signals otherwise.
- (2) The driver of a vehicle turning left shall do this moving in the traffic lane closest to the central reservation or in the traffic lane along the left-hand side of the roadway on one way road, unless a traffic signal signals otherwise.

- (3) The driver of the vehicle turning right shall yield to the vehicles moving from their right in the traffic lane for the vehicles for the public transport of passengers.

## **7. Right-of-way**

### **Article 47**

- (1) The driver shall yield to the vehicle coming from the right-hand side in an intersection and when facing the other vehicle.
- (2) The driver of the vehicle turning left in an intersection shall yield to the vehicle which, coming from the opposite direction, keeps moving in the same direction or turns right, unless a traffic sign signals otherwise.
- (3) As an exception from Paragraphs 1 and 2 of this Article, a tram shall have the right-of-way under all circumstances, unless a traffic signal signals otherwise.
- (4) A driver entering a right-of-way road shall yield to all vehicles moving on that road.
- (5) The driver shall yield to all vehicles moving on the road he/she is about to enter, even if the road is not designated as a right-of-way road, if the vehicle enters from an earth road to a modern coated road or from an area other than a public traffic roadway.
- (6) A driver crossing a cycle lane or a cycle track shall yield to all vehicles moving along the lane/track when turning.

## **8. Traffic in intersections**

### **Article 48**

- (1) A driver approaching an intersection shall adjust the speed to the conditions of the traffic at the intersection and shall drive at such speed so as to be able to stop or yield to the vehicles with the right-of-way in the intersection.
- (2) The driver shall, at a safe distance before the intersection, realign the vehicle to the traffic lane prescribed for entering the intersection at the desired direction.

## **Article 49**

The driver shall not enter an intersection, despite having the right-of-way or being permitted by a traffic light to do so, if the traffic density would cause them to stop on the intersection or a pedestrian crossing and thus hinder or disable the movement of vehicles and pedestrians.

## **9. U-turn**

## **Article 50**

A driver shall not make a U-turn in a tunnel, on a bridge, a viaduct, an underpass, overpass, under reduced visibility or with unclear view, and on a portion of the road too narrow for a U-turn.

## **10. Passing from opposite directions**

## **Article 51**

- (1) When passing a vehicle coming from the opposite direction, the driver shall maintain a safe distance between the two vehicles on their left-hand side, and move the vehicle towards the right-hand side edge of the roadway if necessary.
- (2) When passing a pedestrian from the opposite direction, the driver shall keep a safe distance between the vehicle and the pedestrian.
- (3) If the driver is unable to act as ordered by the provision from the 1<sup>st</sup> Paragraph of this Article due to an obstacle on the road or other traffic participants, the driver shall slow down the vehicle and, if necessary, move backwards or in any other direction so as to enable passing to take place.
- (4) If passing from opposite directions is impossible due to a narrow road or an obstacle, the driver who can, given to the traffic-related circumstances and road characteristics, more easily stop and, if necessary move backwards or in any other directions to enable passing by, shall be the first to do so.
- (5) When vehicles in an intersection come from different directions and both turn left, a driver shall pass the other vehicle by yielding to it from the right-hand side.

## **Article 52**

- (1) On the portion of the road marked as a dangerous ascent or a dangerous descent by a traffic sign, where passing is impossible or substantially difficult, the driver of the vehicle moving down the slope shall stop and move the vehicle at an adequate place provided they had noticed the vehicle coming from the opposite direction.
- (2) As an exception from the 1<sup>st</sup> Paragraph of this Article, the driver moving up the slope shall stop the vehicle in case there is an adequate stopping place in front of him/her, enabling safe passing and if in case he/she does not do so passing would require reverse moving of one of the vehicles.
- (3) On the road from the 1<sup>st</sup> Paragraph of this Article, if one of the passing vehicles needs to move backwards, the following vehicles shall move backwards:
  - 1) Any vehicle approached by a vehicle with a trailer,
  - 2) A freight vehicle approached by a motorbus,
  - 3) A vehicle approached by a vehicle of a higher class,
  - 4) When the vehicles of the same categories pass each other, the vehicle moving down the slope shall move backwards unless that action would be less complicated for the vehicle moving up the slope, due to the circumstances and the positions of the vehicles in the road.
- (4) Regarding the Paragraph 3, Items 3 and 4 of this Article, vehicles shall be classified from lower to higher categories in the following way: motorcycles and mopeds, tricycles and quadricycles, passenger vehicles, tractors, working machines, freight vehicles, motorbuses, vehicle sets.

## **11. Overtaking and passing**

### **Article 53**

- (1) The driver shall overtake or pass another vehicle from its left-hand side.
- (2) The driver shall overtake another vehicle from its right-hand side if the vehicle's position on the roadway and the driver signals indicate that the vehicle is about to turn left.
- (3) A tram moving on rails which are situated in the middle of a roadway shall be overtaken from the right-hand side alone, provided there is a traffic lane between the tram and the right-hand side edge of the roadway.
- (4) On a road with at least two traffic lanes for movement in the same direction, a vehicle moving faster in one lane than a vehicle in another lane shall not be considered overtaking.

- (5) On a road in a residential area with at least two traffic lanes for the movement in the same direction, a vehicle passing a vehicle which does not use the rightmost traffic from the right-hand side shall not be considered overtaking.

#### **Article 54**

- (1) The driver who was signalled that they are about to be overtaken shall move their vehicle towards the right-hand side edge of the roadway.
- (2) The driver shall not increase the speed of their vehicle while being overtaken by another vehicle.

#### **Article 55**

- (1) The driver shall overtake or pass another vehicle only if such action does not hinder normal movement of vehicles coming from the opposite direction and if there is enough space on the road to do so safely.
- (2) The driver shall not overtake nor pass another vehicle if such action can jeopardize other traffic participants.
- (3) The driver shall not begin to overtake or pass:

A line of vehicles,

If the driver moving from behind has begun to overtake or pass,

If such action would jeopardize the safety of or would hinder the traffic from the opposite direction,

If upon passing or overtaking the driver would not be able to return to the traffic lane on which they were previously moving without hindering or jeopardizing other traffic participants,

Via a lay-by,

At the beginning of a band, on the band, before or during a blind curve, except on the roadway with at least two traffic lanes for the vehicles moving in the same direction.

In a tunnel, unless in a tunnel with at least two traffic lanes for the vehicles moving in the same direction,

A vehicle approaching or passing over a pedestrian crossing,

A vehicle which has stopped or is in the process of stopping in order to make it possible for pedestrians to cross the road on a pedestrian crossing,

At a level crossing of train or tram tracks,

An escorted line of vehicles,

Via a lane for slower traffic,

In a place where the traffic signalization prohibits it,

In such a way that they cross the solid lane and use the lane intended for the vehicles coming from the opposite direction.

- (4) Overtaking a stationary line of vehicles on the road shall be forbidden if the driver could not safely return to the lane intended for the traffic moving in the direction in which they are moving.
- (5) Exceptionally, the overtaking referred to in the Item 15 of the 3<sup>rd</sup> Paragraph of this Article shall be allowed under the conditions of the 1<sup>st</sup> Paragraph of this Article,
- (6) The driver passing another vehicle shall keep their vehicle at the necessary distance from the vehicle they are passing, so that other traffic participants are neither hindered nor jeopardized.

### **Article 56**

After passing or overtaking, the driver shall, without hindering or jeopardizing other traffic participants, return to the traffic lane in which they were driving previously.

### **Article 57**

- (1) The driver shall not overtake another vehicle immediately before or on a crossroad, unless it is a roundabout.
- (2) Immediately before or on a crossroad, the driver moving on a road with the right-of-way may overtake:
  - 1) A vehicle turning left, if it is overtaken from the right-hand side,
  - 2) A vehicle turning left, if the driver overtaking does not move on to the part of the roadway intended for the traffic from the opposite direction,
  - 3) A vehicle moving on the road with the right-of-way,
  - 4) A vehicle moving on a crossroad on which the traffic is regulated by traffic lights or signs issued by a police official,

- 5) A bicycle, moped or a motorcycle.

### **Article 58**

- (1) If there is an area not intended for movement of vehicles, an object or a device in the middle of the roadway, vehicles shall pass it from the right-hand side.
- (2) Areas, objects or devices referred to in the 1<sup>st</sup> Paragraph of this Article which are situated in the middle of a one-way traffic road may be passed from both sides, unless the traffic signals state otherwise.

## **12. Sound and light warning signals**

### **Article 59**

- (1) The driver shall use a sound warning signal when safety requires, particularly when:
  - 1) On a road outside residential area in order to warn other traffic participants that the driver is about to overtake them or if it is to prevent a traffic accident taking place,
  - 2) A child is next to the roadway not paying attention to the movement of the vehicles,
  - 3) On the road outside residential area before entering a poorly visible narrow curve or arriving at a bend where passing vehicles from the opposite direction is hindered,
  - 4) The driver shall use the sound warning signal as frequently as it is necessary to warn other traffic participants,
  - 5) The driver shall not use a sound warning signal of a variable frequency, unless in cases stipulated by this Law.

### **Article 60**

- (1) A light warning signal shall be given by successive or alternating switching of high-beam lights, taking into account not to blind the drivers coming from the opposite direction.
- (2) A driver may use a light warning signal instead of a sound warning signal at night. This signal may also be used in a residential area while overtaking another vehicle.
- (3) A light warning signal may also be used during daylight if such warning is more suitable for the situation on the road.

### **Article 61**

- (1) The driver of a vehicle which is obligated to have four direction indicators, shall switch them on when:
  - 1) The passengers get on or off,
  - 2) The driver is warning other participants of a traffic danger,
  - 3) The visibility is reduced (thick fog, smoke etc.)
  - 4) The driver is in the last vehicle at a line of vehicles which are at halt on a road outside residential area, unless the line was halted due to a traffic sign or a traffic rule,
  - 5) It moves backwards,
  - 6) The driver stops on the roadway, except if parking on a marked parking place or acting in accordance with a traffic sign or a traffic rule.

## **13. Stopping and parking**

### **Article 62**

- (1) The driver shall not stop nor park a vehicle at a place where this could jeopardise the safety of other traffic participants or hinder normal traffic flow and the movement of pedestrians.
- (2) The provisions from this Law which are related to stopping and parking shall not apply to police officers performing their regular duties if obeying provisions on stopping and parking would hinder successful performance of an official duty.

### **Article 63**

- (1) A driver which is forced to stop the vehicle on the roadway due to a malfunction, a traffic accident or any other justified cause, shall take measures from the Article 68 of this Law, unless they jeopardise other vehicles, and shall get the vehicle removed from the roadway as soon as possible.
- (2) If the driver is forced to stop the vehicle on rails due to a malfunction, traffic accident or any other justified cause, they shall instantly remove the vehicle from the rails. If this is not possible they shall take all necessary measures to warn the drivers of the rail-borne vehicles of the danger in due time.

#### **Article 64**

- (1) A driver stopping or parking a vehicle on a public road outside of residential area shall stop or park the vehicle away from the roadway whenever possible.
- (2) A driver stopping or parking a vehicle on a public road shall stop or park the vehicle next to the right-hand side edge of the roadway, and if on a one-way public road they may park next to either left-hand or the right-hand side of the roadway,
- (3) The driver shall not stop or park the vehicle if there are tram rails or any other type of rails next to the right-hand side edge of the roadway.
- (4) The driver shall stop or park the vehicle in the middle of a roadway only on the parking sides marked by a traffic sign.

#### **Article 65**

- (1) When parking, the driver shall park the vehicle at one parking space intended for the parking of that class of vehicles.
- (2) Doors shall not be opened on a stopped or parked vehicle if this would hinder the movement of other traffic participants or jeopardise traffic safety.

#### **Article 66**

- (1) The driver shall not stop nor park the vehicle:
  - 1) On a pedestrian crossing and on a crossing of a bicycle track and a roadway nor at a distance less than five meters from these crossings,
  - 2) On a level crossing with rail or tram tracks nor at a distance less than five meters away from the crossings, as well as near a railway or a tram rail it that disables the traffic of the rail-borne vehicles,
  - 3) On an intersection and at a distance less than five meters away from the nearest curb of the intersecting road,
  - 4) In a tunnel, in an underpass, in a gallery, on a bridge or on an overpass,
  - 5) Near a bend top or a curve which either has an unclear view or is not safe for overtaking,
  - 6) On the section of the road where the width of the space between the stopped or parked vehicle and the solid length-oriented roadway line, the opposite edge of the roadway or a road obstacle is less than three meters,
  - 7) At a place where the vehicle blocks a traffic sign from being seen,
  - 8) On a cycle lane or track,
  - 9) On a stop of public transport vehicles, at a distance less than 15 meters in front of and behind an erected traffic sign which marks the stop,

- 10) On a road with physically separated roadway lanes, unless permitted by a traffic sign,
  - 11) Above a unit of the water supply network and an entrance into sewage system or any other network of communal services,
  - 12) At a place where it would block another vehicle from reaching a parking place or which would disable a parked vehicle from leaving the parking place,
  - 13) On a pavement, unless allowed or regulated differently by traffic signals and if there is a free passageway, not adjacent to the roadway, at least 1.60 meters wide for the pedestrians.
  - 14) On a pavement or its portion intended for the movement of persons with special needs,
  - 15) At squares, pedestrian areas and fire ways,
  - 16) At approaching lanes, driveways or passages between tenement blocks,
  - 17) At paths outside of street parking areas which connect parking places and tenement blocks with other roads,
  - 18) At driveways or building, yard and garage exits,
  - 19) At an entering or exiting traffic lane, the by-way, the traffic lane for vehicles of public transport and a tram area,
  - 20) At a parking place marked by an additional traffic sign or a road mark to be a parking place for a disabled person's vehicle, unless the vehicle has the appropriate label,
  - 21) At a parking place marked by an additional traffic sign to be a place reserved for vehicles belonging to certain users, unless the vehicle does belong to those users,
  - 22) Within in an area where the vehicular traffic is forbidden by a traffic sign.
- (2) Exceptionally, a driver of a taxi vehicle may stop at the places referred to in Paragraph 1, Items 6, 9, 10, 11, 12, 13 and 18 of this Article, as well as in a traffic lane for the vehicles of public transport which is not used by trams, for the period of time necessary for the passengers to get in or get out of the vehicle.

### **Article 67**

- (1) A driver shall mark a trailer or a motor vehicle other than a motorcycle without a sidecar or a moped which is stopped on the roadway with an emergency triangle if:
  - 1) They are forced to stop the vehicle at a spot or a section of the road as stipulated by the Article 66, Paragraph 1 of this Law, except for the Item 21,
  - 2) A vehicle has stopped at such a place that drivers of the vehicles moving in the same direction cannot see it or would hardly see it in due time,
  - 3) Outside residential areas, as well as on a public road a night or under reduced visibility conditions when the point of stopping is insufficiently lit.

- (2) An emergency triangle shall be placed vertically on the roadway behind a stopped vehicle, at a distance no less than 50 meters on roads outside residential areas and 10 meters in residential areas, so that a driver coming from the same direction shall be able to stop the vehicle in due time or safely pass the stopped vehicle.
- (3) When a line of motor vehicles is stopped on a road, two signs shall be placed on the roadway adjacent to each other, in the manner described in the 2<sup>nd</sup> Paragraph of this Article.
- (4) On the vehicle from the 1<sup>st</sup> Paragraph of this Article, the driver shall also switch on all four direction indicators.
- (5) The driver shall wear a reflective safety vest while outside the vehicle.

### **Article 68**

A driver who leaves their vehicle on a road shall, before leaving the vehicle, take all necessary precautions to prevent the vehicle from moving on its own from the position where it was left or parked and to take all necessary precautions to secure the vehicle from unauthorized use.

## **14. Vehicle towing**

### **Article 69**

- (1) In road traffic, a motor vehicle shall have no more than two trailers for cargo transport or one trailer for the transport of individuals, and only one trailer on the motorways and roads reserved for motor traffic.
- (2) Exception from the 1<sup>st</sup> Paragraph of this Article applies to tourist trains which may have the maximum of three trailers.
- (3) A tractor may tow no more than one tractor trailer and other vehicles shall not tow tractor trailers.
- (4) A motor vehicle shall tow only the trailers which do not decrease its stability.
- (5) A trailer for the transport of passengers may be appended only to motorbuses in public transport in the city or suburban areas.

### **Article 70**

- (1) Towing of defective vehicles is not allowed on motorways and on roads reserved for traffic of motor vehicles.

- (2) If the vehicle becomes defective on a motorway or a road reserved for traffic of motor vehicles it shall be towed no further than the nearest exit.

### **Article 71**

- (1) One motor vehicle shall tow another only if the latter cannot move on its own due to being defective or due to lack of some parts.
- (2) A motor vehicle shall not tow a motorcycle, a moped, a light tricycle or a heavy tricycle.

### **Article 72**

- (1) A defective motor vehicle on a road shall be towed with the use of a towrope, a tow bar, by leaning or suspending the towed vehicle onto the towing vehicle.
- (2) The towrope shall not be used for towing motor vehicles without an operational steering device, breaking device, for freight vehicles or motorbuses.
- (3) Tow bar shall not be used to tow a motor vehicle without an operational steering device, nor a motor vehicle whose total mass exceeds the total mass of the towing vehicle and has defective breaks.
- (4) If a motor vehicle is being pulled by the use of a towrope or a tow bar, the person that drives the towed vehicle shall have the appropriate license for driving the category of vehicles which the towed vehicle belongs to.

### **Article 73**

- (1) During the towing of a defective vehicle, the towing vehicle shall have all four direction indicators switched on, and so shall the towed vehicle if its indicators are operational. Warning triangles shall be placed on both vehicles.
- (2) The towing motor vehicle shall have the warning triangle positioned on its front side, while the towed vehicle shall have it positioned on the rear side.
- (3) No persons shall be transported in the towed vehicle, apart from the driver.

#### **Article 74**

A motor vehicle shall be towed during night time or in daylight with reduced visibility only if the vehicle's rear parking lights are switched on or if the towing vehicle uses a yellow rotating light while towing.

#### **Article 75**

- (1) The distance between the towing and the towed vehicle shall be 3 to 5 meters if towed with a towrope and may be less than 3, but not more than 5 meters if towed with a tow bar.
- (2) A motor vehicle that tows a defective vehicle on a road shall not drive at the speed higher than 40 km/h.

#### **Article 76**

The towing of a loaded freight vehicle with or without a trailer or a tractor with a trailer shall be conducted only up to the nearest point suitable for cargo replacement and exceptionally to the nearest point where the defect on the vehicle may be amended.

### **15. The use of lights in traffic**

#### **Article 77**

- (1) During daylight, a motor vehicle in road traffic shall have its low beam or daytime running lights switched on.
- (2) During night time, a motor vehicle in road traffic shall have its high beam lights switched on.
- (3) The driver shall use the low beam lights instead of high beam lights in following cases:

- 1) When, during passing another vehicle, the driver estimates that the light of their vehicle is dazzling the driver of the vehicle coming from the opposite direction and always when the distance between the vehicles is less than 200 m,
  - 2) If the light hinders the driver that is in front,
  - 3) On a road illuminated by street lights,
  - 4) In a tunnel,
  - 5) If the light hinders the operator of a rail-borne vehicle or a vessel,
  - 6) During fog,
  - 7) While the vehicle is stopped.
- (4) The provisions of the 2<sup>nd</sup> and 3<sup>rd</sup> Paragraphs of this article shall not apply to the drivers of vehicles that are not obligated to have high beam lights.

#### **Article 78**

- (1) Position lights shall be switched on all the time while the high beam, low beam or fog lights are on.
- (2) During night time, as well as daylight under conditions of reduced visibility, a vehicle on the road shall have its rear position lights switched on.
- (3) During the course of driving, the lights and catadioptrics shall not be obscured or dirty to such extent that they are not visible to other traffic participants.

#### **Article 79**

- (1) During an occurrence of fog, a motor vehicle shall have low beam lights, fog lights or both switched on.
- (2) Rear fog lights shall be used only during an occurrence of fog or in case of reduced visibility.

## **Article 80**

- (1) A vehicle which is stopped or parked on a roadway during night or during low visibility shall have position lights or parking lights switched on.
- (2) In a residential area it shall be sufficient for the vehicle referred to in the 1<sup>st</sup> Paragraph of this Article to have position lights or parking lights switched on the side of vehicle which faces the middle of the road.
- (3) The driver of the vehicle from the 1<sup>st</sup> Paragraph of this Article shall not be obliged to have the lights switched on if it is situated on the portion of the road where the streetlights are such that the vehicle is sufficiently visible, on a specifically marked position.

## **Article 81**

When moving during night or during reduced visibility conditions:

- 1) A pedestrian moving on a roadway of a public road outside of a residential area shall be either illuminated or marked with reflecting matter,
- 2) A pedestrian pulling or pushing a handcart on a roadway shall wear a reflective vest or shall have on the left side of the cart at least one white or yellow light visible from both front and rear switched on, unless the streetlight is such that both the pedestrian and the cart are sufficiently visible,
- 3) A person using a wheelchair shall have at its left side at least one white or yellow white light, visible from both front and rear, switched on, unless the streetlight is such that the pedestrian is sufficiently visible,
- 4) Pedestrians moving on a roadway in an organized line, other than funeral processions or approved processions, military or police forces, shall either wear reflective vests or hold at least one white or yellow light switched on at the front end and a red light at the rear end,
- 5) A bicycle shall have one white light switched on in the front and a red light in the rear,
- 6) An animal-drawn cart shall have at least one white light switched on at the front end and at least one red light at the rear end. These lights shall be positioned either along the longitudinal axis or at the left side of the vehicle, and if there is only one light on the vehicle, it shall be positioned on a visible place at the left side of the vehicle,
- 7) Persons leading animal herds, if moving on a roadway outside of residential area, shall wear a reflective vest.

## **16. The distance between vehicles**

### **Article 82**

A driver shall remain at a safe distance from the vehicle being driven in front of them, so as to be able to slow down or stop in due time should the vehicle in front of them slow down or stop.

### **Article 83**

- (1) When two motor vehicles with the maximum allowed weight of over 3 500 kg or with the length exceeding 7 meters move on a public road outside of residential area which has only one lane for the traffic in each direction, the driver of such vehicles shall, except when committing or commencing an overtake, maintain a distance which enables vehicles moving behind them to safely overtake.
- (2) The provision from the 1<sup>st</sup> Paragraph of this Article shall not apply to the section of the road where overtaking is forbidden.

## **17. The traffic of trams and other rail-borne vehicles**

The provision of this Law shall be accordingly apply to the traffic of trams and other rail-borne vehicles, except when it is impossible due to constructional properties of the vehicles or the manner in which they move.

## **18. Specific provisions on the traffic of tractors, working machines, motor cultivators and animal-drawn carts**

### **Article 85**

A tractor or a working machine shall have in road traffic only those working appendages that are due to their purpose and which are appropriately marked.

A working machine or a motor cultivator shall not tow their trailers in road traffic.

## **19. The traffic of animal-drawn carts and animals' participation in traffic**

### **Article 86**

- (1) The driver of an animal-drawn cart shall be at least 14 years of age and capable of controlling the drawing animals.
- (2) The driver of an animal-drawn cart shall in road traffic either drive the cart from the cart itself or lead the animals from the animals' right-hand side.
- (3) An animal-drawn cart shall have breaking devices which shall enable safe stopping of the vehicle.
- (4) An animal-drawn cart moving behind another animal-drawn cart shall remain at a distance of at least 50 meters to allow faster vehicles to overtake.
- (5) One head of livestock may be tied to an animal-drawn cart moving on a road, at the right-hand side of the cart's rear end.
- (6) An animal drawn cart shall not be left on a road without the supervision of the driver or another person capable of controlling the drawing animals.

### **Article 87**

- (1) Domestic animals shall be on a road only if accompanied by persons who shall lead them and secure them so that the animals do not jeopardize traffic safety. Animals shall not be led from a vehicle or off a vehicle. Animals shall not be allowed on a motorway, a road reserved for traffic of motor vehicles, state road of first order and a cycle track.
- (2) If the animals from the 1<sup>st</sup> Paragraph of this Article are being transported in a vehicle, the transport shall be conducted in such manner so as not to jeopardize nor hinder the driver or other traffic participants.
- (3) Animals shall be led as near as possible to the right hand side of the roadway in such a manner that other traffic participants are not jeopardized.
- (4) An owner of animals or the person leading the animals shall not feed, hold or gather animals on a road nor shall they leave them on a road unsupervised. A rider or another person leading an animal shall remove all matters that the animal has left on the road.

- (5) Riders may use the roadway for movement only if it is made possible by the traffic regime on that road. For the movement of riders on roadway, the provisions of this Law adhering to the movement of bicycles shall be applied accordingly.

## **20. Special provisions on the traffic of bicycles, mopeds, tricycles quadricycles and motorcycles**

### **Article 88**

- (1) A child under the age of 12 shall not ride a bicycle on a public road.
- (2) As an exception, a child of at least nine years shall be allowed to ride a bicycle in pedestrian zone, slow traffic zone, zone “30”, school area and on an unclassified road,
- (3) As an exception, a child below the age of nine shall be allowed to ride a bicycle in a pedestrian zone and a slow traffic zone if it is accompanied by a person above the age of 16.

### **Article 89**

- (1) A person riding a bicycle shall ride it on a bicycle lane at the maximum speed of 35 km/h.
- (2) Riders of bicycles, mopeds and light tricycles shall move on the right-hand side of a bicycle lane if there is no one on the road.
- (3) At the bicycle tracks with lanes for two directions, the person riding a bike shall move on the right-hand side.
- (4) If two or more riders of bicycles, mopeds, tricycles or motorcycles move together, it shall be done in a line, one after the other.

### **Article 90**

Persons riding a bicycle, moped, tricycle or a motorcycle shall operate the vehicle so as not to reduce the vehicle's stability of the vehicle or hinder other traffic participants.

They shall not:

- 1) Let go off the handlebar,
- 2) Keep their feet away from pedals,

- 3) Hold on to another vehicle,
- 4) Lead animals or tow or push other vehicles, apart from a bicycle trailer,
- 5) Allow their vehicle to be towed or pushed,
- 6) Carry objects that may distract them while riding,
- 7) Use both headphones to listen an audio device.

### **Article 91**

- (1) A passenger on a motorcycle, moped, tricycle or a quadricycle
- (2) More precise regulations on requirements which protective helmets, used by persons riding a motorcycle, moped, tricycle or a quadricycle, need to fulfil will be passed by the Minister in charge of the issues of traffic.

### **Article 92**

A bicycle, moped and a motorcycle in vehicular traffic may have a trailer with two wheels used for transport of cargo connected to it in such a manner so that the stability of the vehicle is secured. No passengers shall be transported in the trailer. The trailer shall not be wider than one meter and shall either have a red parking light at the rear left-hand part, or a catadioptric triangle if towed by a bicycle.

## **21. The movement of pedestrians**

### **Article 93**

- (1) A pedestrian shall not move or stand on the roadway, except in cases defined by this Law, nor shall they suddenly step on a roadway,
- (2) If a pedestrian moves on a roadway outside residential area, they shall move as close to the edge on the right-hand side as possible in the direction of vehicles' movement in such a way that does not hinder or obstruct vehicular traffic.
- (3) A pedestrian traffic participant who is in a wheelchair for the disabled, on rollers, skateboards etc. shall not hold on to a vehicle moving in the traffic.
- (4) On a road without a pavement or any other surface intended for the pedestrian movement, the pedestrians shall move along the roadway at the distance of no more than one meter from the edge of the roadway.

#### **Article 94**

- (1) On a road that contains a sidewalk or another surface intended for pedestrian movement, or a surface adjacent to the roadway which is suitable for pedestrian movement, the pedestrian shall move on those surfaces.
- (2) When going around an obstacle on a sidewalk, the pedestrian shall, before stepping on the roadway, pay attention to the distance and the speed of the approaching vehicle and firstly confirm that stepping on the roadway does not jeopardize traffic safety.

#### **Article 95**

- (1) A line of pedestrians which moves on a roadway led by a guide (an organized pedestrian line) shall move along the right hand side of the road in the direction of movement.
- (2) An organized pedestrian line shall not hinder the regular traffic conduct and shall not be longer than 100 meters.
- (3) If there is more than one organized pedestrian line moving on a roadway, the distance between the lines shall be no less than 30 meters.

#### **Article 96**

- (1) The pedestrian shall move across a roadway or a cycle track with caution and by the shortest possible path, after confirming that it can be done safely.
- (2) While crossing the roadway, the pedestrian shall not use a mobile phone or headphones.
- (3) On a road which contains a pedestrian crossing, a footbridge or a pedestrian passage, the pedestrian shall use the crossing, footbridge or passage while crossing, if not at more than 100 meters of distance.

#### **Article 97**

- (1) On a pedestrian crossing where the light signals regulate the movement of the pedestrians, the pedestrian shall move according to the signals.

- (2) On a pedestrian crossing where a police official regulates the movement of the pedestrians, the pedestrians shall cross the roadway only when it is signalled that they may do so.

### **Article 98**

- (1) A pedestrian shall not step on or move across the roadway of a motorway or a road reserved for the traffic of motor vehicles.
- (2) The prohibition from the 1<sup>st</sup> Paragraph of this Article shall not apply to:
  - 1) A police officer performing official duties,
  - 2) A person investigating a traffic accident or taking part in the investigation,
  - 3) A worker performing works on the road,
  - 4) A person who is working on removing the consequences of a traffic accident or a malfunction of a vehicle or cargo,
  - 5) A person delivering urgent medical assistance or the first aid,
  - 6) Road inspectors conducting their official duties as well as other employees of road authorities,
  - 7) The driver of a vehicle that was forced to stop.
- (3) Persons from the 2<sup>nd</sup> Paragraph of this Article and the site of their activities shall be marked in a manner that provides safety to all traffic participants.

## **2. The responsibilities of drivers towards pedestrians**

### **Article 99**

- (1) If the traffic on a pedestrian crossing is regulated by traffic lights or signals from police officers, the driver shall stop the vehicle in front of the pedestrian crossing in accordance with the sign prohibiting the passing; the driver shall yield to the pedestrian who has already stepped on a pedestrian crossing or is about to do so even if the traffic light or the signals from the police officer allows them to drive on.
- (2) If the marked pedestrian crossing from the 1<sup>st</sup> Paragraph of this Article is located next to the entrance to a side road, the driver taking a turn to that road shall do that in a safe manner and yield to the pedestrian who has already stepped, is stepping or is about to step onto the pedestrian crossing, and stop the vehicle if necessary.
- (3) If the traffic on a marked pedestrian crossing is neither regulated by traffic lights nor by signs from a police officer, the driver shall adjust the speed in order to be able to stop the vehicle safely and at any time in front of the pedestrian crossing

- and yield to a pedestrian who has already stepped, is stepping or is about to step onto the pedestrian crossing.
- (4) A driver turning to a side road at whose entrance there is no marked pedestrian crossing shall yield to pedestrians who have already stepped or are stepping onto the roadway.
  - (5) If in cases referred to in Paragraphs 1, 2, 3 and 4 of this Article, pedestrians are children, elder people, or blind persons using a white cane and/or a guide dog, disabled persons using a wheelchair or any other prosthetic devices, the driver shall stop the vehicle and yield to them.
  - (6) The driver shall not drive through an organised line of pedestrians moving on the roadway.

### **23. The traffic at the road and railway crossings**

#### **Article 100**

- (1) At a road and railway crossing, the driver shall yield to a rail-borne vehicle moving along a railway.
- (2) The driver approaching a road and railway crossing shall adjust the speed so as to be able to stop the vehicle in front of the crossing before reaching the rails, in front of the ramp or in front of the device signalling that a train is approaching.

#### **Article 101**

Traffic participants shall stop in front of a road and railway crossing if the ramp is down or if it starts to come down or if any light or sound signals are warning them that the ramp is about to be lowered or when a traffic light announcing that a train is about to approach the crossing forbids further passage.

## **24. The traffic on a motorway and a road reserved for the traffic of motor vehicles**

### **Article 102**

- (1) Only motorcycles, passenger vehicles, freight vehicles and motorbuses with or without trailers shall be allowed on motorways and roads reserved for the traffic of motor vehicles.
- (2) The vehicles from the 1<sup>st</sup> Paragraph of this Article with the maximum speed less than 50 km/h shall not be allowed on motorways and roads reserved for the traffic of motor vehicles.
- (3) Provisions from Paragraphs 1 and 2 of this Article shall not apply to the police and military vehicles.

### **Article 103**

- (1) The driver shall enter or exit the motorway or the road reserved for the traffic of motor vehicles only at the junctions intended for entering or exiting the road, respectively.
- (2) The driver of a motor vehicle entering the traffic on a road reserved for the traffic of motor vehicles shall:
  - 1) Use an entering traffic lane if there is one and enter the traffic by turning on appropriate direction indicators in a way that does not jeopardise the traffic of vehicles on the road,
  - 2) Yield to vehicles moving on the road if there is not an entering traffic lane on the road.
- (3) The driver leaving a motorway or the road reserved for the traffic of motor vehicles shall in due time move to the rightmost lane and drive to a slow traffic exit lane if there is one,

### **Article 104**

- (1) On a motorway or a road reserved for the traffic of motor vehicles which has more than one lane for the same direction of traffic, the driver of a motor vehicle shall move on the rightmost traffic lane, except when it is occupied by a line of vehicles or when the driver is overtaking.
- (2) Movement of vehicles is not allowed on a lay-by.
- (3) As an exception from the 2<sup>nd</sup> Paragraph of this Article, escorted vehicles and vehicles with the right-of-way may move on the lay-by if the other lanes are busy.

- (4) On a motorway or a road reserved for the traffic of motor vehicles with three or more lanes for one direction of traffic, the drivers of freight vehicles with the maximum allowed mass of more than 3 500 kg and the drivers of vehicle sets longer than 7 meters shall use only the two rightmost lanes.
- (5) The driver of the vehicles referred to in the 4<sup>th</sup> Paragraph of this Article driving on a motorway or a road reserved for the traffic of motor vehicles with two lanes for one direction shall move on the rightmost lane, except while overtaking.
- (6) In the case of a gridlock on a motorway without a lay-by, the drivers shall leave an empty area on which escorted vehicles and vehicles with the right-of-way may move, by moving towards the rightmost edge of their lane for the drivers in the right traffic lane and towards the leftmost edge of their lane for the drivers in the left traffic lane, so that the area is wide enough for the vehicles to move uninterrupted.

### **Article 105**

- (1) The driver shall not stop nor park a motor vehicle on a motorway or on a road reserved for the traffic of motor vehicles, except at places specifically designed and marked as such.
- (2) U-turns and moving backwards shall always be prohibited on a motorway or a road reserved for the traffic of motor vehicles.
- (3) A driver who is forced to stop the vehicle on the roadway of a motorway or a road reserved for the traffic of motor vehicles due to a malfunction or any other reason shall do this on a lay-by and shall undertake the necessary measures to remove the vehicle from the roadway as soon as possible.

## **25. Escorted vehicles**

### **Article 106**

- (1) An escorted vehicle is a vehicle which is being escorted by the vehicles of the Police, the Security-Information Agency (*BIA*), Serbian Army or the Military Security Agency (*VBA*) making special sound and light signals. The vehicles of the Police, the Serbian Army, Security-Information Agency and Military Security Agency shall also be considered escorted vehicles when making special sound and light signals.
- (2) The special sound and light signals for the escorted vehicles are red and blue blinking lights (hereinafter: red and blue light) and a sound signal of a variable frequency (hereinafter: the siren).

- (3) As an exception from the 1<sup>st</sup> Paragraph of this Article, an escorted vehicle shall only give the light signals without the siren if the vehicle is sufficiently visible and the safety of the traffic participants is sufficient, unless the escorted vehicle is moving at a higher speed than what is allowed on that portion of the road.
- (4) For the purpose of better visibility, an escorted vehicle may also, apart from the blinking lights, give a light warning signal from the Article 60 of this Law.
- (5) The devices which generate the light and sound signals from the Paragraphs 1 and 2 of this Article shall only be built into the vehicles from the 1<sup>st</sup> Paragraph of this Article for the purpose of escorting.
- (6) The devices which generate the special sound and light signals from the Paragraphs 1 and of this Article shall only be used in the vehicles from the 1<sup>st</sup> Paragraph of this Article while escorting.
- (7) Escorted vehicles shall have the right-of-way towards other vehicles, except the vehicles moving in an intersection where the traffic is regulated by traffic lights or signals from a police officer which are currently forbidding passing. Provisions of this Law which refer to speed limits, yielding to pedestrians, inability to interrupt a line of pedestrians, overtaking and passing shall not apply to escorted vehicles if they do not jeopardise the safety of other traffic participants.
- (8) The Minister in charge of interior affairs shall pass more specific provisions on the technical characteristics of devices, fitting and placement, and the usage of the special signals.
- (9) The Minister in charge of the issues of defence shall pass more detailed provisions on the technical characteristics of devices, fitting and placement, and the usage of the special signals on military vehicles.

#### **Article 107**

- (1) A driver who approaches or is being approached by an escorted vehicle shall yield to them, enable them to pass or overtake and, if necessary, shall stop or remove the vehicle from the roadway, as well as obey orders issued by a person from the escort and shall continue driving only after all escorted vehicles pass.
- (2) Pedestrians shall not step on a roadway or shall get off the roadway to enable undisturbed movement of escorted vehicles.
- (3) The mutual right-of-way of more than one vehicle from the 1<sup>st</sup> Paragraph of this Article shall be subject to general provisions on the right-of-way from this Law.

### **26. Vehicles with the right-of-way**

#### **Article 108**

- (1) A vehicle with the right-of-way is a vehicle of the Police, Security Information Agency, Serbian Army, Military Security Agency, emergency medical service and fire engines while producing special sound and light signals.
- (2) Vehicles with the right-of-way shall also include the vehicles of the Ministry in charge of correctional institutions while transporting prisoners while making special sound and light signals.
- (3) Special sound and light signals produced by vehicles with the right-of-way shall include at least one blue blinking or rotating light (hereinafter: the blue light) and a sound of variable frequency (hereinafter: the siren).
- (4) As an exception from the 1<sup>st</sup> Paragraph of this Article, if the visibility of the vehicle with the right-of-way is sufficient and if traffic participants are sufficiently safe, the vehicle with the right-of-way shall produce only special light signals without a siren except when the vehicle with the right-of-way exceeds the speed limit for that portion of the road or if the use of a siren would disable or hinder the successful completion of an official task.
- (5) The devices which generate the special sound and light signals shall only be built into the vehicles from the Paragraphs 1 and 2 of this Article.
- (6) The devices which generate the special sound and light signals shall only be used in the vehicles from the Paragraphs 1 and 2 of this Article when that is indispensable for an efficient and safe completion of an official task which needs to be done with no delay.
- (7) The vehicles with the right-of-way shall have the right-of-way towards all other vehicles except the escorted vehicles and vehicles moving in an intersection where the traffic is regulated by traffic lights or signals from a police officer which are currently forbidding passing. Provisions of this Law which refer to speed limits, yielding to pedestrians, inability to interrupt a line of pedestrians, overtaking and passing shall not apply to the vehicles with the right-of-way if they do not jeopardise the safety of other traffic participants.
- (8) The Minister in charge of interior affairs shall pass more specific provisions on the technical characteristics of devices, fitting and placement, and the usage of the special signals.
- (9) The Minister in charge of the issues of defence shall pass more detailed provisions on the technical characteristics of devices, fitting and placement, and the usage of the special signals on military vehicles.

### **Article 109**

- (1) A driver who approaches or is being approached by a vehicle with the right of way shall yield to them, enable them to pass or overtake and, if necessary, shall stop or remove the vehicle from the roadway, as well as obey orders issued by a person from the escort and shall continue driving only after all escorted vehicles pass.
- (2) When the vehicles with the right-of-way makes way for a vehicle moving behind it, other traffic participants shall treat them as a vehicle with the right-of-way.

