**LAW ON ROAD TRANSPORT**

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| CONSOLIDATED TEXT [1](https://www.akademika.com.mk/) Law on Road Transport ( “Official Gazette of the Republic of Macedonia” No. 68/2004, 127/2006, 114/2009, 83/2010, 140/2010, 17/2011, 53/2011, 6/201223/2013, 120/2013, 163/2013, 187/2013, 42/2014, 112/2014, 166/2014, 44/2015, 97/2015, 124/2015, 129/2015, 193/2015 and 37/2016). Decisions of the Constitutional Court of the Republic of Macedonia: C. No. 160/2005 dated 1 February 2006, published in the “Official Gazette of the Republic of Macedonia” No. 23/2006; C No. 22/2007 dated 14 May 2008, published in the “Official Gazette of the Republic of Macedonia” No. 64/2008; C No. 273/2009 dated 10 November 2010, published in the “Official Gazette of the Republic of Macedonia” No. 152/2010 and C. No. 66/2014 dated 28 January 2015, published in the “Official Gazette of the Republic of Macedonia” No. 20/2015. |

I GENERAL PROVISIONS

**Article 1**

This Law shall regulate the conditions and manner of carriage of passengers and goods in domestic and international road transport.

**Article 2**

The transport of passengers and goods in international road transport shall be performed in accordance with this Law and international treaties and agreements ratified by the Republic of Macedonia.

If no treaty or agreement as referred to in paragraph 1 of this Article was concluded with certain states, the transport between these states and the Republic of Macedonia shall be performed in accordance with this Law and the multilateral international treaties ratified by the Republic of Macedonia, respecting the principle of reciprocity.

In the procedure of performance of inspection supervision, the provisions of the Law on Inspection Supervision shall apply, unless otherwise regulated by this Law.

**Article 3**

Certain terms used in this Law shall have the following meanings:

1. Public transport of passengers and goods shall mean transport which is available to all users on equal conditions;

2. Transport in domestic road traffic shall mean any road transport within the territory of the Republic of Macedonia;

3. Transport in international road traffic shall mean any road transport through at least one state border;

4. License is a document which allows the performance of the activity public carriage in road transport, transport for personal needs and organization of transport;

4-a. Extract from a license shall mean a document issued by the body responsible for issuing licenses for each motor vehicle separately;

5. Transport for personal needs shall mean transport performed by a natural or legal person to meet their needs in performing their activities, that is, duties within their scope;

6. Domestic carrier shall mean a legal or natural person established in the Republic of Macedonia that owns a license for the carriage of passengers or goods in the internal or international road transport and a legal or natural person established in the Republic of Macedonia, which transports passengers or goods in the internal and international road transport which, in accordance with the provisions of this Law, does not require a license;

7. Foreign carrier shall mean a foreign legal or natural person performing carriage of passengers or goods in the international road transport and established beyond the borders of the Republic of Macedonia;

8. International treaty shall mean any international multilateral or bilateral agreement governing international transport and obliging Republic of Macedonia;

9. Bilateral transport of passengers and goods shall mean an international transport where passengers and goods are transported between the territory of the Republic of Macedonia and the territory of another state;

10. Transit transport of passengers and goods shall mean an international transport where passengers and goods are transported through the territory of a certain state without having to be unloaded or loaded in the territory of that state;

11. Transport of goods to and from a third country shall mean an international transport performed by a carrier which is not established in the country in which the transport starts or ends;

12. Cabotage shall mean any transport of passengers or goods between two locations in the Republic of Macedonia performed by a foreign carrier;

13. Irregular transport shall mean transport of goods whereby the dimensions of the vehicle or the vehicle with the goods or the total weight of the vehicle or its axle load are bigger than the ones prescribed;

14. Line shall mean a certain route and driving direction from the initial to the final bus stop or halt where passengers are transported in line road transport, according to a previously determined, registered and published timetable and cost of transport;

15. Route shall mean a distance between any two places on the line, specified in the timetable as a station or stop;

16. Timetable shall mean a document that determines the line, type of transport, routes where the transport is performed, the order of stations and stops, their distance from the starting station or stop, time of arrival, stopping and departure at each bus stop and station, the period in which the carrier performs the transport on the line and the validity period;

16-a. “Changing of the existing timetable” may be done if the new timetable proposed only includes a change of the time points of the first station, road stations or end station and if it includes a change only in the time points of the existing departures, without adding new departures, and without changing stations or without adding new stations to the existing departures;

16 -b. “Trolleybus” shall means a motor vehicle intended for the transport of people, which apart from the driver’s seat has more than eight seats and which due to supply of the engine with electric power is connected to an electric conductor;

16 -c. “Tram” shall mean a vehicle on rails with electric drive intended for transport of people, which due to supply of the engine with electric power is connected to an electric conductor;

17. International line transport of passengers shall mean transport on a certain line where the first station or stop is on the territory of the Republic of Macedonia, and the last one on the territory of a foreign country, as well as transport on a certain line which transits through a foreign country, where the last station or stop is on the territory of the Republic of Macedonia;

18. Inter-municipal line transport of passengers shall mean public transport performed on lines between two or more municipalities, that is, between the City of Skopje and a certain municipality;

19. Municipal passenger transport shall mean public transport which is performed on the territory of one municipality, that is, the City of Skopje;

20. Free transport of passengers in domestic and international traffic shall mean transport for which the route and other conditions are determined separately for each transport between the carrier and the service user;

21. Auto taxi transport of passengers shall mean transport performed by passenger vehicles with maximum seven seats including the driver’s seat;

21-a. Standstill of an extract of a license for performance of auto taxi transport of passengers shall mean a time period during which the auto taxi carrier may not perform auto taxi transport of passengers with a specific vehicle due to breakdown, traffic accident, need for employment of a driver and the like.

21- b. Certificate for auto taxi driver shall mean a certificate obtained in accordance with Article 8-j of this Law, which the auto taxi driver is obliged to have in the vehicle when performing auto taxi transport.

22. Itinerary indicates a specific direction of movement of a vehicle on a certain line;

23. Passenger transport shall mean the transportation of passengers where the passengers in accordance with the timetable enter and exit at all bus stations and stops;

24. Fast transport shall mean passenger transport where the passengers in accordance with the timetable enter and exit at bus stations;

25. Direct transport shall mean passenger transport where the passengers in accordance with the timetable enter only at the initial and exit only at the final bus station;

26. Bus station shall mean a space for arrival and departure of buses and passengers which should have covered platforms, arranged for safe entry and exit of passengers, waiting rooms for passengers and driving staff, premises for luggage storage, toilettes, traffic bureau and equipment defined by special regulations;

27. Bus stop shall mean a space defined for stopping of buses according to the timetable and safe entry or exit of passengers;

28. Bus terminal shall mean arranged space intended for transfer of passengers in municipal passenger transport and serves for turning of vehicles due to the change of their direction of movement;

29. Bus turning location shall mean arranged space of the endpoints (termikus) in municipal line transport intended for entry and exit of passengers, which serves for turning of vehicles due to the change of their direction of movement;

30. *Deleted* [2](https://www.akademika.com.mk/)

31. *Deleted*

32. Taxi station shall mean arranged space intended for parking of passenger taxi vehicles waiting for a call for transport;

33. Foreign vehicle shall mean a vehicle used to perform road transport, which is not registered in the Republic of Macedonia;

34.Domestic vehicle shall mean a vehicle used to perform road transport, which is registered on the territory of the Republic of Macedonia;

35. Permit for transport is the common title for several types of documents specified in this Law or international agreement, which allow a vehicle with foreign registration to have access to Macedonian roads and drive on them, that is, allow a vehicle with Macedonian registration to have access to roads of the country whose authority issued the permit and driving on them;

36. Permit of the European Conference of Ministers of Transport (ECMT) is a multilateral permit for performance of international carriage of goods by road on the territory of ECMT Member States, by vehicles registered in one of the ECMT Member State;

37. Travel sheet is a document used by the carrier in the performance of public passenger transport in free international transport of passengers;

38. Bill of lading shall mean a document accompanying the shipping, which contains information about the company, that is, the name and seat of the carrier, the shipper and the consignee, the place of loading and unloading, the name of the product, its categorization and quantity, the registration number of the vehicle and special notes and instructions for the carrier, and it is used in carrying out the transport of goods in domestic and international road transport;

39. Travel order shall mean a document containing information on the type of transport, the company, that is, the name and seat of the carrier, the name of the driver, the main data on the driving direction, the registration number of the vehicle, the state of the meter at the beginning and at the end of the trip and the signature of the authorized person who issued the order.

40. Distance sheet shall mean a document that determines the distance between bus stations or bus stops, issued by a competent state authority for roads and it is used for the approval of timetables for line passenger transport;

41. Passenger shall mean a person transported by the carrier for a certain price in a vehicle for passenger transport in road traffic;

41-a. Ticket shall mean a document issued in paper or electronic form by the carrier performing transport services, which proves that the passenger has paid the transport service and

41-b. Failure to maintain a line means that the carrier does not maintain the departures, road stations and arrivals defined in the timetable by entry and exiting of passengers at the bus stations, and failure to maintain a line also means when transport is not performed on one of the stations included in the timetable.

42. Special line transport shall mean transport only of a certain group of passengers excluding other passengers;

43. Alternate transportation of passengers in international road transport shall mean transport of previously organized groups of passengers for multiple trips from the same point of departure to the same point of destination, where each group of passengers which has performed the outgoing trip comes back to the place of departure with a later drive in the same composition according to the terms of the cycle of travel. The first drive when returning and the last one when departing are performed with an empty vehicle;

44. Complete vehicles shall mean interconnected vehicles of at least one towing vehicle and one trailer vehicle, that participate in road traffic as a whole;

45. Maximum permissible weight is the weight of the vehicle with its load and

46. ​​Encore drive is a transport on a certain line in the intermunicipal and international road traffic performed by multiple vehicles that have the inscription “encore drive” indicating the number and order of buses with Roman numerals.

II REQUIREMENTS FOR PERFORMANCE OF ROAD TRANSPORT

**Article 4**

A domestic carrier may perform transport of passengers and goods in the domestic and international road transport based on a license.

The license for the carriage of passengers and goods in the international road transport is also issued in one of the world languages.

The costs incurred in relation to the issuance of licenses and other necessary documentation for the performance of road transport shall be borne by carrier.

**Article 4-а**

The extract of the license issued by the authority responsible for issuing licenses for each individual motor vehicle contains data relating to the authority issuing the license, the carrier, the tax number of the carrier, the number of the license and the validity period, the registration number, the chassis number and the type of the vehicle, the type of transport that can be performed by the vehicle in accordance with the issued license, the date of issuance and the signature and stamp of the authorized person.

**Article 5**

Road transport is performed by motor vehicles and trailers which fulfill the requirements defined by the safety regulations for road traffic and the special technical and exploitation requirements prescribed for certain types of transport.

The special technical and exploitation requirements for vehicles for certain types of carriage are prescribed by the Minister of Transport and Communications.

The certificate for fulfilment of the specific technical and exploitation requirements for the vehicles used to carry out certain types of road transport is issued by an authorised technical service for individual approval of vehicles for categories of vehicles in accordance with the Law on Vehicles or by the authorized technical service issuing ECMT certificates in accordance with this Law.

Upon the inspection of vehicles, the authorized technical service referred to in paragraph 3 of this Article also issues a certificate of environmental standards of the vehicle for every inspected vehicle.

The legal entity referred to in paragraph 3 of this Article shall perform the inspection professionally and completely in accordance with the provisions of this Law and the regulations adopted on the basis of this Law, and charges a fee therefore.

The fee for the performed inspection on the fulfilment of the special technical and exploitation requirements for vehicles by their class, that is, the Euro Standard shall be determined by the Minister of Transport and Communications.

The legal entity referred to in paragraph 3 of this Article issues a certificate for the vehicles that meet the specific technical and exploitation requirements.

The form and the content of the certificate referred to in paragraph 5 of this Article shall be defined by the Minister of Transport and Communications.

**Article 6**

When performing transport of passengers and goods in domestic and international road transport the carrier shall have in the vehicle:

- Extract of the license,

- License for road transport, if it is required by law, international treaty or agreement for carriage of passengers and goods by road concluded between Republic of Macedonia and the country to, from or through the territory of which the carriage is performed,

- Certificate for participation of the driver in international road traffic and

- Duly completed travel order.

When performing auto taxi transport the driver in the vehicle shall have certificate for auto taxi driver in the vehicle.

The provisions of paragraph 1, indents 2, 3 and 4 of this Article do not refer to auto taxi transport, for performance of transport by the vehicles referred to in Article 7 paragraph 2 of this Law with the exception of transport for their own needs, performed by vehicles the greatest load of which does not exceed 3,500 kg including the trailer.

The provision of paragraph 1 indent 3 of this Article does not refer to performance of transport in internal road traffic.

The carrier must keep records on the issued travel orders and shall keep them for at least one year.

The form and content of the travel order shall be prescribed by the Minister of Transport and Communications.

**Article 7**

For the performance of certain types of carriage in road transport the following types of licenses shall be issued:

1) in internal road traffic for:

- Municipal line passenger transport, that is, for line transport of passegners for the City of Skopje,

- Inter-municipal line passenger transport,

- Free transport of passengers and special line passenger transport,

- Passenger transport for personal needs,

- Auto taxi transport of passengers,

- Public transport of goods and

- Carriage of goods for personal needs.

2) in international road traffic for:

- International line passenger transport,

- International free passenger transport,

- International transport of passengers for personal needs,

- International public carriage of goods and

- International carriage of goods for personal needs.

3) license for the organization of transport of goods in domestic and international road transport.

The license referred to in paragraph (1) of this Article is not required in the case of transport by vehicles intended for the needs of public security, defense and the needs of public authorities, for transportation by postal vehicles or intervention vehicles, vehicles for medical and humanitarian transport, for transport for personal needs performed by legal and natural persons by vehicles, the largest load of which does not exceed 3,500 kg, including the trailer and transport by special vehicles, which are further adapted for a specific purpose and can not carry out transport as standard vehicles and are used for transport for personal needs (mobile library, mobile canteen, workshop, mobile sleeping facilities, etc.) and for municipal line transport of passengers by tram, trolleybus or other rail vehicles, performed by means of a treaty on establishing a concession or public private partnership.

All other requirements prescribed by this Law for transport of goods by road (travel order, certificate for participation of drivers in international road transport, certificate for fulflment of special technical and exploitation requirements, etc.) are also to be fulfilled by the vehicles which do not require an extract of a license for performance of transport for personal needs.

The form and content of the licenses referred to in paragraph 1 of this Article and the extract from the license for each vehicle under Article 4-a of this Law shall be prescribed by the Minister of Transport and Communications.

**Article 8**

[3](https://www.akademika.com.mk/)

The license referred to in Article 7 paragraph 1 items 1 and 2 of this Law can be obtained by a domestic legal or natural person (hereinafter referred to as: carrier), if it meets the following requirements:

1. it is registered in the Central Registry of the Republic of Macedonia and has a registered priority activity/main revenue code - performing carriage of passengers and goods by road;

2. it owns one or more vehicles registered for transport or has a lease contract, that meet the specific technical and exploitation requirements prescribed for vehicles performing certain types of transport in the domestic and/or international road transport, whereby for inter-municipal and international line passenger transport it must own or have a lease contract for at least two vehicles with a capacity of at least 22 seats per vehicle, for municipal line passenger transport to own two or several registered vehicles or to have a lease contract for vehicles with at least 8 + 1 seats, for line passenger transport in the City of Skopje to own one or several registered vehicles or to have a lease contract for vehicles with at least 8 + 1 seats, whereas for free transport and special line transport of passengers it must own or have a lease contract for at least one vehicle with a capacity of at least 8 + 1 seats per vehicle, meeting the special technical and exploitation requirements prescribed for vehicles performing certain types of transport;

3. to have full time employed drivers depending on the number of motor vehicles, at least one driver per vehicle (buses, freight vehicles) that meet the conditions prescribed by the road traffic safety regulations;

4. to have employed auto - taxi drivers depending on the number of vehicles owned, at least one driver per vehicle, and they must possess an international certificate of proficiency in English at A1 or A2 level in accordance with the Common European Framework of Reference of Languages ​​ (CEFR) established by the Council of Europe;

5. the vehicle performing taxi transportation of passengers must have a built in fiscal cash register and

6. the manager or the authorized person responsible for transport must have a certificate of professional competence;

7. have a sound financial position;

8. have a good reputation;

9. for international transport of passengers and goods to employ drivers who have a certificate of professional competence of a driver for participation in the international transport of passengers and goods.

A license for inter-municipal line passenger transport and a license for international line passenger transport is issued only to carriers who own vehicles with at least Euro 2 ecological standard.

The provisions of paragraph 1, item 6 of this Article do not apply to obtaining a license to perform auto taxi passenger transport for sole proprietors.

The provisions of paragraph 1, item 7 of this Article do not apply to obtaining a license for transport in the internal road traffic.

The provisions of paragraph 1, items 1 and 7 of this Article do not apply to obtaining a license for transport of passengers and goods for personal needs in domestic and international road transport.

The carrier submits an application for a license (new or renewal) to the Ministry of Transport and Communications or to the mayor of the municipality, or the mayor of the City of Skopje.

The evidence and data for fulfilling the requirements of paragraph (1) items 1), 2), 3), 6), 7), 8) and 9) of this Article shall be collected by the authorized official of the Ministry of Transport and Communications who is in charge of the procedure for issuing the license and within three days upon receiving the request, this official shall demand evidence from the competent public authority.

The evidence and data for fulfilling the requirements of paragraph (1) items 1, 4, 5 and 8 of this Article shall be collected by the authorized officer of the municipality, that is, the City of Skopje, as a competent authority for issuing a license for municipal passenger transport and auto taxi passenger transport, who shall demand evidence from the competent public authority within three days upon receiving the request.

The authorized official of the competent public authority is obliged to deliver the evidence referred to in paragraphs (7) and (8) of this Article within three days upon receiving the request.

The authorized official in the Ministry of Transport and Communications, the municipality, that is, the City of Skopje, is obliged to decide on the license application within 30 days upon the receipt thereof.

If the carrier does not meet the conditions for obtaining the license, the Ministry of Transport and Communications, that is, the mayor of the municipality, that is, the mayor of the City of Skopje, shall adopt a decision rejecting the request.

The decision of the Ministry of Transport and Communications, whereby the request for issuance of a license is refused, may be appealed within eight days upon receipt of the decision with the State Commission deciding in an administrative procedure and employment procedure in the second degree.

The decision of the mayor of the municipality or the decision of the mayor of the City of Skopje, whereby the request for issuance of a license is refused, may be appealed within eight days upon receipt of the decision with the Ministry of Transport and Communications.

If the municipalities and the City of Skopje possess vehicles for the transport of passengers with more than 8 + 1 seats for performance of transport should not possess a license.

Organization of transport may also be performed by a legal entity that holds a license for the organization of transportation, which on its own name and on behalf of the transport user, concludes a contract for transport with a carrier and who has no vehicles with excerpts of a license under this Law. The organizer of transport can not participate in tenders and public procurement calls, and it can not be a holder of a contract for carriage of passengers or goods.

A licence for organization of transport of goods in domestic and international road traffic may be obtained by a legal or natural person with a registered code of activity, supporting activities in transport and which has registered capital and reserves of at least EUR 100,000 in denar countervalue in the balance sheet of the previous year and/or registered capital for a new company, or a guarantee issued by a bank or an insurence company providing financial stability.

The provisions of paragraphs 1, items 1, 2, 3, 4, 5, 7 and 10 of this Article do not apply to a license for organization of transport of goods in domestic and international road transport.

The form and content of the application referred to in paragraph 1 of this Article shall be prescribed by the Minister of Transport and Communications.

**Article 8-а**

The certificate referred to in Article 8 paragraph 1 item 6 of this Law shall be issued by the Ministry of Transport and Communications on the basis of a certificate for passing the exam on professional competence.

The professional training of candidates for acquiring certificate for professional competence by the manager or authorized person responsible for the carriage, shall be performed by a legal entity, authorized by the Minister of Transport and Communications, which has:

- Minimum 30 m² space equipped for the training,

- Information technology and other equipment for record keeping and

- At least three persons engaged as full time employees with higher education (faculty of economy, traffic or law), with at least three years work experience in the area of transport, holding a certificate of trainers of professional competence, issued by the Ministry of Transport and Communications, after passing an exam for trainers of professional competence based on a programme.

The exam for obtaining the certificate referred to in paragraph 1 of this Article shall be taken before a Commission for examination of professional competence (hereinafter referred to as: the Commission), established by the Minister of Transport and Communications.

The Commission under paragraph 3 of this Article consists of five members, three members of the Ministry of Transport and Communications and two members from various forms of association of carriers.

The exam is taken in an examination session that is conducted each month.

The members of the Commission receive a compensation for their work.

The candidates who have passed the exam receive a certificate for passing the exam for professional competence.

Candidates must pay a fee in order to be able to take the exam for professional competence.

