



**INTERNATIONAL TRANSPORT FORUM
TRANSPORT MANAGEMENT BOARD**

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Group on Road Transport

Report by SLOVAK REPUBLIC on Implementation of QUALITY CHARTER

Appendix 4: ACT on road transport, of 31 January 2012

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English - Or. English

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ACT
of 31 January 2012,
on road transport

Amendment 317/2012 Coll.

The National Council of the Slovak Republic has adopted this Act:

PART 1
BASIC PROVISIONS

Article 1

Subject matter

(1) This Act regulates:

- a) the access to occupation of the road transport operator,¹⁾
- b) the rules of business activities in the road transport,
- c) the providing the transport servicing on the territory in the field of regular transport,
- d) the rights and obligation of carriers in the buss transport²⁾ and taxi services,
- e) the carriage of dangerous goods, and
- f) the public government in the road transport.

(2) This Act shall not apply to the non-motorized road transport and, except for provisions on the carriage of dangerous goods, to the own-account transport operations.³⁾

Article 2

Road transport operation

(1) The road transport operation shall mean the business activity providing the reimbursed transport services for the public by motor vehicles type-approved for this purpose (hereinafter referred to as the "vehicle").

(2) The transport services shall mean:

- a) in the passenger transport, the carriage of passengers and their luggage and associated services in particular the information services provided to passengers, the reservation and sale of tickets and seat reservation tickets, services provided to passengers before and during the carriage,

¹⁾ Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14. 11. 2009).

²⁾ Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ EU L 55, 28. 2. 2011).

³⁾ Article 2 paragraph 5 of the Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (recasted text) (OJ EU L 300, 14. 11. 2009).

b) in the freight transport, the carriage of goods and other objects and animals, and associated services provided to consignors and consignees during the loading, unloading and carriage, except for the operation of not type-approved special goods vehicles intended for the carriage of loads.

(3) National road transport shall mean that all route of carriage and the place of provided transport services shall occur on the Slovak Republic territory.

(4) Provisions of this Act shall apply to the international transport unless the special regulations⁴⁾ or international agreements binding for the Slovak Republic stated otherwise.

(5) For the purpose of this Act, the Member State shall mean the Member State of the European Union being the contracting party of the Agreement on the European Economical Area and the Swiss Confederation.

Article 3

Carrier

(1) For the purpose of this Act, the carrier shall mean the road transport operator from the date of validity of the transport licence, concession or other authorisation authorising him to provide the transport services upon the contract of carriage, namely in the passenger transport upon the contract concerning the carriage of passengers⁵⁾ and in the freight transport upon the contract concerning the carriage of loads.⁶⁾

(2) When some transport services are provided by the performing carrier⁷⁾ or the subcontractor⁸⁾ upon the contract concluded with the carrier, provisions of this Act shall apply to him within the extent in which the transport services are provided.

(3) The business company established for the purpose of operation of an integrated transport system⁹⁾ or a city transport system shall be in position of the carrier pursuant this Act even when it doesn't meet the requirements referred to in Article 2 paragraph 2 letter a).

Article 4

Transport Order

(1) The Transport Order shall include the transport conditions of the carrier necessary to conclude the carriage contract, in particular:

- a) the type of an operated road transport and extent of provided transport services,
- b) the method of conclusion and validity of the contract on carriage of persons or goods,
- c) carrier's rights and obligations in particular the scope of liability for the damage caused to the passenger and animal health and the damage caused to the goods, luggage or other

⁴⁾ Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (recasted text) (OJ EU L 300, 14. 11. 2009).

Regulation (EC) No 1073/2009.

⁵⁾ Article 760 of the Civil Code.

⁶⁾ Article 765 of the Civil Code.

Article 610 of the Commercial Code.

Convention on the contract for the international carriage of goods by road (CMR) (CMR) (Decree of the Minister of Foreign Affairs No 11/1975 Coll.) in valid wording.

⁷⁾ Article 3 letter f) of the Regulation (EU) No 181/2011.

⁸⁾ Article 6 of the Regulation (EC) No 1073/2009.

⁹⁾ Article 2 paragraph 3 of the Act No 514/2009 Coll. on transport on the railroads.

objects and the scope of claims of passengers, consignors and consignees resulting thereof and concerning the compensation for the damage or the transport price allowances.

(2) In addition to the conditions pursuant to paragraph 1, the Transport Order in the passenger transport shall include:

- a) the scope of carrier's rights and obligations in regular transport or taxi service,
- b) the method of ticket sale and reservation on the bus stations and in line busses or through electronic media in the electronic reservation and sale systems,
- c) the method of ordering the taxi vehicles, the conditions for conclusion of the contract on the carriage of passengers and for fare payment,
- d) the method of ordering the carriage by busses or coaches in an occasional transport,
- e) the scope of passenger's rights and obligations before the starting the carriage, during the carriage and immediately after its ending as well as when the carriage has not been performed or terminated or it has been delayed and the procedure of passenger's claims resulting from infringement of their rights,
- f) the scope of special rights of disabled passengers and passengers with reduced mobility¹⁰⁾ including accompanying persons as well as pensioners, schoolchildren and students (hereinafter referred to as the "selected passenger group"),
- g) conditions for the carriage of passenger's hand baggage, luggage, postal and bus consignments and pets,¹¹⁾
- h) conditions for the carriage of dog with a special training to provide the aid to the seriously disabled passengers,
- i) rules for the validity of tickets and seat reservation tickets and the way to prove the paid ticket in case of a check and options of compensation for the lost ticket in regular service,
- j) rules for the fare payment and issuing the proof of payment in the taxi service,
- k) the procedure for checking the tickets in regular service, rights and obligations of carrier's staff authorised to check the tickets (hereinafter referred to as the "inspector") and the method of sanctioning the passengers without valid ticket and the method of fare payment enforcement,
- l) the tariff,
- m) rules of complaint procedure.

(3) In addition to the carriage conditions pursuant to paragraph 1, the transport order in the freight transport shall contain also the extent of transport services provided by the carrier to consignors and consignees and the scope of their cooperation with the carrier, in particular the rules for carriage of various objects and animals and conditions of supply the vehicles to the loading and unloading.

(4) The carrier operating the passenger as well as the freight transport shall be obliged to have the Transport Order for both of them. If carrier oneself or together with another carrier operates a regular transport as a part of an integrated transport system or a part of a city

¹⁰⁾ Article 3 letter j) and Chapter III of the Regulation (EÚ) No 181/2011.

¹¹⁾ Article 2 letter a) of the Decree of the Ministry of Agriculture of the Slovak Republic No 123/2008 Coll. on details and protection of domestic animals and on requirements for animal quarantine stations and shelters.

transport system, he may have the single Transport Order for whole transport system. The same shall apply to the combined transport system.¹²⁾

(5) The carrier shall be obliged to publish the Transport Order on the Internet website and notify it also in other suitable form. If the Transport Order doesn't contain the date of its entry into force, the Transport Order shall enter into force on the date of its publishing on the Internet website.

(6) Published Transport Order shall constitute a part of the carrier's proposal for conclusion of the carriage contract and after conclusion the contents thereof shall constitute a part of the contract rights and obligations of participants.

(7) Complaints and claims concerning the discharge of obligations resulting from the Transport Order and their handling by the carrier shall be examined by the Slovak Trade Inspection.

Article 5

Occupation of road transport operator

(1) Unless otherwise stated, the occupation of national road transport operator¹³⁾ may perform an undertaking¹⁴⁾ on the basis of authorisation granted according to this Act and special regulation; the authorisation shall be granted for a period of ten years. The procedure for authorisation granting, suspension and withdrawal shall be laid down by special regulation.¹⁵⁾

(2) The operation of an international road transport in the Member States may the road transport operator possessing the Community licence granted in accordance with special regulations.¹⁶⁾

(3) The road transport operator referred to in paragraphs 1 or 2 shall be registered in the Commercial Register with a subject of activity according to contents of an authorisation or Community licence.

(4) The paragraphs 1 and 2 shall not apply to the taxi service operation and the road transport operated by undertakings pursuant to special regulations.¹⁷⁾

(5) The paragraph 1 shall not apply to the road haulage operator engaged in national transport that provides only following transport services:

- a) distribution of goods exclusively for the purpose of local catering the inhabitants including the local market places within the distance of 50 km,
- b) carriage of seeds, manure, forage, agriculture machines and harvest for the purpose of their usage in an agricultural production including the carriage of the animals from farms to slaughter-houses, the forage to feed the animals and collection of the milk and milky products from farms for the purpose of processing and back carriage of the milk containers.
- c) carriage of animal waste for disposal in rendering plants; this shall not apply in case of an infection waste to which the rules on carriage of dangerous goods apply,

¹²⁾ Article 2 paragraph 4 of the Act No 514/2009 Coll.

¹³⁾ Article 2 paragraphs 1 to 3 of the Regulation (EC) No 1071/2009.

¹⁴⁾ Article 2 paragraph 4 of the Regulation (EC) No 1071/2009.

¹⁵⁾ Chapter III of the Regulation (EC) No 1071/2009.

¹⁶⁾ Article 4 of the Regulation (EC) No 1072/2009 and Article 4 of the Regulation (EC) No 1073/2009.

¹⁷⁾ Article 1 paragraph 4 of the Regulation (EC) No 1071/2009 and Article 1 paragraph 5 of the Regulation (EC) No 1072/2009.

- d) non-commercial carriage in case of the carriage of a humanitarian aid and an assistance for inhabitants in emergency situations, in particular in case of natural disasters, industrial accidents and other similar events,
- e) commercial carriage for armed forces, armed safety corps and civil protection of population if such carriage is performed on the basis of their order for the purpose of their tasks fulfilment and under their control,
- f) municipal waste collection and removal and carriages relating to the waste stacking and disposal on the stocks or in incinerating plants, or
- g) carriage of goods by the vehicles with a maximum permissible laden mass not exceeding 3500 kg.

Article 6

Requirements for engagement in the occupation of road transport operator

(1) Requirements for engagement in the occupation of road transport operator are specified by special regulation.¹⁸⁾ As a general requirement for engagement in the occupation of road transport operator shall be the age of at least 21 years; if the road transport operator is a legal person, such requirement must be met also by the members of its statutory bodies and by the transport manager.¹⁹⁾

(2) For the purpose of this Act and a special regulation²⁰⁾, the effective and stable establishment shall mean the residence of an undertaking or a branch plant of a foreign road transport operator in the Slovak Republic, registered in the Commercial Register during entire period of an engagement in the occupation of road transport operator, whereby:

- a) management of the undertaking, the affiliated company or the branch plant with necessary staff and documents on the road transport operation, shall have a residence on a territory of the Slovak Republic, and
- b) technical base thereof necessary to operate the road transport shall be located on a territory of the Slovak Republic.

(3) For the purpose of engagement in the occupation of road transport operator, as a person satisfying requirements relating to good repute shall not be deemed a person convicted of an intentional criminal offence in the fields specified in special regulation²¹⁾ and imposed penalty has not been deleted. For the purpose of engagement in proceedings pursuant this Act and for the purpose of engagement in the position of the transport manager, inspector, driver and other crewmember of the bus coming into contact with passengers, a good repute shall be demonstrated also by the extract from the commercial register not older than three months. In case of person engaged in such activity in other Member State, a good repute shall be demonstrated also by similar extract from the commercial register of the Member State of establishment or by the certificate of competent authority of this Member State not older than three months.

(4) For the purpose of engagement in position of the member of statutory body or the transport manager as a person satisfying requirements relating to good repute shall not be deemed also a person who, in relation to the managing the undertaking or the engagement in position of the transport manager, has been legally inflicted for the serious administrative

¹⁸⁾ Articles 3, 5 to 9 of the Regulation (EC) No 1071/2009.

¹⁹⁾ Article 4 of the Regulation (EC) No 1071/2009.

²⁰⁾ Article 3 paragraph 1 letter a) and Article 5 letter a) of the Regulation (EC) No 1071/2009.

²¹⁾ Article 6 of the Regulation (EC) No 1071/2009.

delinquency in the fields specified in special regulation and in categories and types of infringements specified by the European Commission in case that from committing such act didn't expire more than three years. The loss of good repute shall be stated in national electronic register of the road transport operators.

(5) The financial standing of the undertaking of road transport operator shall be demonstrated in amount referred to in special regulation²²⁾ for each vehicle operated in the road transport; the amount for a vehicle in taxi services shall be at least 1 000 euros. The financial standing of the undertaking established before less than 15 months may be demonstrated by the extract from the commercial register, the foundation charter, the deed of foundation or the opening balance sheet compiled on the day of undertaking foundation. In case of undertaking operated the taxi services the financial standing may be demonstrated also by the contract on insurance against the damage caused by the operation of the organization including the professional liability insurance, or by the recognition of a certificate issued by the competent authority in the Member State where the undertaking residence is situated.²³⁾

(6) A professional competence of the transport manager and the road transport operator shall be demonstrated by an examination from the subjects referred to in special regulation²⁴⁾ before the Examining Board or by a professional competence certificate according to special regulation.²⁵⁾

(7) An examination pursuant to paragraph 1 shall consist of written and verbal parts. A person who obtained a required result in written part shall advance in a verbal part. From such examination shall be exempted a person who:

- a) holds a professional competence certificate for international transport issued in the Slovak Republic after 1 September 2002, or
- b) has continuously managed the road transport undertaking in some Member State for the period of ten years before 4 December 2009.²⁶⁾

(8) The Examining Board shall partly or totally exempt from an examination referred to in paragraph 6 the person with university education or full secondary education identical as regard the content with the examination subjects.

