LAW ON ROAD TRANSPORT

("Official Gazette of the Republic of Macedonia", No. 7/99)
(Updated text)
Note: See decision of The Constitutional Court U.br.02-514/3,
“Official Gazette of RM” No.34/2000

I. GENERAL PROVISIONS

Article 1

This Law stipulates the conditions and method of transportation of passengers and goods in the internal and international road transport (hereinafter: road transport).

Article 2

Certain phrases used in this Law have the following meaning:

1. “Transportation in the internal road transport” shall mean any transportation of passengers and goods that is carried out on the territory of the Republic of Macedonia.
2. “Transportation in the international road transport” shall mean any transportation of passengers and goods that is carried out in crossing at least one state border.
3. “Public transportation” shall mean transportation of passengers and goods that is available to all users of the transportation services under equal conditions.
4. “Domestic transporter” shall mean a legal or physical person with headquarters in the Republic of Macedonia, which is registered for transportation of passengers and goods in the internal or international road transport.
5. “Foreign transporter” shall mean a foreign legal or physical person registered abroad for transportation of passengers and goods in the international road transport.
6. “Transportation to a third country” shall mean transportation of goods from the Republic of Macedonia, carried out by a domestic or foreign transporter in a country where the headquarters of that transporter is not located.
7. “Transportation from a third country” shall mean transportation of goods for the Republic of Macedonia, carried out by a foreign transporter from the country where the headquarters of that transporter is not located.
8. “Foreign vehicle” shall mean a motor or trailer economic vehicle, which is used for transportation in the road transport and which has been registered abroad. A foreign vehicle shall also be considered the vehicle registered in the Republic of Macedonia, which the foreign transporter has leased for transportation in the international road transport.
9. “Economic vehicle” shall mean a bus, goods vehicle and a trailer. An economic vehicle shall also be considered the van for passenger and goods, when used for public transportation in the road transport.
10. “Domestic vehicle” is a motor or trailer economic vehicle used for transportation in the road transport, which has been registered in the Republic of Macedonia and which is used by a domestic transporter. A domestic vehicle shall also

be considered the vehicle registered abroad, which the domestic transporter has leased for domestic transportation.

11. “Document for transportation” is a collective name for many types of documents provided with this Law and with international contracts.

12. “International contract” shall mean every international, bilateral or multilateral agreement, or exchange of notes, which stipulate the international road transport and which obligate the Republic of Macedonia.

13. “Cabotage” shall mean any transportation of passengers or goods between two destinations in the Republic of Macedonia.

14. “Transportation on established routes” shall mean a public transportation in the road transport which is performed on an established route, according to a registered timetable and cost of the transportation (price list).

15. “Transportation on unestablished routes” shall mean public transportation in the road transport for which the route and the other conditions are established for each transportation separately.

16. “Transportation on established routes for passengers in the international road transport” shall mean public transportation which is performed on established international route according to a previously determined timetable and price list.

17. “Transportation on unestablished routes for passengers in the international road transport” shall mean public transportation for which the route and the other conditions are established separately for each transportation between the transporter and the user of the service.

18. “Exceptional transportation” shall mean transportation of goods where the dimensions of the vehicle or the vehicle together with the goods on it or the total mass of the vehicle or its basic load exceed the prescribed ones.

19. “ Local transportation” shall mean transportation performed on routes between cities and settlements of two or more municipalities.

20. “Suburban transportation” shall mean transportation on established routes, which is done on the territory of the city and its surroundings and is intended for daily migration between a city and settlements that gravitate towards it and represent totality.

21. “City transportation” shall mean transportation on established routes performed on routes of the urbanized territory of the city.

22. “Transportation for personal needs” shall mean transportation of passengers and goods performed by foreign or domestic legal and natural persons, as well as state organs, in order to satisfy solely its own needs in performing the activity.

23. “Taxi transportation of passengers” shall mean transportation done with passenger vehicles with five seats the most, counting also the driver’s seat.

24. “Route” shall mean a determined relation and course from the starting to the final bus station, on which passengers are transported in the transportation on established routes, according to a previously determined timetable and cost of transportation.

25. “Relation” shall mean a part of the route between at least two bus stations or bus stops.

26. “Timetable” shall mean a transportation document which determines the itinerary of the route, the order of the bus stations and the bus stops and their distance to the starting and final station or stop, the time of departure and arrival of the vehicle on each bus station and bus stop, the period of time for keeping the route and the period through which the timetable is valid.

27. “Itinerary” shall mean a determined course of movement of the transportation means on the bus route.

28. “Bus station” shall mean a building and space where a bus arrives and departs, passengers get on and off a bus, bus tickets and other transportation documents are issued, information about the transportation are given, as well as other services related to the transportation.

29. “Bus stop” shall mean a neat space outside the street lane determined and designated for bus stopping and safe get on and off of passengers.

30. “Bus terminal” shall mean a neat space assigned for transfer of passengers in the city and suburban transport and shall serve for turning the vehicles in order to change the course of movement.

31. “Bus turning point” shall mean a neat space at the final points of the city or suburban route assigned for getting on and off of passengers and shall serve for turning the vehicles in order to change the course of movement.

32. “Truck station” shall mean a neat space assigned for stopping of trucks.

33. “Taxi station for passenger vehicles” shall mean a neat space assigned for parking of passenger taxi vehicles that wait on call for transportation.

34. “Travel order” shall mean a document which contains information on the load, the vehicle and the driver.

35. “International bill of lading” shall be a document which contains information on the vehicle, the load and the driver, and is used in the international road transport.

36. “Cooperation” shall mean organizing transportation of passengers by one or more transporters on one or more bus routes.

Article 3

During the performance of the public road transport, the driver of the domestic transporter shall have a neat travel order.

The provisions from paragraph 1 of this article shall not refer to the motor vehicles used for taxi transportation.

The model and contents of the form for the travel order shall be prescribed by the Minister for Transportation and Communications.

Article 4

The transportation in the road transport is done by motor vehicles and trailers, which fulfill the conditions set by the regulations on road transport safety and the special technical and exploitation conditions for certain types of transportation.

