

LAW No. 05/L - 064

ON DRIVING LICENCE

Assembly of the Republic of Kosovo,

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

Approves:

LAW ON DRIVING LICENCE

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

1. The purpose of this Law is to define conditions and criteria for obtaining a driving licence, for licensing driving schools, for professional lecturers, for instructors of drivers, for examiners, for training of candidates for drivers, for passing of the exam for driving licence, for training program for trainers in the field of driving licence, for periodic training for professional drivers that drive transport vehicles for goods and passengers, for the conditions to gain the right for driving the vehicle, for vehicle categories, for health conditions, application procedures, for obtaining, extending and changing driving licence as well as other related issues.

2. This Law is in compliance with Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences; Directive 2003/59/EC the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC; Commission Directive 2013/47/EU of 2 October 2013 amending Directive 2006/126/EC of the European Parliament and of the Council on driving licences; Commission Directive 2012/36/EU of 19 November 2012 amending Directive 2006/126/EC of the European Parliament and of the Council on driving licences; Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC.

**Article 2
Scope**

The rules of this Law are mandatory for state institutions, respective Ministry of Transport, Ministry of Internal Affairs, Ministry of Health, Ministry of Justice, Ministry of Education, Science and Technology based on the competences of specific area, relevant legal and natural persons to whom are dedicated and for all drivers of vehicles.

Article 3 **Definitions**

1. Terms used in this Law shall have the following meanings:

1.1. **Driver** - a person who drives a motor vehicle on the road;

1.2. **Driving licence** - a public document which is issued by the competent authority and which proves the right to operate certain categories of vehicles;

1.3. **International driving license (IDL)** – a document issued upon the request of the party, which enables its holder to drive the vehicle in those states outside Kosovo that require this additional document, according to Vienna Convention on Road Traffic, of date 8.11.1968. It is an additional document, translated into many languages, which describes the data of the driving licence issued by the competent institution of the state, that has a picture of the vehicle driver and relevant data on the right on driving. This document shall not be allowed to its holder to drive the vehicle in the place of origin;

1.4. **Young driver** – driver of the vehicle who has a driving licence, of the age up to twenty-four (24), excluding the driver whose basic profession is driving of the vehicle;

1.5. **Beginner driver** – driver who has obtained the driving licence of category A, A1, A2 or B, B1 not more than two (2) years;

1.6. **Driving school** - an entity that teaches the skills (training) to the candidates for drivers of the vehicles;

1.7. **Candidate for driver** - a person who is enrolled in driving school for training for driver.

1.8. **Examiner of the candidates for drivers** - expert assigned by the Ministry, who is licensed to hold the theoretical or practical exam for driving licence;

1.9. **Instructor of drivers** – an authorized person for training the candidates for drivers in the practical part for the respective category;

1.10. **Licence of professional lecturer** - a public document issued by the respective Ministry for Transport that proves the right for training candidates for drivers on the theoretical part;

1.11. **Licence of the instructor of drivers** - a public document issued by respective Ministry of Transport that proves the right for training the candidate for driver on the practical part;

1.12. **Licence of driving examiner** - a public document issued by respective Ministry of Transport which proves the right for testing the candidate for driver on the practical part;

1.13. **Medical certificate** - a document certifying that the person is fit physically and psychologically to drive the vehicle;

1.14. **Certificate of Professional Qualification (CPQ)** - a document which certifies the completion of the training for professional driver;

1.15. **Vehicle (motor vehicle)** - a self-propelled road vehicle, commonly wheeled, that does not operate on rails;

1.16. **Light trailer** – a vehicle attached to vehicle, the maximum allowed mass of which is not more than 750 kg;

1.17. **Combination (combination of vehicles)** - the semi-trailer towing vehicle or a trailer that participates in traffic as a whole;

1.18. **Ministry** - the respective Ministry for Transport.

2. Terms used in this Law and that are not defined in the definitions, shall have the meaning as defined in other Laws.

CHAPTER II ENTITY FOR TRAINING THE CANDIDATE FOR DRIVER

Article 4 Driving school

1. The driving school shall perform the training of candidates for drivers of vehicles or combination of vehicles (hereinafter vehicles), provided that it meets the conditions set out in Article 5 of this Law and other sub-legal acts issued under this Law.

2. With the exception of paragraph 1 of this Article, periodic training for professional drivers is carried out by entity authorized by the Ministry, as provided in Article 90 of this Law.

3. Training of candidates amongst the members of the Kosovo security institutions is performed by the driving school which is established within the security institution with the right on training only their members.

4. The Ministry is competent for the licensing of driving schools in the Republic of Kosovo.

Article 5 The basic conditions for the licensing of driving school

1. In order to exercise the activity, driving school should meet the following terms and conditions:

1.1. to have the personnel as following:

1.1.1. an administrative- professional head;

1.1.2. a professional lecturer;

1.1.3. at least two (2) instructors of drivers for category B, while at least one (1) instructor of drivers for each category for which it is licensed, as provided in Article 6 of this Law;

1.2. the personnel from sub-paragraph 1.1 of this paragraph should have a full time employment contract;

1.3. driving school may enter into honorarium employment relationship with the professional lecturer, determined in sub-paragraph 1.1.2 of this paragraph;

1.4. to have teaching, auxiliary tools and computers with additional equipment for connection to the electronic system;

1.5. to have in possession at least two (2) vehicles for category B, while one (1) vehicle for each category for which is licensed, as provided in Article 6 of this Law;

1.6. should be provided with working premises as following:

1.6.1. administrative office;

1.6.2. classroom;

1.6.3. polygon;

1.7. administrative office, classroom and polygon, defined in sub-paragraph 1.6 of this paragraph can be owned or rented.

2. Practical training of candidates with disabilities can be performed with the adapted vehicle that can be owned by the candidate, by the association for disabled persons or borrowed.

3. With the exception of sub-paragraph 1.5 of paragraph 1 of this Article, practical training of the candidate is allowed to be performed with vehicle of category AM, A1, T, if it is owned by the candidate.

4. With the exception of sub-paragraph 1.5 of paragraph 1 of this Article, practical training of the candidate is allowed to be performed with the combination of vehicles of categories B+E, D1+E, if the trailer is owned by the candidate.

5. The vehicles referred to in paragraph 3 and the trailer in paragraph 4 of this Article can be rented by the driving school.

6. Ministry shall, with sub-legal act, determine additional procedures for licensing and licence renewal of driving schools and other related issues.

Article 6

Licence of driving school

1. Licence for driving school is issued for categories A, B, C1, C1+E, C, C+E, D or D+E, after they have met the requirements and criteria set forth in Article 5 of this Law and other sub-legal

acts issued under this law.

2. The licence is issued only for one (1) category which is valid for five (5) years with the possibility of renewal.

3. Driving school which has the licence for category A has the right to train the candidates for category AM, A1 and A2 if the vehicle meets the conditions set forth in Articles 49 and 63 of this Law and other sub-legal acts issued under this Law.

4. Driving school which has the licence for category B, has the right to train the candidates for category M, L, B1, T, B+E for the theoretical part and B1, T, B+E for the practical part if the vehicle meets the conditions set in Article 49 and 63 of this Law and other sub-legal acts issued under this Law.

5. The person responsible in driving school that trains the candidates for drivers without any valid licence for the corresponding category shall be punished for minor offence, with the fine from one thousand (1,000) to three thousand (3,000) Euro.

Article 7

Suspension of licence of driving school

1. The licence of driving schools will be suspended by the Ministry for all categories in the following cases:

1.1. by court decision;

1.2. classroom, administrative office and polygon does not meet the set conditions and criteria.

2. The licence of driving schools will be suspended for the relevant category in the following cases:

2.1. does candidate training in contradiction with the training curriculum for the candidates, for the relevant category;

2.2. there is not at least two (2) instructors of drivers for category B, one (1) instructor of drivers for each category for which is licensed, as provided in Article 6 of this Law;

2.3. training of candidate in the vehicles without fulfilling the conditions under Article 49 and 63 of this Law and other sub-legal acts issued under this Law;

2.4. there is not at least two (2) vehicles for category B, while one (1) vehicle for each category for which is licensed, as provided in Article 6 of this Law.

3. Suspension of the licence may not be for a period shorter than thirty (30) days.

Article 8
Revocation of licence of driving school

1. The licence is revoked by the Ministry in the following cases:
 - 1.1. training of candidate on the theoretical or practical part during the suspension of the licence;
 - 1.2. requested by the owner;
 - 1.3. proof of incorrect or falsified submission of documentation about the data required for obtaining or renewing the licence;
 - 1.4. with the final court decision is prohibited the activity for training of candidates for drivers;
2. Ministry shall, with sub-legal act, issue procedures for the suspension and revocation of driving school licence and other related issues.