(9) The transport administrative authority shall issue a professional competence certificate to person, who passed the examination or has been exempted from it.

(10) A professional competence certificate issued in other Member State according to special regulation²⁷⁾ shall be valid also in the Slovak Republic within the extent of obtained professional competence; this shall not apply to the taxi service.

(11) The transport manager being in legal relationship pursuant to special regulation shall not be additionally appointed to such post in the road transport undertaking not satisfying the requirement for professional competence.²⁹⁾

(12) The road transport operator operating the both the passenger and haulage transport shall designate at least one transport manager separately for each of these activities; this shall

²²⁾ Article 7 paragraph 1 of the Regulation (EC) No 1071/2009.

²³⁾ Article 20 paragraph 1 of the Regulation (EC) No 1071/2009.

²⁴⁾ Annex I of the Regulation (EC) No 1071/2009.

²⁵⁾ Article 21 of the Regulation (EC) No 1071/2009.

²⁶⁾ Article 9 of the Regulation (EC) No 1071/2009.

²⁷⁾ Article 8 paragraph 8, Article 21 and Annexes II and III of the Regulation (EC) No 1071/2009.

²⁹⁾ Article 4 paragraph 3 of the Regulation (EC) No 1071/2009.

not apply if the transport manager holds the professional competence certificate for both types of road transport.

Article 7

Carrier's general obligations

The carrier shall be obliged to:

- a) operate road transport in accordance with the Transport Order,
- b) mark each operated vehicle with carrier's business name,
- c) provide for a technical base equipped for operation, maintenance, technical inspection, parking and garaging of vehicles and to take care of the vehicle crew, passengers and the load within the extent of provided transport services (hereinafter referred to as the "technical base");
- d) provide each operated vehicle with the document on granted authorisation referred to in Article 5 paragraph 1 or Community licence referred to in Article 5 paragraph 2 or concession pursuant to Article 27,
- e) provide for that operated vehicles would park and garage in technical base areas or areas designated by municipality for such purpose,
- f) employ as the transport manager only a person having the professional competence certificate; in case of person from other Member State, such person shall have the recognized professional qualification and in case of foreigner from the third State also the driver attestation³⁰⁾ and work permit,
- g) be insured as regards liability for damage caused to the passengers, consignors, consignees of goods and to the third persons by road transport operation and activities of the vehicle crew.

PART TWO

OPERATION OF INDIVIDUAL ROAD TRANSPORT TYPES

Article 8

Passenger transport

- (1) The passenger transport may be operated as the bus service or the taxi service.
- (2) The bus service may be operated as the regular service, special regular service or occasional service.³¹⁾
- (3) The bus service may be operated only by the busses or coaches. The operation of passenger transport pursuant to paragraph 1 by vehicles equipped to carry not more than nine persons including the driver, shall be considered as the taxi service operation.

Article 9

Regular service

- (1) The regular service, with regard to the territory transport servicing, shall mean the urban bus service, suburban bus service and the long-distance transport.

³⁰⁾ Article 5 of the Regulation (EC) No 1072/2009.

³¹⁾ Article 2 paragraphs 2 to 4 of the Regulation (EC) No 1073/2009.

(2) The urban service may be operated together with the urban tram service and urban trolleybus service as the integrated transport system of harmonized and interconnected lines and timetable of links on the basis of uniform transport order with the uniform ticket sale system.

(3) The long-distance transport may be operated as a national transport if the entire route of the bus line is located on the territory of the Slovak Republic, or as an international transport if the route of the bus line exceeds at least once the state border of the Slovak Republic regardless whether the purpose shall be the picking up or setting down of passenger or the business journey of empty vehicle.

Article 10

Transport license

(1) The bus line shall be established by the transport licence; through its granting the operator has the authorisation to operate the national regular service on it. To establish the international bus line and to authorise the operation of an international regular service on it, the authorisation pursuant to the special regulation ³²⁾ or the international agreement shall be necessary.

(2) A separate transport licence shall be necessary for each bus line. In case of the group of suburban bus lines operated by the one regular service operator, through which the transport servicing of agglomeration are provided for and they don't exceed the boundary of the region, the single transport licence may be granted for their establishment and operation. The single transport licence shall be sufficient to operate the bus lines of the one regular service operator in the urban transport services.

(3) To permit the establishment of the bus line and to grant the transport licence shall be possible under following conditions:

- a) the applicant holds the authorisation to perform the occupation of road transport operator pursuant to Article 5 paragraph 1 or the Community licence pursuant to Article 5 paragraph 2,
- b) the technical condition, the road capacity and the traffic safety and fluency shall enable the operation of regular services on entire route of proposed bus line,
- c) the establishment of a national bus line shall comply with the transport servicing plan or the transport administrative authority is interested in its establishment, taking in account the municipality, employers or public interests,
- d) the applicant shall have his own sufficient technical base necessary to control the bus line or and to operate the regular service on it according to the timetable or he leased such a base.

(4) In the decision on granting the transport licence the administrative authority may impose to the applicant the following obligations:

- a) to use a determined kind or type of bus with regard to its age, transport capacity, equipment or the technical level,
- b) in accordance with the transport servicing plan, to ensure that the timetable of bus line operated in the public interest and the timetable of other mode of transport, in particular the railway transport, have been tied-up with the aim to eliminate the parallel routes and bus

³²⁾ Articles 6 to 11 of the Regulation (EC) No 1073/2009.

and train links; this shall not apply to the one-shot carriage of a large number of passengers in particular in case of cultural, sport or other public events,

- c) to ensure a specified range of services for passengers at the bus stations,
- d) to use the stop only to get on or get out the passengers,
- e) to ensure information services for passengers or defined ticket reservation and sale system, including the sale using an electronic medium and system.

(5) The transport licence for national transport shall be granted for a period not longer than ten years. At the applicant's request the validity of transport licence may be renewed also repeatedly if conditions for its granting have not been changed.

(6) The validity of transport licence shall lapse at the end of the period for which it has been granted or in case of its withdrawal. If the holder of transport licence is a natural person, the validity of transport licence shall lapse also on the day of the holder's death; the bus line may be temporary operated by the successor or other person for a maximum period of three months. If such person, within three months from the death of the transport licence holder, applies for granting the transport licence and satisfies the requirements for its granting, the transport administrative authority shall grant the transport licence to such person; otherwise the transport administrative authority shall grant the transport licence for a bus line to the other applicant.

(7) For temporary transferring the bus line to the other carrier, permanent changing the bus line route or changing the method of its operation through the use of the performing carrier or the subcontractor, the alteration of transport licence shall be required. At the applicant's request the transport licence alteration may be authorised if the observance of conditions of granted transport licence according to paragraphs 3 and 4 shall be ensured.

(8) The transport licence shall be permanently non-transferable to the other person. To permanent transfer the bus line to the other regular service operator, the withdrawal of transport licence from the present holder and its granting to the other applicant shall be necessary.

(9) To cancel the bus line the withdrawal of transport licence from its holder shall be necessary.

(10) The transport administrative authority shall withdraw the transport licence from its holder if:

- a) the authorisation for occupation of the road transport operator referred to in Article 5 paragraph 1 or the Community licence referred to in Article 5 paragraph 2 has been withdrawn
- b) with regard to its undertaking the insolvency proceeding has been filed,
- c) he fails further to carry out the regular service for business, technical or staff reasons,
- d) the bus line became unnecessary with regard to the resistance of passengers,
- e) without serious obstacle:
 1. he didn't start to operate the regular service on bus line according to the timetable within 30 days from the date of validity of the decision on granting the transport licence, or
 2. he ceased to operate the regular service according to the timetable for a period more than 15 working days,

- f) the technical condition, the road capacity or the traffic safety and fluency don't allow for a long-time period the regular service operation on a bus line, or
- g) despite of warning of the transport administrative authority or the professional supervision body, he seriously or repeatedly infringes obligations of the carrier of regular service pursuant to this Act or obligations resulting from the transport licence and the transport order,
- h) he has required himself for the withdrawal of transport licence.

Article 11

Basic obligations of carrier in the regular service

- (1) The carrier in the regular service shall be obliged to:
 - a) operate the regular service on a bus line in accordance with the granted transport licence and the public service contract (hereinafter referred to in as the "service contract") for entire period of their validity (hereinafter referred to in as the "obligation to operate").
 - b) carry the passengers according to tariff (hereinafter referred to in as the "tariff obligation") and issue to the passenger the ticket or other document confirming the payment of the fare or register the passenger in an electronic system, when electronic medium has been used for the fare payment,
 - c) conclude the contract on the carriage of persons with any passenger prepared on the bus stop in time of the bus departure pursuant to transport order (hereinafter referred to in as the "obligation to carry"); this shall not apply in case that the bus capacity is exhausted according to the registration certificate, the passenger is not competent for the carriage or the carriage on the bus line route shall be temporary disabled for the reasons of the current technical condition of the road, the road capacity and the traffic safety and fluency.

Article 12

Authorisations of carrier in relation to passengers

(1) Before the start of a carriage, the carrier shall be obliged through the driver or other crewmember, inspector or employee authorised to organise the carriage (hereinafter referred to in as the "dispatcher"), to provide the passengers with instructions and commands for the purpose of guarantee of their safety or the road traffic safety and fluency; the passenger shall be obliged to follow such instructions and commands.

- (2) The driver, other bus crew member and inspector shall be authorised to:
 - a) exclude from carriage any passenger who, despite of warning, fails to follow the instruction or command pursuant to paragraph 1, infringes the obligation resulting from the transport order, dwells in the bus without permission, through his or her behaviour compromises the traffic safety, violates smooth and convenient bus driving, pollutes the bus or distresses the passengers, as well as any person incapable of carriage under the Transport Order,
 - b) impose to passenger, who shall not show a valid ticket, the duty to pay the fare and sanction reimbursement or to demonstrate his/her identity and provide the data necessary to enforce the fare and the sanction reimbursement pursuant to Article 14 paragraph 2,
 - c) exclude from the carriage the luggage, passenger's hand baggage or passenger's pets provided they represent the obstacle for safe, undisturbed and convenient carriage in particular when they distress the passengers or when the carriage conditions, especially the bus capacity, don't allow it.

Article 13

Rights of passengers in regular service

(1) Rights of passengers in long-distance services on the bus lines, the route of which between the departure stop and destination stop exceeds 250 km, shall be regulated by special regulation.²⁾

(2) Unless otherwise stated in special regulation³³⁾, the passengers shall have the right:

- a) of the safe, undisturbed and convenient carriage by the bus link, for which he possesses the ticket and seat reservation ticket as far as the stop covered by his fare,
- b) of the carriage of hand baggage and, when the carriage conditions or the contract on passenger carriage allow it, also the carriage of luggage and pets in the same bus,
- c) to require the bus crew and dispatcher for necessary travel information about the carriage conditions and they shall be obliged to provide immediately such information,
- d) to refund the fare if the carriage didn't take place, or to utilize the fare allowance in case that the carriage was delayed or the carrier don't meet his obligations resulting from the contract on carriage of passengers.

(3) The passenger with the seat reservation ticket bought before the boarding the bus has the right for reserved place according to the seat reservation ticket, if he is ready to get on before the departure of the bus from the departure stop or within the time of boarding the bus in the running stop in accordance with the transport order.

(4) The disabled passenger with specially trained dog or the passenger with reduced mobility has right for reserved place.

(5) If some link has been cancelled or the carriage on it has been cut off or stopped, the passenger with the valid ticket has exclusive right for substitute carriage to the stop for which the fare has been paid, performed by other link of the same bus line or by other link of the other bus line of the same carrier. If this would be impossible, the passenger has right of free carriage back to the departure stop and to refund the fare.

Article 14

Obligations of passengers in regular service

(1) The passenger shall be obliged to:

- a) act so as he wouldn't compromise the safety of carriage and undisturbed and convenient carriage of other passengers, cause damage to the bus and carrier's facilities serving for passengers, pollute the bus and carrier's areas intended for passengers and distress other passengers and bus crew;
- b) follow the instructions and orders of the bus crew member or other authorised employee of a carrier concerning the assurance of the passenger safety and the traffic safety and fluency,
- c) get on and off the bus only at the stops when a bus stands and the driver or other bus crew member instructs the passengers to do it; the passengers may get on or off the bus outside the stops only when they are so instructed by the driver or other bus crew members,
- d) pay the fare and upon invitation of the driver or other bus crew member or the inspector, he shall show the valid ticket.

³³⁾ Article 2 paragraphs 2 and 3 of the Regulation (EU) No 181/2011.