The special technical and exploitation conditions for the vehicles for certain types of transportation shall be prescribed by the Minister for transportation and Communications.

Article 5

A domestic transporter may perform public transportation of passengers and goods in the internal and international road transport, except transportation for personal needs, based on a permit (hereinafter: license).

The license for public transportation of passengers and goods in the international road transport shall also be issued on one of the world languages.

Article 6

The license shall be issued on the name of the transporter and it may not be transferred to another transporter.

Article 7

A domestic transporter may perform public transportation in the internal and international road transport, provided that he has been registered for this activity and that he fulfills the conditions prescribed by this Law, as follows:

- owns, has under lease or leasing a certain number of registered vehicles that fulfill the conditions prescribed with the regulations for road transport safety and the special technical and exploitation conditions for certain types of transportation, whereas for transportation of passengers on established routes in the local and international transport it shall have at least two buses, i.e. for the international transportation of goods at least two freight vehicles,
- has paid the public taxes related to the activity,
- has provided an appropriate parking and maintenance space, and
- for transportation in the international road transport it should have at least one year experience in the internal road transport.

Article 8

The following types of licenses shall be issued for separate types of transportation:

1. In the internal road transport for:
- local transportation of passengers;
- suburban and city transportation of passengers;
- free transportation of passengers;
- taxi transportation of passengers and
- transportation of goods;
2. In the international road transport for:
- transportation of passengers on established routes;
- transportation of passengers on unestablished routes and
- transportation of goods.

Article 9

The license referred to in article 8 item 1, line 2 and 4 shall be issued by the competent organ in the municipality, or the City of Skopje, depending on the location of the transporter, while the license referred to in item 1, line 1, 3 and 5 and item 2, line 1, 2 and 3 shall be issued by the Ministry of Transport and Communications.

Article 10

The license shall be issued on request of the transporter, which shall contain the following:

1) name of the company and address of the transporter;
2) type of transportation subject to the request of license and
3) proof for registered activity.

Along with the request, the proofs for fulfillment of the conditions referred to in article 7 of this Law shall also be enclosed.

Article 11

The original license or an exemplified copy by the organ that issued it shall always be carried in the vehicle.

Article 12

The model and contents of the license for transportation in the road transport, as well as the way of keeping record of the licenses issued shall be prescribed by the Minister of Transportation and Communications.

Article 13

The organ that issued the license may revoke it, if it determines that:

- the transporter no longer fulfills some of the conditions prescribed in article 7 of this Law for obtaining a license,
- it performs transportation contrary to the license issued and
- the transporter has ceased performing the activity in the road transport.

If the license is revoked pursuant to paragraph 1, line 1 and 3 of this article, the transporter shall loose the right to get a license for a period of one year, while in case of paragraph 1 line 2 of this article for a period of six months from the day of the valid decision.

An appeal may be filed against the decision for revoking the license to the Commission for Resolving Governance Matters in Second Degree in the Field of Transportation and Communications of the Government of the Republic of Macedonia, or the competent organ in the municipality or the City of Skopje.

Article 14

The public transportation of passengers shall be performed as transportation on established routes or transportation on unestablished routes in the internal or international road transportation.

Article 15

The transportation on established routes is performed according to previously established, registered and published timetable and established and published transportation price, in accordance with the established network of routes.

Article 16

The network of routes in the local and international transportation on established routes for passengers shall be determined by the Ministry of Transport and Communications.

The transporter may begin the transportation of passengers on established routes on a certain route in the local and international transportation of passengers on established routes, after determining and registering the timetable.

The route and the timetable shall be registered on the name of the transporter and may not be transferred to another transporter.

The transporter on a certain route may register a timetable if he fulfills the following conditions:

- that he holds a license for transportation of passengers ,
- that he has a sufficient number of motor vehicles for maintaining the route, in accordance with the timetable and
- that he has an adequate number of regularly employed driving personnel, in accordance with the timetable for maintaining the route and the Law on Safety in Traffic.

Closer criteria, the method and procedure for determining, awarding and registering the timetables established in the network of routes for the local and international transportation of passengers on established routes shall be prescribed by the Minister for Transportation and Communications.

Article 17

The route and the determined timetable for the local and international transportation of passengers shall be registered in the Ministry of Transport and Communications and shall be valid for four years, unless it has been prescribed otherwise with an international contract for international routes.

After the expiration of the four years, on request of the transporter, the validity of the timetable shall be renewed.

The Ministry of Transport and Communications shall keep a register of the registered timetables.

The contents and way of keeping the register shall be prescribed by the Minister of Transportation and Communications.

II. TRANSPORTATION IN THE INTERNAL ROAD TRANSPORT

1. Transportation of passengers

Article 18

The transportation of passengers on established routes may be conducted as: local, city and suburban.

The transportation of passengers on unestablished routes may be conducted as free transportation, transportation for personal needs and taxi transportation.

1.1. Transportation of passengers on established routes

1.1.1. Local transportation of passengers

Article 19

The transporter may begin conducting the local transportation of passengers after registering the route and the timetable.

The transporter shall be obligated to adhere to the registered route and timetable and to maintain it regularly.

The transporter may conduct the transportation with several vehicles on a route for which he has a registered timetable.

Article 20

The timetable in the local transportation shall be placed in public on a perceptible place, in the bus station, bus stop and in the vehicle.

The placement of the timetable in the bus station and at the bus stop for all routes passing through the bus station or the bus stop shall be done by the legal person managing the bus station or the bus stop, while in the vehicle the transporter himself.

Article 21

During the local transportation of passengers, the transporter shall be obligated to keep a license and a registered timetable in the vehicle, in original or a exemplified copy by the organ that issued the license or that registered the timetable.

Article 22

In the local transportation of passengers on the front right side of the vehicle, the transporter shall be obligated to place a board with the following contents: route with the names of the starting and final station, the departure and arrival time.

Article 23

The timetable and the direction of moving may not be changed before the expiration of the validity.