CHAPTER III
STAFF OF DRIVING SCHOOL

Article 9
Professional head

1. The professional head is the responsible person for managing the driving school for:
 - 1.1. administrative works;
 - 1.2. filing and regularity of documentation in driving school;
 - 1.3. issuing a completion certificate for training of the candidate;
 - 1.4. respecting the working hours of driving school;
 - 1.4.1. working schedule from sub-paragraph 1.4 of this paragraph is determined by the driving school which should be at least eight (8) hours per day (with breaks) and the same working schedule should be reported to the Ministry;
 - 1.5. notification for changes in driving school;
 - 1.6. respect the prices as set out with sub-legal acts related to the services provided by the driving school to the candidates for drivers and other related issues;
 - 1.7. closure of book registration for driving school candidates at the end of each month.

2. Professional head from paragraph 1 of this Article should fulfil the following conditions:
 - 2.1. should have completed the studies – at least Bachelor degree;
 - 2.2. should have driving licence at least for three (3) years;
 - 2.3. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.
3. Professional head, if he/she has a licence for:
 - 3.1. professional lecturer, has the right to train candidates for the theoretical part;
 - 3.2. instructor of drivers, has the right to train candidates for the practical part.
4. The responsible person in driving school who acts in contradiction with the rules of subparagraph 1.3 of paragraph 1 of this Article shall be punished for minor offence, with a fine from one thousand five hundred (1500) to two thousand (2000) Euro.
5. The responsible person in driving school who acts in contradiction with the rules of subparagraphs 1.1, 1.2, 1.4, 1.5, 1.6, 1.7 of paragraph 1 of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

Article 10

Professional lecturer in driving school

1. For professional lecturer can be licensed the person that meets the following conditions:
 - 1.1. possesses a valid driving licence for category B for at least three (3) years;
 - 1.2. has completed the studies in the field of communication, equivalent with at least 120 ECTS, according to Bologna system;
 - 1.3. has attended the basic training for professional lecturer in driving school;
 - 1.4. has passed the exam for the licensing of professional lecturer;
 - 1.5. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.
2. Licence for professional lecturer is issued with validity for five (5) years with the possibility of renewal.
3. The licence is issued by the Ministry.
4. The Ministry organizes the basic training for professional lecturer in driving school. The Ministry may authorize any accredited education entity to organize the basic training for professional lecturer in driving school.

5. The Ministry shall, with sub-legal act, determine the procedures and method of organization of the professional exam for licensing and renewal of the licence of professional lecturers in driving school.

Article 11

The rights and obligations of professional lecturer

1. The lecturer has the right to hold the theoretical part of the training if he possesses a valid licence.
2. Professional lecturer is obliged for:
 - 2.1. professional preparation of candidates for drivers related to the theoretical part, according to the training curriculum;
 - 2.2. regular diary update for carrying out of classes on the theoretical part;
 - 2.3. keeping evidence of candidates during the classes, according to rules set and performance of the training process for the theoretical part.
3. The responsible person of the driving school who acts in contradiction with paragraph 1 of this Article shall be punished for minor offence, with a fine from three hundred (300) to five hundred (500) Euro.
4. The professional lecturer shall be fined from one hundred (100) to three hundred (300) Euro if he trains the candidates on the theoretical part in contradiction to the provisions of this Article.
5. The Ministry shall, with sub-legal act, determine the rules that professional lecturer should comply with during the training process and other related issues.

Article 12

Suspension of licence of professional lecturer

1. The licence of professional lecturer shall be suspended by the Ministry in the following cases:
 - 1.1. by court decision;
 - 1.2. violation of the rules under Article 11, 44, 45 of this Law and sub-legal acts issued on the basis of this Law;
 - 1.3. violates the rules that professional lecturer was obliged to fulfil according to paragraph 5 of Article 11 of this Law.
2. Suspension cannot be shorter than the period of thirty (30) days.

Article 13

Revocation of licence of professional lecturer

1. The licence of professional lecturer is revoked in the following cases:

1.1. if proved that he has submitted incorrect documentation related to the data required for obtaining or for renewal of licence;

1.2. is convicted for a criminal offence more than six (6) months of imprisonment, by a final court decision.

Article 14

Conditions for the licencing of the instructor of drivers

1. As instructor of drivers can be licensed the person who meets the following conditions:

1.1. should be at least twenty-five (25) years old;

1.2. has completed secondary school;

1.3. has driving licence of category B for at least five (5) years;

1.4. has proof (certificate or diploma) that he completed the training for instructor of drivers;

1.5. has passed the professional exam on licencing as an instructor of drivers;

1.6. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.

Article 15

Professional exam for licencing the instructors of drivers

1. The professional exam for licencing the instructors of drivers is organized by the Ministry.

2. Professional exam is organized for theoretical and practical part from paragraph 1 of this Article.

Article 16

Theoretical part of the professional exam for licencing the instructors of drivers

1. Officials that hold the professional exam on assessment of the candidates for instructors of drivers from theoretical part shall be assigned by the Ministry.

2. Officials from paragraph 1 of this Article should meet the following conditions:

2.1. should possess a category B driving licence for at least five (5) years;

2.2. should have completed the studies, equivalent with at least 240 ECTS, according to Bologna system;

2.3. should have at least five (5) years of work experience;

2.4. should have completed trainings on the rules and normative acts related to the holding of professional exam for instructors of drivers;

2.5. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.

3. At least two (2) officials from any team appointed by the Ministry based on this Article should have completed the studies – at least the master degree in the field of communication.

Article 17

Practical part of the professional exam on licencing of the instructors of drivers

1. Officials that hold the professional exam on assessment of the candidates for instructors of drivers from practical part shall be assigned by the Ministry.

2. Officials from paragraph 1 of this Article should meet the following conditions:

2.1. should possess a category B driving licence for at least five (5) years;

2.2. should have at least the higher education qualification, equivalent with at least 120 ECTS, according to Bologna system and five (5) years of work experience in profession;

2.3. should have trainer`s certificate in the field of driving licence;

2.4. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.

3. At least one (1) official from any team appointed by the Ministry based on this Article should have completed the studies – the master degree in the field of road communication.

4. The Ministry shall, with sub-legal act, determine the organization of the professional exam for licensing and renewal of licence of the instructor of drivers.

Article 18

Licence of the instructor of drivers

1. The instructor of drivers who passes the professional licensing exam will be provided with a licence which is valid for five (5) years with the possibility of renewal of the licence.

2. The licence is issued by the Ministry.

3. The responsible person in driving school that orders or allows the training of the candidate for driver without valid licence of the instructor shall be punished for minor offence, with a fine from four hundred (400) to one thousand two hundred (1.200) Euro.

4. The instructor of drivers that trains the candidates for drivers without a valid licence shall be punished for minor offence, with a fine from three hundred (300) to nine hundred (900) Euro.

Article 19

The instructor of drivers of category A

1. The driver who has the licence for instructor can be licensed for instructor of category A, if he meets the following conditions:

1.1. has driving licence of category A for at least three (3) years;

1.2. has passed the professional licensing exam for instructor of drivers of category A.

2. The Ministry issues the licence for instructor of drivers of category A valid for five (5) years with the possibility of renewal of the licence.

3. The responsible person in driving school who orders or allows the training of the candidate for driver of category A without a valid licence shall be punished for minor offence, with a fine from four hundred (400) to one thousand to hundred (1.200) Euro.

4. The instructor of drivers who trains the candidates for drivers of category A without a valid licence shall be punished for minor offence, with a fine of three hundred (300) to nine hundred (900) Euro.

Article 20

Instructor of drivers of additional categories

1. Instructor of drivers that possesses the licence has the right to train candidates for driver of category C or D, if he possesses the driving licence of the relevant category for at least five (5) years.

2. Instructor of drivers that possesses the licence has the right to train candidates for the sub-categories, C1 or D1 if he possesses the driving licence of the relevant sub-category for at least five (5) years.

3. Instructor of drivers that possesses the licence has the right to train candidates for driver for combination of vehicles, if he possesses the licence for towing vehicles of the relevant category for at least one (1) year.

4. The responsible person in the driving school that acts in contradiction with the rules of this Article shall be punished for minor offence, with a fine from four hundred (400) to one thousand two hundred (1200) Euro.

5. The instructor of drivers that acts in contradiction with the rules of this Article shall be punished for minor offence, with a fine of three hundred (300) to nine hundred (900) Euro.

Article 21

Training for instructors of drivers

The right for training of drivers who want to become instructors have entities authorized by respective Ministry of Transport as provided in Article 121 of this Law.