- (3) The person driving a vehicle with the right-of-way shall take care of the safety of other traffic participants.
- (4) Pedestrians shall not step on a roadway or shall get off the roadway to enable undisturbed movement to the vehicles with the right-of-way.
- (5) The mutual right-of-way of more than one vehicle from the 1<sup>st</sup> Paragraph of this Article shall be subject to general provisions on the right-of-way from this Law.

#### **Article 110**

- (1) When a police vehicle with the right-of-way makes a light warning signal as described in the Article 60, the driver of the vehicle moving in front of it shall instantly stop their vehicle in a safe manner by the right-hand side edge of the roadway, and outside of the roadway if possible.
- (2) The driver of the vehicle moving behind a police vehicle making special sound and light signals shall observe the signals and orders of the police officer, follow the police vehicle to a suitable stopping place and safely stop behind the police vehicle.

#### **27. Usage of yellow rotating or blinking lights**

#### **Article 111**

- (1) A vehicle used for conducting works and activities on the road, particularly construction, maintenance of roads, electric, postal and other devices and installations, road assistance, towing damaged and inoperable vehicles and illegally parked vehicles, as well as for the maintenance of public utilities, shall have a switched on yellow light, rotating or blinking, for as long as works and activities are occurring on or near a roadway.
- (2) In road traffic, the following participants shall have a switched on yellow rotating or blinking light:
  - 1) A vehicle whose dimensions exceed regulations or whose load exceeds prescribed dimensions and the vehicle which is escorting such ride, if it is demanded in the special transport permit,
  - 2) A tractor during night time, under reduced visibility conditions, and when it has trailers for conducting of works. The light shall be placed on the most protruding point of the tractor,
  - 3) Working machines during night time or at reduced visibility,

- (3) A yellow blinking and rotating light may be used on a vehicle to warn of a forcedly stopped vehicle, a traffic accident, a public display or performance on the road or any other road obstacle.
- (4) A driver who approaches a vehicle with switched on yellow rotating or blanking lights shall increase caution and adjust both the speed and the way the vehicle is moving.
- (5) The yellow rotating or blinking lights shall only be used in cases prescribed by this Law.

## **28. Cargo transport on a vehicle**

### **Article 112**

- (1) In road traffic, a vehicle shall not be loaded:
  - 1) Over the load capacity which is entered in the registration book or over maximum axial burdening defined by the vehicle's manufacturer,
  - 2) Over the axial burdening prescribed by technical legal regulations on vehicles and the maximum permitted mass,
  - 3) To such extent that the vehicle combined with the load would exceed maximum permitted dimensions for certain vehicle categories (length, width and height).
- (2) As an exception from the provisions in Paragraph 1, Items 1, 2 and 3 of this Article, the vehicle or the vehicle set is allowed to participate in road traffic with a special permit issued by a competent authority.
- (3) The cargo in the vehicle shall be stored and secured in order to remain in the same position during the driving as it was during the loading, so that it does not:
  - 1) Affect other traffic participants' safety and does not harm the road or the objects on the road,
  - 2) Reduce the stability of the vehicle, hinder the driving of the vehicle, nor affect the functioning and use of assemblies and parts of the vehicle,
  - 3) Reduce the driver's view,
  - 4) Fall from the vehicle, scatter or drag over the road,
  - 5) Obscure lights, registration plates and other prescribed marks on the vehicle,
  - 6) Pollute the environment.
- (4) Bulk cargo shall be covered, unless it is on a tractor trailer.
- (5) The legal entity, the entrepreneur or the physical entity that arranges or conducts loading shall be responsible for observing of the provisions from this Article.
- (6) If cargo was loaded abroad, for the needs of the receiver or the one who ordered the transport with the residence or the headquarters in the Republic of Serbia, the

receiver of the cargo or the person who ordered the transport shall also be held responsible.

### **Article 113**

- (1) The cargo on a motor vehicle may surpass the furthest point to the front of the vehicle for no more than one meter.
- (2) The cargo on a vehicle shall not surpass the furthest point to the rear for more than 1/6 of its length, with the rest of the cargo shall lie in the cargo area. Exceptionally, a vehicle which has not been loaded in accordance with this Paragraph, may participate in the traffic if approved by the road management.
- (3) If the cargo on a vehicle surpasses the furthest point to the vehicles' rear, it shall be marked by a prescribed board for freight vehicles and trailers and by a red cloth on other vehicles, and under reduced visibility conditions by a red light or a red reflective matter.
- (4) More precise provisions on loading, securing and marking of cargo shall be passed by the Minister in charge of the issues of traffic.

### **Article 114**

- (1) When the working vehicles which are not used for roadwork have dismountable working tools installed while in road traffic, they shall be appropriately marked.
- (2) The loading and the unloading of cargo which takes place on the road shall be done in such a way so as not to disturb nor jeopardise the other traffic participants.

## **29. Special transport**

### **Article 115**

- (1) The movement on the road of a vehicle or a set of vehicles which do not meet the criteria for dimensions (length, width and height), maximum permitted mass or axis forces, or the movement of vehicles with loads exceeding maximum permitted dimensions (length, width and height) for certain classes of vehicles shall be considered special transport.

- (2) A special transport shall be carried out based on a permit issued by the road management. This permit may be used to specify special circumstances under which the transport will take place.
- (3) When the permit determines that a special transport shall be escorted by police officials, the consent for the transport should be given by the Ministry of the Interior.
- (4) Special transport shall be carried out in line with conditions stated in the special transport permit.
- (5) If the special permit determines that a special transport shall be escorted by the police, all related costs shall be covered by the shipper.
- (6) More precise requirements for the way in which the special transport is carried out and the vehicles used for it, will be passed by the Minister in charge of the issues of traffic.

### **30. Transport of persons by vehicles**

#### **Article 116**

- (1) In or on a motor vehicle and the trailer in road traffic the driver may transport as many persons as determined in the registration card and they shall be placed on positions which are intended for this purpose.
- (2) As an exception from the 1<sup>st</sup> Paragraph of this Article, a freight vehicle belonging to the Serbian Army or the Police shall be allowed to transport persons in the freight compartment.
- (3) On a trailer towed by a tractor in the road traffic, maximum of five persons shall be transported and in the loading compartment of a motor cultivator, maximum of three persons.
- (4) Persons from the 3<sup>rd</sup> Paragraph of this Article being transported in the loading compartment shall neither stand nor sit on the sides of the car body, sit on unstable objects or objects exceeding the height of the loading box. Persons under the age of 14 shall be transported only if accompanied by an adult.

#### **Article 117**

- (1) No person shall be transported in a closed compartment of a vehicle which cannot be opened from the inside.
- (2) As an exception from the 1<sup>st</sup> Paragraph of this article persons may be transported in vehicles belonging to the police, military or correctional authorities only for official duties.

- (3) Persons shall not be transported in caravan trailers.

### **Article 118**

- (1) A bicycle rider above the age of 18 shall be allowed to transport a child under the age of eight if the bicycle has a special seat built in and adjusted to the child's weight.
- (2) A child under the age of 12 shall not be transported on a moped, tricycle, motorcycle or a quadricycle.
- (3) A motorcycle may have a side seat for the transport of passengers.

### **Article 119**

- (1) While a vehicle is in motion, it shall be forbidden to jump into or jump out of the vehicle, open the doors, lean outside, protrude body parts and ride on the outer parts of the vehicle or tractor implements.
- (2) The driver shall not operate the vehicle in a way which allows for jumping out of the vehicle, opening doors, leaning outside, riding on the external parts of the vehicle or tractor trailers.
- (3) As an exception from the 1<sup>st</sup> Paragraph of this Article, persons carrying out their work-related tasks may be transported on the external parts of the vehicle or the trailer (on fire engines, public utility vehicles, vehicles belonging to the electricity distribution company etc.) if the vehicle has a platform for standing with holders built in.
- (4) If a vehicle from the 3<sup>rd</sup> Paragraph of this Article transports persons, its speed limit shall be 30 km/h.

### **Article 120**

- (1) Vehicle doors shall not be open while the vehicle is moving, nor shall the driver start the vehicle unless the doors are closed.
- (2) The driver shall not start driving a vehicle until the passengers have safely gotten on or off the vehicle and the doors have been closed.

### **Article 121**

- (1) A tourist train shall only move along the route specified by the competent local self-government authority. When moving outside the specified route, the train shall have a special permit issued by the competent authority on traffic issues.
- (2) A tourist train shall only be driven by a driver which possesses a driving license for at least B category vehicles and a special license for driving a tourist train issued by the Agency.
- (3) The special license shall be issued for a five-year period.
- (4) More specific regulations on training, tests and records keeping shall be passed by the Minister of the Interior, at the proposal of the Agency.
- (5) More specific requirements regarding the usage and the technical characteristics of a tourist train shall be defined by The Minister in charge of the issues of traffic.
- (6) The Agency shall perform the tasks from the 2<sup>nd</sup> Paragraph of this Article as entrusted tasks.

### **31. Test drive**

#### **Article 122**

- (1) For a test drive during which, in order to test a manufactured or a repaired motor vehicle or a trailer, the driver shall depart from certain traffic rules or regulations, a permit is required.
- (2) A request for issuing a permit on fulfilment of conditions for a test drive shall contain: the data on the vehicle (class, make, type and the identification label), the purpose of the test, first and family name of the drivers or their driving license numbers, the data on the persons who will be inside the vehicle during the test drive, the name of the road and the test drive route, the time of the test drive and the list of traffic safety rules from which the drivers will depart during the test drive.
- (3) If the test drive may damage the road or any road objects, the permit for the test drive shall be issued with a prior consent of the road management.
- (4) The permit from the 1<sup>st</sup> Paragraph of this Article shall define the contents and the manner of conducting the test drive, security and insurance measures that the organiser shall undertake and pay for, measures that shall be undertaken while testing newly manufactured motor vehicles and trailers, traffic safety rules from which the driver will depart during the test drive, the name of persons performing the testing during the test drive as well as the time limit for the test drive, which shall not be longer than one year. The permit may be issued for one or more vehicles which are to be tested.
- (5) A test drive shall be conducted only at the time and in the manner which are defined by the test drive permit.
- (6) The permit from the 1<sup>st</sup> Paragraph of this Article shall be issued by the organisational unit of the Ministry of Interior which is territorially competent for

- the area where the test drive begins. If the test drive is about to be performed on an area which spans territories of two or more organisational units, the permit shall be issued by the Ministry of Interior.
- (7) The motor vehicle which is tested, besides registration plates or test plates, shall be marked with special signs which read “PROBNA VOŽNJA” (“Test drive”) in the front and the rear.
  - (8) A legal or a physical entity which initiates the test drive shall bear all costs related to the test drive which may incur to state bodies, bodies of local self-government units and the road management.

## **V SPORTS EVENTS AND OTHER PERFORMANCES ON ROADS**

### **Article 123**

- (1) Holding sports events or other performances on a road shall be prohibited.
- (2) Exceptionally, a sports event or another performance may be held with a permit previously issued by the organizational unit of the Ministry of Interior which is territorially competent.
- (3) If the performance is about to be performed on the area which spans the territories of two or more organisational units, the permit shall be issued by the Ministry of Interior.
- (4) If it is necessary to stop the traffic on a road or to otherwise change the traffic regime in order to hold a sports event or any other performance, the permit shall be issued with a prior consent of the Ministry or the body of the local self-government unit in charge of the issues of traffic.

### **Article 124**

- (1) A permit for holding a sports event or any other performance on a road may be issued to the organisers which are legal entities with headquarters in the Republic of Serbia.
- (2) The request for the issuing of the permit shall be submitted no later than 15 days before holding the sports event or other performance on the road.
- (3) The request for the issuing of the permit shall contain: the business name of the event organiser, the first and the family name of the person responsible for the safety of the event, the road (the route and the place) where the performance will be held, the time and schedule of the performance and the measures to which the organiser is going to undertake to provide security to the participators and the spectators of the event, the programme of the performance, calendar and

- competition rules (a report). The letter of consent to performance given by the road management, identification data of persons securing the event and the registration numbers of vehicles escorting the performance participants shall be enclosed together with the request.
- (4) The Ministry in charge of the interior affairs shall issue a decision on permit issuing within 7 days after the request has been received.
  - (5) Within the permit for holding a sports event or any other performance on a road shall be specified the time and venue, the measures that need to be taken for safe realisation of the performance and the costs incurred.
  - (6) The organiser shall organise and carry out a sports event or any other performance on a road in a safe manner as defined by the permit.
  - (7) All costs incurred upon state bodies, bodies of local self-government units or road management as a consequence of a sports event or any other performance on a road shall be covered by the legal entity organising the performance.

#### **Article 125**

- (1) The organiser of a sports event or any other performance on a road shall inform the public of the measures of restriction or prohibition of traffic via public media, no later than 48 hours before the event begins.
- (2) The Ministry of Interior may prohibit or stop a sports event or any other performance on a road if they determine that the organisers did not take measures as defined by the permit or if such action is required by other safety concerns.
- (3) The decision to prohibit or stop a performance shall be made in a shortened procedure or delivered orally, in accordance with the provisions from the Law on General Administrative Procedure.

#### **Article 126**

The provisions of regulations regarding public gatherings of citizens and prevention of violence at sports events shall apply to sports events or any other performances on a road, unless otherwise defined by this Law.

#### **Article 127**

- (1) The organiser of a sports event or any other performance on a road shall not commence the performance unless they have taken all the security measures defined by the permit.
- (2) The organiser shall stop the sports event or any other performance on a road if:
  - 1) the participants or the spectators are jeopardized,
  - 2) the public order and peace are seriously disturbed,
  - 3) security measures are not taken as defined in the permit,
  - 4) stopping is required by other safety concerns.
- (3) If the organiser does not provide the special security measures during the event, the body that has issued the permit may send the necessary number of police officials in order to take the measures. In this event, all costs incurred by the special measures shall be covered by the organiser.

### **Article 128**

The competitors and other participants of the event shall only be accompanied by vehicles marked with a special label which is specified by the organiser.

If the performance takes place on an area which spans territories of two or more organisational units of the Ministry of the Interior, a copy of the label referred to in the 1<sup>st</sup> Paragraph of this Article shall be submitted to the organisational units no later than 48 hours before the event begins.

### **Article 129**

The persons in charge of the performance safety and are situated on the road or the section of the road where the performance is taking place, shall wear a reflective vest and identification labels for persons in charge of performance safety.

If the performance takes place on an area spanning territories of two or more organisational units of the Ministry of Interior, a copy of the identification labels from the 1<sup>st</sup> Paragraph of this Article shall be submitted to the organisational units by the organiser no later than 48 hours before the performance begins.

### **Article 130**

- (1) After a sports event or any other performance on a road has ended, the organisers shall immediately, no later than the time defined in the permit:
  - 1) remove from the road traffic signs and other marks, devices, items or constructions placed there for the purpose of carrying out the performance and related activities,
  - 2) place on the road all traffic signs and other marks, devices, items or constructions that were removed for the purpose of carrying out the performance and related activities,
  - 3) repair and bring to their original state the road and the objects on the road if they were damaged during the carrying out of the performance and related activities.
- (2) If the organiser does not act in accordance with the Paragraph 1, Items 1, 2 and 3 of this Article, the road management shall take the appropriate measure to remove or return the traffic signs and other marks, devices, items or constructions at the expense of the organiser.
- (3) The costs caused by the removal and returning of the traffic signs and other marks, devices, items or constructions on the road, as well as by the repair of the portions of the road or objects situated on the road damaged during the carrying out of the performance and related activities shall be covered by the organiser.

## **VI SPECIAL CONDITIONS OF TRAFFIC**

### **Article 131**

- (1) The Minister in charge of the issues of traffic shall prescribe the manner, time and usage of the winter equipment on the vehicle in road traffic.
- (2) The driver shall be in possession of winter equipment on the road and use it in the stipulated manner.
- (3) The Minister in charge of the management, maintenance and equipping of public ski grounds and rendering of service on public ski grounds shall define the conditions which motor sleds and motor sled drivers shall fulfil, as well as the way in which they are to be used on ski grounds, with the consent of the Minister of Interior.

## **VII TRAFFIC SIGNALISATION**

### **1. General provisions**

#### **Article 132**

The public roads shall be marked with prescribed traffic signs which warn traffic participants of dangers on roads or road sections, inform them on speed limits, prohibitions and responsibilities traffic participants are to abide and provide information necessary for safe and undisturbed traffic.

The traffic signs shall also be used to signalise temporary dangers, caused by a sudden damage or incapacitation of a road, as well as temporary restrictions or prohibitions in traffic, and such signs shall be removed once the causes of their placement have ended.

The traffic participants shall abide to restrictions, prohibitions and responsibilities stipulated by the positioned traffic signs and act in accordance with their meaning.

The traffic participants shall adjust their movement at places and portions of the road marked with signs of danger and adapt their movement to the dangers of which the signs warn.

The Minister in charge of the issues of traffic shall pass more precise regulations on traffic signs.

#### **Article 133**

- (1) The traffic signalisation comprises traffic signs, signs on roadways or pavements, devices for giving light traffic signals (hereinafter: traffic lights), light or other markings on the road.
- (2) The traffic signs shall be positioned and maintained so that the traffic participants can see them easily and in due time, in daytime and at night and act in accordance with them in due time.
- (3) Traffic signs shall be removed, modified or replaced if their meaning is not in accordance with modified conditions of the traffic or traffic safety requirements.

- (4) The contents, shape, colour and size of the traffic signs shall remain the same in all weather conditions, during daylight or when lit by headlights.
- (5) The traffic signs shall be either illuminated or made of a reflecting material.

#### **Article 134**

It shall be forbidden to put anything on a traffic sign or its post which is not related to the meaning of the sign.

It shall be forbidden to commit unauthorised placement, removal, damaging or alteration of traffic signs or road equipment.

Boards, signs, lights, posts and similar objects shall not be placed if they would obscure or reduce the visibility of the posted traffic signs.

It shall be forbidden to place either the objects that imitate or resemble the traffic signalisation by shape, colour, form or the place where they are located or the objects that dazzle traffic participants or distract their attention to the extent that may be hazardous to traffic safety.

#### **Article 135**

Traffic signs may be signs of danger, signs of explicit orders and information signs.  
An additional board may accompany the sign as an integral part of that traffic sign, defining its meaning more precisely.

Signs of danger shall be used to warn the traffic participants of a danger threatening them at a certain place or a portion of the road and inform them of the kind of danger at hand.

Signs of explicit orders shall inform participants of prohibitions, restriction and responsibilities they shall abide.

Signs of information shall provide the traffic participants with the information on the road they are on and other information that may be of use to them.

If the traffic safety or the technical conditions require so, certain traffic signals and messages may be conveyed by signs which alter their meaning wholly or partially.

On the signs with a changeable content, the message or the traffic signal may be activated constantly or when needed in line with conditions on the road.

The road manager empowered to manage the traffic shall conduct the change of a sign's content.

### **3. Traffic lights**

#### **Article 136**

- (1) Traffic lights which emit light traffic signals shall also be used for regulation of the traffic and marking of road works and obstacles on the road.
- (2) Traffic lights are lights of red, yellow, green or white colour.
- (3) The device from the Paragraphs 1 and 2 of this Article may shine continuously or interruptedly.
- (4) The speed of a vehicle may be regulated by a traffic light for the regulation of vehicles' speed.

#### **Article 137**

Traffic lights with three lights shall regulate the movement of vehicles.

As an exception from the 1<sup>st</sup> Paragraph of this Article, at a level railway crossing, the vehicles' traffic shall be regulated only by red lights, and at places where vehicle access is regulated by red and green lights.

The movement of trams and vehicles of public transport on roads may also be regulated by white traffic lights.

The movement of pedestrians across a roadway shall be regulated by two-coloured lights, green and red.

#### **Article 138**

- (1) On traffic lights with three-coloured lights, the lights shall be in the shape of a circle, with the symbols of one or more arrows.
- (2) A three-coloured traffic light with circle-shaped lights shall be used to regulate the movement of vehicles on the road or on an intersection
- (3) The three-coloured traffic light with the symbol of one or two arrows (a directional traffic light) shall be used to regulate the traffic at an intersection according to the vehicles' directions of movement.
- (4) On a three-coloured traffic light with the symbol of one or two arrows, red and yellow lights shall be in the shape of a circle with the symbol of one or more black arrow, while the green light shall be in the shape of one or more arrows in a black circle.

### **Article 139**

On the three-coloured traffic lights, the lights shall be aligned along the vertical axis, one below the other, in the following order: the red on top, the yellow in the middle and the green at the bottom. If the traffic light is placed above a traffic lane, the lights may be aligned along the horizontal axis, one next to the other, in the following order: the red on the left, the yellow in the middle and the green on the right.

### **Article 140**

- (1) Three-coloured traffic lights may be used to regulate the movement of bicycles and mopeds on cycle tracks and cycle lanes.
- (2) The lights on the traffic light from the 1<sup>st</sup> Paragraph of this Article shall be red, green and yellow in colour and aligned along the vertical axis, one below the other, in the following order: the red on top, the yellow in the middle and the green at the bottom. The red and the yellow light shall be in the shape of a circle with a black-coloured symbol of a bicycle and the green light shall have the symbol of a bicycle placed in a black circle.
- (3) On the crossing of the cycle track from the 1<sup>st</sup> Paragraph of this Article over a roadway, the devices for regulating the movement of pedestrians may be used if the track is adjacent to a marked pedestrian crossing.

### **Article 141**

On the three-coloured traffic lights:

- 1) the red and the green light shall not be switched on simultaneously,
- 2) the yellow light may be switched on either as a continuous and sole light during the interval between switching off of the green light and turning on of the red one, simultaneously with the red light before switching on of the green light or as an interrupted light,
- 3) the green light may shine interruptedly.

### **Article 142**

- (1) The traffic lights from the Article 137, Paragraph 1 and Articles 138 and 140 of this Law shall have the following meanings:
  - red light – passage forbidden,
  - yellow light – passage forbidden, unless the vehicle is unable to safely stop before this sign,
  - green light – passage permitted,
  - red and yellow lights switched on simultaneously – passage forbidden and indication that the green light is about to be switched on,
  - interrupted yellow light – all traffic participants should move more cautiously,
  - flashing green light – passage permitted and the indication that the passage is about to become forbidden by the switching on of yellow and then red light.
- (2) The driver shall not pass by the light traffic signal referred to in the 1<sup>st</sup> Paragraph of this Article when such signal forbids them from passing.

### **Article 143**

- (1) A three-coloured traffic light may have an additional light traffic signal in the shape of a green arrow (conditional sign).
- (2) The signal from the 1<sup>st</sup> Paragraph of this Article shall determine that the driver may pass the sign only in the direction marked by the arrow, even if the red or

yellow light is switched on. They shall yield to all vehicles moving on the road they are about to enter, as well as pedestrians crossing the roadway.

#### **Article 144**

- (1) Two-coloured traffic lights shall be used to regulate the vehicles' access. The lights shall either be placed along the vertical axis, one below the other, in the following order: the red on top and green at the bottom; or along the horizontal axis, one next to the other with the red light on the left and the green on the right.
- (2) The lights from the 1<sup>st</sup> Paragraph of this Article shall have the following meanings: red light – access prohibited; green light – access allowed. The two lights shall not be switched on simultaneously.
- (3) The driver shall not pass by the light traffic signal from the 1<sup>st</sup> Paragraph of this Article when such signs forbid the passage.

#### **Article 145**

To regulate the movement of vehicles in lanes on a roadway with more than two traffic lanes, traffic lights with red, green and yellow lights may be used.

A red light in the shape of crossed lines shall have the meaning of prohibition of vehicle movement along the traffic lane above which the sign is positioned.

A green light in the shape of a downwards arrow shall have the meaning that passage is allowed along the traffic lane above which the sign is positioned.

A yellow interrupted light in the shape of an arrow pointing downwards at an angle shall have the meaning that it is mandatory to move from the lane in which the sign is positioned and that the driver shall be obliged to move to the traffic lane which is indicated by the arrow.

The driver shall not be allowed to drive in traffic lanes in which movement is prohibited by a traffic light from this Article and the driver shall change the lane in which they are moving when it is indicated as defined in the 4<sup>th</sup> Paragraph of this Article.

## **Article 146**

- (1) Traffic lights with red and green coloured lights shall be used to regulate the movement of pedestrians. Lights shall either be aligned along the vertical axis, one below the other, with the red light on the top and green light at the bottom, or along the horizontal axis, one next the other, with red light on the left and green on the right.
- (2) The traffic lights from the 1<sup>st</sup> Paragraph of this article shall have the following meaning:  
red light – passage forbidden,  
  
green light – passage permitted,  
  
interrupted green light – passage permitted, with indication that the red light is about to be on.
- (3) On the traffic light from the 1<sup>st</sup> Paragraph of this Article, sound devices which inform pedestrians that the green light is on and that passage is allowed may be added.
- (4) The lights from the 1<sup>st</sup> Paragraph of this Article shall comprise either a red or green luminous surface with a dark outline of a pedestrian or a black surface with a red or green outline of a pedestrian.
- (5) The lights from the 1<sup>st</sup> Paragraph of this Article shall not be switched on at the same time.
- (6) A pedestrian or a bicycle rider referred to in the Article 140, Paragraph 3 of this Law shall not cross nor start crossing the roadway unless the traffic light regulating the movement of pedestrians allows them to do so.

## **Article 147**

The movement of trams shall be regulated by white-coloured lights.

The white-coloured lights may be in the shape of a horizontal or a vertical line at an angle on a dark background.

The horizontal line shall mean that the tram traffic is forbidden and the vertical line or a line at an angle shall mean that the passage is allowed in the adequate direction.

When the public transport vehicles move on the traffic lane that is also used by trams, the traffic lights from the 1<sup>st</sup> Paragraph of this Article shall apply to those vehicles.

The drivers of vehicles moving in the traffic lane in which the traffic is regulated by the traffic lights from this Article shall not pass the light unless the passage is permitted by the light.

#### **Article 148**

- (1) Traffic lights which show the numerical designation of the speed recommended in order to have permitted passage at the next traffic light shall be used to regulate the movement of vehicles at a certain speed.
- (2) The numerical marks on the traffic lights from the 1<sup>st</sup> Paragraph of this Article shall be white-coloured on a black background.
- (3) The traffic lights for the regulation of the movement of vehicles at a certain speed may use more than one light.

#### **Article 149**

- (1) The traffic lights which are used to announce that a train is approaching a level crossing shall comprise two red alternating circle-shaped lights.
- (2) Sound devices which are used to inform the traffic participants that the light signal which announces a train's arrival is on may be installed onto a traffic light from the 1<sup>st</sup> Paragraph of this Article,
- (3) The traffic light from the 1<sup>st</sup> Paragraph of this Article shall signify that the traffic participants are obliged to stop.

#### **Article 150**

The traffic lights which are used for marking road works and obstacles on the road shall comprise interrupted circle-shaped orange lights and shall indicate the position on the road or the portion of the road where the road work is being done or where the obstacles appeared.

## **4. Light markings on the road**

### **Article 151**

The line of the road may be marked by using the light markings on the road (lights, reflecting glass or other reflecting materials) and the right-hand side of the roadway shall be marked with red coloured markings and the left-hand side with white.

The markings from the 1<sup>st</sup> Paragraph of this Article shall be used to mark the edges of the roadway at the section of the road which passes through a tunnel.

If a pedestrian island, island for traffic direction or any other object on a roadway is not sufficiently visible at night, it shall be marked by lights, technical devices for enhancement of visibility (markers, prisms etc) or yellow-coloured light markings.

## **The markings on the roadway and sidewalk**

### **Article 152**

- (1) The roadway markings shall inform the traffic participants of the restrictions, bans and responsibilities of traffic participants and provide information and direction of the movement of the traffic participants.
- (2) The roadway markings shall be placed solely or along with other traffic signs, in which case their meaning shall be in mutual accordance.
- (3) The roadway markings shall comprise lines, arrows, captions and other markings.
- (4) The roadway markings may also have light reflecting properties.
- (5) On a public road outside residential area, with a modern roadway for traffic in both directions with only two traffic lanes, the lanes shall be divided with an appropriate dividing line on the roadway, and on a state road of the first order also shall be marked with edge lines.
- (6) The markings on sidewalks shall inform the traffic participants of restrictions, bans and responsibilities, and provide other information. These markings shall be placed solely or along with other traffic signs, in which case their meaning shall be in mutual accordance.

## **5. The marking of road and railway crossing**

### **Article 153**

A road and railway crossing shall be marked with the prescribed traffic signalisation.

On the crossing of a road with modern roadway coating (asphalt, concrete, cubes etc) with a railway, traffic lights which announce the arrival of a train shall be placed.

Barriers or semi-barriers shall be placed on the railway crossing and shall prohibit and prevent vehicles from moving across the railway, on which devices may be added for producing sound signals which warn of the lowering of the barrier or semi-barrier.

When there are barriers or semi-barriers positioned on a road and railway crossing with the operating device which is either out of order or not used, they shall be removed or appropriately covered. If the road section in question has no modern roadway coating, there shall be placed a light traffic signal which announces that a train is approaching.

More precise regulations regarding the type, appearance, technical characteristics, the way of installation and positions for the installation of barriers, the devices for emitting light and sound signals, and the way they are to be utilized, shall be passed by the Minister in charge of the issues of traffic.

## **The marking of obstacles on a road and road work sites**

### **Article 154**

The portion of the road where an obstacle or a damage which cannot be immediately removed or a road occurs or where road works are being conducted shall be marked with prescribed signalisation and the traffic participants shall be protected by placing a barrier.

For the installation of the temporary traffic signalisation from the 1<sup>st</sup> Paragraph of this Article, there shall be a traffic project drafted, except in the case of urgent works

which do not last longer than 24 hours. The consent for the traffic project may be given by either the Ministry, or the competent body of a local self-government unit.

More precise regulations regarding temporary traffic signalisation, conducting of road works, appearance, technical characteristics, placement and utilisation of barriers and other devices used for securing the road work sites shall be passed by the Minister in charge of the issues of traffic.

The road management shall secure the positioning of temporary traffic signalisation on the portion of the road where there are damages or obstacles which cannot be immediately removed and provide safety for traffic participants.

The entity conducting the road works shall, before the commencing of road works, place temporary traffic signalisation and secure the site where the works are about to be done, keep the signalisation in the state as prescribed during the works, and remove it once the works are complete.

#### **Article 155**

- (1) During the conducting of road works or other activities on roads, on the part of the road which is open for traffic, persons conducting the works and standing on the road shall wear a reflective vest.
- (2) A traffic participant shall not disturb a worker conducting works on or besides a road and shall remove their vehicle at the request of the entity which is conducting the road works. This request may also be issued in the form of a public request.

### **VIII ROADS**

#### **Article 156**

- (1) Roads shall be designed, constructed, reconstructed and maintained so as to enable the traffic on them to be safe and unhindered and shall fulfil the prescribed conditions.
- (2) A sidewalk shall be constructed at the portion of the state road which passes through a residential area.

- (3) When deciding on building a new road or reconstructing an existing one, the public road manager shall conduct the project of a strategic comparative analysis on the road's influence on the safety of the traffic on the road network.
- (4) The public road management shall ensure that the project of traffic safety review is made for a public road project. The traffic safety review is an independent systematic inquiry of the road design from the aspect of traffic safety, for all the phases of design up until putting the road into use. The public road management shall provide the following independent safety inquiry projects: periodic inquiries for the five years period for all sections of state roads, targeted inquiries for the most jeopardized sections of state roads and both periodic and targeted inquiries for other roads, according to possibilities and needs.
- (5) The regular control of an exploited public road from the aspect of road traffic safety shall be conducted by a body in charge of traffic issues – the public roads inspector. The public road management shall ensure that, based on the findings of the public roads inspector, a project is made to define the measures necessary for the road traffic to be safe.
- (6) The road management shall monitor the safety situation of road traffic, undertake independent projects to identify dangerous places at least once a year, independent projects on risk mapping road sections and identification of the most dangerous sections, to conduct expert analyses of highly hazardous road sections (the black spots), design a specific project on alleviating highly hazardous sections and dangerous places and take measures to alleviate the highly hazardous road sections and dangerous places in accordance with that project.
- (7) In the event of a traffic accident with at least one person killed, the road management shall, within a month, determine the cause and the contribution of the public road to the occurrence and the consequences of the traffic accident based on an independent evaluation and take measures to improve the road safety.
- (8) The public road management shall inform the public, accurately and timely, about restrictions and bans on public roads, about emergency situations and special measures to be taken while on public roads, as well as driveability of public roads in the winter period and in case of natural disasters or any other emergencies which had caused a stop in the traffic or a significant hindrance in the traffic conditions.
- (9) The public road management shall, simultaneously with informing the public, deliver the information referred to in the 8<sup>th</sup> Paragraph of this Article to a subject who was, in accordance with the Law on Public Authority, given the authority to provide the citizens with information on the state and driveability of the public roads.
- (10) The public road management shall organise filming of the traffic and the other measurements of the traffic flow on public roads and deliver the results to the Ministry, the body of territorial autonomy or a local self-government unit in charge of the issues of traffic, as well as the Ministry of Interior and the Traffic Safety Agency. The Minister in charge of the issues of traffic shall prescribe the manner in which records are to be kept, at the proposal of the Agency, and the data shall be public.

- (11) On a public road and its surrounding safety area, it shall be prohibited to build monuments, place roadside tombstones or any other signs of commemoration, sell products or conduct any other activities which jeopardize the traffic safety.
- (12) More precise requirements shall be passed by the Minister in charge of the issues of traffic regarding the strategic comparative analysis of the influence of a new or reconstructed road on the traffic safety in the road network, the traffic safety review, the traffic safety inquiry, the regular inquiry of an exploited road, the monitoring of the state of traffic security, the analysis of the highly hazardous road sections, the analysis of the contribution of the road to an accident with fatalities, informing, filming of the traffic and the other measurements of the traffic flow, as well as the requirements which reviewers shall meet, the manner in which the reviewers' training and examination shall take place and the requirements which road objects and other elements of a public road shall meet.
- (13) More precise requirements that tunnels shall meet regarding traffic safety shall be passed by the Minister in charge of the issues of traffic.

## **IX THE TECHNICAL REGULATION OF TRAFFIC**

### **1. General provisions**

#### **Article 157**

- (1) The technical regulation of traffic shall be conducted by the Minister in charge of the issues of traffic, and on municipal roads and the streets in residential areas, by the body of the local self-government units in charge of the issues of traffic.
- (2) On the section of the road where a state road makes contact with a municipal or a road in a residential area, the local self-government body shall, during the technical regulation of traffic within their competence, harmonise their decision with the method of the technical regulation of the traffic on a state road.

#### **Article 158**

The technical regulation of traffic shall mean all measures and actions with which the traffic regime is regulated under regular conditions and during road works, which shall especially apply to: traffic directing and management, managing velocities in terms of traffic flow density, speed limits in terms of the roadway and weather conditions, defining one-way roads and streets, determining the roads and streets

closed for the traffic, in general or for some categories of vehicles, speed limits for all or some categories of vehicles, determining places for parking and stopping of vehicles, supply, direction and redirection of users, defining a safe and efficient manner of traffic regulation at intersections, locations of bus stops, the permitted axle force, environment protection etc.

The traffic technical measures in a residential area shall regulate the traffic regime under regular conditions and during road works, which shall especially apply the following: directing transit, freight, bicycle and pedestrian traffic, defining roads and streets intended for public passenger transport, the way in which the lanes for the public passenger transport are used, the speed limits for all or specific categories of vehicles, determining one-way streets, pedestrian zones, slow traffic zones, “30” zones, school zones, environment protection zones, the safe and efficient way of regulating traffic at the intersections, defining places for parking and stopping of vehicles, supply, direction and redirection of users etc.

For the realisation of the defined traffic regime, a traffic project shall be made and the traffic signalisation shall be posted according to the project. The competent authority from the Article 157, Paragraph 1 of this Law shall certify that the project has been made in accordance with the defined traffic regime.

### **Article 159**

- (1) The road management shall post the traffic sign marking a residential area on the road in the direct vicinity of a place where there are constructed rows or groups of residential or business facilities, at the place where a significant number of pedestrians who realise they needs in the residential area is expected.
- (2) The road manager shall post the traffic sign marking the end of a residential area on the road in the direct vicinity of the place where the section of the road which meets the requirements for the 1<sup>st</sup> Paragraph of this Article ends.
- (3) A driveway which leads into a building, a yard or a garage shall be marked with the prescribed traffic signalisation which prohibits stopping and parking on the driveway or the pavement.

## **2. Pedestrian zone**

### **Article 160**

- (1) A pedestrian zone is the section of a road or a street or a part of a residential area where only pedestrian traffic is allowed.
- (2) The pedestrian zone shall be marked by the prescribed traffic signalisation.
- (3) In a pedestrian zone, within a certain time period, the competent body of the municipality or city authorities may allow movement of certain vehicles at the speed of the pedestrians, so that they do not jeopardise pedestrians.

## **3. Slow traffic zone**

### **Article 161**

- (1) A slow traffic zone is a part of a road, street or residential area where the roadway may be used by both pedestrians and vehicles.
- (2) In a slow traffic zone, the driver shall drive so as not to hinder the movement of pedestrians and bicycles, at the pedestrians' speed, up to 10 km/h.
- (3) The slow traffic zone shall be marked by the prescribed traffic signalisation.

## **4. Zone "30"**

### **Article 162**

- (1) The zone "30" is a part of a road, street or residential area where the speed limit is 30 km/h.
- (2) The zone "30" shall be marked by the prescribed traffic signalisation.

## **5. School zone**

### **Article 163**

- (1) A school zone is a part of a road or street in the close proximity of a school, and shall be marked as such by stipulated traffic signalisation.
- (2) The speed limit for vehicles within a school zone in a residential area is 30 km/h, 50 km/h outside residential areas, from 7:00 AM to 9 PM, unless a traffic sign notes another time.
- (3) In a school zone, the competent traffic body shall instruct the road management to apply special technical devices for the protection of children's safety.
- (4) The road management shall apply the special technical devices.
- (5) More precise regulations regarding school zones shall be passed by the Minister in charge of the issues of traffic at the proposal of the Minister of education.

## **6. Environment protection**

### **Article 164**

- (1) The traffic participants shall not conduct any activities that may cause a threat to the environment.
- (2) A vehicle in the traffic shall not make excessive noise.
- (3) The driver of a motor vehicle shall turn off the engine:
  - 1) at the request of a policeman or any other authorised person,
  - 2) when it is demanded by the traffic signalisation,
  - 3) when the vehicle has stopped moving in a tunnel for more than a minute,
  - 4) when the vehicle does not move for more than three minutes.
- (4) The traffic participant shall not emit or put matter, waste which puts life and health of humans, animals or plants into jeopardy or pollutes the environment.
- (5) The Ministry or the competent body of the municipality or the city for the issues of traffic may, after consulting the Ministry or the competent body of the municipality or the city for the environment, limit or prohibit the traffic of certain or all classes of motor vehicles on a certain section of the road, when the air pollution exceeds the prescribed norms.

## **7. The technical devices for slowing down of the traffic**

### **Article 165**

- (1) The technical devices for slowing down of the traffic shall be used to physically limit the speed of a vehicle and to additionally warn the drivers that their current speed is not safe.
- (2) The technical devices for slowing down of the traffic shall include physical barriers, vibrating and rustling tapes.
- (3) The technical devices for slowing down of the traffic shall be marked by the prescribed traffic signalisation.
- (4) The physical barriers for slowing down of the traffic shall be placed only on municipal roads in a residential area. Exceptionally, the physical barriers for slowing down of the traffic may be placed on state roads in school zones, nursery zones and other facilities in whose vicinity there is an additional speed limit for the purpose of all traffic participants' safety.
- (5) The technical devices for slowing down of the traffic shall be positioned in accordance with a project, approved by the Ministry in charge of traffic issues or the local self-government body in charge of the issues of traffic.
- (6) More precise regulations on the type, appearance, technical properties and the method of placing of the technical devices for slowing down of the traffic and special devices for the protection of children's safety shall be passed by the Minister in charge of the issues of traffic.