Exceptionally, the timetable and the direction of moving may be changed if necessary because of changes that have occurred because of interruption of the traffic

on the road as a result of a force majeure, in case of reconstruction of the road and in other cases that were reason for limitation of the traffic on the road.

Article 24

During the validity of the timetable, a certain route in the local transportation shall be erased from the record if the transporter does not maintain it continuously more than seven days or with interruptions in a period of two months. A decision for erasing the route from the record shall be brought by the Ministry of Transport and Communications.

An appeal may be filed against the decision from paragraph 1 of this article to the Commission for Transportation and Communications in the Government of the Republic of Macedonia, within 15 days following the day of reception of the decision.

The erased route may be awarded to another interested transporter. The request for awarding the route from paragraph 1 of this article shall be submitted to the Ministry of Transport and Communications.

During the validity of the timetable, a certain route in the local transportation of passengers may temporarily be ceased even before the expiration of the validity of the timetable, if reasons occur and until they last, which the transporter could not foresee and which consequences he could not eliminate (force majeure).

The transporter shall be obligated to report the temporary cessation referred to in paragraph 4 of this article to the Ministry of Transport and Communications immediately after the occurrence of the reasons that caused the cessation.

Article 25

If the transporter has justifiable reasons for not being able to maintain the route for which it has a registered timetable, he is liable to file a request to the Ministry of Transport and Communications for temporary cessation or permanent termination of the transportation on the route.

The transportation may be ceased temporarily for a period of six months or terminated permanently, based on a decision of the Ministry of Transport and Communications.

If the transporter does not continue maintaining the route after the period established in the decision referred to in paragraph 2 of this article for temporary cessation of the transportation, the route shall be erased from the record and awarded to another interested transporter.

In the local transportation of passengers a temporary cessation of a route may not be done from October 1st until March 31st.

Article 26

The transporter shall have an obligation to publish the temporary or permanent cessation of the transportation on the route for which he has a registered timetable in the mass media and in the bus stations.

Article 27

In the local transportation of passengers, getting on and off of passengers, or loading and unloading of luggage may be done only at the bus stations or the bus stops that have been entered in the timetable.

In the places where bus stations exist, the transporter who conducts a transportation of passengers on established routes shall use those bus stations.

Article 28

The transporter shall have an obligation to pull over at the bus station or the bus stop in accordance with the timetable, the conditions at the station and the regulations for safety of the traffic.

Article 29

The legal person that manages the bus station shall have an obligation to give services under equal conditions to all transporters which conduct transportation of passengers on established routes, for a price established for the determined category of the bus station.

The categorization of the bus stations and the amount of the fee for use shall be prescribed by the Minister for Transportation and Communications.

Article 30

The legal person that manages the bus station and the transporter who conducts transportation of passengers on established routes shall make a contract for use of the bus station.

If the legal person that manages the bus station does not want to make a contract with the transporter, the Minister for Transportation and Communications shall order use of the bus station until the conclusion of the contract referred to in paragraph 1 of this article.

Article 31

The legal person that manages the bus station may take in and see off buses used for public transportation of passengers according to the available number of separate platforms for this purpose, which shall be specially marked.

Article 32

The working hours of the bus station shall be accorded to the departure and arrival time of the routes, but at least 15 minutes before the departure and 15 minutes after the arrival of the last route.

Article 33

The legal person that manages the bus station shall not give services to a transporter who conducts public transportation of passengers without a license and without a registered timetable.

Article 34

The legal person that manages the bus station shall keep a transportation diary for recording the departure and arrival of the vehicles , the ordinal number of the route, the name of the transporter and the register sign of the vehicles.

In the travel order of the vehicle, the legal person that manages the bus station shall confirm the arrival and departure time of the vehicle.

Article 35

The transporter in the local transportation shall give each passenger a ticket and a receipt for the luggage.

Ticket and the luggage receipt shall be issued at the bus station, and exceptionally on other organized places, determined by the transporter. Exceptionally, a ticket may be issued in the vehicle itself, immediately before its departure.

The legal person that manages the bus station shall prepare a specification (description) of sold tickets for each departure of the bus. A copy of the specification is also given to the attendants in the bus before its departure.

The legal person that manages the bus station shall transfer the funds from the sold tickets to the transporters every seventh day for the previous week.

If the legal person referred to in paragraph 4 of this article does not transfer the funds within the specified period, the institutions for payment operations shall transfer the funds to the transporters in a way and in amounts determined by the contract signed by the legal person that manages the bus station and the transporter.

The passenger shall have an obligation to keep the ticket and the luggage receipt with himself.

Article 36

The timetable shall contain the following: serial number, name of the transporter, route and transportation price.

The ticked shall be printed and verified by the governmental organ competent for finances.

Article 37

The municipality, i.e. the City of Skopje shall determine the number of bus stations and bus stops for the local and international transportation of passengers in the populated areas.

The municipality, i.e. the City of Skopje shall determine the use, maintenance and construction of the bus stations and bus stops in the populated areas.

The way of marking and furnishing the bus stations and bus stops for the local and international transportation shall be prescribed by the Minister of Transportation and Communications.

1.1.2. City and suburban transportation of passengers

Article 38

City and suburban transportation of passengers shall be conducted by legal persons that will get a license for conducting such transportation.

Article 39

In order to get the license for conducting public city and suburban transportation of passengers, the legal person, apart from the conditions provided in article 7 of this Law, shall also fulfill the following conditions:

- to own a certain number of buses with technical and exploitation characteristics prescribed for city and suburban transportation, that could be used for maintaining at least 30% of the determined network of routes, including buses in reserve;
- to own a parking and maintaining capacity or a proof for use of such capacity with validity of at least one year and
- to have appropriate professional staff, who shall provide continuous and good quality performance of the transport.

Article 40

The transporter may begin to conduct transportation of passengers on established routes in the city and suburban transport, after establishing and registering a timetable.

The timetable for transportation of passengers in the city and suburban transportation on established routes shall be registered by the competent organ in the municipality, i.e. the City of Skopje.