(2) When during the ticket checking in the bus or immediately after unboarding the bus on the stop the passenger, upon the invitation of the driver, the other bus crew member or the inspector, shall not be able to show the ticket to them, he shall be obliged on the spot to pay the fare and the sanction reimbursement according to the tariff; otherwise he shall be obliged to provide with identification data for the purpose of enforcement of the fare and sanction reimbursement, i. e. the forename and the surname, the date of birth, the birth number, the address of permanent stay, the number of identification card or other identification document number (the number of passport or other identification document if appropriate); in case of the underage passenger the identification data of his legal representative shall be determined.

(3) The obligation to provide the identification data within extent of paragraph 2 relates to the passenger who has damaged or polluted the bus and failed to pay on the spot the flat amount of compensation for damage or the compensation for the bus cleaning.

Article 15

Transport order

(1) The regular service on the bus line shall be performed in accordance with the transport order.

(2) The transport order shall be compiled by the carrier for all bus lines. In case that a regular service on the one bus line shall be operated by two or more carriers, they shall compile the one joint transport order for such a line. In transport licence may be arranged, that only one transport order will be compiled also when several carriers perform a regular service on several lines, which are partly common, knotting or crossing each other or in other way connected.

(3) The transport order and its modifications shall be approved by the transport administrative authority. When transport order modifies the bus line route and the link schedule on the basis of transport servicing plan or service contract, it shall be approved along with modifications also by the contracting entity of transport services (hereinafter referred to as the "contracting entity"). In approving of transport order the contracting entity shall take care that the transport order or its modifications would have as small as impact on satisfying obligations of other carriers and obligations in the railway transport and that transport capacities would have been the best used with the aim of satisfaction of demands and public requirements for the transport services.

(4) Generally the transport order shall be compiled for a period of one year and its modifications ones in a half year. When after approval of the transport order or its modifications the critical circumstances have substantially changed, in particular the transport servicing plan, the service contract, the transport order of the railway transport, requirements of municipalities or the public for transport services or the road technical condition and capacity on the bus line route, the contracting entity may order, in public interest, an extra modification of the transport order.

(5) The carrier shall be obliged to publish the transport order and its modification in a sufficient advance not later than 10 days before its validity on his website, on the bus stations and stops and if appropriate also in other suitable way.

Article 16

Ticket and ticket check

(1) The ticket in a paper or in an electronic form shall represent the acknowledgement of concluded contract on the passenger carriage and on the payment of fare. The ticket in a paper

form shall contain the carrier business name, his identification number and the tax identification number, the type of ticket, the period of its validity, the operation scope and the amount of paid fare. Further data as well as the ticket shape and the way of its issue shall be determined in more detail in the transport order after considering the regulations concerning the accounting and the value added tax.

(2) The tickets are divided into single and season tickets. The single ticket authorises the passenger to carriage as far as the stop covered by the paid fare. The season ticket authorises the passenger for repetitive carriage by all links of the one bus line during the indicated time period; within the urban or integrated transport system this shall be possible also by more or all links of the transport system.

(3) The single son ticket shall be transferable until the carriage starts. The season ticket issued in favour of forenamed and surnamed passenger shall not be transferable.

(4) The passenger shall be obliged to:

- a) keep the valid ticket at the time of boarding the bus provided the ticket was issued by the ticket office outside the bus or in case of the ticket in the form of activated electronic medium,
- b) buy the ticket immediately after boarding the bus if it is issued by the driver or the other crew member,
- c) mark the ticket in bus marking device immediately after boarding the bus in case of the ticket which shall become valid after it has been marked.

(5) The passenger shall be obliged to keep the ticket during entire period of carriage and immediately at un boarding the bus and upon invitation of the other bus crew, the inspector or the person authorised to professional supervision to show it to them.

Article 17

Tariff

(1) The tariff shall regulate:

- a) the rates of the basic fare and additional charges to it,
- b) the rates of the fare for all passenger groups and for the special trained dog,
- c) the prices for carriage of the luggage, the pets carried along with the passenger,
- d) the prices for carriage of the bus consignments,
- e) the rate of the sanction reimbursement pursuant to paragraph 2, and
- f) the conditions under which the fare rates and other prices shall be applied.

(2) The sanction reimbursement in case of inability to show the valid ticket shall be specified by the carrier to the maximum amount to hundredfold of the base fare without additional charges.

(3) The carrier shall be obliged to publish the tariff on his website and to ensure that at least the basic data would be accessible the passengers in the transport order and, if applicable, also in the bus station areas and in buses and that the bus crew and inspectors would be able to inform the passengers about the rates and prices before the start of or throughout the carriage.

Article 18

Transport servicing

(1) For the purpose of this Act, the transport servicing shall mean the offering a reasonable extent of transport services in the national transport to ensure the regular services within the territory of the region or the municipality.

(2) For the purpose of paragraph 1, the reasonable extent shall mean the number of links in a day, the accuracy and regularity of individual links on particular bus lines to satisfy demands of the public during the single days in a week, taking into account of possibility of the parallel carriages³⁴⁾ and the passenger transfer, the distance to bus stops, the road capacity in a day, the carriage safety, the vehicle equipment and capacity and the fare for selected passenger groups.

Article 19

Contracting entity

(1) When sufficient transport servicing in the territory cannot be ensured on a commercial basis by the regular services operated by the carriers, even by the railway transport, the contracting entity shall be authorised in public interest to order transport services within extent necessary to ensure the transport servicing of the territory.

(2) For the purpose of this Act, the contracting entity shall mean a public administration authority obliged, in accordance with the Act, to organize and ensure the transport servicing of the region or municipality territory by a regular service.

Article 20

Plan of transport servicing

(1) To ensure the transport servicing of the territory the contracting entity shall prepare the transport servicing plan and conclude the service contracts with carriers.

(2) In preparing the transport servicing plan the contracting entity shall take account of public substantial requirements, operated railway and bus links and their carriage capacities and other carrier capacity resources, the technical condition of roads on the routes of bus links, capacity resources of the parallel railway transport and urban railroad transport, the economy of the carriage providing and financial options of the public budget as regard the compensation for the public service³⁵⁾ (hereinafter referred to as the "contribution"). In preparing the transport servicing plan the contracting entity shall cooperate with contracting entity of railway transport services to harmonize the capacity and operative resources in the railway and regular bus transport.

(3) The transport servicing plan shall include in particular:

- a) the list of bus lines or their parts on which the regular public transport shall be performed,
- b) requirements for reasonable extent of transport services,
- c) the method of parallel transport solving, the measures necessary to ensure the coordination of and knotting to the railway transport or the urban railroad transport,

³⁴⁾ Article 20 paragraph 4 of the Act No 514/2009 Coll. as amended by the Act No 393/2011 Coll.

³⁵⁾ Article 2 letter g) of the Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ L EU L 315, 3. 12. 2007).

- d) the method concerning the calculation of the public budget contribution and relevant schedule,
- e) possibilities relating to adjustments of the basic fare rates or to the granting of exclusive right³⁶⁾ to operate the transport services,
- f) aims and intentions of solving the disproportion between supply and demand in a specific territory including the need of investments in the fleet, the bus lines technical base or organisation.

(4) The contracting entity must produce the plan of transport servicing so that it would include an economic efficiency and economy of transport servicing, in particular the rational arrangement of regular transport with the aim to minimize the parallel carriages and create the functional knotting of the regular transport and the railway and urban railroad transport and to support the integrated transport systems.

(5) The plan of transport servicing shall represent the supporting document for transport licence granting, service contract conclusion and timetable compilation in regular transport.

Article 21

Service contract

(1) The purpose of the service contract is to ensure safe, efficient and qualitative transport services carried out for basic fare, their adequate efficiency in accordance with the needs of territory transport servicing, and to take account of social and environmental factors and the targets of the regional development unless they are ensured by the carriers of regular transport on commercial basis.

(2) The service contract shall conclude the contracting entity with the carrier of regular transport for transport services, if he were considering his own commercial interests in particular for the reason of economical inefficiency would not assume or would not assume to the same extent or quality or would not assume for basic fare, but which are necessary in view of a territory transport servicing. The service contract shall not be concluded for the provision of the long-distance transport service and the local recreational or tourist carriages of commercial nature.

(3) The contracting entity shall be obliged to support the transport system establishment and operation. For this purpose the contracting entity may conclude the service contract also with the business company established for the purpose of the integrated transport system operation (Article 3 paragraph 3).

(4) The contracting entity may conclude the service contract only with a carrier having the valid authorisation pursuant to Article 5 paragraph 1 or the Community licence pursuant to Article 5 paragraph 2, he holds the valid transport licence and with regard to the provision of territory transport servicing is able to meet the obligation.³⁷⁾ The contracting entity may exceptionally conclude the service contract also with a carrier not yet having the transport licence on condition, that he will obtain it on the date when discharge of the obligation starts.

(5) Special regulations³⁸⁾ shall apply to the method of carrier selection and service contract awarding.

³⁶⁾ Article 2 letter f) of the Regulation (EC) No1370/2007.

³⁷⁾ Article 2 letter e) of the Regulation (EC) No1370/2007.

³⁸⁾ Article 5 of the Regulation (EC) No1370/2007.

Article 24 paragraph 1 letter a), Article 135 to 149 and Article 152 of the Act No 25/2006 Coll. on public procurement and on amendments of some Acts in the wording of later regulations.

(6) The public transport service contract shall be concluded in written form. Unless otherwise stated in special regulation,³⁹⁾ the public contract shall include in particular:

- a) the precise specification of the obligation in particular the extent of territory or the bus lines, extent of carriages and their timing layout in a day and week as well as the character and scope of exclusive carriages if they have been agreed,
- b) the acceptability of discharge of the obligation by performing carrier or subcontractor and specification of his share on the bus line operation,
- c) the tariff, in particular the maximum rate of the basic fare and the fare of selected passenger groups,⁴⁰⁾
- d) the method of calculation of the contribution and the schedule of its phased compensation,
- e) the method for checking and reporting of the obligation discharging,
- f) remedial measures and possible sanctions for obligation non-discharging,
- g) the contract duration pursuant to special regulation.⁴¹⁾

(7) The provision of data relating to the provision of services pursuant to this Act shall not be limited in the service contract concluded with the regular service carrier.

(8) If the service contract, in the form of direct awarding, has been concluded with a carrier, over which the competent entity exercises control or has as only a minimum influence on it, also a mechanism enabling the return of excessive compensation of a contribution into the contracting entity budget and the requirements pursuant to special regulation⁴²⁾ shall be included in the content of service contract. The service contract concluded in such a way shall contain also the carrier staff costs agreed in the collective contract and related to the obligation discharging.

(9) The requirements for quality and safety standards of the public regular service, including technical standards relating to the carriage of disabled passengers and passengers with reduced mobility and the requirements for the age, equipment and technical level of buses, form the part of the service contract content.

(10) In time of duration of the obligation, the carrier who concluded the service contract shall be obliged in case of purchasing or leasing of buses, the expected price of which, without value added tax, shall be equal to or more than financial limit pursuant to special regulation,⁴³⁾ to take into account lifetime energy and environmental impacts of the operation of vehicles pursuant to special regulation.⁴⁴⁾

Article 22

Contribution

(1) The compensation from contracting entity for obligation fulfilment constitutes the contribution agreed in the service contract. The contribution shall be paid from the budget of contracting entity.

³⁹⁾ Article 4 paragraph 1 a 2 of the Regulation (EC) No 1370/2007.

⁴⁰⁾ Article 3 paragraph 3 of the Regulation (EC) No 1370/2007.

⁴¹⁾ Article 4 paragraph 3 a 4 of the Regulation (EC) No 1370/2007.

⁴²⁾ Article 5 paragraph 2 of the Regulation (EC) No 1370/2007.

⁴³⁾ Article 4 paragraph 2 letter f) of the Act No 25/2006 Coll.

⁴⁴⁾ Act No 158/2011 Coll. on the promotion of clean and energy-efficient motor vehicles and on amendments of some Acts.

(2) The amount of contribution shall be agreed in the obligation, depending on an extent of contracted transport services, in accordance with the rules laid down in special regulation.⁴⁵⁾

(3) The contracting entity shall paid the contribution according to the schedule and conditions agreed in service contract and after the end of the budget year it shall accomplish a final statement account resulting from the obligation discharging.

(4) If the bus line route passes territory of two or more contracting entities, the contract shall be concluded only by that one of them, on which territory the departure stop is situated. Unless otherwise agreed, each self-governing region, on which territory the running or destination stop is situated, shall share at the contribution for public services. Also municipalities and city wards, for which the benefit resulting from obligation arose as well as employers the requirements of which have been taken into account in the transport servicing plan and a agreed in the content of obligation, may contribute to the compensation of transport service costs.

(5) The carrier who concluded the service contract shall be obliged to keep separately the register of costs and revenues related to the discharge of the obligation and the register of costs and revenues related to other provided transport services.

(6) Unless otherwise agreed in the service contract, the contribution may be used only to compensate the discharge of the obligation.