Article 22
Suspension of instructor of drivers' licence

1. Instructor of drivers' licence shall be suspended in the following cases:
 - 1.1. by court decision;
 - 1.2. training of candidates in contradiction with the training curriculum for driver candidates;
 - 1.3. performs practical exercise with the candidate that does not have a valid health certificate;
 - 1.4. performs practical exercise with the vehicle that does not meet the conditions set out in Article 49 and 63 of this Law and sub-legal acts issued under this Law;
 - 1.5. during the prohibition period for driving the vehicle by the competent authority.
2. Suspension can not be shorter than a period of thirty (30) days.

Article 23
Revocation of licence for the instructor of drivers

1. Licence of the instructor of drivers is revoked in the following cases:
 - 1.1. when is proven that the submitted documentation is incorrect or falsified related to the data required for obtaining or renewing the license;
 - 1.2. during the license suspension period trains the candidates for drivers;
 - 1.3. due to health condition is not able to perform this activity;
 - 1.4. trains the candidates without being employed in a driving school;
 - 1.5. if convicted by a final court decision for a criminal offence.
2. Instructor of drivers to whom the licence is revoked under sub-paragraph 1.5 of this Article is decided under final decision of the court for a new licencing, while under sub-paragraph 1.2 and 1.4 of this Article is no longer entitled to exercise the function of the instructor of drivers.

Article 24
Licence of lecturer on the subject of 'first aid'

1. Licence of lecturer on educational course for "First Aid" relevant for giving first aid to the injured persons on a traffic accident is performed by the entity authorized by respective Ministry of Transport in cooperation with the Ministry of Health.

2. The responsible person who performs the training on first aid without a valid licence shall be punished for minor offence, with a fine from three hundred (300) to five hundred (500) Euro.

Article 25

Price for the licence and for the exam application

Ministry sets out the price for the licence and for professional exam application for instructor of drivers, professional lecturers in a driving school and other related issues.

Article 26

Determination of the procedures for suspension and revocation of licence

Ministry shall set out the procedures for suspension and revocation of the licence for professional lecturer and instructors of drivers, as well as other related issues.

CHAPTER IV

PERSONS THAT HOLD THE DRIVER'S EXAM

Article 27

The theoretical part of the driver's exam

1. The official appointed by the Ministry that holds the theory exam for driving licence must meet the following conditions:

- 1.1. should have completed the studies, at least the Bachelor degree;
- 1.2. should be licensed as examiner;
- 1.3. should have completed at least two (2) trainings related to the rules of holding the exam on the theoretical part and normative acts;
- 1.4. should have at least five (5) years of work experience;
- 1.5. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision;
- 1.6. he or a close family member, within the last three (3) years, has not been engaged in any relation to the driving school.

2. Control and supervision of the driver's exam for the theoretical part is carried out by the body appointed by the Ministry.

Article 28

The practical part of the driver's exam

1. Assessment of the candidates for drivers on the practical part is carried out by the person licensed for examiner, authorized with the decision of the Minister.

2. The assignment of the examiners shall be done according to the whole list of licensed examiners, in order.

3. The Ministry shall, by sub-legal act, determine the forms and procedures for the engagement manner of the examiner from paragraph 1 of this Article and other issues in this field.

Article 29

Minimum standards for examiner of candidates on the practical part of the exam

1. The authorized examiner for evaluation of candidates on the practical part of the exam should have the knowledge and skills relevant for testing the candidate according to paragraph 2 and 3 of this Article.

2. The ability of the examiner should be relevant for the evaluation of the candidate to the exam for the category to which he is being tested:

2.1. to know, understand and evaluate driving, as in following:

2.1.1. implementation of theoretical rules while driving the vehicle on the road;

2.1.2. perception of dangerous situations and prevention of accidents;

2.1.3. curriculum that sets standards for driving exam;

2.1.4. respond to the requirements related to the driver's exam;

2.1.5. legislation of traffic rules and safety;

2.1.6. theoretical and practical evaluation;

2.1.7. defensive driving;

2.1.8. assessment skills;

2.1.9. personal skills for driving;

2.1.10. quality of services;

2.1.11. knowledge on the physical and technical characteristics of the vehicle;

2.1.12. eco-driving (fuel saving and environment protection without violating the rules of road safety).

3. Licence of driving examiners will be suspended if they do not meet the standards set out in this Article and sub-legal acts that are issued under this law.

4. The Ministry shall, with sub-legal act, determine the minimum standards for driving examiner

and other related issues.

Article 30

General conditions for licencing the driving examiner

1. Licensed driving examiner may be the person that meets the following conditions:
 - 1.1. should be at least twenty-five (25) years old;
 - 1.2. at least has completed the studies – Bachelor degree in the field of communication;
 - 1.3. possesses driving licence for at least five (5) years;
 - 1.4. has attended basic training for examiner;
 - 1.5. has passed the professional licensing exam for examiner;
 - 1.6. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision;
 - 1.7. within the last three (3) years, he or a close family member has not been engaged in any relation to the driving school.
2. The Ministry shall organize or authorize any entity for carrying out “Basic Training for examiner”.
3. The Ministry shall, by sub-legal act, determine the program for professional exam for the licensing of examiner.

Article 31

Driving examiner for additional categories

1. In order to be licensed for additional categories, the examiner should have:
 - 1.1. category B licence for at least three (3) years or driving licence for more than five (5) years for the relevant category;
 - 1.2. completed the periodic training for examiners;
 - 1.3. have passed the professional licensing exam for the examiner to additional category.

Article 32

Organization of professional exam for licensing of driving examiners

1. The Ministry shall organize and carry out the professional exam for licensing the driving examiners.

2. The exam, as stated in paragraph 1 of this Article is organized for theoretical and practical part.

Article 33

Professional exam for the examiners of candidates for drivers on the theoretical part

1. Officials that hold the professional exam on assessment of examiners of the candidates for drivers on the theoretical part and that are assigned by the Ministry should meet the following conditions:

- 1.1. have driving licence for category B for at least five (5) years;
- 1.2. should have completed the studies – Bachelor degree in the field of road communication;
- 1.3. have at least five (5) years of work experience;
- 1.4. held or attended training on rules and normative acts related to the professional exam for driving examiners;
- 1.5. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision;

Article 34

Professional exam for the examiners of candidates on the practical part

1. Officials that hold the professional exam for examiners of the candidates for drivers on the practical part shall be assigned by the Ministry.

2. Officials from paragraph 1 of this Article should meet the following conditions:

- 2.1. should possess a category B driving licence for at least five (5) years;
- 2.2. should have at least the higher education qualification, equivalent with at least 180 ECTS, according to Bologna system and five (5) years of work experience in profession;
- 2.3. should be certificated as trainers in the field of driving licence;
- 2.4. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.

3. At least one (1) official from any team appointed by the Ministry based on this Article should have completed the studies – the Bachelor degree in the field of road communication.

4. The Ministry shall, with sub-legal act, determine the organisational method and holding of the professional exam for licensing of examiners of the candidates for drivers for each category and other related issues.

Article 35**Maintaining the level of quality and professional periodic enhancement for driving examiners**

1. The conditions for maintaining the level of quality includes overseeing the examiners during their work and their licence renewal, continuous enhancement of professional skills and regular checks of exam result of candidates for the driver, held by the examiners.
2. The Ministry implements annual monitoring for each examiner during the practical test drive of the candidate. Within this period, at least half of the day is required to monitor the work of examiners.
3. The authorized examiner for one or more categories, the supervision must include at least one (1) category.
4. Follow-up and professional supervision of driver's exam is carried out by the appointed body from the Ministry. After completion of the supervision, it is prepared a report for each examiner. The recommendations arising from the report of the supervisory body are mandatory for the examiners and responsible persons.
 - 4.1. examiner has the right to appeal if he disagrees with the recommendations of the supervisory body referred to in paragraph 4 of this Article;
 - 4.2. failure to implement the recommendations from paragraph 4 of this Article is considered a serious breach of duties.
5. The Ministry, despite the categories of the examiner will enable:
 - 5.1. regular periodic training in order to:
 - 5.1.1. to update the knowledge and testing skills;
 - 5.1.2. develop new competencies that are essential for exercising their duties;
 - 5.1.3. to ensure that the examiner continues to oversee the tests correctly and with high standards;
 - 5.1.4. develop and maintain the ability of practical driving.
6. The Ministry will organize specific training for examiners that did not show sufficient professional performance during their supervision.
7. The Ministry shall, with sub-legal act, determine the "quality assurance measures and standards" relevant for driving examiners and other related issues.