The fee should be within the expenses incurred for: training, books, supplies, costs of the Commission and the like. The estimate shall be established by the legal entity referred to in paragraph 2 of this Article upon prior approval of the Minister of Transport and Communications.

The Ministry of Transport and Communications maintains records of individuals who passed the exam for obtaining a certificate of professional competence. [4](https://www.akademika.com.mk/)

The manner, procedure and programme of taking the exam for obtaining a certificate of professional competence by the manager or a person authorized by them, who is responsible for transport, the form and content of the certificate for passed exam and the certificate of professional competence, shall be prescribed by the Minister of Transport and Communications.

**Article 8-b**

The certificate referred to in Article 8 paragraph 1 item 10 of this Law shall be issued by the Ministry of Transport and Communications, based on a copy of a valid driver’s license and a certificate for passing the exam for participation of drivers in international road transport.

The certificate of professional competence of the driver for participation in the international transport of passengers and goods shall be produced by the legal entity selected by the Ministry of Transport and Communications by means of a public procurement call, and the cost for production of the certificate shall be borne by the applicant.

The fee for the preparation of the certificate shall be defined by the legal entity upon prior approval of the Minister of Transport and Communications.

The certificate of professional competence of the driver for participation in the international transport of passengers and goods shall be issued with a validity of five years and it shall be renewed before the expiry of the period of validity on the basis of a certificate for passing the exam for participation of drivers in international road transport.

The professional training of drivers for obtaining a certificate of professional competence of the driver for participation in the international transport of passengers and goods shall be performed by a legal entity authorized by the Minister of Transport and Communications has:

- Minimum 30 m² space equipped for the training,

- Information technology and other equipment for record keeping and

- At least three persons engaged as full time employees with higher education (faculty of economy, traffic or law), with at least three years work experience in the area of transport, holding a certificate of trainers for participation of drivers in the international transport of passengers and goods, issued by the Ministry of Transport and Communications, after passing an exam for trainers of professional competence based on a programme.

The exam for obtaining the certificate referred to in paragraph 1 of this Article shall be taken before a Commission for examination of professional competence of a driver for participation in the international transport of passengers and goods (hereinafter referred to as: the Commission), established by the Minister of Transport and Communications. [5](https://www.akademika.com.mk/)

The Commission under paragraph 3 of this Article consists of five members, three members of the Ministry of Transport and Communications and two members from various forms of association of carriers.

The exam for acquiring the certificate referred to in paragraph 1 is taken in an examination session that is conducted each month.

The members of the Commission receive a compensation for their work.

The candidates who have passed the exam for acquiring a certificate for professional competence of a driver for participation in the international transport of passengers and goods receive a certificate.

Candidates must pay a fee in order to be able to take the exam.

The fee should be within the expenses incurred for training: books, supplies, costs of the Commission and the like. The estimate shall be established by the legal entity referred to in paragraph 2 of this Article upon prior approval of the Minister of Transport and Communications.

The Ministry of Transport and Communications maintains records of individuals who passed the exam for obtaining a certificate of professional competence of a driver for participation in the international transport of passengers and goods.

The manner, procedure and programme of taking the exam for obtaining a certificate of professional competence of a driver for participation in the international transport of passengers and goods, the form and content of the certificate for passed exam and the certificate, shall be prescribed by the Minister of Transport and Communications.

**Article 8-c**

**Solid financial status**

A solid financial status, in accordance with this Law, shall have the carrier with available capital and reserves of at least EUR 9,000 in denar countervalue for the first vehicle and EUR 5,000 in denar countervalue for each subsequent vehicle.

The financial status shall be proved by one of the following documents:

- Entered data on capital and reserves in the balance sheet for the previous year or

- A guarantee issued by a bank or insurence company with a validity period identical to the validity period of the license or

- Bank statement on deposited funds, deposited for a period which is appropriate to the period of the validity of the license, in the amount set out in paragraph 1 of this Article, as well as a guarantee of leased vehicles that are not fixed assets of the company.

The provisions of paragraph 2 indent 1 of this Article do not apply to a newly established company for the first year of establishment, that is, before the legally prescribed period for making the account of settlement.

The carrier proving its financial status by means of registered data on the equity [6](https://www.akademika.com.mk/) and reserves in the balance sheet for the previous year, within the period of validity of the license, shall within six months following the deadline for submitting the balance sheet at the competent authority, correct the state of the account “registered capital and reserves”, if there is a depreciation in value in terms of the value under paragraph 1 of this Article.

**Good reputation**

**Article 8-d**

The legal entity and the responsible person at the legal entity, or the natural person wishing to perform road transport, must have a good reputation under this Law.

The legal or natural persons and the responsible person at the legal person do not have a good reputation under this Law, if they have received:

- A final judgment for a crime against the property, the economy and crimes in the area of ​​ public transport safety with imprisonment of one to ten years, during the execution of the sentence and

- Misdemeanor security measure - ban on performing profession, activity or duty with a sentence of one to ten years of imprisonment, during the execution of the sentence.

A newly registered legal person is a legal person that has been registered in the Central Registry of the Republic of Macedonia for not more than six months and it is not obliged to prove the obligation of good reputation.

**Article 8-e**

The professional training of candidates for obtaining a SPC to a responsible person referred to in Article 8 paragraph 1 item 6 of this Law shall be carried out by a legal entity authorized by the Minister of Transport and Communications, who has:

- a minimum of 30 m2 of space equipped for the maintenance of the training,

- information technology and other record keeping equipment; and

- at least three persons employed in full-time full-time employment with a university degree (economical, legal, traffic or mechanical engineering), with at least three years of work experience in the field of road traffic that possess a certificate for professional competency trainers issued from the Ministry of Transport and Communications, after a previously passed exam for professional competency trainers based on the program.

The legal entity referred to in paragraph 1 of this Article shall submit for the consent of the Minister of Transport and Communications a training manual prepared in accordance with the prescribed program.

Persons who have at least ten years of working experience in the transport as a manager or authorized person responsible for transport and higher education shall be exempted from taking the exam for obtaining a SPC to a responsible person. The Ministry of Transport and Communications of the SPC issues a responsible person on the basis of a submitted request together with evidence for fulfilling the prescribed conditions from this paragraph.

In the event of damaged, lost or stolen SPC of a responsible person, the holder is obliged to announce it as void in the "Official Gazette of the Republic of Macedonia" and inform the Ministry of Transport and Communications thereof, whereby he / she is obligated together with the request, the application for the advertisement, to give a signed statement with accurate information about the circumstances under which the SPC of the responsible person of the carrier is damaged, lost or stolen. The Ministry of Transport and Communications will issue a new certificate to him.

The Minister of Transport and Communications shall prescribe the detailed conditions to be met by the legal entities referred to in paragraph 1 of this Article and the procedure for conducting the training, the form and the content of the certificate for completed training.

**Article 8-f**

The exams, referred to in Article 8-a, 8-b and 8-i of this Law, shall be taken in an examination room, specifically equipped for taking a professional exam with material and technical and IT equipment, Internet connection and equipment for recording of the exam.

The examination is recorded and broadcasted live on the website of the Ministry of Transport and Communications, and if the recording is interrupted for technical reasons, the record of the entire exam shall be posted on the website of the Ministry of Transport and Communications.

The criteria in terms of the requirements relating to the premises and the material and technical and IT equipment in the premises for taking the examination shall be prescribed by the Minister of Transport and Communications.

The Ministry of Transport and Communications shall create the single electronic system for the examinations of Article 8-a, 8-b and 8-i of this Law until the date of application of this Law at the latest.

**Article 8-g**

The bases of exam questions are prepared by the authorized legal entities under Articles 8-e, paragraph 2 and 8-b, paragraph 3 of this Law.

The questions for the exam are verified by the Ministry of Transport and Communications, which establishes a Commission for verification, consisting of members from the Ministry of Transport and Communications (hereinafter referred to as: the Commission). The Commission shall review and update the questions at least twice a year, deciding at least 30% of the questions to be modified or completely removed from the bases of paragraph 1 of this Article.

The exam is taken by answering a number of questions in the form of doing an electronic computer test.

The questions contained in the test for taking the exam and the answers are stored in the single electronic examination system.

The electronic system also includes a publicly available database of at least 500 questions in the respective area.

The results of the examination are available to the candidate on the computer where the candidate took the exam immediately after its completion.

On the day of the exam the candidate is given an access code, that is, password granting them access to the electronic system.

Upon approval of the access, the candidate is given an electronic test for the exam.

In case the conducting of the exam is impeded, for reasons that lead to technical impossibility of functioning of the electronic system, the examination is terminated.

If the reasons stated in paragraph 9 of this Article are removed within 60 minutes upon termination of the exam, the exam continues immediately after their removal.

If the reasons stated in paragraph 9 of this Article are not removed within the period stipulated in paragraph 10 of this Article, the exam shall be rescheduled for another date.

The candidate is not allowed to have a contact with other candidates or persons during the exam, other than the IT expert, in case there is a technical problem with the computer. During the exam, the candidate shall not use laws, bylaws or other written materials, a mobile phone or other portable computing devices and other technical and information resources, pre-prepared items and the like.

If the technical problems with the computer are removed within five minutes the exam continues, and if they are not removed within this period, the exam terminates only for that candidate and shall be held within a period of maximum three days from the date of the termination of the exam.

If there are problems with more than five computers and they are not removed within five minutes, the exam shall be terminated for all the candidates taking the exam and shall be held within a period of maximum three days from the date of termination of the exam.

If during the examination the candidate acts contrary to paragraph 12 of this Article, they shall not be allowed to take further exams in that examination session and they shall be imposed a ban on taking the exam for a period of three years, whereof the Ministry of Transport and Communications adopts a decision against which the candidate may initiate an administrative dispute before the competent court within 30 days upon the receipt of the decision.

In the cases referred to in paragraph 15 of this Article, it is considered that the candidate has not passed the exam and it shall be noted in the exam minutes.

At the request of the candidate, the Ministry shall inform them of the mistakes made in the test for the exam by providing them immediate insight into the test.

**Article 8-h**

A person national of the Republic of Macedonia or a person from another country who has a working visa for performing a profession driver for a Macedonian carrier engaged in international transport of passengers or goods with 18 or 21 years of age, depending on the prescribed age limits in accordance with the regulations on traffic safety, has to have a CPC for driver.

In order to obtain CPC for driver, motor vehicle drivers must attend initial qualification training or advanced initial qualification and periodic training if they drive vehicles that require:

- driver's permit from the categories C1, C1E, C or CE, and

- driver's license from the categories D1, D1E, D or DE.

The initial qualification consists of theoretical and practical training in authorized training centers lasting 280 hours (140 hours for an advanced initial qualification) and an examination to test the acquired knowledge.

CPC for driver is issued with a validity period of five years and it is extended no later than 45 days before the validity period expires, based on the Minutes for passed exam from periodic training for professional training of a driver.

Periodic training of a driver for participation in international road transport, which lasts 35 hours, is performed by a legal entity authorized by the Minister of Transport and Communications.

The training referred to in paragraphs 3 and 5 of this Article shall be carried out by a legal entity authorized by the Minister of Transport and Communications that has available:

- a minimum of 30 m2 of space equipped for participation in training,

- an engaged vehicle for carrying out practical training,

- information technology and record keeping equipment; and

- a minimum of three persons employed regularly with full-time employment with a higher education (faculty of economic, law faculty or one of the technical faculties), with at least three years of work experience in the field of road transport with possession of a certificate for trainers for participation of drivers in the international road transport issued by the Ministry of Transport and Communications after a previously passed exam for trainers based on a program.

The Ministry of Transport and Communications keeps records of the persons who have passed the exam for obtaining CPC for drivers and of persons who have already been issued CPC for driver for participation in international road transport.

In case of damaged, lost or stolen CPC for driver for participation in the international road transport, the holder is obliged to announce it as void in the Official Gazette of the Republic of Macedonia and inform the Ministry of Transport and Communications thereof, whereby he is obligated together with the request, the application for announcement, also to submit a hand-written statement with accurate information about the circumstances under which the CPC of the responsible person in the undertaking is damaged, lost or stolen. The Ministry of Transport and Communications shall issue a new CPC for driver for participation in the international road transport with the same validity period.

Detailed conditions that should be fulfilled by the legal entities referred to in paragraph 1 of this Article and the procedure for conducting the training, the form and the content of the certificate for the completed training shall be prescribed by the Minister of Transport and Communications.

**Article 8-i**

The professional and administrative work for the implementation of the professional exams shall be conducted by the Ministry of Transport and Communications, wherefore the Minister of Transport and Communications establishes a responsible person who determines whether the applicant meets the requirements for taking the exam and the exam is technically implemented by the legal entity registered at the Central Registry and selected by the Minister of Transport and Communications.

The responsible person referred to in paragraph 1 of this Article is entitled to compensation for each examination session held, and the amount of the compensation shall be one third of the average net salary in the Republic of Macedonia, wherefore the Ministry of Transport and Communications adopts a decision.

The authorized person that technically administers the exam is obliged to block the radio frequency band in the examination room during the conducting of the examination.

The Agency for Electronic Communications (hereinafter referred to as: AEC) continuously monitors the blocking of the radio frequency band in the examination room, in order to prevent any type of electronic communication with the surroundings outside the examination room.

In the examination room AEC installs a measuring equipment that provides an electronic record of the measurements for 30 days and they are stored at the central control system of AEC.

AEC establishes a three-member commission that prepares a report based on the electronic records stored at the central control system of AEC and submits it to the Ministry of Justice no later than 15 days after the end of the examination session.

**Article 8-j**

The certificate referred to in Article 8, paragraph 1, item 4 of this Law shall be issued by the municipalities or the City of Skopje on the basis of a certificate for passing the exam for auto taxi driver.

The professional training of candidates for acquiring a certificate for auto taxi driver shall be performed by a legal entity authorized by the municipality or the City of Skopje, which has:

- Minimum 30 m² space equipped for the training,

- Information technology and other equipment for record keeping and

- At least three persons engaged as full time employees with higher education (faculty of economy, traffic or law), with at least three years of work experience in the area of transport.

The exam for obtaining the certificate from paragraph 1 of this Article is taken under the Programme for the exam for obtaining a certificate of auto taxi driver prepared by the legal entity referred to in paragraph 2 of this Article before a Commission for taking an exam for auto taxi driver (hereinafter referred to as: Commission), established by the mayor of the municipality or the mayor of the City of Skopje.

The Commission under paragraph 3 of this Article consists of five members, three members from the municipality or the City of Skopje and two members from various forms of association of carriers.

The Commission members receive a compensation for their work.

The candidates who passed the exam are issued a certificate for passing the exam for auto taxi driver.

Candidates must pay a fee to be able to take the exam for auto taxi driver.

The fee should be within the expenses for training, books, supplies, costs for the Exam Commission and the like. The estimate shall be established by the legal entity referred to in paragraph 2 of this Article upon prior consent of the mayor of the municipality or the mayor of the City of Skopje.

The municipalities, that is, the City of Skopje shall keep records of persons who have passed the exam for obtaining a certificate for auto taxi driver.

The procedure and the programme for taking the exam for obtaining a certificate for auto taxi driver, the form and content of the certificate for passed exam and the certificate for auto taxi driver shall be prescribed by the Minister of Transport and Communication.

**Article 9**

The license and the extract from the license for each motor vehicle used to perform the transport provided for in Article 7 of this Law shall be issued by the Ministry of Transport and Communications, other than the license and the extract of the license for municipal passenger transport and auto taxi transport of passengers, which are issued by the mayor of the municipality, that is, for the City of Skopje, by the mayor of the City of Skopje.

The license and the extract from the license shall be issued with a validity period of four years.

The license for organization of transport of goods and/or passengers in the domestic and international road transport shall be issued with a validity period of ten years.

The carrier is obliged within 30 days before the expiry of the license to submit an application for its extension to the competent authority for its issuance in accordance with the provisions of Article 8 of this Law. The competent authority in dealing with the application of this paragraph shall ex officio verify the reliability of the existing data from the records of the carrier. [9](https://www.akademika.com.mk/)

The data on licenses and extracts from the licenses for any motor vehicle that is used for the transport provided for in Article 7 of the Law and the licenses and the extracts from the licenses for municipal passenger transport and auto taxi transport of passengers are entered into the electronic database managed by the Ministry of Transport and Communications.

The municipalities, that is, the City of Skopje are obliged to enter the data on licenses issued and extracts of licenses for municipal passenger transport and auto taxi transport of passengers on a daily basis in the electronic database referred to in paragraph 5 of this Article.

**Article 9-а**

Holders of family farms registered in the Ministry of Agriculture, Forestry and Water Economy who own or have leased a maximum of two vehicles for personal needs should not hold a license under this Law, that is, they perform the transport on the basis of a certificate issued by the Ministry of Transport and Communications.

**Article 9-b**

A holder of a family farm may obtain the certificate referred to in Article 9-a of this Law if they meet the following conditions:

1) possess a certificate or other act that they are registered at the Ministry of Agriculture, Forestry and Water Economy as a holder of family farm and

2) own or have contracted to lease maximum two registered vehicles for transport that meet the specific technical and exploitation requirements prescribed for vehicles performing certain types of transport in the internal road traffic.

The certificate of Article 9-a of this Law shall be issued with a validity of five years.

The certificate of Article 9-a of this Law may be extended for a period of five years, by filing a request for extension of the certificate before the deadline of the validity of the existing certificate.

The form and content of the certificate of Article 9-a of this Law shall be prescribed by the Minister of Transport and Communications.

**Article 9-c**

The holder of a family farm that meets the requirements of Article 9-b of this Law submits a request for the certificate of Article 9-a of this Law to the Ministry of Transport and Communications, by submitting written evidence of compliance with the conditions prescribed by this Law.

The Ministry of Transport and Communications shall issue the certificate within 30 days upon receipt of the complete application for issuance of the certificate.

The form and content of the application and the required documentation referred to in paragraph 1 of this Article shall be prescribed by the Minister of Transport and Communications.

The Ministry of Transport and Communications shall adopt a decision to revoke the certificate if:

- The holder of a family farm supplied incorrect data needed for issuing the certificate,

- The holder of a family farm files a request for cancellation of the certificate and

- The holder of a family farm ceases to fulfill any of the conditions laid down for its issuing.

Appeal may be filed against the decision issued by the Ministry of Transport and Communications within eight days upon receipt thereof with the State Commission for deciding in administrative procedure in the second degree and in proceedings on labor relations.

The holder of a family farm is obliged, by the effective decision revoking their certificate, immediately, and no later than eight days, to return the certificate to the Ministry of Transport and Communications.

**Article 9-d**

The Ministry of Transport and Communications shall keep records regarding the certificates issued under Article 9-a of this Law.

**Article 10**

*Deleted*

[10](https://www.akademika.com.mk/)

**Article10-а**

In the municipalities or the City of Skopje, where there is a limited number of vehicles which can obtain an extract from a license, a carrier licensed to perform auto taxi may submit to the authority that issued the license an application for standstill of the extract of the license for a particular vehicle for a maximum period of two months in the current year. In a current year the carrier may submit a request for standstill of the extract from the license for a particular vehicle only once.

The municipalities or the City of Skopje, within five days upon receipt of the request for standstill shall issue a decision approving or rejecting the request.

The decision of paragraph 2 of this Article may be appealed within eight days upon its receipt with the Minister of Transport and Communications.

A carrier may not perform auto taxi transport of passengers in a vehicle for which the decision under paragraph 2 of this Article was adopted.

If the authorized inspector of the municipality or the City of Skopje found acting contrary to paragraph 4 of this Article, upon proposal of the authorized inspector of the municipality or the City of Skopje, the municipality or the City of Skopje may decide to revoke the extract of the license on performance of auto taxes passenger transport.

The decision of paragraph 5 of this Article may be appealed within eight days upon its receipt with the Minister of Transport and Communications.

**Article 11**

The carrier may begin to perform transport of passengers and goods in the domestic and international road transport after obtaining a license and an extract of the license.

Municipal line passenger transport may also be performed by rail vehicles in accordance with a contract on establishing a concession or public private partnership. [11](https://www.akademika.com.mk/)

The license and the extract of the license are issued in the name of the carrier and can not be transferred to another carrier.

A legal or natural person that does not own vehicles can perform organization of transport of goods in the domestic and international road transport after obtaining a license for organization of transport.

The carrier shall immediately, or within 15 days at the latest, notify the competent authority for issuing licenses of any changes occurring with respect to its meeting the requirements for obtaining a license under Article 8 of this Law.

The carrier is obliged to provide conditions for performing control and to give the necessary documentation to the controlling authority.

The inspector shall submit a written report to the competent authority that issued the license regarding the conducted control and the situation determined.

**Article 12**

The authority responsible for issuing the license and the extract of a license shall adopt a decision on revoking thereof in the event that: [12](https://www.akademika.com.mk/)

- The carrier submitted inaccurate data needed for issuing the license or the extract of the license,

- The carrier filed a request for cancellation of the license or the extract of the license,

- They establish that the transport is performed contrary to the issued license and

- The carrier ceases to fulfill any of the conditions required for their issuance.