Article 23

Obligations of other persons

(1) In reward referred to in the contract and under the same conditions the owner, the administrator or the tenant of the bus station shall be obliged to make accessible the areas and provide services to all carriers having the stop at such station in accordance with the transport licence. The establisher of the stop situated outside the bus station shall be obliged to allow for other carrier to use it. The owner, the administrator or the tenant of the bus station shall be obliged to publish on their website the conditions concerning the use of areas and services providing including the price list.

(2) In agreement with other carriers having the stop at the bus station, the owner, administrator or tenant of such station shall be obliged to establish and maintain the marking and information board on it; unless otherwise agreed by the carriers, such obligation falls only to carrier who has the most bus links on it.

(3) Unless otherwise agreed among the carriers and the owner, administrator or tenant of the bus station and the establisher of the stop situated outside the bus station pursuant to paragraphs 1 and 2, the share of cost compensation shall be paid according to the extent of using the bus station and stop and according to services provided to them.

(4) The owner or administrator of the road, on which the bus line route runs, shall be obliged, within necessary extent, to endure the establishment of the bus stop and its marking location, the shelter for passengers and ticket machine equipment and to allow their maintenance and repairs.

(5) The owner of the bus waiting room and the shelter for passengers and the establisher of the stop shall be obliged to keep them in operating condition and clean and, as regard to their construction and to arrange them so as they would be accessible for disabled persons and persons with reduced mobility.

⁴⁵⁾ Article 6 paragraph 1 and the Annex to the Regulation (EC) No1370/2007.

Article 24

Special regular service

(1) The special regular service shall mean the regular service which provides for the carriage of in advance agreed categories of passengers to the exclusion of other passengers, in particular the carriage of employees to and from their engagement and carriage of pupils and students to and from education institutions. It shall be performed on the basis of the contract concluded between the carrier and the transport service customer along the agreed route with stipulated stops and at agreed frequency.

(2) The special regular service may run parallel to the bus line route of a regular service using their stops and shelters in accordance with the consent of its operator or may be independent with its own route and stops.

(3) The carrier's obligation to carry and carrier's obligations in the special regular service shall apply only to the agreed passenger group; he has not neither the obligation to operate nor the tariff obligation.

(4) The carriage of the bus consignments, luggage and standing passengers shall be excluded from the special regular service; this shall not apply for carriage of passengers performed only on the territory of municipality.

(5) The carrier of special regular service shall be obliged to use in transport services the appropriate buses adapted or equipped for carriage of agreed passenger groups if their carriage, boarding or unboarding requires a personal assistance, other aid or usage of the technical device.

(6) In addition to the carrier's commercial name the used buses must be marked in front and rear with the name of destination stop and the inscription indicating the special regular service e. g. School Bus, Contracting Carriage or commercial name of the carriage customer.

Article 25

Occasional service

(1) The occasional service shall be performed on the basis of the agreement with occasional service customer as the one-shot contracting carriage of an agreed passenger group along agreed route and with stipulated stops.

(3) The carriage of the bus consignments and standing passengers shall be excluded from the special regular service.

(4) In addition to the carrier's commercial name the used buses and coaches must be marked in front and rear with the inscription "Tour".

(5) The holder of transport licence for a regular service may operate also a national occasional service and on the basis of passenger waybill⁴⁶⁾ also an international occasional service.

⁴⁶⁾ Article 12 a 13 of the Regulation (EC) No 1073/2009.

Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement), (Special edition OJ EU L, Chapter 07/Vol. 7, OJ EC L 321, 26. 11. 2002).

Article 26

Taxi service

(1) The taxi service shall mean the operation of passenger transport by the taxi service vehicles as the carriages of particular passengers or the group of passengers to the destination point according to the contract on carriage of persons.

(2) The carrier has the obligation to operate within the scope of concession, the obligation to carry within the scope of transport order and the tariff obligation according to the tariff.

(3) The carrier may offer to provide the transport services through publishing the basic conditions for their providing at the taxi service stand, on his website, on the taxi service vehicles, in the form of advertising or by dispatching establishment and through publicity of ordering service.

(4) The carrier may conclude the contract on carriage of persons with a passenger:

- a) through the driver of the taxi service vehicle at the taxi service stand or anywhere on the territory specified in the concession where he occurs with taxi service vehicle during the journey without the passenger,
- b) in his residence, in any in advance published place or at the usual stop point of the taxi service vehicle on the regular route, which shall not be parallel to the route of a bus line, or
- c) through the dispatching.

(5) Through the generally binding regulation the municipality may establish the details on the taxi service operation on the territory of municipality and issue the operation order of the taxi service stand.

Article 27

Concession

(1) The taxi service may be operated only by the concession holder in accordance with this Act.

(2) The concession authorises the carrier to offer transport services and conclude the contract on carriage of persons only within the territory specified in the contract. The carrier may convey the passenger from the territory specified in the concession to any destination point in the Slovak Republic or in abroad and from the destination point in the Slovak Republic to the territory specified in the concession.

(3) The concession may be granted to an applicant who:

- a) possesses at least the one own or hired vehicle satisfying the requirements for the taxi service vehicle pursuant to Article 30,
- b) possesses the own, leased or otherwise ensured taxi service stand and place to garage or park the taxi service vehicle outside the time of transport service providing,
- c) fulfils the requirement for a good repute pursuant to Article 6 paragraphs 3 and 4,
- d) owns the professional competence certificate, and
- e) demonstrates the financial standing pursuant to Article 6 paragraph 5.

(4) The concession shall not be granted to an applicant in respect of his assets the insolvency proceeding has been opened, within three years from the date of insolvency

proceeding completion or re-statement of compulsory composition; this shall not apply if the insolvency or the compulsory composition occurred in consequence of the bankruptcy or criminal act of the third person. However, the concession may be granted to an applicant after expiration of one year from the date of settlement of obligations resulting from insolvency pursuant to the court scheduled decision. If an applicant has intentionally caused the insolvency or the compulsory composition, the concession may be granted to him not earlier than five years after the date of complete settlement of obligations resulting from insolvency according to the court scheduled decision

(5) The paragraph 4 shall apply to an applicant to whom the opening of insolvency proceeding has been rejected only for the reason of insufficiency of assets that are sufficient at least to cover the costs and expenses incurred in the insolvency proceeding.

(6) The concession cannot be granted to an applicant to whom the court imposed in an offence proceeding the judgement concerning the ban of driving the motor vehicle or the sanction concerning the ban of driving the motor vehicle for a period of ban duration.

(7) In decision on a concession granting the transport administrative authority may impose to an applicant the following obligations:

- a) to use a specific kind or type of vehicles with regard to their age, equipment and technical standard or to the equipment of a vehicle used for the carriage of selected passenger groups and the dog with special training,
- b) to use a specific taxi service stand,
- c) to provide for the passengers with the information services or the carriage reservation system including the use of an electronic medium and system.

(8) If the applicant didn't apply for a shorter period, the concession shall be granted for a period of ten years. At the applicant request the concession may be renewed in case that requirement for taxi service operation according this Act has been satisfied.

(9) The concession shall be non transferable to the other person permanently. When the undertaking of the concession holder has been transferred to the other person, the transport administrative authority shall withdraw the concession from the present holder. The acquirer of undertaking may become a taxi service operator when the transport administrative authority grants the concession to him.

(10) For temporary transfer the taxi service operation for a period not more than six months to the other taxi service operator, the decision of the transport administrative authority concerning the temporary modification of a concession shall be necessary; this shall be performed at the request of the concession holder for the reason of serious obstacle to the taxi service operation or when through it the compliance with conditions for taxi service operation according the concession will be ensured. The temporary concession holder must agree with such modification of the concession.

(11) The concession validity shall expire when the time for which it has been granted elapsed or when it has been withdrawn.

(12) When a concession holder shall be a natural person, the concession validity shall expire on the day of the holder's death. Till the completion of heritage proceeding relating to the undertaking of the deceased, the taxi service operation may be conducted by his descendent, residual spouse or other person if requirements for good repute pursuant to Article 6 paragraph 3 are met. The continuation in taxi service operation must be communicated to the transport administrative authority within three working days from the

date when the continuation of taxi service operation has started and the extract from a criminal register not older than three months shall be attached. Within 15 days from the receipt of communication the transport administrative authority shall communicate that there are no objections against continuation of the taxi service operation or it shall prohibit the continuation of the taxi service operation for the reason that the requirements for the taxi service operation have not been met.

(13) The transport administrative authority shall withdraw the concession when its holder:

- a) meets no longer the requirements in accordance with this Act,
- b) subjects to the insolvency proceeding in respect of his assets,
- c) is not longer able to perform the activities of carrier for business, technical or staff reasons and in case of natural person for health reasons,
- d) didn't start to operate the taxi service pursuant to conditions imposed in the concession and in accordance with the transport order without serious reason and within 30 days from the date of validity of the decision on the concession granting,
- e) operates the taxi service in conflict with the Act, the concession or the transport order and despite of notice and imposed sanction,
- f) applies for withdrawal.

Article 28

Driver's driving licence for taxi service vehicle

(1) The driver of a taxi service vehicle may be only person, who holds the driver's driving licence for taxi service vehicle (hereinafter referred to as the "driver's driving licence"). The driver of a taxi service vehicle shall be in an employment relationship with the taxi service operator for a determined weekly working time or he shall operate the taxi service as a self-employed person.

(2) The driver's driving licence may be issued only to person, who:

- a) holds at least three years the driving authorisation of category authorising to drive the taxi service vehicle,
- b) is at least 21 years old,
- c) is competent for legal acts in full scope,
- d) has a good repute.

(3) For the purpose of issuing the driver's driving licence, the following persons shall not be deemed as persons with good repute:

- a) person who has been legally convicted for intentional criminal offence or criminal negligence relating to the road traffic or the provision of transport services to customers and the conviction has not been expunged,
- b) person to whom the ban to drive a motor vehicle has been imposed by a court or the ban to drive a motor vehicle has been imposed in an offence proceeding as far as the ban lasts,

(4) The professional competence of the driver of a taxi service vehicle shall be obtained before the Examining Board and certified through issuing the driver's driving licence.

Article 29

Rights and obligations of the driver of taxi service vehicle

(1) The driver of a taxi service vehicle shall be obliged to provide the transport services according to the transport order, in particular:

- a) to carry the passenger pursuant to dispatching instructions from the point agreed in advance and the passenger showing the interest in the carriage on the taxi service stand, the usual point on the regular route of the passenger group carriage or anywhere on the road during the journey of taxi service vehicle without the passenger exempt from the stops of regular services,
- b) to use the roof lamp to an announcement, whether a taxi service vehicle is free or occupied by the passenger or taken order,
- c) to load and affix the passenger luggage and other things and to unload them after the completion of carriage,
- d) to allow for the passenger the view at the taximeter display during the journey from the boarding as far as the unboarding,
- e) perform the carriage along the shortest carriage route enabled by traffic situation; other carriage route may be used only with passenger consent or on his proposal or in case of a regular route of the group passenger carriage known in advance,
- f) to take the other passenger only with passenger consent or on his proposal; this shall not apply in case of passenger boarding on an usual point of a regular route of the group passenger carriage and in the taxi service vehicle the place is unoccupied or when with the passenger the contract on the carriage of persons has been concluded in advance,
- g) to issue to the passenger the document proving the paid fare; the copy in a paper or electronic form shall be a part of the taxi service operator's register,
- h) to bear in the taxi service vehicle the driver's driving licence at a place well visible for a passenger,
- i) to have in the taxi service vehicle the complete tariff conditions and to allow for the passenger to access to them.

(2) The driver of a taxi service vehicle may reject to perform the carriage or to complete the begun carriage, if:

- a) the technical condition and road capacity or the road traffic safety and fluency on the carriage route don't allow it in particular as the consequence of climatic conditions, the damage of a road or the road accident,
- b) the behaviour of a passenger, in particular when he is aggressive or armed, or the time of carriage, destination point, carriage route or other circumstances induce the doubts of a driver regarding his health, the carriage safety or the other taxi service vehicle,
- c) with regard to the passenger fitness the pollution of a taxi service vehicle or the intrusion of the driver during the journey compromises,
- d) in spite of warning the passenger smokes in the taxi service vehicle, consumes the food and beverages or feeds the transported animal or handles on the front seat with the hand baggage, newspapers, maps or other things which may limit the driver field of vision or jeopardize the driving of a taxi service vehicle,

e) the passenger has a luggage which regarding to its amount, size, mass or shape cannot be transported at the same time, or he wants to carry animals which regarding to their size, number and behaviour cannot be transported in passenger as well as luggage compartment,

(3) If the driver of a taxi service vehicle refuses to transport the passenger for the reason referred to in paragraph 2 letter e), he shall be obliged to report it to the dispatching or to the other driver having the capable taxi service vehicle.