Article 36

The validity of licence for the driving examiner

1. Licence of driving examiner is issued to the person that shows positive results in licensing exam for examiners and is valid for three (3) years with the possibility of renewal of the licence.
2. The Ministry issues the licence for the examiner.

Article 37

Renewal of licence for driving examiner

1. Renewal of the licence is made on the basis of verification of knowledge and evaluation of standards as set forth in Article 35 of this Law and sub-legal acts issued based on this law.
2. If the examiner does not undergo through the verification of knowledge or shows negative results, a re-testing will be enabled to him within three (3) months from the date of the exam.

Article 38

Obligations of driving examiner

1. Driving examiner is obliged to perform duties in a professional, fair and impartial manner.
2. The examiner can not be engaged by the Ministry in evaluating the candidate for driver in the region where he or any of his close family members has had any function in a driving school or has been founder of the driving school.
3. The examiner who acts in contradiction with paragraph 2 of this Article shall be punished for minor offence, with a fine from three thousand (3.000) up to four thousand five hundred (4.500) Euro.

Article 39

Suspension of licence of the examiner

1. Licence of examiner will be suspended by Ministry in the following cases:
 - 1.1. by court decision;
 - 1.2. carries out candidate testing in contradiction to the rules of Article 29, 31, 35, 38, 63, 64, 65, 66, 68 and 71 of this Law and sub-legal acts issued based on this Law;
 - 1.3. does not complete properly and in time the driving report;
 - 1.4. performs practical testing with the vehicle that does not meet the conditions set out in Articles 49 and 63 of this Law and sub-legal acts issued based on this law.
2. The licence of the examiner shall be suspended from six (6) months up to twelve (12) months.

Article 40
Revocation of licence of the examiner

1. Licence of the examiner will be revoked in the following cases:

- 1.1. if proven that he submitted incorrect or falsified documentation related to the data required for obtaining or renewing the licence;
- 1.2. when concluded that the exam for licensing/renewal of licence is done in an improper way;
- 1.3. misuse of position for material benefits;
- 1.4. provides data which are confidential;
- 1.5. due to health conditions is not able to conduct this activity;
- 1.6. violates rules of civil service and code of conduct;
- 1.7. when concluded that he had direct or indirect connection with a driving school;
- 1.8. is convicted by a final court decision for a criminal offence;
- 1.9. if the licence is suspended three (3) times within the validity of the licence.

2. The Ministry, with sub-legal act, shall determine the procedures for suspension and revocation of license for examiner.

CHAPTER V
TRAINING THE CANDIDATES FOR DRIVERS

Article 41
The training curriculum of candidates for drivers

1. The Ministry shall, with sub-legal act, determine the "Training curriculum of candidates for drivers", upon the consultation with the Ministry of Education.
2. Training of candidates on the theoretical and practical part by implementing the curriculum, as stated from paragraph 1 of this Article is performed by the driving school which has a valid license for the respective category.
3. The responsible person in the driving school who acts in contradiction with the rules of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

Article 42

Commencement of training of the candidate for driver

1. Training of candidates will commence not earlier than six (6) months before attaining the required age to take the driving licence of a particular category, while the driver's exam will be carried out only when the age foreseen by Article 82 of this Law is reached.
2. The responsible person in a driving school that does the training of candidates in contradiction with the rules of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.
3. Instructor of drivers that does the training of the candidates in contradiction with the rules of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

Article 43

Registration of the candidate in driving school

1. Driving school is obliged, that through electronic mail, to notify the Ministry at the moment the candidate is registered for training on driving the vehicle.
2. Date of notification of candidates for the training via electronic mail, will be considered as the date of registration of the candidate in a driving school.
3. When enrolling at the driving school the candidate should have health certificate as proof that the candidate is capable for obtaining the driving licence.
4. The responsible person in driving school that acts in contradiction with the rules of this Article shall be punished for minor offence minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

Article 44

Training on the theoretical part

1. Theoretical part of learning is held in the classroom that meets the foreseen conditions in Article 5 of this Law and sub-legal acts issued on the basis of this Law.
2. Driving school is obliged to inform the Ministry for the schedule of theoretical classes and the list of candidates for the theoretical part.
3. If professional lecturer has the licence for instructor of drivers, he/she can train the candidates on the practical part but cannot exceed the rate of eight (8) hours per day by calculating theoretical and practical classes and the monthly rate of classes.
4. Responsible person of driving school acting in contradiction with the rules of paragraph 1 of this Article shall be punished for minor offence, with a fine from three hundred (300) to five hundred (500) Euro.
5. The responsible person acting in contradiction to the provisions of paragraph 2 of this Article

shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

6. The lecturer that does the training the candidate for driver in contradiction with the provisions of paragraph 3 of this Article shall be punished for minor offence, with a fine from one hundred (100) to two hundred (200) €.

Article 45

Teaching classes for theoretical part

1. Minimum of teaching classes for the theoretical part of training the candidates for category B are at least twenty (20) hours, while for other categories are at least fifteen (15) hours.

2. Ministry shall, with a decision, determine the minimal price for one (1) teaching hour on theoretical part.

3. The responsible person in driving school acting in contradiction with the rules of this Article shall be punished for minor offence, with a fine from three hundred (300) to five hundred (500) Euro.

Article 46

Training on the practical part

1. Practical training is carried out by the instructor of drivers holding valid license and that meets the conditions as in Article 18, 19, and 20 of this Law and is employed in a driving school.

2. Instructor of drivers training the candidates for driver in contradiction with the rules of this Article shall be punished for minor offence, with a fine from three hundred (300) to nine hundred (900) Euro.

Article 47

Teaching class for practical part

1. Minimum of teaching classes for the practical part of training the candidates for category B are at least twenty (20) hours, while for other categories are at least fifteen (15) hours.

2. Ministry with a decision determines the minimal price for one (1) teaching hour on practical part.

3. The responsible person in driving school acting in contradiction with the rules of this Article shall be punished for minor offence, with a fine from three hundred (300) to five hundred (500) Euro.

Article 48

The rights and obligations of the instructor of drivers

1. Instructor of drivers, per day, has the right to work at most eight (8) hours on practical part by calculating the practical hours of candidates for various categories.

2. Instructor of drivers during the practical classes is obliged to:

- 2.1. timely and regularly complete the work order;
- 2.2. timely and regularly complete the card of candidate;
- 2.3. have the training curriculum for the driving candidates;
- 2.4. have a driving licence;
- 2.5. have a valid health certificate;
- 2.6. have a licence for instructor of drivers.

3. Instructor of drivers while training the candidate for driver from the practical part, at the request of an official person of the Ministry (inspectors) is obliged to stop and provide the required documentation.

4. Official person of the Ministry as referred to in paragraph 3 of this Article in case of stopping the driving school vehicle should signal for stop with the sign "STOP INSPECTOR".

5. Instructor of drivers shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro if during the training of candidate for driver for the practical part, does not stop and does not provide conditions for inspection to the official persons (inspectors) of the Ministry under paragraph 3 of this Article.

6. Instructor of drivers acting in contradiction with the rules of paragraph 1 of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

7. Instructor of drivers training the candidates for drivers in contradiction with paragraph 2 of this Article shall be punished for minor offence, with a fine from fifty (50) to one hundred (100) Euro.

Article 49

The vehicle for training the candidate on the practical part

1. Training on practical part is carried out separately with a vehicle for each category.

2. The vehicle, from paragraph 1 of this Article except the conditions of Article 63 of this Law, shall fulfil the following conditions:

- 2.1. should be registered, with the periodic inspection of six months (6), with additional commands attested;
- 2.2. should be marked for each category with the letter "L";
- 2.3. should meet the technical requirements for safe participation in traffic;
- 2.4. should fulfil hygienic conditions;

3. Ministry shall, with sub-legal act, determine the method for marking the vehicle that is used to train the candidates for drivers for the practical part for each category and additional conditions for vehicles.

4. Responsible person in the driving school acting in contradiction with the rules of sub-paragraph 2.1, 2.3 of paragraph 2 of this Article shall be punished for minor offence, with a fine from three hundred (300) to five hundred (500) Euro.

5. Instructor of drivers acting in contradiction with the rules of sub-paragraph 2.1, 2.3 of paragraph 2 of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

6. Instructor of drivers acting in contradiction with the rules of sub-paragraph 2.2 and 2.4 of paragraph 2 of this Article shall be punished for minor offence, with a fine from fifty (50) Euro.

Article 50

Persons in the vehicle during practical class

1. During the practical part of the training, within the driving school vehicle, only the instructor of drivers and the candidate that is being trained for the respective category shall take part.

2. Instructor of drivers who acts in contradiction with the rules of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

Article 51

Documentation of the candidate for the practical part

1. Instructor of drivers is obliged to verify that the candidate for driver before the start of the practical class has the following documents:

1.1. card of the candidate;

1.2. valid medical certificate.