## **8. Signals and orders made by authorised persons**

### **Article 166**

- (1) The traffic participants shall act in accordance with the signs and orders given by a police officer or another person authorised by the Law to directly regulate and control the traffic.
- (2) The signals shall be given using arms or body posture of an authorised person, devices for light and sound signals, a traffic paddle or a flag, and the orders shall be given orally.
- (3) The signals and orders may also be given from a vehicle.
- (4) On the portion of the road where road works are going on or where an obstacle has occurred and cannot be immediately removed, the traffic may be regulated by at least two employees of the entity conducting the works or the road management.

- (5) The regulation of traffic in the case mentioned in the 4<sup>th</sup> Paragraph of this Article shall be conducted using red and green flags with the following meaning:
  - 1) green flag up – passage allowed for the vehicles coming from the direction where the flag has been lifted,
  - 2) red flag up – passage prohibited for the vehicles coming from the direction where the flag has been lifted.
- (6) The entity conducting works, road management and workers appointed to regulate the traffic shall be responsible for the regulation of traffic mentioned in the 4<sup>th</sup> Paragraph of this Article to be conducted in the prescribed manner.
- (7) The signs and orders shall be given in the prescribed manner and shall be clear, unambiguous, visible or audible and shall have priority over traffic signs and prescribed rules of traffic.
- (8) More precise regulations regarding the appearance of the signs and the way they are given by specific persons from the 4<sup>th</sup> Paragraph of this Article shall be passed by the Minister in charge of the issues of traffic.
- (9) The signs and orders given by police officers, their meaning and the way they are given shall be defined by the Minister of the Interior.

## **X THE PARTICIPANTS' RESPONSIBILITY IN THE EVENT OF A TRAFFIC ACCIDENT**

### **Article 167**

The person who runs into or happens to be at a scene of a traffic accident in which there are injured persons shall immediately inform the police and/or emergency medical service and to administer aid to injured person, within the reach of their knowledge and if necessary transport them to the nearest health centre and take all measures possible to prevent the current consequences from worsening or the new ones from occurring.

### **Article 168**

- (1) The driver, or another participant in a traffic accident in which a person sustained bodily injuries or got killed, or a substantial material damage was inflicted, shall:
  - 1) stop the vehicle, turn the engine off, turn on all four direction indicators, place an emergency triangle at a safe distance, inform the police and/or the emergency medical service, and take all other possible measures to warn other traffic participants of the accident,

- 2) warn all persons to leave the roadway so as not to get injured or destroy the accident trails,
  - 3) inform the police and remain in the same place until the police arrives and conducts the investigation,
  - 4) help the injured or administer first aid or medical aid, in accordance with their knowledge, skills and possibilities,
  - 5) to take all necessary measures in their power to prevent the occurrence of new consequences or worsening of the existing,
  - 6) to provide trails and objects of concern for the accident, if doing so does not jeopardise the traffic safety.
- (2) If the owner or the driver of the second vehicle which was involved in a traffic accident is not present at the scene of a traffic accident from the 1<sup>st</sup> Paragraph of this Article, the present driver-participant of the accident shall submit their first name, family name and address to the absent person or the owner of the second vehicle.
  - (3) As an exception, the person from the 1<sup>st</sup> Paragraph of this Article may leave the scene of the accident if they need urgent medical assistance or if they are transporting the injured to the nearest health facility.
  - (4) The person from the 3<sup>rd</sup> Paragraph of this Article shall return to the scene of the accident as soon as possible.

#### **Article 169**

- (1) The police shall notify the emergency health service and get to the scene of the accident immediately after hearing about an n accident with injured or killed persons.
- (2) The health facility which has been informed of a traffic accident from any source or has admitted a person injured in a traffic accident for medical treatment shall immediately inform the competent internal affairs body.
- (3) If a person injured in a traffic accident dies of the inflicted injuries or if there is a justified suspicion that, due to injury, the driver's psychological or physical ability to drive a motor vehicle or a tram is reduced, the health facility shall, with no delay, inform the competent body of the internal affairs.

#### **Article 170**

- (1) The person authorised by the Law shall be obliged to come to the scene of an accident with injured or killed persons or with a substantial material as a consequence.
- (2) The person from the 1<sup>st</sup> Paragraph of this Article shall compile the complete investigating documentation (the investigation minutes, the sketch of the scene of

the accident, the situational plan, photographic record and other enclosures) in the case of an accident as described in the 1<sup>st</sup> Paragraph of this Article.

### **Article 171**

- (1) A police official shall be obliged to arrive at the scene of a traffic accident to conduct an investigation when minor material damage was inflicted, if demanded by one of the participants in the accident or a person who has suffered material damage in the accident.
- (2) If at least one of the participants in the accident or a person who has suffered material damage in the accident from the 1<sup>st</sup> Paragraph of this Article, demands immediately after the accident an investigation to be conducted, all other participants shall remain at the scene of the traffic accident until the investigation is over.
- (3) In the case referred to in the 1<sup>st</sup> Paragraph of this Article, the expenses of the investigation shall be covered by the insurance company of the driver who demanded an investigation.

### **Article 172**

- (1) A driver or a participant in a traffic accident in which only minor material damage has been inflicted shall:
  - 1) warn the other traffic participants of the presence of vehicles or other obstacles on the road, if the driver can not remove them,
  - 2) remove the vehicle or any other object from the roadway if they are hindering or jeopardising the traffic flow or if there is a threat of another traffic accident occurring,
  - 3) fill in the European report on traffic accidents in the case when there is no official investigating the traffic accident,
  - 4) warn all persons to move away from the roadway so as not to hinder the traffic,
  - 5) submit their personal data and the vehicle data to the driver of the damaged vehicle, the owner of another object damaged in the accident, or the police officials,
  - 6) take all measures of protection in their power to prevent new consequences of the accident from happening and the increase of the existing.
- (2) If a participant in the traffic accident in which only minor material damage has been inflicted to the other vehicle is unable to leave personal data and the vehicle insurance data due to the absence of the other vehicle's driver, the participant shall inform the competent body of the interior of the accident and submit the personal data and the data on the damaged vehicle.

### **Article 173**

- (1) The insurance companies shall keep a record on traffic accidents which have a European traffic accident report filled in about them.
- (2) The data from the record referred to in the 1<sup>st</sup> Paragraph of this Article shall be submitted by the legal entity in the business field of insurance to the Ministry of the Interior and the Traffic Safety Agency.
- (3) While issuing a mandatory car insurance policy, the insurance company shall also issue the European traffic accident report to the insured person.

### **Article 174**

- (1) A person who was involved in a traffic accident shall not consume any alcoholic and/or psychoactive substances until the investigation is over.
- (2)
- (3) An authorised person conducting the investigation of a traffic accident in which there are killed or injured persons, shall demand from the persons directly involved in the traffic accident to give a blood or a blood and urine sample in order to establish the content of alcohol in the blood, or the presence of psychoactive substances in the body.
- (4) An authorised person conducting the investigation of a traffic accident in which there are no killed or injured persons, shall conduct tests with appropriate devices (alcoholmeter, drug test etc.) on persons involved in a traffic accident.

### **Article 175**

- (1) If a vehicle which was involved in a traffic accident has safety assemblies and devices which are obviously inoperable or if the vehicle can not be driven, the authorised person shall exclude the vehicle from the traffic and revoke its registration plates.
- (2) The authorised person shall issue a certificate on temporarily revoked registration plates to the driver.
- (3) The exclusion of a vehicle from traffic shall last until the competent body receives the evidence that the vehicle is technically operable.

### **Article 176**

- (1) The body which conducts the investigation shall, during the investigation, among other data also collect those on the identity of the persons who were present when the traffic accident happened or have important information on the traffic accident.
- (2) A body of the interior affairs shall inform the family of a deceased traffic accident participant of the accident and its consequences.
- (3) An authorised person who conducts the investigation shall write down an inventory of the property which was left off a deceased person at the scene of the accident.
- (4) The objects and property from the 1<sup>st</sup> Paragraph of this Article shall not be used nor administered until it is taken over.

### **Article 177**

- (1) After an investigation is concluded, the driver or the owner of the vehicle shall remove the vehicle, cargo, objects or other material scattered over the roadway with no delay.
- (2) If the driver or the owner does not act in the manner prescribed by the 1<sup>st</sup> Paragraph of this article, the territorially competent organisational unit of the Ministry of the Interior shall order the road management to safely remove the vehicle, cargo, objects or other material scattered over the roadway at the owner's expense.
- (3) The road management shall with no delay act in accordance with the order referred to in the 2<sup>nd</sup> Paragraph of this Article and ensure the usability of the road.

## **XI THE DRIVERS**

### **1. Prerequisites for driving vehicles**

### **Article 178**

- (1) A motor vehicle or a vehicle set may be driven independently by a driver meeting stipulated prerequisites and is in possession of a driving license for driving a vehicle of the adequate category.

- (2) The citizens of European Union member states temporarily staying in the Republic of Serbia or the citizens of the Republic of Serbia with temporary or permanent residence on the territory of the European Union shall be allowed to drive a motor vehicle on the territory of the Republic of Serbia based on a valid driving licence issued by a competent body of a European Union member state.
- (3) A foreigner temporarily staying in the Republic of Serbia or a citizen of the Republic of Serbia with residence in a foreign country and temporarily staying in the Republic of Serbia shall drive a vehicle based on a foreign driving licence or a valid international driving licence, under the condition of reciprocity, during their temporary stay.
- (4) A foreigner who has been allowed permanent residence in the Republic of Serbia, the staff of embassies and consulates, foreign missions, outposts of international organisations in the Republic of Serbia and of foreign commercial, transport, cultural and other organisations, and the staff of foreign correspondence offices as well as the citizens of the Republic of Serbia returning from abroad or coming to Serbia in order to permanently reside in it, may, based on a foreign driving licence, drive a motor vehicle or a vehicle set for a six months period from the day of entering the Republic of Serbia.
- (5) As an exception from the provisions of the Paragraphs 1, 2, 3 and 4 of this Article, a driver shall not drive a vehicle in road traffic:
  - 1) when the driver is prohibited from driving by a decision of a competent body,
  - 2) when the driver is excluded from traffic.
- (6) The territorially competent organisational unit of the Ministry of Interior shall keep the registry of the drivers who have driving licences issued to them.

### **Article 179**

- (1) A driving licence shall be issued to a person:
  - 1) who meets the age requirements,
  - 2) who meets the health requirements,
  - 3) who has residence or an approved temporary sojourn for at least a 6 months period in the Republic of Serbia,
  - 4) who passed the driving test for the driver of a specific category of motor vehicles or vehicle sets,
  - 5) who passed the first aid test,
  - 6) who is not prohibited from driving a motor vehicle or a set of vehicles.
- (2) As an exception from the 1<sup>st</sup> Paragraph of this Article, a driving licence for operating a tractor or a working machine (F category) or a motor cultivator (M category) shall be issued without providing the evidence from Paragraph 1, Item 5 of this Article.
- (3) The persons from the Article 178, Paragraphs 3 and 4 of this Law shall be issued a Serbian driving licence at their request without having to pass the driving test or the first aid test, based on their valid foreign driving licence (except for temporary, probation and similar types of driving licences), under the conditions

- from Paragraph 1, Items 1, 2, 3 and 6 of this Article. The staff of embassies, consulates, foreign missions and outposts of international organisations, under the condition of reciprocity, shall not be required to provide the evidence from Paragraph 1, Item 2 of this Article. A Serbian driving licence shall not be issued based on an international driving license. A Serbian driving licence shall be issued only if the applicant provides a document which states what types of vehicles the applicant may drive and has not expired.
- (4) More specific health requirements which drivers of certain categories of motor vehicles shall meet shall be prescribed by the Minister in charge of health issues.

## **2. Age requirements for obtaining a driving licence**

### **Article 180**

- (1) A driving licence may be issued to a person who is at least:
- 1) 15 years old for the M category,
  - 2) 16 years old for the F category,
  - 3) 16 years old for the AM and A1 categories,
  - 4) 18 years old for the A2 category,
  - 5) 18 years old for the B, B1 and BE categories,
  - 6) 18 years old for the C1 and C1E categories,
  - 7) 21 years old for the C, CE, D1 and D1E categories,
  - 8) 24 years old for the D and DE category,
  - 9) 24 years old for the A category, except for persons who possess an A2 category licence for at least two years.
- (2) As an exception from the 1<sup>st</sup> Paragraph of this Article, a secondary school student being educated to become a driver of motor vehicles shall need to be at least 18 years old in order to obtain a driving licence for C and CE categories.
- (3) As an exception from the 1<sup>st</sup> Paragraph of this Article, a driving licence for C category may be issued to a person of 18 years of age and for D category to a person of 21 years of age if they operate fire fighting service vehicles, the vehicles for maintenance of public peace and order or defence vehicles.

### **Article 181**

- (1) A driving licence for the BE category may be issued only to drivers in possession of a driving licence for B category.
- (2) A driving licence for the C1E category may be issued only to drivers in possession of a driving licence for C1 category.

- (3) A driving licence for the CE category may be issued only to drivers in possession of a driving licence for C category.
- (4) A driving licence for the D1E category may be issued only to drivers in possession of a driving licence for D1 category.
- (5) A driving licence for the DE category may be issued only to drivers in possession of a driving licence for D category.
- (6) A driving licence for the C and C1E categories may be issued only to drivers in possession of a driving licence for B category.
- (7) A driving licence for the D category may be issued only to drivers in possession of a driving licence for C category for at least two years.
- (8) A driving licence for the D1 category may be issued only to drivers in possession of a driving licence for C1 category for at least two years.

### **3. Probation driving licence**

#### **Article 182**

- (1) A person who meets all the requirements for driving a B category vehicle, except being over 18 years of age, shall be issued a probation driving licence when they turn 17, with the validity period of one year.
- (2) The probation driving licence may be used only in the Republic of Serbia.
- (3) A driver in possession of a probation driving licence for B category shall not start driving or operate a vehicle without being accompanied in the vehicle by a person who has been in possession of a driving licence for the B category for at least 5 years.
- (4) A driver in possession of a probation driving licence shall not operate motor vehicles during the period between 11 PM and 5 AM nor use a telephone or other communication devices while driving.
- (5) A driver in possession of a probation driving licence shall not move at a speed greater than 90% of the speed limit for the respective section of the road.
- (6) The person accompanying the driver in possession of a probation driving licence shall ensure that the driver operates the vehicle in a manner which is safe and in accordance with regulations.
- (7) The motor vehicle operated by the driver in possession of a probation driving licence shall be marked with a special "P" label, which shall be positioned on visible places on the front and the rear of the vehicle.
- (8) A probation driving licence shall also be issued to an 18 year old person who has obtained the right to operate B category vehicles for the first time. This person shall be subject to provisions from the Paragraphs 2, 4, 5 and 7 of this Article.
- (9) The probation driving licence for the persons referred to in the 8<sup>th</sup> Paragraph of this Article shall be issued with a one year validity period.

- (10) The minister in charge of the issues of traffic shall prescribe special prerequisites on the appearance, technical characteristics and the manner of positioning the special label from the 9<sup>th</sup> Paragraph<sup>i</sup> of this Article.

#### **4. Issuing of a driving licence**

##### **Article 183**

- (1) Driving licences and probation driving licences shall be issued by the territorially competent organisational unit of the Ministry of Interior in the area of which the driving licence applicant has residence, and by the unit in the area of which the applicant has temporary residence if the person is residing out of their permanent residence due to their employment, studying or other justified reasons, as well as to a foreigner with an approved sojourn for a period of more than three months.
- (2) No one shall simultaneously use two driving licences issued by different countries.
- (3) The driver may not use the driving licence document which was reported as lost to the competent authority.
- (4) The Minister of the Interior shall more precisely define the issuing procedure, the appearance, content and features of the driving licence document and the probation driving licence document and the way in which the drivers in possession of driving licences shall be entered into the registry.
- (5) The driver of a motor vehicle who changes their residence shall, within 30 days from the day of the residence change, inform the body of the interior affairs on whose territory the new residence is, in order to be entered into the registry of drivers.

##### **Article 184**

- (1) The driver shall carry the driving licence or the probation driving licence when operating a motor vehicle or a vehicle set and shall allow an authorised person to inspect them if asked to do so.
- (2) The driver shall use all the aids listed in the driving or the probation licence while driving a vehicle on the road.

##### **Article 185**

- (1) The driving licence for operating motor vehicles shall be issued for a period of ten years, no more than 5 years to the persons above the age of 65, in accordance with the findings and the opinion as stated in the certificate of the health capability.
- (2) The persons from the 1<sup>st</sup> Paragraph of this Article older than 55 at the time of the issuing shall be issued a driving licence valid until they are 65 years old.
- (3) As an exception from the Paragraphs 1 and 2 of this Article, a driving licence may be issued for a shorter time period, in accordance with the findings and the opinion stated in the certificate of driver's health capability.
- (4) The persons whose driving licence has expired shall be issued a new driving licence, with a photo submitted no older than three months.
- (5) The persons who were issued a driving licence for a shorter period of time than stipulated in the 1<sup>st</sup> Paragraph of this Article due to the medical findings and the opinion and the persons above the age of 65 shall submit the certificate of health capability.
- (6) The findings and the opinion given in the certificate of driver's health capability may determine that it is necessary that the driver uses certain aids while operating a vehicle.
- (7) The competent authority shall note the mandatory usage of aids from the 6<sup>th</sup> Paragraph of this Article in the driving licence or a probation driving licence.

#### **Article 186**

- (1) A driver in possession of a driving licence for operating motor vehicles shall be issued an international driving licence at their request.
- (2) The international driving licence shall contain information on all valid restrictions and driving prohibition measures.
- (3) The international driving licence issued by the Republic of Serbia shall not be used for operating motor vehicles on the territory of the Republic of Serbia.
- (4) The international driving licence shall be issued by a legal entity entrusted to so by a special law.
- (5) The legal entity from the 4<sup>th</sup> Paragraph of this Article shall be obligated to conduct the operations of issuing international driving licence in a conscientious and prescribed manner.
- (6) More precise regulations on the procedure and the manner of issuing and keeping record of international driving licences shall be prescribed by the Minister of the Interior.

## 5. Psycho-physical requirements for vehicle driving

### Article 187

- (1) A driver who is either incapable of driving safely or tired, sick or mentally distressed to such extent that they are not capable of driving safely shall not operate a vehicle in traffic.
- (2) The driver shall not operate a vehicle in road traffic nor begin to operate it if under the influence of alcohol and/or psychoactive substances.
- (3) A driver shall be considered to be under the influence of alcohol if they are determined by a blood sample analysis to have the alcohol blood content of more than 0.3 mg/ml or if the presence of alcohol in body is established by the relevant equipment or devices for measuring blood alcohol content (e.g. alcoholmeter) to correspond to blood alcohol content of more than 0.30 mg/ml.
- (4) As an exception to the provisions of the 3<sup>rd</sup> Paragraph of this Article, when participating in traffic, the following persons shall not have in their system any psychoactive substances or alcohol nor show any signs of disturbance which are consequences of alcohol and/or psychoactive substances:
  - 1) the driver of a motor vehicle registered for transport of more than eight persons other than the driver or a motor vehicle whose greatest permitted mass exceeds 3 500 kg,
  - 2) the driver of a motor vehicle used for public transport of persons or objects,
  - 3) the driver of an A1, A2 AM and A category vehicle,
  - 4) a driving instructor,
  - 5) a driving trainee during practical training and the practical part of the driving test,
  - 6) the driver with a probation driving licence,
  - 7) the person supervising the driver with a provisional licence,
  - 8) an examiner in the practical part of a driving test,
  - 9) the driver of a vehicle with the right-of-way or an escorted vehicle.
- (5) The degrees of intoxication for a driver, driving instructor or a driving trainee according to the established blood alcohol content shall be:
  - 1) up to 0.30 mg/ml – mild intoxication
  - 2) more than 0.30 mg/ml up to 0.50 mg/ml – moderate intoxication
  - 3) more than 0.50 mg/ml up to 1.20 mg/ml – medium intoxication
  - 4) more than 1.20 mg/ml up to 1.60 mg/ml – heavy intoxication
  - 5) more than 1.60 mg/ml up to 2.00 mg/ml – very heavy intoxication
  - 6) more than 2.00 mg/ml – total intoxication

- (6) A person is considered to be under the influence of psychoactive substances if the presence of such substances in an organism is established by using the relevant equipment and methods (psychoactive substance presence tests etc).
- (7) A driver is incapable of safely driving the vehicle when it is established by an expert examination that they are tired, sick or mentally distressed to such extent or in such a psycho-physical state that they are not capable of driving safely.
- (8) The driver shall be considered to be operating a vehicle from the moment when they cause a vehicle to move from a position on a road.
- (9) The provisions from this Article shall also apply to tram drivers.

## **6. Medical examinations**

### **Article 188**

- (1) The health capability of a driver of a motor vehicle or a vehicle set, driving instructor or a tram driver shall be determined by a medical examination which can be performed by a legal entity which meets the prescribed prerequisites and has an approval for performing drivers' medical examinations issued by the Ministry in charge of the issues of health.
- (2) A certificate of health capability for a driver of motor vehicles, vehicle sets or trams or a driving instructor shall be issued by the legal entity referred to in the 1<sup>st</sup> Paragraph of this Article.
- (3) The legal entity from the 1<sup>st</sup> Paragraph of this Article which, in the course of a medical examination, establishes a driver's health incapability shall inform the relevant organisational unit of the Ministry of the Interior at the territory where the person is having residence.
- (4) The medical institution from the 1<sup>st</sup> Paragraph of this Article shall perform the medical examinations of a driver lawfully, in accordance with the rules of the profession and in a conscientious manner.
- (5) The prerequisites that the legal entity from the 1<sup>st</sup> Paragraph of this Article shall meet in terms of personnel, premises and equipment as well as the manner in which medical examinations are to be conducted, the manner and the procedure for issuing the certificate and keeping records on performed examinations and issued certificates shall be prescribed by the Minister in charge of the issues of health.

### **Article 189**

- (1) The drivers who drive a vehicle or a set of vehicles which are used for public transportation, driving instructors and other drivers to whom driving is the basic profession shall undergo medical examinations in order to determine their psycho-physical capabilities within a period of less than three years.
- (2) The medical certificate on the capability of drivers from the 1<sup>st</sup> Paragraph of this Article, within its findings and opinion, may state that the next medical examination will be done within a period of less than three years.
- (3) If it is determined on a medical examination that a person is not psycho-physically capable of being a driver of motor vehicle or a set of vehicle of a certain category or a driving instructor for a certain category, the medical institution which performed the medical examination shall immediately, within no more than 15 days, notify either the competent organisational unit of the Ministry of the Interior in whose territory the person is residing or the body that issued the driving instructor's permit (licence).
- (4) The body which keeps record on the driver shall revoke the licence for driving vehicles of a certain category from the person from the 3<sup>rd</sup> Paragraph of this Article.
- (5) The body that has issued the permit (licence) for a driving instructor shall suspend the permit (licence) from the person from the 3<sup>rd</sup> Paragraph of this Article.

### **Article 190**

- (1) Companies, other legal entities and entrepreneurs engaged in public transportation or transportation for own needs business shall enable their drivers and driving instructors to undergo medical examinations from the Article 189, Paragraph 1 of this Law.
- (2) Companies, other legal entities and entrepreneurs from the 1<sup>st</sup> Paragraph of this Article shall not allow a vehicle or a set of vehicles to be operated by a driver who did not, within the prescribed period, undergo the medical examination or who was declared incapable to be a driver of a certain category.
- (3) Companies, other legal entities and entrepreneurs from the 1<sup>st</sup> Paragraph of this Article shall not allow a driving instructor to conduct practical training without undergoing a medical examination within prescribed time or who was declared incapable of being a driving instructor for a certain category of vehicles at the medical examination.
- (4) The driving instructor who did not undergo the medical examination within the prescribed period of time or who was declared incapable of being a driving instructor for a certain category of vehicles shall not conduct practical training.

- (5) The driver from the Article 189, Paragraph 1 of this Law who operates the vehicle not owned or used by a legal entity shall keep the medical certificate in their possession and show it to an authorised person.
- (6) The expenses of a driver's examination shall be covered by the company, other legal entity or the entrepreneur with whom the driver is employed.

### **Article 191**

- (1) A driver or a driving instructor who is suspected of not being capable of operating a vehicle safely due to psycho-physical disturbances or flaws shall be referred to a control medical examination.
- (2) The territorially competent organisational unit of the Ministry of the Interior which keeps the record on a driver or the body which has issued a permit (licence) for a driving instructor shall refer the driver or the driving instructor to a medical examination.
- (3) The request for a control medical examination may be submitted by the territorially competent organisational unit of the Ministry of the Interior, road traffic inspector, public prosecutor, the body which carries out infraction procedures, the legal entity or the entrepreneur with whom the driver is employed or the Agency for Traffic Safety.
- (4) An appeal to a decision to refer to a control medical examination shall not postpone the execution of the decision.
- (5) The decision to refer to a control medical examination shall state the medical institution which will carry out the medical examination and the time limit to complete it.
- (6) The control medical examination shall be carried out by an authorised medical institution.

### **Article 192**

- (1) The territorially competent organisational unit of the Ministry of Interior and the body issuing the permit (licence) for a driving instructor shall take away the driving licence or the permit (licence) for a driving instructor from the person who does not undergo the control medical examination within the prescribed period.
- (2) The territorially competent organisational unit of the Ministry of Interior and the body issuing the permit (licence) for a driving instructor shall take away the driving licence or the permit (licence) for a driving instructor from the person who proves to be incapable of being a driver of a certain category of vehicles at the control medical examination.

- (3) The driver or the driving instructor who has the right to operate different categories of vehicle and is deprived of such right for certain categories due to the reasons defined in this Article shall be issued the driving licence or the permit (licence) for a driving instructor for the categories for which this right has not been revoked.

### **Article 193**

- (1) If, during an examination or treatment of a person who possesses a driving licence, reasonable doubt occurs that the person is not capable of operating any vehicles or vehicles of a certain category, the medical institution, other health services, a chosen or any other physician who conducted the examination or treatment of the person who possesses a driving licence shall immediately, no more than 15 days later, inform of this the competent organisational unit of the Ministry of Interior at whose territory the person has residence.
- (2) The territorially competent organisational unit of the Ministry of Interior shall refer the person from the 1<sup>st</sup> Paragraph of this Article to a control medical examination.
- (3) The expenses of the control medical examination where psycho-physical incapacity was declared shall be covered by the person who was referred while the expenses of the control medical examination where the person was found to be capable shall be covered by the body or the person who requested the medical examination.

### **Article 194**

- (1) If there are two or more medical findings with dissenting opinions on the health capacity of a driver or a driving instructor, a driver or a driving instructor shall be considered incapable of driving until the final findings are made and an opinion is given by a second instance medical commission formed by the Ministry in charge of health issues.
- (2) In the case as referred to in the 1<sup>st</sup> Paragraph of this Article, the territorially competent organisational unit of the Ministry of Interior shall revoke the driving licence from the driver or the Agency shall deprive the driving instructor of the permit (licence) until the final conclusion of the second instance medical commission.
- (3) If there are two or more medical findings with dissenting opinions on the health capacity of a driver or a driving instructor, a driver or a driving instructor shall be deprived of the existing driving licence or the permit (licence) and shall be issued a driving licence or a permit (licence) in accordance with the medical findings which specify the lesser degree of health capability until the final findings and the

- opinion is given by a second instance medical commission formed by the Ministry in charge of health issues.
- (4) The provisions of the 3<sup>rd</sup> Paragraph of this Article shall also be applied to the person who was not issued a driving licence or a permit (licence), who has submitted a request for issuing of a licence to a competent body.
  - (5) The roster, the way of working and the procedure used by the commission of second instance shall be prescribed by the Minister in charge of the issues of health.

## **7. Driving licences for categories of motor vehicles**

### **Article 195**

- (1) A driving licence shall be issued for operating the motor vehicles or vehicle sets of the following categories:
  - 1) AM – Mopeds, light tricycles and light quadricycles,
  - 2) A1 – Motorcycles whose engine volume is no greater than 125 cm<sup>3</sup> and whose engine power is no greater than 11kW and whose engine power/vehicle mass ratio is no greater than 0.1 kW/kg and heavy tricycles whose engine power is no greater than 15 kW,
  - 3) A2 – The motorcycles with an engine power no greater than 35 kW and whose engine power/vehicle mass ratio is no greater than 0.2 kW/kg,
  - 4) A – Motorcycles and heavy tricycle with the engine power not exceeding 15 kW/kg,
  - 5) B1 – Heavy quadricycles,
  - 6) B – Motor vehicles whose greatest permitted mass is no greater than 3 500 kg, with no more than eight seats other than the driver's seat, other than those in A, A1, A2, AM, F and M categories,
  - 7) BE – A set of vehicles pulled by a vehicle of B category with the maximum mass of the trailer greater than 750 kg but lesser than 3 500 kg.
  - 8) C1 – Motor vehicles whose maximum permitted mass is above 3 500 kg but not exceeding 7 500 kg, other than those in A, A1, A2, AM, F, M, B, D and D1 categories,
  - 9) C1E – A set of vehicles pulled by a vehicle of the C1 category and whose maximum permitted mass of a trailer is over 750 kg, without the set exceeding 12 000 kg, as well as a set of vehicle pulled by a B category vehicle whose maximum permitted trailer mass is above 3 500 kg, without the set exceeding 12 000 kg,
  - 10) C – A motor vehicle whose maximum permitted mass is above 3 500 kg, other than those in A1, A2, AM, F, M, B, D and D1 categories,
  - 11) CE – A set of vehicles pulled by a vehicle belonging to the C category with maximum permitted trailer mass of more than 750 kg,

- 12) D1 – Motor vehicles for the transport of persons which, besides the driver’s seat, have more than 8 and up to 16 seats and whose maximum permitted length does not exceed eight meters,
  - 13) D1E – A set of vehicles pulled by a vehicle belonging in the D1 category and with the maximum permitted mass of trailer is more than 750 kg,
  - 14) D – Motor vehicles for passenger transport which have more than eight seats, besides the driver’s seat,
  - 15) DE – A set of vehicles pulled by a D category vehicle with maximum allowed trailer mass of more than 750 kg,
  - 16) F - Tractors without trailers and working machines,
  - 17) M – Motor cultivator.
- (2) The driver of the vehicles of C1E, CE, D1E and DE categories may drive a set of vehicles of the BE category.
  - (3) The driver of a vehicle of CE category may drive a set of vehicles of DE category if in possession of a licence for D category.
  - (4) The driver of the vehicles of CE category may drive a set of vehicles of BE category.
  - (5) The driver of the vehicles of B category may drive light tricycles and light quadricycles, heavy tricycles whose engine power does not exceed 15 kW and, after turning 21, heavy quadricycles or heavy tricycles whose engine power exceeds 15 kW.
  - (6) The driver of the vehicles of B1 category may drive light tricycles, heavy tricycles whose engine power does not exceed 15 kW, light and heavy quadricycles.
  - (7) A tractor and a work machine may only be driven by a driver in possession of an F category licence.
  - (8) The driver of the vehicles of A2 category may drive the vehicles of A1 category.
  - (9) The driver of the vehicles of A category may drive the vehicles of A1, A2 and AM categories, the driver of the vehicles of C category may drive the vehicles of C1 category, the driver of the vehicles of B category may drive the vehicles of B1 category and the driver of the vehicles of D category may drive the vehicles of D1 category.
  - (10) The drivers of the vehicles of B, C, C1, D category may drive those vehicles with a trailer attached if maximum allowed mass is no greater than 759 kg.
  - (11) A motor cultivator may be driven by a driver in possession of a driving licence for any category of vehicles.

### **Article 196**

- (1) The persons who have gained the right to drive motor vehicles or vehicle sets of a certain category, tractors, working machines, motor cultivators, engine powered bicycles and trams before this law comes to power shall be issued, upon their request, a driving licence for driving a motor vehicle or a set of vehicles of the following categories:

- 1) A category – the driving licence for operating motor vehicles of A, A1, A2, F, AM and M categories,
- 2) B category – the driving licence for operating motor vehicles of B, B1, BE, F, AM and M categories,
- 3) C category – the driving licence for operating motor vehicles of C, C1, B, B1, BE, F, AM and M categories,
- 4) D category – the driving licence for operating motor vehicles of D, D1, C, C1, B, B1, BE, F, AM and M categories,
- 5) certificate of knowledge of traffic regulations – F, M and AM,
- 6) C, D and E categories – the driving licence for operating motor vehicles of BE, CE, C1E, DE and D1E categories,
- 7) C and E categories – the driving licence for operating motor vehicles of BE, CE, and C1E categories,
- 8) B and E categories – the driving licence for operating motor vehicles of the BE category,
- 9) licence for tractor drives – the driving licence for operating motor vehicles of F, M and AM categories.

## **9. Revoking of a driving licence**

### **Article 197**

- (1) The driver shall drive the vehicle in a conscientiously and in the prescribed manner.
- (2) Territorially competent organisational unit of the Ministry of Interior which keeps the records on the driver shall revoke the driving licence from the driver who does not drive the vehicle conscientiously and in the prescribed manner.
- (3) It is considered that a driver does not operate a vehicle conscientiously and in the prescribed manner if at least one of the following conditions is true:
  - 1) the driver has 18 or more penalty points,
  - 2) if the driver was sentenced for a criminal offence against the safety of public traffic which resulted in a death of a person,
  - 3) if the driver was sentenced more than once for a criminal offence against the safety of public traffic which resulted in grave bodily injuries more than once in a five year period,
  - 4) if the driver was sentenced more than once for a criminal offence against the safety of public traffic which resulted in bodily injuries or property damage more than once in a five year period.
- (4) As an exception to the Paragraph 3, Item 1 of this Article, a driver who possesses a probation driving licence shall be considered to not drive conscientiously and in the prescribed manner upon accumulating 9 or more penalty points.

- (5) The penalty points that the driver has accumulated while on possession of a probation driving licence shall remain upon acquiring a driving licence until they are erased in accordance with the provisions of this Law.
- (6) The appeal against the decision from the 2<sup>nd</sup> Paragraph of this Article shall not postpone the execution.
- (7) The body in charge of the infraction proceedings (hereinafter: the infraction body) which makes the valid decision on penalty points shall submit the decision to the party that submitted the request immediately, no later than within 15 days.
- (8) The Minister of Interior shall prescribe more precisely the way in which the records of a driver's penalty points are kept and the driving licences are revoked.

### **Article 198**

- (1) The driver who commits an offence defined in this Law shall be given, by the decision with which he was punished, penalty points in accordance with this Law,
- (2) The record of penalty points shall be kept by the territorially competent organisational unit of the Ministry of Interior which keeps the driver's records based on valid penalty decisions.
- (3) The penalty points shall be erased after 24 months have passed from the date that the decision on the offence has become valid.
- (4) While the driver is serving a prison sentence for offences referred to in this law, as well as for criminal acts referred to by the Article 197, Paragraph 3, Items 2, 3 and 4 of this Law, as well as during a measure of protection, a security measure or a driving prohibition is valid, the passing of the time prescribed for erasing penalty points from the 3<sup>rd</sup> Paragraph of this Article shall be suspended.
- (5) The records of the penalty points shall be available only to the police officials who are in charge of revoking licences in the events referred to in the Article 197 of this Law.
- (6) After submitting a written demand, the driver shall be informed of the number of penalty points the driver has accumulated at the moment of the submission of the demand within no more than 7 days.
- (7) The expenses of the issuing of information shall be covered by the driver who submitted a request.

### **Article 199**

- (1) The person whose driving licence has been revoked for not driving conscientiously and in the prescribed manner in road traffic may again be issued a driving licence upon their request if:
  - 1) it was concluded at a special medical examination that the driver is capable of driving a certain category of motor vehicles or vehicle sets,

- 2) the driver had attended the mandatory seminar for the improvement of traffic safety knowledge,
  - 3) the driver has passed the test on traffic safety knowledge improvement,
  - 4) the driver has paid the mandatory fine for the infractions for which the penalty points are given, the driver has paid the fine for the criminal offences due to which the licence was removed, or if the driver has served the sentence of imprisonment for the aforementioned infractions or criminal offences,
  - 5) all measures of motor vehicle driving prohibition have expired.
- (2) The person from the 1<sup>st</sup> Paragraph of this Article shall not attend the seminar for the improvement of traffic safety knowledge and take the test on traffic safety knowledge improvement from the Paragraph 1, Item 3 of this Article before submitting the evidence of health capability from Paragraph 1, Item 1 of this Article.
  - (3) The person from the 1<sup>st</sup> Paragraph of this Article may attend the seminar for the improvement of traffic safety knowledge and take the test on traffic safety knowledge improvement from the Paragraph 1, Item 3 of this Article 90 days after they have fulfilled the conditions stated in Paragraph 1, Items 4 and 5 of this Article.
  - (4) The medical requirements that shall be met by the driver in the event referred to in Paragraph 1, Item 1 of this Article, the manner and the procedure for carrying out these medical examinations and keeping records on these medical examinations shall be prescribed by the Minister in charge of health issues.
  - (5) The Agency shall organise and conduct tests on traffic safety knowledge improvement, issue the certificate of seminar completion and the certificate of test passing and keep the records on organised seminars and tests as prescribed. The Agency may, with the consent of the Ministry in charge of transport authorise a company to organise and conduct seminars on improvement of traffic safety knowledge.
  - (6) The curriculum and the program of the seminars on traffic safety knowledge improvement, the manner in which they are to be organised and conducted, the contents of the tests on traffic safety knowledge improvement and the manner in which they are to be conducted, the contents of the certificates, the manner and the procedure of their issuing as well as the manner in which records are to be kept shall be prescribed by the Agency with the consent of the Ministry of Interior and the Ministry in charge of the issues of traffic.
  - (7) At least one of the examiners at the tests on traffic safety knowledge improvement shall meet the following requirements:
    - 1) to be a graduate of a Faculty of Traffic or a Faculty of Law and have at least three years of working experience in the area of traffic safety,
    - 2) to possess a driving licence for vehicles of B category for at least five years,
    - 3) that in the past four years they were not sentenced for following criminal offences: felonies against public traffic safety, offences against life and body or offences against the professional duty, as well as that no

investigation nor a criminal charge has been raised against them for any of these offences.

- (8) The expenses incurred by meeting the requirements from Paragraph 1, Items 1, 2 and 3 shall be covered by the driver.
- (9) The Agency shall carry out the actions described in the 5<sup>th</sup> Paragraph of this article as entrusted.

### **Article 200**

The drivers whose driving licence has been revoked due to non conscientious and irregular driving shall have their remaining points erased from the records and their highest allowed number of penalty points decreased by three points for each new issuing of the driving licence, up to nine points.

## **9. The execution of driving prohibition measures**

### **Article 201**

- (1) The protective, i.e. safety measure is executed by the territorially competent organisational unit of the Ministry of Interior which keeps the record on the driver or the one in whose territory a driver who was not entered into the registry has residence.
- (2) The measure from the 1<sup>st</sup> Paragraph of this Article shall be executed upon a person in possession of a foreign driving licence by the organisational unit of the Ministry of Interior which is territorially competent in the area where the body or the court that decided to impose the measure is located.

### **Article 202**

- (1) The validity period of the protective, i.e. safety measure of driving prohibition shall begin from the day when the territorially competent organisational unit of the Ministry of Interior executed it.
- (2) The time spent serving a prison sentence shall not be calculated into the validity period of the measure from the 1<sup>st</sup> Paragraph of this Article.
- (3) The protective, i.e. safety measure of the driving prohibition of motor vehicles shall be considered to be executed when the territorially competent organisational

- unit of the Ministry of Interior, based on a valid decision of the body or the court which decides on the measure, informs the driver of the measure in a written form and enters this information into the registry of drivers or the registry of foreign drivers to whom the protective, i.e. safety measure has been sentenced.
- (4) The protective, i.e. safety measure begins from the day when the driver is informed of it.
  - (5) As an exception, if there are justified reasons, the territorially competent organisational unit of the Ministry of Interior may decide that this measure, applied against a driver for no more than six months, shall begin 30 days or less from the day of informing the driver.
  - (6) The Minister of Interior shall prescribe the manner and the procedure for executing these measures and keeping the records, as well as the appearance of the form, by which the driver is informed in writing of the validity period of the sentenced measure.
  - (7) The Ministry of Interior shall, with no delay, inform the country whose body issued the foreign driving licence about the executed measures as referred to in this Article being applied to a person with a foreign driving licence.