Article 30

Taxi service vehicle

(1) The taxi service vehicle shall mean the vehicle which:

- a) is indicated in a concession and it has in concession an assigned registration number of the taxi service vehicle; this number must be placed in the taxi service vehicle at an area well visible for passengers,
- b) has indicated on front left and right doors the commercial name of a taxi service operator and the phone number of the reservation service dispatching if it has been established by the taxi service operator; otherwise the driver or operator phone number shall be indicated,
- c) has integrated the operational taximeter satisfying the requirements for designated meters allowing the passengers to monitor the momentary price of the fare during a journey and issuing the document proving the paid fare; in case of carriage of a group of passengers which paid the fare before the carriage started or on usual points of the regular carriage route, the taximeter needn't be used in the taxi service vehicle,
- d) has indicated on the front right door and inside a vehicle at an area well visible for passengers the basic fare rate; this shall not apply to a taxi service vehicle used for the carriage of a group of passengers which paid the fare before the carriage started or on usual points of the regular carriage route;
- e) is insured for the case of liability for damage caused to the passenger with regard to his health or property,
- f) is equipped with the fixed or detachable yellow roof lamp with the inscription "TAXI",
- g) shall allow the carriage of at least 50 kg of the luggage, when it is fully occupied, within the total vehicle mass or the volume of the luggage compartment or the loading area thereof shall be at least 375 dm³.

(2) The transport administrative authority shall enter into concession pursuant to paragraph 1 letter a) as the taxi service vehicle only such one, which:

- a) has at least three entry doors to the driver and passenger compartments,
- b) is approved, in accordance with a registration certificate, for the carriage of at least four and no more than nine persons including the driver,
- c) is operated no more than five year from the date of its putting in service or its mileage didn't exceed 100 000 km with petrol or hybrid engine or 150 000 km with diesel engine.

(3) The taxi service vehicle may be equipped with partition wall to protect the driver. The partition wall shall be situated so as it would separate the driver from passengers but enable the driver communication with passengers in particular by means of the displacement part, the tilting or the fixed apertures.

(4) For every 15 operated taxi service vehicles, the taxi service operator shall have available at least one vehicle arranged or equipped, with regard to the number of seats or the

size of luggage compartment or the loading area, for the carriage of more than four and no more than eight passengers, selected passenger groups with accessories, large number of luggage units or sizeable luggage.

Article 31

Carriage authorisation in international transport

(1) To perform the carriage into, from or through the other state the carrier having a residence in the Slovak Republic needs the carriage authorisation of competent authority of such state or the licence of an international organisation.

(2) When the competent authority of the other state or an international organisation provide to the transport administrative authority with carriage authorisations or licences en bloc, the latter shall hand them over to the carriers having a residence in the Slovak Republic.

(3) When the carrier doesn't use the carriage authorisation to perform a carriage or he seriously infringes his obligation in the road transport relating to the vehicle crew or the vehicle technical condition within the accomplishment of a carriage carried out under the carriage authorisation pursuant to paragraph 1, the transport administrative authority may deny to hand further carriage authorisations over to such state.

(4) The carriage authorisation pursuant to paragraph 1 shall not be handed over neither to the person who is not the carrier having a Community licence pursuant to Article 5 paragraph 2 or who is not registered in the Commercial Register nor to the carrier who used for the carriage the authorisation of other person, who has falsified the carriage authorisation or intentionally used falsified carriage authorisation.

(5) To provide the carriage to, from or through the territory of the Slovak Republic, the haulier having a residence in the other state needs the carriage authorisation of the Slovak Republic or the licence of the international organisation.

(6) The transport administrative authority shall be authorised to prohibit the carrier, having a residence in the other state, the carriage to, from or through the territory of the Slovak Republic for a maximum period of five years if such carrier repeatedly infringes the substantial obligation resulting from international agreement or from this Act.

Article 32

Vehicle hired without driver

(1) For the carriages in the freight transport may be used also the hired vehicle when it is registered in the Slovak Republic or in the state in which the hiree has the residence or domicile and when it carry the following documents:

- a) the vehicle hiring contract or certified copy thereof or the certified extract from it in which the identification data of hirer, hiree, vehicle and the date of contract conclusion and the validity period shall be indicated, and
- b) the labour contract or certified copy thereof containing the employer's name, the employee's forename and surname, the date of contract conclusion and the validity period or other document of employment relationship of the driver and the vehicle hiree, if driver is not at the same time the vehicle hiree.

(2) The hired vehicle pursuant to paragraph 1 shall mean a vehicle put without driver by the hirer through the hiring contract for reward and specified period, to the road haulage operator on the account of the third person or on his own account.

(3) The vehicle hiring contract pursuant paragraph 1 letter a) shall refer exclusively to the vehicle hiring without driver and it shall not be combined with the contract concluded by the same undertaking the subject matter of which shall be the providing the driver or crew.

Article 33

Cabotage operations

(1) Unless otherwise stated in special regulation⁴⁷⁾ or in international agreement, the carrier having a residence or domicile in the other state may perform the carriage between two points on the territory of the Slovak Republic only under the authorisation of the transport administrative authority.

(2) In case of regular services the cabotage operations on the territory of the Slovak Republic shall be excluded.

PART THREE

CARRIAGE OF DANGEROUS GOODS

Article 34

Carriage of dangerous goods

(1) Only the goods authorised for carriage by the international agreement binding for the Slovak Republic⁴⁸⁾ (hereinafter referred to in the "ADR Agreement") may be carried by the road transport; this shall not apply in case of:

- a) the carriage of dangerous goods in military zone or in other closed space of armed forces or the carriage of dangerous goods in the convoy of armed forces vehicles along the prescribed carriage route and under permanent supervision of the consignor,
- b) the carriage of explosives by armed forces vehicles or vehicle of armed security corps under their permanent supervision along the all carriage route,
- c) timely limited transport operations with explicitly defined dangerous goods, namely with prohibited goods, when such operations have been exceptionally authorised by the transport administrative authority on condition, that the safety will not be compromised, or
- d) the carriage of vehicles put out of service without a battery, from which the operation liquids don't discharge and the flammable gas doesn't leak.

(2) The carriage of dangerous goods within territory of the Slovak Republic may be performed only in a way and under conditions laid down in the ADR Agreement and established by this Act.

(3) The carriage of dangerous goods may be performed only by type-approved vehicle and only such packagings, vessels, tanks and containers may be used, which have been

⁴⁷⁾ Chapter III of the Regulation (EC) No1072/2009 and Chapter V of the Regulation (EC) No1073/2009.

⁴⁸⁾ European agreement on the international carriage of dangerous goods by road (ADR) (Decree of the Minister of Foreign Affairs No 64/1987 Coll.) as amended by later documents.

approved and marked. In packing and other handling before their carriage, in loading and during the carriage and in unloading of dangerous goods the special regulations⁴⁹⁾ establishing the type safety requirements for vehicles and transport equipment and the method of their usage, storage, cleaning, disinfection and decontamination and the rules of handling with and carriage of explosives, radioactive material, biological and other dangerous waste, live microorganisms and genetically modified organisms shall be observed.

(4) Dangerous goods may be transported only by the carrier who appointed one or more safety advisers, has necessary technical base, the vehicles and transport equipment pursuant to paragraph 3, the crews of vehicles and other persons engaged in the loading, unloading or other handling with dangerous goods who have been trained by the safety advisers.

(5) Any person engaged in the carriage of dangerous goods shall be obliged to observe the rules of handling and carriage, the safety measures intended for handling with such goods and for carriage thereof, the instructions of safety advisers and when an accident or other emergency situation resulting in the leakage of dangerous goods occurred, to minimise the extent of damages on the health of people and animals, the property and environment.

(6) Any person shall be obliged to behave so as the predictable danger resulting from the carriage of dangerous goods has not been increased.

Article 35

Obligations of participants of the carriage of dangerous goods

(1) The consignor of dangerous goods shall be obliged to hand over to carriage only consignment of dangerous goods which conforms to the requirements of this Act and he shall:

- a) ascertain that the dangerous goods are right classified and verify whether their carriage by the road transport is authorized,
- b) provide the carrier with information and data and, if necessary, the required transport documents and accompanying documents,
- c) use only packagings, intermediate bulk containers and tank-vehicles, demountable tanks, battery-vehicles, multiple-element gas containers, portable tanks and tank containers approved for the carriage of the substances concerned and bearing the prescribed markings,
- d) observe the requirements on the means of dispatch and on forwarding restrictions;
- e) ensure that even empty uncleaned and not degassed tanks or empty uncleaned vehicles and bulk containers are appropriately marked and labelled and that empty uncleaned tanks are closed and present the same degree of leakproofness as if they were full.

(2) If the consignor of dangerous goods acts on behalf of a third party, the latter shall have obligations pursuant to paragraph 1 in the face of the consignor.

(3) The consignee of dangerous goods shall be obliged to:

⁴⁹⁾ E. g. Articles 22 to 26 of the Act of the Slovak National Council No 51/1988 Coll. on mining activities, explosives and the state mining administration as amended by later regulations, Articles 23 and 24 of the Act No 223/2001 Coll. on waste and on amendments of some Acts in the wording of later regulations, Articles 8 to 10 of the Act No 151/2002 Coll. on use genetic technologies and genetically modified organisms as amended by later regulations, Articles 14 and 15 of the Act No 541/2004 Coll. on peace usage of nuclear energy (Nuclear Act) and on amendments of some Acts in the wording of the Act No 21/2007 Coll., Articles 13 and 45 of the Act No 355/2007 Coll. on public health protection, support and development and on amendments of some Acts in the wording of later regulations, Article 16 of the Act No 67/2010 Coll. on conditions for placing on the market the chemical substances and mixtures on amendments of some Acts (Chemical Act), Article 4 of the Act No 119/2010 Coll. on packaging and on amendments of the Act No 223/2001 Coll. on waste and on amendments of some Acts in the wording of later regulations.

- a) secure the consignment immediately after delivery against the third persons and to store it safely,
- b) check the consignment whether transport packagings have no obvious defects, leakages or cracks and whether the consignment complies with accompanying documents according to ADR Agreement,
- c) ensure the handling with transport packagings till their cleaning and degassing.

(4) The carrier shall be obliged to provide for the carriage of dangerous goods in accordance with requirements of this Act, in particular he shall:

- a) verify that the dangerous goods to be carried are authorized for carriage by the road transport,
- b) verify that all information related to the dangerous goods to be carried has been provided by the consignor before carriage, that the prescribed documentation is on board the transport units or if electronic data processing or if electronic data interchange techniques are used instead of paper documentation, that data is available during transport in a manner at least equivalent to that of paper documentation;
- c) ascertain visually that the vehicle and load have no obvious defects, leakages or cracks and whether some part of accessories of type-approved vehicle is not missing,
- d) ascertain that the date of the next test for tank-vehicles, battery-vehicles, demountable tanks, portable tanks, tank-containers and multiple-element gas containers has not expired,
- e) verify that the vehicle is not overloaded,
- f) verify that the danger labels and markings prescribed for the vehicles have been affixed,
- g) ensure that the special equipment prescribed in the written instructions for the case of accident is in the vehicle.

(5) Other participants in the carriage of dangerous goods participating in their packing, loading, filling and cleaning of the tanks and other transport equipment and in unloading, shall be obliged to satisfy the obligations and observe the measures according to the ADR Agreement and to charge only the employees trained by the safety adviser with dangerous goods handling.

Article 36

Safety adviser

(1) The consignor, carrier, consignee and any person participating in the carriage of dangerous goods through the packing, filling, loading unloading or other handling during which the leakage of dangerous goods or the jeopardy of the life or health of people or animals, the damage of the property or environment could occur, shall be obliged to appoint one or more safety advisers and to impose to them in accordance with the ADR Agreement the tasks which are to be satisfied during the carriage of dangerous goods.

(2) The function of safety adviser may be performed by the transport manager or other employee of compulsory person pursuant to paragraph 1 or for such person the legal or self-employed person on the basis of contract.

(3) The safety adviser may be only person, who meets requirements of the ADR Agreement and holds the professional competence certificate for the carriage of particular types of dangerous goods issued by the transport administrative authority on the basis of the

vocational training and examination the contents of which is governed by the ADR Agreement.

(4) The safety adviser obligations relating to the carriage of dangerous goods shall be governed by the ADR Agreement.

Article 37

Vocational training and examination

(1) The vocational training of safety advisers shall consist of the theory and practical exercises. The vocational training shall be aimed at practical aspect of the carriage of dangerous goods; its scope and essential contents shall be governed by the ADR Agreement.

(2) The examination shall be organized by the transport administrative authority; it also shall appoint and recall the Examining Board. The vocational training shall be provided by legal persons (hereinafter referred to in as the "authorised institutions") authorised by the transport administrative authority.

(3) The transport administrative authority shall authorise the legal person to provide vocational training; such legal person shall apply for it and prove that he:

- a) holds the trade licence and is registered in the Commercial Register,
- b) has prepared education plan including the name of organization, contents and extent of theory and practical exercises in accordance with the ADR Agreement, expected number of participants in individual courses, composition of educational subjects and the list of educational materials,
- c) has the professionally competent lectors; in the list of them the forename and surname, the education obtained and the educational subject shall be included,
- d) owns or hired the premises suitable for lessons satisfying the construction and technical requirements for residential premises,
- e) owns or hired appropriate spaces for practical exercises corresponding, with regard to the technical requirements and equipment, to the lessons and practical exercises relating to the fire extinguishment and the provision of the first aid in case of contact with dangerous substance,
- f) has prepared the check system to monitor the lessons and practical exercises.