A copy of the decision for revoking the license and the extract from the license shall be submitted to the State Inspectorate for Transport, that is, the authorized inspector of the municipality or the inspector of the City of Skopje authorized for road transport.

Appeal may be filed against the decision adopted by the Ministry of Transport and Communications within eight days upon receipt thereof with the State Commission for deciding in administrative procedure in the second degree and in proceedings on labor relations. [13](https://www.akademika.com.mk/)

Appeal may be filed against the decision adopted by the mayor of the municipality or the mayor of the City of Skopje, within eight days of receiving the decision, with the Ministry of Transport and Communications. [14](https://www.akademika.com.mk/)

The carrier is obliged by the effective decision revoking the license and the extract from the license immediately, and not later than eight days, to return the license and any extracts from the license to the authority that issued them.

III KEEPING RECORDS

**Article 13**

The Ministry of Transport and Communications, or the municipality or the City of Skopje are obliged to keep records for carriers and motor vehicles registered for carriage of passengers and goods in road transport depending on the type of carriage.

The records referred to in paragraph (1) of this Article may be kept as a central information database, on the basis of the data provided and used by the Ministry of Transport and Communications, the municipality or the City of Skopje, the Ministry of Finance, the Ministry of Interior, the Central Registry of the Republic of Macedonia, the Customs Authority, the competent court of first instance and the Pension and Disability insurance Fund.

**Article 14**

The records of Article 13 of this Law shall be divided into record of international and records of domestic carriers.

The Ministry of Transport and Communications is obliged to collect, process, store, act as intermediary and use data required for issuing of licenses for performance of certain types of road transport and registration of bus timetables, as well as data required for the allocation of permits for the transport of passengers and goods.

The municipality, that is, the City of Skopje are obliged to collect, process, store and use data needed for issuing licenses for municipal line passenger transport or auto taxi transport of passengers.

The records shall include the following data:

- Identification number, tax identification number, name and address of the carrier,

- Name and surname of the person responsible for transport and the number of the certificate of professional competence of the manager, that is, the authorized person responsible for transport,

- Number and validity period of the issued license, type of transportation for which the license was issued, category, type and registration number and other data for the vehicles for which the license was issued,

- Name and surname, personal identification number (PIN) and certificate for participation of drivers in the international road transport,

- data whether there is an effective court decision for crimes against property, business or traffic safety and

- Measures pronounced against carriers under this Law or international agreements.

The data referred to in paragraph 4 of this Article may also be collected from the records of the Ministry of Interior, the Central Registry of the Republic of Macedonia, the Customs Authority, the Ministry of Finance, the competent court of first instance and the Pension and Disability Insurance Fund. When collecting data on the carrier from the existing databases, the Ministry of Transport and Communications is not obliged to inform the carrier to which the data relate.

The authorities, organizations and individuals who possess the data, that is, the databases from paragraph 4 of this Article, shall upon prior request submit these data to the Ministry of Transport and Communications.

In order to ensure the availability of the data from this Article, the Ministry of Transport and Communications may establish a direct computer connection with all of the above-stated authorities and organizations that keep such data or databases.

**Article 15**

The data from Article 14 of this Law are maintained for the entire period when the carrier is registered in the records of carriers.

The data shall be stored additional five years from the day when the carrier was deleted from the records of carriers.

The data from Article 14 of this Law may be given to other state authorities, if they so request and if their request is related only to the transport activity of the carriers.

**Article 16**

The Ministry of Transport and Communications, or the municipality or the City of Skopje shall delete the carrier from the records of carriers, if it determines that the carrier was deleted from the Central Registry, the validity of its license ceased, or its license for certain types of transport in the road traffic was revoked.

The carrier shall be deleted as of the day when it was deleted from the Central Registry, the date of the cessation of the validity of its license, or the date of the effectiveness of the decision by which the license was revoked.

IV TRANSPORT OF PASSENGERS

**Article 17**

The passenger transport in the internal road traffic can be performed as line transport, free and special transport of passengers and passenger transport for personal needs.

The public passenger transport in the internal road traffic can be performed as municipal line transport, inter-municipal line transport, free transport, special line transport, auto taxi transport and passenger transport for personal needs.

The transport of passengers in international road transport can be performed as line passenger transport, as free passenger transport and transport of passengers for personal needs.

**Article 17-а**

Passengers who use public line transport should keep their ticket during the whole trip.

The passenger must, at the request of the inspector for road traffic, as well as of the controllers of the carrier that maintains the carriage, give their ticket for inspection.

The driver of the vehicle shall on the basis of the available seats in the vehicle accommodate the passengers and their personal luggage.

The driver of the vehicle must not allow entry or exit of passengers and load or unload of luggage outside the bus stations or bus stops defined in the timetable.

**1. LINE PASSENGER TRANSPORT**

**1.1. Municipal line passenger transport**

**Article18**

Municipal line passenger transport may be performed by carriers that possess a license for such transport.

**Article19**

Municipal line passenger transport shall be performed on the basis of a license for a particular line issued by the mayor of the municipality, or the mayor of the City of Skopje for the area of ​​the City of Skopje.

A carrier which has a license for performance of municipal line passenger transport may start performing the transport, once they received a license and registered a timetable for a particular line with the mayor of the municipality or the mayor of the City of Skopje.

The license and the timetable referred to in paragraph 2 of this Article are issued with a validity of five years.

The form and content of the license from paragraph 2 of this Article shall be prescribed by the Minister of Transport and Communications.

**Article 19-а**

In determining the municipal line passenger transport care should be taken of:

- the interconnection between the inter-municipal transport and the municipal line passenger transport and

- the interconnection of the municipal passenger transport with other types of transport.

**Article 19-b**

In municipalities with over 100,000 inhabitants the municipality is obliged to organize municipal line passenger transport as a public service.

**Article 20**

When performing municipal line passenger transport the carrier is obliged to have an extract from the license in the vehicle, a travel order in the original and a registered timetable in the original.

The carrier is obliged to adhere to the timetable registered and regularly maintain the line.

**Article 21**

The entry and exit of passengers in municipal line transport is carried out at the bus stops in accordance with the established and registered timetable.

The buses, on a visible place on the front and lateral right side should contain the line number,as well as the initial and final stop.

**Article 22**

The municipal council, except the municipal councils of the City of Skopje regulate the municipal line passenger transport on the territory of the municipality, and the line passenger transport on the territory of all the municipalities of the City of Skopje is regulated by the Council of the City of Skopje, whereby in particular, they determine:

- A unique network of lines,

- A timetable, method of placement, maintenance and modification thereof,

- A method of organizing the traffic control of bus lines, as well as records relating thereto,

- A tariff system, billing system and method and control of the collection;

- Location of the bus terminals, turning places, bus stops and the procedure for their modification,

- Construction, marking, equipping, maintenance and use of the bus terminals, turning places and bus stops,

- Determining the route and place of transport by vans with at least nine seats (8 + 1), and

- Criteria for the manner and procedure for issuing and revoking of the license for performance of municipal line transport and distribution of lines of carriers in the municipal line transport.

The unique tariff system and the method of sale of bus tickets, or electronic tickets for all carriers performing line passenger transport in the area of the City of Skopje shall be determined by the Council of the City of Skopje by means of a decision.

**Article 22-а**

The City of Skopje may organize line passenger transport from the municipalities of Aracinovo, Zelenikovo, Ilinden, Petrovec, Sopiste, Studenicani and Cucer Sandevo if those municipalities or some of them do not or cannot organize transport to the City of Skopje.

For the purpose of organizing the transport of paragraph 1 of this Article, the City of Skopje may conclude an agreement with the respective municipality to establish the mutual rights and obligations, determining the turning places and bus stops and the manner of funding the transport.

In the case of paragraph 1 of this Article the licenses, permits and timetables for performance of municipal line passenger transport shall be issued by the City of Skopje.

**Article 23**

One or more municipalities based in a village of a municipality based in the city to which they gravitate as specified by law, may jointly organize the performance of the inter-municipal line passenger transport with an obligation to observe the time interval of the stations from the part of the common route of approved timetables for inter-municipal line passenger transport in concluding the agreement.

The municipalities shall determine by agreement the manner and conditions for the joint organization of the performance of the line transport of passengers referred to in paragraph 1 of this Article.

The agreement under paragraph 2 of this Article shall in particular include:

- A unique network of lines,

- A timetable, method of placement, maintenance and modification thereof,

- Location of the bus stops, their marking, equipment, maintenance and use,

- A tariff system and a billing system;

- Criteria and manner and procedure for issuing and revoking of the license for performance of transport and distribution of timetables set out in the unique network of lines among the carriers from the municipalities who have agreed to jointly organize the line passenger transport on their areas.

A consent to the agreement referred to in paragraph 2 of this Article shall be provided by the Ministry of Transport and Communications. [15](https://www.akademika.com.mk/)

A copy of the agreement to which a consent was given shall be kept at the Ministry of Transport and Communications.

If the municipalities conclude an agreement, and they have not received a consent thereto from the Minister of Transport and Communications, the agreement shall have no legal effect, that is, the agreement is null and void.

**Article 23-a**

The provisions of Articles 24, 25, 25-a, 26, 27, 28, 29, 30, 31, 32, 34 and 35 of this Law shall also apply respectively to inter-municipal line transport of passengers referred to in Article 23 of this Law.

**Article 23-b**

Performing municipal line passenger transport by trolleybus, tram or other types of rail vehicles may be subject to a concession or public private partnership under the terms and conditions stipulated by the Law on Concessions and Public Private Partnership and the conditions laid down by the Municipal Council, or the Council of the City of Skopje.

The concession or public private partnership for municipal line passenger transport by trolleybus, tram or other types of rail vehicles are regulated by an agreement on establishment of a concession or public private partnership.

The decision on granting a concession or public private partnership for municipal line passenger transport by trolleybus, tram or other types of rail vehicles shall be adopted by the Municipal Council or the Council of the City of Skopje.

The Municipal Council or the Council of the City of Skopje may adopt a decision on the conditions to be met in the procedure of concession or public private partnership for municipal line passenger transport by trolleybus, tram or other types of rail vehicles relating to the transport in the municipality, or the city.

The concession agreement, that is, agreement on public private partnership may be concluded for a maximum period of 35 years.

The concession agreement, that is, agreement on public private partnership may be transferred by a written consent of the grantor or the public partner, under the conditions specified in the agreement and without prejudice to the duration thereof.

**1.2. Inter-municipal line passenger transport**

**Article 24**

Inter-municipal line passenger transport may be performed only by a carrier that possesses a license for this kind of transport.

Inter-municipal line passenger transport is performed on a certain line at a pre-agreed timetable and determined and published fare.

Inter-municipal line passenger transport may be performed as passenger, direct and fast transport.

**Article 24-а**

[16](https://www.akademika.com.mk/)

The Ministry of Transport and Communications approves the timetables for new lines or modification of timetables of approved lines at the request of the interested carriers.

The Ministry of Transport and Communications shall place an announcement on its website and in the daily newspapers regarding the approval of timetables for new lines or modification of timetables of approved lines.

The announcement from paragraph 2 of this Article shall be published once a year, in the month of May of the current year.

The procedure for approval of timetables for new lines or modification of timetables of approved lines shall be conducted electronically.

All carriers who have a license for inter-municipal or international transport of passengers have the right to apply to the announcement.

In the electronic application for approval of timetables for new lines or modification of timetables of approved lines, if on the route of the line of the already approved timetable, there are two common stations, the carrier should take into consideration the time intervals of departure, as follows: for inter-municipal line transport

|  |  |
| --- | --- |
| Length of the line in km | Minimum time difference in minutes |
|  | before/after |
| 0 - 40 km | 30 |
| 41- 80 km | 50 |
| 81-120 km | 60 |
| above 120 km | 90 |

In the electronic application for approval of timetables for new lines, or modification of timetables of approved lines, if on the route of the line of the already approved timetable there are two joint stations, of which one in the Republic of Macedonia and the other on the territory of the country of arrival, and it is applied for a new international timetable, the carrier should take into consideration the time intervals of departure for the part of the territory of the Republic of Macedonia, for the international transport lines.

|  |  |
| --- | --- |
| Length of the line in km | Minimum time difference in minutes |
|  | before/after |
| 0 - 250 km | 60 |
| 251 - 600 km | 180 |
| 601 - 1800 km | 240 |
| above 1801 km | 360 |

In the electronic application for approval of a new timetable for an international line on the territory of the Republic of Macedonia, if the line is in length of 250 km, the carrier must apply for at least one station, if the line is in length of 600 km, the carrier must apply for at least 2 stations, if the line is in length of over 601 km, the carrier must apply for at least 3 stations.

In the electronic application for approval of a timetable for new lines, if on the route of the line for an already approved timetable there are two joint stations, for departure from Veles, Kumanovo and Tetovo to Skopje in the period from 6.00 to 8.00 am every day and departure from Skopje to Veles, Kumanovo and Tetovo between 15.30 and 17.30 pm every day, the interval from one to another departure is 10 minutes.

In the electronic application for approval of timetables for new lines, or modification of timetables of approved lines, the carrier should take into consideration the approved timetables posted on the website of the Ministry of Transport and Communications and the approved timetables by agreement between two municipalities.

If the timetable for a line of inter-municipal and international transport of passengers is with several departures that cannot be maintained by a single vehicle, the carrier shall possess for these timetables as many vehicles as necessary to be able to maintain all departures for which permits were issued, including the vehicles that they need to maintain the newly approved timetables for passenger transport.

The carrier, based on the profit gained in the previous year, is entitled to apply for inter-municipal and international transport of passengers, as follows:

- From MKD 1,000,000 to MKD 2,000,000 - a maximum of 3 applications,

- From MKD 2,000,001 to MKD 4,000,000 - a maximum of 5 applications,

- From MKD 4,000,001 to MKD 6,000,000 - a maximum of 7 application and

- Above MKD 6,000,001 - a maximum of 9 applications.

The carrier which obtained the appropriate license in the year when the procedure based on the announcement was conducted, that is, before the legally prescribed period for creation of the account of settlement, has the right to submit as many applications for inter-municipal and international passenger transport as the number of vehicles owned with an extract of a license.

The procedure for approval of timetables for new lines and modification of timetables for approved lines shall be monitored and controlled by the Commission for approval of timetables for new lines and modification of timetables for approved lines (hereinafter referred to as: the Commission) established by the Minister of Transport and Communications.

The evidence and data for fulfilling the requirements of paragraphs 11 and 12 of this Article shall be collected by the Commission which shall, within three days from the application, request the evidence from the competent public authority.

Based on the results of the computer processed applications, the Commission referred to in paragraph 14 of this Article shall compose a draft list of approved, that is, rejected applications and shall submit it to the Minister of Transport and Communications for approval.

Based on the approved lists, the Ministry of Transport and Communications shall adopt a decision whereby the timetable for the line is approved or the application is refused.

Against the decision of paragraph 17 of this Article, an appeal may be filed within eight days upon receipt of the decision with the State Commission for deciding in an administrative procedure and procedure on labour relations in the second degree.

The Commission under paragraph 14 of this Article consists of five members, three members of the Ministry of Transport and Communications and two members of the associations of carriers in road transport.

The manner and the more specific conditions for approval of timetables for new lines and modification of approved lines in the inter-municipal and international passenger transport, the issuance, renewal and revocation of the license for the approved line, the form and content of the license and of the timetable, shall be prescribed by the Minister of Transport and Communications.

**Article 24-b**

The provisions of Article 24-a of this Law shall also apply accordingly to the procedure for approval of timetables for new lines or modification of approved lines in the international transport of passengers.

**Article 25**

A carrier may start performing the inter-municipal line passenger transport after obtaining a license for a particular line, issued by the Ministry of Transport and Communications.

The license of paragraph 1 of this Article shall be issued with a validity period of five years.

The license of paragraph 1 of this Article may be used only by carrier to which it was issued.

The license for inter-municipal line passenger transport includes: title of the line, name and address of the carrier, and validity period.

An integral part of the license is also the approved timetable for the line registered at the Ministry of Transport and Communications.

During the transport the carrier is obliged to possess a travel order.

**Article 25-а**

Transfer of licenses or decisions from one carrier to another is permitted only when the new carrier is the legal successor of the carrier that has ceased to exist, if there is a separation of the assets of the carrier in two or several new carriers in accordance with the separation agreement verified by a notary public or in accordance with a decision of a competent court or on the basis of a purchase agreement between the two carriers or another legal act used to determine the change of ownership of the carrier.

**Article 25-b**

If the license with the timetable is with several departures, the carrier may apply for the separation of certain or all of the departures from the timetable into separate licenses.

The carrier may also apply for combination of two or several timetables for which there are separate licenses with the same initial and final station, so that they would be on a single license and timetable.

**Article 26**

Issued licenses shall be registered.

The records of issued licenses shall be maintained by the Ministry of Transport and Communications.

The Ministry is obliged to inform the bus station of licenses issued and of each change.

The carrier is obliged to perform inter-municipal line transport on the line, in accordance with the issued license and registered timetable.

During the performance of the inter-municipal passenger line transport, there must be an extract from the license in the vehicle, as well as a permit, a registration timetable and a travel order in the original.

**Article 27**

The carrier independently determines the cost of transport.

The carrier is obliged to submit the price list to the bus stations used in accordance with the established timetable.

The carrier is obliged to announce the start of the inter-municipal line transport according to the timetable by the public media.

**Article 27-а**

During the performance of passenger transport, the carrier cannot have more passengers in the vehicle than the number of seats in the vehicle.

**Article 28**

The timetable and the itinerary can be changed only once during the validity of the license by the implementation of the procedure under Article 24-a of this Law.

Notwithstanding paragraph 1 of this Article, without applying the procedure referred to in Article 24-a of this Law, the timetable and the itinerary may be modified before expiry of the license, if:

- The carrier cancels a number of departures in the timetable,

- In the procedure for issuing transit lineces for regular lines in the international road transport, the state to be transited requests a change in the length of the route and/or time of travel, or the border crossings at entry and exit,

- The foreign carrier has received approval for changing the timetable by a competent authority of a foreign country, with the exception of consent for adding stations in the timetable and changing the time of departure on the territory of the Republic of Macedonia,

- It is necessary due to changes that have occurred as a result of force majeure,

- There are changes caused by reconstruction and putting into operation of new roads or other extraordinary events,

- By a decision of the Council of the City of Skopje certain bus stops in the city have been designated as road stations for performing inter-municipal transport of passengers,

- The itinerary is modified without changing the times of departure,

- The carrier seeks deletion of certain stations in the timetable, if without the stations required to be deleted in the new timetable, the initial and final stop are categorized bus stations and for international passenger transport in the new timetable, the first station is to be categorized as a bus station,

- The carrier requires shortening of the route or changing the manner in which the line is maintained from permanent to seasonal line and vice versa and

- The carrier cancels a day/days of the regime of maintaining the timetable.

Regarding the cases under paragraph 2 of this Article, based on a written request from the carrier, the Ministry of Transport and Communications shall decide by means of adopting a decision. [17](https://www.akademika.com.mk/)

The carrier shall, within 15 days of receipt of the decision, submit to the Ministry of Transport and Communications an application for registration of the approved timetable and issuing a license for the line for which the timetable was approved.

If the carrier fails to submit the application for registration of the approved timetable and for issuing a license within the time limit under paragraph 4 of this Article, it shall be considered that the carrier is not interested in maintaining the line, and the timetable for the approved line shall be cancelled.

**Article 29**

During the validity of the license the transport may temporarily stop, in the case and as long as the reasons that the carrier could not predict and the consequences of which the carrier could not remove last (force majeure).

The carrier is obliged to report the temporary suspension referred to in paragraph 1 of this Article to the Ministry of Transport and Communications, immediately following the occurrence of reasons which caused it.

**Article 30**

If the carrier cannot perform the inter-municipal line passenger transport, wherefore it has obtained a license, the carrier is obliged to submit a request to the Ministry of Transport and Communications for approval of the temporary suspension or permanent termination of the transport.

The transport may be temporarily stopped for a maximum period of six months during the validity of the license or permanently terminated based on a decision adopted by the Ministry of Transport and Communications. [18](https://www.akademika.com.mk/)

By the adoption of the decision to permanently stop the carriage of passengers on a specific line, the license shall be cancelled and the timetable shall be deleted from the records of registered timetables.

**Article 31**

The carrier is obliged to announce the temporary suspension or permanent termination of the transport and the modification of the timetable on a certain line in the public media and at the bus stations, which are included in the timetable.