The transporter shall have an obligation to stick to the registered timetable and to regularly maintain the route.

Article 41

During the city and suburban transportation of passengers on established routes, the transporter shall be obligated to keep a license and a registered timetable in the vehicle, in original or a exemplified copy by the organ that issued the license or that registered the timetable.

Article 42

Getting passengers on and off the bus in the city and suburban transportation on established routes is done on the bus stops, according to the determined and registered timetable.

Article 43

The municipality, i.e. the City of Skopje shall determine the transportation in the city and suburban transport, but it shall especially determine the following:

- network of routes and their basic elements in accordance with the needs of the municipality, i.e. the City of Skopje, the way they are maintained and their frequency;
- the timetable, the way of its placement, maintenance and changing according to the needs of the municipality, i.e. the City of Skopje;
- the way of organizing the control of the traffic of the buses and the routes and the record about it;
- the tariff system and the system of collecting the payments;
- the way of providing certainty to the transporter in terms of following the needs of the municipality, i.e. the City of Skopje and the necessary transportation capacities;
- location of the bus terminals, turning points and stopping points and the procedure for their changing;
- construction, marking, equipping, maintaining and use of the bus terminals, turning points and stopping points and
- determining route and place for transportation by van with nine seats the most.

The criteria about the method and procedure for allocating the routes to the transporters in the city and suburban transport, as well as the type of the vehicles that may participate on a certain route, shall be prescribed by the municipality, i.e. the City of Skopje.

Article 44

For the transportation of passengers that is conducted on routes between populated areas of the newly formed municipalities and the municipalities from which they have originated, the municipalities may conclude an agreement for join organization of this type of transportation.

If the municipalities, referred to in paragraph 1 of this article, do not conclude an agreement for join organizing of the transportation of passengers on established routes, it shall be organized by the Ministry for Transport and Communications.

Article 45

The municipality, i.e. the City of Skopje may found a public enterprise for public transportation of passengers in the city and suburban transport.

The municipality, i.e. the City of Skopje may entrust the public transportation of passengers in the city and suburban transport to another legal person which fulfills the conditions provided in this Law.

Article 46

On the front and right side the buses shall keep the number of the route, the starting and final destination.

The size of the letters and numbers, and the way of placing shall be prescribed by the municipality, i.e. the City of Skopje.

1.3. Transportation of passengers on unestablished routes

1.3.1. Free transportation of passengers

Article 47

Free transportation of passengers in the road transport means transportation for which the route, price of the transportation of passengers, as well as other transportation conditions, have been determined in front by the transporter and the orderer of the transportation, with a written contract. The contract shall contain a list of passengers that are users of transportation.

The free transportation of passengers may not contain elements of transportation of passengers on established routes (issuing tickets in the vehicle, etc.).

A copy of the contract referred to in paragraph 1 of this article shall be kept in the vehicle.

Article 48

The passengers that are transported must have an appropriate document exemplified by the orderer of the transportation or by the transporter.

Article 49

The free transportation is conducted without incidental getting on and off of passengers.

Exceptionally, when conducting transportation of students or workers, on their way to school or work, incidental getting on may happen, and on their way back incidental getting off of passengers.

The places for incidental getting on and off of passengers shall be determined by the municipality, i.e. the City of Skopje.

Article 50

The transporters who conduct free transportation of passengers may not use the bus stops for getting on and off of passengers.

1.3.2. Transportation of passengers for personal needs

Article 51

Transportation of passengers for personal needs with personal motor vehicles may be conducted by the following:

1) enterprises and other legal persons and natural persons for transportation of the employees and other persons related to the business, as well as transportation of their workers and the members of their families to and from the vacation and recreation places;

2) hotel organizations and resorts for transportation of their guests;

3) health organizations when conducting transportation of sick people and their companions;

4) tourist organizations, if they conduct transportation of a group of passengers based on a special contract;

5) cultural and educational organizations, if they transport their pupils, students, protégés, teachers, as well as their members; and

6) companies that give airport services, if they conduct transportation of passengers and their companions from the business unit in the city and the determined incidental stations to the air terminals and vice-versa.

During the transportation of passengers for personal needs, the personnel in the vehicle shall have a proof for transportation of the persons, referred to in paragraph 1 of this article.

1.3.3. Taxi transportation of passengers

Article 52

Taxi transportation may be conducted by legal and natural persons, provided that they have appropriate vehicles and if they get a license for taxi transportation.

Article 53

Besides the conditions provided in article 7 paragraph 1 line 2 of this Law for getting a license for taxi transportation, the transporter should also fulfill the following conditions:

- to be owner of a motor vehicle or under leasing, which shall be used for taxi transportation and
- not to have been convicted for a crime for endangering the safety of the traffic, as well as against the dignity of the personality and moral in the last three years.

Article 54

The vehicle shall have precise, sealed and gauged taximeter placed in a visible place, while on the sides apart for the sign “TAXI” also the number from the register of the taxi transporters.

On the roof of the passenger vehicle used for taxi transportation a TAXI” sign shall be placed.

Article 55

The passenger vehicle used for taxi transportation of passengers may not be used for transportation of passengers on established routes.

Article 56

The transporter shall turn the taximeter on during the taxi transportation and shall charge the price for the transportation according to the amount determined by the taximeter, according to a determined tariff.

The transporter shall keep the license in the vehicle.

The license for taxi transportation shall be issued for a period of two years.

Article 57

The municipality, i.e. the City of Skopje shall determine the following:

- location and capacity of the taxi stations, opening new ones and closing the existing ones;
- marking and equipping taxi stations and
- color of the vehicles.

The tariff and the way of using the taxi stations shall be determined and accorded by the municipality, i.e. the City of Skopje.

2. Transportation of goods

Article 58

The transportation of goods may be conducted as public transportation and transportation for personal needs.

2.1. Public transportation of goods

Article 59

Public transportation of goods is transportation which route, cost of transportation and the other transportation services are established freely with a contract between the transporter and the user of the transportation.

The transporter may begin with public transportation of goods after obtaining a license.