(4) The lector pursuant to paragraph 3 letter c) shall have, depend on the content ad form of vocational training, any of following qualifications:

- a) the complete secondary education in the fields relating to the road transport operation or the production and carriage of chemical substances and he has at least ten years of vocational practice; this shall not apply for the lector of practical exercises in fire extinguishment and provision of the first aid in case of contact with dangerous substance,
- b) the complete secondary vocational education in the field of particular topics of vocational training pursuant to the ADR Agreement and he has at least ten years of vocational practice,
- c) the university education of the 1. degree in syllabuses the topic orientation of which relates to the road transport operation or the production and carriage of chemical or radioactive substances and he has at least five years of vocational practice or holds the safety adviser professional certificate and three years of practise in the field of the carriage of dangerous goods, or

d) the university education of the 2. degree in syllabuses the particular topics of which, with regard to their content orientation, relates to the requirements of the ADR Agreement for vocational training and he has at least five years of vocational practice.

(5) The candidate shall sign up for vocational training through the application submitted to the authorised institution. The application shall include the essential data of candidate, education and actual practice in the carriage of dangerous goods; the details of application and dates for its submission shall be laid down by the authorised institution. The application may be submitted also by the candidate's employer.

(6) The authorised institution shall communicate to the transport administrative authority in written and within three working days from the date of start and termination of vocational training the following data:

- a) the commercial name and residence of the authorised institution,
- b) the location of educational premises and exercising spaces in which the vocational training shall be carried out,
- c) the date of start and termination of vocational training and the timetable,
- d) the list of participants of vocational training containing their forenames and surnames and dates of birth.

(7) In respect of the contents and extent, the examination shall be in accordance with the ADR Agreement; it shall be conducted after termination of vocational training. The Examining Board shall prepare an examination report signed by all Examining Board members and such report shall be immediately submitted to the transport administrative authority for the purpose of issuing the professional competence certificate. The time period for deposition of the examination report at the transport administrative authority shall be five years.

(8) The professional competence certificate, the form and contents of which shall be governed by the ADR Agreement, shall represent the confirmation on passing the training and examination.

Article 38

Check on carriage of dangerous goods

(1) The check on the carriage of dangerous goods shall be carried out by the following inspecting bodies:

- a) on roads: Police Corps within the surveillance over the road traffic safety and fluency and customs authorities in co-operation with transport administrative authorities,
- b) in the premises of the technical base of participants engaged in the carriage of dangerous goods: the transport administrative authorities.

(2) Roadside checks shall be occasional and they shall cover the most part of the road network used for the carriage of dangerous goods; they shall not exceed a reasonable length of time. The places chosen for the check shall allow placing a non-conforming vehicle into required condition or to immobilize it or that such vehicle could reach without risk the place determined for this purpose by the inspecting body.

(3) When the road traffic, vehicle crew or inspecting body is not compromised and when it is possible, the inspecting body may take from carried dangerous goods the sample for laboratory survey.

Article 39

Course of roadside check

- (1) Within the roadside check the inspecting body shall ascertain whether:
- a) it is a carriage of authorised dangerous goods performed in an authorised way,
 - b) it is a vehicle approved for the carriage of dangerous goods equipped with the approval certificate,
 - c) the overpacks are type-approved in relation to carried dangerous goods and labelled in accordance with ADR Agreement,
 - d) the dangerous goods are well stored, don't exceed a maximum authorised mass of a vehicle or authorised filling values of fuel tanks of the tank vehicle or the transport equipment or the limit quantity in one transport unit,
 - e) the driver holds the ADR certificate on the driver training, transport and accompanying documents from consignor and written instructions for the carriage.
- (2) The infringement of rules revealed at the roadside check shall be classified according to the rate of danger into the risk categories I to III.
- (3) In case of deficiencies classified in the risk categories II and III, the inspecting body shall require from the vehicle crew to remove revealed deficiencies on-the-spot. When it shall not be possible and imminent danger resulting from carried dangerous goods doesn't threat, the inspecting body may authorise continuing the journey to the unloading place in case of risk category II or to the carrier technical base in case of risk category III.
- (4) When inspecting body finds the failure to comply with obligations classified in risk category I with a high-level risk of death, serious personal damage or significant damage to the environment it shall take immediate protective and corrective measures including immobilisation of the vehicle.
- (5) The inspecting body shall prepare report from the roadside checks; one copy shall be submitted to the driver of a checked vehicle.
- (6) The inspecting body shall keep the register of performed roadside checks in which shall be recorded:
- a) number of performed checks,
 - b) number of checked vehicles splitted into vehicles registered in the Slovak Republic, vehicles registered in the Member State of the carrier residence and vehicles registered in the third state,
 - c) number and types of found infringements and other administrative delinquencies, and
 - d) number and types of penalties imposed.
- (7) The inspecting body shall process yearly and till 31 March the supporting documents on infringements and penalties relating to the check on the carriage of dangerous goods by road for previous calendar year and send it to the Ministry of Transport, Construction and Regional Development of the Slovak Republic (hereinafter referred to as the "Ministry").

PART FOUR
PUBLIC ADMINISTRATION

Article 40

Basic provisions

(1) The public administration in the road transport shall be conducted the transport administrative authorities and professional supervision bodies.

(2) The transport administrative authorities shall be:

- a) the Ministry,
- b) the Regional Office for the Road Transport and Roads (hereinafter referred to as the "Regional Transport Office"),
- c) the self-governing region,
- d) the municipalities.

(3) The professional supervision bodies shall be:

- a) the transport administrative authorities,
- b) the Police Corps, and
- c) the Customs Authorities.

Article 41

Ministry

(1) The Ministry shall:

- a) prepare and submit to the government the concepts and development programs in the field of business activities in the road transport and participation of the Slovak Republic in the international road transport,
- b) issue authorisations for international road transport services;⁵⁰⁾ it shall publish the list of issued authorisations and Community licences on its website,
- c) grant and withdraw the transport licences to establish the bus line in the international regular services,
- d) approve timetables in the international regular services
- e) assign to the foreign state bodies carriage authorisations allowing the carriers to perform the carriage to, from or through the territory of the Slovak Republic and to decide in which cases the carriage to, from or through the territory of the Slovak Republic may be performed without carriage authorisation,
- f) hand over the carriage authorisations assigned by the competent authorities of the other states or the international organisation to the national carriers allowing them to perform the carriage to their territory; in case of one-shot authorisation this competence may be delegated to the Regional Transport Office,
- g) be authorised to prohibit to the carrier having his residence of domicile in the other state to perform the carriage within the territory of the Slovak Republic,

⁵⁰⁾ Chapter III of the Regulation (EC) No1073/2009.

- h) permit the carrier having the residence or domicile in the other state, the cabotage operations on the territory of the Slovak Republic in regular service and in freight haulage and it shall be authorised to require from the European Commission to take protective measures in case that serious infringements of transport market on the territory of the Slovak Republic or in any part thereof have been proved,
- i) perform a function of the contact point responsible for the exchange of information with authorities of the other Member States pursuant to special regulations,⁵¹⁾
- j) be a body competent to recognize⁵²⁾, in case of any doubt, the authenticity of documents of good repute, financial standing and professional competence issued in the other Member State for the purpose of granting the authorisation for engagement in the occupation of road transport operator and for the purpose of recognition of the transport manager good repute,
- k) keep pursuant to special regulations⁵³⁾ the national electronic register of road transport operators and ensure the accessibility of its contents to the competent authorities of the other Member States according to special regulation⁵⁴⁾ and to the transport administrative authorities and the professional supervision bodies,
- l) submit to the European Commission the report pursuant to special regulations⁵⁵⁾ and yearly also the report concerning the infringements and penalties resulting from the check on the carriage of dangerous goods on roads for previous calendar year,
- m) issue and withdraw the driver attestation,³⁰⁾
- n) organize examinations and appoint and recall the Examining Board members in the framework of vocational training of safety advisers for the carriage of dangerous goods,
- o) charge the legal persons with vocational training of safety advisers and vehicle drivers involved in the carriage of dangerous goods, check the course and contents of the training and withdraw the mandate when an inconsistency with this Act or the ADR Agreement has been found,
- p) issue certificates on vocational training of safety advisers and vehicle drivers involved in the carriage of dangerous goods corresponding with regard to the form and contents to the ADR Agreement,
- q) impose sanctions for infringements of legally binding acts of the European Union pursuant to special regulation⁵⁶⁾ including penalties for other administrative delinquencies and deal at the first instance with offences committed in the international road transport and the carriage of dangerous goods and it shall be a body for appeals for cases about which the Regional Transport Offices and self-governing regions at the first instances were deciding,

⁵¹⁾ Articles 18 and 24 of the Regulation (EC) No 1071/2009 and Articles 11 to 13 of the Regulation (EC) No 1072/2009.

⁵²⁾ Articles 19 to 21 of the Regulation (EC) No 1071/2009.

⁵³⁾ Article 16 of the Regulation (EC) No 1071/2009 and Article 14 of the Regulation (EC) No 1072/2009. Commission Decision of 17 December 2009 on minimum requirements for the data to be entered in the national electronic register of road transport undertakings (2009/992/EU) (OJ EU L 339, 22. 12. 2009).

⁵⁴⁾ Commission Regulation (EU) No 1213/2010 of 16 December 2010 establishing common rules concerning the interconnection of national electronic registers on road transport undertakings (OJ EU L 335, 18. 12. 2010).

⁵⁵⁾ Article 26 paragraph 1 of the Regulation (EC) No 1071/2009, Article 17 paragraphs 1 and 2 of the Regulation (EC) No 1072/2009 and Article 28 paragraphs 1, 2 and 4 of the Regulation (EC) No 1073/2009.

⁵⁶⁾ Articles 12 and 13 of the Regulation (EC) No 1072/2009.

- r) approve and provide for the production and distribution of official forms of carriage authorisations, licences, concessions, professional competence certificates and driver's driving licence issued according to this Act,
- s) decide about granting the exemption from the rights of passengers for particular regular services pursuant to special regulation⁵⁷⁾ in case that a significant part of such regular services is operated on the territory of the third state,
- t) be competent to conclude with the state being a contracting party of the ADR Agreement, the agreement the contents thereof includes the specifying the transport operations with dangerous goods which will be performed by way of derogation from the ADR Agreement; the conclusion of agreement shall be communicated to the United Nations Economic Commission for Europe.

(2) The Ministry, by the generally binding legal regulation, shall establish:

- a) details on demonstrating the financial standing,
- b) details on conducting the examinations to obtain the professional competence of the transport manager and the road transport operator,
- c) details on conducting the examinations to obtain the professional competence in the taxi service,
- d) details on marking the vehicles with commercial name and on the technical base equipment level of the road transport operator,
- e) details on the contents of timetable, the procedure for its construction and approval and on the method for its publication,
- f) details on conducting the examinations of the taxi service driver, on the list of examinations subjects and the taxi service driver's driving licence,
- g) details on the course of the check on carriage of dangerous goods on roads and on the model of record from the roadside checks,
- h) description and structure of the risk categories concerning infringements of rules revealed during the check on the carriage of dangerous goods on roads,
- i) model standard form of the report concerning infringements and penalties resulting from the check on the carriage of dangerous goods on roads,
- j) model of the licence of employee authorised to perform the professional supervision, and
- k) details on proposals to launch proceedings pursuant to this Act.

(3) The Ministry shall keep the uniform information system by which it shall:

- a) monitor, register and assess the trend of offering the carriage capacities in the freight haulage, the number of freight carriers, their financial standing and the number of vehicles, the trend of demand for carriage performances, costs and prices on the freight haulage market; designed freight haulage operator and goods consignors shall be obliged to provide the Ministry with necessary data, and
- b) monitor and register the number of carried passengers, passenger-kilometres, mileage performed and the amount of revenues from the fare and other prices for transport services without the value added tax for the Slovak Republic, according to the particular bus lines in international regular services, international special regular and occasional bus services;

⁵⁷⁾ Article 2 paragraph 5 of the Regulation (EU) No 181/2011.

international bus service carriers shall be obliged to provide the Ministry with necessary data.

Article 42

Regional Transport Office

The Regional Transport Office shall:

- a) grant and withdraw t authorisations for engagement in the occupation of road transport operator,⁵⁸⁾
- b) grant and withdraw Community licences,⁵⁹⁾
- c) grant and withdraw concession for taxi services,
- d) grant and withdraw driver's driving licences,
- e) hand over to carriers, on the basis of the charge of the Ministry, the carriage authorisations assigned by the competent authority of the other state to the carriers having their residence or domicile in the Slovak Republic,
- f) issue certificates for own-account road transport operations pursuant to special regulation,⁶⁰⁾
- g) establish examining boards to demonstrate the professional competence of transport managers and road transport operators⁶¹⁾ pursuant to Article 6 paragraph 6 and to operate the taxi services, appoint and recall the members thereof and provide for their activities with regard to their organisational and technical aspects.,
- h) issue the professional competence certificates pursuant to Article 6 paragraph 9 on the basis of t examination results,
- i) be a data collection point for the national electronic register of road transport operator pursuant to Article 41 paragraph 1 letter l) and the uniform information system pursuant to Article 41 paragraph 3,
- j) impose at the first instance the penalties for other administrative delinquencies and deal at the first instance with offences in the road transport committed within its territory, except for the regular services and taxi services, and
- k) shall be a body for appeals for cases about which the municipality is deciding.