**Article 32**

The carrier may not terminate the transport on a particular line for which it has a license due to unjustified reasons and without the approval of the Ministry of Transport and Communications. [19](https://www.akademika.com.mk/)

If the carrier does not perform the inter-municipal line transport on a certain line for more than five days continuously or with interruptions for a period of two months during the year, due to unjustified reasons, upon proposal of the State Inspector for Road Transport the Ministry of Transport and Communications shall adopt a decision on revocation of the license. After the decision to revoke the license has become effective, the timetable shall be deleted from the records of registered timetables. [20](https://www.akademika.com.mk/)

If the State Inspector for Road Traffic performing control of the bus station establishes from the traffic log for departures and arrivals of buses at the bus station that the carrier who holds a license and timetable issued by the Ministry of Transport and Communications to perform inter-municipal or international transport of passengers within a period of less than 60 days due to unjustified reasons does not maintain a certain line more than five days continuously or with interruptions within a period of two months during the year, upon proposal of the State Inspector for Road Transport the Ministry of Transport and Communications shall adopt a decision to revoke the license. After the decision to revoke the license has become final, the timetable shall be deleted from the records of registered timetables. [21](https://www.akademika.com.mk/)

The Ministry of Transport and Communications may decide to revoke a license if it determines from the reports referred to in Article 60 paragraph 2 of this Law, submitted by the bus stations, that the requirements of paragraph 2 of this Article are fulfiled. [22](https://www.akademika.com.mk/)

Against the decision of paragraph 2, 3 and 6 of this Article an appeal may be filed within eight days upon receipt of the decision with the State Commission deciding in an administrative procedure and procedure on labour relations in the second degree.

The Ministry of Transport and Communications is obliged to submit a copy of the decision from paragraph 2 of this Article to the State Transport Inspectorate no later than seven days after the decision has become effective.

The Ministry of Transport and Communications may decide to revoke the license if it is evident from the electronic system of records kept by the Customs Authority of the Republic of Macedonia, to which the Ministry of Transport and Communications is connected, that the requirements of paragraph 2 of this Article are fulfiled. [23](https://www.akademika.com.mk/)

**Article 33**

Bus tickets are exclusively sold through a unified electronic system with electronic payment of ticket.

Notwithstanding paragraph 1 of this Article, the carrier may also sell bus tickets in the bus, where there are no organized sales points, whereby it is obliged to issue a fiscal receipt for tickets sold.

Bus tickets may only be sold for the approved lines for which an approval was granted in accordance with the approved timetable and price. [24](https://www.akademika.com.mk/)

The carrier and the bus station are obliged to issue to completely deaf persons with a membership certificate and a travel card issued by the National Association of Deaf People, to people with severe and profound mental disabilities and to their companion with a certificate of membership and a travel card issued by the State Centre for Support of People with Intellectual Disabilities, to a blind person with a visual impairment over 90% and to their companion with a certificate of membership and a travel card issued by the Association of Blind People and to a disabled person with physical disability of 90% and to their companion with a certificate of membership and a travel card issued by the Association of Disabled People, a ticket for travel in both directions (return ticket) free of charge and to enter a record in the driving booklet that the blind and disabled person used the transport. A blind person with visual impairment over 90% and their companion and a disabled person and their companion may be issued a maximum of six return tickets for travel in domestic passenger transport, at the expense of the carrier, during one calendar year.

The ticket issued by the carrier shall include:

- The name of the carrier,

- Place of departure and arrival, that is, the zone of performance for municipal line transport,

- The period of validity of the ticket and

- Fare.

The carrier may perform transport with several vehicles (encore drive) along the entire line. If the line is maintained by encore drive, then not all vehicles should start from the initial or one of the subsequent stations if at those stations there are enough seats in the vehicles that depart from these stations so that all the passengers of the subject line could be transported.

**Article 34**

In the inter-municipal line passenger transport, the entry and exit of passengers, or loading and unloading of luggage, can be conducted only at bus stations and bus stops that are included in the license and the timetable for the line.

In places where there are bus stations, the carrier who has a license to perform inter-municipal line passenger transport, may conduct the entering and exiting of passengers only at those bus stations.

**Article 35**

The carrier is obliged to stop at the bus station or bus stop in accordance with the license and the timetable for the line, the station conditions and safety regulations.

The carrier is obliged to certify the travel order for each bus station approved in the timetable and the license for a particular line.

**1.3. International line passenger transport**

**Article 36**

International line passenger transport between the Republic of Macedonia and another state (bilateral) and transit transport through the territory of the Republic of Macedonia shall be established in accordance with the international treaties/agreements, and based on prior consent of the ministries responsible for transport of the countries through which the line passes.

The transport referred to in paragraph 1 of this Article shall be performed on the basis of a license issued by the Ministry of Transport and Communications.

**Article 37**

International line passenger transport in the Republic of Macedonia can be performed based on a license issued by the Ministry of Transport and Communications.

The license is issued at the request of the domestic and foreign carrier. To the application carriers are obliged to enclose the timetable, price list, itinerary, driving plan of drivers, notarized contract on joint maintaining of transport and other items stipulated by international agreement.

A foreign carrier shall submit the application for the license by the competent authority of the state in which the vehicle is registered.

An integral part of the license are a verified timetable, price list, itinerary and driving plan of drivers.

The license shall not be issued if the carrier fails to meet the conditions for its issuance stipulated by this Law, the detailed regulations adopted based on this Law and the provisions of international agreements.

The Ministry of Transport and Communications shall keep a register of issued international lines.

The form and content of the register under paragraph 7 of this Article shall be prescribed by the Minister of Transport and Communications.

**Article 38**

The international transport of passengers in international road transport must be conducted in accordance with the license, driving plan of drivers, timetable, itinerary and price list certified by the ministries of transport of the carriers’ headquarters.

The license, driving plan of drivers, timetable, itinerary and price list in the original must be kept in the vehicle used for transport.

In addition to the documents referred to in paragraph 2 of this Article the registration document for the carriage of passengers must also be kept in the vehicle. The registration document for the carriage of passengers shall be maintained by the carrier in three copies for each performed international carriage of passengers, it shall be kept within 24 months and a copy thereof must be left at the Customs Office at the border crossings of the Republic of Macedonia.

The form and content of the registration document for the carriage of passengers, the data it contains, the manner of its storage and keeping shall be prescribed by the Minister of Transport and Communications.

**Article 38-а**

For the regular maintenance of the transport in accordance with the issued license both carrier to whom the licenses were issued are responsible.

If the carriers do not perform the transport referred to in paragraph 1 of this Article in accordance with the issued license and approved timetable, the Ministry of Transport and Communications shall revoke the license and timetable and they shall be deleted from the register of licenses issued.

**Article 38-b**

If the domestic carrier has lost its license, the Ministry of Transport and Communications shall inform the competent authority of the foreign country where the foreign carrier has its seat.

The foreign carrier shall, within three months from the notification under paragraph 1 of this Article, conclude an agreement to jointly maintain the subject line with another domestic carrier.

If the foreign carrier within three months of the notification referred to in paragraph 1 of this Article cocnludes an agreement to jointly maintain the subject line with another domestic carrier, the domestic carrier that has entered into an agreement with the foreign carrier, shall be approved of the timetable and a license shall be issued to them in accordance with Article 24-a of this Law.

If during the deadline stipulated in paragraph 3 of this Article, the foreign carrier did not sign an agreement with a new domestic carrier, the license and timetable of the foreign carrier shall be revoked, as well.

**Article 38-c**

If the international line is maintained unilaterally only by a foreign carrier, when submitting an application to renew the license before the expiry thereof, the foreign carrier is obliged to submit an agreement for maintenance of the line with a domestic carrier.

If during the maintenance of the line in the international line transport of passengers, there is a notification to a competent authority for mutual termination of an agreement for joint maintenance of a line, each of the partners who previously maintained the registered timetable, shall, within three months of the notification, conclude an agreement with a new partner. Thereby, the partners who previously maintained the registered timetable shall determine in the notification which carrier will keep the specific departure so as to be able to apply to the competent authority with the new partner for obtaining a license and approval of a timetable.

If the carriers fail to submit an agreement with a new partner in the deadline stipulated in paragraph 2 of this Article, the license and registered timetable shall be cancelled and deleted from the records.

If the competent authority of a foreign country has notified that regarding the line there is no consent under the applicable regulations in the foreign country, the procedure for issuing or renewal of the license shall be stopped and the registered timetable cancelled.

**Article 38-d**

The carrier may apply for merging of two or more timatables for international line passenger transport, wherefore a final decision was issued by the Ministry of Transport and Communications or valid separate licenses for the timetables for which merging is required that have the same initial or final station for the special licenses to be on a single license and timetable.

**Article 39**

A foreign carrier cannot perform internal passenger transport (cabotage) in carrying out the international line passenger transport, if an international agreement or contract does not stipulate otherwise.

If by means of an international agreement and contract it was determined that the transport of paragraph 1 of this Article may be performed, then the foreign carrier must have a license issued by the Ministry of Transport and Communications.

**Article 40**

A foreign carrier may perform line passenger transport in transit through the territory of the Republic of Macedonia only on the basis of a license issued by the Ministry of Transport and Communications.

The license for transit cannot allow exit and entry of passengers on the territory of the Republic of Macedonia, unless an international agreement stipulates otherwise.

**Article 41**

*Deleted*  [25](https://www.akademika.com.mk/)

**Article 42**

The provisions of Articles 24 and 35 of this Law relating to inter-municipal line passenger transport also apply to international line passenger transport, unless an international agreement stipulates otherwise.

**1.4. Special line passenger transport**

**Article 43**

Special line passenger transport is transport only of a certain group of passengers and excludes other passengers. By special line passenger transport, transportation is performed of students from home to school and vice versa, of workers from home to their place of work and vice versa, of workers who perform seasonal work from home to their place of work and vice versa, of army officers from home to work and vice versa, and transport of persons in need of medical care from their home to certain healthcare institutions and vice versa, if the transport of such persons is organized by that institution. Passengers transported need to be listed in the passengers list being an integral part of the contract on performance of such a type of transport, whereby a maximum of 10% of passengers who are not listed in the list of passengers may be found in the vehicle. Passengers should have an identity document issued by the transport organizer.

Special line passenger transport is also transport necessary for the performance of another type of transport (transport from and to the airport), where passengers transported should not be listed in the list of passengers, which is an integral part of the contract on performance of such a type of transport.

Regarding the implementation of the special line passenger transport of paragraph 1 of this Article, the party ordering the transport may be the school attended by the students that are transported, the company or the institution which employs the workers that are transported, the healthcare institution where the individuals that are transports are treated, as well as an enterprise engaged in airport services.

The party ordering the transport and the carrier shall conclude a written contract that regulates their mutual rights and obligations.

An integral part of the contract for performance of the transport is the list of passengers transported, which must be certified by the Ministry of Transport and Communications, or the municipalities, or the City of Skopje. While performing the special line passenger transport referred to in paragraph 2 of this Article, no list of passengers shall be required.

Notwithstanding the transport of army officers from their home to work and vice versa, the list of passengers is not a part of the contract on performance of the transport. During the performance of the transport of army officers from home to work and vice versa, it is compulsory that the user of the transport has a person in the vehicle, who shall be in charge of the list of passengers transported.

Notwithstanding paragraph 5 of this Article, for transport of workers who perform seasonal work from home to their place of work and vice versa, the list of passengers shall not form an integral part of the contract for performance of transport, but it must be in the vehicle during the transport.

The special line passenger transport is performed by buses, and may also be performed by passenger vehicles with 8 + 1 seat, based on contract concluded in writing between the legal entity that orders the transport and the carrier as legal entity. The contract must be concluded exclusively with the carrier or with a consortium of carriers, who own or have concluded a mutual contract to use a sufficient number of vehicles for the exploitation of the routes that are listed in the contract. The carrier or consortium of carriers shall perform the transport exclusively by the vehicles listed in the conclusion of the contract of carriage and that meet the minimum technical and exploitation standards specified in the public announcement or that meet technical and exploitation standards which are the same or higher than those offered in the public announcement. Violation of the provisions of this paragraph is a basis for termination of the transport contract.

During the performance of the special line passenger transport referred to in paragraph 1 of this Article, an extract of a license, a permit with a timetable with station and times of departure and arrival, a travel order in the original and a contract with a passenger list must be found in the vehicle.

During the performance of the special line passenger transport referred to in paragraph 2 of this Article, an extract of a license, a permit, a travel order in the original and a contract must be found in the vehicle.

The carrier may conduct special line transport, if it possesses the appropriate license in compliance with this Law and if it owns vehicles with extract from a license as needed to be able to maintain all departures in accordance with the license for special line transport, including the vehicles that are required to maintain the timetable for inter-municipal, international or special line transport, it already has.

**Article 44**

To perform the transport referred to in Article 43 of this Law, the carrier must obtain a permit.

If the transport is performed between two or more municipalities, the permit shall be issued by the Ministry of Transport and Communications.

The decision of paragraph 2 of this Article, rejecting the application for issuance of a permit for special line passenger transport, may be appealed within eight days upon receipt thereof, with the State Commission deciding in an administrative procedure and labour procedure in the second degree.

If the transport is performed on the territory of the municipality, that is, the City of Skopje, the permit shall be issued by the mayor of the municipality or the mayor of the City of Skopje.

The decision of paragraph 4 of this Article, rejecting the application, may be appealed within eight days upon receipt thereof, with the Ministry of Transport and Communications. [26](https://www.akademika.com.mk/)

The form and content of the permit for special line passenger transport shall be issued by the Minister of Transport and Communications.

Along with the application for a permit, the carrier is obliged to submit:

- A copy of the license for performance of special line passenger transport;

- Statement of the license for vehicles which confirms that the carrier has at least one vehicle in their ownership or under a lease contract (with at least 8 + 1 seat), that meets the specific technical and exploitation requirements imposed on vehicles for transport of passengers;

- A contract concluded with a legal person with a list of passengers to be transported;

- Times for departure and arrival in which the transport shall be performed;

- Engaged drivers who have established a regular labour relation at the carrier and meet the conditions prescribed by the regulations on road traffic safety.

The permit is issued with a validity period for which the carrier and the transport client agreed, maximum for a period of one year.

Notwithstanding paragraph 8 of this Article, the permit for transport of workers who perform seasonal work is issued for a period not exceeding three months.

Passengers transported by this kind of transport with must have a proof of their identification.

**Article 45**

*Deleted*  [27](https://www.akademika.com.mk/)

**2. FREE TRANSPORT OF PASSENGERS**

**Article 46**

Free transport of passengers can be performed in the internal/domestic and international road traffic, if the carrier possesses a license for free passenger transport and a license for free international passenger transport.

Free passenger transport in the internal road traffic can be performed by buses or vehicles with 8 + 1 seat, and the free transport of passengers in the international road traffic can be performed by buses (vehicles with more than 8 + 1 seat).

Free transport of passengers in the internal and international road traffic is transport of pre-organized group of passengers, without exit and entry of passengers along the road, wherefore the route, transport price and other terms are determined by a contract between the carrier and the transport client as a legal entity.

Free transport of passengers must not have elements of line and special line transport such as route, time of departure and arrival and places of entry and exit of passengers.

International passenger transport can be performed as occasional and intermittent.

**Article 47**

Occasional transport may be performed as:

- “Circular drivie” - a system of closed doors (excursions, tourist trips, etc.) which begins and ends at the place of departure, whereby the same group of passengers is transported in the same vehicle during the entire trip;

- Passenger transport with a full vehicle at the departure and an empty vehicle when it returns and

- Passenger transport with an empty vehicle at the departure and a full vehicle when it returns.

**Article 48**

Alternate transport is the transport of previously organized groups of passengers for several trips from the same place of departure to the same place of arrival.

Each group of passengers which has performed the outgoing journey returns to the place of departure in a later drive in the same composition according to the terms of the cycle of travel in accordance with the programme, whereby the terms of travel cannot be at intervals smaller than seven days. The first drive upon return and the last drive upon departure shall be performed with an empty vehicle.

In the performance of alternate transport, the passenger lists of all transports of the trip cycle must be kept at the vehicle.

**Article 49**

In performing passenger transport in internal road traffic an extract from a license, a travel order in the original, a contract concluded between the carrier and the party ordering the service and list of passengers signed and certified by the carrier must be kept at the bus.

In performing free passenger transport in the international road traffic, the carrier must have an extract from the license, a travel order in the original, a registration document for passenger transport, a contract concluded between the carrier and the party ordering the service and a duly and accurately completed travel certificate on a prescribed form, signed and certified by the carrier and certified by the competent customs authorities of the Republic of Macedonia (hereinafter referred to as: Customs Authority).

The form of the travel certificate referred to in paragraph 2 of this Article and the manner of its completion shall be prescribed by the Minister of Transport and Communications, unless an international agreement provides otherwise. [28](https://www.akademika.com.mk/)

**Article 50**

The free transport of passengers in the international road transport referred to in Article 47 of this Law, may be performed without a permit, and the transport under Article 48 of this Law is performed with a permit, unless an international treaty or agreement specifies otherwise.

The permit of paragraph 1 of this Article at the request of the carrier is issued by the Ministry of Transport and Communications. The Ministry of Transport and Communications shall exchange the permits for free passenger transport in international road tarffic with the competent authority of the other country, on the basis of an international treaty or agreement, at the end of the current year for the following year.

The form of the permit from paragraph 1 of this Article shall be specified by the Minister of Transport and Communications.

**Article 51**

If the international passenger transport is conducted with a permit, then the permit must be kept in the original at the vehicle.

The Ministry of Transport and Communications shall keep a register of issued permits for free transport in international road traffic.

The form, content and manner of keeping the register under paragraph 2 of this Article shall be determined by the Minister of Transport and Communications.

**2.1. Auto taxi transport of passengers**

**Article 52**

The auto taxi transport is performed on the basis of licenses.

By means of auto-taxi transport passengers are transported within the area specified in the license.

By means of auto-taxi transport passengers from the area specified in the license to another municipality or to the City of Skopje may also be transported, whereby only passengers who were driven thereto and who have their place of residence or temporary residence in the municipality of the taxi vehicle’s license may be transported in the opposite direction. The driver of the taxi vehicle must keep a log with a list of passengers transported from another municipality.

The form and content of the log referred to in paragraph 3 of this Article shall be prescribed by the Minister of Transport and Communications.

**Article 53**

Despite the conditions for performing auto-taxi transport of passengers prescribed by the provisions of this Law, the auto taxi carriers must meet the conditions laid down by the Municipal Council or the Council of the City of Skopje.

**Article 54**

The act of the municipal council or the council of the City of Skopje in particular specifies the conditions related to:

- The location and capacity of the taxi stations;

- The designation and equipping of the taxi stations;

- The colour of the vehicles;

- Unified markings and equipment of the taxi;

- Tariff and manner of use of taxi stations and

- The maximum number of taxi vehicles that can perform auto taxi transport of passangers.

Designated taxi stations can only be used by auto taxi carriers that have a license from the municipality where there seat is.

In municipalities where there is an airport, the taxi station cannot be located within the space being managed by the airport enterprise.

The company that manages the airport can conclude a service contract for transport of passengers to and from the airport with one or more taxi companies so that the use of the space managed by the company will be regulated by a service contract.

The company that manages the airport is obliged to provide access to the airport passenger for smooth exit of passengers transported to the airport. Auto taxi companies that perform such transportation to the airport and do not have contracts with the company that manages the airport shall immediately leave the airport after the service.

**Article 55**

When performing an auto-taxi transport, the vehicle must have a certificate for auto taxi driver and installed accurate sealed and calibrated taximeter.

When performing a transport, the taximeter must be turned on and the transport cost is to be charged based on the amount specified on the taximeter by issuing a fiscal receipt.

The auto taxi vehicle, by which the transport of passangers is performed, should have the title "TAXI" on the roof of the vehicle and on both sides of it including the number of register of taxi carriers.

It is mandatory for the vehicle to have a pricelist with set tariffs for transport cost in a visible position above the taximeter and extract of the license for the vehicle used for transport on the windscreen of the driver.

When performing an auto taxi transport of passangers when the taxi vehicle is empty, without any passengers and without an announced call, the carrier can solely stand at taxi halts defined by the municipalities or the City of Skopje.

**3. BUS STATIONS**

**Article 56**

The bus station is required to perform receipt and dispatch of buses at a time stipulated by the timetable of passengers and baggage,sell tickets,handle and store the luggage, provide information to passengers and carriers and to perform other services related to passenger transport.

The bus station can make reservations and sell tickets only for lines that are included in the license and have registered timetables.

**Article 57**

A legal or physical entity that manages the bus station shall provide services under equal conditions to all carriers performing line passenger transport.

Carriers pay compensation to use the bus station services.

The fee for using the bus station services is determined by the Government of Republic of Macedonia depending on the category of the station and the type of transportation (inter-municipal line and free transport of passengers and international line and free transport of passengers).

The carrier does not pay compensation as a commission in case of own sale of tickets for international line transport of passengers, for own international bus lines through a unified system for selling tickets at bus stations, while the compensation from sold tickets is paid directly to the account of the carrier.

Bus stations are categorized into four categories, first, second, third and fourth.

The categorization of paragraph 5 of this Article is determined by the Ministry of Transport and Communications according to: their equipment, traffic areas intended for reception and dispatch of buses, working hours, parking area for keeping the vehicle when stationary and other supporting facilities functioning within the space of a bus station.