Article 60

The transporter shall keep the license in the vehicle.

2.2. Transportation of goods for personal needs

Article 61

Enterprises and other legal and natural persons may conduct transportation of goods for personal needs, with personal motor vehicles in order to satisfy the needs in their business.

During the transportation of goods for personal needs a bill of lading shall be kept in the vehicle and proof for ownership of the goods subject to transportation.

III. TRANSPORTATION IN THE INTERNATIONAL ROAD TRANSPORT

Article 62

The international transportation is conducted in accordance with the provisions of this Law and the international contracts that the Republic of Macedonia concluded or approached to.

If international contract, referred to in paragraph 1 of this article, has not been concluded with some countries, the transportation between those countries and the Republic of Macedonia shall be conducted pursuant to the provisions of this Law, other international contracts that oblige the Republic of Macedonia under conditions of reciprocity.

Article 63

International transportation may be done by transport from another country to the Republic of Macedonia, for another country or in transit through the territory of the Republic of Macedonia.

Article 64

During the international transportation, the crew in the vehicle shall have transportation documents prescribed by this Law, with the regulations passed pursuant to this Law and with international contracts.

Article 65

The competent customs organ at the border post, or at some other place where customs control is being performed, shall check whether the domestic or foreign transporter has license and other documents prescribed by this Law and the international contracts, as well as whether the transporter conducts the transportation in accordance with those documents.

If the customs organ determines that the domestic or foreign transporter does not have license and other documents in the vehicle or that he does not use them in the prescribed way, it shall ban the entrance, i.e. the exit of the vehicle from the territory of the Republic of Macedonia and it shall notify the Ministry of Transport and Communications about the matter.

The Ministry of Transport and Communications may approve the moving of the vehicle by issuing a special license.

1. Transportation of passengers

Article 66

The transportation of passengers in the international road transport is conducted pursuant to a license for transportation of passengers, if not stipulated otherwise with this Law or with international contract.

The license referred to in paragraph 1 of this article shall be issued by the Ministry of Transport and Communications on request of the interested transporter.

Along with the request, the transporter shall submit timetable, itinerary, price list, contract with a foreign transporter and other enclosures prescribed with international contract.

The validity of the license referred to in paragraph 1 of this article may not be shorter than one year, nor longer than four years, unless otherwise stipulated with an international contract.

The original of the license for international transportation shall be kept in the vehicle used for international transportation.

Article 67

A foreign transporter may not perform cabotage on the territory of the Republic of Macedonia, unless he has been issued a special license under the conditions of this Law or with international contract.

Article 68

The transportation of passengers in the international road transport may be performed as transportation on established or transportation on unestablished routes.

1.1. Transportation of passengers on established routes

Article 69

The transporter shall perform the transportation of passengers on established routes in the international road transport in accordance with the timetable and price list determined by the domestic and foreign transporter.

The timetable, price list and license in original shall be kept in the vehicle used for international transportation of passengers on established routes.

Article 70

The transportation of passengers on established routes in the international road transport may be conducted with several vehicles according to the timetable, unless it is contrary to an international contract or if the transportation is conducted with all vehicles on the entire route for which the timetable has been registered.

Article 71

In respect to the method and conditions for using the bus stations, issuance of tickets, as well as the temporary cessation or erasure of the route from the record, the provisions of this Law for transportation of passengers in the internal road transport and the provisions from the international contract shall suitably be applied.

Article 72

A foreign transporter shall submit the request for license, referred to in article 66 of this Law, through the competent organ in his country.

Article 73

The foreign transporter may conduct transportation of passengers in transit through the Republic of Macedonia if he gets a license, pursuant to article 66 of this Law.

With the license for transportation of passengers in the international road transport in transit, it may not be allowed passengers to get on and off on the territory of the Republic of Macedonia, unless otherwise stipulated with an international contract.

1.2. Transportation of passengers on unestablished routes

Article 74

The transportation of passengers on unestablished routes in the international road transport shall be performed as:

1) round trip which begins and ends on the territory of the state where the vehicle has been registered, during which the same group of passengers is transported with the same vehicle on the entire itinerary and returns to the place of departure without taking and leaving passengers on the way;

2) transportation of passengers in departure and returning with empty vehicle;

3) alternative transportation, organized for transportation in several trips, from the same departure place to the same destination or its closer surrounding, of groups of passengers organized in advance, but each group that performed the trip in departure comes back in the same composition, with the notion that the first ride in return and the last ride in departure, in a sequence of alternative rides, is carried out with an empty vehicle, and

4) transportation of passengers, when the vehicle comes in empty in order to take in a group of passengers for the state where the vehicle has been registered.

The transportation from items 1 and 2 of this article shall be conducted without a license, while the transportation from items 3 and 4 of this article with a license, unless otherwise stipulated with an international contract.

Article 75

During the transportation of passengers on unestablished routes there must be a neatly filled control document - travel list with a list of the passengers in the vehicle, signed and exemplified with a stamp by the transporter and exemplified by the competent customs organ at the border post where the vehicle leaves or enters.

Prior to commencing the transportation, the transporter shall verify the travel list with the list of passengers, referred to in paragraph 1 of this article, in the Ministry of Transport and Communications.

The transporter shall submit a copy of the travel list to the customs organ.

If not stipulated otherwise with an international contract, the domestic transporter shall administer the travel list on a form and in a way prescribed by the Minister of Transport and Communications, while the foreign transporter whose vehicle has been registered in the transporter's country on a form and in a way stipulated with regulation in his country.

Article 76

If the transportation of passengers on unestablished routes is conducted with license only, then the original of the license shell be kept in the foreign vehicle when it is on the territory of the Republic of Macedonia.

2. Transportation of goods

Article 77

A domestic transporter may perform international transportation of goods, if he has an international bill of lading and license for international transportation of goods. The domestic transporter shall get a license for international transportation of goods, if the international transportation in certain countries may only be performed on basis of such license.

The license, referred to in paragraph one of this article, shall be issued by the Ministry of Transport and Communications.