2. The documentation referred to in paragraph 1 of this Article shall be in proper condition and is required to be presented upon request of an authorized person.

3. Instructor of drivers acting in contradiction with the rules of this Article shall be punished for minor offence, with a fine from one hundred (100) to three hundred (300) Euro.

Article 52

Psycho-physical condition of the candidate for driver

1. Instructor of drivers must not allow the candidate for driver to hold the practical class, if the candidate, due to injury, fatigue, stress, is under the influence of alcohol, psycho active drugs and similar.

2. Instructor of drivers that is training the candidate for driver acting in contradiction with the rules of this Article shall be punished for minor offence, with a fine from three hundred (300) to

five hundred (500) Euro.

Article 53

Prohibition of the use of equipment that is interruption during the practical training

1. During the practical training, the candidate for driver is not allowed to use the equipment that reduces the possibility of reaction and impacts negatively in driving the vehicle.
2. Candidate for driver during the driving of the vehicle should use auxiliary equipment which is registered on the medical certificate.
3. Ministry shall, with sub-legal act, determine that which is the equipment that is considered prohibited and that can not be used during the practical training of the candidate for driver.
4. Instructor of drivers who acts in contradiction with the rules of this Article shall be punished, for minor offence, with a fine from one hundred (100) to three hundred (300) €.

Article 54

The right of candidate for driver to drive the vehicle

1. A candidate that is trained on the practical part for driver's exam has the right to drive the auto school vehicle on the road before he passes the drivers exam for that category for which he is preparing the exam under the supervision and responsibility of instructor of drivers.
2. Instructor of drivers shall be responsible for every minor offence or accident which is caused by the candidate for driver.

Article 55

Training of candidates on "First Aid"

1. Training of candidates on "First Aid" related to providing first aid to the injured persons on the accident is carried out by the entity authorized by respective Ministry of Transport in collaboration with the Ministry of Health.
2. The authorized entity from paragraph 1 of this Article must train the candidates according to the training curriculum on candidates for drivers on "first aid".
3. The responsible person who acts in contradiction with the rules of this Article shall be punished for minor offence, with a fine from three hundred (300) to nine hundred (900) Euro.

Article 56

Issuance of training completion certificate for candidate

A candidate who has successfully completed the training will be issued a certificate with the opinion of professional lecturer and instructor of drivers certified by the responsible person in the driving school.

CHAPTER VI

EXAM FOR DRIVING LICENCE

Article 57

Program for driving licence exam

1. The program for driving licence exam (hereinafter the driver's exam) contains the minimum requirements and criteria for assessing the candidate for driver on the theoretical and practical part of the exam.
2. The Ministry shall, with sub-legal act, determine the program for passing driver's exam on the theoretical and practical part.
3. The Ministry shall, by sub-legal act, determine the program for passing driver's exam on the subject of "First Aid" in cooperation with the Ministry of Health.

Article 58

Organization of driver's exam

1. The Ministry does the organization, implementation and supervision of the theoretical and practical part of the driver's exam.
2. The Ministry shall, by sub-legal act, determine the organization and procedures for holding the driver's exam from paragraph 1 of this Article.

Article 59

Exam on "First Aid"

Exam on the "First Aid" is carried out by the entity authorized by respective Ministry of Transport in collaboration with the Ministry of Health.

Article 60

Theoretical part of driver's exam

1. The theoretical part of the exam for driving licence is held in writing or electronically.
2. The Ministry shall issue sub-legal act by which it shall determine the content and forms of tests.

Article 61

Minimum requirements for driver's exam

The minimum requirements for the exam must enable the candidate for driver to gain knowledge and skills and demonstrate necessary behaviour to drive the vehicle independently and securely.

Article 62

The content of the driving licence exam for the theoretical part

1. Content of the driving licence exam for the theoretical part is as follows:

1.1. the content of the exam for all categories includes at least;

1.1.1. traffic rules;

1.1.2. driver;

1.1.3. road;

1.1.4. other traffic participants;

1.1.5. general rules and regulations;

1.1.6. special rules and attention during the exit from the vehicle;

1.1.7. mechanical aspects related to the road safety;

1.1.8. vehicle safety equipment and, in particular, the use of seat-belts, head restraints and child safety equipment;

1.2. special rules for categories A1, A2 and A include at least:

1.2.1. verification of general knowledge:

1.2.2. use of protective equipment;

1.2.3. observation of motorcyclists from other traffic participants;

1.2.4. risk factors in the part of the road with covers (sewage channel lid covers, etc);

1.2.5. motorcycle in the function of road safety;

1.3. special rules for categories C, CE, C1, C1E, D, DE, D1 and D1E include at least:

1.3.1. rules about the timeframe for driving the vehicle;

1.3.2. rules for transport of passengers and goods;

1.3.3. necessary documentation for domestic and international transportation;

1.3.4. rules for mass, dimensions, rules for gearing the speed limit;

- 1.3.5. behaviour in case of an accident;
- 1.3.6. limited visibility due to the construction of the vehicle;
- 1.3.7. itinerary planning, use of electronic equipment for guidance (GPS);
- 1.3.8. drivers responsibilities for the transport of passengers;
- 1.3.9. acquaintance for vehicles;
- 1.3.10. drivers responsibilities for acceptation, transportation and delivery of cargo under the terms of the agreement (only for category CE, DE).

2. The Ministry shall, with sub-legal act, determine the minimum criteria on the driving licence exam for the theoretical part.

Article 63

Minimum requirements for practical part of driver's exam (driving)

1. Driving test is carried out with the vehicle or community of vehicles for each category separately.

2. The vehicle which is used for practical part must meet the following terms and conditions:

2.1. Category A:

2.1.1. motorcycle of category A with two (2) wheels without a sidecar with mass without load over 180 kg with a power of at least 50 kW. If motorcycle runs with internal burning engine it should have a working volume of at least 600 cm³. If motorcycle is moving with electric motor, the power ratio related to the mass is at least 0.25 kW/kg;

2.2. Subcategory A1:

2.2.1. Category A1 motorcycle with two (2) wheels without a side-car with 11 kW power and power ratio related to measure does not exceed 0.1 kW/kg, motorcycle must develop speed of at least 90 km/h. If motorcycle runs on electric motor the working volume must be at least 120 cm³;

2.3. Subcategory A2:

2.3.1. motorcycle without side trailer with power of at least 20 kW - 35 kW, if motorcycle runs with internal burning engine it must have a working volume of at least 400 cm³. If motorcycle runs on electric motor, power ratio in proportion to mass is at least 0.2 kW/kg;

2.4. Category B:

2.4.1. Category B vehicle with four (4) wheels that develops speed of at least 100 km/h;

2.5. Subcategory B1:

2.5.1. a motor-powered quadricycle capable of a speed of at least 60 km/h;

2.6. Category B+E:

2.6.1. combination of vehicles consisting of a towing vehicle in category B and a trailer where the maximum authorised mass of the trailer does not exceed 1000 kg, which could develop the speed of at least 100km/h. The cargo trailer part should be closed and with same height as the towing vehicle. The closed part of cargo may be slightly narrower than the towing vehicle; the driver looks back using mirrors which serve for verification of traffic conditions. Trailer that is used for the exam should be loaded in order to have the overall mass that should be at least 800 kg;

2.7. Category C:

2.7.1. Category C vehicle with maximum mass allowed of at least 12000 kg, a length of at least eight (8) meters, width 2,40 meters which may develop speed of at least 80 km/h. The vehicle must be equipped with antilock brakes (ABS), equipped with a transmission system providing for a manual selection of gears by the driver and recording equipment (tachograph) as defined in Regulation (EEC) No. 3821/85. The cargo should be at least wide and high as the enclosed cabin. The vehicle should be loaded so the general mass should be at least 10000 kg;

2.8. Category C+E:

2.8.1. (joint) tractor-trailer, or a combination of vehicles consisting of towing vehicle, of category C and a trailer with a length of at least 7.5 meters or a tractor-trailer. This combination of vehicles should have the maximum mass allowed for at least 20000 kg, total length of at least fourteen (14) meters and width of at least 2,40 meters and may develop the speed of at least 80 km/h. The vehicle must be equipped with antilock brakes (ABS), equipped with a transmission system providing for a manual selection of gears by the driver and recording equipment (tachograph) as defined in Regulation (EEC) No. 3821/85. The cargo should be at least wide and high as the enclosed cabin. The trailer should be loaded so the general mass should be at least 15000 kg;