The legal or physical person that manages the bus station or is entrusted with the management of a bus station, submits a request to the Ministry of Transport and Communications for determining the category of the bus station.

The request of paragraph 7 of this Article shall include an extract from the valid urban plan or urban design with specific use for the land, public transportation area or bus station or final approval for construction of a bus station or public transportation area or proof of ownership or decision on legalization of illegally built facility for the construction of a bus station or public transportation area.

If categorization of a bus station is conducted, the legal or physical entity that manages the bus station may not file a new request for a higher category of the bus station itself earlier than 60 days from the effectiveness of the decision on categorization. The submission of the evidence under paragraph 8 of this Article is not mandatory for the new request.

The required equipment and procedure for determining the category of bus stations shall be prescribed by the Minister of Transport and Communications.

**Article 58**

The bus station can accept and dispatch buses that perform free transport of passangers in accordance with the available number of specific platforms for this purpose that must be specially marked.

**Article 59**

The working hours of the bus station must be aligned with the time of departure and arrival of buses at least 15 minutes before departure and 15 minutes after the arrival of the bus of the last line.

**Article 60**

The bus station is obliged to keep records on the arrival and departure of buses.

The bus station is obliged to notify the State Inspectorate for Transport once a week for failure to perform a transport of certain line.

The bus driver is obliged to report the time of any arrival and departure of the bus at the bus station, whereby the bus station confirms the departure and arrival of the vehicle in the travel order.

The form, content and manner of records keeping under paragraph (1) of this Article are prescribed by the Minister of Transport and Communications.

**Article 61**

The carrier must inform the nearest bus station if during the transport obstacles occur that require a delay longer than 60 minutes.

The bus station which has received such notification shall immediately notify the next bus station of the line.

V TRANSPORT OF GOODS

**Article 62**

The transport of goods can be performed as internal and international transport of goods in road traffic.

**Article 63**

Transport of goods in the internal traffic can be carried out as public transport of goods and transport of goods for personal needs.

**Article 64**

Public transport of goods by road traffic is transport for which the route, transport cost and other conditions of carriage shall be determined by an agreement between the carrier and the one who orders the transport.

The carrier may start performing the transport after obtaining a license.

The carrier shall always carry an extract from the license in the vehicle.

When performing domestic transport of goods the carrier is obliged to have a travel order and bill of lading for the goods in the vehicle, despite the extract from the license.

The form and content of the bill of lading for the internal transportation of goods is prescribed by the Minister of Transport and Communications.

**Article 65**

International transport of goods by road traffic can be performed as a bilateral, transit transport and transport to and from third countries.

**Article 66**

A domestic carrier may perform international transport of goods if it previously obtained a license for international transport of goods.

Besides the extract of the license in the vehicle, the carrier must have a certificate for drivers engaged in an international road transport, travel order, international bill of lading and permit for international transport of goods if it is required by international agreement or contract for the carriage of passengers and goods by road traffic signed between the Republic of Macedonia and the country to, from or through the territory of which the carriage is performed (hereinafter referred to as: individual transport permits).

The international transport of goods can also be performed based on permits of the multilateral quota of permit of the European Conference of Ministers of Transport (ECMT) (hereinafter referred to as: ECMT permits). According to the period of validity, the ECMT permit can be monthly with a validity of 30 days and an annual permit, with validity of one calendar year.

**Article 67**

The Ministry of Transport and Communications receives the permits for international transport of goods from the competent authority of the country based on a concluded international agreement.

The Ministry of Transport and Communications receives the multilateral permits (ECMT) from the Secretariat of the European Conference of Ministers of Transport.

**Article 68**

The allocation of the permits under Article 67 of this Law is performed by the Ministry of Transport and Communications.

The allocation and distribution of the permits is performed electronically based on the following criteria:

1) The number of cargo motor vehicles registered fоr performance of international carriage of goods for which there is an extract of a license;

2) The number and quality of the fleet for individual transport permits from E0-E5 and more, for ECMT permits from E5-E6 and more;

3) The number of drivers in full-time employment who have an appropriate certificate;

4) The number of properly used individual transport permits or effectively used ECMT permits;

5) the amount of profit from operations after taxing (profit and loss account from the previous year);

6) the amount of total income from the main activity (form of the income structure from the activity - IS form of the previous year) and

7) at least one year of performing main business activity of international public transportation for participation in the allocation of ECMT permits.

The method of allocation, distribution and audit of utilization of the permits for international transport of goods, are prescribed by the Government of the Republic of Macedona in accordance with the criteria in paragraph 2 of this Article.

**Article 69**

A carrier that has a license for international transport of goods and fulfills the criteria of Article 68 paragraph 2 of this Law can obtain a permit for international carriage of goods.

The application for permit referred to in paragraph 1 of this Article is submitted to the Ministry of Transport and Communications by electronic means.

In order to obtain an ECMT permit, despite the criteria of Article 68, paragraph 2 of this Law, the carrier must possess a certificate of readiness for traffic of vehicles.

The certificate referred to in paragraph 3 of this Article is issued by a legal entity authorized by the Minister of Transport and Communications, which in order to perform the activity has adequate premises, technical equipment for carrying out the activity and at least five people in regular employment, including three people with higher education at the Faculty of Mechanical Engineering and with at least five years of professional experience, and two people with vocational highschool education for a mechanical,traffic, or electrical technician.

The legal entity charges a fee for issuing the certificate under paragraph 4 of this Article.

The amount of the fee for the inspection of readiness for traffic of vehicles according to the Euro standard is prescribed by the Minister of Transport and Communications.

The detailed conditions for the premises, technical devices of paragraph 4 of this Article, and the form and content of the certificate referred to in paragraph 3 of this Article is prescribed by the Minister of Transport and Communications.

**Article 69-а**

The Ministry of Transport and Communications shall exclude from the allocation of ECMT permits in the next two years, all carriers for whom there has been a final judgment that they committed misuse of permits.

Misuse of the ECMT permit from paragraph 1 of this Article will be considered if the carrier:

- has made any changes to the data in the permit or forged a license,

- the permit has not been used according to its purpose or was given to another carrier,

- has not returned the revoked ECMT permit after the effectiveness of the decision whereby it has been revoked.

**Article 69-b**

Transfer of the overall annual plan for allocation of international licenses from one carrier to another is permitted only when the new carrier is the legal successor of the carrier that has ceased to exist.

If there is a separation of the assets of the carrier in two or more new carriers, it is permitted to transfer the overall plan for the allocation of international licenses to each new carrier in accordance with the separation agreement verified by a notary public or pursuant to a decision of a competent court.

**Article 69-c**

Mutual transfer of international transport licenses and exchange thereof between carriers is not allowed.

An exchange of ECMT permits in the allocation process is allowed by way of a written statement of the entities submitted to the Ministry of Transport and Communications.

**Article 69-d**

An ECMT permit is used for transportation between states member of the ECMT organization and for transit through their territories. The user of the permit must comply with the provisions of the ECMT Resolution on the manner of using the permits.

It is not allowed to practice cabotage within an ECMT Member State with an ECMT permit, as well as transport of goods between a Member State and countries that are not members of the ECMT.

The Ministry of Transport and Communications shall post the guidelines for usage of ECMT permits on its website.

**Article 69-e**

The Ministry of Transport and Communications shall revoke the ECMT permit by a decision if:

- The validity of the carrier’s permit for performing international transport of goods has expired or it was revoked by a decision,

- The carrier does not submit a report twice in a row on the use of ECMT permit and

- The domestic carrier does not use the permit in compliance with the ECMT user guidelines. The carrier must return the ECMT permit within eight days from the submission of the decision on revocation. If the permit is not returned within the prescribed period, the carrier shall not receive the individual transport permits until the return of the permit.

The carrier, to whom the permit was revoked, is entitled to reapply for participation in the allocation of ECMT permits for the following year.

The revoked permit from paragraph 1 of this Article shall be allocated to another carrier from the determined list in the allocation of permits.

In case the carrier has destroyed, has lost or has its permit stolen, it must declare the permit invalid in the “Official Gazette of Republic of Macedonia”. Following the submission of a written request and confirmation of the announcement of the ECMT permit as invalid, the Ministry of Transport and Communications shall issue a new ECMT permit from the reserve quota and shall inform the Secretariat of the ECMT, the Customs Authority and the State Inspectorate for Transport thereof.

**Article 69-f**

The carrier may use the international transport permits only for vehicles for which there is an extract from the license for transport of goods in international road traffic.

The license for international transport must be in the vehicle during the entire performance of the carriage and given upon control of the competent authority on request.

The carrier shall not give the international transport permit to another carrier nor to cross out or change the entered data.

**Article 70**

Foreign carrier, who is registered in the country wherewith Republic of Macedonia has concluded an agreement for international transport of goods by road traffic, can perform international transport of goods in the Republic of Macedonia on the basis of a permit for transport of goods issued by the Ministry of Transport and Communications, if the international agreement does not provide the transport to be performed without a permit.

The Ministry of Transport and Communications delivers the permits for international transport of goods to the competent authority of the country where the foreign carrier is registered.

A foreign carrier can perform the international transport of goods based on an ECMT permit.

International transport of goods by a foreign motor vehicle and a trailer (group of vehicles) may be performed based on a single permit.

If the foreign motor vehicle and the trailer, in a group of vehicles, have license plates of different countries, only a license for the motor vehicle is required.

The foreign carrier must not give the international transport permit to another carrier nor correct or change the entered data. The permit shall be duly and completely filled before starting the transport in the territory of the Republic of Macedonia.

The properly filled permit for international transport of goods must be located in the foreign vehicle at all times while in the territory of the Republic of Macedonia, and the control is performed by the customs authority, the inspectors for road traffic and the police. [29](https://www.akademika.com.mk/)

The foreign carrier is obliged to perform the international transport of goods in accordance with the issued permit for international transport and the conditions for usage of ECMT permits provided by the Secretariat of the European Conference of Ministers of Transport.

The form and content of the permits for international transport of goods are prescribed by the Minister of Transport and Communications.

When performing transport on the territory of the Republic of Macedonia, a foreign carrier must have in the vehicle original documents for the vehicle and the driver, in accordance with the regulations of the state of registration of the carrier for performing the activity and professional competence of the driver, if such provisions are in force.

If the foreign carrier comes from a state which is a signatory of the CMR Convention, it must have a duly completed CMR form of bill of lading in the vehicle for the goods being transported, while the data stated in the interim (COLL) traffic license and/or vehicle traffic license shall determine the state of the carrier.

**Article 70-а**

When carrying out international trade of goods, legal entities, sole proprietors, physical entities who perform an activity individually are obliged to check whether the foreign carrier has an international transport permit, if it is properly used, filled and/or whether the ECMT permit is appropriate, before the loading or unloading of the goods.

Persons listed in paragraph 1 of this Article, shall have to indicate on the back of the verified individual transport permit in accordance with paragraph 1 of this Article, whether there is loading or unloading, enter a date, signature and seal and make a photocopy thereof. It has to be verified whether the ECMT permit meets the territorial restrictions and then it is copied. They are obliged to keep a copy of the individial transport permit and/or the ECMT permit, which was checked and certified, two years following the date of the provided transport of goods.. [30](https://www.akademika.com.mk/) Copies of international permits are stored with the documentation necessary to complete the allowed customs treatment in export and/or import procedure in the international trade of goods.

**Article 71**

If the foreign carrier is from a country wherewith the Republic of Macedonia has not concluded an agreement for international transport of goods, the customs authority at the border crossing, where customs supervision is performed, shall issue a special permit upon payment of an administrative fee to the carrier for the bilateral and transit transport.

Transportation to and from a third country is not permitted.

**Article 72**

If the customs authority determines that a foreign carrier, on entry or exit from the Republic of Macedonia or at the customs terminal inside the country, does not possess a permit for international transport of goods or the international permit is not duly completed, and the carrier is from a country wherewith the Republic of Macedonia has signed an agreement for international transport of goods, which provides the carriage to be performed on the basis of permits, it shall ban the entry or exit of the vehicle from the territory of the Republic of Macedonia.

**Article 72-а**

*Deleted* [31](https://www.akademika.com.mk/)

**Article 73**

Notwithstanding the provisions of Article 71 of this Law, a permit is not required for:

1) transport of goods from a public airport to a public airport if there is a major accident or other plane accident or if the plane should land because of the changed direction of involuntary flight or the air lines are cancelled;

2) transport of damaged motor vehicle and its trailer;

3) transportat of mortal remains;

4) transport of objects while moving houses with appropriate special vehicles;

5) transport of postal items;

6) transport of exhibits intended for fairs and exhibitions;

7) transport of aids and other items needed for theatrical, musical and other cultural events, circus performances or for film, radio and TV recordings;

8) transport of dead animals unless industrial processing is concerned;

9) transport of bees and the offspring of fish;

10) transport of medical and other material, such as aid in case of natural disasters and the transportation of goods for humanitarian purposes;

11) empty vehicles replacing defective vehicles from where the transported goods are taken over in the Repubic of Macedonia or a third country;

12) vehicles for technical assistance to repair defective vehicles (service and repair vehicles);

13) transport of goods exclusively for propaganda purposes or instruction and

14) transport of goods by a vehicle with carrying capacity up to 3,500 kg, including the trailer or a vehicle which does not exceed the maximum permitted weight of 6,000 kg including the trailer;

15) for trailers with temporary license plates loaded with commercial goods;

16) transport of newly-bought vehicles without cargo to the place of their final destination and

17) for a towing vehicle and trailer with temporary license plates loaded with goods for the same importer or user of the goods with the exception of trailers as a commodity.

Notwithstanding Articles 72 and 73 paragraph 1 of this Law, exemption for the use of transport permit for foreign carriers is on the basis of the defined types of transportation for exemption from transport permit in accordance with ratified international agreement concluded with the country of registration of the carrier. [32](https://www.akademika.com.mk/)

For the transports of paragraph 1 of this Article the driver of the vehicle should have documents and other certificates wherefrom it may be established that one of the above-stated transports is concerned.

**Article 74**

A foreign carrier can perform domestic transport of goods between different places in the Republic of Macedonia (cabotage) only if it has obtained a special permit for such carriage. The foreign carrier submits the application for permit to the authority responsible for transport in the country in which it is established, which submits it to the Ministry of Transport and Communications of the Republic of Macedonia.

The permit of paragraph 1 of this Article can be issued if it is necessary the transport to be performed by a foreign carrier due to the lack of adequate transport facilities in the country.

The permit of paragraph 1 of this Article shall be issued by the Ministry of Transport and Communications. [33](https://www.akademika.com.mk/)

**Article 75**

A domestic and a foreign carrier with a vehicle on a public road, which either empty or loaded, exceeds the prescribed requirements in terms of dimensions, total weight, axle load, can perform transport only on the basis of permit for emergency transport.

The permit for emergency transport at the request of the domestic and foreign carrier is issued by Public Enterprise for State Roads, upon the opinion from the Ministry of Internal Affairs. [34](https://www.akademika.com.mk/)

The permit for emergency transport determines the manner and conditions for performing the transportation and the period of validity of the permit.

The procedure for issuing the permit is urgent.

The original permit for emergency transport must be located in the vehicle.

**Article 76**

A foreign and a domestic carrier that performs international transport by motor vehicle, which either empty or loaded, exceeds the prescribed requirements in terms of dimensions, total weight and axle load will not be allowed entry or exit to and from the Republic of Macedonia unless it possesses a permit for emergency transport.

VI TRANSPORT FOR PERSONAL NEEDS

**Article 77**

Transport for personal needs of passengers and goods by road traffic is transport being performed by domestic and foreign legal and natural persons in order to satisfy the needs within their business.

As a transport of goods for personal needs, performed by domestic and foreign legal and natural persons, is considered a carriage of goods exclusively in the course of performing their main business, whereby the transported goods are in their possession or are produced and sold by them, given in processing or finishing, repairing, or are given to storage and the like.

As a transport of passengers for personal needs, performed by domestic and foreign legal and physical persons, is considered a transport of passengers exclusively in the course of performing their priority activity, whereby the passengers being transported are employed by the legal entity performing the transport.

In carrying out the transport of goods for personal needs, the owner of the vehicle is also the owner of the goods to be transported, and the driver is their employee. During the performance of the transport of passenger for personal needs, the legal person is the owner of the vehicle for transport, and the driver and passengers are employed by the legal person.

The domestic legal and natural persons must perform the transport from paragraph 1 of this Article by vehicles which meet the conditions prescribed by the provision of Article 5 paragraph 2 of this Law.

**Article 78**

In the performance of domestic and international transport of passengers for personal needs, the passengers being transported must have proof of identification issued by the one who performs the transport for personal needs.

During the performance of the transport from paragraph 1 of this Article, despite the proof of identification, the original extract from the license, travel order and travel document of Article 49 paragraph 2 of this Law must be kept in the vehicle, and for the international transport of passengers for personal needs, the driver must have a certificate for drivers engaged in international road transport. [35](https://www.akademika.com.mk/)

**Article 79**

During the performance of the transport of goods for personal needs in the international and domestic road traffic, the following documents must be kept at the vehicle:

- Extract from the license in original,

- Travel order,

- Certificate for drivers engaged in international road traffic if international transport for personal needs is performed,

- Permit for international transport of goods, if it is required in accordance with an international agreement or a contract for transport of passengers and goods by road traffic, concluded between the Republic of Macedonia and the country to, from or through the territory of which the transport is performed,

- Bill of lading and

- Proof which can confirm that the transport of Article 77, paragraph 2 of this Law is concerned.

The provisions of paragraph 1, indent 1 of this Article shall not apply to vehicles the largest loading of which does not exceed 3.5 tons, including the trailer used for personal transportation.

The provisions of paragraph 1 items 1, 2 and 3 of this Article shall apply to a foreign carrier if there are legal obligations prescribed by the country of registration of the vehicle.

VII ROAD FEE

**Article 80**

In order to use the roads in the Republic of Macedonia, the domestic and foreign vehicles pay a fee under the Law on Public Roads, unless an international treaty or agreement provides otherwise.

VIII AUTHORISATION OF THE CUSTOMS AUTHORITY

**Article 81**

The Customs authority, at the border crossing, or other place where customs control is performed, checks whether the domestic and foreign carrier have an international transport permit and other documents for the vehicle, driver, goods and/or passengers (CMR-bill of lading or driving plan for drivers, or an extract from a license or a certificate for drivers engaged in international road traffic, etc.) , prescribed by this Law for performing the appropriate type of transport and whether the carrier performs the transport in accordance with those documents.

If the customs authority determines that a foreign or domestic carrier does not have in its vehicle an international transport permit and other necessary documents, or they are not used in the prescribed manner, it shall prohibit entry into the Republic of Macedonia, or exit out of it to the respective vehicle.

If the customs authority, in checking the documents for customs procedures in the business premises of a legal person, sole proprietor or individual conducting international trade of goods,does not find a copy of the international transport permit, and/or establishes violations of the provisions of paragraph 1 of this Article, it shall inform the State Transport Inspectorate thereof.

IX REVOCATION AND ANNULMENT OF THE PERMIT AND TEMPORARY PROHIBITION OF ACCESS TO ROADS ON THE TERRITORY OF THE REPUBLIC OF MACEDONIA

**Article 82**

The Ministry of Transport and Communications may adopt a decision to revoke and make void the permits of Article 25 paragraph 1 and Article 36 paragraph 2, if the transport is not performed in accordance with the issued permit on the proposal of the State Transport Inspectorate, or a categorized bus station or a competent authority of another state wherewith the Republic of Macedonia has concluded an Agreement in the field of road traffic, which is ratified. [36](https://www.akademika.com.mk/)

The Ministry of Transport and Communications may decide to revoke and make void the permits of Article 66, paragraphs 2 and 3 and Article 70, paragraphs 1 and 3 of this Law, if the transport is not performed in accordance with the issued permit on the proposal of the State Transport Inspectorate, or by a competent authority of another state wherewith the Republic of Macedonia has concluded an Agreement in the field of road trffic and the ECMT Committee in Paris, which are ratified. [37](https://www.akademika.com.mk/)

The permit for transport of Article 36, paragraph 2, Article 70, paragraphs 1 and 3 of this Law, issued to a foreign carrier, can also be revoked and made void, if the competent authority in the country in which the carrier is registered refuses to issue an appropriate permit for the Macedonian carrier, and if the foreign carrier does not use the permit in compliance with the ECMT user manual.

By the desicion referred to in paragraph 1 of this Article, the permit can be revoked and made void for a period of one to 12 months, whereas by the desicion under paragraph 2 of this Article, the permit can be revoked permanently on a bilateral basis, and the seized ECMT permit shall be returned to the authority which issued it within 30 days.

By the decision of the Ministry of Transport and Communications, revoking the permit for transport of passengers and invalidating it, all copies of permits of the carrier for the line in question shall also be seized. [38](https://www.akademika.com.mk/)

**Article 83**

The Ministry of Transport and Communications shall with a decision temporary prohibit the access to roads on the territory of the Republic of Macedonia to a foreign carrier in case of severe or repeated misdemeanours on the basis of this Law. [39](https://www.akademika.com.mk/)

The temporary prohibition referred to in paragraph 1 of this Article can be pronounced for a period between one to 12 months.