## **10. The persons to whom driving vehicles is the basic profession, or who conduct public transport – Professional drivers**

### **Article 203**

- (1) The driver of a motor vehicle or a set of vehicles to whom driving the vehicle is their basic job, or the driver who conducts public transport shall be obliged to have a licence for acting as a professional driver (the Certificate of Professional competence, hereinafter: CPC) in order to carry out the job.
- (2) The licence from the 1<sup>st</sup> Paragraph of this Article may be national, valid on the territory of the Republic of Serbia or international, valid in international transportation.
- (3) The provisions from the 1<sup>st</sup> Paragraph of this Article apply to the drivers who operate the vehicles of the C, C1, D, D1, CE, C1E, DE and D1E categories.
- (4) The licence from the 1<sup>st</sup> Paragraph of this Article shall be issued by the Agency, which shall also keep the records on the issued licences.
- (5) The licence from the 1<sup>st</sup> Paragraph of this Article may be issued to the driver who meets the following requirements:
  - 1) has a driving licence for driving the vehicles of the categories mentioned in the 2<sup>nd</sup> Paragraph of this Article,
  - 2) has completed the prescribed training,
  - 3) has passed the professional knowledge test.
- (6) As an exception to the 5<sup>th</sup> Paragraph of this Article, the persons who performed or had the right to perform the job of a professional driver before the day when this

- Law comes into force, may perform the job of a professional driver (CPC) without the licence for no more than five years. To the driver from this Paragraph who submits a request for a licence within the stated period, the licence shall be issued provided that the driver meets the criteria from Paragraph 5, Items 1 and 3 of this Article.
- (7) The licence from the 1<sup>st</sup> Paragraph of this Article shall be valid for a period of five years.
  - (8) The licence from the 1<sup>st</sup> Paragraph of this Article shall be renewed for the driver, provided that they attended the mandatory knowledge improvement seminars.
  - (9) A company, another legal entity or an entrepreneur shall make sure that the jobs of drivers who drive vehicles of the categories mentioned in the 2<sup>nd</sup> Paragraph of this Article as their primary profession or carry out public transport are conducted by drivers who possess a licence for a professional driver (CPC).
  - (10) The way to ascertain that the requirements for issuing a licence for a professional driver (CPC) in cases from the 6<sup>th</sup> Paragraph of this Article shall be prescribed by the Minister in charge of the issues of traffic, at the Agency's proposal.
  - (11) The Agency shall carry out the activities from the 4<sup>th</sup> Paragraph of this Article as entrusted.

#### **Article 204**

- (1) The training for acquiring a licence for a professional driver (CPC), the organisation and execution of knowledge improvement seminars and testing the knowledge acquired during the seminar shall be conducted by a legal entity which has a permit issued by the Ministry in charge of the issues of traffic. The professional test for acquiring a licence for professional driving (CPC) and the issuing of the certificate of a passed professional test shall be conducted by the Agency.
- (2) The certificate of a passed test on knowledge acquired during the seminar shall be issued by the legal entity with whom the test was passed.
- (3) The legal entity from the Article 203, Paragraph 1 of this Law shall conduct the training, seminars and testing of the knowledge acquired at a seminar shall keep records in a prescribed manner.
- (4) More precise requirements that a legal entity from the 1<sup>st</sup> Paragraph of this Article shall meet, the requirements regarding the program of training and the seminar for knowledge improvement, the manner in which the professional test and the test of knowledge acquired at a seminar are to be conducted, as well as the appearance and the content of the document which represents the licence for professional driving (CPC) shall be prescribed by the Minister in charge of the issues of traffic at the Agency's suggestion and with obtained opinions from the trade associations of transporters.
- (5) The secondary vocational schools which are educating persons for the profession of a motor vehicle driver shall be obliged to meet the requirements from the 4<sup>th</sup>

Paragraph of this Article and introduce into their curricula at least the contents of the 4<sup>th</sup> Paragraph of this Article.

## **11. Tram drivers**

### **Article 205**

- (1) A tram may be operated by a driver in possession of a driving licence for the B category vehicles and has a special licence for operating a tram which is issued by the Agency.
- (2) The licence for operating a tram may be acquired by a person who is at least 21 years old, has passed the test for tram operating and who was not prohibited from driving a motor vehicle by an authorised body.
- (3) When operating a tram, the driver shall carry along the special permit for operating a tram and the driving licence and shall be obliged to show it to an authorised person.
- (4) The Agency shall organise the training and testing for tram drivers.
- (5) More precise regulations on training, the way in which the tests are to be carried out and the records are to be kept shall be passed by the Minister of Interior at the Agency's suggestion.
- (6) A tram driver who changes the place of residence shall report to the Agency within 30 days from changing place of residence in order to change the data.
- (7) The Agency shall carry out the activities from the 1<sup>st</sup> Paragraph of this Article as entrusted.
- (8) A tram shall not be operated by a tram driver who is subject to the protective measure or the safety measure of prohibition of operating motor vehicles, while the measure is in effect.

## **XII THE TRAINING OF DRIVING CANDIDATES**

### **1. General provisions**

#### **Article 206**

- (1) The training of driving candidates is an activity of general interest whose purpose is that a candidate acquires the theoretical and practical knowledge and skills necessary for independent and safe vehicle driving in the road traffic.
- (2) The training of driving candidates shall comprise: theoretical training, practical training in vehicle driving and the driving test.

#### **Article 207**

- (1) The training of driving candidates may be carried out by a company or by a secondary vocational school within its organisational unit, which meet the stipulated requirements and which are granted are permit to do so.
- (2) The permit from the 1<sup>st</sup> Paragraph of this article may state that the legal entity from the 1<sup>st</sup> Paragraph of this Article may only train driving candidates of only some vehicle categories.
- (3) The permit from the 1<sup>st</sup> Paragraph of this article shall be issued by the Ministry of Interior.
- (4) If a company performs activities other than training driving candidate or performs that activity outside of its premises, it shall found a branch of the company which shall deal exclusively with the training of driving candidates which shall be entered into the Register of Companies in accordance with regulations.
- (5) The permit from the 1<sup>st</sup> Paragraph of this Article may not be issued to a legal entity which is in the process of bankruptcy proceedings.
- (6) If a legal entity which carries out the training of driving candidates had its permit revoked more than twice within 10 years before the date of submitting the request for issuing a permit, the permit shall not be issued.
- (7) The education of persons for the job of a professional driver of motor vehicles as well as pupils who are training to be drivers within the regular curriculum is carried out by secondary vocational schools in accordance with regulations prescribed by the Minister in charge of education. The program for educating these persons shall at least comprise the contents of the program stipulated in accordance with this Law.
- (8) The program for training the personnel of the Ministry in charge of the issues of defence for the motor vehicle drivers which carried out by the Serbian Army shall

- at least include the contents of the program stipulated in accordance with this Law. More precise regulations on educating and training military personnel for motor vehicle drivers shall be prescribed by the Minister in charge of the issues of defence.
- (9) The Ministry of Interior shall keep the registry of companies, their branches and secondary schools to who were issued licences. The registry shall contain at least: the number of registry entries, the business name of the company or its branch, the seat of the company or branch, the categories for which it provides training, the date of permit issuing and the date of permit revoking.
- (10) The Minister in charge of the internal affairs shall prescribe more precise regulations on the manner in which the registry from the 9<sup>th</sup> Paragraph of this Article is to be kept.

### **Article 208**

- (1) The legal entity from the Article 207, Paragraph 1 of this Law or the company branch from Article 204, Paragraph 4 of this Law shall be obliged to possess:
- 1) at least one appropriately equipped classroom for the theoretical learning and testing for at least 10 candidates which belongs to the company, the secondary school or is rented. The classroom may be rented only for the needs of one legal entity or company branch,
  - 2) business premises for administrative affairs, belonging to the company or rented,
  - 3) stipulated teaching aids,
  - 4) at least three B category vehicles and at least one vehicle of other vehicle categories for which the legal entity or company branch trains driving candidates, either registered by the legal entity or acquired by leasing,
  - 5) arranged training grounds for the beginner practical training of drivers, enabling the driver to manipulate the vehicle as prescribed in the curriculum, either owned by the legal entity or rented.

### **Article 209**

- (1) The legal entity from the Article 207, Paragraph 1 of this Law or the company branch from Article 204, Paragraph 4 of this Law shall hire, for a definite or indefinite period:
- 1) at least three B category driving instructors and at least one for each of the categories for which training is conducted with full time employment,
  - 2) at least one instructor for theoretical learning,
  - 3) at least one examiner for each of the vehicle categories for which the legal entity conducts training.

## **Article 210**

- (1) The Minister of Interior shall prescribe more precise regulations on the requirements which the legal entity from the Article 207, Paragraph 1 of this Law shall meet.
- (2) The legal entity shall provide fulfilment of all prescribed requirements for the training of driving candidates.
- (3) The legal entity shall temporarily cease the practical training of driving candidates when it no longer meets the requirements:
  - 1) from the Article 208, Paragraph 1, Item 1 or
  - 2) from the Article 209, Paragraph 1, Item 2 of this Law.
- (4) The legal entity shall temporarily cease the practical training of driving candidates when it no longer meets the requirements:
  - 1) from the Article 208, Paragraph 1, Item 4 or
  - 2) from the Article 208, Paragraph 1, Item 5 or
  - 3) from the Article 209, Paragraph 1, Item 1 or
- (5) The legal entity shall temporarily cease the practical training of driving candidates when it no longer meets the requirements:
  - 1) from the Article 208, Paragraph 1, Item 1 or
  - 2) from the Article 208, Paragraph 1, Item 4 or
  - 3) from the Article 208, Paragraph 1, Item 5 or
  - 4) from the Article 209, Paragraph 1, Item 3 or
- (6) If temporarily ceasing to work, the legal entity shall inform the supervising body no later than the first ensuing work day. During the temporary work cessation, the legal entity shall not conduct candidate training in accordance with the provisions of this Article.
- (7) A temporary work cessation may last no longer than three months.
- (8) The legal entity shall inform the supervising body that the temporary work cessation is about to end at least one day before continuing to work.

## **Article 211**

- (1) The legal entity from the Article 207, Paragraph 1 of this Law or the company branch from the Article 207, Paragraph 4 of this Law shall keep, in a prescribed, accurate and organised manner, records comprising:
  - 1) the registry of driving candidates,
  - 2) a log on theoretical training,
  - 3) the registry of driving test attempts,
  - 4) the registry of issued certificates of passing the theoretical part of the test,
  - 5) the registry of issued certificates of passing the driving test,

- 6) the books on practical training for driving instructors,
  - 7) a booklet of driving candidates' training,
  - 8) reports on the completed trainings of driving candidates,
- (2) More precise regulations regarding the content, the manner of keeping and the duration of records keeping for the records from the 1<sup>st</sup> Paragraph of this Article shall be prescribed by the Minister of Interior.

### **Article 212**

- (1) The training of a driving candidate may begin no earlier than 12 months before the candidate reaches the required age from the Articles 180 and 182, Paragraph 1 of this Law.
- (2) The candidate may not begin training nor undergo a driving test neither while a protective or a safety measure of prohibition of motor vehicle driving is in force nor while their driving licence is revoked due to non conscientious behaviour.

## **2. Theoretical training**

### **Article 213**

- (1) The theoretical training for operating vehicles shall be conducted in accordance with the prescribed training curriculum.
- (2) The theoretical training for operating vehicles shall have elements which will enable the candidate to, after completing the training, acquire necessary knowledge and skills to independently and safely operate a vehicle in the road traffic.
- (3) The curriculum for the theoretical training of driving candidates shall be prescribed by the Minister of Interior.

### **Article 214**

- (1) The theoretical training shall comprise at least the following matters:
  - 1) the traffic regulations and signalization – the notion and the importance of traffic regulations, application of regulations, the notion and the meaning of traffic signs signals issued by authorized officials,

- 2) the driver – the significance and the influence of the driver on traffic safety, the properties and actions of the driver which have an impact on traffic safety, sociological factors which influence the driver's behaviour, the importance of traffic situation assessment and how to make decisions, the driver's orientation in time and space, psychological factors which influence assessment, making and implementing decisions while driving, the reaction time, the driver's attention and fatigue, changes occurring with the driver due to the use of alcohol and/or other psycho active substances which are prohibited to use before or during driving,
- 3) the road – the notion of a road, road properties important to the traffic safety, influence of weather on both the road conditions and safe traffic and conditions while driving at night,
- 4) the vehicle – the notion and properties of a vehicle which influence traffic safety, the importance and influence of technical soundness of the vehicle on traffic safety, the importance and influence of the cargo and the way in which cargo is loaded on traffic safety, the basic assemblies and parts of the vehicle and their influence on traffic safety on the road, the most common malfunctions of a vehicle and the ways for the driver to remove them with the available equipment and means,
- 5) vehicle passive safety – the notion and importance, influence of particular parts and assemblies of the vehicle on passive safety and the parts, assemblies and devices whose basic purpose is to provide passive safety,
- 6) other traffic participants – the notion and their characteristics which influence traffic safety, the traffic behaviour characteristics, elderly, persons with special needs, pedestrians, cyclists, motorcyclists and other persons, the notion, characteristics and influence of rail borne vehicles on traffic safety, the possible influence of animals on road traffic safety,
- 7) general provisions – regulations regarding the right to operate vehicle in road traffic, the right to have a certain vehicle participating in road traffic, the periods of vehicle driving in road traffic and driver's rests, procedure in the case of a traffic accident and special safety measures,
- 8) measures of precaution when leaving a vehicle,
- 9) the basics of economic driving and the influence of traffic on the environment and its endangering,
- 10) dangers occurring due to disrespect of regulations relative to traffic safety, possible damaging consequences of disrespecting regulations and penalty measures for those violating stipulations and regulations regarding traffic safety (imprisonment, fine, safety measures and protective measures),
- 11) Theoretical explanation of the operations with a vehicle in road traffic and driver's activities in road traffic- basic operations with the vehicle: starting, forward driving, reverse driving, change of driving direction, and stopping the vehicle, entering the vehicle into road traffic, selection of vehicle speed depending on the traffic situation and road and weather

conditions, turning, rounding, passing by, outrunning, changing the traffic lane, U-turn, stopping and sudden breaking, giving right of priority pass, the driver's behaviour while approaching and passing through a crossroad in which traffic is regulated by the rule of right side, traffic sign, traffic lights and signs and orders issued by authorized person, behaviour of the driver when approaching pedestrian crossing, road crossing over rail and tram tracks and driving through tunnel, driving under precipitations, low visibility, during night and on the road where works are done.

- (2) More precise regulations on the way of carrying out theoretical training of the driving candidates shall be prescribed by the Minister of Interior.
- (3) Legal entity from the Article 207, Paragraph 1 of this Law shall carry out the theoretical training of the driving candidates in a prescribed manner.

### **3. Practical training**

#### **Article 215**

- (1) Practical training involves leaning of skills in operating vehicles in road traffic regarding:
  - 1) checking and preparing vehicles for participating safely in road traffic,
  - 2) use of vehicle's controls and devices,
  - 3) performing prescribed operations with the vehicle on the training ground,
  - 4) performing operations with the vehicle in road traffic from Article 214, Paragraph 1, point 11 of this Law,
  - 5) operating vehicle in road traffic in settlement, with poor, medium and strong traffic intensity,
  - 6) operating vehicle in road traffic outside settlement, with poor, medium and strong traffic intensity,
  - 7) operating vehicle on the road in and out of residential area during night,
  - 8) training operations with the vehicle and driver's acting in various traffic situations,
  - 9) building attitude of trust and respect in regard to other participants in traffic, building habit of helping other participants in traffic and undertaking measures to prevent traffic accident.
- (2) More precise regulations on the way of carrying out the practical training of the driving candidates shall be prescribed by the Minister of Interior.
- (3) The legal entity from the Article 207, Paragraph 1 of this Law shall carry out practical training of the driving candidates in a prescribed manner.

### **Article 216**

- (1) The driving candidate may start the practical training only after passing the theoretical part of the test and acquiring the certificate of passing the theoretical part of the test.
- (2) Legal entity from the Article 207, Paragraph 1 of this Law shall not begin with the candidate's practical training if he/she does not have certificate on medical fitness for the category of vehicles for which he/she is trained, i.e. shall not start or carry out practical training if more than one year passed since this certificate has been issued.

### **Article 217**

- (1) Driving candidate who does the practical part of the training can operate the vehicle of the category for which he/she is trained only under supervision of the instructor
- (2) As an exception to the Paragraph 1 of this Article, a driving candidate can operate vehicles of the categories AM, A1, A2, A, B1 and F without the instructor's supervision save for the initial practical training in the arranged training ground.

## **4. The rights and obligations of driving candidates**

### **Article 218**

- (1) The Government decides on the lowest price of theoretical and practical training based on the proposal made by the Ministry of Interior and upon obtaining the opinion of the Ministry in charge of trade and services.
- (2) Legal entity cannot decide on the lower price of training than the price defined in a manner from Paragraph 1 or this Article.
- (3) The total price of theoretical and practical training includes also issuance of all certificates relative to mentioned trainings.

### **Article 219**

- (4) Legal entity from the Paragraph 207, Paragraph 1 of this Law and driving candidate are obliged to make a contract, before the beginning of training, on the conditions under which the training will be carried out and whose stipulations shall be in harmony with this Law.
- (5) This contract shall specifically define mutual relations in case of cessation of training with that legal entity.
- (6) The legal entity cannot start training of a driving candidate before the contract from Paragraph 1 hereof is made.

### **Article 220**

- (1) Legal entity from Article 207, Paragraph 1 of this Law issues certificates on completed theoretical and practical training and certificates on the number of hours of theoretical and practical training which the candidate had in case he/she has ceased training with that legal entity.
- (2) The certificates shall be issued upon completion of theoretical and practical training i.e. in case of interruption of the mentioned trainings within three days from the day the request is submitted.

## **5. The theoretical training lecturer**

### **Article 221**

- (1) The lecturer of theoretical training shall meet prescribed prerequisites and shall have the licence for the lecturer of theoretical training.
- (2) The theoretical training lecturer shall meet the following prerequisites:
  - 1) be higher education graduate in transport – department of road traffic or have faculty degree of other profession and at least five years of working experience in the area of traffic safety.
  - 2) have driving licence for the vehicles of B category for at least three years.
  - 3) passed the state exam required for the lecturers
- (3) The permit (licence) from Paragraph 1 hereof is issued by the Agency.
- (4) The permit (licence) for the theoretical training lecturer shall be valid for five years.

- (5) The permit (licence) from the Paragraph 1 hereof shall be renewed if the theoretical training lecturer:
  - 1) attended the obligatory seminars for knowledge improvement
  - 2) passed the test
- (6) The Agency will conduct the activities from the Paragraph 3 of this Article as entrusted.

#### **Article 222**

- (1) The curriculum for attending professional exam for a theoretical training lecturer shall include the following areas:
  - 1) Traffic ethics,
  - 2) Safety of road traffic,
  - 3) Traffic safety regulations, drivers' training and undergoing driving tests,
  - 4) Theories of operating vehicle in the road traffic,
  - 5) Methodology of conducting theoretical training.

### **6. The driving instructor**

#### **Article 223**

- (1) Driving instructor is educated in the secondary schools system.
- (2) A driver may undergo the exam for a driving instructor if 21 years of age and having a driving licence for at least three years for the vehicles of the category for which he/she undergoes the exam for driving instructor.
- (3) More precise regulations regarding the curriculum, the conditions and the method of education and examination for a driving instructor shall be prescribed by the Minister in charge of education affairs.

#### **Article 224**

- (1) Practical training can be carried out by the driving instructor who meets the prescribed prerequisites and has a permit (licence) for a driving instructor.

- (2) Driving instructor shall meet the following prerequisites:
  - 1) has passed the exam for a driving instructor or has acquired (public school certificate) school diploma for a driving instructor of a particular category.
  - 2) is medically fit,
  - 3) in the past four years he/she was not sentenced for the following criminal offences: grave offences against public transport safety, against life and body, against official duty and no investigation is carried out against him/her for these criminal offences and no charges have been filed for these criminal offences.
- (3) The permit (licence) from the Paragraph 1 hereof is issued by the Agency.
- (4) The permit (licence) for the driving instructor shall be valid for five years
- (5) The permit (licence) from the Paragraph 1 hereof shall be renewed if the instructor:
  - 1) Attended the obligatory advanced seminar,
  - 2) Passed the exam and
  - 3) If he/she is medically fit.
- (6) The Agency will conduct the activities from the Paragraph 3 of this Article as entrusted.

#### **Article 225**

- (1) Agency organizes advanced seminars, knowledge testing, prescribes and keeps register of issued permits (licences) for driving instructors.
- (2) Program of obligatory advanced seminars, way of undergoing exams, and terms for carrying out seminars and outlook and contents of the permit (licence) form shall be prescribed by the Minister in charge of transport issues following Agency proposal.
- (3) The Agency shall conduct the activities from the Paragraphs 1 and 2 of this Article as entrusted.

#### **Article 226**

- (1) Driving instructor can carry out practical training only with the driving candidates that are trained with the legal entity from Article 207, Paragraph 1 of this Law with whom he is employed pursuant to the stipulations from the Article 209 of this Law.
- (2) While carrying out practical training, driving instructor shall have with him/herself a permit (licence) for driving instructor.

- (3) While carrying out practical training, driving instructor shall have with him/herself driving instructor's book of practical training and candidate's training booklet and shall show them to the authorized representative of the Ministry of Interior.

#### **Article 227**

- (1) Driving instructor may have at the most eight hours of the practical training of the driving candidates in one working day.
- (2) In between two working days driving instructor shall have break in doing his job which shall last at least 11 hours.
- (3) Driving instructor shall have at least one free day per week.

#### **Article 228**

- (1) During practical training only driving instructor, driving candidate and supervisor may be in the vehicle.
- (2) While having practical training driving candidate shall have with him/herself and shall present certificate on medical fitness for a driver, certificate on passed theoretical test, identity card i.e. other document with photo if due to his/her age he/she does not meet prerequisites for issuance of identity card.
- (3) The practical training period cannot start until driving instructor is convinced that the conditions from Paragraph 1 and 2 hereof are met.

### **7. Vehicles for driver training**

#### **Article 229**

- (1) Vehicle for training drivers of B category shall have dual commands, save for speed up command, and vehicles of C and D category instead of dual commands may have built in command of auxiliary-parking break within instructor's reach.
- (2) Vehicle for training candidates for B category cannot have automatic gear box.
- (3) Motor vehicle of B, C1, C, D1 and D category shall have built in tachometer.

### **Article 230**

- (1) Motor vehicle and trailer for training of the candidates when participating in traffic and when used for training shall be marked in a prescribed manner.
- (2) More precise regulations on the way of marking vehicles from the Paragraph 1 hereof shall be prescribed by the Minister of Interior.

### **Article 231**

Practical training of the driving candidates with handicaps can be done in the vehicle produced or accommodated pursuant to his/her needs even if it is not registered by the legal entity from Article 207, Paragraph 1 of this Law i.e. if it is not leased by it.

## **8. The driving test**

### **Article 232**

- (1) Driving test establishes if the candidate has acquired theoretical and practical knowledge and skills necessary for independent and safe operating of vehicle in road traffic.
- (2) Driving test is carried out in Serbian language i.e. languages of national minorities pursuant to the law.
- (3) Driving test consists of two parts: theoretical and practical test
- (4) Legal entity from Article 207, Paragraph 1 of this Law shall issue certificate on the passed theoretical part at the latest three days from the day on which a candidate passed theoretical test.
- (5) Legal entity from Article 207, Paragraph 1 of this Law shall issue certificate on the passed driving test to the driving candidate at the latest three days from the day when he/she has passed driving test.
- (6) More precise regulations on organizing, conducting and way of undergoing driving test, keeping records, time of their storing and prerequisites which the vehicle used for training and for testing shall meet shall be prescribed by the Minister of Interior.

### **Article 233**

- (1) Theoretical exam involves test whose questions cover the contents of the curriculum from the Article 214 of this Law.
- (2) Practical test involves operating vehicle in the training ground and in traffic on the public road and on that occasion it is established if the candidate has knowledge, skill and if he/she knows procedures pursuant to the stipulations from Article 215 of this Law.

### **Article 234**

- (1) Questions for theoretical test are public and they are defined by the Ministry of Interior.
- (2) Combinations of the questions in the test are official secret and they are defined by the Ministry of Interior.

### **Article 235**

- a. Driving candidate who has been issued certificate on the completed theoretical training for a driver of a certain category can undergo theoretical exam.
- b. Practical test can be attended by the driving candidate if:
  - 1) he/she is medically fit for a driver of a particular category.
  - 2) he/she meets age prerequisite for operating vehicle of relevant category
  - 3) he/she has been issued certificate on passed theoretical test and when from the day of passing theoretical exam did not passed more than a year.
  - 4) he/she has been issued certificate on completed practical training for a certain category
  - 5) he/she has been issued certificate on passed first aid test
- c. After completing training the driving candidate shall submit request for attending theoretical, i.e. practical test.
- d. Driving candidate shall enclose to the request proofs on meeting conditions from Paragraphs 1 and 2 hereof and Article 237, Paragraph 6, of this Law.
- e. Legal entity who carries out training of drivers shall establish facts on fulfilment of conditions for undergoing test from Paragraphs 1 and 2 hereof.

- f. Ministry of Interior shall annul theoretical test or practical test or driving test if the conditions were not met as follows:
  - i. theoretical exam within one year from the day of passing it
  - ii. practical test if the conditions from Paragraph 2, item 1 or item 3 or item 4 hereof were not met within one year from the day of passing it
  - iii. driving test if the conditions from Paragraph 2, item 2 hereof were not met until age prescribed for being issued driving licence of a certain category is reached.

#### **Article 236**

- (1) Driving test is organized and carried out by the legal entity from Article 207, Paragraph 1 of this Law
- (2) Driving test is undergone before examining commission consisting of two members, one being police officer and another examiner being employee of the legal entity.
- (3) Police examiner shall be appointed by the relevant superior pursuant to the stipulations from Article 238 of this Law while legal entity examiner shall be appointed by the responsible person from the legal entity.
- (4) The commission shall make minutes on the undergoing of the test in two copies one of which shall be kept by the legal entity and another with the organizational unit of the Ministry of Interior on the territory.
- (5) Legal entity from Article 207, Paragraph 1 of this Law shall organize and carry out driving test in a prescribed manner.
- (6) Candidate has passed driving test if both examiners gave positive assessment for theoretical and practical test.

#### **Article 237**

- (1) Driving test expenses are borne by the driving candidate
- (2) Price of the driving test consists of the part the candidate pays to the legal entity and part the candidate pays to the Ministry of Interior to cover the cost of examiner's participation in examining commission.
- (3) The Government decides on the lowest price of driving test, i.e. parts of the price from Paragraph 1 hereof pursuant to the Ministry of Interior's proposal and upon acquiring opinion of the Ministry in charge of trade and services.
- (4) Legal entity cannot decide on the price of driving test lower than the price determined in a manner described in Paragraph 3 hereof.
- (5) Total price of the driving test covers also issuance of certificate on passed theoretical test and certificate on passed driving test.
- (6) Driving candidate cannot undergo driving test before meeting all obligations in regard to the Ministry of Interior as mentioned in Paragraph 1 hereof.

## **9. The examiner**

### **Article 238**

- (1) The examiner shall meet prescribed conditions and shall have a permit (licence) for the examiner.
- (2) The examiner shall meet the following prerequisites:
  - 1) shall have a permit (licence) for the driving instructor of a particular category,
  - 2) shall be at least 23 years of age,
  - 3) shall be at least higher education graduate in transport – road traffic, i.e. shall have faculty degree for other profession and at least five years of working experience in the area of traffic safety i.e. persons who carry out this job on the day of this Law coming in force shall have at least two years of working experience as driving instructors or examiners,
  - 4) shall have passed state professional exam for examiner,
  - 5) shall not be sentenced to protective measure of prohibiting of driving vehicle in the past two years
  - 6) in the past four years he/she was not sentenced for the criminal offence; grave offence against public traffic safety, offence against life and body, against official duty and that no investigation is conducted against him/her nor any charge filed against him/her for such criminal offences.
- (3) For the theoretical test the examiner shall have licence for the B category and in practical part licence for the category of vehicles for which driving candidate is undergoing test.
- (4) Permit (licence) from Paragraph 1 hereof is issued by the Agency.
- (5) Examiner's permit (licence) shall be valid for five years.
- (6) The examiner shall be renewed permit (licence) from Paragraph 1 hereof if he attended obligatory advanced seminars and passed the test.
- (7) Examiner's permit (licence) for a certain category is valid only in time when his/her permit (licence) for a driving instructor and his driving licence of that category is valid.
- (8) In case driving instructor has been deprived of permit (licence) more than twice in the past 10 years till the date of submitting request for being issued driving instructor permit, it shall not be issued.
- (9) The Agency shall conduct the activities from the Paragraph 4 hereof as entrusted.

### **Article 239**

- (1) Curriculum for state professional exam for the examiner includes the contents from the following areas:
  - 1) traffic ethics,
  - 2) traffic psychology,
  - 3) pedagogy and andragogy,
  - 4) road traffic safety,
  - 5) regulations on traffic safety, drivers' training and driving tests,
  - 6) vehicles,
  - 7) theories of operating vehicle in road traffic.
- (2) Curriculum of state professional exam for the examiners, program of the obligatory advanced seminars, way of undergoing professional exam and testing knowledge, terms for conducting seminars and outlook and contents of the permit (licence) shall be prescribed by the Minister in charge of traffic following the proposal of the Agency.
- (3) The Agency carries out the professional exam for the examiners, organizes advanced seminars, tests the knowledge, proscribes and keeps the register of the issued permits (licences) for the examiners.
- (4) The Agency shall conduct the activities from the Paragraph 3 of this Article as entrusted.

### **10. The traffic conditions for conducting the practical part of the test**

### **Article 240**

- (1) Settlement in which the practical test is carried out shall meet prescribed conditions enabling examining commission to establish if the candidate is having necessary knowledge and skill for independent and safe operating of the particular category of vehicle in the road traffic
- (2) More precise regulations from the Paragraph 1 hereof and records from Paragraph 4 hereof shall be defined by the Minister of Interior based on the proposal of the Agency.
- (3) Decision on fulfilment of the conditions is made by the Ministry of Interior based on the proposal of the local self-management body from Article 157, Paragraph 1 of this Law.
- (4) Records on places that meet prescribed conditions are kept by the Ministry of Interior.

## **XIII FIRST AID TRAINING**

### **Article 241**

- (1) First aid training, organizing and carrying out tests shall be conducted by the Serbian Red Cross or a medical institution which meets prescribed conditions and which is issued relevant permit (authorization)
- (2) Particular conditions which legal entity from Paragraph 1 hereof shall meet relative to premises, equipment and professional personnel, as well as training curriculum and way of organizing and conducting tests and issuing certificates on passed test, contents, outlook, way of issuing and keeping prescribed records are defined by the Minister in charge of health issues.

### **Article 242**

- (1) First aid training and test may be carried out only by the persons meeting prescribed prerequisites and possessing relevant permit (licence) for instructor-examiner which is issued by the Ministry in charge of health issues. Permit (licence) is issued for the period of five years.
- (2) Particular conditions which instructor-examiner shall meet, way of acquiring the permit (licence), contents and outlook of the instructor-examiner's permit (licence) shall be prescribed by the Minister in charge of health issues.
- (3) Legal entities from Paragraph 1 hereof and instructors-examiners from Paragraph 1 hereof are obliged to do the first aid training and the test in a prescribed manner.

## **XIV THE DURATION OF DRIVING OF A MOTOR VEHICLE OR A VEHICLE SET**

### **Article 243**

- (1) The driver who operates a freight vehicle or a set of vehicles whose largest permitted mass exceeds 3,500 kg or a motorbus shall not operate the vehicle for longer than 9 hours within a 24 hours period and up to 10 hours twice a week.
- (2) The driver of the vehicle, i.e. a combination of vehicles from Paragraph 1 of this Article shall make a break after 4 hours and 30 min of driving (interruption of driving to make a break) for minimum 45 min.
- (3) The driver from Paragraph 1 of this Article may use a break from Paragraph 2 of this Article by making several breaks of minimum 15 min during the driving so that driving cannot last longer than 4 hours and 30 minutes.
- (4) The total time of driving the vehicle shall not exceed 90 hours within two subsequent weeks.

- (5) By way of exemption from Paragraphs 1, 2 and 3 of this Article, the driver of the bus, trolleybus and tram in public transportation is allowed to drive the vehicle for eight hours maximum under the condition to make a minimum five minute break at starting bus stops.
- (6) Specific regulations on duration of driving the military vehicle shall be passed by the Minister of Defence.

#### **Article 244**

- (1) The driver shall use a daily rest within 24 hours since the end of the last daily or weekly rest.
- (2) As an exception from the 1<sup>st</sup> Paragraph of this Article, if at least two drivers take turns in operating the vehicle, each of them shall take a daily rest lasting at least 9 hours, no later than 30 hours after the end of the previous daily or weekly rest.
- (3) The driver shall take the rest from Paragraphs 1 and 2 of this Article outside of the vehicle or in the vehicle when it is moving.
- (4) The drive shall begin using the weekly rest no later than after six 24-hours periods passed since the end of the last weekly rest.
- (5) The rest and driving period of the drivers of the motor vehicles registered abroad as well as the vehicles registered in the Republic of Serbia when doing the international transportation, as well as the use of digital tachographs shall be regulated by the Government.
- (6) More specific regulations on duration, driving and rest of drivers shall be passed by the Minister responsible for traffic affairs with the approval of the Ministry of Interior.

#### **Article 245**

- (1) Motor vehicles which have to be equipped with the tachograph shall have a tachograph in working order with correctly inserted prescribed data-registering gadget (a tachograph sheet or another method for data memorizing) where the prescribed data are entered.
- (2) The device from Paragraph 1 of this Article shall be used in a useful and prescribed way.
- (3) The driver of the vehicle from Paragraph 1 of this Article shall have on him the key of the tachograph and earlier used discs from tachographs installed in all vehicles driven in the past 6 days, i.e. until the last weekly rest, that show driver's activities, i.e. on the driver's smart card in case of digital tachograph.
- (4) The company, legal entity or an entrepreneur shall be obliged to keep record on issued and used record charts with the prescribed data and to keep them minimum two years and to make the data available to the person who is authorized by this law to do the monitoring.

- (5) More specific regulations on the manner of use and utilization of the device from Paragraph 1 of this Article shall be passed by the minister responsible for the traffic issues.

## **XV VEHICLES**

### **1. General provisions**

#### **Article 246**

- (1) The vehicle on the road has to meet prescribed technical requirements, technical regulations and to be in a good technical condition.
- (2) The vehicle is in a good technical condition if it has all prescribed devices and equipment in a good state and if it meets all vehicle technical norms.
- (3) Vehicles in traffic on the road cannot have devices, assemblies and equipment whose use may threaten, obstruct or confuse the other traffic participants.
- (4) Vehicles shall not have on their front side devices or material that emit, i.e. reflect red light, and on the rear those that reflect or reject white light, except for the device and substances envisaged by the regulations from Paragraph 6 of this Article, including the blinker that has not been envisaged by the provisions of this Law.
- (5) Devices that emit, or reflect light visible to the traffic participants in colours that are not envisaged by the regulations from Paragraph 6 of this Article cannot be used on the vehicle.
- (6) The Minister of Traffic shall pass specific regulations on requirements that vehicles in the traffic on the road shall meet with regard to the dimension, technical conditions and devices, assemblies and equipment and technical norms.
- (7) The transportation vehicle that has not been specified by this law as a vehicle shall not participate in the traffic.

#### **Article 247**

- (1) The owner or the user of the vehicle is obliged to provide to the police officer, at his/her request, the data on the identity of the person to whom he/she gave the vehicle to drive or use.
- (2) The natural person, the owner or the user of the vehicle shall not give the vehicle to be driven by a person abusing alcohol or psychoactive substances or being so tired, sick or in such a psychophysical condition that he is not capable of safe driving, has no driver's license of the adequate category or with the expired driver's license.

### **Article 248**

- (1) Vehicles registered abroad may be driven at the territory of the Republic of Serbia if they have assemblies, devices and equipment, prescribed by the valid international Convention on road traffic, and if they are in a good condition.
- (2) Vehicles from Paragraph 1 of this Article have to meet requirements prescribed for the vehicle in the Republic of Serbia with regard to dimension, the total allowable maximum weight and axle load.
- (3) Vehicles from Paragraph 1 of this Article shall be insured according to the regulations of the Republic of Serbia on mandatory vehicle insurance.

## **2. Vehicle inspection**

### **Article 249**

- (1) Motor vehicles and trailers as well as their devices, assemblies and equipment, produced individually or serially or repaired, shall be harmonized with the uniform technical requirements of the homologation regulations.
- (2) Before using, i.e. putting the vehicles from Paragraph 1 of this Article into traffic, it has to be found out if the vehicles meet the requirements prescribed by this law.
- (3) Certificate on fulfilment of conditions from Paragraph 2 of this Article is issued by the Agency.
- (4) A copy of the certificate from Paragraph 3 of this Article for individually manufactured or repaired vehicle has to be in the vehicle when the vehicle is on the road and the driver is obliged to show it to the authorized person at his request.
- (5) Specific conditions on the procedure and manner of vehicle inspection, certificate issuance and record keeping on inspections performed shall be passed by the Minister of Traffic and at the request of the Agency.
- (6) Activities from the 3<sup>rd</sup> Paragraph of this Article shall be entrusted to the Agency.

### **Article 250**

- (1) In the procedure of issuing certificate from the Article 249, Paragraph 3 of this Law for the serial produced vehicle and with the issued certificate on harmonization with the regulation on homologation, the Agency shall determine whether the vehicle meets requirements from Article 249, Paragraph 2 of this Law.
- (2) In the procedure of issuing certificate from Article 249, Paragraph 3 of this Law for the individually produced/tailored vehicle without having issued certificate on harmonization with the regulation on homologation, the Agency

shall determine whether devices or assemblies of the vehicle meet requirements on homologation regulation and whether the vehicle overall meets requirements from Article 249, Paragraph 2 of this Law.

- (3) Overhaul/repair of the vehicle, except in case of fitting the device for driving at alternative fuels, has to be made in line with the guidelines defined by the vehicle manufacturer or in a manner confirmed by the manufacturer that can be done on the vehicle.
- (4) Before the overhaul/repair of the vehicle technical documentation on overhaul has to be produced and approved by the Agency.
- (5) Upon looking through the documents the Agency may approve it even without meeting the conditions from Paragraph 3 of this Article, particularly in cases when the overhaul can improve vehicle safety, technical culture and invention, i.e. enable carrying out specific activities that the vehicle is not manufactured specifically for. At the request of the company, other legal entity or entrepreneur that meets the requirements from article 4, Paragraph 3 of this Law the Agency may approve the technical documentation for fitting the device at alternative drive in a vehicle of a certain make and type, with the identical way of preparing fuel and the blend. In that case the authorization of the technical documents for specific vehicle of that make and type is not necessary under condition that the fitting was made by the person to whom the technical documentation was approved.
- (6) The overhaul, i.e. individual manufacturing of vehicles may be made by the company, i.e. other legal entity or an entrepreneur from Article 4, Paragraph 3 of this Law.
- (7) The Agency may also allow a citizen to make the overhaul of the vehicle according to the approved technical documentation, only if he/she does it for his/her own needs, when the overhaul improves the safety of the vehicle, technical culture and entrepreneurship, i.e. enable carrying out specific activities that the vehicle is not manufactured specifically for.
- (8) In the procedure of establishing whether individually and serially produced and overhauled motor vehicles and trailers meet prescribed requirements from Article 249, Paragraphs 1 and 2 of this Law, the Agency may, upon seeing technical documentation, entrust certain inspection of vehicles, i.e. devices on the vehicle including gauging, to a specific company or other legal entity that is materially and professionally capable of performing the inspections, i.e. measurements.
- (9) In case of Paragraph 8 of this Article, the Agency shall clearly define in the request for inspection, what specific inspections and measurements shall be carried out.
- (10) The certificate from Article 249, Paragraph 3 of this Law for the vehicles that have been overhauled may be issued only when inspection confirms that they are in a good technical condition.
- (11) Activities stated in Paragraphs 1, 2, 4, 5, 7, 8 and 9 of this Article, the Agency performs as entrusted ones.