Article 43

Self-governing region

The self-governing region shall:

- a) grant and withdraw transport licences for regular services except for the urban transport and keep their register,
- b) impose at the first instance the penalties for other administrative delinquencies in the regular services committed within its territory, except for the urban transport,
- c) approve timetables in the regular services, except for the urban transport,

⁵⁸⁾ Chapters II and III of the Regulation (EC) No1071/2009.

⁵⁹⁾ Articles 4 and 12 of the Regulation (EC) No 1072/2009 and Articles 4, 21 and 22 of the Regulation (EC) No 1073/2009.

⁶⁰⁾ Article 5 paragraph 5 of the Regulation (EC) No 1073/2009.

⁶¹⁾ Articles 8 and 9 and Annex I of the Regulation (EC) No 1071/2009.

- d) be contracting entity within the region territory, compile the transport servicing plan of the region and conclude with regular service carriers the contract on services, except for the urban transport, check the satisfying thereof and provide the contribution to them.

Article 44

Municipality

The municipality shall:

- a) grant and withdraw the transport licences in the urban transport,
- b) impose at the first instance the penalties for other administrative delinquencies and deal with offences in the urban transport and taxi service committed on its territory,
- c) give consent to establish the bus stop in the municipality within proceeding on granting the transport licence for bus line running across municipality,
- d) give opinion within proceeding on the approval of timetable for bus lines running across municipality and having stops in it,
- e) assign in the municipality the stands for vehicles of road transport operators so as they could immobilize and park the vehicles outside their technical base,
- f) assign in the municipality the stands for taxi service vehicles, indicate the capacity of stands and their marking with the road signs,
- g) approve timetable for the bus lines in the urban transport,
- h) be a contracting entity in the municipality, it compile the transport servicing plan and conclude with the urban transport carrier the contract on services, check the observance thereof and provide the contribution.

Article 45

Professional supervision

(1) The professional supervision shall mean the check of:

- a) the road transport operators whether they operate the road transport in accordance with this Act, the special regulations and international agreements governing the road transport operation,
- b) the equipment, vehicle technical roadworthiness and technical base capacity of carriers,
- c) the drivers and other crew members and safety advisers engaged in the carriage of dangerous goods,
- d) the carriers, consignors, consignees and other persons engaged in the carriage of dangerous goods,
- e) observing the carrier's obligation to operate, obligation to carry and tariff obligation, and
- f) observing the conditions under which the driver's driving licence has been issued.

(2) The professional supervision shall be performed by the roadside checks, the checks in the vehicles and the technical base of checked persons.

(3) The Ministry shall perform the professional supervision over the international transport, the carriages to and from other states and over the cabotage carriages on the territory of the Slovak Republic and it shall check whether the legal requirements representing the background to issue the authorisations, Community licences, transport licences, concessions, driver's driving licences and attestations have been met.

(4) The Regional Transport Office shall perform the professional supervision over the road transport within the region territory and it shall check the vehicles and drivers on roads within the region territory and the technical base of carriers having a residence here.

(5) The self-governing region shall perform the professional supervision over the regular services and it shall check the observance the carrier obligations within its territory in particular equipment of the technical base, the observance of obligation to operate, obligation to carry and tariff obligation, the observance of transport order, timetable and obligation resulting from the service contract.

(6) The municipality shall perform the professional supervision over the urban transport and taxi service and check the observance of carriers obligations in particular equipment of the technical base, the observance of obligation to operate and tariff obligation, the observance of transport order, timetable and obligation resulting from the service contract, and the taxi service operators.

(7) Within the execution of surveillance over the road traffic safety and fluency on the roads the Police Corps shall check the vehicle technical roadworthiness, the presence of transport and accompanying documents, the vehicle marking and the competence of drivers and crew members for the road traffic.

(8) The customs authorities shall check the drivers with regard to the documents of carriers in international transport and in the carriage to and from the other states necessary pursuant to special regulations and international agreements.

(9) The checks within the professional supervision pursuant to paragraphs 3 to 6 shall be carried out by persons authorised to perform the checks in the scope of granted authorisation. Their competence as the body of professional supervision and the scope of authorisation shall be demonstrated by the certificate.

Article 46

Authorisations of professional supervision

(1) A person charged with the execution of professional supervision shall be in checking performance authorised to:

- a) entry the premises of the technical base and the operated vehicles,
- b) have an access to documents and registers in the premises and vehicles,
- c) check the taximeters of taxi service vehicles and vehicle recording devices,
- d) check the vehicle marking compulsory according to this Act,
- e) check conditions for the carriage of passengers and their luggage in regular services and taxi services, the carriage of bus consignments and the goods and live animals in the freight haulage.

(2) The person referred to in paragraph 1 shall be authorised to carry free of charge in the checked vehicle, if the check operation can be carried out only in a moving vehicle.

(3) When the person referred to in paragraph 1 finds the obligation infringement or other deficiency in the checked person activity, he shall warn and invite him to remove immediately deficiencies on-site and if it is impossible so within specified appropriate period.

(4) For the purpose of providing the check execution, the person referred to in paragraph 1 shall be authorised to impose the disciplinary fine, retain the driver attestation, the ADR certificate on the driver training and the driver's driving licence and prohibit him to continue

the driving. The disciplinary fine may be imposed on-site to the amount up to 500 euros, namely also repeatedly. The fine payment may be totally or partly remitted if the checked person has provided the required collaboration.

Article 47

Remedial measures

(1) If the professional supervision body establishes that the road transport operator seriously or repeatedly infringed the obligation of the road transport operator, it shall give impulse to the transport administrative authority to apply the procedure according to Article 31 paragraph 6 or according to special regulation.⁶²⁾ If the professional supervision body establishes that the administrative delinquency pursuant to Article 48 or the offence pursuant to Article 49 has been committed, it shall notify the transport administrative authority thereof.

(2) The professional supervision body shall initiate the withdrawal of transport licence or concession in case, that some of reasons for withdrawal of the transport licence pursuant to Article 10 paragraph 10 or for withdrawal of the concession pursuant to Article 27 paragraph 13 has been found.

(3) Upon request the professional supervision body shall be obliged to inform competent authority of the contracting state of the ADFR Agreement, about measures taken in accordance with paragraphs 1 and 2, which have been apply to carriers having their residences in that state.

(4) Upon request the professional supervision body shall be obliged to provide competent authority of the contracting state of the ADFR Agreement, with cooperation in clarifying the infringement of obligations resulting from the ADFR Agreement committed on the territory of the Slovak Republic.

(5) The member of the Police Corps may stop and immobilize the vehicle on the road and interrupt the carriage or prohibit the continuation thereof if he ascertains that:

- a) the vehicle is not approved for performed carriage, the type-approval certificate is missing, the vehicle doesn't bear the markings pursuant to the Act, or
- b) the driver doesn't carry necessary documents relating to the vehicle and carried goods or the driver's driving licence.

(6) The member of the Police Corps may allow the achievement of an interrupted carriage if the remedy of revealed deficiencies is impossible on-site but only in the technical base or the service and completion of the current carriage along the specified route doesn't create an imminent risk for the vehicle crew safety, the passengers, the goods and the safety and fluency of the road traffic.

(7) When the member of the Police Corps immobilizes the vehicle on the road or interrupts the carriage or prohibits the continuation thereof, he shall immediately inform the road transport operator of it, so as the latter might ensure an alternative carriage; up to the coming the road transport operator, the Police Corps shall take care of the safety of immobilized vehicle and its crew and goods at the expense of road transport operator,

⁶²⁾ Article 13 of the Regulation (EC) No1071/2009.

Article 48

Other administrative delinquencies

(1) The transport administrative authority shall impose a fine from 100 euros to 15 000 euros to the road transport operator who:

- a) operates the road transport without appointed transport manager or fails to allow him to manage really and continuously the undertaking transport activities,
- b) appointed to the post of the transport manager a person, who doesn't meet requirements for professional competence or good repute,
- c) failed to notify the transport administrative authority within 15 days the name of an appointed transport manager or the replacement of a transport manager,
- d) failed to notify the transport administrative authority within specified period the modification of the data registered in a national electronic register of the road transport operators,
- e) operates the bus line without the transport licence or after the transport licence has been withdrawn,
- f) performs the cabotage carriage in conflict with established rules or without the journey form,
- g) failed to return to the transport administrative authority the driver attestation when a driver doesn't longer the requirements under which it has been issued,
- h) doesn't have in the Slovak Republic in his own or hired areas an actual and stable undertaking establishment, fails to operate the necessary technical base and fleet or doesn't hold in the undertaking residence the documents relating to the business activities in the road transport, in particular authorisations and licences, accounting documents, register of employees and operated vehicles,
- i) operates the road transport or taxi service by vehicles not equipped or marked in a determined way,
- j) operates the taxi service without concession or in conflict with it or he provides the taxi services through the driver who doesn't hold the driver's driving licence.

(2) The contracting entity shall impose a fine from 500 euros to 10 000 euros to the regular service operator, who:

- a) fails to keep an accounting of costs and revenues resulting from obligation fulfilment separately from the other undertaking accounting,
- b) has provided the contracting entity with incomplete or false data on the costs and revenues resulting from the obligation fulfilment, on the method of their calculation or the extent of the obligation fulfilment during the validity of the service contract, with the aim to obtain the contribution,
- c) has used contribution for other purpose or in a way other than it has been agreed in the service contract,
- d) has used for the obligation fulfilment the performing carrier or subcontractor although it has not been agreed in the contract or additionally authorised by the contracting entity.

(3) The transport administrative authority shall impose a fine from 100 euros to 5 000 euros to the carrier, who:

- a) failed to publish in a determined way the transport order or in case of regular services the timetable,
- b) fails to provide transport services to the passengers in accordance with transport licence or he infringes the obligation to operate, obligation to carry or tariff obligation,
- c) sells the tickets and seat reservation tickets in non-transparent way and in conflict with the tariff in particular without the option to reserve and purchase in advance through the discrimination or preferring the certain passenger group or without the endorsement of paying the fare, additional charges, discounts and other reimbursements,
- d) sells the tickets and seat reservation tickets for the bus line more expensive than maximum basic fare agreed in the service contract or permitted by the contracting entity, or he unauthorised requests additional charges and other reimbursements,
- e) operates taxi services without the transport order has been published or the rates of the basic fare in the have been shown in the taxi service vehicle,
- f) operates taxi services for prices which are not in accordance with the tariff.

(4) The transport administrative authority shall impose a fine from 500 euros to 20 000 euros to the consignors, consignees or other persons who have infringed their obligations in packing, dispatching, handling, loading, filling or cleaning of the tank or other transport equipment, during the carriage or unloading of dangerous goods resulting from the ADR Agreement and this Act.

(5) The transport administrative authority shall impose a fine pursuant to paragraphs 1 to 4 from 5 000 euros to 50 000 euros in case of repeated action occurred within two years from the validity of decision on imposing the previous fine.

(6) The transport administrative authority shall impose a fine from 1 000 euros to 15 000 euros to:

- a) the owner, manager or hirer of the bus station who under the same conditions doesn't make accessible the areas and provide services to all carriers having the stop on it according to the transport licence or who doesn't publish the conditions for usage of areas and for providing services including the pricelist and establish and maintain the marking and information board in the bus station,
- b) the road owner or manager who doesn't allow the establishment of stop, the placement of marking or shelter for passengers, the automated ticket-issuing machines or their maintenance and repairs,
- c) the owner of bus waiting room and shelter for passengers, the founder of stop who fails to maintain it in operational condition and clean and who doesn't arrange it in accessible condition for disabled passengers or passengers with reduced mobility.

(7) In the fine imposing the transport administrative authority shall take account of the relevance of illegal action in particular its impact on the road transport regularity and reliability, the consequences for the health, property and environment and the duration of an illegal situation.

(8) The proceeding on the fine imposing may be started within six months from the date, when the competent administrative authority has got to know the actions pursuant to 1 to 5 but not later than three years from the date when such actions have occurred.

(9) The yield of fines shall represent, according to the competence of the transport administrative authority, the revenue of the state budget, the self-governing region budget or municipality budget.