**Article 84**

The Decision referred to in Articles 82 and 83 of this Law, in case of international transport, shall be enforced by the Ministry of Interior at the border crossings.

**Article 85**

Appeal can be lodged against the decision referred to in Articles 82 and 83 of this Law within eight days as of the date of decision receipt with the State Commission deciding in an administrative procedure and employment procedure in the second instance. [40](https://www.akademika.com.mk/)

The appeal shall not postpone the enforcement of the decision.

X SUPERVISION

**Article 86**

The Ministry of Transport and Communications shall supervise the implementation of this Law and the regulations adopted on the basis of this Law.

**Article 86-а**

The Ministry of Transport and Communications shall supervise the operations of the legal entities referred to in articles 5, 8-a, 8-b and 69 of this Law.

If the Ministry of Transport and Communications, while performing the supervision, shall establish that the legal entity has failed to meet the prescribed conditions on the basis of which it has been granted the authorisation to perform the activity or the one is not educating the candidates in accordance with the prescribed programme or if the training is performed by a person not having the relevant education pursuant with this Law for performing of trainings or a person not possessing the certificate for training or if it shall issue a confirmation for completed training without previously conducting the training for the candidate or the certificates for roadworthiness of vehicles are issued at a test point for which the one has no authorisation, the professional competence of the manager, or of the authorised person for transport, the certificate for participation of drivers in the international road transport, can be withdrawn, or the issuing of certificates for roadworthiness of vehicles.

The Decision referred to in paragraph 2 of this article is final and an administrative dispute can be initiated against it in front of a competent court.

The initiating of an administrative dispute in accordance with paragraph 3 of this article shall not delay the enforcement of the decision.[41](https://www.akademika.com.mk/)

**Article 87**

The inspection supervision over the implementation of the provisions of this Law and the regulations adopted on the basis of this law pertaining to the inter-municipal, special line transport of passengers between two and more municipalities and the international transport of passengers and the transport of goods in the national and international road transport shall be performed by the State Transport Inspectorate, through state road transport inspectors.

The inspection supervision over the implementation of the provisions of this Law and the regulations adopted on the basis of this Law pertaining to the municipal transport of passengers, auto-taxi transport of passengers and special line transport of passengers being performed on the territory of the municipality shall be performed by authorised road transport inspectors of the municipality.

The inspection supervision over the implementation of the provisions of this Law and the regulations adopted on the basis of this Law pertaining to the municipal transport of passengers, auto-taxi transport of passengers and special line transport of passengers being performed on the territory of the City of Skopje shall be performed by authorised road transport inspectors of the City of Skopje.

The inspectors referred to in paragraphs 1, 2 and 3 of this Article shall perform inspection supervision in accordance with the provisions of the Law relating to prohibition and prevention of performing of non-registered activity.

The person meeting the conditions set forth in this Law can be appointed as state road transport inspector, as authorised road transport inspector for the municipality and as authorised road transport inspector for the City of Skopje.

**Article 87-а**

The inspection supervision of a domestic carrier can be performed in the carrier’s head office, other business premises of the carrier or while performing the transport, and the inspectors from Article 87 of this Law shall be entitled to stop and control the vehicle.

During the inspection supervision of a foreign carrier, the inspectors referred to in article 87 of this Law shall be entitled to stop and control the vehicle moving along the roads on the territory of the Republic of Macedonia, the customs terminals or the border crossings at entry or exit from the Republic of Macedonia.

During the inspection supervision, the inspectors referred to in Article 87 of this Law shall use specially marked official vehicles.

In accordance with the provisions from paragraphs 1 and 2 of this Article, the driver operating the vehicle performing the transport shall have to stop at the point designated by the inspector by giving of the prescribed signs.

Vehicle control means control of the motor vehicle, passengers, and goods being transported during the control and the overall transport documentation envisaged with this Law and with the international agreements and contracts.

During the inspection supervision, the inspectors referred to in Article 87 of this Law shall be entitled to ask for assistance from the Ministry of Interior and the Customs Administration of the Republic of Macedonia.

**Article 87-b**

The State Transport Inspectorate is a body within the Ministry of Transport and Communications acting in the capacity of a legal entity, with own first-line budget user4 account, it independently implements the employment procedures in accordance with the law and decides on the employment rights and obligations.

The State Transport Inspectorate is managed by a Director appointed and dismissed by the Government of the Republic of Macedonia.

The director appointment is made through published notice in three daily newspapers distributed throughout the territory of the Republic of Macedonia, of which one of the newspapers shall be published in the language spoken by at least 20% of the citizens speaking an official language different from the Macedonian language.

Person meeting the following conditions can be appointed as director of the State Transport Inspectorate:

- is a citizen of the Republic of Macedonia,

- at the moment of appointment, no sanction or misdemeanour sanction prohibition to perform profession, activity or duty, have been pronounced against the person with a valid court decision.

- has acquired at least 300 credits according to ECTS or has completed VII/1 degree in the field of transport or law,

- has at least five years working experience in the field of transport or law,

- possesses one of the following internationally recognized certificates for active knowledge of English language, not older than five years:

- TOEFL IBT, at least 74 points,

- IELTS, at least 6 points,

- ILEC (Cambridge English: Legal), at least B2 level,

- FCE (Cambridge English: First) – passed,

- BULATS, at least 60 points, and

- passed psychological test and integrity test.

**Article 87-c**

The inspector can be a person who:

- is a citizen of the Republic of Macedonia,

- is of legal age,

- is with general health capacity,

- no sanction prohibiting to perform profession, activity or duty, have been pronounced against the person with a valid court decision.

- has acquired at least 300 credits according to ECTS or has completed VII/1 degree in the field of transport or law, proven with submission of a certificate,

- has five years working experience in the field of transport or law,

- meets the other conditions set out with the Act on systematisation of job positions,

- possesses an internationally recognised certificate for working with computer programmes for office operations, one of the following:

1) Certiport: IC3 GS4 Key Applications – passed;

2) Microsoft: MOS Word or MOS Excell – passed; or

3) ECDL: Core – passed,

- was given a positive opinion on suitability for the job position through taking the psychological test and the integrity test, in accordance with the regulations pertaining to civil servants, and

- has a licence for inspector in the field of inspection service competence.

**Article 87-d**

The director shall make a proposal for the annual work programme for the inspectorate and submits it to the Inspection Council, by 31 October, at the latest, in the current year for the following year.

The Director adopts the annual work programme of the inspectorate within seven days as of the date of receipt of the consent by the Inspection Council, i.e. by 10 December, at the latest, in the current year if the Inspection Council shall fail to review it and submit consent, or comments within the timeframe set out by Law.

On the basis of the adopted annual programme, the director prepares quarterly work plans for each inspector, and submits them collectively for review purposes to the Inspection Council two weeks, at the latest, prior the beginning of the following calendar quarter, by 15 December for the first quarter of the following year, by 15 march for the second, by 15 June for the third, and by 15 September for the fourth quarter in the current year.

The Director shall, in the quarterly work plans for each inspector, obligatory include the number of envisaged supervisions in the following three months, as well as the level of complexity of such supervisions.

On the basis of the quarterly plans, the Director shall, for each inspector, prepare a monthly work plan which shall also contain the schedule for supervisions per dates and per supervision entities.

The Director shall, two weeks at the latest as of the beginning of the current calendar quarter for the previous, submit to the Inspection Council collective quarterly reports on the work of each inspector, as follows: by 15 January for the fourth quarter of the previous year, by 15 April for the first quarter, by 15 July for the second, and by 15 October for the third quarter in the current year.

The Director shall, by 1 March at the latest in the current year, submit to the Inspection Council an annual report on the work of the Inspectorate for the previous year.

**Article 88**

State road transport inspectors perform supervision of the following:

- meeting of conditions for licence for inter-municipal and international transport of passengers and goods.

- meeting of the special technical-exploitation conditions of vehicles for performing particular types of transport,

- implementation of the agreement from Article 23 of this Law,

- transport of passengers in the inter-municipal road transport,

- transport of goods in the internal road transport,

- implementation of the activities from Article 70-a of this Law,

- transport of passengers and goods in the international road transport,

- special line transport of passengers being performed between two and more municipalities and being performed only in the municipalities, and

If the state road transport inspectors, while performing the inspection supervision, shall establish the existence of any reasons indicated in Article 12 of this Law, or that the carrier has failed to maintain all lines for which permits have been issued or shall establish the occurrence of changes regarding the meeting of conditions based on which the particular line was granted for which the permit was issued (reduction in the number of vehicles, drivers, etc.), the ones shall submit a proposal to the minister of transport and communications to adopt a decision for revoking of the license, or for permanent revoking of the permit and deletion of the timetable from the registry of timetables.

[42](https://www.akademika.com.mk/)

If the state road transport inspectors, during performing the inspection supervision for performing of the special line transport, establish that the carrier is transporting passengers contrary to Article 43 paragraph 5 of this Law, the one shall submit a proposal to the minister of transport and communications to adopt a decision for revoking of the license and revoking of the license for special line transport. The carrier who shall be revoked the license for special line transport on this basis, shall not be entitled to request the awarding of this type of license for the second time.

The authorised inspector of the municipality or the authorised road transport inspectors of the City of Skopje shall perform supervision over:

- meeting of the conditions for awarding a license for municipal and auto-taxi transport of passengers,

- meeting of the special technical-exploitation conditions for vehicles used to perform municipal transport of passengers and auto-taxi transport,

- municipal line transport of passengers,

- auto-taxi transport of passengers,

- special line transport of passengers being performed on the territory of the municipality or on the territory of the City of Skopje,

- parking areas for freight motor vehicles and buses. [43](https://www.akademika.com.mk/)

If the authorised municipal inspector or the authorised road transport inspector of the City of Skopje, during performing the inspection supervision, shall establish the existence of any reasons indicated in Article 12 of this Law, or actions taken contrary to the defined unique network of lines, the defined timetable, defined tariff system, collection system, and manner and control of collection, defined location of bus terminals, turning points, bus stops, or that the carrier has failed to maintain all lines for which the one was awarded a license or has established that changes have occurred regarding the meeting of conditions based on which the particular line was approved and for which permit was issued (reduction in the number of vehicles, drivers, etc.), the one shall submit a proposal to the mayor of the municipality, or the mayor of the City of Skopje to adopt a decision for revoking of the license, or for permanent revoking of the permit and deletion of the timetable from the registry of timetables. [44](https://www.akademika.com.mk/)

If the authorised municipal inspector or the authorised inspector of the City of Skopje, during performing of the inspection supervision, shall establish that the entity performing auto-taxi transport is located outside of the auto-taxi stop, and for which previous two decisions for committed misdemeanour have been issued on the basis of Article 99-a paragraph 1 item 9 of this Law, the one shall submit a proposal to the mayor of the municipality or the mayor of the City of Skopje to adopt a decision for permanent revoking of the certificate for auto-taxi driver for the driver committing the misdemeanour. [45](https://www.akademika.com.mk/)

If the authorised municipal inspector or the authorised inspector of the City of Skopje, during performing the inspection supervision, shall establish that the entity performing the auto-taxi transport is performing auto-taxi transport with a driver who does not possess a certificate for an auto-taxi driver, the one shall submit a proposal to the mayor of the municipality, or to the mayor of the City of Skopje to adopt a decision for permanent revoking of the certificate for performing an auto-taxi activity of the vehicle with which the misdemeanour was committed.

If the municipality or the City of Skopje shall not be able to perform the inspection supervision, on their request, the supervision can be performed by the state road transport inspectors. The costs for supervision shall be born by the municipality or the City of Skopje.

The controllers referred to in Article 17-a paragraph 2 of this Law shall control whether the passengers possess tickets for public transport in the City of Skopje.

The road transport inspector and the controller are authorised to stop the passenger without ticket in the vehicle and to establish his/her identity.

If the controllers shall establish that the passenger is lacking a public transport ticket, the ones shall make a proposal for initiating a misdemeanour procedure to the competent inspection authority.

**Article 89**

The state road transport inspector shall be entitled to make a decision on:

- excluding the vehicle from transport, by revoking the vehicle registration document, if the transport is performed prior to the activity being registered in the Central Register or if the carrier does not possess a license to perform the relevant type of transport as envisaged with this Law,

- excluding the vehicle from transport, by revoking the vehicle registration document, if the carrier is performing line transport of passengers without possessing the relevant permit or without having a registered timetable;

- excluding the vehicle from transport by revoking the vehicle registration document if the one is performing auto-taxi transport of passengers outside of the territory of the municipality, if the transport is performed contrary to the provisions of this Law,

- temporary revoking of the license of the domestic carrier if the one shall fail to abide by the approved and registered timetable while performing the inter-municipal transport of passengers, with a proposal for deletion of the timetable from the records,

- temporary revoking of the license of a domestic or foreign carrier for performing an international line transport of passengers if the one shall fail to abide by the approved and registered timetable, the itinerary and the driving plan for the drivers,

- excluding the vehicle from transport by revoking the vehicle registration document if the carrier shall perform special line transport of passengers between two or more municipalities without possessing a license,

- revoking of the carrier’s licence for special line transport of passengers being performed between two municipalities, if the passengers being transported shall fail to present identification evidence from the transport ordering party,

- prohibition for further movement of the foreign vehicle on the territory of the Republic of Macedonia by referring the vehicle to one of the border crossings for the purposes of leaving the country, if the vehicle shall not possess the prescribed documentation for the relevant type of transport envisaged with this Law and the international agreement,

- revoking of the license of the domestic and foreign carrier for performing international transport of goods, if the carrier shall fail to abide by its conditions and the conditions prescribed by the Secretariat of the European Conference of Ministers of Transport if the transport is performed with ECMT licences [46](https://www.akademika.com.mk/) as well as to make a proposal to the minister of transport and communications for revoking of the bus stop categorisation or for categorisation one category lower than the existing categorisation,

- removal of the shortcomings within a specified timeframe regarding the meeting of the prescribed conditions for performing road transport, operational conditions at the bus stops and abiding by the timetable,

- temporary prohibition for use of the bus stations and bus stops if the shortcomings detected by the road transport inspector shall not be removed within the specified timeframe.

Revoking of license for line transport of passengers shall mean revoking of all copies of licenses available at the carrier for maintenance of the specific line for which the misdemeanour was committed.

The carrier shall be obliged, within 24 hours as of receiving the decision for revoking of the license, to submit all copies of the licenses for the subject line to the State Transport Inspectorate.

The temporary revoking of the license referred to in paragraph 1 lines 4 and 5 of this Article shall be 30 days, and if within a period of one year, the carrier shall repeat the misdemeanour, the inspector shall submit a proposal for permanent revoking of the license to the Ministry of Transport and Communications.

The Customs Administration of the Republic of Macedonia at the border crossing shall be informed of the temporary revoking of the license from paragraph 1 line 5 of this Article and on the prohibition for further movement of the foreign vehicle on the territory of the Republic of Macedonia from paragraph 1 line 8 of this Article.

The revoked vehicle registration document referred to in paragraph 1 lines 1, 2, 3 and 6 of this Article shall be handed over to the Ministry of Interior.

Confirmation document shall be issued to the carrier on the revoked vehicle registration document.

The exclusion of the vehicle from transport by revoking of the vehicle registration document referred to in paragraph 1 lines 1, 2, 3 and 6 of this Article shall be with duration of 30 days.

The temporary prohibition from paragraph 1 line 11 of this Article can be pronounced in duration between 10 to 30 days.

**Article 90**

The authorised road transport inspector of the municipality or the authorised road transport inspector of the City of Skopje shall be entitled to make a decision on:

- excluding the vehicle from transport by revoking the vehicle registration document, if municipal line transport of passengers and auto-taxi transport of passengers are being performed prior to registration of the activity in the Central Register or if the carrier registered in the Central Register does not possess a licence for that type of transport,

- excluding the vehicle from transport by revoking the vehicle registration document if the carrier performs municipal line transport of passengers without a licence, permit and registered timetable,

- excluding the auto-taxi vehicle from transport by revoking the vehicle registration document if the transport is being performed without the relevant license, without having installed proper, sealed and calibrated taximeter or if the one is not included,

- excluding the vehicle from transport by revoking the vehicle registration document if the carrier is performing special line transport of passengers on the territory of the municipality or the City of Skopje without possessing a permit for that type of transport,

- revoking of the permit of the carrier for special line transport of passengers being performed on the territory of the municipality if the passengers being transported shall fail to present identification evidence from the transport ordering party,

- removal of the shortcomings within a specified timeframe regarding the meeting of the prescribed conditions for performing municipal line transport of passengers and abiding by the timetable and the auto-taxi transport of passengers, and

- temporary prohibition for use of the bus terminals, stop points and turning points and the taxi stations if the shortcomings detected by the inspector shall not be removed within the specified timeframe, and revoking of the licence certificate for auto-taxi transport of the legal entity engaging a driver of the auto-taxi vehicle not possessing a certificate for an auto-taxi driver.

The revoked vehicle registration document referred to in paragraph 1 lines 1, 2, 3 and 4 of this Article shall be handed over to the Ministry of Interior.

Confirmation document shall be issued to the carrier on the revoked vehicle registration document.

The exclusion of the vehicle from transport by revoking of the vehicle registration document shall be with duration of 30 days.

The temporary prohibition referred to in paragraph 1 line 7 of this Article can be with duration between ten to 30 days. [47](https://www.akademika.com.mk/)

**Article 90-a**

If during the performing of the inspection supervision, the inspectors referred to in Article 87 of this Law shall establish committed irregularities from Article 96 paragraph 1 item 2-a, Article 97 paragraph 1 items 1, 3, 4, 11, 11-a, 13, 14, 15-a and 16, Article 98 paragraph 1 items 2-a, 3, 7 and 15, and Article 99-a paragraph 1 item 10 of this Law, the one shall be obliged to draft a report establishing the committed irregularity by indicating the removal of the established irregularity within the specified timeframe and by simultaneous submission of an invitation for education of the person or the entity where the irregularity was established during the performing of the inspection supervision.

The form and contents of the education invitation, as well as the manner for conducting the education shall be prescribed by the minister of transport and communications.

The education shall be organised and implemented by the State Transport Inspectorate, or the authorised road transport inspectors of the municipalities or of the City of Skopje, within a period not longer than eight days as of the date of the inspections supervision.

The education can be carried out for several established or similar irregularities, for one or more entities.

If the person or the entity for education shall fail to participate at the education, the education shall be considered as implemented.

If the person or the entity envisaged for education shall participate at the scheduled education and completes it, the one shall be considered as educated regarding the established irregularity.

If the inspectors referred to in Article 87 of this Law, while performing the control supervision shall establish the removal of the detected irregularities referred to in paragraph 1 of this Article, they shall make a conclusion stopping the inspection supervision procedure.

If the inspectors referred to in Article 87 of this Law, while performing the control supervision shall establish that the detected irregularities from paragraph 1 of this Article have not been removed, they shall submit a request for initiation of a misdemeanour procedure in front of the competent court, or the misdemeanour commission in the Ministry of Transport and Communications.

The State Transport Inspectorate, or the authorised inspector of the municipality, or the authorised inspector of the City of Skopje for road transport, shall keep records on the conducted education in a manner as prescribed by the minister of transport and communications.

**Article 90-b**

The Ministry of Transport and Communications shall be obliged to publish on its website the quarterly report on the performed inspection supervision by the State Transport Inspectorate.

The municipalities, or the City of Skopje, shall be obliged to publish a quarterly report on their website on the performed inspection supervision by the authorised inspector of the municipality or the authorised inspector of the City of Skopje.

**Article 91**

If during the supervision, the state inspector, the authorised road transport inspector of the municipality or of the City of Skopje shall obtain information on the existing grounds for suspicion of a committed misdemeanour which violated this Law or other regulation, the ones shall be obliged to forthwith submit a request for initiating a misdemeanour procedure in front of the competent court, or in front of the Misdemeanour Commission in the Ministry of Transport and Communications.

**Article 92**

Appeal can be lodged against the decision of the state road transport inspector within eight days as of the receipt of the decision with the State Commission for deciding in second instance in the field of inspection supervision and misdemeanour procedure.

Appeal can be lodged against the decision of the authorised road transport inspector of the municipality or of the City of Skopje within eight days as of the receipt of the decision with the State Commission for deciding in second instance in the field of inspection supervision and misdemeanour procedure.

Following the publishing of the bylaw referred to in paragraph 4 of this Article in the “Official Gazette of the Republic of Macedonia” the same shall be immediately, and within 24 hours at the latest, published on the website of the Ministry of Transport and Communications. [48](https://www.akademika.com.mk/)

The appeal shall not postpone the enforcement of the decision.

**Article 93**

Carriers, owners of motor vehicles, the legal entity managing the bus stations, and the transport users, shall be obliged to enable the inspectors from Article 87 of this Law to perform the inspection supervision, shall provide them with the required notifications, and shall make available the required documentation.