### **Article 251**

- (1) When the non-compliance of data recorded in the vehicle license with the Data base on motor vehicles and trailers ( provided by the Agency) have been established at the technical inspection of the vehicles registered in the Republic of Serbia or vehicles being imported to the Republic of Serbia or in some other way, it will be checked, before the issuance of vehicle license, i.e. registration sticker, if the vehicle meets prescribed requirements from this Law and establish the real facts on disputable technical characteristics.
- (2) Procedure of establishing fulfilment of conditions from Paragraph1 of this Article is conducted by the Agency or other professional organization identified by the Agency.
- (3) Activities stated in Paragraphs 1 and 2 of this Article shall be carried out as entrusted by the Agency.

### **Article 252**

- (1) Gas fuelled devices fitted in the motor vehicles shall be subject to periodic inspection by the legal entity authorized by the Agency.
- (2) The timeline for inspections from Paragraph1 of this Article may not exceed five years.
- (3) The legal entity from Paragraph1 of this Article issues a certificate on good condition of this device.
- (4) The legal entities from Paragraph 1 of this Article are obliged to carry out inspection properly/as prescribed by the law and with due care.
- (5) A vehicle with the gas fuelled device shall not participate in road traffic until the device is proved to be in a good condition at the inspection as per Paragraph 2 of this Article.
- (6) The driver of the vehicle with fitted gas drive shall have with him a certificate from Paragraph 5 of this Article and give it to the authorized person for inspection.
- (7) Activities from Paragraph 1 of this Article shall be entrusted to the Agency.

### **3. Vehicle identification designation**

#### **Article 253**

- (1) Vehicle identification number, designated by the manufacturer, identifies each and every vehicle uniformly.
- (2) Vehicles without identification number which had been produced or put into traffic before the regulation on mandatory VIP came into force, or vehicles which are not obliged to have VIP by the regulations, shall have their chassis number stamped on the vehicle considered as an identification number.
- (3) When the VIP on the vehicle is damaged, the authorized person from the Ministry of Interior may, after finding out in a reliable way what specific vehicle it was, allow stamping of the VIP on the vehicle and define its looks and content.
- (4) Stamping of the VIP, in cases of Paragraph 3 of this Article, shall be performed by the legal entity that complies with all prescribed requirements and possesses a license to carry out such activities. If by the date of filing request for obtaining license for VIP stamping the driver's license has been taken away from the legal entity more than twice in the past 10 years, the license shall not be reissued.
- (5) The legal entity from Paragraph 4 of this Article is obliged to have VIP stamped properly, as prescribed by the law and with due care.
- (6) More specific requirements that authorized legal entities which stamp the VIP shall meet, including the manner and the procedure of stamping, shall be prescribed by the Minister of Interior.
- (7) Ministry of Interior shall give authorization for stamping VIP to legal entities.

## **XVI TECHNICAL INSPECTION OF MOTOR VEHICLES AND TRAILERS**

### **1. General provisions**

#### **Article 254**

- (1) Technical inspection is carried out to establish technical status of motor vehicles and trailers.
- (2) Technical inspection shall establish whether the motor vehicle, i.e. trailer is in a good condition and if it meets other technical regulations and requirements to participate in traffic.
- (3) Technical inspections of the vehicles from Paragraph 1 of this Article may be regular, extraordinary and control ones.

- (4) The Minister of Interior shall pass regulations on vehicle technical inspection.

#### **Article 255**

- (1) Vehicle technical inspection is an activity of general interest that can be performed only by the company that meets prescribed requirements and is authorized for that.
- (2) If the company performs other activities in addition to vehicle technical inspection, i.e. it carries out that activity outside of its main office, it founds a branch of its company dealing exclusively with the vehicle technical inspection and which is to be registered in the company register according to the regulations.
- (3) The company may perform vehicle technical inspection in several facilities, whereby a special branch shall be founded and an authorization granted for every facility.
- (4) The authorization from Paragraph 1 of this Article shall be issued by the Ministry of Interior.
- (5) The Authorization from Paragraph 1 of this Article may be provided only for technical inspection of certain types of vehicles depending on the technical characteristics of the facility for technical inspection of vehicles or devices or equipment.
- (6) The permit/license from Paragraph 1 of this Article shall not be given to the legal entity undergoing bankruptcy procedure.
- (7) If by the date of filing request for getting authorization, the authorization had been taken away from the company that carries out vehicle technical inspection more than twice in the past 10 years, the authorization shall not be issued to it.
- (8) Ministry of Interior keeps Company Registry, i.e. Registry of their branches for which they issued authorizations. The minimum content of registry includes: entry number – identification number, business name of the company, i.e. its branch/subsidiary, type of vehicle that undergoes the technical inspection, date of issuing permit/license and the date of taking away the permit.
- (9) Minister of Interior shall pass specific regulations on the manner of keeping registry from the previous Paragraph.
- (10) Minister of Interior shall pass specific regulations on requirements that shall be met by the companies that perform vehicle technical inspection.

#### **Article 256**

- (1) Minister of Interior shall pass specific regulations on requirements that shall be met by the companies that perform vehicle technical inspection.

- (2) The company authorized to perform vehicle technical inspection is obliged to ensure fulfilment of prescribed requirements for performing motor vehicle technical inspection.
- (3) The company shall temporarily interrupt vehicle technical inspection when it ceases meeting prescribed requirements of performing vehicle technical inspection and it shall inform the supervision company about it no later than the next working day. During the temporary interruption the authorized company shall not perform vehicle technical inspection.
- (4) The temporary interruption may last no longer than three months.
- (5) The company is obliged to inform the supervision company about the end of temporary interruption no later than a day before resuming operations.

### **Article 257**

- (1) The company for vehicle technical inspection shall meet prescribed requirements with regard to:
  - 1) Facility with access and exit roads,
  - 2) devices and equipment for performing technical inspection,
  - 3) professional staff.
- (2) The facility from the Paragraph 1, Item 1 of this Article shall be owned by the company that performs technical inspection or a lease agreement shall be signed for its use.

### **Article 258**

- (1) The company authorized to perform vehicle technical inspection is obliged to ensure ongoing good condition of the devices and equipment used for vehicle inspection.
- (2) Gauging devices used for vehicle technical inspection shall meet all requirements defined by the metrological regulations.
- (3) The company is obliged to stop its operations immediately in case the devices or equipment used for vehicle technical inspection are out of order or if the company stops meeting other prescribed requirements for vehicle technical inspection and to inform the supervision company the first working day the latest. During the temporary interruption the authorized company shall not perform vehicle technical inspection.
- (4) Temporary interruption may last no longer than three months.
- (5) The company is obliged to inform the supervision company about the temporary interruption no later than a day before they resume the operation.

### **Article 259**

- (1) The company authorized to perform technical inspection shall have minimum two inspection controllers.
- (2) Inspection controllers shall be full-time employee, employed for a definite or indefinite period of time in the company from Paragraph 1 of this Article.

### **Article 260**

- (1) The facility for vehicle technical inspection shall be used only for activities related to the vehicle technical inspection and checking of vehicle technical characteristics in accordance with the provisions of this Law.
- (2) The company shall not perform technical inspection of vehicles registered in its name, or if they leased them or repaired in the past 12 months.
- (3) By way of exception, the trolleybus technical inspection may be performed by the company under whose name they have been registered or leased.

### **Article 261**

- (1) The company performs vehicle technical inspection during the working hours that have to be put visibly in the facility and before that shall be reported to the supervision company.
- (2) The minimum working hours of every work day are eight hours.
- (3) The company shall ensure technical inspection to be performed during entire working time.
- (4) The company shall perform technical inspection of all vehicles except for the vehicle from article 260, Paragraph 2 of this Law.
- (5) By way of exception, the company is obliged to work outside working hours if needed, at the request of the Ministry of Interior.

### **Article 262**

- (1) Vehicle technical inspection shall be performed with due care, as prescribed by the Law and in accordance with the rules of the profession.
- (2) The company is obliged to ensure vehicle technical inspection to be performed with due care, as prescribed by the Law and in accordance with the rules of the profession.

- (3) The company authorized to perform vehicle technical inspection verifies the good condition of the vehicle in a good operating condition.
- (4) The company authorized to perform vehicle technical inspection shall not verify inspection done for the vehicles which are not in a good condition.

## **2. Controllers of vehicle technical inspection**

### **Article 263**

- (1) Vehicle technical inspection may be performed only by the inspection controller who fulfils prescribed requirements and holds a valid license.
- (2) The license for the inspection controller is issued by the Agency.
- (3) The inspection controller shall meet the following requirements:
  - 1) To have minimum four or three year high school education in the field of mechanical engineering regarding the motors and vehicles and in the field of transportation regarding the road transport ,
  - 2) To have a driver's license for a motor vehicle of the same category as the vehicle he inspects,
  - 3) To have completed training for technical inspection controller,
  - 4) To have passed a professional exam for the inspection controller,
  - 5) That he has not been convicted in the past four years for crimes against the life and body, crimes against official duty, as well as that an criminal investigation has not been conducted against him, i.e. he has not be indicted for these crimes.
- (4) More specific regulations on training program for the inspection controllers, manner of organizing and running the professional exam for the inspection controller, knowledge advancement program and skills of inspection controller and manner of organizing and implementing examinations to check knowledge and skills of an inspection controller, content and form of the license for the inspection controller, manner of recording issued licenses, shall be passed by the minister of Interior at the request of the Agency.
- (5) The license is valid for three years.
- (6) License for the inspection controller may be renewed if the controller:
  - 1) Attended the seminar on knowledge and skills improvement,
  - 2) Passed the knowledge check test.
- (7) The Agency shall organize and implement training for the inspection controllers, professional exam for the inspection controllers, improvement of knowledge and skills for the controllers and organize, implement the

examination to check the knowledge and skills of the controllers and keep records on issued licenses.

- (8) Inspection controller cannot carry out the following activities outside his working hours: maintenance, repair, insurance and vehicle registration.
- (9) If by the date of filling the request for the license, the license had been taken away from the inspection controller more than twice in the past 10 years, the license shall not be issued to him.
- (10) The Agency shall be entrusted with the activities from Paragraph 2 and 7 of this Article.

### **3. Regular technical inspections**

#### **Article 264**

- (1) Regular technical safety inspections can be annual or biannual.
- (2) A vehicle shall undergo technical safety inspection before the vehicle license, and/or registration sticker is issued. This technical safety inspection can take place within 30 days before the submittal of the application for registration, and/or the expiry of the validity of vehicle license.
- (3) By way of exception from the provisions of Paragraph 2 of this Article, upon being registered, a newly-produced vehicle shall undergo the next regular technical safety inspection after two years.
- (4) Regular biannual technical safety inspection shall take place before expiry of six-month period after commencement of the validity of vehicle license, and/or registration sticker. Regular biannual technical safety inspections cannot take place earlier than 15 days before the expiry of above time limit.
- (5) The following shall undergo regular biannual technical safety inspection:
  - 1) Motor vehicles or trailing vehicles used for public transportation,
  - 2) Buses,
  - 3) Motor vehicles or trailing vehicles for transportation of dangerous matter,
  - 4) Motor vehicles or trailing vehicles used in training of learner drivers,
  - 5) Motor vehicles with inbuilt devices for emanation of special light and audio signals or used as vehicles referred to in Articles 106 and 108 of this Law (escorted vehicles and vehicles with priority passage),
  - 6) Motor vehicles or trailing vehicles whose maximum allowable payload exceeds 3,500 kg,
  - 7) Motor, and/or trailing vehicle for rental without a driver (rent-a-car),
  - 8) Motor vehicle whose age exceeds 15 years (age of the vehicle is determined based on its year of production).

- (6) Vehicle referred to in Paragraph 5 of this Article shall not participate in traffic on the road before it is determined that it is in good working order at the regular biannual inspection, within the time line referred to in Paragraph 4 of this Article.
- (7) The Government shall determine the lowest price for regular technical safety inspection of vehicles, upon the proposal of the ministry responsible for trade and services.
- (8) Legal persons may not determine a price for performance of regular technical safety inspection of vehicle that is lower than the lowest price determined in the context of Paragraph 7 of this Article.

### **3. Extraordinary technical inspections of vehicles**

#### **Article 265**

- (1) Extraordinary technical safety inspection shall take place after repairing and before releasing into traffic a vehicle whose vital assemblies and devices that are essential for its safe participation in traffic were damaged in a traffic accident or otherwise, and/or which is not rendered roadworthy by such repairs, as well as a vehicle which is excluded from traffic due to a technical flaw determined at the control technical safety inspection.
- (2) Costs of extraordinary technical safety inspection shall be borne by vehicle owner, and/or operator.
- (3) The Government shall determine the lowest price of the extraordinary technical safety inspection of vehicle, upon the proposal of the ministry responsible for trade and services.
- (4) Legal person may not set a price for performance of extraordinary technical safety inspection that is lower than the price determined in the context of Paragraph 3 of this Article.

### **5. Control technical inspections of vehicles**

#### **Article 266**

- (1) Control technical safety inspection shall be performed upon the instructions of the Ministry of Internal Affairs, and/or inspector for road traffic, with the aim to control whether vehicles are in good working order.

- (2) Only a roadworthy vehicle, and/or a vehicle suffering road accident without any mechanical damage to the devices and assemblies of importance for safe operation of vehicle can be referred for control technical safety inspection.

#### **Article 267**

- (1) In the case when it is determined at the control technical safety inspection that the vehicle is out of order, the costs of the control technical safety inspection shall be borne by vehicle owner or vehicle operator, and in the case when it is determined at the control technical safety inspection that the vehicle is in good working order, they shall be borne by the authority whose official ordered the control technical safety inspection.
- (2) Owner, and/or operator, who failed to settle the costs of the control technical safety inspection on site, shall do that within eight days after the day on which the control technical safety inspection was performed.
- (3) If vehicle owner, and/or operator, fails to settle the costs of control technical safety inspection on site, the costs will be settled by enforcement.
- (4) The Government shall determine the price of control technical safety inspection of vehicles, upon the proposal of the ministry responsible for trade and services.
- (5) Legal person may not set a price for performance of control technical safety inspection of vehicles that is higher than the lowest price determined in the context of Paragraph 4 of this Article.

### **XVII THE REGISTRATION OF MOTOR VEHICLES AND TRAILERS**

#### **1. General provisions**

#### **Article 268**

- (1) Vehicle license, registration plates and registration sticker shall be issued for registered vehicles. Only the motor vehicles or trailing vehicles for whom the vehicle license, registration plates and registration sticker were issued may participate in traffic on the road. A motor vehicle or trailing vehicle may not participate in traffic after the validity of its registration sticker has expired.
- (2) By way of an exception from Paragraph 1 of this Article, the following shall not liable for registration:
  - 1) reconstructed or repaired motor vehicles or trailing vehicles used for test drive that is carried out to evaluate their performance or condition,

- 2) newly-produced vehicles that are on their way from the producer's to the warehouse,
  - 3) vehicles that are on their way from the place at which they were taken over as unregistered to the place at which they will undergo the registration procedure,
  - 4) for the purposes of implementing the statutory customs procedure.
- (3) For vehicles referred to in Paragraph 2 of this Article, temporary marking plates and certificate of their use shall be issued and their validity may not exceed 15 days.
  - (4) Entry in the integrated register of vehicles, issuance of vehicle license, registration plates and registration stickers shall be carried out by the territorially competent organisation unit of the Ministry of Internal Affairs, in accordance with the place of residence, and/or registered office of the owner of vehicle.
  - (5) On vehicles in traffic on the road, statutory registration plates and registration stickers shall be placed as required by law.
  - (6) Registration sticker may likewise be issued by legal person authorised to perform technical safety inspection of vehicles, provided it obtains the license for performance of those tasks from the Ministry of Internal Affairs. If, before the submittal date of the application for registration stickers, a legal person was seized the authorisation to issue registration stickers, or was seized the authorisation to issue the registration stickers more than two times in the last 10 years, the authorisation shall not be issued.
  - (7) The ministry responsible for defence shall carry out the registration of motor vehicles, and/or trailing vehicles and issue the registration plates for the registered vehicles.
  - (8) Registration sticker shall be issued for a validity period of one year.
  - (9) By way of exception from the provisions of Paragraph 8 of this Article, at the request of owner or operator, the registration sticker shall be issued for a shorter time period but not for less than one month, for:
    - 1) vehicles of historical value (old-timers), and
    - 2) motor vehicles or trailing vehicles which are primarily intended for participation in traffic.
  - (10) The Minister of Internal Affairs shall specify in more detail the content and manner of keeping the integrated register of vehicles, the requirements for entry of vehicles in the register, the manner and requirements for the issuance of vehicle license, registration plates and registration stickers, and the content, appearance, and technical characteristics of the vehicle license, registration plates, and registration sticker, the manner of placing the registration plates, registration stickers, and, for the vehicles of the Serbian Army, those shall be specified in more detail by the minister responsible for defence.
  - (11) When operating a vehicle, the driver shall always have on him/her the vehicle license and shall be under obligation to present it at the request of authorised staff.

- (12) The vehicles which were excluded from traffic in accordance with the provisions hereof may not participate In traffic on the road.
- (13) More detailed requirements to be met by a legal person issuing the registration stickers shall be prescribed by the Minister of Internal Affairs.
- (14) Legal person issuing registration stickers shall carry out this task in good faith and as required by law.

### **Article 269**

- (1) By way of an exception, a registered vehicle may participate in traffic on the road after the registration sticker has expired, if for the purpose of going to a technical safety inspection, repairs, and/or examination, provided it is marked with temporary marking plates and provided it was issued a certificate of their use.
- (2) Temporary marking plates and certificate of their use shall be issued by the territorially competent organisational unit of the Ministry of Internal Affairs, and/or legal person which obtains the authorisation from the territorially competent organisational unit of the Ministry of Internal Affairs. If, before the submittal date of the application for the authorisation to issue the temporary marking plates and certificates of their use, a legal person was seized such authorisation more than two times in the preceding period of 10 years, the authorisation shall not be issued.
- (3) The Minister of Internal Affairs shall specify in more detail the content and the manner in which records of the issued temporary marking plates and certificates of their use shall be kept, the manner and requirements for issuance of the content, appearance, technical characteristics, the manner in which temporary marking plates shall be placed, and the requirements to be met by legal person referred to in Paragraph 2 of this Article.
- (4) Legal person issuing the temporary marking plates and certificates of their use shall perform this task as required by law.
- (5) The driver who was issued the temporary registration plates and certificate of their use shall mark the vehicle with such plates as required by law and shall have on him the certificate which he shall be under obligation to present at the request of authorised staff, and he shall move towards the destination, at the time indicated in the certificate.

### **Article 270**

- (1) Motor vehicles and/or trailing vehicles shall be entered in the integrated register of vehicles and vehicle license and registration plates shall be issued at the request of owner, provided the following requirements have been met:

- 1) written evidence of vehicle origin and ownership is available, and likewise is the evidence that the costs specified in the law for registration of vehicles were settled, as well as the tax and customs liabilities for such vehicle,
  - 2) it was determined at the technical safety inspection that the vehicle is in good working order, and/or that the testing certificate for individually constructed or reconstituted vehicle was issued to certify that the vehicle meets the requirements specified in the law.
- (2) For a motor and trailing vehicle that was entered in the integrated register of vehicles, at the request of vehicle owner, and/or operator, the registration sticker shall be issued provided the following requirements have been met:
- 1) it was determined in the technical safety inspection that the vehicle is in good technical order, and/or that the testing certificate for individually constructed or reconstituted vehicle was issued to certify that the vehicle meets the requirements specified in the law,
  - 2) the evidence about mandatory vehicle insurance was enclosed,
  - 3) that the costs specified in the law for issuance of the registration sticker have been settled.
- (3) Territorially competent organisational unit of the Ministry of Internal Affairs shall not register a vehicle, and/or issue the registration sticker if it is aware that natural person (with the exception of entrepreneurs), applicant for registration, and/or issuance of registration sticker, did not settle its monetary liability arising from the committed offence, and/or criminal offences specified herein, or from the infringement to the provisions of local regulations pertaining to traffic issues.
- (4) A legal person authorised by the Ministry of Internal Affairs to issue registration stickers shall not issue the registration stickers if it is aware that the natural person (with the exception of entrepreneurs), applicant for registration, and/or issuance of registration sticker has not settled all monetary liabilities arising from the committed minor offences, and/or criminal offences specified herein.

### **Article 271**

- (1) Vehicle shall be registered to the owner.
- (2) If it is owned by several persons, a vehicle shall be registered to one of the owners, as agreed between them.
- (3) If a vehicle is under a financial leasing contract, and/or lease, in addition to the data about the owner, the vehicle license shall indicate the data about the leasing beneficiary and/or lessee.

### **Article 272**

- (1) Motor vehicles or trailing vehicles of diplomatic-consular representative offices and missions of foreign countries and representative offices of international organisations in the Republic of Serbia and foreign nationals working in them, may participate in traffic only if they are registered in the Republic of Serbia.
- (2) Vehicles of foreign representative offices in the Republic of Serbia, and foreign nationals working in them, foreign nationals who were issued permit for temporary residence of more than six months, or permanent residence, as well as motor vehicles or trailing vehicles of the citizens of the Republic of Serbia returning from abroad to permanently reside in the Republic of Serbia, may be involved in traffic only if they are registered in the Republic of Serbia.
- (3) By way of exception from Paragraphs 1 and 2 of this Article, these vehicles may participate in traffic even if they are registered abroad, but for maximum three months after the date of vehicle entry in the Republic of Serbia. The time limit for the vehicles owned by foreign nationals who were issued a temporary residence permit for longer than six months or for permanent residence, shall commence after the above status is acquired.

### **Article 273**

- (1) A vehicle registered abroad may not be operated on the roads in the Republic of Serbia by persons with permanent residence in the Republic of Serbia.
- (2) By way of exception from Paragraph 1 of this Article, these vehicles may be operated by persons with permanent residence in the Republic of Serbia, provided they were approved a temporary residence abroad for up to six months, as well as members of their immediate families or person operating “rent-a-car“ vehicles.

### **Article 274**

- (1) If failing to apply for a new registration sticker within 30 days after the expiry date of the registration sticker, the owner, and/or operator of registered vehicle shall return the registration plates to the issuing authority.
- (2) Vehicle owner, and/or operator shall be under obligation to, within 15 days, cancel the registration of a vehicle if it is destroyed or written-off, or to report any change to the data entered in the vehicle license.

- (3) Legal person, entrepreneur, and/or natural person who is not the owner of vehicle, may not use on the road a vehicle that is under financial leasing, and/or lease, before the data about use is entered in the vehicle license in accordance with the provisions of the Article 271, Paragraph 3 of this Law.

## **2. Registration plates**

### **Article 275**

- (1) Vehicles liable for registration shall be issued one of the following types of registration plates:
- 1) registration plates for motor vehicles, except for motorcycles, mopeds, light and heavy tricycles, light quadricycles, tractors, working machines and motor cultivators,
  - 2) registration plates for motorcycles, heavy tricycles,
  - 3) registration plates for mopeds, light tricycles, and light quadricycles,
  - 4) registration plates for motor cultivators,
  - 5) registration plates for tractors and working machines,
  - 6) registration plates for trailing vehicles,
  - 7) registration plates for tractor trailing vehicles,
  - 8) registration plates for motor vehicles and trailing vehicle of diplomatic-consular representative offices and missions of foreign countries and representative offices of international organisations in Serbia and their staff,
  - 9) registration plates for motor vehicles or trailing vehicles of the Serbian Army,
  - 10) registration plates for temporary registered motor vehicles or trailing vehicles,
  - 11) temporary registration plates for vehicles leaving the Republic of Serbia,
  - 12) registration plates for the motor vehicles or trailing vehicles of police authorities,
  - 13) registration plates for the motor vehicles or trailing vehicles not complying with the requirements prescribed with regard to size (length, width, height), and/or whose maximum allowed weight exceeds the allowed value, and/or whose own axle load exceeds the allowed load.

- (2) All types of registration plates referred to in Paragraph 1 of this Article are uniform in the entire territory of the Republic of Serbia.

### **Article 276**

- (1) In the event the registration plates, and/or registration sticker get lost or disappear, the owner and/or driver shall immediately notify the closest organisational unit of the Ministry of Internal Affairs.
- (2) In the event the registration plates, and/or registration sticker get lost or disappear outside the place in which the vehicle was registered, at the request of vehicle owner, and/or operator, the territorially competent organisational unit of the Ministry of Internal Affairs shall issue a certificate about lost registration plates and temporary marking plates and certificate of use which shall indicate the itinerary in force before arrival to the place in which the vehicle is registered.
- (3) In the event the registration plates for a vehicle registered abroad get lost, at the request of vehicle owner, and/or operator, the territorially competent organisational unit of the Ministry of Internal Affairs shall issue a certificate about lost registration plates, temporary registration plates for vehicles leaving the Republic of Serbia and the certificate of temporary registration of vehicles leaving the Republic of Serbia entitling a person to use a vehicle on the road and having a validity of not more than 15 days.
- (4) The temporary marking plates and the certificate of their use shall be valid solely in the territory of the Republic of Serbia, they cannot be obtained two or more times in a row unless they are lost or have disappeared within the period for which they have been issued, and they shall be surrendered to the territorially competent organisational unit of the Ministry of Internal Affairs which keeps records of the vehicle, not later than seven days after the expiry of the validity of the certificate of use.

## **3. Temporary registration**

### **Article 277**

- (1) Liable for temporary registration shall be motor vehicles or trailing vehicles temporarily imported from abroad or obtained in the Republic of Serbia to be exported abroad, motor vehicles or trailing vehicles that are used based on the contract on business cooperation or lease contract concluded between a local

- and an international carrier, and motor vehicles or trailing vehicles intended to appear at trade fairs and sports competitions.
- (2) No vehicle with foreign registration plates that has designations and numbers not complying with the provisions of ratified international treaties may be involved in traffic on the roads of the Republic of Serbia, and such vehicles shall be temporarily registered and marked with registration plates for vehicles leaving the Republic of Serbia.
  - (3) Temporary registration of vehicles shall be performed for a period of one year, according to the competent customs authority's approval of temporary importation, provided the requirements for entry of vehicles in the integrated register of vehicles are met and the registration sticker is issued.
  - (4) For temporarily registered vehicles, the registration plates for temporarily registered motor vehicles or trailing vehicles and certificate of temporary registration with the validity period referred to in Paragraph 3 of this Article shall be issued.
  - (5) Legal person, entrepreneur, and/or natural person may not use in the traffic on the road a vehicle registered abroad before the vehicle is temporarily registered in accordance with Paragraph 1 of this Article.

## **XVIII SPECIAL MEASURES AND AUTHORITIES**

### **1. General provisions**

#### **Article 278**

- (1) Specific measures and authorisations shall be taken to prevent any prejudice to the safety of traffic participants, and/or to facilitate the traffic.
- (2) Specific measures and/or authorisation referred to in Paragraph 1 of this Article are the following:
  - 1) exclude the driver from traffic,
  - 2) detain the driver,
  - 3) refer the driver to medical screening,
  - 4) determine the content of alcohol and/or psychoactive substances in traffic participants,
  - 5) stop and/or refer the vehicle to stop at a safe place or join the road for that particular type or category of vehicle,
  - 6) exclude the vehicle from traffic,

- 7) order measures to remove, and/or prevent any hazards on the road,
  - 8) screen the traffic and traffic participants using suitable means, and document the minor offences and other traffic offences,
  - 9) temporarily seize the article under offence,
  - 10) seize the foreign driving license form when a driver has more than one driving license,
  - 11) refer to the control technical inspection of vehicles,
  - 12) remove, and/or relocate the vehicle, and install devices to prevent moving of vehicle,
  - 13) measure the vehicle axle load and total weight of vehicle.
- (3) The measures and authorisations referred to in Paragraph 2, Items 1, 4, 5, 6, 9, 10, 11 and 12 of this Article shall be ordered and taken by the police officer when controlling traffic, measures and authorisations referred to in Paragraph 2, Items 2, 3, 7 and 8 of this Article shall be ordered and taken by the territorially competent organisational unit of the Ministry of Internal Affairs or other authority authorised herein. Measures referred to in Paragraph 2, Item 13 of this Article shall be ordered and taken by the police officer within the traffic control, and/or authorised person from the ministry responsible for traffic.
- (4) By way of exception, measures and authorisations referred to in Paragraph 2, Item 12 of this Article may be entrusted to the authorised legal person or entrepreneur who has been, by an act issued by the competent public authority, entrusted the activity of organising the operation, management and maintenance of public parking spaces.
- (5) Specific measures and authorisations referred to in this Chapter, pertaining to the driver, shall accordingly apply to the driving instructor, the person supervising the driver with provisional driving license, and the examiner at the practical part of the driving test.
- (6) The Minister of Internal Affairs shall specify the manner, the procedure and the means for implementation, as well as the keeping of mandatory records about the application of specific measures and authorisations.
- (7) More detailed regulations about specific measures for safety of military traffic participants shall be issued by the minister responsible for defence.

## **2. The exclusion of a driver from traffic**

### **Article 279**

- (1) Police officer shall temporarily exclude the driver from traffic:
  - 1) if, due to physical, and/or mental condition, his capability to operate the vehicle is significantly reduced (fatigue, illness, injuries, etc),
  - 2) if under the influence of alcohol disallowed herein,
  - 3) if under the influence of psychoactive substances,
  - 4) if refusing to undergo the examination, and/or professional inspection,
  - 5) if the driver demands the blood, and/or urine test in the context hereof,
  - 6) if not complying with the restrictions he was ordered or determined,
  - 7) if exceeding the allowed 24-hour time limit for vehicle operating,
  - 8) if acting aggressively in traffic (aggressive driving),
  - 9) who does not have a driving license for the category of vehicle he operates, and/or if operating a vehicle after the expiry date of the validity of driving license, and/or provisional license,
  - 10) who uses a foreign driving license the content of which does not reveal whether the driver is entitled to operate the vehicle concerned,
  - 11) who operates a vehicle within the duration of the protection measure or safety measure,
  - 12) the driver who has been found to operate a vehicle in the traffic while being excluded.
- (2) In the events of exclusion referred to in Paragraph 1 items 1), 2), 3), 4), 5), 6) and 8) of this Article, the duration of exclusion shall be 24 hours, and in other events the duration shall subsist until the reasons for which the driver was excluded are still present. In the event of excluding the driver as referred to in Paragraph 1 item 7) of this Article, exclusion shall subsist for as long as the reasons for it are still present and for not longer than 24 hours.
- (3) By way of exception from the provisions of Paragraph 2 of this Article, exclusion of the driver who is slightly, and/or moderately under influence of alcohol shall subsist for 12 hours.
- (4) Exclusion of driver shall be implemented based on the order of the authorised police officer.

### **3. Determining the presence of alcohol and/or psychoactive substances within traffic participants**

#### **Article 280**

- (1) To determine the presence of alcohol and/or psychoactive substances in his body, the police officer may subject the driver to a test that is performed using suitable devices (Alco meter, drug test, etc).
- (2) To determine the presence of alcohol, and/or psychoactive substances in his body, the police officer may subject the pedestrian who is directly compromising traffic safety to a test using suitable devices (Alco meter, drug test, etc).
- (3) The driver, and/or pedestrian shall be under obligation to comply without delay with the order received from the authorised officer and allow the performance of test using suitable devices referred to in Paragraphs 1 and 2 of this Article.
- (4) If, for clearly justifiable reasons, the examination prescribed in Paragraphs 1 or 2 of this Article is not practicable, the police officer may take the person to be professionally examined in appropriate health institution. Traffic participants shall be under obligation to undergo such examination.
- (5) If, after the completion of the test using suitable devices (Alco meter, drug test, etc), he disputes the obtained results, traffic participant referred to in Paragraphs 1 and 2 of this Article may request to have a blood test, and/or blood and urine test or other bodily matter, in the appropriate institution, at his own expense. The request shall be submitted in writing, on site, to the records indicating the results of test.
- (6) More detailed regulations related to charging the costs referred to in this Article shall be passed by the Government upon the proposal of the ministry responsible for health.
- (7) If, in the procedure implemented according to the provisions of this Article, it is found that he is under the influence of alcohol and/or psychoactive substances, the costs of implementing the procedure shall be borne by the traffic participant referred to in Paragraphs 1 and 2 of this Article.
- (8) The tests of blood, urine and/or other bodily matter aimed to determine the body content of alcohol and/or psychoactive substances may be performed solely by the health institution which obtains the relevant authorisation from the ministry responsible for health issues.
- (9) Health institution referred to in Paragraph 8 of this Article shall be under obligation to perform blood tests, and/or tests of blood and urine or other bodily matter lawfully and according to the rules of the profession and in good faith.
- (10) The minister responsible for health shall specify the requirements with regard to professional staff, equipment and other requirements to be met by the health institutions performing the tests of blood, urine and/or other bodily matter to determine body content of alcohol and/or other psychoactive substances

forbidden for use before and when driving, and the manner of collecting the above samples, in accordance with the rules of the profession.

#### **Article 281**

- (1) Professional inspection of traffic participants for the purposes hereof is the inspection intended to determine the signs of deviate conduct which may cause unsafe conduct in traffic.
- (2) Health institution, and/or laboratory shall produce written findings about the results of the analysis performed as referred to in Paragraph 2 of this Article not later than three days after the receipt of sample.
- (3) Health institution is under obligation to provide without delay to the police officer and person over which the inspection was performed written findings and opinion about the completed professional inspection,
- (4) If a health institution is not capable to perform complete analysis, professionally collected bodily matter will be delivered through dedicated courier service to the nearest authorised health institution, and/or laboratory capable of performing further analysis.
- (5) If it was found in the professional inspection implemented according to the provisions of this Article that there are some signs of deviate conduct which can cause unsafe conduct in traffic, the costs of inspection shall be borne by the traffic participant.

#### **4. Relocation of a vehicle**

##### **Article 282**

- (1) Police officer may relocate the vehicle, and/or order that the vehicle which was operated by the driver excluded from the traffic, and/or vehicle excluded from the traffic, be relocated, provided such vehicle prevents unimpaired and safe traffic.
- (2) In the event referred to in Paragraph 1 of this Article, the police officer may contract an economic operator capable of performing these tasks to relocate the vehicle at the expense of the driver, owner or operator.
- (3) Owner or operator of the vehicle shall be under obligation to compensate the costs of vehicle relocation, warehousing and safeguarding and to take over the vehicle immediately after the cessation of reasons for relocation and not later than within 24 hours.
- (4) The level of the compensations for vehicle relocation shall be determined by the Government.

## **5. Detainment of drivers who were excluded due to their psychophysical condition**

### **Article 283**

- (1) The driver who is heavily, very heavily, or completely under influence of alcohol and/or psychoactive substances shall be detained upon the order of the police officer pending his sobering and not for longer than 12 hours.
- (2) The measure referred to in Paragraph 1 of this Article may be applied to a driver under influence of alcohol even if he was found a smaller blood content of alcohol if he expressed the intention, and/or if there is a danger that he will continue to operate the vehicle after he has been excluded from traffic.
- (3) Likewise, detainment is mandatory for the driver who refuses to undergo the test for presence of alcohol and/or other psychoactive substances.
- (4) More detailed regulations about the requirements to be met by the detainment premises shall be prescribed by the minister responsible for health issues upon the agreement with the Ministry of Internal Affairs.

## **6. The detainment of the driver who has an intention to continue committing offences and the measures for ensuring the presence of the driver who can avoid the liability for an offence**

### **Article 284**

- (1) The driver who is found to be committing an offence and expressing intention to continue committing the offence and/or who has continued to commit such offence shall be brought to the offence authority.
- (2) If the action referred to in Paragraph 1 of this Article cannot be taken immediately, the territorially competent organisational unit of the Ministry of Internal Affairs shall detain the driver for maximum 24 hours.
- (3) In order to ensure that the sentence or protection measure, and/or safety measure is served, and to ensure the presence in the offence proceedings for the offences specified herein, police officer may temporarily seize the travel document or other document for crossing the country border to a person without a domicile or permanent residence in the Republic of Serbia, and/or to a person who, by leaving the country for a longer period, would evade the liability specified herein.
- (4) Document referred to in Paragraph 3 of this Article may be retained pending the cessation of reasons for its detaining and not for longer than five days.

## **7. Seizure of a foreign driving license document**

### **Article 285**

- (1) If, within traffic control, a driver is found to possess, besides the Serbian driving license, a foreign driving license, police officer will seize the foreign driving license on site.
- (2) If, within traffic control, a driver is found to possess two or more foreign driving licenses, police officer shall seize the driving license that was issued at the later date.
- (3) Seized driving license will be delivered to the ministry responsible for foreign affairs so that it can be returned to the authority which issued the driving license.

## **8. Recording the traffic and traffic participants using the appropriate devices**

### **Article 286**

- (1) The authority responsible for traffic issues and the authority responsible for police issues are authorised to screen traffic, for the purpose of documenting traffic offences, conduct of traffic participants, traffic safety and flow.
- (2) The authority responsible for traffic issues may, after previously obtaining the consent from the authority responsible for police issues, authorise the road manager, public enterprise and institution for traffic screening for the purposes referred to in previous Paragraph.
- (3) With the aim to discover and prove the offence, police officers may use vehicles with or without external police emblems, with inbuilt devices for discovery of offence in traffic (the vehicle - interceptor).
- (4) Provisions hereof related to the restriction of the speed of movement shall not apply to the vehicle - interceptor in the course of the determination of offence or other wrongdoings and their documenting, provided it does not compromise traffic safety.
- (5) Vehicle - interceptor is a vehicle with the right of priority passage which emanates special light and audio signals, at least one blue blinking or rotational light and an audio signal of variable frequency. Signals are given after the offence is discovered and documented, with the aim to stop and to further process the committer of offence, and/or other wrongdoing.
- (6) More detailed regulations about the manner in which devices for screening are used and their technical characteristics shall be specified by the minister

responsible for traffic issues upon the agreement with the Ministry of Internal Affairs.

## **9. Referring a vehicle to a control technical inspection, measuring the axle load, or measuring the total mass**

### **Article 287**

- (1) If having suspicions with regard to the good working order of a vehicle, police officer may refer such vehicle to control technical inspection.
- (2) Police officer shall determine the place at which the control technical inspection shall be performed, taking into account the type of vehicle and the authorisation to perform technical safety inspection held by the economic operator, and particularly the distance of the technical safety inspection facility.
- (3) The driver shall without delay act as instructed by the authorised person and allow the control technical safety inspection to be performed.
- (4) Police officer shall be present at the control technical safety inspection in order to take suitable measures and actions should it be found at such inspection that the vehicle is out of order.
- (5) Economic operator authorised to perform technical safety inspection of vehicles shall be under obligation to notify the results of control technical safety inspection, without delay, to the authority whose staff has referred the vehicle to the control technical safety inspection.
- (6) A vehicle may be referred to the control technical safety inspection by the authorised staff of the authority responsible for traffic issues.