2.9. Subcategory C1:

2.9.1. the vehicle of subcategory C1 with the maximum authorised mass of at least 4000 kg, with a length of at least five (5) meters which may develop speed of at least 80 km/h. The vehicle must be equipped with antilock brakes (ABS) and recording equipment (tachograph) as defined in Regulation (EEC) No. 3821/85. The cargo should be at least wide and high as the enclosed cabine;

2.10. Subcategory C1+E:

2.10.1. combination of vehicles consisting of a towing vehicle in category C1 and a trailer where the maximum authorised mass of the trailer does not exceed 1250 kg, which could develop the speed of at least 80 km/h. The cargo trailer part should be closed and with same height as the vehicle. The closed part of cargo may be slightly narrower than the towing vehicle, the driver looks back using mirrors which serve for verification of traffic conditions. Trailer that is used for the exam should be loaded in order to have the overall mass that should be at least 800 kg;

2.11. Category D:

2.11.1. the vehicle of category D with a length of at least ten (10) meters and width of at least 2,40 meters which may develop speed of at least 80 km/h, the vehicle must be equipped with antilock brakes (ABS) and recording equipment (tachograph) as defined in Regulation (EEC) No. 3821/85. The vehicle must have at least twenty-five (25) seats;

2.12. Category D+E:

2.12.1. combination of vehicles consisting of a towing vehicle in category D and a trailer where the maximum authorised mass of the trailer does not exceed 1250 kg, wide at least 2.40 meters, which may develop speed of at least 80 km/h. The cargo trailer part should be at least two (2) meters wide, two (2) meters high and closed. The trailer should be loaded so the general mass should be at least 800 kg;

2.13. Subcategory D1:

2.13.1. the vehicle of subcategory D1 with the maximum authorised mass of at least 4000 kg, with a length of at least five (5) meters, which may develop speed of at least 80 km/h. and is equipped with antilock brakes (ABS) and recording equipment (tachograph) as defined in Regulation (EEC) No. 3821/85;

2.14. Subcategory D1+E:

2.14.1. combination of vehicles consisting of a towing vehicle in subcategory D1 and a trailer where the maximum authorised mass of the trailer does not exceed 1250 kg, which may develop speed of at least 80 km/h. The cargo trailer part should be at least two (2) meters wide, two (2) meters high and closed. The trailer should be loaded so the general mass should be at least 800 kg;

2.15. Category T:

2.15.1. an attached vehicle combined by a tractor and trailer or semi-trailer. Trailer or semi-trailer must be loaded with at least 1/3 of its cargo;

3. Assessment of skills and behaviour for categories A1, A2 and A, includes at least:

- 3.1. preparation and technical inspection of the vehicle in terms of road safety;
- 3.2. assessment of specific actions that is important for road safety;
- 3.3. behaviour in traffic;

4. Assessment of skills and behaviour for categories B1, B and BE, includes at least:

- 4.1. preparation and technical inspection of the vehicle in terms of road safety;
- 4.2. assessment of specific actions for category B1 and B that are important for road safety: driving forward - reverse, semi-circle turn; parking and exit of parking;
- 4.3. there will be assessed at least two (2) actions from sub-paragraph 4.2 of this paragraph, (one of the actions should be reverse driving);
- 4.4. assessment of skills and behaviour for BE categories includes at least two (2) actions connecting and disconnecting of the trailer in the vehicle, actions should include also the vehicle which is parked near the trailer (not in line);
- 4.5. behaviour in traffic;

5. Assessment of skills and behaviour for categories C, CE, C1, C1E, D, DE, D1 and D1E; includes at least:

- 5.1. preparation and technical inspection of the vehicle in terms of road safety;
- 5.2. assessment of skills and behavior for categories C, CE, C1, C1E, D, DE, D1 and D1E includes at least two (2) actions (connecting and disconnecting of the trailer in the vehicle); actions should include also the vehicle which is parked near the trailer (not in line) only for categories: CE, C1E, DE, and D1E;
- 5.3. the ability to take specific actions: control of car body, exit in an emergency case, first aid equipment, fire extinguisher and other safety equipment (only for categories: D, DE, D1, D1E);
- 5.4. safe parking due to loading/unloading on the same platform or structure, can be improvised (only for categories: C, CE, C1, C1E);
- 5.5. parking in order to enable passengers to access and exit the bus safely (only for categories: D, DE, D1, D1E);
- 5.6. Behaviour in traffic:
 - 5.6.1. safe and energy-efficient driving;

5.6.2. driving in such a way as to ensure safety and to reduce fuel consumption and emissions during acceleration, deceleration, uphill and downhill driving; when necessary by selecting gears manually;

5.6.3. driving economically and in a safe and energy-efficient way, taking into account the revolutions per minute, changing gears, braking and accelerating (only for categories B, BE, C, CE, C1, C1E, D, DE, D1, D1E).

6. Special actions foreseen according to this Article shall be performed in special areas in polygon.

7. The Ministry shall, with sub-legal act, determine in more detail the "minimum criteria for practical part of driving test, specific actions in the polygon as well as other related issues".

Article 64

Assessment of the practical exam

1. During the practical part are assessed the skills of candidate for driver to drive the vehicle independently and securely. Throughout the exam, the examiner must feel safe. Errors while driving or dangerous behaviour which directly jeopardizes road safety, companions, or other traffic participants results in failure of the tested candidate.

2. During the assessment, the authorized examiner must pay particular attention to the facts whether the candidate is driving the vehicle safely and defensively. The assessment should reflect the overall style of driving, while the examiner should take into account overall involvement of the candidate's profile. Criteria include safe and appropriate driving depending on road conditions, weather, etc. and to other traffic participants (particularly for blind persons, children, persons with disabilities, elderly people, etc).

3. Licence of the authorized examiner shall be suspended if the assessment of the candidate was carried out in contradiction to the rules of this Article and sub-legal acts that are issued under this Law.

4. The Ministry shall, with sub-legal act, determine the assessment procedure (classification of errors: small, serious and dangerous) as well as other issues that the authorized examiner must comply during the assessment of practical test.

Article 65

Duration of the practical exam

1. The duration of the exam and the distance passed must be sufficient to assess the practical exam. Duration of driving should not be less than twenty-five (25) minutes for categories A, A1, B, B1 and BE, respectively forty-five (45) minutes for the other categories. This timing does not include the time of admission of the candidate in the exam, preparation of vehicle, technical inspection of vehicles in terms of road safety, specific actions in polygon and communication of exam results.

2. Excluding paragraph 1 of this Article, the duration of the practical exam may end before the foreseen term, if the candidate fails to prove his ability in driving.

3. Licence of driving examiner shall be suspended if acting in contradiction to the provisions of this Article and sub-legal acts that are issued based on this Law.

Article 66

Place of the exam for the practical part

1. The part of the exam for assessment of specific actions should be held in the test polygon. Part of the exam which assesses skills and behaviour in traffic, if possible, should be held in the streets outside of the residence, on fast roads and motorways (or similar roads) as well as all kinds of urban streets (in quiet areas, in areas where the maximum speed restriction is 30 km/h and 50 km/h, fast urban roads), which represent different kinds of difficulties which drivers usually face. It is preferable that the exam should be held in different conditions of traffic density. The time spent on the road should be used optimally in order to assess the candidate in all different areas of traffic that can be encountered, focusing on the transition from one area to another area.

2. Licence of driving examiner shall be suspended if acting in contradiction to the provisions of this Article and sub-legal acts that are issued based on this Law.

Article 67

Knowledge, skills and behaviour while driving the vehicle

1. The driver of the vehicle should at any time have the knowledge, skills and should behave according to sub-paragraphs from 1.1 to 1.6 of this paragraph, in order to be prepared as follows:

1.1. to observe the risks in traffic and assess their seriousness;

1.2. to direct (drive), have under the control his vehicle, not to create dangerous situations and act right if such situation appears;

1.3. act according to the rules of traffic in order to prevent traffic accidents and allow normal flow of traffic;

1.4. reveal any technical defect in the vehicle, especially those that endanger road safety and to eliminate them appropriately;

1.5. foresees all the factors that impact negatively in driving (eg alcohol, fatigue, poor eyesight, etc);

1.6. contribute to the safety of all participants in traffic, especially to persons with disabilities, children, blind persons, elderly persons, under the influence of alcohol, showing advanced attention.

Article 68

Vehicle for the practical testing

1. Vehicle for practical testing must meet the conditions set forth in Articles 49 and 63 of this Law.

2. Vehicle during practical exam should not be marked with "L".
3. In case of minor offence or accident of the vehicle for the practical testing, if concluded that the driver of this vehicle is guilty, the person who is sitting in the first seat near the driver shall be responsible for the accident.
4. The examiner who acts in contradiction with the rules of this Article shall be punished for minor offence, with the fine from three hundred (300) to nine hundred (900) Euro.