**Article 94**

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**Article 95**

The Ministry of Transport and Communications shall supervise the legality over the operations of the municipal bodies and of the bodies of the City of Skopje.

While performing the supervision referred to in paragraph 1 of this Article, the Ministry of Transport and Communications shall perform the following activities:

- assess whether the municipal bodies organise the transport on the territory of the municipality in accordance with the procedures set forth with the Law,

- indicate the particular material and procedural shortcomings in the operations of the municipal bodies that could disable the performance of road transport,

- provide recommendations to the municipal bodies upon their request for proper implementation of the activities they should perform in accordance with this Law;

- provide opinion and professional assistance on the proposal for regulations in the field of road transport upon request of the municipality, and

- timely inform the municipal bodies on the established situations in their work and on the undertaken measures during supervision performance.

If the Ministry of Transport and Communications, during performing the supervision referred to in paragraph 1 of this Article shall establish that the municipality or the City of Skopje do not have appointed authorised municipal inspectors, or inspectors of the City of Skopje, or if their number is insufficient, the inspection supervision with authorisation of the minister of transport can be performed by the state road transport inspectors.

**Article 95-а**

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XI PENALTY AND MISDEMEANOUR PROVISIONS

**Article 96**

Fine in amount of 5.000 euros in denar counter-value shall be pronounced for a misdemeanour against the legal entity, if it:

1) performs transport of passengers and goods in the internal and international road transport without a licence, license certificate (article 4 paragraph 1 article 4-a paragraph 1, and article 70 paragraph 10);

1-a) performs auto-taxi transport with a driver not possessing a certificate for an auto-taxi driver (article 3 paragraph 1 item 21-b).

2) performs line transport of passengers in the municipal, inter-municipal and international road transport without permit (article 19 paragraph 1, article 25 paragraph 1, article 36 paragraph 2, and article 44 paragraph 1);

2-a) during performing the inter-municipal line transport of passengers, there is no licence certificate, permit, registered timetable and travel order in originals (article 26 paragraph 5);

3) performs cabotage in the international line transport of passengers (article 39);

4) performs transport of passengers transiting through the territory of the Republic of Macedonia without a permit, that is, contrary to the issued permit (article 40);

4-a) performs free transport of passengers with elements of line and special line transport (article 46 paragraph 4);

5) performs alternate transport of passengers in the international road transport without a permit if the international contract envisages for such transport to be carried out with a permit (article 50 paragraph 1);

5-a) performs reservation and sale of tickets contrary to article 56 paragraph 2 of this Law;

6) foreign carrier performs international transport of goods without a permit (article 70 paragraphs 1 and 3 and article 79). 51.

7) foreign carrier performs transport of goods in the internal road transport without a permit (article 74 paragraph 1).

8) organises transport of goods and without license for organisation of transport (articles 4 and 7 paragraph 1 item 3);

9) while performing the international transport, gives or cedes the permit for transport of passengers or goods to another carrier or performs road transport with other carrier’s permit;

10) foreign carrier has crossed or corrected entered data in the international transport permit;

11) the leased vehicle of the foreign carrier does not include an original or notary verified lease contract in the language of the country of residence of the carrier, and translated into English language;

12) the vehicle of the foreign carrier is lacking a confirmation or a contract for established regular employment signed between the driver and the carrier performing the transport of passengers or goods in the official language of the country of residence of the carrier and translated into English, and

13) the vehicle of the foreign and domestic carrier has falsified individual transport permits and/or ECMT license, as well as a travel logbook.. [52](https://www.akademika.com.mk/)

For the misdemeanour referred to in paragraph 1 items 1 and 2 of this article, in addition to the fine, the person committing the act shall be sanctioned with a special misdemeanour measure for taking of the vehicle used to perform the transport.

For the misdemeanour referred to in paragraph 1 item 1 of this article, in addition to the fine, the legal entity shall be pronounced with a misdemeanour sanction seizing of the asset benefit acquired with the misdemeanour.

For the same misdemeanour referred to in paragraph 1 of this article, committed for the second time, the legal entity performing the activity in accordance with the provisions of this Law, in addition to the fine, shall be pronounced with a misdemeanour sanction, temporary prohibition for performing the activity in duration from six months to one year.

For the misdemeanours referred to in paragraph 1 of this article, fine in amount of 30% of the defined sanction for the legal entity shall be also pronounced against the responsible person in the legal entity and misdemeanour sanction prohibition for performing the duty shall be pronounced up to 30 days at the most.

For the misdemeanours set out in paragraph 1 items 2-a and 4-a of this article, the prohibition from paragraph 5 of this article can be replaced with a pecuniary compensation if the misdemeanour was committed for the first time.

The pecuniary compensation from paragraph 6 of this article shall represent a double amount from the amount of the defined fine for the misdemeanour.

For the misdemeanours referred to in paragraph 1 items 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12 and 13 of this article the foreign carrier shall be issued with a mandatory payment order in amount of 1.500 euros in denar counter-value, the vehicle registration document shall be temporarily revoked and additional measure shall be pronounced against it prohibiting the movement of the vehicle on the territory of the Republic of Macedonia up to the payment of the pronounced fine. The road transport inspector shall obligatory inform the competent border services on the pronounced additional measure prohibiting the movement of the subject vehicle on the territory of the Republic of Macedonia. [53](https://www.akademika.com.mk/)

**Article 97**

Fine in amount of 5.000 euros in denar counter-value shall be pronounced against the legal entity for a committed misdemeanour, if the one:

1) performs road transport with motor vehicles not meeting the conditions defined with the road traffic safety regulations and the prescribed special technical exploitation conditions (article 5 paragraph 1 and article 70 paragraph 8);

2) commence the transport of passengers and goods in the internal and international road transport prior to obtaining the licence and licence certificate (article 11 paragraph 1, article 70 paragraph 10 and article 79 paragraphs 1 and 3);

3) while performing the municipal line transport of passengers, the vehicle does not possess the license certificate and the license (article 20 paragraph 1);

4) the carrier shall fail to abide by the timetable and to the regular line maintenance (article 20 paragraph 2);

5) fails to perform the transport according to the issued permit and registered timetable (article 26 paragraph 4);

6) changes the timetable and movement direction (itinerary) prior to expiration of the permit validity (article 28 paragraph 1);

7) without justified reasons and without approval of the competent body, stops the transport at a particular line (article 32 paragraph 1);

8) fails to issue the tickets in accordance with article 33 of this Law;

9) performs special line transport from article 43 of this Law without permit issued by the competent authority (article 44);

10) performs line transport of passengers in the international road transport contrary to the timetable, itinerary and the pricelist (article 38 paragraph 1);

11) the vehicle used to perform the transport is lacking the original or verified permit transcript, timetable, itinerary and pricelist (article 38 paragraph 2);

11-a) while performing the special line transport of passengers, the vehicle is lacking the licence certificate, the licence, travel order in original and contract with the list of passengers according to article 43 paragraphs 7 and 8 of this Law;

12) while performing the free transport of passengers in the internal road transport, the bus is lacking the contract concluded between the carrier and the service beneficiary and the list of passengers being transported duly verified by the carrier (article 49 paragraph 1);

13) while performing the international free transport of passengers, the vehicle is lacking the travel list and the contract concluded between the carrier and the service ordering party (article 49 paragraph 2);

14) the vehicle is lacking the permit, if the transport is envisaged to be carried out with a permit;

15) fails to provide services under equal conditions to all carriers performing line transport of passengers (article 57 paragraph 1);

15-a) the vehicle is lacking the licence certificate (article 64 paragraph 3 and article 79 paragraph 1);

16) the vehicle is lacking the travel order and the bill of lading (article 64 paragraph 1 and article 79 paragraph 1) and/or

17) the vehicle is lacking the CMR – bill of lading for the goods being transported and /or international transport permit, if it is requested (article 66 paragraph 2, article 70 paragraphs 7 and 11). [54](https://www.akademika.com.mk/)

18) fails to submit all copies of the permits on the subject line to the State Transport Inspectorate within the defined timeframe (article 89 paragraph 3).

For the misdemeanours referred to in paragraph 1 of this article, fine in amount of 30% of the defined fine for the legal entity shall pronounced also against the responsible person in the legal entity.

For the misdemeanours referred to in paragraph 1 items 1, 2, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15-а, 16 and 17 of this article, the foreign carrier shall be issued with a mandate travel order in amount of 1.500 euros in denar counter-value, shall be temporary revoked the vehicle registration document, and shall be pronounced with an additional measure prohibiting the vehicle movement on the territory of the Republic of Macedonia up to the payment of the pronounced fine. The road transport inspector shall obligatory inform the competent border services on the pronounced additional measure prohibiting the movement of the subject vehicle on the territory of the Republic of Macedonia.

**Article 98**

Fine in amount of 5.000 euros in denar counter-value shall be pronounced against the legal entity for a committed misdemeanour, if:

1) *Deleted* [55](https://www.akademika.com.mk/)
2) fails to keep records on the issued travel orders and fails to keep them for at least one year (article 6 paragraph 5);

2-a) performs getting on and off of passengers in the line municipal transport of passengers at bus stops contrary to the registered timetable (article 21 paragraph 1);

3) while performing the transport, the vehicle is lacking the permit and the verified timetable (article 26 paragraph 5);

4) fails to report the temporary transport stopping to the permit issuing authority (article 29 paragraph 2);

5) fails to submit to the competent permit issuing authority the request for temporary stopping or permanent stopping of the transport (article 30 paragraph 1);

6) fails to publish the temporary stopping or the permanent transport stopping and the changes of the timetable for a particular line in the public information means and in the bus station (article 31);

7) performs getting on and off of passengers, or loading and unloading of luggage, at bus stations and stops not included in the permit and the timetable for the line (article 34);

8) fails to stop at the bus station or at the bus stop indicated in the permit and the timetable for the line (article 35);

8-a) fails to verify the travel order at each bus station approved in the timetable and the permit (article 35);

9) performs auto-taxi transport of passengers without a license (article 52);

10) while performing the auto-taxi transport, the vehicle is lacking the installed proper, sealed and calibrated taximeter (article 55 paragraph 1);

11) while performing the transport, the taximeter is not included and the transport cost is not charged on the basis of the amount set on the taximeter (article 54 paragraph 2);

12) the roof of the vehicle used for auto-taxi transport does not include the title “TAXI” (article 54 paragraph 3);

13) the bus station has failed to harmonise the working hours in accordance with article 59 of this Law;

14) the bus station is not keeping logs on the arrival and departure of buses and the travel order does not confirm the time of arrival and departure of buses (article 60 paragraphs 1 and 3);

15) the bus station fails to inform the State Transport Inspectorate on the non-performance of the transport on a particular line (article 60 paragraph 2);

15-a) legal entity performing the international trade in goods not retaining a copy of the international permit of the foreign carrier (article 70-a paragraphs 1 and 2);

16) if the carrier does not have a permit for irregular transport in the vehicle exceeding the prescribed conditions regarding the dimensions, total mass, axle load (article 75);

17) performs transport for own needs contrary to the conditions referred to in article 77 of this Law;

17-a) does not perform the transport for own needs in accordance with article 78 of this Law;

18) while performing the international transport of goods for own needs, the vehicle is lacking the bill of lading (article 79);

18-a) fails to return within the prescribed timeframe all copies of the revoked permit (article 89 paragraph 2);

19) fails to act in accordance with the inspector’s decision (articles 89 and 90) and

20) does not enable the road transport inspector to perform the inspection supervision, fails to provide the required notifications and fails to present the required documentation (article 93).

For the misdemeanours referred to in paragraph 1 of this article, fine in amount of 30% of the defined fine for the legal entity shall pronounced also against the responsible person in the legal entity.

For the misdemeanours referred to in paragraph 1 items 3, 4, 7, 8, 8-а, 15, 16 and 20 of this article the foreign carrier shall be issued with a mandate travel order in amount of 1.500 euros in denar counter-value, shall be temporary revoked the vehicle registration document, and shall be pronounced with an additional measure prohibiting the vehicle movement on the territory of the Republic of Macedonia up to the payment of the pronounced fine. The road transport inspector shall obligatory inform the competent border services on the pronounced additional measure prohibiting the movement of the subject vehicle on the territory of the Republic of Macedonia.

**Article 99**

Fine in amount of 2.000 euros in denar counter-value shall be pronounced for a misdemeanour to the natural entity, sole proprietor, if the one:

1) performs public transport without a licence, license certificate (article 4 paragraph 1);

1-a) performs auto-taxi transport without a certificate for auto-taxi driver (article 3 paragraph 1 item 21-b).

2) performs road transport with vehicles not meeting the conditions set forth with the road transport safety regulations and the prescribed special technical exploitation conditions (article 5 paragraph 1);

3) performs municipal line transport of passengers without a license (article 18);

4) the vehicle performing the municipal transport of passengers is lacking the license, licence certificate, permit, travel order in original, and registered timetable in original or verified copy (article 20 paragraph 1);

5) performs getting on and off of passengers in the line municipal transport at bus stops contrary to the registered timetable (article 21 paragraph 1);

6) performs inter-municipal transport of passengers without a permit (article 25 paragraph 1);

7) performs inter-municipal line transport of passengers contrary to the issued permit and the verified timetable (article 26 paragraph 4);

8) during the transport realisation, the vehicle is lacking the permit and timetable (article 26 paragraph 5);

9) fails to report the temporary transport stopping to the permit issuing authority (article 29 paragraph 2);

10) fails to submit a request for temporary stopping or permanent stopping of the transport to the competent permit issuing authority (article 30 paragraph 1);

11) fails to publish the temporary stopping or the permanent transport stopping and the changes of the timetable of the particular line in the public information means and at the bus station (article 31);

12) performs getting on and off of passengers, or loading and unloading of luggage, at bus stations and stops not included in the permit and the timetable for the line (article 34);

13) fails to stop at the bus station or at the bus stop indicated in the permit and the timetable for the line (article 35);

14) performs special line transport without a permit (article 44);

15) *Deleted* [56](https://www.akademika.com.mk/)

16) performs auto-taxi transport of passengers without a license (article 52);

17) the vehicle performing the auto-taxi transport is lacking a proper, sealed and calibrated taximeter placed at a visible location (article 55 paragraph 1);

18) while performing the transport, the taximeter is not included and the transport cost is not charged on the basis of the amount set on the taximeter (article 55 paragraph 2);

19) the roof and sides of the vehicle used for auto-taxi transport does not include the title “TAXI” (article 55 paragraph 3);

19-a) the vehicle performing the free transport of passengers in the internal road transport is lacking the licence certificate, travel order in original and contract concluded between the carrier and the service ordering party and the list of passengers duly signed and verified by the carrier (article 49 paragraph 1) and

19-b) performs free transport of passengers in the international road transport contrary to article 49 paragraph 2 of this Law.

20) the bus driver fails to report the time for each arrival and departure of the bus at the bus station (article 60 paragraph 3);

21) the vehicle performing the transport for own needs fails to meet the conditions prescribed with the regulation from article 5 paragraph 2 of this Law (article 77 paragraph 5);

22) the vehicle is lacking the bill of lading and evidence to be used so as to determine that the transport for own needs is being performed (article 79);

22-a) has failed to retain a copy of the international permit from a foreign carrier (article 70-a paragraphs 1 and 3),

23) fails to act according to the decision of the inspector (articles 89 and 90) and

24) fails to enable the road transport inspector to perform the inspection supervision, fails to provide the required information and fails to present the required documentation (article 93).

For the misdemeanour referred to in paragraph 1 items 1, 3, 4, 7 and 8 of this article in addition to the fine the committing entity shall be pronounced with a misdemeanour sanction temporary prohibition for performing the activity in duration from three months to one year.

**Article 99-a**

Fine in amount of 500 euros in denar counter-value shall be pronounced for a misdemeanour against the natural or legal entity, if the one

1) performs public transport, transport for own needs, free or special transport of passengers and taxi transport without a license and licence certificate (article 4 paragraph 1 and article 4-a);

1-a) performs auto taxi transport contrary to the decision referred to in article 10-a paragraph 2 of this Law; [57](https://www.akademika.com.mk/)

1-b) performs municipal line transport of passengers contrary to the conditions prescribed by the municipal council or of the Council of the City of Skopje (article 22); [58](https://www.akademika.com.mk/)

2) misuses the membership confirmation and the travel card contrary to article 33 paragraph 4 of this Law;

3) performs transport of passengers in the municipal special line transport, free transport of passengers with elements of line transport of passengers, the inter-municipal and international road transport without a permit (article 25 paragraph 1 articles 19 and 44 paragraph 1);

3-a) performs auto-taxi transport in the opposite direction contrary to article 52 paragraph 3 of this Law;

4) performs taxi transport contrary to the conditions prescribed by the municipal council, or of the Council of the City of Skopje (article 54 paragraph 1);

5) performs transport of passengers contrary to article 27-a of this Law;

6) fails to enable the road transport inspector to perform the inspection supervision, fails to provide the required information, and fails to present the required documentation;

7) the certificate for roadworthiness of vehicles (ECMT certificate) has expired;

7-a) does not possess a certificate for auto-taxi driver or the certificate it possesses has expired;

8) the certificate for participation of drivers in the international road transport has expired;

9) the carrier, while performing the auto taxi transport, acts contrary to article 55 paragraph 5 of this Law, and

10) the driver, while performing the transport of passengers or goods in the internal or international road transport lacks the travel order in the vehicle.

For the misdemeanours referred to in paragraph 1 of this article, the request for initiating the misdemeanour procedure shall be submitted to the Ministry of Transport and Communications, at the Commission for Misdemeanour Procedure (hereinafter referred to as: the Commission).

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In addition to the fine from paragraph 1 of this article for the misdemeanour from paragraph 1 item 3 of this article, the vehicle used for transport with which the misdemeanour from paragraph 1 item 3 of this article was committed is being temporarily seized with assistance of a uniformed police official at the moment of committing the misdemeanour for a period from six months to one year, and following the issuing of the decision for temporary seizing of the vehicle by the road transport inspector.

In addition to the fine referred to in paragraph 1 of this article for the misdemeanour from paragraph 1 item 3-a of this article, the vehicle used for the auto taxi transport with which the misdemeanour from paragraph 1 item 3-a of this article was committed is being temporarily seized with assistance of a uniformed police official at the moment of committing the misdemeanour for a period from six months to one year, and following the issuing of the decision for temporary seizing of the vehicle by the road transport inspector. In case of repeated misdemeanours by the same entity or with the same vehicle, the vehicle used for the auto taxi transport shall be permanently seized in ownership of the Republic of Macedonia with assistance of a uniformed police official at the moment of committing of the misdemeanour, and following the issuing of the decision for permanent seizing of the vehicle by the road transport inspector.

No appeal can be lodged against the decision of the road transport inspector.

Charges for administrative dispute can be brought against the decision of the road transport inspector within eight days as of committing the misdemeanour.

The charges for administrative dispute shall not postpone the execution of the decision for temporary and permanent seizing of the vehicle adopted by the road transport inspector.

The costs arising during the enforcement of the decision for temporary and permanent seizing of the vehicle till the expiry of the timeframe for returning of the vehicle shall be born by the entity committing the misdemeanour.

**Article 99-b**

Fine in amount of 200 euros in denar counter-value shall be pronounced against a driver of a vehicle performing transport at the place of misdemeanour, if the one:

1) performs getting on and off of passengers and loading and unloading of luggage outside of the bus stations or stops not specified in the timetable (17-a paragraph 4);

2) performs getting on and off of passengers in the line municipal transport at bus stops contrary to the timetable (article 21 paragraph 1);

2-a) during the performing of the municipal line transport of passengers, acts contrary to the obligations prescribed by the municipal council, or the Council of the City of Skopje (article 22);

3) fails to issue fiscal receipts on the sold tickets in the bus (article 33 paragraph 2);

4) fails to stop at the bus station or stop specified in the permit and the timetable for the line (article 35);

5) while performing the auto taxi transport of passengers, the vehicle lacks an installed proper, sealed and calibrated taximeter and fiscal device (article 55 paragraph 1);

6) while performing the auto taxi transport fails to turn on the taximeter and charges the transport price on the basis of the amount set on the taximeter (article 55 paragraph 2);

7) the roof of the vehicle performing the auto taxi transport does not include the title “TAXI” (article 55 paragraph 3);

8) no pricelist with defined tariffs and the license certificate are not placed at a visible place in the vehicle (article 55 paragraph 4) and

9) fails to verify the travel order at each bus station approved in the timetable and the permit (article 60 paragraph 3).

10) performs getting on and off of passengers in the special line transport of passengers outside of the approved stations in the timetable;

For the misdemeanours referred to in paragraph 1 of this article, the inspector of article 87 of this Law shall submit a misdemeanour payment order to the entity committing the misdemeanour.

The inspectors referred to in article 87 of this Law shall be obliged to keep records on the issued misdemeanour payment orders and the mandate payment orders, and on the outcome of the initiated procedures.