Article 78

The Ministry of Transport and Communications shall obtain the licenses referred to in article 77 of this Law, from the competent organ in the other state, pursuant to the international contract signed with the particular country and shall allocate them to the transporters.

The allocation of the licenses referred to in paragraph 1 of this article shall be done in accordance with the criteria, procedures and method determined by the Minister of Transport and Communications.

With exception from paragraph 2 of this article, if the number of licenses for a particular country significantly deviates from the needs for transportation of goods, the Minister of Transport and Communications may establish special criteria, procedure and method for allocating the licenses for that country.

Article 79

A foreign transporter from the state that the Republic of Macedonia has signed a contract with for international transportation of goods, performs international

transportation of goods on the territory of the Republic of Macedonia based on a license issued by the Ministry of Transport and Communications.

The Ministry of Transport and Communications gives the licenses for international transportation of goods to the competent organ of the state where the foreign transporter comes from.

When entering the Republic of Macedonia the foreign transporter shall hold a license for international transportation of goods in original, unless it has been stipulated with an international contract that the transportation shall be performed without licenses.

The international transportation with foreign motor vehicle with trailer (concourse of vehicles) shall be performed on basis of one license.

With exception to paragraph 4 of this article, if the foreign motor vehicle with trailer in concourse of vehicles has registration symbols from different countries, license for transportation of goods shall be required for each vehicle, provided by this Law, or an international contract.

The original of the license for transportation of goods shall be kept in the foreign vehicle as long as it is on the territory of the Republic of Macedonia.

The license for transportation of goods in the international road transport may be bilateral, transit, for and from a third country and special.

The form for the licenses referred to in paragraph 7 of this Law shall be prescribed by the Minister for Transport and Communications.

Article 80

If the foreign transporter comes from a country that the Republic of Macedonia has not signed a contract with for international transportation of goods, the customs organ at the border post, or at some other place where customs control is performed, shall issue a special license for transportation of goods and shall charge a fee provided in article 88 of this Law. The customs organ shall submit copies of the issued licenses to the Ministry of Transport and Communications until the 10th of the month for the previous month.

Article 81

The total number of licenses for transportation of goods, as well as the validity of certain licenses between the Republic of Macedonia and other countries, licenses for transit transportation of goods and licenses for transportation of goods to third countries and from third countries, shell be determined by the Ministry of Transport and Communications, with bilateral contract (contingent of licenses).

Article 82

With exception to the provisions of the articles 77 and 79 of this Law, license shall not be required for the following:

1) transportation of things from an aircraft port and for an aircraft port in case of wreck and other accident of an aircraft or in case of landing of an aircraft because of compulsory change of the direction of flying or in case of canceling the aircraft lines;

2) transportation of a damaged motor vehicle and its trailer;

3) transportation of a deceased;
4) transportation of items subject to moving with special vehicles;
5) transportation of mail;
6) transportation of exhibits for fairs and exhibitions;
7) transportation of auxiliary devices and other items for theater, music and other cultural events, circus shows or movie, radio and television shootings;
8) transportation of dead animals, except for industrial processing;
9) transportation of bees and young fish;
10) transportation of flowers, decorating plants and plant seedlings;
11) transportation of medical and other material as assistance in case of natural disasters;
12) entering of empty vehicles in order to replace vehicles with defect and taking items from the vehicles with defect, and
13) vehicles of technical assistance for mending vehicles with defect.

For the transportation referred to in paragraph 1 of this article, the crew of the vehicle shall have document and other papers that will prove transportation of that kind.

Article 83

A foreign transporter may perform internal transportation of goods between two destinations on the territory of the Republic of Macedonia (cabotage), only if he gets license for internal transportation.

The license referred to in paragraph 1 of this article may be issued, if as a result of deficiency of appropriate transportation capacities in the Republic, it is necessary the transportation to be performed by a foreign transporter.

The license referred to in paragraph 1 of this article shall be issued by the Ministry of Transport and Communications, after obtaining an opinion from the Chamber of Commerce of the Republic of Macedonia.

Article 84

A foreign transporter may perform transportation of goods from the Republic of Macedonia for a third country and vice-versa, if it has been provided by international contract and if he gets a license to do that from the Ministry of Transport and Communications.

3. Revoking, making void of the license and temporary ban for approach on the territory of the Republic of Macedonia

Article 85

The Ministry of Transport and Communications may bring a decision for revoking or making void of the license, referred to in articles 66, 77 and 79 of this Law, of a domestic or foreign transporter, if the transporter does not conduct the transportation in accordance with the provisions of this Law or an international contract.

The license issued to a foreign transporter, referred to in article 66 of this Law, may be made void under the conditions from paragraph 1 of this article, in case the

competent organ from the country where the transporter has been registered refuses to issue a license for the transporter from the Republic of Macedonia.

The revoke of the license according to paragraph 1 and 2 of this article may be sentenced for a period of one to twelve months.

Article 86

The Ministry of Transport and Communications may bring a decision for temporary ban of approach to the territory of the Republic of Macedonia for vehicles of a foreign transporter, who does not conduct the transportation in accordance with the provisions of this Law or an international contract.

The temporary ban for approach to the territory of the Republic of Macedonia may be sentenced for a period of one to six months.

Article 87

The revoke of the license and the temporary ban for approaching the territory of the Republic of Macedonia to a foreign transporter shall be done by the customs organ at the border post, or some other place for customs control, from which point the foreign vehicle starts to use the roads on the territory of the Republic of Macedonia.

Decision for revoking the license of a domestic and foreign transporter shall be brought by the Ministry of transport and Communications.

An appeal may be filed against the decision referred to in paragraph 2 of this article to the Commission for Transport and Communications in the Government of the Republic of Macedonia, within 15 days following the day of receiving the decision.

4. Fees

Article 88

A foreign vehicle that performs transportation on the territory of the Republic of Macedonia shall pay all fees determined with separate laws based on reciprocity, unless otherwise stipulated with an international contract.