Article 69
Testing of driving

1. The candidate shall undergo the driving testing of the vehicle with manual transmission.
2. The candidate can undergo the driving testing of the vehicle even with the vehicle with automatic transmission, but the same has the right to drive only this type of vehicle and this shall be evidenced into his driving licence.

Article 70
The right to undergo the exam

Driving licence exam can be undergone only by the candidate who is trained at the licensed driving school and if he meets the conditions foreseen by this Law to gain the right to undergo the driver's exam for the respective category.

Article 71
Additional hours for practical testing

1. If the candidate fails the practical testing, the examiner should evidence in writing his errors and based on this evidence the candidate is obliged to hold additional hours.
2. Ministry shall, with sub-legal act, determine the number of additional hours based on the nature and importance of mistakes of the candidate who has failed in the practical test.

Article 72
Driving examiners of other institutions

Upon the consent of the Ministry and security institutions, exam on driving licence and evaluation of skills for members of the security institutions may be organized at the security institutions by examiners who are licensed by the Ministry.

Article 73
Submission of the exam

The Ministry shall, with sub-legal act, determine the conditions and procedures for submission of driver's exam test and forms of necessary documents related to this.

Article 74
Price for the exam

The Ministry shall, by decision, determine the price for submission of the exam and other issues related to driving licence for each category separately.

Article 75
Application for driving licence

1. A candidate who passes the exam for driver gains the right to apply to the Ministry of Internal Affairs for obtaining the driving licence, in accordance with relevant legal rules.

2. The Ministry of Internal Affairs in cooperation with respective Ministry of Transport shall determine the conditions and application procedures for obtaining the driving licence.

Article 76
Abolishment of driving licence

1. The exam for driving licence shall be abolished to every person if the competent bodies ascertain that the exam has been performed:

1.1. based on forged document, falsification, or presentation of the false data in the documentation on passing the driver's exam;

1.2. if the candidate during the passing of the driver's exam has been provided with non-allowed means;

1.3. if the exam has been held in contradiction to this Law.

2. If there is ascertained by the competent bodies that the actions from paragraph 1 of this Article have been performed by the help of official person or authorized person, the licence of examiner shall be abolished to the last one.

CHAPTER VII
CONDITIONS FOR DRIVING THE VEHICLE

Article 77
Minimum standards of psycho-physical abilities required for driving the vehicle

1. Candidate for driver for all categories should pass the medical examination.

2. Besides the criterion determined in paragraph 1 of this Article, the driver of categories: C1, C, D1, D, C1E, CE, D1E and DE should pass the medical examination of blood, urine, and heart check-up.

3. The examination, from paragraph 2 of this Article should be undergone even by the driver of B category whose basic profession is driving of the vehicle (taxi, the vehicle under escort, with

overtaking priority, public institutions, private entities, etc.).

4. Respective Ministry of Transport in collaboration with the Ministry of Health shall define minimum standards of psycho- physical abilities required for driving the vehicle, which must be fulfilled by the driver during a medical examination.

5. Business organizations or public entity in question and within the authorization of which the authorised person have acted as defined in paragraph 1 of this Article, shall be punished for minor offence, with a fine from five hundred (500) to one thousand five hundred (1,500) Euro.

Article 78

Health Certificate

1. The health certificate is issued to a person who meets the conditions described under Article 77 of this Law and its sub-legal acts.

2. Eventual restrictions during health examination must be recorded in the health certificate.

3. If the responsible official person at the competent authority issues the health certificate in contradiction with the rules of this Article, he shall be punished for minor offence, with a fine from five hundred (500) to one thousand five hundred (1,500) Euro.

Article 79

Persons that should undergo medical examination

1. Persons that should undergo medical examination are:

1.1. candidates for driving licence;

1.2. drivers who apply for the return of their driving licence that has been revoked for health reasons;

1.3. driver who have had preliminary restrictions during the issuance of driving licence;

1.4. driver involved in traffic accidents with fatality or have driven the vehicle under the influence of alcohol, drugs or medicines whose composition negatively affects in driver's skills;

1.5. candidates for instructors of drivers and for driving examiners;

2. A person who acts in contradiction with the rules of this Article shall be punished for minor offence, with a fine from three hundred (300) to nine hundred (900) Euro.

3. If the responsible official person at the competent authority issues the health certificate in contradiction with the rules of this Article, he shall be punished for minor offence, with a fine from five hundred (500) to one thousand and five hundred (1.500) Euro.

Article 80
Authorized Institutions for Medical Examination

1. Medical examinations for the person from Article 77 of this Law are performed by authorized institutions of the Ministry of Health.
2. After the medical examination of the person referred to in paragraph 1 of this Article shall be issued health certificate from the competent authority.
3. Certificate from paragraph 2 of this Article is valid for five (5) years.
4. With the exception of paragraph 3 of this Article, the certificate to the person under subparagraph 1.1 of paragraph 1 of Article 79 of this Law is valid for three (3) years.
5. With the exception of paragraph 3 of this Article the certificate to the person under subparagraph 1.2 and 1.3 of paragraph 1 of Article 79 of this Law applies according to the validity foreseen for the category to which the driving licence is revoked.

Article 81
Inter-ministerial cooperation for medical examinations

1. Respective Ministry of Transport in collaboration with the Ministry of Health and Ministry of Internal Affairs, define by sub-legal acts as follows:
 - 1.1. terms and conditions of the method for medical examination for the issuance of health certificate;
 - 1.2. issuance of health certificates;
 - 1.3. obtaining authorizations by health institutions for carrying out medical examinations as mentioned above;
 - 1.4. field of medical examinations; flow of relevant documents and samples of these documents.

Article 82
The minimum age of the person to undergo the driving licence exam

1. The minimum allowed age of the person to undergo the driving licence exam shall be:
 - 1.1. sixteen (16) years for category AM, M, A1, B1, L and T;
 - 1.2. eighteen (18) years for category A2, B and BE;
 - 1.3. twenty (20) years for category A, if he has is at least two (2) years experience in category A2. Condition for two (2) years does not apply if the candidate for driver is at least twenty-four (24) years;

1.4. twenty- one (21) years for vehicles with three (3) wheels (tricycle) with more than 15 kW;

1.5. eighteen (18) years for category C1 and C1E;

1.6. twenty-one (21) years for category C and CE;

1.7. twenty-one (21) years for category D1and D1E;

1.8. twenty-four (24) years for category D and DE.

2. The age defined in sub-paragraphs 1.5, 1.6, 1.7 and 1.8 is not applicable for the professional drivers, as foreseen in Article 89 of this Law.

Article 83

Basic conditions for driving licence

1. The driving licence is issued to a person who meets the following conditions:

1.1. have reached the required age for certain categories of vehicles;

1.2. is mentally and physically able to drive the vehicle;

1.3. with the decision of the competent body he is not forbidden to drive the vehicle;

1.4. he should have passed the theoretical and practical part of the exam (test) of driver for the respective category;

1.5. with the exception of sub-paragraph 1.4 of this paragraph for category M, and L, which has passed the theory exam;

1.6. with the exception of sub-paragraph 1.4 of this paragraph for category A if he possesses the driving licence of category A2 for at least two (2) years, respectively category A2 if he possesses driving licence of category A1 for at least two (2) years and have passed the practical test or special training of at least seven (7) hours of practice. Special training content is determined by the Ministry;

1.7. with the exception from sub-paragraph 1.4. of this paragraph for BE category, they should have completed special training for a minimum of seven (7) hours, or passed the practical test for driving vehicle of BE category, with trailer with maximum mass permitted $<3500 \text{ kg} \leq 4250 \text{ kg}$. Special training content is determined by the Ministry.

Article 84

Driver's exam for other categories

1. A person may undergo the exam for category D if he possesses the driving licence of category B.

2. A person may undergo the exam for category C if he possesses the driving licence of category B.

3. A person can undergo the exam for driver for categories: BE, C1E, CE, D1E and DE only if he possesses the driving licence for the respective category for towing vehicle B, C1, C, D1 or D.

4. A person may be subject to driver's exam for category A if he possesses the driving licence of A2 category for at least to (2) years or is twenty four (24) years of age.

Article 85

Obtaining the right for driving the vehicle

1. The driver who has category B has the right to drive the vehicle of category B1, tricycle that is included in category B, vehicle with three (3) wheels with a power of 15 kW, if the driver is at least twenty one (21) years and has as well the vehicle of category A1 - tricycle which included in category B.

2. Driver who has driving licence for categories D has the right to drive the vehicles of category D1, B and B1, if he has the category C, has the right to drive the vehicles C1, B and B1.