Article 49

Offences

- (1) The offence shall be committed by a person who
- a) operates the road transport without authorisation for engagement in the occupation of road transport operator referred to in Article 5 paragraph 1 or Community licence referred to in Article 5 paragraph 2
 - b) as the driver fails to show the copy of authorisation referred to in Article 5 paragraph 1 or Community licence referred to in Article 5 paragraph 2, the journey form, accompanying documents about the carried load and in case of the carriage performed to and from the territory of the Slovak Republic, to and from the third state, and also the carriage authorisation,
 - c) as the driver of vehicle carrying dangerous goods fails to ensure, in accordance with the ADR Agreement, that the accompanying and transport documents and written instructions and the professional competence certificate have been carried in the vehicle, that till the unloading the overpacks have been duly closed and marked, the danger boards, marks and labels have been rightly used,
 - d) performs the function of transport manager without legal relationship to the road transport manager pursuant to special regulation¹⁹⁾ or for more than one operator in conflict with special regulation or this Act; this shall not apply in case of exemption granted by the transport administrative authority,
 - e) performs the function of transport manager despite of the fact, that transport administrative authority or competent authority of the Member State of establishment has declared him as unauthorised to manage independently and systematic the transport activities of the undertaking of the road transport operator,
 - f) compromises the safety, smooth and convenient carriage of passengers in particular through the harassment of passengers or vehicle crew with the noise or smell, the carriage of unsuitable hand baggage or animal or who pollutes the bus or coach,
 - g) during the carriage, fails to follow the instruction or command of the vehicle driver or other crew member, the inspector or dispatcher to ensure the safety of passengers or the road traffic safety and fluency,
 - h) dwells unauthorised in the carrier premises not intended for the passengers or the public, or who dwells in a vehicle not performing the road transport and fails to follow the invitation to leave them,
 - i) continues in taxi service operation after the death of the concession holder without reporting this fact to the transport administrative authority or despite of prohibition.

(2) For the offence referred to in paragraph 1 letter a) shall be imposed a fine up to 5 000 euros, for the offence referred to in paragraph 1 letter b) shall be imposed a fine up to 3 000 euros, for the offences referred to in paragraph 1 letters c) and f) shall be imposed a fine up to 500 euros and for the offences referred to in paragraph 1 letters g) to i) shall be imposed a fine up to do 200 euros.

(3) The prohibition of activities may be laid down for offences referred to in paragraph 1 letters d) and e).

(4) For offences referred to in paragraph 1 letters b) to h) may be imposed a block fine up to 500 euros and in order proceeding may be imposed a block fine up to 1 500 euros.

(5) In a minor-offence proceeding the offences referred to in paragraph 1 letters f) to h) may be dealt with also by customs authorities and the inspectors.

(6) The common regulation on offences⁶³⁾ shall apply to the offences and their dealing.

(7) The yield of fines shall represent, according to the competence of the transport administrative authority, the revenue of the state or municipality budget. The yield of block fines shall be, according to the paragraph 5, the revenue of the carrier.

Article 50

Proceedings

(1) Unless otherwise stated below, a generally regulation on administrative proceeding shall apply to the proceedings covered this Act.

(2) Unless otherwise stated by special regulation¹⁵⁾, a generally regulation on administrative proceeding shall apply to the authorisation for engagement in the occupation of road transport operator.

(3) Unless otherwise stated by special regulations⁶⁵⁾, a generally regulation on administrative proceeding shall apply to the granting the Community licence for international transport services.

(4) A generally regulation on administrative proceeding shall not apply to:

- a) the establishment of examining boards, the appointment and recall of their members and to their decision making,
- b) the approval of the timetables and their amendments,
- c) the granting the approval of the municipality concerning the location of the regular service stop and its marking and to the designation of the stop name,
- d) the issue of professional competence certificates, certificates on vocational training of safety advisers, ADR certificates on the driver training and the driver's driving licence,
- e) the issue of certificates on own-account transport operations,
- f) the handing over the carriage authorisations of the other states to the carriers having their residences or domiciles on the territory of the Slovak Republic,
- g) the providing the carriage authorisations of the Slovak Republic to authorities of the other states intended for their carriers,
- h) the procedure of the Police Corps member in the roadside check.

Article 51

Local jurisdiction

(1) The transport administrative authority within which territorial zone the departure stop is located shall be competent in proceeding on the granting, modification and withdrawal of the transport licence for establishment of the bus line in regular services. To establish and

⁶³⁾ Act of the Slovak National Council No 372/1990 Coll. on offences as amended by later regulations.

⁶⁵⁾ Articles 4, 6 and 7 of the Regulation (EC) No 1072/2009 and Article 4 of the Regulation (EC) No 1073/2009.

the bus line and change the route of the bus line exceeding the territorial zone of particular transport administrative authority may be possible only upon the approval of transport administrative authorities of the same type and degree in territorial zones on the route of the bus line.

(2) The transport administrative authority, within which territorial zone the residence or domicile of an applicant is situated, shall be competent in any other proceedings.

Article 52

Proposal to grant the authorisation for engagement in occupation of road transport operator

(1) The proposal to start the proceeding on granting the authorisation for engagement in the occupation of road transport operator pursuant to Article 5 paragraph 1 shall include:

- a) data on a proposer:
 1. in case of the natural person: first name and surname, date of birth, the address of normal residence,¹⁸⁾
 2. in case of the legal: person name and address of residence, legal form, identification number and subject of activity,
 3. in case of the entrepreneur: commercial name, residence address, legal form, identification number, registration record on the commercial register or other business list and subject of business activities,
- b) university title and first name and surname of the transport manager, date of birth, address of domicile and data whether he is an employee upon the work relationship for defined weekly working hours or a manager upon the managerial contract, a co-owner or a stockholder of the proposer's undertaking; this shall not apply in case that the proposer is a natural person who will perform oneself the transport manager function or a self-employed person,
- c) data confirming the actual and stabile place of establishment¹⁸⁾ of the proposer in the Slovak Republic pursuant to Article 6 paragraph 2, in particular data concerning the residence of the undertaking management, the residence and equipment of technical base, generic and type structure of the fleet and the place of vehicle garaging, the number of vehicle crews and their professional structure with regard to the driver licence groups and professional competence certificates,
- d) data demonstrating the fulfilment of requirements by the day of the first entry in the motor vehicle register, competence for legal acts in full scope and the good repute of statutory body members and transport manager pursuant to Article 6 paragraphs 3 and 4,
- e) data demonstrating the fulfilment of requirements for financial standing of undertaking and professional competence of statutory body members and transport manager pursuant to Article 6 paragraphs 5 and 6,
- f) proposed type and extent of the road transport which will be operated by him.

(2) When the proposer wants to operate the transport of dangerous goods by road, also the data demonstrating the fulfilment of requirements of the ADR Agreement for generic and type structure of the fleet and professional competence of drivers and safety advisers shall form the part of a proposal referred to in paragraph 1.

(3) Documents demonstrating the data stated in motion to start the proceeding shall be annexed to the proposal pursuant to paragraphs 1 and 2.

Article 53

Proposal to grant or modify the transport licence for national regular services

(1) The proposal to start the proceeding on granting or modification of transport licence for the national regular services shall include:

- a) data pursuant to Article 52 paragraph 1 letters a) to c),
- b) number and date of granting the authorisation for engagement in the occupation of road transport operator,
- c) data relating to the bus line or lines intended for regular service operation, in particular data on the route, the number and location of the stops, the access to the bus station, the number and structure of buses and the expected number of links per day,
- d) transport order including the draft of the tariff, data on the access tariff system and on the model of the ticket,
- e) proposal for the transport order,
- f) proposed date to start the bus line operation and the draft of its operation period.

(2) Documents demonstrating the data stated in proposal referred to in paragraph 1 shall be annexed to the abovementioned proposal.

Article 54

Proposal to grant the concession for taxi service

(1) The proposal to start the proceeding on granting the concession for taxi service shall include:

- a) data pursuant to Article 52 paragraph 1 letters a) and b),
- b) professional competence certificate and data concerning the financial standing and good repute of the statutory body members,
- c) data concerning the residence and place of business activities and the residence of technical base,
- d) identification data of taxi service vehicles, namely the kind, type and identification number, the date of the first entry in the motor vehicle register and the number of performed mileage, data on technical and emission inspections and whether they are owned, hired or leased,
- e) data on the place and legal relationship to the taxi service stand,
- f) list of the taxi service drivers and data on their competence to drive the vehicles, their professional competence and good repute and on the driver's driving licences,
- g) data on the existence of the dispatching and its operational and technical resources.

(2) Documents demonstrating the data stated in proposal to start the proceeding shall be annexed to the proposal pursuant to paragraph 1.

Article 55

Proposal to grant the Community licence

The proposal to grant the Community licence pursuant to Article 5 paragraph 2 shall include:

- a) data pursuant to Article 52 paragraph 1 letters a) to c),

b) data and documents demonstrating the fulfilment of requirements according to special regulations.⁶⁵⁾

PART FIVE

FINAL PROVISIONS

Article 56

Transitional provisions

(1) Trade concessions to perform the national road transport obtained till 30 June 2010 shall expire not later than 3 December 2013.

(2) Proceedings on the sanction imposition started before 1 March 2012 shall be terminated according to existing regulations; other proceedings shall be terminated in accordance with this Act.

(3) Vehicles and tanks constructed before 1 January 1997 in accordance with requirements valid till 31 December 1996 may be used in national freight transport after 4 December 2011 provided they are maintained at the required safety level. Also the tanks put into operation after 1 January 1997 in accordance with the ADR Agreement, in the wording valid on day of the tank construction, may be used after 4 December 2011 in national freight transport.

(4) Displaying and location of the code of emergency measures and the warning plate on vehicles registered in the Slovak Republic according to existing regulations may be used till 31 December 2012 in national carriage of dangerous goods instead of a hazard identification number referred to in the ADR Agreement.

(5) Restrictions relating to the carriage of dioxins and furans pursuant to existing regulations shall remain valid also after 1 March 2012.

(6) Authorisations, transport licences and other decisions and certificates issued according to existing regulations shall remain valid till the indicated date of their validity; if the validity is not indicated they shall be valid till 4 December 2015.

(7) The special regulation on the rights of passengers in bus and coach transport shall apply from 1 March 2017 to the rights of passengers in the national long-distance traffic with the length of the bus line route exceeding 250 km.

(8) Driver's driving licences shall be implemented in stages; the driver of taxi service vehicle shall be obliged to own it from 4 December 2013.

(9) Taximeters allowing printing the proof of fare payment shall be installed in the taxi service vehicle from 1 January 2014.

(10) The operation of passenger transport, which is under this Act the bus transport (Article 8), by vehicles with a maximum capacity of nine persons including the driver, will be the taxi service from 1 January 2014.

Article 57

Transposition provision

The legally binding acts of the European Union stated in the Annex are transposed by this Act.

Article 58

Repealing provisions

The following shall be repealed:

1. The Act of the National Council of the Slovak Republic No 168/1996 Coll. on the road transport as amended by the Act of the National Council of the Slovak Republic No 386/1996 Coll., the Act No 58/1997 Coll., the Act No 340/2000 Coll., the Act No 416/2001 Coll., the Act No 506/2002 Coll., the Act No 534/2003 Coll., the Act No 114/2004 Coll., the Act No 331/2005 Coll., the Act No 43/2007 Coll., the Act No 435/2008 Coll., the Act No 488/2009 Coll., the Act No 136/2010 Coll., the Act No 556/2010 Coll. and the Act No 158/2011 Coll.,

2. The Decree of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic No 311/1996 Coll. of 17 October 1996 implementing the Act of the National Council of the Slovak Republic No 168/1996 Coll. on the road transport, as amended by the Decree of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic No 109/2003 Coll. and the Decree No 357/2007 Coll.,

3. The Decree of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic No 363/1996 Coll. on the model for production of transport order in the road transport.

Article 59

Entry into force

This Act shall enter into force on 1 March 2012.

Act No 317/2012 Coll. shall enter into force on 15 October 2012, except for Section IV points 2 to 4 and Section V, which will enter into force on 19 January 2013.

Ivan Gašparovič s. m.

Pavol Hrušovský s. m.

Iveta Radičová s. m.

Annex
to the Act No 56/2012 Coll.

**LIST OF THE TRANSPOSED LEGALLY BINDING ACTS
OF THE EUROPEAN UNION**

1. Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (Special edition OJ EU, Chapter 07/Vol. 02, OJ EC L 249, 17. 10. 1995) as amended by the Directive 2001/26/EC of the European Parliament and of the Council (Special edition OJ EU, Chapter 07/Vol. 05, OJ EC L 168, 23. 6. 2001), Commission Directive 2004/112/EC (OJ EU L 367, 14. 12. 2004) and Directive 2008/54/EC of the European Parliament and of the Council (OJ EU L 162, 21. 6. 2008).
2. Directive 2006/1/EC of the European Parliament and of the Council of 18 January 2006 on the use of vehicles hired without drivers for the carriage of goods by road (codified version) (OJ EU L 33, 4. 2. 2006).
3. Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ EU L 260, 30. 9. 2008) as amended by the Commission Decision 2009/240/EC (OJ EU L 71, 17. 3. 2009), Commission Decision 2010/187/EU (OJ EU L 83, 30. 3. 2010), Commission Directive 2010/61/EU (OJ EU L 233, 3. 9. 2010) and Commission Decision 2011/26/EU (OJ EU L 13, 18. 1. 2011).
4. Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles (OJ EU L 120, 15. 5. 2009).