### **Article 288**

- (1) The police officer suspecting that a vehicle does not meet the statutory requirements in respect of axle load and total weight of vehicle shall perform the measuring of these characteristics of vehicle, and/or order that they be performed.
- (2) The police officer shall determine the place of performing the measurements, taking into account the measuring scope of measuring devices and expected measurement values.
- (3) The driver shall be under obligation to comply without delay with the order given by the authorised person and allow the performance of measuring.
- (4) Police officer shall be present at the measuring so as to be able to take appropriate measures and actions in the event the measuring shows that the vehicle does not meet the statutory requirements referred to in Paragraph 1 of this Article.

- (5) Authorised staff of the authority responsible for traffic may refer a vehicle for measuring.
- (6) The costs of measuring, in the event the measuring shows that the vehicle does not comply with the statutory requirements referred to in Paragraph 1 of this Article, shall be borne by the owner, and/or operator of vehicle, and, in the event the measuring shows that the vehicle is compliant, by the authority whose authorised staff has ordered the measuring.

### **Article 289**

- (1) Police officer shall exclude from traffic a vehicle:
  - 1) whose steering device or stopping device is out of order, and/or whose other devices and equipment are out of order to such an extent that they can prejudice traffic safety and living environment,
  - 2) whose cargo is improperly placed, marked, or fixed,
  - 3) whose load exceeds its payload by more than 5%,
  - 4) if not performing the extraordinary transport in conformity with the requirements specified in the extraordinary transport approval,
  - 5) if used for a test drive contrary to the requirements specified in the permit,
  - 6) which is being towed improperly,
  - 7) if not conforming with the requirements pertaining to the size, maximum allowed total weight or axle load, and/or which, together with the load, exceeds maximum allowable size (length, width, and height) for specific types of vehicles, and/or if not holding appropriate special permit,
  - 8) the vehicle which, contrary to the provisions hereof, has inbuilt devices for emanation of special light and audio signals, while the driver fails to remove such devices within the time limit specified in the order given by the police officer,
  - 9) which is not entered into the integrated register of vehicles or the validity of whose registration sticker, and/or certificate of the use of temporary marking plates has expired,
  - 10) which, instead of being marked with registration plates, is marked with improper plates,
  - 11) which is used for a test drive without a permit,
  - 12) which is registered abroad and is not covered by insurance in accordance with the Republic of Serbia regulations on mandatory insurance of vehicles,
  - 13) which has not undergone the control technical safety inspection to which it was referred,

- 14) which has not undergone the axle load, and/or total weight measurement to which it was referred,
  - 15) which was individually constructed or reconstituted without the testing being performed or certificate of testing being issued,
  - 16) which was previously excluded from traffic while the exclusion was still ongoing.
- (2) The costs of accommodating the passengers and securing the vehicle shall be borne by the owner, and/or operator of the vehicle excluded from traffic.
  - (3) The police officer shall exclude from traffic a conveyance vehicle which is not herein defined as vehicle but nevertheless moves on the road.

### **Article 290**

- (1) If a driver moves on the road on which moving of his type of vehicle, and/or vehicle is forbidden, the police officer shall order such driver to leave that road without delay by the shortest possible route.
- (2) The driver shall comply with the order referred to in Paragraph 1 of this Article.
- (3) If the driver fails to comply with the order referred to in Paragraph 2 of this Article, the police officer shall exclude the vehicle from traffic.
- (4) If the vehicle threatens or impairs traffic safety, and/or in the event exceptional emergency measures are taken to ensure public peace and order or remove immediate danger to property, and/or living environment, the police officer shall take steps to remove the vehicle at the expense of the owner, and/or operator.

### **Article 291**

- (1) If a driver moving on the road or a part of the road on which the use of winter equipment, and/or snow chains is mandatory, is not using them and thus compromises or may compromise unimpaired and safe traffic, the police officer shall order the driver to use them.
- (2) The driver shall comply with the order referred to in Paragraph 1 of this Article.
- (3) If the driver fails to comply with the order referred to in Paragraph 2 of this Article, the police officer will exclude the vehicle from traffic, and/or, if possible, refer it to a road where the use of winter equipment is not required.

## **Article 292**

- (1) Exclusion of vehicle, and/or removal of reasons for exclusion shall be performed at such place and in such manner so that traffic is not impaired, and/or traffic safety is not threatened.
- (2) If the reason for exclusion appeared at the part of the road in which it is impossible to comply with requirements referred to in Paragraph 1 of this Article, the police officer will order the driver to drive the vehicle to the nearest place in which such compliance is possible, under supervision of a police officer.
- (3) Exclusion of vehicle shall subsist pending the cessation of reasons for exclusion.
- (4) When a vehicle is excluded from traffic due to being found out of order at the control technical safety inspection, as a rule, extraordinary technical inspection will take place in the economic operator in which control technical inspection was performed. By way of exception, the territorially competent organisational unit of the Ministry of Internal Affairs may allow that extraordinary technical safety inspection be performed in other economic operator authorised to perform technical safety inspection, when this is required, and/or justified by the circumstances.
- (5) The police officer excluding the vehicle will seize the registration plates, and the driver is under obligation to surrender them to him. The police officer, upon the consent of the driver, may remove the registration plates.
- (6) If the driver fails to comply with the order referred to in Paragraph 5 of this Article, the police officer shall bring the driver to the competent offence authority and contract a professional to remove the registration plates at the expense of the driver.
- (7) If the action referred to in Paragraph 6 of this Article cannot be taken right away, the territorially competent organisational unit of the Ministry of Internal Affairs will detain such person for maximum 24 hours.
- (8) Territorially competent organisational unit of the Ministry of Internal Affairs shall be under obligation to keep records of the vehicles excluded from traffic and the seized registration plates.
- (9) The police officer who seized the registration plates due to the vehicle exclusion shall be under obligation to issue to the driver a certification about seizure of the registration plates.
- (10) Territorially competent organisational unit of the Ministry of Internal Affairs whose police officer seized the registration plates shall be under obligation to return the registration plates to the vehicle owner, and/or operator as soon as it finds that the reasons for which the vehicle was excluded have ceased.
- (11) If vehicle driver, and/or owner fails to remove the reasons and do not request that the registration plates be returned, the police authority whose police officer seized the registration plates shall, after the expiry of the period of 30 days following the expiry of the validity of registration sticker, return the seized registration plates to the authority with which the records about the vehicle are kept.
- (12) If the excluded vehicle compromises or impairs the traffic safety, and/or in the event the exceptional emergency measures are taken to ensure public peace and

order and safety or to remove an immediate danger to human life or health or to the property, and/or living environment, and the driver refuses or is not able to remove the vehicle, the police officer shall take steps to have the vehicle removed at the expense of the owner, and/or operator.

### **Article 293**

- (1) The police officer may, for a reasonable time and not for longer than 30 minutes, temporarily forbid the movement of a vehicle or a group of vehicle, behind which, because of the slow movement, a line of vehicles has formed.
- (2) The driver referred to in Paragraph 1 of this Article shall be under obligation to comply with the order of the police officer referred to in Paragraph 1 of this Article.
- (3) Vehicles referred to in Paragraph 1 of this Article shall be stopped at a place in which they do not compromise or impair the traffic on the road, and, as a rule, not on the driving lane.

## **11. Removing and preventing hazards on the road**

### **Article 294**

- (1) When it is found within the traffic control that there is an immediate threat to traffic participants, the competent police authority shall order the road manager to take steps to remove the immediate threat to traffic participants on the road, immediately after becoming aware of the presence of such threat, and shall duly notify the authority responsible for overseeing the condition of roads.
- (2) The authority performing the oversight of the roads shall be under obligation to take care of removing any threats on the road in accordance with its responsibilities.
- (3) The road manager shall be under obligation to comply with the order referred to in Paragraph 1 of this Article without delay and to take steps to remove any danger, and, when it is not possible to promptly remove the danger, to take steps to prevent the development of danger for traffic participants.
- (4) The road manager shall notify the authority who issued the order about the steps it undertook and actions it performed.

## **12. Temporary seizure of objects and the evidence of an offence**

### **Article 295**

- (1) In the traffic control, and/or while performing control, the police officer may, for the purposes of documenting and proving the offence and other wrongdoings, temporarily and for maximum 24 hours, seize from the committer of offence, and/or other wrongdoing the document suitable for proving the unlawful conduct.
- (2) After expiry of the time limit referred to in Paragraph 2 of this Article, the territorially competent organisational unit of the Ministry of Internal Affairs shall deliver the seized document referred to in Paragraph 1 of this Article, without delay, to legal person, and/or natural person from whom it was seized, in accordance with the regulations applicable for delivery in person.

## **13. The removal of irregularly stopped or parked vehicles**

### **Article 296**

- (1) In case during control of traffic a police officer encounters a vehicle that has been parked or stopped contrary to provisions of this Law, the police officer shall order the driver, if the driver was present on the site, to remove the vehicle without delay, under the threat of enforcement.
- (2) If a driver is not present on the site from Paragraph 1 hereof, the police officer shall issue a decision in writing to order that the vehicle be removed within the period that may not be shorter than three minutes. The copy of the decision ordering the removal of the vehicle shall be placed at a prominent place on the vehicle and will be thereafter considered delivered to the driver. Any subsequent removal or destruction of the decision will not affect validity of its delivery.
- (3) If a police officer or the competent inspection authority in charge of control of traffic by establishes, via video supervision or photo recording, that a vehicle has been parked or stopped contrary to provisions of this Law, the police officer and competent inspection authority will issue a decision in the electronic form to order that the vehicle be removed within a period not shorter than three minutes. The electronic form decision ordering a vehicle's removal shall be submitted to a person in charge of removing vehicles, who will place it at a prominent place on the vehicle, whereby the decision will be considered delivered to the driver.
- (4) If the driver fails to remove the vehicle within the time period from the decision stated in Paragraph 2 hereof, the police officer will remove the vehicle to a place

- designated for such purpose, at the expense of the driver or the owner, that is, of the operator of the vehicle.
- (5) A police officer or an employee with the local government unit in charge of traffic shall also act in the manner provided for in previous Paragraphs of this Article in cases when during control of traffic on the road, or at a place where no stopping and parking of vehicles has been permitted, the police officer, or the employee finds an abandoned vehicle.
  - (6) The local government unit may delegate the work of removing the vehicle from Paragraph 1 hereof to a legal entity or an entrepreneur meeting conditions stipulated for the work.
  - (7) The legal entity that is entrepreneur from Paragraph 6 hereof shall be held responsible for all incurred damages from the moment the removal of the vehicle started until the take over of the vehicle by the driver, owner, or operator of the vehicle.
  - (8) Removing of the vehicle shall be stopped in case the driver will appear on the spot and accept to remove the vehicle.
  - (9) In the case from Paragraph 8 hereof, the driver will bear the costs of all previously performed actions.
  - (10) All detailed regulations governing requirements that need to be met by a legal person in charge of removing the vehicles from this article, and those stipulating the method of removing and keeping the vehicles, keeping records on removed vehicles and on the steps taken to have the vehicles removed shall be passed by a minister in charge of traffic with the approval of the Ministry of Interior.
  - (11) The government will define the amount of compensation for the removal of vehicles, pursuant to recommendations of the ministry in charge of trade and services.
  - (12) No local government may issue its decision to define higher compensation for the removal of vehicles than the one stipulated by the government decision.
  - (13) A person in charge of removal or relocation of vehicles may not set out higher compensation for removing of vehicles than the one stipulated by the government decision.

## **XIX ORGANIZATION OF TRAFFIC SAFETY ACTIVITIES WITHIN COMPANIES, OTHER LEGAL ENTITIES, GOVERNMENT BODIES, LOCAL GOVERNMENT UNITS AND WITH ENTREPRENEURS**

### **Article 297**

- (1) A company or any other legal entity, government body and local government unit and entrepreneur providing services of road transport shall have to organize and perform control of compliance of conditions governing the participation of their vehicles and drivers in road traffic, and in particular of those conditions stipulated by other regulations that are of vital importance for the safety of

- traffic, and shall have to keep stipulated records and secure that the above conditions will be met.
- (2) More specific regulations on the contents and manner of keeping records on fulfilment of the conditions on participation of vehicles and drivers from Paragraph 1 hereof in traffic, and the conditions regarding the time of driving and rest periods, as well as conditions stipulated by other conditions of vital importance for the safety of traffic shall be prescribed by the minister of interior.

## **XX SUPERVISION**

### **Article 298**

In performing control, the competent ministries acting within their competences propose and undertake measures aimed at achieving and protecting public interest, the rights and obligations of companies and other legal entities and citizens in the field of road traffic safety; they cooperate with other government bodies and local government units, international organizations and bodies of other states, professional organizations from the field of road traffic, citizens' associations and the citizens and take into consideration their initiatives for solving road traffic safety issues.

### **Article 299**

The supervision over implementation of this Law and of regulations that are adopted pursuant to this Law shall be vested with the ministry in charge of traffic and the Ministry of Interior unless otherwise provided for by this Law.

### **Article 300**

The Ministry in charge of traffic shall supervise the implementation of this Law and of other regulations governing: the road condition in terms of conditions for safe performance of traffic, technical regulation of traffic, traffic management, road safety in the process of designing, construction, reconstruction and maintenance, compliance with regulations governing licences for professional drivers (CPC), training and examinations for professional qualifications of drivers and other inspection jobs vested with it by the Law.

### **Article 301**

- (1) In discharging supervisory inspection duties, the authorized person of the body in charge of traffic is empowered to and shall:
  - 1) prohibit an authorized person, body or organization to manage traffic that is performed contrary to law and other provisions, technical norms and standards, and standards of quality and of the use of materials,
  - 2) issue orders for remedying of deficiencies within a stipulated term if he/she finds that during production and use of material in production, placing and using of traffic signalizations no technical regulations, technical norms and standards and quality standards are observed, and if those deficiencies are not remedied within the stipulated time period, to prohibit or to stop further usage and placing of traffic signalization,
  - 3) exclude drivers from traffic due to non-observance of regulations regarding the licences for professional drivers (CPC),
  - 4) conduct control of tachographs and exclude drivers from traffic because of their failure to observe regulations during driving.
- (2) The ministry in charge of traffic may revoke the transport licence of a company due to its failure to observe the regulations governing licences for the jobs of professional drivers (CPC).

### **Article 302**

- (1) The supervision over the work of the Traffic Safety Agency shall be vested with the ministries in charge of traffic, health and education, and the Ministry of Interior, pursuant to their respective competences.
- (2) The Ministries from Paragraph 1 hereof shall resolve the appeals against decisions of the Agency.

### **Article 303**

- (1) The ministry in charge of health shall supervise the work of: legal entities in charge of conducting training and examinations in first aid, health institutions certified for health examination of drivers, health institutions certified to perform test of blood, urine and/or other body material and substances to determine the contents of alcohol and/ or psychoactive substances in human body, in terms of

- control of legal nature of their operation and respective documents and control of quality of professional work in compliance with regulations governing health protection, and to perform other tasks pursuant to this Law.
- (2) If during the control of work of the legal entity from Paragraph 1 hereof it becomes evident that the entity is no longer fulfilling stipulated conditions for its operation, or that the stated work is not discharged professionally and in line with the law, the body from Paragraph 1 hereof may revoke the licence of the legal entity.
  - (3) In cases it is established during the control that the teacher/examining teacher in first aid is no longer meeting stipulated conditions, or that the stated teacher is not discharging teaching and examiner's duties with due care and in the stipulated way, the body from Paragraph 1 hereof may revoke the licence of the teacher - examiner.

#### **Article 304**

The ministry in charge of trade and services shall engage in control of enforcement of this Law in terms of those stipulations relating to the price of services and compensations charged by the Agency and of other compensations in connection with this law.

#### **Article 305**

Control of traffic on the roads, immediate control, regulation of traffic and taking special and other measures to maintain traffic safety, control of participants and of vehicles in traffic, control of provisional traffic signalization at places where works are carried out or obstructions are created and are hindering undisturbed and safe carrying out of traffic, and other matters relative to the observance of this Law and of regulations adopted pursuant to this Law, shall be vested, as a rule, with the Ministry of Interior.

#### **Article 306**

- (1) A police officer shall render adequate assistance to traffic participants on roads in conformity with his capacity and powers, given conditions and circumstances and in a manner that will not put his own safety and that of other traffic participants into jeopardy.
- (2) During controls and regulations of traffic, a police officer may stop a vehicle, make stipulated signs, issue directions to the traffic participants and apply special

- measures and authorities stipulated by this Law in a manner that will not jeopardize the traffic safety.
- (3) During controls, a driver and passengers shall not leave a vehicle unless allowed by a police officer to do so.
  - (4) A driver shall resume driving only when directed by a police officer to do so.

### **Article 307**

- (1) The Ministry of Interior shall supervise the compliance of regulations from the field of training candidates to become drivers.
- (2) If during the supervision it is established that a person fails to meet stipulated regulations, the territorial competent organizational unit of the Ministry of Interior shall issue an order for remedying of defects, determine the term and provisionally ban the training of drivers pursuant to the provisions specifying that a legal entity shall only temporarily stop with work, pursuant to the provisions of Article 210, Paragraph 3, 4 and 5 of this Law.
- (3) The appeal against the decision from Paragraph 2 hereof shall not postpone its enforcement.
- (4) The legal entity whose operation has been temporarily stopped may resume with operations only if the body issuing the order has completed inspection and found that deficiencies have been remedied.
- (5) If it has been established that stipulated conditions have not been remedied within the stipulated term, the body that issued the licence shall revoke the licence.
- (6) The body from Paragraph 1 hereof may revoke the licence if it finds out during control that the legal entity engaged in training of driving candidates is not discharging its duties with due care and in a proper way, that stipulated records are not maintained accurately and in a stipulated way, or that driving tests are not organized and carried out with due care and attention, the body from Paragraph 1 hereof may revoke the licence.
- (7) The body from Paragraph 1 hereof shall revoke the licence of a legal entity engaged in training and education of driving candidates in cases when the entity has notified in writing that it has stopped with training and education of driving candidates, and when it is established during control that the training and education of drivers is not conducted throughout a continuous period of six months, or when it is established during control that the legal entity has not fulfilled stipulated conditions even upon expiration of a temporary interruption of operation.
- (8) The body from Paragraph 1 hereof shall revoke the licence of a legal entity engaged in training and education of driving candidates if and when it is established that a bankruptcy procedure was initiated against the stated legal entity.
- (9) The body from Paragraph 1 hereof may make the driver's exam or any parts thereof null and void if and when established during the supervision and control that the driver's test, or its parts, have not been conducted properly and in a

- stipulated way and may significantly affect decision taking of the driving test commission, or ability of the driving test commission to establish whether a candidate has necessary knowledge and skills for operating a vehicle on the road.
- (10) The decision from Paragraph 9 hereof may be adopted within two years from the date of driving test taking. As an exception, this decision may be taken even upon expiration of the stated term, if the taking of the driving test was a consequence of a committed criminal offence.
  - (11) The decision from Paragraph 9 hereof may be adopted even at the request of a driving candidate that has to be submitted within 30 days from the date of driving test taking at the latest. If it is established on that occasion that the driving candidate has passed the driving test, and that the driving test commission has failed to verify the fact, a decision will be issued to instruct the legal entity to issue a confirmation, that is, certificate.
  - (12) If the body from Paragraph 1 hereof finds out by means of inspection that the driving instructor or driving examiner are discharging their duties in a manner that is not proper or stipulated, the body will file a proposal to the Agency to revoke the licence, and the Agency make revoke the licence of the instructor or examiner in question.
  - (13) The appeal against the decision on the recall of a permit (licence) from Paragraph 12 hereof may not postpone enforcement of the decision.

### **Article 308**

- (1) The control of operation of a company in possession of licences to engage in technical inspections of vehicles shall be performed by the Ministry of Interior.
- (2) If during any such control it is established that the company no longer meets the stipulated conditions, that the devices and equipment used for technical inspections of vehicles are incorrect or fail to meet other stipulated conditions, or if technical inspections are not carried out with due care and in a stipulated manner, the Ministry of Interior may revoke the company's licence to carry out technical inspections of the vehicles.
- (3) The body from Paragraph 1 hereof shall revoke the licence of a company with licence to carry out technical inspections of vehicles if it will establish that a bankruptcy procedure was initiated against the stated company.
- (4) The Ministry of Interior shall revoke the licence of the company licensed to carry out technical inspections of vehicles if it has been notified in writing that the company stopped with technical inspections of vehicles, if during inspection it is established that technical inspections were not carried out for a continuous period of three months, or that upon expiration of a temporary interruption of operations from Articles and 256 and 258 of this Law the company has not fulfilled stipulated conditions.
- (5) If during control it is established that the technical inspection controller is carrying out technical inspection of a vehicle in an incorrect or without due care,

- the evidence thereon will be delivered to the Agency that may revoke the licence of the respective controller.
- (6) The appeal against decision on recall of the licence from Paragraph 5 shall not postpone enforcement of the decision.

### **Article 309**

- (1) The Control of observance of regulations on traffic safety by companies, other legal entities, government authorities, local government units and entrepreneurs engaged in providing transport services in road traffic shall be vested with the Ministry of Interior.
- (2) During control of operation of legal entities from Paragraph 1 hereof, any non-observance of provisions of this Law shall be established by control of specific records.

### **Article 310**

- (1) The Ministry of Interior shall supervise the implementation of regulations on test drives, issuing of registration stickers, issuing of plates for temporary marking and impressing of identifications marks of a vehicle.
- (2) If during inspection it is established that a legal entity is not carrying out the work of issuing registration stickers with due care and in the stipulated way, the Ministry of Interior may revoke the licence.
- (3) If during inspection it is established that the legal entity is not carrying out the work of issuing plates for temporary marking of vehicles with due care and in the stipulated way, the Ministry of Interior may revoke the licence.
- (4) If during inspection it is established that the legal entity is not carrying out test drives in the stipulated way and pursuant to the licence for operation, the Ministry of Interior may prohibit further test drives.
- (5) If during inspection it is established that the legal entity is not carrying out the work of impressing identification marks of a vehicle with due care and in the stipulated way, the Ministry of Interior may revoke the licence.
- (6) The Ministry of Interior shall supervise the operation of a legal entity in charge of issuing international driving licences.

### **Article 311**

- (1) An entity in charge of conducting controls pursuant to the provisions of this Law shall make the minutes on completed control and deliver a copy of the minutes to a legal entity or authority, entrepreneur, or a physical person where any such control has been carried out.
- (2) The companies, other legal entities, authorities in charge of control from Paragraph 1 hereof, and entrepreneurs shall enable the authorized person to carry out control, and shall place at his/her disposal all corresponding documents and files and provide him/her with all necessary data, documents and information.

## **XXI PENAL PROVISIONS**

### **1. Special competences in infraction proceedings**

#### **Article 312**

A first instance proceeding for the offence committed by legal entities and entrepreneurs that are punishable only by a pecuniary fine for breaches of those provisions whose enforcement falls under the competence of the Ministry of Interior shall be organized before the body of the state administration in charge of enforcement of this Law.

#### **Article 313**

- (1) For those offences for which this Law prescribes a fixed pecuniary penalty, the penalty shall be collected from the offender who will have to pay the stipulated amount in favour of the account stipulated for payment of public revenues within eight days from the date of the payment order.
- (2) The police officer shall deliver the order for payment of the penalty to the offender together with the information that in case the penalty will not be paid within the stipulated time period that a proceeding for the offence shall be launched against him/her before the body of the state administration that is in charge of enforcement of this Law.

#### **Article 314**

- (1) If an authentic document from Article 322 hereof is used as a proof of offence punishable by a pecuniary penalty in a fixed amount, or if the offence was directly detected and evidenced by a police officer or by another person directly in charge of traffic regulations, the competent body shall summon the owner, or the operator of the vehicle to provide identity data of a person who drove the vehicle, and the owner, or the operator of a vehicle will have to provide the requested information.
- (2) After collecting data from Paragraph 1 hereof, the competent territorial organizational unit of the Ministry of Interior shall proceed to collect the penalty in the manner provided for in Article 313 of this Law.

#### **Article 314a**

Competent organizational unit of the Ministry may choose not to file the request for initiation of infraction proceeding to the body in charge – if the infraction is committed because the traffic participant was acting with the aim of protection of safety, i.e. protection and guarding of lives, health and property while making the infraction.

#### **Article 315**

On condition of reciprocity, against the driver with residence in the Republic of Serbia who committed traffic offence in a foreign country, according to the regulations of that country, the proceeding for the offence shall be initiated in the Republic of Serbia, if so requested by the competent foreign authority, and the driver may be sentenced according to domestic regulations if he was not sentenced for the same offence in the country in which the offence was committed.

#### **Article 316**

- (1) If a motor vehicle or a trailer vehicle is subject of a financial leasing, lease contract, or business and technical cooperation arrangement, and the respective information has been recorded in the registration card, the provisions of the tortuous liability of the owner of a vehicle stipulated by this Law shall be

- congruently applied to a person operating a vehicle under the above stated conditions.
- (2) In case the data on financial leasing, lease agreement, business and technical cooperation arrangements have not been registered in the registration card, a physical person, or legal entity that is registered in the registration card as an owner, or operator of the vehicle shall be held responsible pursuant to provisions of this Law, accordingly.

### **Article 317**

For breaches of the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) by domestic physical and legal entities engaged in international road transport outside the territory of the Republic of Serbia, the stated entities shall be held responsible as if they have committed the breaches in the territory of the Republic of Serbia.

### **Article 318**

- (1) If a child commits an offence of the road traffic safety regulations, the parent, adopting parent or guardian shall be punished by a pecuniary punishment stipulated for the offence committed as if he himself has committed the offence, if the offence was committed due to the lack of due supervision over the child.
- (2) The punishment shall not be imposed if pronouncing of a protective measure or penalty points is stipulated for a specific offence to a parent, adopting parent, or guardian.
- (3) For an offence provided for by this law that was committed by a minor (a 14 year old, but not an adult) the parent, adopting parent or guardian of the child will be also punished if the committed offence was a consequence of a lack of due supervision over the minor, in cases when the parent, adopting parent, or guardian were in a position to exercise such supervision.
- (4) If pronouncing of a protective measure (endorsement) or of penalty points is stipulated for a specific offence against the parent, adopting parent, they shall not be pronounced.

### **Article 319**

- (1) A driving instructor under whose supervision a driving candidate is instructed to drive a motor vehicle on the road, that is, a person overseeing the driver while driving a vehicle based on a probation driving licence shall be punished for an offence committed by the driving candidate, unless he/she himself was capable of preventing the offence.
- (2) If pronouncing of a protective measure of endorsement or of penalty points is stipulated for a specific offence against the driving instructor, or the person overseeing the driver who is driving a vehicle based on a probation driving licence, they shall not be pronounced unless in cases when the driving instructor, or the person overseeing the driver with the probation driving licence was under the influence of drugs and/or other psychoactive substances.

### **Article 320**

- (1) If by means of devices for detection of traffic offences or when directly detected by a police officer, or some other person in charge of direct regulation of traffic pursuant to this law an offence stipulated by this law is documents, or observed, when the driver of the respective vehicle is not identified, the owner, that is, the operator of the vehicle shall be held responsible to making possible to commit the offence by his/her vehicle.
- (2) With the exception of provisions of Paragraph 1 hereof, the owner, that is, the operator of the vehicle shall not be held responsible in case of unauthorized use of the vehicle.

## **3. The obligations of the bodies which decide on the breaches of provisions of this Law**

### **Article 321**

- (1) The body pronouncing a penalty, or an endorsement (protective measure), shall notify the body filing the request for initiation of the proceedings.
- (2) The court that issued a valid sentence for criminal offences against traffic safety committed by drivers of motor vehicles shall notify the competent territorial unit of the Ministry of Interior on whose territory is the residence of the convicted during validity of the sentence.

- (3) When the court pronounces a measure of prohibition to drive motor vehicle to a person holding a foreign driving licence, the court shall accordingly notify the competent territorial organizational unit of the Ministry of Interior on whose territory the criminal offence was committed.
- (4) The data about sentences, endorsements and safety measures may be used by judicial organs, the bodies in charge of offence proceedings, the Ministry of Interior bodies, the ministry in charge of traffic, health institutions, bodies and organizations dealing with traffic safety matters, and bodies and organizations engaged in public transport or transport for their own needs, with respect to those drivers who are employed by the stated bodies or organizations.

#### **4. The authentic document of offence**

##### **Article 322**

Within the meaning of this Law, an authentic document evidencing a committed offence shall be:

- 1) video or photo recording on which the following can be clearly seen: a vehicle by which the offence was committed, registration plate of the vehicle, essential characteristics of the offence,
- 2) tachographic sheet or other tachographic recording,
- 3) minutes on performed control of traffic participants made pursuant to the Law on General Administrative Procedure,
- 4) minutes on investigation of the accident, that is, documents relating to an accident scene,
- 5) minutes on the control that was carried out pursuant to this Law,
- 6) minutes on completed vehicle's technical inspection,
- 7) minutes on completed weighing and measuring of the axle load,
- 8) minutes on blood test and/or test of other body fluids with regard to the contents of alcohol and/or other psychoactive substances in them.

## 5. Penalty points

### Article 323

- (1) A driver with driving licence, or probation driving licence issued in the Republic of Serbia shall be punished by penalty points for the offences specified by this Law.
- (2) Depending on the nature and extent of offences, the penalty points ranging from 1 to 18 will be allocated to specific offences.

### Article 324

In case of joining of offences, the penalty points shall be determined for each offence individually and only one sentence representing the sum of individually pronounced penalty points shall be pronounced.

## 6. Corporate offences

### Article 325

- (1) A legal entity shall be punished with a fine ranging from RSD 300,000 to RSD 2,500,000 if it breached any of below stated Articles of this Law:
  - 1) Article 4, **Error! Reference source not found.** Paragraph 3,
  - 2) Article 29, Paragraph 2,
  - 3) Article 112, Paragraph 1, Item 2, when axle load stipulated by technical standards for vehicles and maximum allowed total weight are exceeded by more than 5.0% and Item 3,
  - 4) Article 123, Paragraph 1,
  - 5) Article 156, Paragraphs 3, 4, 5, 6, 7, 8 and 10,
  - 6) Article 165, Paragraphs 4 and 5,
  - 7) Article 188, Paragraph 1,
  - 8) Article 204, Paragraph 1,

- 9) Article 207, Paragraph 1,
  - 10) Article 218, Paragraph 2,
  - 11) Article 232, Paragraph 5, if it issued the certificate to a person who did not pass the theoretical exam, and Paragraph 6,
  - 12) Article 237, Paragraph 4,
  - 13) Article 241, Paragraph 1,
  - 14) Article 249, Paragraph 2, if it has put the vehicle into circulation,
  - 15) Article 250, Paragraph 6,
  - 16) Article 252, Paragraph 1, if it had no authorization of the Agency to perform control of these devices,
  - 17) Article 253, Paragraph 4,
  - 18) Article 255, Paragraphs 1, 3 and 5,
  - 19) Article 264, Paragraph 8,
  - 20) Article 268, Paragraph 4,
  - 21) Article 267, Paragraph 5,
  - 22) Article 268, Paragraph 6,
  - 23) Article 269, Paragraph 2,
  - 24) Article 296, Paragraph 13
- (2) A responsible person of a legal entity shall be punished for corporate crime from Paragraph 1 with a fine ranging from RSD 20,000 to RSD 200,000.

## **7. Fines for legal entities**

### **Article 326**

- (1) A legal entity shall be punished with a fine ranging from RSD 100,000 to RSD 800,000 if it breached any of below stated Articles of this Law:
- 1) Article 4, Paragraphs 1 and 2,
  - 2) Article 45, Paragraph 2,
  - 3) Article 106, Paragraph 5,
  - 4) Article 108, Paragraph 5,
  - 5) Article 111, Paragraph 2, item 1,

- 6) Article 112, Paragraph 1, Item 1 and Paragraphs 5 and 6 hereof, when the vehicle load or the axle load of specific axles specified by the vehicle manufacturer exceeds the carrying capacity of a vehicle by more than 20,0%,
- 7) Article 112, Paragraph 1, item 1,
- 8) Article 112, Paragraph 3 , items 1 and 4,
- 9) Article 115, Paragraph 4,
- 10) Article 116, Paragraph 1,
- 11) Article 121, Paragraphs 1 and 2,
- 12) Article 122, Paragraph 1,
- 13) Article 124, Paragraph 6,
- 14) Article 127, Paragraphs 1 and 2,
- 15) Article 130, Paragraph 1,
- 16) Article 132, Paragraphs 1 and 2,
- 17) Article 133, Paragraphs 2, 3, 4 and 5.
- 18) Article 134, Paragraphs 1 and 2,
- 19) Article 153, Paragraphs 1, 2, 3 and 4,
- 20) Article 154, Paragraphs 1, 4 and 5,
- 21) Article 156, Paragraphs 1, 2 and 9,
- 22) Article 159, Paragraphs 1 and 2,
- 23) Article 163, Paragraph 4,
- 24) Article 165, Paragraph 3,
- 25) Article 173, Paragraph 1,
- 26) Article 177, Paragraph 3,
- 27) Article 178, Paragraph 1, except in cases of expiration of the driving licence validity term,
- 28) Article 186, Paragraph 5,
- 29) Article 187, Paragraph 2, if a driver is fairly, very or completely drunk and/or is under the influence of psychoactive substances,
- 30) Article 188, Paragraph 4,
- 31) Article 190, Paragraphs 2 and 3, if it allows a vehicle to participate in traffic upon expiry of more than 30 days from the expiry date from Article 189,
- 32) Article 203, Paragraph 9,
- 33) Article 204, Paragraph 3,

- 34) Article 205, Paragraph 1, if a tram is driven by a driver without a driving licence and special licence for operating trams, except in cases when validity of a driving licence or a licence for operating trams has expired,
- 35) Article 209,
- 36) Article 211, Paragraph 1, if the files and records are not correct and true,
- 37) Article 212, Paragraph 1,
- 38) Article 214, Paragraph 3,
- 39) Article 215, Paragraph 3,
- 40) Article 216, Paragraphs 1 and 2,
- 41) Article 217, Paragraph 1,
- 42) Article 218, Paragraph 3,
- 43) Article 219, Paragraph 3,
- 44) Article 220, Paragraph 2,
- 45) Article 221, Paragraph 1,
- 46) Article 224, Paragraph 1,
- 47) Article 224, Paragraph 6, except in cases of expiration of the driving licence validity term,
- 48) Article 226, Paragraph 1,
- 49) Article 227, Paragraphs 1, 2 and 4,
- 50) Article 229,
- 51) Article 235, Paragraph 5,
- 52) Article 236, Paragraph 5,
- 53) Article 237, Paragraphs 5. and 6,
- 54) Article 238, Paragraphs 3 and 7, during practical driving test,
- 55) Article 242, Paragraph 1,
- 56) Article 245,
- 57) Article 246, Paragraph 1, for a vehicle that is technically out of order with regard to the stopping and driving devices, pneumatics and device for connecting a towing vehicle and a trailer,
- 58) Article 246, Paragraphs 3 and 7,
- 59) Article 246, Paragraphs 4 and 5, if it has installed devices and is using them,
- 60) Article 247, Paragraph 1,
- 61) Article 249, Paragraph 2, if a vehicle is participating in traffic,

- 62) Article 252, Paragraph 4,
  - 63) Article 253, Paragraph 5,
  - 64) Article 256, Paragraph 2,
  - 65) Article 258, Paragraphs 1 and 2,
  - 66) Article 261, Paragraphs 3 and 4,
  - 67) Article 262, Paragraphs 2 and 4,
  - 68) Article 263, Paragraph 1,
  - 69) Article 268, Paragraph 1, if a vehicle is not entered in the register of vehicles,
  - 70) Article 268, Paragraph 12,
  - 71) Article 268, Paragraph 14,
  - 72) Article 269, Paragraph 4,
  - 73) Article 270, Paragraph 4,
  - 74) Article 274, Paragraph 3,
  - 75) Article 277, Paragraph 5,
  - 76) Article 280, Paragraph 8,
  - 77) Article 294, Paragraph 3,
  - 78) Article 297, Paragraph 1,
  - 79) Article 311, Paragraph 2.
- (2) For the offence from Paragraph 1 hereof a responsible person of a legal entity shall be punished with a fine ranging from RSD 6,000 to RSD 50,000.
  - (3) For the offence from Paragraph 1 hereof a responsible person of the government body or local government unit shall be punished with a fine ranging from RSD 6,000 to RSD 50,000.

### **Article 327**

- (1) A legal entity shall be punished with a fine ranging from RSD 60,000 to RSD 600,000 if it acted contrary to provisions of the following Articles of this Law:
  - 1) Article 22, Paragraph 5,
  - 2) Article 26, Paragraph 3,
  - 3) Article 30, Paragraph 2,
  - 4) Article 45, Paragraph 3.

- 5) Article 69, Paragraphs 1, 3, 4 and 5,
- 6) Article 70, Paragraph 1,
- 7) Article 71, Paragraph 1,
- 8) Article 72,
- 9) Article 85,
- 10) Article 87, Paragraph 2,
- 11) Article 111, Paragraphs 1 and 5,
- 12) Article 112, Paragraph 1, item 1 and Paragraphs 5 and 6 of this article, when the vehicle load, that is, the axle load of specific axles specified by the vehicle manufacturer exceeds the carrying capacity of a vehicle by 5% to 20,0%,
- 13) Article 112, Paragraph 3, items 2, 3, 5 and 6 and Paragraph 4,
- 14) Article 113, Paragraphs 1, 2 and 3,
- 15) Article 114,
- 16) Article 117, Paragraph 1,
- 17) Article 122, Paragraphs 5 and 7,
- 18) Article 125, Paragraph 1,
- 19) Article 128, Paragraphs 1 and 2,
- 20) Article 129, Paragraphs 1 and 2,
- 21) Article 134, Paragraphs 3 and 4,
- 22) Article 151, Paragraphs 2 and 3,
- 23) Article 154, Paragraph 2,
- 24) Article 155, Paragraph 1,
- 25) Article 156, Paragraph 11,
- 26) Article 160, Paragraph 2,
- 27) Article 161, Paragraph 3,
- 28) Article 162, Paragraph 2,
- 29) Article 163, Paragraph 1,
- 30) Article 166, Paragraph 6,
- 31) Article 169, Paragraphs 2 and 3,
- 32) Article 173, Paragraph 2,
- 33) Article 173, Paragraph 3,
- 34) Article 177, Paragraph 1,

- 35) Article 178, Paragraph 1, when the driving licence validity term has expired,
- 36) Article 187, Paragraph 1,
- 37) Article 187, Paragraph 2, if a driver is moderately or fairly drunk, or a driver from Paragraph 4, is slightly, moderately or fairly drunk,
- 38) Article 188, Paragraph 3,
- 39) Article 189, Paragraph 3,
- 40) Article 193, Paragraph 1,
- 41) Article 205, Paragraph 1, if the tram is driven by a driver without a driving licence and the special permit for tram driving, in the case when the driving licence or the special permit has expired.
- 42) Article 208, Paragraph 1
- 43) Article 210, Paragraphs 6 and 8,
- 44) Article 211, Paragraph 1, if records are not kept in stipulated way and correctly,
- 45) Article 217, Paragraph 2,
- 46) Article 226, Paragraph 3,
- 47) Article 227, Paragraph 3,
- 48) Article 228, Paragraphs 1 and 3,
- 49) Article 230, Paragraph 1,
- 50) Article 232, Paragraph 5, if it issues the certificate after the stipulated time period, and Paragraph 6,
- 51) Article 235, Paragraph 4,
- 52) Article 238, Paragraph 3, at the theoretical driving test,
- 53) Article 242, Paragraph 3,
- 54) Article 243, Paragraphs 1, 2, 4 and 5,
- 55) Article 244, Paragraphs 1, 2 and 4,
- 56) Article 246, Paragraph 1, other than with respect to the stopping, steering devices, pneumatics, device for connecting a towing vehicle and trailer, tachograph and speed limit device,
- 57) Article 246, Paragraphs 4 and 5, if it has these devices installed but they are not being used,
- 58) Article 252, Paragraph 5,
- 59) Article 256, Paragraphs 3 and 5,
- 60) Article 258, Paragraphs 3 and 5,

- 61) Article 259, Paragraph 2,
  - 62) Article 260, Paragraphs 1 and 2,
  - 63) Article 261, Paragraphs 1, 2 and 5,
  - 64) Article 262, Paragraph 3,
  - 65) Article 264, Paragraph 6, if it allows the vehicle to participate in traffic upon expiry of 15 days from expiry of the date from Article 264, Paragraph 4,
  - 66) Article 268, Paragraph 1, if the registration sticker validity term has expired,
  - 67) Article 268, Paragraph 5, if it is without stipulated registration plates,
  - 68) Article 274, Paragraphs 1 and 2,
  - 69) Article 276, Paragraph 1,
  - 70) Article 281, Paragraphs 3 and 4,
  - 71) Article 287, Paragraph 5,
  - 72) Article 294, Paragraph 4,
- (2) A responsible person of a legal entity shall be punished for the offence from Paragraph 1 hereof with a fine ranging from RSD 3,000 to RSD 30,000.
  - (3) For the offence from Paragraph 1 hereof a responsible person of the government body or of the local government body shall be punished with a fine ranging from RSD 3,000 to RSD 30,000.