IV. EXCEPTIONAL TRANSPORTATION

Article 89

Domestic and foreign transporter with vehicle on public road, which either empty or loaded exceeds the prescribed conditions in respect to the dimensions, total mass of basic load, may perform transportation only on basis of a license for exceptional transportation.

Article 90

The license for exceptional transportation shall be issued by the Ministry of Transport and Communications, after receiving opinions about it from the public enterprise for roads and the Ministry of Internal Affairs, after establishing the existence of traffic and technical conditions.

The license for exceptional transportation determines the manner, conditions for performing the transportation and the period of validity of the license.

The procedure for issuing a license for exceptional transportation shall be considered urgent.

The rule passed by the Minister of Transport and Communications shall stipulate the documentation which shall be enclosed to the request for issuing a license for exceptional transportation.

Article 91

A foreign motor vehicle shall not be allowed entrance or exit in and out of the Republic of Macedonia if it does not own a license for exceptional transportation.

V. SUPERVISION

Article 92

Supervision of the legitimacy of the work of the companies that perform public transportation of passengers and goods shall be done by the Ministry of Transport and Communications, while supervision of the legitimacy of the work of the companies that conduct city and suburban transportation and taxi transportation shall be done by the municipality, i.e. the City of Skopje.

Article 93

Inspection of the implementation of the provisions of this Law and the regulations passed on grounds of this Law for local and international transportation of passengers and goods shall be done by the Republic Inspectorate for Transport and Communications, while for the city, suburban and taxi transportation the inspection organs of the municipality, i.e. the City of Skopje.

Article 94

The competencies of the Republic Inspectorate for Transport and Communications and the competencies of the inspection organs of the municipalities, i.e. the city of Skopje shall be exercised by the road transport inspectors.

A road transport inspector may be appointed a graduated transport engineer, with at least three years of experience in the vocation.

Article 95

The road transport inspector shall have the right to pass decisions for the following:

1) eliminating the deficiencies within a defined period of time in respect to the fulfillment of the prescribed conditions for transportation in the road transport, the working conditions of the bus stations and the compliance with the timetable;

2) temporary ban for certain types of transportation, use of the motor vehicles and bus stations and bus stops, if the deficiencies that the road transport inspector established have not been removed;

3) temporary use of the bus station until conclusion of contracts for use;

4) revoking the license to a domestic and foreign transporter for conducting international transportation of passengers, provided that he does not comply with the timetable and itinerary;

5) ban for further motion of a foreign vehicle on the territory of the Republic of Macedonia by directing the vehicle to one of the border posts in order to leave the country, provided that the vehicle does not have the prescribed documentation for the appropriate type of transportation provided by this Law and by international contract;

6) eliminating the vehicle from traffic by taking away the traffic license and registration, provided that the transportation is conducted contrary to the established and registered timetable or if transportation on established routes is conducted without registered timetable; and

7) eliminating taxi vehicles for transportation of passengers, provided that the transportation is conducted contrary to the accorded and established tariff and way of using the taxi stations.

The traffic license and registration that have been taken away in accordance with paragraph 1 item 6 of this article shall be given to the Ministry of Internal Affairs where the vehicle is registered. The transporter shall be issued appropriate document for revoked traffic license and registration.

The elimination of the vehicle from traffic, pursuant to paragraph 1 item 6 of this article, shall last 30 days the first time, six months the second time and one year the third time.

Article 96

An appeal may be filed to the Ministry of Transport and Communications against the decision of the road transport inspector, within eight days following the day of receiving the decision.

The appeal shall not postpone the execution of the decision.

Article 97

The transporters and the other holders of motor vehicles and enterprises that manage bus stations shall provide means for the road transport inspectors to carry out an inspection control, to give them the needed information and to give for inspection the necessary technical and other documentation.

Article 98

The form of the identification document of the road transport inspectors shall be prescribed by the Minister of Transport and Communications.

VI. PENALTY PROVISIONS

Article 99

Legal entity shall be fined with 20,000 to 200,000 denars for violation, if it:

1) transports passengers and goods in the international and internal public road transport without a license (article 5) and

2) performs international transportation of passengers and goods without a license (articles 66 paragraph 1 and 77 paragraph 1).

The responsible person in the legal entity shall also be fined with 5,000 to 50,000 denars for violation of paragraph 1 items 1 and 2 of this article.

For violation of paragraph 1 items 1 and 2 of this article, apart for the fine, the violator may also be sentenced a protective measure, a ban for conducting the activity of public transportation of passengers and goods for the period of six month to one year.

Article 100

Legal entity shall be fined with 15,000 to 150,000 denars for violation, if:

1) it transports passengers and goods with a motor vehicle which does not fulfill the conditions established with the regulations for safety of traffic on roads and the special technical and exploitation conditions (article 4 paragraph 1);

2) it commences local transportation of passengers without previously registering the timetable (article 19 paragraph 1);

3) it does not comply with the accorded and registered timetable and does not regularly maintain the route (article 19 paragraph 2);

4) the vehicle does not have a license and a registered timetable in original or a exemplified copy (article 21);

5) the vehicle used for local transportation of passengers does not have a board with the route, containing the names of the starting and final station, as well as a departure and arrival time (article 22);

6) it does not issue a ticket and receipt for luggage (article 35 paragraph 1);

7) it does not issue the tickets pursuant to article 35 paragraph 2 of this Law;

8) it transports passengers on established routes in the city and suburban transport without an established and registered timetable, does not comply with the timetable and does not regularly maintain the route (article 40);

9) it does not keep license and timetable in the vehicle during the transportation (article 41);

10) it allows getting on and off of passengers outside the bus stops designated in the timetable (article 42);

11) it has not put a sign on the front and right side containing the number of the route and the starting and final station (article 46 paragraph 1);

12) it performs free transportation of passengers, contrary to the conditions provided in article 47 of this Law;

13) it allows getting on and off of passengers outside the places designated by the municipality, i.e. the City of Skopje (article 49);

14) it allows getting on and off of passengers at the bus stations and bus stops (article 50);