The records from paragraph 3 of this article shall collect, process, and keep the following data: name and surname, or name of the entity committing the misdemeanour, address, or place of residence, head office, type of misdemeanour, number of the misdemeanour payment order or the mandate payment order being issued and the procedure outcome.

The personal data from paragraph 3 of this article are kept for a period of five years as of the record entry date.

**Article 99-c**

For the misdemeanours referred to in articles 96, 97, 98, 99, 99-a and 99-b of this Law, prior to submission of the request for initiation of the misdemeanour procedure, the inspector of article 87 of this Law shall implement a procedure for settlement. If the committing entity admits the misdemeanour, the inspector shall issue the committing entity with a misdemeanour payment order for payment of the fine envisaged for the misdemeanour. By signing the payment order, it is considered that the misdemeanour committing entity agrees to pay the envisaged fine.

The entity committing the misdemeanours from paragraph 1 of this article shall be obliged to pay the fine within eight days as of the day of receipt of the misdemeanour payment order at the account indicated in the payment order. The committing entity who shall pay the fine within the given timeframe shall only pay half of the pronounced fine specified in the payment order.

If the entity committing the misdemeanour referred to in paragraph 1 of this article shall fail to pay the fine within the timeframe specified in paragraph 2 of this article, the inspector shall submit a request for initiation of a misdemeanour procedure in front of the competent court or the Commission for Misdemeanour Procedure (hereinafter referred to as: the Commission) established by the minister of transport and communications.

The Commission shall consist of two members and a president.

The Commission members shall be with higher education and working experience of at least two years, whereas the president shall be bachelor in law with passed bar exam and working experience of at least four years.

Appeal can be lodged against the decision of the Commission within eight days as of the date of receipt of the decision through the misdemeanour authority to the State Commission deciding in second instance in the field of inspection supervision and misdemeanour procedure.

The inspectors from article 87 of this Law shall be obliged to keep records on the initiated procedures for settlement and on their respective outcomes.

**Article 99-d**

The funds from the fines pronounced in the mandate procedure by the state road transport inspectors, as well as the funds from the fines pronounced in the misdemeanour procedure initiated upon request of the state road transport inspectors shall be revenue for the Budget of the Republic of Macedonia.

The funds from the fines pronounced in the mandate procedure by the authorised road transport inspectors of the municipalities or authorised road transport inspectors of the City of Skopje, as well as the funds from the fines pronounced in the misdemeanour procedures upon request of the authorised road transport inspectors of the municipalities or authorised road transport inspectors of the City of Skopje, shall represent revenues of the municipalities or the City of Skopje.

The funds from fines pronounced in the misdemeanour procedure initiated on the basis of the proposal of controllers in accordance with article 88 paragraph 10 of this Law shall represent revenue for the carrier maintaining the transport.

**Article 99-e**

Fine in amount of 50 euros in denar counter-value shall be pronounced for a misdemeanour to the natural person – passenger, if the one:

- does not possess a travel ticket during the travelling (article 17-a paragraph 1) and

- does not present the ticket to the road transport inspector (article 17-a paragraph 2).

For the misdemeanours referred to in paragraph 1 of this article for a domestic passenger the request for initiating the misdemeanour procedure shall be submitted to the Ministry of Transport and Commission in front of the Commission for Misdemeanour Procedure, and for the foreign passenger, the fine shall be charged on site.

**Article 99-f**

Fine in amount from 2.000 to 3.000 euros in denar counter-value shall be pronounced against the authorised representatives of article 8-f paragraph 4 of this Law if they allow the candidate to act contrary to article 8-g paragraph 12 of this Law.

Fine in amount from 2.000 to 3.000 euros in denar counter-value shall be imposed on the commission members of article 8-h paragraph 4 of this Law if irregularities shall be established during the exam implementation without informing the minister of justice.

Fine in amount from 2.000 to 3.000 euros in denar counter-value shall be imposed on the person from article 8-i paragraph 2 of this Law who shall allow exam taking by a candidate not meeting the prescribed conditions with this Law.

Fine in amount from 100 to 200 euros in denar counter-value shall be pronounced against the candidate acting contrary to article 8-g paragraph 12 of this Law.

Fine in amount of 10.000 euros in denar counter-value shall be pronounced against the authorised legal entity who is technically implementing the exam referred to in article 8-i of this Law if the radio frequency range in the premise for exam taking is not blocked.

**Article 99-g**[**60**](https://www.akademika.com.mk/)

Fine in amount from 25 to 50 euros in denar counter-value shall be pronounced for a misdemeanour against the authorised official in the Ministry of Transport and Communications if the one shall fail to ex officio request the evidences within the timeframe set out in article 8 paragraph (6) of this Law.

Fine in amount from 25 to 50 euros in denar counter-value shall be pronounced for a misdemeanour against the authorised official in the municipality or the City of Skopje if the one shall fail to ex officio request the evidences within the timeframe set out in article 8 paragraph 7 of this Law

Fine in amount from 25 to 50 euros in denar counter-value shall be pronounced for a misdemeanour against the authorised official of the competent public authority from which the evidences have been requested if the one shall fail to submit the requested evidences within the timeframe set out in article 8 paragraph 8 of this Law

Fine in amount from 25 to 50 euros in denar counter-value shall be pronounced for a misdemeanour against the authorised official in the Ministry of Transport and Communications, the municipality or the City of Skopje if the one shall fail to decide upon the request for a license within the timeframe set out in article 8 paragraph 9 of this Law.

For the misdemeanours referred to in paragraphs 1, 2, 3 and 4 of this article the competent court manages the misdemeanour procedure and pronounces the misdemeanour sanction.

XII TRANSITIONAL AND FINAL PROVISIONS

**Article 100**

Legal and natural entities that perform public transport of passengers and goods in domestic and international road transport shall be obliged, within one year from the date of entry into force of this Law, to apply for a license.

If the entities shall fail to apply for a license within the timeframe referred to in paragraph 1 of this Article, the competent authority shall decide on the termination of the activity.

Licenses that were issued before the entry into force of this Law shall continue to be valid until their expiry date.

**Article 100-a**

People who have at least five years experience in transportation as a manager or as an authorised person responsible for transport and higher education are exempted from taking the exam for obtaining a certificate of professional competence.

**Article 101**

Line transport of passengers in internal road transport shall be performed in accordance with the existing registered timetables, no later than one year after the entry into force of this law.

The licenses for international line transport of passengers and the permits for transport of goods issued before the entry into force of this Law shall be valid till the expiry of the period for which they were issued.

**Article 102**

Detailed regulations under this Law shall be passed within one year from the date of entry into force of this Law.

Until the entry into force of the regulations referred to in paragraph 1 of this Article, the regulations valid until the entry into force of this Law shall be applied.

**Article 103**

The Law on Road Transport (“Official Gazette of the Republic of Macedonia” number 63/1995 and 29/1998) shall cease to be valid on the date of entry into force of this Law.

**Article 104**

This Law shall enter into force on the eight day after its publication in the "Official Gazette of the Republic of Macedonia”.

**PROVISIONS FROM OTHER LAWS**

Law Amending and Supplementing the Law on Road Transport ( "Official Gazette of the Republic of Macedonia" no. 127/2006):

**Article 46**

Detailed provisions stipulated in this Law shall be adopted within six months from the date of entry into force of this Law.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 114/2009 and 83/2010):

**Article 64**

Legal and natural entities that perform public transport of passengers and goods and transport for own needs in the domestic and international road transport shall be obliged, within six months from the date of entry into force of this Law, to harmonize their operations in accordance with the provisions of this Law.

If the legal and natural entities that perform public transport of passengers and goods and transport for own needs in domestic and international road transport within the timeframe provided in paragraph 1 of this Article shall not harmonize their operations in accordance with the provisions of this Law, the competent authority shall decide on termination of the activity.

Licenses that were issued before the entry into force of this Law shall continue to be valid until their expiration date.

**Article 65**

Licenses for performing auto taxi transport of passengers issued before the entry into force of this Law shall continue to be valid at most within four years from the date of issuing of the licenses.

**Article 66**

if the procedures for issuance or renewal of a license for international line transport of passengers commenced before January 1, 2008, shall not be completed within three months from the date of entry into force of this Law, decision shall be adopted on revocation and removal from the register of timetables and permits.

Seasonal lines maintained with timetables and which have been harmonised in the Chamber of Commerce, and for which the carrier has timely filed a request for their extension, may be extended pursuant to the provisions of this Law.

To extend the lines referred to in paragraph 2 of this Article, the carrier shall be obliged to submit a new request.

**Article 67**

The legal or natural person that manages the bus station is obliged within three months from the entry into force of this Law to submit a request for categorization of the bus station to the Ministry of Transport and Communications.

If the legal or natural person that manages the bus station shall fail to submit the request in accordance with paragraph 1 of this Article, the minister of transport and communications shall establish a commission for categorization of the bus station and according to prescribed criteria for categorization of bus stations shall make a decision on categorisation.

If the bus stop is not eligible for any of the categories referred to in Article 57 paragraphs 4 and 5 of this Law, upon prior report from the Commission for categorisation of paragraph 2 of this Article, the minister may decide to close the bus station until the conditions for its categorisation into any of the categories of Article 57 paragraph 4 of this Law shall be met.

**Article 68**

Carriers which according to the provisions of the Law on Road Transport ( "Official Gazette of the Republic of Macedonia" No. 68/2004 and 127/2006) have acquired the rights and obligations (permits, decisions and other acts), may occur in the capacity the founder of a new legal entity with priority activity / main revenue code corresponding to the activity that will be carried out, with all rights and obligations (permissions, decisions and other acts) arising from the activity that will be performed by the new entity, and which have been acquired by the company-founder can be transferred to the newly established company.

The newly established entity applies for a license in accordance with the priority activity / main revenue code for which it is registered or which is recorded in the Central Registry of the Republic of Macedonia.

**Article 69**

Detailed provisions stipulated with this Law shall be adopted within six months from the date of entry into force of this Law.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 83/2010):

**Article 31**

The provision of Article 5 paragraph 1 of this Law shall begin to apply from January 1, 2013.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 83/2010)

**Article 32**

Certificates for participation of drivers in the international road transport issued before the entry into force of this Law shall apply for a period of five years from the date of their issuing.

**Article 33**

Carriers that are undergoing bankruptcy proceedings and for which there is an approved plan for reorganisation by the primary court, and which have acquired the licenses for performing line transport of passengers before the entry into force of this law, may submit a request for extension of the validity of licenses within two months from the date of entry into force of this law.

Carriers that are undergoing bankruptcy proceedings may submit an application for a license within six months following the entry into force of this Law.

For the carriers referred to in paragraph 2 of this article who will apply for a license, the provisions of article 8 paragraph 1 items 3 and 7 will not apply.

**Article 34**

If the procedures for issuing or extension of the permit for international line transport of passengers commenced before 1 January 2009 shall not be completed within two months as of the date of entry into force of this Law, decision shall be made on them for revoking and removal from the registry of timetables and permits.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 140/2010)

**Article 21**

Detailed provisions envisaged with this Law shall be adopted within three months from the date of entry into force of this Law.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 17/2011):

**Article 11**

The provisions of Article 8 paragraph 1 item 2 of this Law shall not apply to legal entities who have on the basis of the Concession Contract acquired the right to use the vehicles, or the legal entity can be the user of the vehicles.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 17/2011)

**Article 12**

The provision of Article 8-c paragraph 1 of this Law shall begin to apply from 1 September 2011.

**Article 13**

The provisions of articles 1, 8, 9 and 10 of this Law shall apply from the date of entry into force of the Law on Inspection Supervision.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 53/2011)

**Article 16**

Legal and natural entities that organise the transport of goods and / or passengers in the domestic and international road transport shall be harmonised with the provisions of this Law within six months from the date of entry into force of this Law.

**Article 17**

The bylaw referred to in articles 6 paragraph 4 and 11 paragraphs 4 and 21 of this Law shall be adopted within 15 days from the date of entry into force of this Law.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 53/2011)

**Article 19**

The provisions of Article 6 of this Law amending Article 10 paragraph 9 and the provisions of Article 17 of this Law shall be applied with the entry into force of the Law on Establishing the State Commission deciding in administrative procedure and employment procedure in the second instance.

**Article 20**

The provisions of Article 6 of this Law shall be applied by the mayors and mayor of the City of Skopje from 1 September 2011.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 6/2012)

**Article 21**

Agreements concluded in accordance with Article 23 of the Road Transport ("Official Gazette of the Republic of Macedonia" No. 68/2004, 127/2006, 114/2009, 83/10, 140/10, 17/11 and 53/11) continue to apply following the entry into force of this Law for the period for which they are concluded, but not later than June 1, 2012.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 6/2012)

**Article 22**

The provision of Article 10 of this Law shall apply from 1 January 2012.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 23/2013 and 187/2013)

**Article 35**

Carriers that are undergoing bankruptcy proceedings and for which there is an approved reorganisation plan and who have acquired licenses for line transport of passengers before the entry into force of this law may apply for the extension of the validity of licenses within two months after the entry into force of this law.

Carriers that are undergoing bankruptcy proceedings may submit an application for a license within six months after the entry into force of this law.

For the carriers referred to in paragraph 2 of this Article who will apply for a license, the provisions of article 8, paragraph 1, items 1, 3, 7 and 8 of this Law shall not apply.

**Article 36**

Legal entities authorised for professional education of candidates for obtaining the certificate for professional competence of the manager or of the authorised person responsible for transport and for the professional education of drivers for obtaining a certificate for participation in the international transport of passengers and goods shall be obliged within a period of one year to be harmonised with the provisions of this Law.

Commenced procedures for obtaining an authorisation for professional education of candidates for obtaining the certificate for professional competence of the manager or of the authorised person responsible for transport and for the professional education of drivers for obtaining a certificate for participation in the international transport of passengers and goods shall continue to apply in accordance with the provisions of this Law.

**Article 37**

Bus stations shall be obliged within a period of one year following the entry into force of this Law to harmonise their operations pursuant with the provision of article 33 paragraph 2 defined in article 21 of this Law.

If the state road transport inspector shall establish that the bus station has failed to commence with the sale of tickets according to paragraph 1 of this article, the one shall submit a proposal to the minister of transport and communications for revoking of the bus station categorisation.

**Article 38**

Drivers who have acquired the confirmation for completed additional training for extension of the validity of the certificate for participation of drivers in the international road transport before the entry into force of this Law can extend its validity following the expiry of the existing certificate for participation of drivers in the international road transport without taking the exam and without possessing the certificate for passed exam for participation of drivers in the international road transport. When submitting the request for extension of the certificate validity, the drivers shall obligatory submit the confirmation for completed additional training for extension of the certificate for participation of drivers in the international road transport issued before the entry into force of this Law.

**Article 39**

The contracts for performing transport of passengers issued in accordance with the agreements concluded according to article 23 of the Law on Road Transport (“Official Gazette of the Republic of Macedonia” No 68/2004, 127/2006, 114/2009, 83/10, 140/10, 17/11 and 53/11) shall continue to apply following the entry into force of this Law for the period for which they were concluded, but by 1 September 2013, at the latest.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 163/2013)

**Article 8**

The bylaws envisaged with this Law shall be adopted within three months from the date of entry into force of this Law.

**Article 9**

Persons who, until the date of entry into force of this Law, have commenced the taking of exams envisaged with this Law, shall take the exams according to the regulations valid up to the date of commencement of application of this Law.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 163/2013)

**Article 10**

This Law shall enter into force on the eight day as of its publishing in the “Official Gazette of the Republic of Macedonia”, whereas article 1 shall be applied one year following the entry into force of this Law, and articles 2, 3, 4, 5 and 6 of this Law shall be applied as of 1 may 2014.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 187/2013)

**Article 25**

The submission of notifications and decisions of the Commission deciding on misdemeanours shall be performed in accordance with the provisions of the Law on General Administrative Procedure. If the residence of the person to whom the notification or the decision are to be submitted is unknown to the authority whose writs are being submitted or if the person has moved, the Commission deciding on misdemeanours shall place the notification or the decision on the notice board in the Ministry of Transport and Communications and the submission shall be considered as orderly with the expiry of eight days as of the date of being placed on the notice board in the Ministry of Transport and Communications.

**Article 26**

Licenses for organisation of transport issued prior to the entry into force shall continue to be valid till the expiry of the period for which they were issued as licenses for organisation for transport of goods.

**Article 27**

Commenced procedures for issuing of permits for special line transport prior to the entry into force of this Law shall continue in accordance with the provisions of this Law.

**Article 28**

Up to commencement of the transport in accordance with article 22-a of this Law, the transport in the City of Skopje and the municipalities Arachinovo, Zelenikovo, Ilinden, Petrovec, Sopishte, Studenichani and Chucher Sandevo shall be implemented in accordance with the Decision for public city and inter-municipal (suburban) transport of passengers in the City of Skopje (“Official Gazette of the City of Skopje” No 6/99, 16/99, 11/2000, 12/2000, 9/2003, 12/2003, 5/2007, 9/2009, 7/10, 15/10, 1/11, 4/11 and 9/12).

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 187/2013)

**Article 29**

The provision of article 8 paragraph 1 item 4 of this Law on possessing an international certificate for English language, level A1, according to the Common European Framework of Reference for Languages (CEFR) of the Council of Europe shall be applied from 1 January 2017, and regarding the possession of international certificate for knowledge in English language, level A2, according to the Common European Framework of Reference for Languages (CEFR) of the Council of Europe, the same shall be applied as of 1 January 2019.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 42/2014)

**Article 21**

Legal entities possessing licenses for performing auto taxi activity and drivers employed in such entities who have acquired the license to perform the auto taxi activity prior the entry into force of this Law shall harmonise their activities with the provisions of this Law within six months as of the date of entry into force of the bylaws set forth with this Law.

**Article 22**

The Commission referred to in article 8-i paragraph 3 defined in article 5 of this Law shall be established within three days as of the date of entry into force of the bylaws set forth with this Law.

**Article 23**

Individual farmers registered in the Ministry of Agriculture, Forestry and Water Economy shall be obliged within 30 days as of the date of entry into force of this Law to submit a request in accordance with article 9-c paragraph 1 of this Law for obtaining a confirmation for performing transport.

**Article 24**

The bylaws envisaged with this Law shall be adopted within one month as of the date of entry into force of this Law.

**Article 25**

The Director of the State Transport Inspectorate, appointed up to the date of commencement with the application of article 17 of this Law, shall continue to perform the function up to the expiry of the term for which the one was appointed.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 42/2014)

**Article 26**

The provisions of article 17 of this Law shall be applied within one year as of the date of entry into force of this Law, except for the provisions pertaining to the requirement for knowledge of foreign language which shall be applied two years following the date of entry into force of this Law.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 112/2014)

**Article 2**

This Law shall enter into force on the eight day as of its publishing in the “Official Gazette of the Republic of Macedonia” shall be applied as of 1 January 2015.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 166/2014)

**Article 16**

The provision of article 1 of this Law supplementing article 8 with new paragraph 2 shall be applied as of 1 April 2015.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 44/2015)

**Article 18**

The legal entities who have acquired the licence to perform the auto taxi activity up to the date of entry into force of this Law shall harmonise their operations with the provisions of this Law by 1 November 2015, at the latest.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 44/2015)

**Article 19**

The provision of article 12 of this Law shall be applied with the date of commencement of application of the Law on Prohibiting and Preventing the Non-registered Activity (“Official Gazette of the Republic of Macedonia” number 199/14).

The provision of article 15 of this Law shall be applied with the date of commencement of application of the Law on Establishment of the State Commission Deciding in Second Instance in the Field of Inspection Supervision and Misdemeanour Procedures (“Official Gazette of the Republic of Macedonia” no 130/14).

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 97/2015)

**Article 10**

The existing valid certificates for participation of drivers in the international road transport shall be replaced in accordance with the provision of article 2 of this Law supplementing article 8-b with submitting a request to the Ministry of Transport and Communications by the drivers by 1 June 2016, at the latest, and the same shall be valid till the expiry of the period for which the existing certificates were issued.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 129/2015)

**Article 7**

The form and contents of the misdemeanour payment order and the mandate payment order shall be prescribed by the minister of transport and communications.

**Article 8**

The provisions of the Law on Misdemeanours shall apply to defining the misdemeanour fines.

**Article 9**

The bylaw defined with this Law shall be adopted no later than 30 days as of the date of entry into force of this Law.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 129/2015)

**Article 10**

This Law shall enter into force on the date of its publishing in the “Official Gazette of the Republic of Macedonia”.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 37/2016)

**Article 18**

The commenced procedures up to the date of application of this Law shall be completed in accordance with the Law on the basis of which the same have commenced.

Law Amending and Supplementing the Law on Road Transport ("Official Gazette of the Republic of Macedonia" no. 37/2016)

**Article 19**

The provisions of articles 1, 2, 3, 4, 5, 6, 7, 8 , 9, 10, 11, 13, 14, 15 and 17 of this Law shall be applied with the commencement of application of the Law on General Administrative Procedure in accordance with Article 141 of the Law on General Administrative Procedure (“Official Gazette of the Republic of Macedonia” number 124/15).