## **8. Infraction penalties for entrepreneurs**

### **Article 328**

- (1) An entrepreneur shall be punished with a fine ranging from RSD 100,000 to RSD 600,000 if it acted contrary to provisions of the following Articles of this Law:
  - 1) Article 4, Paragraph 3,
  - 2) Article 29, Paragraph 2,
  - 3) Article 112, Paragraph 1, item 2), when the axle load stipulated by technical norms for vehicles and total maximum weight are exceeded by 5% and item 3),
  - 4) Article 123, Paragraph 1,
  - 5) Article 204, Paragraph 1,
  - 6) Article 259, Paragraph 2, if it has put the vehicle into circulation,

- 7) Article 250, Paragraph 6,
  - 8) Article 255, Paragraph 1,
  - 9) Article 296, Paragraph 13.
- (2) An entrepreneur shall be punished with a fine ranging from RSD 50,000 to 200,000 if it acted contrary to provisions of the following Articles of this Law:
- 1) Article 4, Paragraphs 1 and 2,
  - 2) Article 45, Paragraph 2,
  - 3) Article 106, Paragraph 5,
  - 4) Article 108, Paragraph 5,
  - 5) Article 111, Paragraph 2, item 1),
  - 6) Article 112, Paragraph 1, item 1) and Paragraphs 5 and 6 hereof, when the vehicle load, that is, axle load of specific axles specified by the vehicle manufacturer exceeds the carrying capacity of a vehicle by more than 20,0%,
  - 7) Article 112, Paragraph 3, items 1) and 4),
  - 8) Article 115, Paragraph 4,
  - 9) Article 116, Paragraph 1,
  - 10) Article 121, Paragraphs 1 and 2,
  - 11) Article 122, Paragraphs 1,
  - 12) Article 132, Paragraphs 1 and 2,
  - 13) Article 133, Paragraphs 2, 3, 4 and 5,
  - 14) Article 134, Paragraph 1 and 2,
  - 15) Article 153, Paragraphs 1, 3 and 4,
  - 16) Article 154, Paragraphs 1, 4 and 5,
  - 17) Article 156, Paragraphs 1, 2 and 11,
  - 18) Article 159, Paragraphs 1 and 2,
  - 19) Article 163, Paragraph 4,
  - 20) Article 165, Paragraph 3,
  - 21) Article 177, Paragraph 3,
  - 22) Article 178, Paragraph 1, other than in cases when the driving licence validity term has expired,
  - 23) Article 187, Paragraph 2, if a driver is fairly, very or completely drunk and/or is under the influence of psychoactive substances,
  - 24) Article 190, Paragraph 2, if it drives the vehicle upon expiration of more than 30 days from expiration of the time period from the Article 189,

- 25) Article 203, Paragraph 9,
  - 26) Article 205, Paragraph 1, if a tram is driven by a driver with driving licence and special licence for operating of trams, unless validity of the driving licence, or special licence has expired,
  - 27) Article 243, Paragraphs 1, 2, and 5,
  - 28) Article 244, Paragraphs 1 and 4,
  - 29) Article 245,
  - 30) Article 246, Paragraph 1, for a vehicle that is technically out of order with regard to the stopping and driving devices, pneumatics and device for connecting a towing vehicle and a trailer,
  - 31) Article 246, Paragraphs 3 and 7,
  - 32) Article 246, Paragraphs 4 and 5, if it has built in devices and is using them,
  - 33) Article 247, Paragraph 1,
  - 34) Article 249, Paragraph 2, if the vehicle participates in traffic,
  - 35) Article 268, Paragraph 1, if a vehicle is not entered in the register of vehicles, and Paragraph 12,
  - 36) Article 274, Paragraph 3,
  - 37) Article 276, Paragraph 1,
  - 38) Article 277, Paragraph 5,
  - 39) Article 280, Paragraph 8,
  - 40) Article 294, Paragraph 3,
  - 41) Article 297, Paragraph 1,
  - 42) Article 311, Paragraph 2.
- (3) An entrepreneur shall be punished with a fine ranging from RSD 10,000 to RSD 50,000 if he or she acted contrary to provisions of the following Articles of this Law:
- 1) Article 22, Paragraph 5,
  - 2) Article 26, Paragraph 3,
  - 3) Article 30, Paragraph 2,
  - 4) Article 45, Paragraph 3,
  - 5) Article 69, Paragraphs 1, 3 and 5.
  - 6) Article 70, Paragraph 1,
  - 7) Article 71, Paragraph 1,
  - 8) Article 72,

- 9) Article 85,
- 10) Article 87, Paragraph 2,
- 11) Article 111, Paragraphs 1 and 5,
- 12) Article 112, Paragraph 1, Item 1 and Paragraphs 5 and 6 of that Article, when the vehicle cargo or the axle load of specific axles specified by the vehicle manufacturer exceeds the carrying capacity of a vehicle by between 5,0 and 20,0%,
- 13) Article 112, Paragraph 3. Items 2, 3, 5 and 6 and Paragraph 4,
- 14) Article 113, Paragraphs 1, 2 and 3,
- 15) Article 114,
- 16) Article 117, Paragraph 1,
- 17) Article 122, Paragraphs 5 and 7,
- 18) Article 134, Paragraphs 3 and 4,
- 19) Article 151, Paragraphs 2 and 3,
- 20) Article 154, Paragraph 2,
- 21) Article 155, Paragraph 1,
- 22) Article 160, Paragraph 2,
- 23) Article 161, Paragraph 3,
- 24) Article 162, Paragraph 2,
- 25) Article 163, Paragraph 1,
- 26) Article 166, Paragraph 6,
- 27) Article 177, Paragraph 1,
- 28) Article 178, Paragraph 1, when the driving licence validity term has expired,
- 29) Article 187, Paragraph 1,
- 30) Article 187, Paragraph 2, if a driver is slightly or moderately drunk, and the driver from Paragraph 4 is slightly, moderately or fairly drunk,
- 31) Article 193, Paragraph 1,
- 32) Article 205, Paragraph 1, if a tram is driven by a driver without a driving licence and special licence for operating trams, in cases when validity of a driving licence or a special licence for operating trams has expired,
- 33) Article 243, Paragraph 4,
- 34) Article 246, Paragraph 1, other than with respect to the stopping and steering devices, pneumatics, devices for connecting a towing vehicles and trailer, tachograph and speed limit device,

- 35) Article 252, Paragraph 5,
- 36) Article 268, Paragraph 1, if the registration sticker validity term has expired,
- 37) Article 268, Paragraph 5, if it is without stipulated registration plates,
- 38) Article 274, Paragraphs 1 and 2,
- 39) Article 294, Paragraph 4.

## **9. Infraction penalties for a natural person**

### **Article 329**

- (1) A driver who grossly violates traffic rules and has no consideration for other participants in the traffic (violent driving) shall be punished by imprisonment ranging from 30 to 60 days plus 15 penalty points.
- (2) If a driver while driving violently has caused a traffic accident, the driver will be punished by imprisonment from 45 to 60 days and 17 penalty points.
- (3) A protective measure of prohibition to drive motor vehicle for at least nine months shall be imposed against a driver from Paragraph 1 hereof, and in the case from Paragraph 2 hereof a protective measure of prohibition to drive motor vehicle for at least 10 months shall be pronounced.

### **Article 330**

- (1) A sentence of imprisonment of at least 15 days or a fine ranging between 100 000 and 120 000 RSD and 14 penalty points shall be imposed for the offence of a driver who:
  - 1) operates a vehicle without a driving licence for the vehicle category he is driving, unless the driving licence has expired,
  - 2) drives a tourist train without a driving licence and special licence for operating a tourist train, unless the driving licence or the special licence has expired,
  - 3) drives a tram without a driving licence and a special licence for operating a tram, unless the driving licence or special licence has expired,

- 4) drives a vehicle under the influence of more than 2.00 mg/ml of alcohol, and a driving instructor, a person supervising a driver with probation driving licence and an examiner in the practical part of the driving test while driving,
- 5) refuses to be tested for alcohol and/or psychoactive substances by adequate devices (alcohol meter, drug test, etc.), by way of professional examination from Article 280, Paragraph 4 hereof, and a driving instructor, a person supervising a driver with probation driving licence and an examiner in the practical part of the driving test while driving,
- 6) has been suspended and was found driving a vehicle during the period of such suspension,
- 7) drives a vehicle during the period of suspension of the vehicle from traffic,
- 8) drives a motor vehicle, or tram during the period of a protective measure, or a safety measure of prohibition to drive the motor vehicle,
- 9) drives through a residential area at a speed 70 km/h higher than the speed limit,
- 10) drives along the road outside an residential area at a speed 80 km/h higher than the speed limit, and the driver from Article 4, Paragraph 1, Item 4 hereof, who drives along the road outside the residential area at a speed over 70 km/h higher than the speed limit,
- 11) drives in a slow traffic zone at a speed that is over 50 km/h higher than the speed limit,
- 12) drives in a "30" and "school zone" at a speed that is over 60 km/h higher than the speed limit,
- 13) during night drives a vehicle along a part of the road that is in need of lighting without either vehicle lights or stopping lights on,
- 14) fails to stop the vehicle in front of a pedestrian crossing with at least one pedestrian on it, when the driver is prohibited to pass either by a traffic light or by a sign of an authorized official person,
- 15) fails to stop in front of a railway level crossing if a device for stopping the traffic is already lowered or started lowering, or if light or sound signals are emitted to warn that the barrier will start lowering, meaning that the train is coming to the road and railway crossing, in cases when a child below 12 years is in the vehicles, or when the driver drives a bus with passengers or some other vehicle that is used for transport of passengers in public transport,
- 16) as a participant in the accident in which a person was killed or suffered bodily injuries the driver fails to stop the vehicle, that is, inform the police and stay at the place of accident until arrival of the police and completion of investigation,

- 17) as a driving instructor who is conducting practical training of driving candidates during the term of the protective measure, or safety measure of prohibition to drive a vehicle, that is, as a person who no longer had the right to drive a motor vehicle of a specific category, or as a person whose driving licence was revoked.
- (2) If during the committing the offence from Paragraph 1 hereof the driver has caused a traffic accident, he shall be sentenced to imprisonment of at least 45 days or a fine ranging between 120 000 and 150 000 RSD and 15 penalty points.
- (3) The driver from Paragraph 1 hereof shall be sentenced with a protective measure of prohibition to drive a motor vehicle for at least eight months, that is, minimum ten months for the cases from Paragraph 2 hereof.

### **Article 331**

- (1) A physical person shall be punished with a fine ranging from RSD 15,000 to RSD 30,000 or a fine of imprisonment for 30 days if acting contrary to provisions of the following Articles of this Law:
  - 1) Article 29, Paragraph 1, if the device is used,
  - 2) Article 29, Paragraph 2, for a person/entity other than an entrepreneur,
  - 3) Article 31, a driver or a person sitting in the front seat and holding a minor of less than 12 years of age,
  - 4) Article 35, Paragraph 1,
  - 5) Article 36, Paragraphs 1, 2 and 3,
  - 6) Article 43, Paragraph 1 and Article 45, Paragraph 1, items 1, 2 and 3, who drives through a residential area at a speed 51 km/h to 70 km/h higher than the speed limit,
  - 7) Article 44 and Article 45, Paragraph 1, items 1, 2 and 3, a driver who drives outside a residential area at a speed that is 61 km/h to 80 km/h higher than the speed limit,
  - 8) Article 45, Paragraph 1, item 4, a driver who drives through, that is, outside a residential area at a speed that is 51 km/h to 70 km/h higher than the speed limit,
  - 9) Article 53, Paragraphs 1, 2 and 3,
  - 10) Article 55, Paragraphs 1 and 3, items 4, 5, 7, 8, 10, 14 and 15,
  - 11) Article 72, Paragraph 4,
  - 12) Article 74,

- 13) Article 77, Paragraph 2, a driver who is operating a vehicle at night on a lit portion of the road without switching on road lights or position lights, as well as when a driver is operating a vehicle at night on a lit portion of the road with only position lights switched on.
- 14) Article 78, Paragraph 2,
- 15) Article 89, Paragraph 2,
- 16) Article 95, Paragraphs 1 and 2, a guide shall be punished if a line is consisting mostly of children below 12 years of age,
- 17) Article 97, Paragraphs 1 and 2, if he/she takes with himself/herself a child below 12 years of age,
- 18) Article 98, if he takes with himself a child below 12 years of age,
- 19) Article 99, Paragraphs 1, 5 and 6,
- 20) Article 100, Paragraph 1, if a child below 12 years of age is in the vehicle, or if he drives a bus with passengers or any other vehicle that is used for transport of passengers,
- 21) Article 101, a driver shall be punished,
- 22) Article 101, a pedestrian taking with him/her a child below 12 years of age shall be punished,
- 23) Article 102, if a vehicle is driving along a highway,
- 24) Article 103, Paragraph 1,
- 25) Article 105, Paragraph 1, if a vehicle has been stopped in a traffic lane,
- 26) Article 105, Paragraph 2, if a driver makes a U-turn,
- 27) Article 106, Paragraph 5, the owner, or the driver shall be punished,
- 28) Article 107, Paragraph 1,
- 29) Article 108, Paragraph 5, the owner, or the driver shall be punished,
- 30) Article 109. Paragraphs 1 and 2,
- 31) Article 110,
- 32) Article 112, Paragraph 1, Item 1 and Paragraphs 5 and 6 of that Article when the vehicle load , or the axle load of specific axles specified by the vehicle manufactures exceeds the carrying capacity of the vehicle by more than 20,0%,
- 33) Article 112, Paragraph 1, item 2 when the axle load stipulated by technical standards for vehicles and maximum allowed weight are exceeded by more than 5% and item 3,
- 34) Article 118, Paragraph 2,
- 35) Article 120, Paragraph 2, in cases when passengers are children below 12 years of age,

- 36) Article 121, Paragraph 2, a driver whose driving licence, or special licence has been expired for more than six months,
- 37) Article 123, Paragraph 1,
- 38) Article 134, Paragraphs 1 and 2,
- 39) Article 142, Paragraph 2,
- 40) Article 145, Paragraph 5,
- 41) Article 146, Paragraph 6, a pedestrian, or cyclist shall be punished if he/she takes with himself/herself a child below 12 years of age,
- 42) Article 147, Paragraph 5,
- 43) Article 156, Paragraph 11,
- 44) Article 161, Paragraph 2, a driver driving at a speed that is 31 km/h to 50 km/h higher than the speed limit shall be punished,
- 45) Article 162, Paragraph 1, a driver driving at a speed that is 51 km/h to 60 km/h higher than the speed limit shall be punished,
- 46) Article 163, Paragraph 2, a driver driving at a speed that is 51 km/h to 60 km/h higher than the speed limit shall be punished,
- 47) Article 166, Paragraph 1,
- 48) Article 171, Paragraph 2,
- 49) Article 174, Paragraph 1,
- 50) Article 178, Paragraph 1, a driver whose driving licence has been expired for more than 6 months shall be punished,
- 51) Article 182, Paragraph 3,
- 52) Article 183, Paragraphs 2 and 3,
- 53) Article 187, Paragraph 1,
- 54) Article 187. Paragraphs 2 and 4, a person under the influence of psychoactive substances shall be punished,
- 55) Article 187, Paragraphs 2 and 4, the persons who are very drunk and completely drunk shall be punished,
- 56) Article 203, Paragraph 1,
- 57) Article 205, Paragraph 1, when the driving licence, or special licence has been expired by more than six months,
- 58) Article 207, Paragraph 1,
- 59) Article 211, Paragraph 1, a driving instructor who does not keep proper and correct records shall be punished,
- 60) Article 212, Paragraph 1, a driving instructor shall be punished,
- 61) Article 212, Paragraph 2, a driver candidate shall be punished,

- 62) Article 215, Paragraph 3, a driving instructor shall be punished,
- 63) Article 216. Paragraphs 1 and 2,
- 64) Article 217, Paragraph 1,
- 65) Article 221, Paragraph 1,
- 66) Article 224, Paragraph 1,
- 67) Article 224, Paragraph 6, except when the driving licence has expired,
- 68) Article 226, Paragraph 1,
- 69) Article 227. Paragraphs 1, 2 and 4,
- 70) Article 238. Paragraphs 3 and 7, the examiner shall be punished,
- 71) Article 242, Paragraph 1,
- 72) Article 245, Paragraph 3,
- 73) Article 246. Paragraphs 4 and 5, if it has installed devices and is using them,
- 74) Article 246, Paragraph 7,
- 75) Article 247,
- 76) Article 248, Paragraph 3,
- 77) Article 250, Paragraph 6,
- 78) Article 262, Paragraphs 1 and 4,
- 79) Article 263, Paragraph 1,
- 80) Article 268, Paragraph 1, if the vehicle is not entered in the register of vehicles,
- 81) Article 268, Paragraph 5, if it is without stipulated registration plates,
- 82) Article 273, Paragraph 1,
- 83) Article 274, Paragraph 3,
- 84) Article 277, Paragraph 5,
- 85) Article 280, Paragraphs 3 and 4, a pedestrian shall be punished,
- 86) Article 287, Paragraph 3,
- 87) Article 288, Paragraph 3,
- 88) Article 290, Paragraph 2,
- 89) Article 293, Paragraph 2,
- 90) Article 306, Paragraph 4,
- 91) Article 243, Paragraphs 1, 2, 4 and 5,
- 92) Article 244.

- (2) If by committing the offence from Paragraph 1 hereof a physical person has caused immediate danger to another participant in traffic or caused an accident, or gained illegal benefit for himself/herself or for somebody else, the physical person shall be punished with a fine ranging from RSD 30,000 to RSD 50,000 or a 60 days imprisonment.

### **Article 332**

- (1) A physical person shall be punished with a fine ranging from RSD 6,000 to RSD 20,000 if he/she acted contrary to provisions of the following Articles of this Law:
- 1) Article 22, Paragraphs 2 and 5,
  - 2) Article 25, Paragraph 3,
  - 3) Article 26, Paragraph 1,
  - 4) Article 29, Paragraph 1, if the device is located in the vehicle,
  - 5) Article 33, Paragraph 1,
  - 6) Article 36, Paragraph 4,
  - 7) Article 42, Paragraph 1,
  - 8) Article 43, Paragraph 1 and Article 45, Paragraph 1, items 1, 2 and 3, who drives in a residential area at a speed 21 km/h to 50 km/h higher than the speed limit,
  - 9) Article 44 and Article 45, Paragraph 1, Items 1, 2 and 3, a driver who drives outside a residential area at a speed 41 km/h to 60 km/h higher than the speed limit,
  - 10) Article 45, Paragraph 1, item 4, a driver who drives through, or outside a residential area at a speed 21 km/h to 50 km/h higher than the speed limit,
  - 11) Article 47,
  - 12) Article 50,
  - 13) Article 51, Paragraph 5,
  - 14) Article 54, Paragraph 2,
  - 15) Article 55, Paragraph 2,
  - 16) Article 55, Paragraph 3, items 1), 2), 6) and 12),
  - 17) Article 55, Paragraph 4,
  - 18) Article 57, Paragraph 1,
  - 19) Article 58, Paragraph 1,

- 20) Article 61, Paragraph 1, item 3),
- 21) Article 66, Paragraph 1, items 4) and 5),
- 22) Article 67, Paragraph 1, Item 3,
- 23) Article 69, Paragraph 1,
- 24) Article 71, Paragraph 1,
- 25) Article 72, Paragraphs 1, 2 and 3,
- 26) Article 75, Paragraph 2,
- 27) Article 79, Paragraph 1, a driver who does not turn on fog lights while driving in foggy weather,
- 28) Article 80, Paragraph 1,
- 29) Article 81, Paragraph 1, Item 4, if a line of pedestrian is composed mostly of children below 12 years of age,
- 30) Article 81, Paragraph 1, Item 5, if a cyclist is riding along a road outside an residential area,
- 31) Article 81, Paragraph 1, Item 6,
- 32) Article 85,
- 33) Article 86, Paragraph 1,
- 34) Article 88,
- 35) Article 90, Paragraph 1, Item 1, for the driver of a motor vehicle,
- 36) Article 91, Paragraph 2, for the driver of a motor vehicle,
- 37) Article 94, Paragraphs 1, 2 and 4, if he/she takes with himself/herself a child below 12 years of age,
- 38) Article 94, if he/she takes with himself/herself a child below 12 years of age,
- 39) Article 95, Paragraph 2, a person heading the line shall be punished,
- 40) Article 96, Paragraphs 1 and 3, if he/she takes with himself/herself a child below 12 years of age,
- 41) Article 97, Paragraph 3, if he/she takes with himself/herself a child below 12 years of age,
- 42) Article 98,
- 43) Article 99, Paragraphs 2 and 3,
- 44) Article 99, Paragraph 4, if the pedestrians are children below 12 years of age,
- 45) Article 100, Paragraph 1,
- 46) Article 102, if the vehicle is moving along the motorway,

- 47) Article 103, Paragraph 2, Item 2,
- 48) Article 105, Paragraph 1, if the vehicle has been stopped in the stopping lane,
- 49) Article 105, Paragraph 2, if the driver is driving the car backwards,
- 50) Article 111, Paragraph 1,
- 51) Article 111, Paragraph 2, Item 1,
- 52) Article 111, Paragraphs 4 and 5,
- 53) Article 112, Paragraph 1, Item 1 and Paragraphs 5 and 6 of that Article, when the vehicle load or axle load of specific axles specified by the vehicle manufactures exceed the carrying capacity of a vehicle by 5,0 to 20,0%,
- 54) Article 112, Paragraph 3, Items 1 and 4,
- 55) Article 113, Paragraph 2,
- 56) Article 115, Paragraph 4,
- 57) Article 116, Paragraph 1,
- 58) Article 117, Paragraph 1,
- 59) Article 120, Paragraph 2,
- 60) Article, 121 Paragraph 2, a driver whose driving licence, that is special licence has been expired less than six months ago,
- 61) Article 134, Paragraphs 3 and 4,
- 62) Article 143, Paragraph 2,
- 63) Article 144, Paragraph 3,
- 64) Article 160, Paragraph 1,
- 65) Article 161, Paragraph 2, a driver who is driving at a speed between 11 km/h and 30 km/h higher than the speed limit shall be punished,
- 66) Article 162, Paragraph 1, a driver who is driving at a speed 31 km/h to 50 km/h higher than the speed limit shall be punished,
- 67) Article 163, Paragraph 2, a driver who is driving at a speed 31 km/h to 50 km/h higher than the speed limit shall be punished,
- 68) Article 167,
- 69) Article 168, Paragraph 1, items 2, 3, 4, 5 and 6 and Paragraphs 2 and 4,
- 70) Article 172, Paragraphs 1 and 2,
- 71) Article 177, Paragraph 1,
- 72) Article 178, Paragraph 1, a driver whose driving licence has been expired maximum six months ago and a driver who has not been issued a driving licence upon expiration of the probation licence,

- 73) Article 178, Paragraph 3,
- 74) Article , 182 Paragraph 4, shall be punished in case of driving at night,
- 75) Article 182, Paragraph 6,
- 76) Article 183, Paragraph 5,
- 77) Article 187, Paragraphs 2 and 4, a fairly drunk person shall be punished,
- 78) Article 190, Paragraph 4,
- 79) Article 193, Paragraph 1,
- 80) Article 205, Paragraph 1, a tram driver whose driving licence, or the special licence for tram driving has expired less than six months ago,
- 81) Article 205, Paragraph 6,
- 82) Article 211, Paragraph 1, a driver instructor who fails to keep records in a stipulated way and properly shall be punished,
- 83) Article 214, Paragraph 3,
- 84) Article 217, Paragraph 2,
- 85) Article 224, Paragraph 6, if the driving licence validity period has expired,
- 86) Article 226, Paragraph 3,
- 87) Article 227, Paragraph 3,
- 88) Article 230, Paragraph 1,
- 89) Article 242, Paragraph 3,
- 90) Article 245, Paragraphs 1 and 2,
- 91) Article 246, Paragraph 1, the driver who is driving a vehicle that is technically defective regarding stopping and steering devices, pneumatics, and the device for connecting a towing vehicle and a trailer,
- 92) Article 246, Paragraph 1, the owner of a vehicle that is technically defective in terms of stopping and steering devices, pneumatics, and the device for connecting a towing vehicle and a trailer shall be punished, unless the driver of the vehicle in question is a person who lives with the owner in a marital or extramarital union, is a blood relative in the direct line of descent, brother, sister, adopting parent or adopted child,
- 93) Article 246, Paragraph 3,
- 94) Article 246, Paragraphs 4 and 5, if the devices are installed but are not used,
- 95) Article 249, Paragraph 2,
- 96) Article 252, Paragraph 5,
- 97) Article 259, Paragraph 2,
- 98) Article 263, Paragraph 8,

- 99) Article 264, Paragraph 6,
- 100) Article 268, Paragraph 1, if the registration sticker validity has expired,
- 101) Article 269, Paragraph 5,
- 102) Article 274, Paragraphs 1 and 2,
- 103) Article 276,
- 104) Article 277, Paragraph 2,
- 105) Article 291, Paragraph 2,
- 106) Article 320, Paragraph 1.

- (2) If by committing the offence from Paragraph 1 of this Article a physical person has caused immediate danger to another participant in traffic, or caused an accident, or gained illegal benefit for himself/herself or anybody else, the physical person shall be punished with a fine ranging from RSD 10,000 to RSD 40,000 or 45 days imprisonment.

### **Article 333**

- (1) A physical person shall be punished with a fine in the amount of RSD 5,000 if he/she acted contrary to provisions of the following Articles of this Law:
- 1) Article 21,
  - 2) Article 22, Paragraph 4,
  - 3) Article 25, Paragraphs 1 and 2,
  - 4) Article 26, Paragraphs 2 and 3, the driver shall be punished,
  - 5) Article 27,
  - 6) Article 28, Paragraphs 1 and 3,
  - 7) Article 30, Paragraph 1,
  - 8) Article 31,
  - 9) Article 32, Paragraphs 1, 2 and 3,
  - 10) Article 33, Paragraph 2,
  - 11) Article 34,
  - 12) Article 37, Paragraph 3,
  - 13) Article 38,
  - 14) Article 42, Paragraph 2,

- 15) Article 43, Paragraph 1 and Article 45, Paragraph 1, Items 1, 2 and 3, a driver who is driving through a residential area at a speed that is 11 km/h to 20 km/h higher than the speed limit,
- 16) Article 44 and Article 45, Paragraph 1, Items 1, 2 and 3, a driver who is driving outside a residential area at a speed that is 21 km/h to 40 km/h higher than the speed limit,
- 17) Article 45, Paragraph 1, item 4, a driver who is driving through, outside of residential area at a speed that is 11 km/h to 20 km/h higher than the speed limit,
- 18) Article 45, Paragraphs 2 and 3 the driver shall be punished,
- 19) Article 46,
- 20) Article 48,
- 21) Article 49,
- 22) Article 51, Paragraphs 1, 2, 3 and 4,
- 23) Article 55, Paragraph 3, Items 3, 9, 11 and 13 and Paragraph 6,
- 24) Article 56,
- 25) Article 59, Paragraph 1, Item 2 and Paragraphs 2 and 3,
- 26) Article 62,
- 27) Article 63,
- 28) Article 64,
- 29) Article 66, Paragraph 1, Items 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22,
- 30) Article 67, Paragraph 1, items 1 and 2,
- 31) Article 68,
- 32) Article 69, Paragraphs 3, 4 and 5,
- 33) Article 70, Paragraph 1,
- 34) Article 71, Paragraph 2,
- 35) Article 73,
- 36) Article 76,
- 37) Article 77, Paragraph 2, a driver who is using low beam headlights instead of high beam headlights,
- 38) Article 77, Paragraph 3,
- 39) Article 79, Paragraph 1, a driver who is using high beam headlights instead of low beam headlights or fog lights while driving in foggy weather,
- 40) Article 80, Paragraph 2,

- 41) Article 81, Paragraph 1, Item 1, if a pedestrian is taking with him a child below 12 years of age,
- 42) Article 81, Paragraph 1, Item 7,
- 43) Article 82,
- 44) Article 83, Paragraph 1,
- 45) Article 86, Paragraph 2,
- 46) Article 89, Paragraphs 3 and 4,
- 47) Article 90, Paragraph 1, items 3), 4), 5) and 6), for motor vehicle drivers,
- 48) Article 91, Paragraph 1,
- 49) Article 91, Paragraph 2, for a cyclist,
- 50) Article 92,
- 51) Article 93, Paragraphs 1 and 5,
- 52) Article 94,
- 53) Article 95, Paragraphs 1 and 3, the guide of the line shall be punished,
- 54) Article 96, Paragraphs 1 and 3,
- 55) Article 97,
- 56) Article 99, Paragraph 4,
- 57) Article 100, Paragraph 2,
- 58) Article 101, the pedestrian shall be punished,
- 59) Article 101, Paragraph 2, Item 1 and Paragraph 3,
- 60) Article 103, Paragraphs 1, 2, 4, and 5,
- 61) Article 104, Paragraph 2, if the driver is driving backwards along the lay-by,
- 62) Article 105, Paragraph 3,
- 63) Article 106, Paragraph 6,
- 64) Article 107, Paragraph 2,
- 65) Article 108, Paragraph 6,
- 66) Article 109, Paragraph 4,
- 67) Article 111, Paragraph 2, Items 2 and 3,
- 68) Article 112, Paragraph 3, Items 2, 3, 5 and 6 and Paragraph 4,
- 69) Article 113, Paragraphs 1 and 3,
- 70) Article 114,
- 71) Article 116, Paragraph 3, a tractor driver shall be punished,

- 72) Article 118, Paragraph 1,
- 73) Article 119, Paragraphs 1 , 2 and 4,
- 74) Article 120, Paragraph 1,
- 75) Article 121, Paragraph 1,
- 76) Article 122, Paragraphs 1 and 5,
- 77) Article 131, Paragraph 2, a driver who is not using winter equipment in the prescribed way shall be punished,
- 78) Article 132, Paragraph 3, unless otherwise regulated by this Law (traffic signals, speed limit signs, prohibitions of overtaking, crossing over broken line where traffic passes from the opposite direction for the purpose of overtaking, etc.),
- 79) Article 146, Paragraph 6,
- 80) Article 155, Paragraph 2,
- 81) Article 160, Paragraph 3, a driver who is not complying with provisions of the licence shall be punished,
- 82) Article 161, Paragraph 2, a driver who is obstructing moving of pedestrians and cyclists in the slow traffic zone shall be punished,
- 83) Article 161, Paragraph 2, a driver who is moving at a speed up to 10 km/h higher than the speed limit shall be punished,
- 84) Article 162, Paragraph 1, a driver who is moving at a speed from 11 km/h to 30 km/h higher than the speed limit shall be punished,
- 85) Article 163, Paragraph 2, a driver who is moving at a speed from 11 km/h to 30 km/h higher than the speed limit shall be punished,
- 86) Article 164. Paragraphs 1 and 4,
- 87) Article 166, Paragraph 6,
- 88) Article 182, Paragraph 4, a driver using a telephone or other communication device shall be punished,
- 89) Article 184, Paragraph 2,
- 90) Article 187, Paragraph 2, a driver who is moderately drunk shall be punished,
- 91) Article 187, Paragraph 4, a person who is mildly and moderately drunk shall be punished,
- 92) Article 190, Paragraph 5,
- 93) Article 228, Paragraphs 1 and 3,
- 94) Article 228, Paragraph 2, a driving candidate shall be punished,

- 95) Article 246, Paragraph 1, other than stopping and steering devices, pneumatics, and the device for connecting a towing vehicle and a trailer, the tachograph and the speed limit device,
  - 96) Article 249, Paragraph 4,
  - 97) Article 252, Paragraph 6,
  - 98) Article 272, Paragraph 3,
  - 99) Article 306, Paragraph 3.
- (2) If by committing the offence from Paragraph 1 hereof a physical person has caused immediate danger to another participant in traffic, or caused an accident, the physical person shall be punished with a fine ranging from RSD 6,000 to RSD 18,000.

### **Article 334**

- (1) A person shall be punished with a fine in the amount of RSD 3,000 if he/she acts contrary to provisions of the following Articles of this Law:
- 1) Article 22, Paragraph 3,
  - 2) Article 28, Paragraph 2,
  - 3) Article 30, Paragraph 2,
  - 4) Article 35. Paragraphs 2, 3 and 4,
  - 5) Article 36, Paragraph 5,
  - 6) Article 37, Paragraph 2,
  - 7) Article 40,
  - 8) Article 43, Paragraph 1, and Article 45, Paragraph 1, Items 1, 2 and 3, a driver who is driving through a residential area at a speed that is up to 10 km/h higher than the speed limit,
  - 9) Article 44 and Article 45, Paragraph 1, Items 1, 2 and 3, a driver who is driving outside a residential area at a speed up to 20 km/h higher than the speed limit,
  - 10) Article 45, Paragraph 1, Item 4, a driver who is driving through, that is, outside a residential area at a speed up to 10 km/h higher than the speed limit,
  - 11) Article 45, Paragraph 1, Items 5 and 6, a driving who is driving through, that is, outside a residential area at a speed that is higher than the speed limit,
  - 12) Article 52,

- 13) Article 54, Paragraph 1,
- 14) Article 59, Paragraph 1, Items 1 and 3,
- 15) Article 61, Paragraph 1, items 1, 2, 4, 5 and 6,
- 16) Article 65, Paragraph 1,
- 17) Article 67, Paragraph 2,
- 18) Article 67, Paragraphs 2, 3, 4 and 5,
- 19) Article 75, Paragraph 1,
- 20) Article 77, Paragraph 1,
- 21) Article 78, Paragraph 3,
- 22) Article 79, Paragraph 2,
- 23) Article 81, Paragraph 1, Items 1, 2, 3 and 4,
- 24) Article 81, Paragraph 1, Item 5, when a cyclist is riding along a road in a residential area with street lights,
- 25) Article 86, Paragraph 3,
- 26) Article 87,
- 27) Article 89, Paragraph 1,
- 28) Article 90, Paragraph 1, Item 7, for the driver of a motor vehicle,
- 29) Article 90, for the cyclist,
- 30) Article 93, Paragraphs 2, 3, 4 and 7,
- 31) Article 96, Paragraph 2,
- 32) Article 104, Paragraph 6,
- 33) Article 116, Paragraph 3, the driver of the motor cultivator shall be punished,
- 34) Article 116, Paragraph 4,
- 35) Article 117, Paragraph 3,
- 36) Article 122, Paragraph 7,
- 37) Article 128, Paragraph 1,
- 38) Article 129,
- 39) Article 131, Paragraph 2, a driver who has no winter equipment shall be punished,
- 40) Article 155, Paragraph 1,
- 41) Article 162, Paragraph 1, a driver who is driving at a speed that is up to 10 km/h higher than the speed limit shall be punished,

- 42) Article 163, Paragraph 2, a driver who is driving at a speed that is up to 10 km/h higher than the speed limit shall be punished,
  - 43) Article 164, Paragraphs 2 and 3,
  - 44) Article 182, Paragraph 7, a driver and a person supervising him shall be punished,
  - 45) Article 184, Paragraph 1,
  - 46) Article 205, Paragraph 3,
  - 47) Article 226, Paragraph 2,
  - 48) Article 268, Paragraph 5, if registration plates or the registration sticker are not placed in the prescribed way or are illegible,
  - 49) Article 268, Paragraph 11.
- (2) If by committing the offence from Paragraph 1 hereof the person has caused immediate danger to another participant in traffic, or caused an accident, the person shall be punished with a fine ranging from RSD 5,000 to RSD 15,000.