15) it conducts taxi transportation of passengers without an appropriate vehicle and without a license (article 52);

16) it conducts transportation with a vehicle, which does not have a taximeter and a sign “taxi” on the sides of the roof, as well as a number from the register of taxi transporters (article 54);

17) it performs transportation of passengers on established routes with taxi vehicle (article 55);

18) it does not turn the taximeter on when performing taxi transportation and does not charge a price according to the amount determined with the taximeter and the established tariff (article 56 paragraph 1);

19) it performs transportation of passengers on established routes in the international road transport, contrary to the timetable and price list (article 69 paragraph 1);

20) the vehicle used for international transportation of passengers on established routes does not have the original timetable, price list and license (article 69 paragraph 2);

21) it performs cabotage on the territory of the Republic of Macedonia without a special license (article 67 and 83);

22) it transports passengers on unestablished routes, contrary to article 74 of this Law;

23) it transports passengers on unestablished routes without a exemplified list of passengers by the Ministry of Transport and Communications (article 75 paragraph 2);

24) during the international transportation of goods, which is performed with a license, the foreign vehicle does not have the original license (article 79 paragraph 6);

25) the vehicle does not have documents and other papers to prove that the transportation is conducted in accordance with article 82 of this Law, and

26) it transports goods from the Republic of Macedonia to a third country and vice-versa without a license (article 84).

The responsible person in the legal entity shall also be fined for violation with 3,000 to 30,000 denars.

For violation of paragraph 1 items 2, 3 and 19 of this article, apart from the fine, the violator may also be sentenced a protective measure, a ban for conducting the activity of public transportation of passengers for the period of three month to one year.

Article 101

Legal entity shall be fined with 10,000 to 100,000 denars for violation, if:

1) if there is no neatly filled travel order in the vehicle (article 3);

2) it does not place the timetable at the bus station (article 20 paragraph 1);

3) it does not report the temporary cessation of the timetable to the competent organ for registration and if it does not publish it (article 24 paragraph 5 and article 26);

4) it allows getting on and off of passengers, i.e. loading and unloading luggage outside the stations and stops (article 27);

5) it does not stop at the bus station or bus stop according to the timetable (article 28);

6) it does not give services to all transporters under equal conditions (article 29);

7) it gives services to a transporter that has no registered timetable (article 33);

8) it does not keep record of the departure and arrival of the vehicle(article 34 paragraph 1);

9) it does not confirm the departure and arrival time of the vehicle in the travel order (article 34 paragraph 2);

10) it does not prepare a specification of sold tickets and does not give it to the crew of the bus (article 35 paragraph 3);

11) it does not follow the decision of the inspector, brought pursuant to article 95 of this Law, and

12) it does not make possible or intrudes in the work of the road transport inspection (article 97).

The responsible person in the legal entity shall also be fined for violation of paragraph 1 of this article with 2,000 to 20,000 denars.

Article 102

An individual may be fined with 5,000 to 40,000 denars for violation in conducting independent business, if he/she:

1) conducts taxi transportation with passenger vehicle, which does not fulfill the conditions referred to in article 2 paragraph 1 item 23 of this Law;

2) begins with local transportation of passengers without a registered timetable and does not comply with it (article 19);

3) conducts free transportation of passengers contrary to the conditions prescribed in article 47 of this Law;

4) conducts taxi transportation without a license (article 52);

5) does not have precise, sealed and gauged taximeter, as well as a taxi sign placed in a visible place (article 54 paragraph 1);

6) conducts transportation of passengers on established routes with a passenger vehicle used for taxi transportation (article 55);

7) does not turn the taximeter on when performing taxi transportation and does not charge a price according to the amount determined with the taximeter and the established tariff (article 56);

8) does not follow the decision of the inspector, brought pursuant to article 95 of this Law, and

9) does not make possible or intrudes in the work of the road transport inspection (article 97).

For violation of paragraph 1 items 4, 5 and 6 of this article, apart from the fine, the violator may also be sentenced a protective measure, a ban for conducting taxi transportation for the period of three month to one year.

Article 103

A natural person shall be fined for violation with 2,000 to 20,000 denars, if he/she conducts transportation contrary to articles 51 and 61 of this Law.

VII. TRANSITORY AND FINAL PROVISIONS

Article 104

The existing legal and natural persons performing transportation in the road transport shall be obliged to concord their work with the provisions of this Law, within a period of one year following the day when this Law becomes effective.

As exception from paragraph 1 of this article, the licenses for international transportation of passengers and goods shall remain valid until they expire.

Article 105

The transportation of passengers on established routes in the local road transport shall be conducted in accordance with the existing registered timetables, but no longer than one year following the day this Law becomes effective.

The international transportation of passengers on established routes shall be conducted in accordance with the licenses issued, but no longer than the day they expire.

Article 106

The municipalities shall make agreement for joint organization of the transportation on established routes, referred to in article 44 of this Law, within the period of three months.

Article 107

If a municipality, i.e. the City of Skopje, have not established an inspection organs for supervising the city, suburban and taxi transportation, it shall be done by the Republic Inspectorate for Transport and Communications, until the day they are established.

Article 108

Closer regulations for exercising this Law shall be passed within a period of one year following the day when this Law becomes effective.

Until the regulations authorized by this Law are passed, the closer regulations that were valid until the effectiveness of this Law shall be implemented.

Article 109

The day when this Law becomes effective, the following laws shall cease to be effective: Law on Road Transport (Official Gazette of SRM, no. 36/90 and Official Gazette of the Republic of Macedonia, no. 32/91 and 62/93) and the Law on

International Road Transport (Official Paper of SFRJ, no. 41/80, 33/87, 80/89 and 29/90).

OFFICIAL GAZETTE OF THE REPUBLIC OF MACEDONIA NO. 7/99
FEBRUARY 10, 1999

Translated by: ***JELENA STEFANOVIC - BOGDANOVSKA***
Date of translation: ***March 10, 2001***

Proofreading: ***ISKRA AKIMOVSKA MALETIC***
Date of proofreading: ***March 16, 2001***