### **Article 335**

- (1) For breaches of the following Articles of this Law cumulative penalty points shall be also adjudged:
- 1) Article 25, Paragraph 3 - 2 penalty points,
  - 2) Article 26, Paragraph 1 - 2 penalty points,
  - 3) Article 29, Paragraph 1 - 3 penalty points if the device is in the vehicle,
  - 4) Article 29, Paragraph 1 - 6 penalty points if the device is used,
  - 5) Article 31 - 6 penalty points to a driver or a person sitting in the front seat and holding in his/her lap a minor below 12 years of age,
  - 6) Article 35, Paragraph 1 - 6 penalty points,
  - 7) Article 36. Paragraphs 1, 2 and 3 - 6 penalty points,
  - 8) Article 36, Paragraph 4 - 2 penalty points,
  - 9) Article 43, Paragraph 1, and Article 45, Paragraph 1, Items 1, 2 and 3 - 4 penalty points to a driver who is driving through a residential area at a speed that is between 21 km/h and 50 km/h higher than the speed limit,
  - 10) Article 43, Paragraph 1, and Article 45, Paragraph 1, Items 1, 2 and 3 - 7 penalty points to a driver who is driving through a residential area at a speed that is between 51 km/h and 70 km/h higher than the speed limit,

- 11) Article 43 and Article 45, Paragraph 1, Items 1, 2 and 3 - 3 penalty points to a driver who is driving outside a residential area at a speed that is between 41 km/h and 60 km/h higher than the speed limit,
- 12) Article 44 and Article 45, Paragraph 1, items 1, 2 and 3 - 6 penalty points to a driver who is driving outside a residential area at a speed that is between 61 km/h and 80 km/h higher than the speed limit,
- 13) Article 45, Paragraph 1, item 4 - 7 penalty points to a driver who is driving through or outside a residential area at a speed that is between 51 km/h and 70 km/h higher than the speed limit,
- 14) Article 45, Paragraph 1, item 4 - 4 penalty points to a driver who is driving through or outside a residential area at a speed that is between 21 km/h and 50 km/h higher than the speed limit,
- 15) Article 47- 3 penalty points,
- 16) Article 50 - 2 penalty points,
- 17) Article 53, Paragraph 1 - 6 penalty points,
- 18) Article 53. Paragraphs 2 and 3 - 5 penalty points,
- 19) Article 54, Paragraph 2 - 4 penalty points,
- 20) Article 55, Paragraphs 1 and 3, Items 4, 5, 7, 8, 10, 14 and 15 - 6 penalty points,
- 21) Article 55, Paragraphs 2 and 3, Items 1, 2, 6 and 12 and Paragraph 4 - 2 penalty points,
- 22) Article 57, Paragraph 1 - 2 penalty points,
- 23) Article 58, Paragraph 1 - 3 penalty points,
- 24) Article 61, Paragraph 1, Item 3 - 2 penalty points,
- 25) Article 66, Paragraph 1, items 4 and 5 - 2 penalty points,
- 26) Article 67, Paragraph 1, item 3 - 2 penalty points,
- 27) Article 71, Paragraph 1 - 2 penalty points,
- 28) Article 72, Paragraph 4 - 4 penalty points,
- 29) Article 74 - 6 penalty points,
- 30) Article 77, Paragraph 2 - 6 penalty points to a driver who is not using either high or low beam highlights, and is using only stopping lights,
- 31) Article 78, Paragraph 2 - 6 penalty points,
- 32) Article 79, Paragraph 1 - 4 penalty points,
- 33) Article 80, Paragraph 1 - 2 penalty points,
- 34) Article 85- 2 penalty points,
- 35) Article 89, Paragraph 2 - 6 penalty points, other than a cyclist,

- 36) Article 91, Paragraph 2 - 2 penalty points to a motor vehicle driver,
- 37) Article 99, Paragraph 1 - 6 penalty points,
- 38) Article 99, Paragraph 2 - 3 penalty points,
- 39) Article 99, Paragraph 3 - 3 penalty points,
- 40) Article 99, Paragraph 5 - 4 penalty points,
- 41) Article 99, Paragraph 6 - 4 penalty points,
- 42) Article 100, Paragraph 1 - 4 penalty points,
- 43) Article 100, Paragraph 1 - 6 penalty points if children below 12 years of age are in the vehicle, or if he operated a bus with passengers or some other vehicle that is used for public transport of passengers,
- 44) Article 101 - 6 penalty points to a driver,
- 45) Article 102 - 3 penalty points if a vehicle is moving along the motorway, and 2 penalty points if the vehicle is moving along the road reserved for the traffic of motor vehicles,
- 46) Article 103, Paragraph 1 - 6 penalty points,
- 47) Article 103, Paragraph 2, item 2 - 3 penalty points,
- 48) Article 105, Paragraph 2 - 6 penalty points if the driver is making a U-turn,
- 49) Article 105, Paragraph 2 - 3 penalty points if a driver is driving backwards along a traffic lane,
- 50) Article 107 **Error! Reference source not found.**, Paragraph 1 - 6 penalty points,
- 51) Article 109, Paragraph 1 and 2 - 6 penalty points,
- 52) Article 110. - 8 penalty points,
- 53) Article 112, Paragraph 1, Item 3 - 4 penalty points,
- 54) Article 112, Paragraph 3, Items 1 and 4 - 2 penalty points,
- 55) Article 116, Paragraph 1 - 3 penalty points,
- 56) Article 117, Paragraph 1 - 2 penalty points,
- 57) Article 118, Paragraph 2 - 6 penalty points,
- 58) Article 120, Paragraph 2 - 4 penalty points if the passengers are children below 12 years of age,
- 59) Article 120, Paragraph 2 - 2 penalty points,
- 60) Article 121, Paragraph 2 - 2 penalty points to a driver whose driving licence or special licence, has expired not more than six months ago,
- 61) Article 121, Paragraph 2 - 5 penalty points to a driver whose driving licence or special licence, has expired for more than six months ago,

- 62) Article 142, Paragraph 2 - 6 penalty points,
- 63) Article 143, Paragraph 2 - 2 penalty points,
- 64) Article 144, Paragraph 3 - 2 penalty points,
- 65) Article 145, Paragraph 5 - 7 penalty points,
- 66) Article 147, Paragraph 5 - 6 penalty points,
- 67) Article 160, Paragraph 1 - 2 penalty points,
- 68) Article 161, Paragraph 2 - 4 penalty points to a driver who is driving at a speed that is between 31 km/h and 50 km/h higher than the speed limit,
- 69) Article 161, Paragraph 2 - 2 penalty points to a driver who is driving at a speed that is between 11 km/h and 30 km/h higher than the speed limit,
- 70) Article 162, Paragraph 1 - 4 penalty points to a driver who is driving at a speed that is between 31 km/h and 50 km/h higher than the speed limit,
- 71) Article 162, Paragraph 1 - 6 penalty points to a driver who is driving at a speed that is between 51 km/h and 60 km/h higher than the speed limit,
- 72) Article 163, Paragraph 2 - 4 penalty points to a driver who is driving at a speed that is between 31 km/h and 50 km/h higher than the speed limit,
- 73) Article 163, Paragraph 2 - 6 penalty points to a driver who is driving at a speed that is between 51 km/h and 60 km/h higher than the speed limit,
- 74) Article 166, Paragraph 1 - 6 penalty points,
- 75) Article 171, Paragraph 2 - 2 penalty points,
- 76) Article 172 **Error! Reference source not found.**, Paragraph 1 and 2 - 2 penalty points,
- 77) Article 174, Paragraph 1 - 10 penalty points,
- 78) Article 178, Paragraph 1 - 2 penalty points to a driver whose driving licence has expired not more than six months ago,
- 79) Article 178, Paragraph 1 - 5 penalty points to a driver whose driving licence has expired more than six months ago and to a driver who was not issued driving licence upon the expiration of the probation licence,
- 80) Article 182, Paragraph 3 - 5 penalty points,
- 81) Article 182, Paragraph 4 - 2 penalty points in cases of night drive,
- 82) Article 183, Paragraph 3 - 3 penalty points,
- 83) Article 187, Paragraph 1 - 2 penalty points,
- 84) Article 187, Paragraph 2 - 8 penalty points to a driver who is under the influence of psychoactive substances,
- 85) Article 187, Paragraphs 2 and 4 - 6 penalty points to a person who is fairly drunk,

- 86) Article 187. Paragraphs 2 and 4 - 10 penalty points to a person who is very drunk,
- 87) Article 187, Paragraphs 2 and 4 - 12 penalty points to a person who is completely drunk,
- 88) Article 190, Paragraph 4 - 2 penalty points,
- 89) Article 205, Paragraph 1 - 2 penalty points to a tram driver whose driving licence, or the special licence for operating a tram has expired not more than six months ago,
- 90) Article 205 **Error! Reference source not found.**, Paragraph 1. - 5 penalty points to a tram driver whose driving licence or the special licence for driving a tram has expired more than six months ago,
- 91) Article 243 **Error! Reference source not found.** Paragraphs 1, 2 and 5 - 2 penalty points,
- 92) Article 245, Paragraph 3 - 2 penalty points,
- 93) Article 264, Paragraph 6 - 2 penalty points,
- 94) Article 268, Paragraph 1 - 6 penalty points, if a vehicle is not entered in the register of vehicles,
- 95) Article 268, Paragraph 1 - 2 penalty points, if the validity term of the registration sticker has expired,
- 96) Article 268, Paragraph 5 - 2 penalty points, to a driver who is without prescribed registration plates,
- 97) Article 269, Paragraph 5 - 2 penalty points,
- 98) Article 276. Paragraphs 1 and 2 - 2 penalty points,
- 99) Article 287, Paragraph 3 - 6 penalty points,
- 100) Article 288, Paragraph 3 - 6 penalty points,
- 101) Article 290, Paragraph 2 - 6 penalty points,
- 102) Article 291, Paragraph 2 - 2 penalty points,
- 103) Article 293, Paragraph 2 - 6 penalty points,
- 104) Article 306, Paragraph 4 - 5 penalty points.

### **Article 336**

- (1) If penalty points are to be adjudged for the offence from the Article **Error! Reference source not found.** 331 of this Law, in the case when a traffic accident was caused by the stated offence, the number of penalty points to be adjudged shall always be increased by 3.

- (2) If penalty points are to be adjudged for the offence from Article 332 of this Law, in the case when a traffic accident was caused by the stated offence, the number of penalty points to be adjudged shall always be increased by 1.
- (3) If a traffic accident was caused by committing an offence, and no penalty points are to be adjudged for the basic form of the concerned offence, in resolving on the liability of offender at least 2 penalty points shall be adjudged.
- (4) If a child below 12 years of age was in the vehicle of the offender at the time he/she committed the offence for which penalty points have to be adjudged, other than in a bus used for organized transport of children, and in the case of committing an offence from the section „Liabilities of a driver to pedestrians“, the offender shall be adjudged the prescribed number of penalty points increased by 2.
- (5) If a driver, while committing an offence, was under the influence of alcohol as fairly, very drunk or completely drunk and was operating a bus with passengers, a vehicle used for public transport of passengers or of hazardous substances, or performing a special drive, that is, operating a vehicle with the right-of-way or an escorted vehicle, in addition to the prescribed penalty points the driver shall be adjudged an additional 2 penalty points.

#### **Article 337**

If provisions of this Law for committing of specific offences provide for obligatory sentencing by penalty points, and a judge in this case pronounces a warning, those prescribed penalty points shall have to be adjudged.

#### **Article 338**

- (1) The protective measure of prohibition to operate a motor vehicle shall be cumulatively pronounced to a driver for breaches of provision of the following Articles of this Law:
  - 1) Article 29, Paragraph 1 – for a minimum period of three months, if the device is used,
  - 2) Article 31– for a minimum period of three months to a driver who is holding a minor below 12 years of age in his/her lap,
  - 3) Article 35, Paragraph 1 – for a minimum period of three months,
  - 4) Article 36, Paragraphs 1, 2 and 3 – for a minimum period of three months,
  - 5) Article 43, Paragraph 1 and Article 45**Error! Reference source not found.**, Paragraph 1, items 1, 2 and 3 – for a minimum period of 30 days

if it was moving through a residential area at a speed that is between 21 km/h and 50 km/h higher than the speed limit,

- 6) Article 43, Paragraph 1 and Article 45, Paragraph 1, Items 1, 2 and 3 - for a minimum period of four months, if it is moving through a residential area at a speed that is between 51 km/h and 70 km/h higher than the speed limit,
- 7) Article 44 and Article 45, Paragraph 1, Items 1, 2 and 3 – for a minimum period of 30 days, to a driver who is driving outside a residential area at a speed that is between 41 km/h and 60 km/h higher than the speed limit,
- 8) Article 44 and Article 45, Paragraph 1, Items 1, 2 and 3 – for a minimum period of three months, if it is moving outside a residential area at a speed that is between 61 km/h and 80 km/h higher than the speed limit,
- 9) Article 45, Paragraph 1, Item 4 – for a minimum period of four months if it is moving outside a residential area at a speed that is between 51 km/h and 70 km/h higher than the speed limit,
- 10) Article 45, Paragraph 1, Item 4 – for a minimum period of 30 days to a driver who is driving outside a residential area at a speed between km/h and 50 km/h higher than the speed limit,
- 11) Article 53, Paragraphs 1, 2 and 3 – for a minimum period of three months,
- 12) Article 54, Paragraph 2 - for a minimum period of 30 days,
- 13) Article 55. Paragraphs 1 and 3, Items 4, 5, 7, 8, 10, 14 и 15 - for a minimum period of three months,
- 14) Article 55, Paragraphs 2 and 3, Items 1 и 2 - for a minimum period of 30 days,
- 15) Article 57, Paragraph 1 - for a minimum period of 30 days,
- 16) Article 58, Paragraph 1 - for a minimum period of 30 days,
- 17) Article 74- for a minimum period of three months,
- 18) Article 77, Paragraph 2 - for a minimum period of three months to a driver who is not using either high nor low beam headlights and is using instead only stopping lights,
- 19) Article 78, Paragraph 2 - for a minimum period of three months,
- 20) Article 79, Paragraph 1 - for a minimum period of 30 days,
- 21) Article 89, Paragraph 2 - for a minimum period of three months,
- 22) Article 99, Paragraph 1- for a minimum period of three months,
- 23) Article 99, Paragraphs 5 and 6 - for a minimum period of two months,
- 24) Article 100, Paragraph 1. - for a minimum period of three months if children below 12 years of age are in the vehicle or he operates a bus with passengers, or another vehicle used for public transport of passengers,

- 25) Article 101- for a minimum period of three months,
- 26) Article 102- for a minimum period of 30 days if a vehicle is moving along a highway,
- 27) Article 103, Paragraph 1 - for a minimum period of three months,
- 28) Article 105, Paragraph 2 - for a minimum period of three months if a driver is making a U-turn,
- 29) Article 105, Paragraph 2 - for a minimum period of 30 days if it is moving backward along the traffic lane,
- 30) Article 107, Paragraph 1 - for a minimum period of three months,
- 31) Article 109, Paragraphs 1 and 2 - for a minimum period of three months,
- 32) Article 110 - for a minimum period of six months,
- 33) Article 112, Paragraph 1, item 3 - for a minimum period of three months,
- 34) Article 118, Paragraph 2 - for a minimum period of three months,
- 35) Article 120, Paragraph 2 - for a minimum period of 30 days, if the passengers are children below 12 years of age,
- 36) Article 121, Paragraph 2 – for a minimum period of three months shall be sentence a driver whose driving licence, that is, special licence, has been expired for more than six months,
- 37) Article 142, Paragraph 2 - for a minimum period of three months,
- 38) Article 143, Paragraph 2 - for a minimum period of 30 days,
- 39) Article 144, Paragraph 3 - for a minimum period of 30 days,
- 40) Article 145, Paragraph 5 – for a minimum period of four months,
- 41) Article 147, Paragraph 5 - for a minimum period of three months,
- 42) Article 161, Paragraph 2 - for a minimum period of three months, to a driver who is driving at a speed that is between 31 km/h and 50 km/h higher than the speed limit,
- 43) Article 162, Paragraph 1 - for a minimum period of two months to a driver who is driving at a speed that is between 31 km/h and 50 km/h higher than the speed limit,
- 44) Article 162, Paragraph 1 - for a minimum period of five months to a driver who is driving at a speed that is between 51 km/h and 60 km/h higher than the speed limit,
- 45) Article 163, Paragraph 2 - for a minimum period of two months to a driver who is driving at a speed that is between 31 km/h and 50 km/h higher than the speed limit,

- 46) Article 163, Paragraph 2 - for a minimum period of five months to a driver who is driving at a speed that is between 51 km/h and 60 km/h higher than the speed limit,
  - 47) Article 166, Paragraph 1 - for a minimum period of three months,
  - 48) Article 171, Paragraph 2 - for a minimum period of three months,
  - 49) Article 174, Paragraph 1 - for a minimum period of six months,
  - 50) Article 178, Paragraph 1 - for a minimum period of three months to a driver whose driving licence has expired more than six months ago, to a driver who has not been issued new driving licence upon the expiration of validity of the probation licence,
  - 51) Article 182, Paragraph 3 - for a minimum period of 30 days,
  - 52) Article 182, Paragraph 4 - for a minimum period of 30 days in cases of night driving,
  - 53) Article 183, Paragraph 3 - for a minimum period of 30 days,
  - 54) Article 187, Paragraph 2 - for a minimum period of six months for a driver under the influence of psychoactive substances,
  - 55) Article 187, Paragraphs 2 and 4 – for a minimum period of three months shall be punished a person that is fairly drunk,
  - 56) Article 187, Paragraphs 2 and 4 - for a minimum period of six months for persons who are very drunk,
  - 57) Article 187, Paragraphs 2 and 4 - for a minimum period of eight months for a person who is completely drunk,
  - 58) Article 205, Paragraph 1 - for a minimum period of three months for a tram driver whose driving licence or the special licence for operating a tram has expired more than six months ago,
  - 59) Article 268, Paragraph 1 - for a minimum period of three months, if a vehicle was not entered into the register of vehicles,
  - 60) Article 287, Paragraph 3 - for a minimum period of three months,
  - 61) Article 288, Paragraph 3 - for a minimum period of three months,
  - 62) Article 290, Paragraph 2 - for a minimum period of three months,
  - 63) Article 293, Paragraph 2 - for a minimum period of three months.
- (2) A protective measure of driving prohibition may be adjudged also for other offences for which the proceedings are held before the body in charge of the offence proceedings.
  - (3) If, through committing an offence, a traffic accident was caused, and provisions of this Law stipulate pronouncing a protective measure of driving prohibition for a motor vehicle for the basic form of the stated offence, the term of such protective measure shall be prolonged by two months and up to maximum 12 months.

- (4) If a child below 12 years of age was in the vehicle of an offender at the time when he/she committed the offence for which obligatory prohibition to drive motor vehicle is prescribed, other than in a bus used for organized transport of children, and in the case of committing a crime from section „Liabilities of a driver to pedestrians“, the offender shall be adjudged a stipulated protective measure increased by two months.
- (5) If a driver while committing an offence was under the influence of alcohol as fairly, very drunk or completely drunk and was operating a bus with passengers, a vehicle used for public transport of passengers or of hazardous substances, or performing a special drive, that is, was operating a vehicle with the right-of-way or an escorted vehicle, in addition to prohibition to drive motor vehicle the driver shall be adjudged an additional 2 month penalty.

## **XXII TRANSITIONAL AND FINAL PROVISIONS**

### **Article 339**

The Government shall establish the Body for the coordination of road traffic safety and nominate the members of the Body within three months from the effective date of this Law.

### **Article 340**

- (1) The Government shall establish the Agency for Traffic Safety within three months from the effective date of this Law at the latest.
- (2) The Agency shall within two months proceed to propose to the competent ministry the following bylaws:
  - 1) based on Article 121 of this Law, on the training, method of conducting examination and the method of keeping records for a driver of a tourist train,
  - 2) based on Article 203 of this Law, on the verification of fulfilment of conditions for issuing a licence for the job of a professional driver (CPC – The Driver Certificate of Professional Competence),
  - 3) based on Article 204 of this Law, on conditions which shall be met by a legal entity engaged in education and testing knowledge for the licence of a professional driver (CPC), and on training, the method of carrying out the examination and on keeping records,

- 4) based on the article 205 of this Law, on training, method of carrying out tests and on the methods of keeping records for tram drivers,
- 5) based on Article 222 of this Law, the program for taking a professional exam for the teacher of theoretical training, the programs of obligatory seminars for improvement of knowledge, the method of taking a professional exam and the method of taking tests, terms for the organization of seminars and the form and contents of the permit/licence and method of keeping records on issued permits and licences,
- 6) based on the article 225 of this Law, on seminars to improve knowledge, carrying out tests, the method of taking tests, terms for organization of seminars and on the form and contents of the permit (licence) and the method of keeping records on issued permits and licences,
- 7) based on the article 239 of this Law, on the program for taking professional exams for examiners, the program of obligatory seminars on improving knowledge, and the form and contents of the permit(licence),
- 8) based on Article 240 of this Law, on conditions which should be met by a residential area where taking of a practical part of the driver exam is to be conducted,
- 9) based on Article 249 of this Law, on the procedure and the method of testing the vehicles, issuing certificates and on keeping records on the test that were carried out,
- 10) based on Article 263 of this Law, on the teaching program for the training of controllers in charge of technical inspection, method of organizing and carrying out of professional test for the controllers of technical inspections, the program for improving knowledge and skills of the technical controller and on methods of organizing and carrying out the tests of knowledge and skills of a technical controller, on the contents and form of the permit (licence) of the controller in charge of technical inspection and on the method of keeping records on issued permits/licences).

### **Article 341**

- (1) More precise regulations regarding the implementation of this Law shall be passed by the minister of interior within six months :
  - 1) based on the article 2 of this Law, on the method of carrying out control and direct regulation of traffic on the roads,
  - 2) based on the article 2 of this Law, on the methods of direct regulation of road traffic within school zones and zones of operation of school traffic

patrols and traffic patrols of citizens with the obtained opinion of the minister in charge of education,

- 3) based on the article 121 of this Law, on training, the method of carrying out tests and on keeping records,
- 4) based on the article 166 of this Law, on signs and ordered issued by a police official, on their meaning and the way they are issued,
- 5) based on the article 183 of this Law, on the procedure of issuing, the form of, contents and characteristics of the driving licence form and probation licence form, and on the method of keeping records on drivers who have been issued those licences,
- 6) based on the article 186 of this Law, on the procedure and methods of issuing and keeping records of issued international driving licences,
- 7) based on the article 197 of this Law, on the method of recording penalty points and the records on penalty points of drivers and on cancelled driving licences,
- 8) based on the article 202 of this Law, on the method and procedure of carrying out protective measures, that is, safety measures, keeping records and the form by which a driver is notified about the term of the pronounced measure,
- 9) based on the article 205 of this Law, on training, method of carrying out exams and keeping records, at the proposal of the Agency,
- 10) based on the Articles 207 and 210 of this Law, on keeping the registry of companies, that is, the register of their branches or the registry of secondary vocational schools,
- 11) based on the article 211 of this Law, on the contents, the method of keeping and the time period for keeping the records on candidates who have been trainer for drivers,
- 12) based on the Articles 213, 214 and 215 of this Law, on the program for theoretical and practical education for drivers, and the methods of implementing the programs,
- 13) based on the article 230 of this Law, on the markings of a motor vehicle and a trailer for the training of driving candidates,
- 14) based on the article 232 of this Law, on organizing, implementing and the method of taking driver tests, on keeping records, the periods of keeping records and on conditions prescribed for a vehicle that is used for training and carrying out driving tests,
- 15) based on the article 240 of this Law, on the conditions which have to be met by a residential area in which practical tests are carried out and on keeping records of the places that are meeting those prescribed conditions,

- 16) based on the article 253 of this Law, on conditions which have to be met by authorized legal entities in charge of impressing identification marking, the method and procedure of impressing them on a vehicle,
- 17) based on the article 254 of this Law, on technical inspection of a vehicle,
- 18) based on the article 255 of this Law, on the method of keeping the registry of companies authorized to carry out technical inspection,
- 19) based on the article 256 of this Law, on requirements which need to be met by companies in charge of conducting technical inspection of vehicles,
- 20) based on the article 263 of this Law, on the teaching program for training a technical inspections controller, on the method of organizing and carrying out exams for technical inspections controllers, on the methods of improving the knowledge and skills of a technical inspections controller, and on the method of organizing and carrying out tests for the technical inspection controller, on the contents and the form of the permit (licence) for the technical inspection controller, and on method of keeping records on issued permits (licences), at the proposal of the Agency,
- 21) based on the article 268 of this Law, on the contents and the method of keeping the registry of vehicles, on conditions for making entries in the registry of vehicles, on the methods and conditions for issuing a traffic licence and registration plates and on the contents, form and the technical characteristics of a traffic licence and registration plates, on the method of placing registration plates,
- 22) based on the article 278 of this Law, on the method, procedure and the means of implementation and on keeping obligatory records on the implementation of special measures and authorities,
- 23) based on the article 297 of this Law, on the contents and methods of keeping records on meeting requirements for taking part in traffic for the vehicles and drivers from Article 297, Paragraph 1 of this Law, on conditions regarding the time of operation and periods of rest of a driver and on other conditions affecting traffic safety that are stipulated by other regulations.

### **Article 342**

- (1) More precise regulations for implementation of this Law shall be passed by the Minister of transport within six months:
  - 1) based on the article 2 of this Law, on the method of carrying out direct regulation of traffic on roads and in particular on those road sections on which works are carried out,

- 2) based on the article 7 of this Law, on classification of motor vehicles and trailers,
- 3) based on the article 26 of this Law, on marking of vehicles used for organized transport of children, and on the appearance and method of placing a special sign,
- 4) based on the article 31 of this Law, on transport of children and on conditions which have to be met by a safety car baby seat - basket,
- 5) based on the article 113 of this Law, on the method of placing cargo, its fastening and marking,
- 6) based on the article 115 of this Law, on the method of carrying out special transport and on vehicles used for that kind of transport,
- 7) based on the article 121 of this Law, on conditions on the usage and technical characteristics of a tourist train,
- 8) based on the article 131 of this Law, on the manner, time of carrying and using winter equipment in a vehicles participating in road traffic,
- 9) based on the article 132 of this Law, on traffic signals,
- 10) based on the article 153 of this Law, with regard to the type, appearance, technical characteristics, methods of placing and on places at which guard rails or semi guard rails of the devices for light and sound signals have to be placed, and on the manner of their usage,
- 11) based on the article 154 of this Law, on provisional traffic signals, on the method of carrying works on the road, on the appearance, technical characteristics, method of placing and use of guard rails and other devices to secure places at which works are carried out,
- 12) based on the article 156 of this Law, on strategic comparative analysis of the effects of a new or reconstructed road on the traffic safety within the road network, periodical control of the road that is being used, follow up of the traffic safety status, analysis of high risk sections, analysis of the extent at which the road itself contributes to accidents with lethal outcome, on notifying, recording of traffic and other aspects of the traffic flow, on conditions that from the view point of traffic safety have to be met by road structures and other road elements,
- 13) based on the article 156 of this Law, on conditions that tunnels have to meet in terms of traffic safety,
- 14) based on the article 165 of this Law, on the type, appearance, technical characteristics and method of placing technical devices for slowing down of traffic on roads and special technical devices for protection and safety of children,
- 15) based on the article 166 of this Law, on appearance, method of giving signs by the persons who are carrying out works at places at which barriers have been created that can not be removed instantly,

- 16) based on the article 182 of this Law, on appearance, technical characteristics and method of placing special signs on vehicles operated by a person with a probation driving licence,
- 17) based on the article 203, Paragraph 6 of this Law, on the method of ascertaining fulfilment of conditions for issuing licences for the job of a professional driver (CPC), at the proposal of the Agency,
- 18) based on the article 204 of this Law, on the program of training and seminars on knowledge improvements, method of taking exams, form and contents of the licence for professional drivers (CPC), and certificates on successful testing of knowledge needed for discharging duties of a driver, at the proposal of the Agency,
- 19) based on the Articles 222 and 225 of this Law, on the program for taking professional exams designed for the teacher of theoretical training, program on obligatory tests on improving knowledge, method of taking professional exam and taking tests, time periods set for seminars and the form and contents of the permit/licence,
- 20) based on the article 239 of this Law, on the program for taking professional exam for an examiner, program of obligatory seminars on improving knowledge, method of taking professional exam and taking test, time periods set for seminars and the form and contents of the permit/licence,
- 21) based on the article 244 of this Law, on duration, management and resting periods for the drivers, with the approval of the Ministry of Interior,
- 22) based on the article 245 of this Law, on the method of using tachographs,
- 23) based on the article 246 of this Law, on conditions which have to be met by vehicles that are taking part in the road traffic in terms of dimension, technical conditions and devices, assemblies, equipment and technical standards,
- 24) based on the article 286 of this Law, on the method of use of recording devices and their technical characteristics – with the approval of the Ministry of Interior,
- 25) based on the article 296 of this Law, on requirements which have to be met by a legal person in charge of removing vehicles, and on the manner of removing and keeping vehicles, on prescribed records of removed vehicles and the actions taken to have the vehicles removed - with the approval of the Ministry of Interior.

### Article 343

- (1) More precise regulations for implementation of this Law shall be passed by the minister of health within six months:
- 1) based on the article 179 of this Law, on health regulations that need to be fulfilled by drivers of specific categories of motor vehicles,
  - 2) based on the article 188 of this Law, on conditions which need to be met by a legal entity in charge of carrying out medical examination in terms of personnel, premises and equipment and on the methods of carrying out medical examinations, method and procedure of issuing certificates and keeping records on carried out examinations and on the issued certificates,
  - 3) based on the article 194 of this Law, on the composition, method of work and the procedure before the second instance commission,
  - 4) based on the article 199 of this Law, on health conditions which have to be fulfilled by a driver who has been deprived of a driving licence due to lack of due care, on the method and procedure of carrying out those medical examinations and on keeping records on the medical examinations that have been carried out,
  - 5) based on the article 241 of this Law, on requirements which need to be fulfilled by a legal entity in charge of training in first aid in terms of premises, equipment and professional staff, and on program of training and the method of organizing and carrying out tests and issuing certificates on the passed exams and test, on the contents, form and method of its issuing and on keeping of prescribed records,
  - 6) based on the article 242 of this Law, on requirements which need to be fulfilled by a lecturing teacher – examiner in the field of first aid, on the method of acquiring permits/licences, and on the form and contents of the permit/licence of a lecturing teacher – examiner,
  - 7) based on the article 280 of this Law, on the requirements that, in terms of professional staff, equipment and other conditions, need to be fulfilled by the health institutions carrying out the blood, urine and/or other body fluids tests with the view of establishing the presence of alcohol and/or psychoactive substances in a body, and which are prohibited for use prior and during driving, and methods of their taking,
  - 8) based on the article 283 of this Law, on conditions which have to be met by detention premises - with the approval of the Ministry of Interior.

#### **Article 344**

- (1) More precise regulations for implementation of this Law shall be passed by the defence minister within six months:
  - 1) based on the article 2 of this Law, on the manner of carrying out control and the direct regulation of traffic of military vehicles on the roads,
  - 2) based on the article 106 of this Law, on the devices for marking the military vehicles that are being escorted,
  - 3) based on the article 108 of this Law, on the devices for marking of military vehicles with the right-of-way,
  - 4) based on the article 207 of this Law, on the education and teaching of military personnel to discharge duties of motor vehicle drivers,
  - 5) based on the article 243 of this Law, on the duration of the driving of military vehicles and on the rest periods for drivers of military vehicles,
  - 6) based on the article 268 of this Law, on the registration of vehicles of the Army of Serbia,
  - 7) based on the article 278 of this Law, on special safety measures of military participants in traffic.

#### **Article 345**

- (1) More precise regulations on the contents of teaching plans and programs relating to the safety of children and students in traffic, pursuant to Article 6, Paragraph 3 of this Law shall be passed by the minister in charge of education within six months.
- (2) More precise regulations about the program, conditions and methods of education and testing of a driver instruction pursuant to Article 223 of this law shall be passed by the minister in charge of education within six months.
- (3) More precise regulations on requirements that need to be met by motor sledges and operators of motor sledges, and on the method of their usage on the skiing grounds based on Article 131, Paragraph 3 of this Law shall be passed by the Minister in charge of organization, maintenance and equipping of public skiing grounds and providing services on skiing grounds, with the approval of the minister of interior, within six months.

#### **Article 346**

- (1) Within six months from the effective date of this law, the Government shall pass the acts to determine:
- 1) the share to be allocated to the Agency from the amount of collected pecuniary fines for the offences committed against traffic safety,
  - 2) the extent of special compensations for the work done by the Agency, and compensations for issuing of permits/licences and for other work on improvement of traffic safety that falls under the competence of the Agency,
  - 3) the lowest cost of theoretical and practical training, at the proposal of the ministry in charge of trade and services,
  - 4) the lowest cost of taking driving exam, at the proposal of the ministry in charge of trade and services and the Ministry of Interior,
  - 5) the lowest cost of regular and extraordinary technical inspection of a vehicle, at the proposal of the ministry in charge of trade and services,
  - 6) the cost of a control technical inspection of a vehicle,
  - 7) the amount of compensation for health services from the Article 280 of this Law,
  - 8) the amount of compensation for removing vehicles,
  - 9) the amount of compensation for removing incorrectly parked vehicles, at the proposal of the ministry in charge of trade and services.

#### **Article 347**

The regulations adopted pursuant to the Law on the Principles of Road Traffic Safety („Official Gazette of the SFRY“, no. 50/88, 63/88, 80/89, 29/90 and 11/91, „Official Gazette of the FRY“, no. 34/92, 13/93, 24/94, 41/94, 28/96 and 3/2002) and the Law on Road Traffic Safety („Official Gazette of the SRS“, no. 53/82, 15/84, 5/86 and 21/90, „Official Gazette of the Republic of Serbia“, no. 28/91, 53/93, 67/93, 48/94 and 25/97) shall be applied until new bylaws will be adopted, unless they are in contravention with the provisions of this Law.

#### **Article 348**

- (1) On the date of commencement of application of this Law, the Law on the Principles of Road Traffic Safety shall cease to be effective (“Official Gazette of the SFRY”, no 50/88, 63/88, 80/89, 29/90 and 11/91, „ Official Gazette of the FRY “, no. 34/92, 13/93, 24/94, 41/94, 28/96 and 3/02), except regarding the

following Articles (which shall be applied until adoption of bylaws from Articles 341, 342, 343, 344 and 345 of this Law):

- 1) Articles 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205 and 206,
- 2) Articles 207 and 208
- 3) Articles 165, 167, 168 and 169,
- 4) Articles 171, 172, 173, 174, 175, 176, 177, 178, 179, 180m 181 and 182,
- 5) Article 194,

as well as regarding penal provisions related to breaches of provisions from Items 1 to 5 of this Paragraph.

- (2) On the date of commencement of application of this Law, the Law on Road Traffic Safety ("Official Gazette of the SRS" no. 53/82, 15/84, 5/86 and 21/90, ,, Official Gazette of the RS“, no. 28/91, 53/93, 67/93, 48/94 and 25/97), except regarding the following Articles (which shall be applied until adoption of bylaws from the Articles 341, 342, 343, 344 and 345 of this Law):

- 1) Articles 132, 133, 134, 135, 136, 137, 138, 139, 140, 141 and 142,
- 2) Articles 143, 144, 145, 146 and 147
- 3) Articles 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109 and 110
- 4) Articles 111, 112, 113, 114, 115, 116, 117, 118, 119 and 120
- 5) Articles 130 and 131

as well as regarding the penal provision related to breaches of provisions from Items 1 to 5 of this Paragraph.

- (3) Until the conditions are fulfilled for functioning and discharging of duties of the Agency from the Article 9, Paragraph 2 of this Law, the provisions of the Law on Principles on Road Traffic Safety shall be applied ("Official Gazette of the SFRY", no. 50/88, 63/88, 80/89, 29/90 and 11/91, " Official Gazette of the FRY", no. 34/92, 13/93, 24/94, 41/94, 28/96 and 3/02) and the Law on the Road Traffic Safety ("Official Gazette of the SRS" no. 53/82, 15/84, 5/86 and 21/90, " Official Gazette of the RS, no. 28/91, 53/93, 67/93, 48/94 and 25/97).

- (4) The provisions of Article 273 of this Law shall become effective as of 25 July 2009.

### **Article 349**

The provisions of this Law concerning penalty points shall become effective as of the date when the regulations on offences regulating pronouncing of penalty points come into force.

### **Article 350**

- (1) The provisions of this Law relating to the requirements which need to be fulfilled by a teacher of theoretical education and examiner with regard to the holding of a permit (licence) and taking a state licence exam shall become effective only upon expiration of one year from creating conditions for functioning and work of the Agency from Article 9, Paragraph 2 of this Law.
- (2) The provisions of this Law relating to the requirements which need to be fulfilled by a driving instructor with regard to the holding a permit (licence) shall become effective only upon expiration of one year from creating conditions for functioning and work of the Agency from Article 9, Paragraph 2 of this Law.
- (3) The provisions of this Law relating to the conditions those have to be fulfilled by an examiner with regard to the holding a permit (licence) for the driving instruction of a respective category shall become effective only upon expiration of one year from creating conditions for functioning and work of the Agency from Article 9, Paragraph 2 of this Law. The examiner shall have to fulfil a condition that by the effective date of this Law he/she shall have received the licence of driving instructor of a respective category.
- (4) The provisions of this Law relating to the requirements which need to be fulfilled by a technical inspection controller of vehicles with regard to the holding a permit (licence), taking a state licence exam and completing education qualifying for the technical inspection controller shall become effective only upon expiration of one year from creating conditions for function and work of the Agency from the Article 9, Paragraph 2 of this Law.
- (5) The provisions of this Law relating to the requirements which need to be fulfilled by a tram driver with regard to the holding a permit for operating trams shall become effective only upon expiration of one year from creating conditions for functioning and work of the Agency from the Article 9, Paragraph 2 of this Law. Until then and in addition to holding a driving licence for operative V category vehicles, the tram driver shall have to meet the conditions from the Article 192 of the Law on Road Traffic Safety ("Official Gazette of the SRS", no. 53/82, 15/84, 5/86 and 21/90, "Official Gazette of the RS", no. 28/91, 53/93, 67/93, 48/94 and 25/97).
- (6) The provisions of this Law relating to the requirements which need to be fulfilled by a tourist train driver with regard to the holding a special licence for operating a tourist train shall become effective only upon expiration of one year from creating

conditions for functioning and work of the Agency from Article 9, Paragraph 2 of this Law.

### **Article 351**

- (1) The resolutions whereby companies in charge of technical inspection are allowed to engage in their activity shall terminate upon expiration of one year from the effective date of a bylaw that will regulate the matter of carrying out technical inspections pursuant to this Law.
- (2) The resolutions whereby fulfilment of conditions for the operation of driver training centres shall terminate upon expiration of one year from the effective date of a bylaw that will regulate the matter of education and training pursuant to this Law.
- (3) The resolutions on authorisation to engage in testing of vehicles shall terminate upon expiration of one year from creating conditions for functioning and work of the Agency from Article 9, Paragraph 2 of this Law.
- (4) The existing driving licences shall be valid until the expiration date indicated in the driving licence and up to five years from the effective date of this Law, at the latest.
- (5) The existing certificate of knowledge of traffic regulations shall terminate upon expiration of one year from the effective date of a bylaw that will regulate the matter of issuing driving licences.
- (6) The existing traffic licences, that is, certificates of temporary registration of vehicles, that is, certificates of registration of tractors that will not be used for works in the agricultural industry shall terminate upon expiration of one year from the effective date of a bylaw that will regulate the matter of issuing driving licences.
- (7) The existing traffic licences, certificates of temporary registration of vehicles and certificates of registration of tractors that will not be used for works in the agricultural industry and a trailer/attachment towed by the tractor shall be valid until expiration date indicated in the traffic licence, that is in the certificate.
- (8) The certificates of registration of motor vehicles issued for a working machine, a motor cultivator, bicycle with a motor and the certificate of registration of tractors that will be used in the agricultural industry and the trailers drawn by these tractors shall terminate upon expiration of one year from the effective date of a bylaw that will regulate the matter of carrying out technical inspections pursuant to this Law.
- (9) A driving candidate who completed the training for operating vehicles of specific categories, until the effective date of bylaws that will regulate the matter of education of driving candidates, shall be allowed to take his driving test for the respective category of vehicles once he/she completes additional theoretical and practical training of at least three classes/hours, in the manner provided for in the Articles 232- 237 of this Law, provided that the driving candidate has met the

age criteria for getting the driving licence, as stipulated in the Article 180 of this Law.

- (10) A driving candidate who started but has not completed his/her training for operating vehicles of specific categories, until the effective date of bylaws that will regulate the matter of education of driving candidates, shall be allowed, if he/she completes the commenced training within the next three months and additional theoretical and practical training of at least three classes, to take his/her driving test for the respective category in the manner provided for in Articles 232- 237 of this Law, provided that the driving candidate has met the age criteria for getting the driving licence, as stipulated in the Article 180 of this Law.
- (11) A driving candidate who passed the theoretical part of the exam for a specific category, until the effective date of bylaws that will regulate the matter of education of driving candidates, shall be allowed to take the practical part of the exam for the respective category within 12 months from the date of taking the theoretical part of the exam, if he/she completes an additional theoretical and practical training of at least three hours/classes, in the manner provided for in Articles 232- 237 of this Law, provided that the driving candidate has met the age criteria for getting the driving licence, as stipulated in Article 180 of this Law. These candidates shall not have to pass any first aid exam.

### **Article 352**

- (1) The infractions and corporate offences committed prior to the effective date of this Law shall be treated pursuant to the provisions of those laws that were effective at the time when the infraction or the corporate offence was committed if breaching those provisions is also punishable under this Law.
- (2) The initiated offence proceedings that will not be completed by the effective date of this Law shall continue pursuant to the provisions of those laws that were effective at the time the infraction or the corporate offence was committed, that is, at the time when the request for initiating the proceeding was filed, if breaching those provisions is also punishable under this Law.
- (3) The proceedings dealing with breaches of provisions of the Law on Principles of Road Traffic Safety („Official Gazette of the SFRY“, no. 50/88, 63/88, 80/89, 29/90 and 11/91) committed before the effective date of this Law, which are by their nature corporate offences and which are also punishable under this Law, shall continue as offence proceedings pursuant to the competences provided for by this Law, taking into account the period of prescription for an offence litigation.

### **Article 353**

This Law shall become effective on the eight day from its publishing in the „Official Gazette of the Republic of Serbia“, and shall be implemented upon expiration of six months from its effective date, except for Article 273, whose effective date shall be 25th July 2009.

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<sup>i</sup> Presumably a technical error, the words “9<sup>th</sup> Paragraph” should probably be replaced with “7<sup>th</sup> Paragraph”.