3. A driver who has driving licence for categories B, C1, C, D1 and D has the right to drive these vehicles even if they have their light trailer attached.

4. The driver who has the driving licence C1E, CE, D1E and DE, is entitled to drive the combination of vehicles of category BE.

5. The driver who has driving licence for category D and CE has the right to drive the combination of vehicles of category DE and D1E.

6. The driver that possesses driving licence of CE category has the right to drive the vehicles of category C1E, respectively if he possesses the category DE, has the right to drive the vehicle of category D1E.

7. The driver that possesses driving licence of category A2 has the right to drive the vehicle of category A1.

8. The driver that possesses driving licence of category A has the right to drive the vehicles of category A1 and A2.

9. The driver that possesses any of the categories has the right to drive the vehicles of category M, L and T.

Article 86

Vehicle categories

1. In the driving licence there are indicated the following categories: AM, A1, A2, A, B1, B, C1, C, D1, D, BE, C1E, CE, D1E, DE, M, L and T:

1.1. Category AM:

1.1.1. Moped - two-wheel or three-wheel vehicle from Article 1 paragraph 2 point (a) of Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC with a maximum design speed of not more than 45 km/h excluding those with a maximum design speed up to 25 km/h and light quadricycles as defined in Article 1 paragraph 3 point (a) of Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC;

1.2. Category A1:

1.2.1. Motorcycles with a cylinder capacity not exceeding 125 cubic centimetres and a power not exceeding 11 kW and with force/mass not exceeding 0.1 kW/kg, and motor tricycles with a power not exceeding 15 kW;

1.3. Category A2:

1.3.1. Motorcycles of a power not exceeding 35 kW and with a power/weight ratio not exceeding 0.2 kW/kg and not derived from a vehicle of more than double its power;

1.4. Category A:

1.4.1. Motorcycles with/or without side trailer (including all types of motorcycles);

1.4.2. Vehicles with three (3) wheels (tricycles) with power exceeding 15 kW;

1.5. Category B1:

1.5.1. Tricycle and fourcycle;

1.6. Category B:

1.6.1. Motor vehicles with a maximum authorised mass not exceeding 3500 kg and designed and constructed for the carriage of no more than eight (8) passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg;

1.6.2. without prejudice to the approval of the homologation rules, regulations of vehicle in question, the vehicle in this category can have attached a trailer having a maximum authorised mass which does not exceed 750 kg, provided that the combination of vehicles does not exceed 4250kg. In case when the combination of vehicles exceeds 3500 kg, this combination can only be driven, if the driver:

1.6.2.1. conducts special training; or

1.6.2.2. passed the practical test (test of skills and behaviour);

1.6.3. Content of Special training is defined and specified by the Ministry, the right for driving of this combination of vehicles is defined by the code specified in the driving licence;

1.7. Category B+E:

1.7.1. without prejudice to the provisions homologation rules for the vehicles concerned, combination of vehicles consisting of a towing vehicle in category B and a trailer or semi-trailer where the maximum authorised mass of the trailer or semi-trailer does not exceed 3500 kg;

1.8. Category C1:

1.8.1. type of vehicles, except those of category D1 or category D, the mass of which is more than 3500 kg up to 7500 kg, which is designed and built to carry not more than eight (8) passengers besides the driver. Vehicles in this category can have attached a trailer that does not exceed the mass of 750 kg;

1.9. Category C1E:

1.9.1. without prejudice to the rules of the homologation approval of concerned vehicle, combination of vehicles include towing vehicle that is in category C1 and its trailer or semi-trailer that has a maximum authorised mass of over 750 kg, provided that the maximum mass allowed of the combination of vehicles does not exceed 12000 kg;

1.10. Category C:

1.10.1. vehicles other than those in category D1 or D, with maximum mass allowed of over 3500 kg, which are designed and constructed for the transportation of no more than eight passengers and the driver, the vehicle of this category can have attached a trailer with maximum mass allowed up to 750 kg;

1.11. Category CE:

1.11.1. without prejudice to the rules of the homologation approval, combination of vehicles is composed from towing vehicle of category C, with trailer or semi-trailer with maximum mass allowed for over 750 kg;

1.12. Category D1:

1.12.1. vehicles designed and constructed for the transportation of no more than sixteen (16) passengers and the driver, where the maximum length does not exceed the length of 8 m, vehicles can have attached a trailer with maximum mass allowed up to 750 kg;

1.13. Category D1E:

1.13.1. without prejudice to the approval of the homologation rules, combination of vehicles consisted of towing vehicle included in D1 category, and the trailer with maximum mass allowed for over 750 kg;

1.14. Category D:

1.14.1. vehicles designed and constructed for the transportation of more than eight (8) passengers and the driver, can have attached a trailer with maximum mass allowed up to 750 kg;

1.15. Category DE:

1.15.1. without prejudice to the approval of the homologation rules, combination of vehicles is consisted of towing vehicle of category D, and the trailer with maximum mass allowed for over 750 kg as well as joint vehicles of this category;

1.16. Category T:

1.16.1. tractor trailer;

1.17. Category M:

1.17.1. small tractors;

1.18. Category L:

1.18.1. working equipment and machines;

1.19. The vehicle with automatic transmission (gearbox).

Article 87

Young and beginner drivers

1. Candidate who obtains the driving licence for the first time for the category B shall have the probation period of two (2) years. This period shall be included in the general period of the driving licence as defined in Article 92 of this Law.

2. The competent body according to the Law into force shall be responsible for the implementation of this provision.

Article 88

Elderly drivers

1. With the exception to the rules of Article 92 of this Law, elderly persons of over sixty-five (65) years, the extension of their driving licence is done in every five (5) years on the basis of medical certificate.

2. If the official responsible person of the competent authority issues, extends the driving license in contradiction with the rules of this Article, he shall be punished for minor offence, with a fine of five hundred (500) to one thousand and five hundred (1.500) Euro.

Article 89

Professional drivers

1. Drivers that drive the vehicles for transport of goods of over 3.5 t and passenger vehicles with more than eight (8) seats except the driver's seat (professional drivers) can obtain the certificate of professional qualification (hereinafter CPQ):

1.1. professional training for drivers from paragraph 1 of this Article may be for short (intensive-accelerated) or long duration.

2. CPQ in paragraph 1 of this Article is valid for five (5) years with the possibility of renewal with the same procedure as in the case when obtaining for the first time.

3. The minimum age of the person subject to the CPQ exam under paragraph 1 of this Article is as follows:

3.1. for vehicles of category C, CE, C1, C1E:

3.1.1. eighteen (18) years for category C and CE after the long training and for category C1 and C1E vehicles, after the completion of the accelerated professional training;

3.1.2. twenty-one (21) years for category C and CE, after the completion of the accelerated training;

3.2. for vehicles of category D, DE, D1, D1E:

3.2.1. twenty-one (21) years for category D and DE, for services which do not exceed 50 km of road and vehicles of categories D1, D1E, upon completion of the accelerated professional training;

3.2.2. twenty-one (21) years for categories D and DE, after the completion of a long training;

3.2.3. twenty-three (23) years for categories D and DE, upon completion of the accelerated professional training.

Article 90

Training for professional drivers

1. The Ministry or authorized entity by the Ministry shall carry out the professional training as in Article 89 of this Law.

2. The authorized entity from paragraph 1 of this Article shall fulfil the conditions as set forth in Article 121 of this Law.

3. After successful completion, the authorized entity shall issue a "CPQ" certificate for the driver.
4. The driver who has completed the training for CPQ will undergo the exam in the Ministry.
5. Driver that successfully completes the exam will be issued a driving licence for professional categories by the Ministry of Internal Affairs.
6. The Ministry shall, with sub-legal act, determine the rules for the organizational methods of the exam for "CPQ".

CHAPTER VIII

ISSUANCE, CHANGE AND EXTENSION OF DRIVING LICENCE

Article 91

Issuance of driving licence

Driving licence will be issued to the person upon his request, if he fulfils the conditions foreseen by the Law.

Article 92

Duration of validity of the driving licence

1. The Ministry of Internal Affairs is responsible for issuing driving licence.
2. Driving licence of category C1, C, D1, D, C1E, CE, D1E and DE is issued with a validity period of five (5) years, with possibility of extension, in compliance with Article 94 of this Law.
3. Driving licence of categories AM, A1, A2, A, B1, B and BE is issued with a validity period of ten (10) years, with possibility of extension in compliance with Article 94 of this Law.
4. Driving licence of categories M, L and T is issued with permanent validity.
5. A person may have only one (1) valid driving licence.
6. If the official responsible person of the competent authority issues, extends the driving licence in contradiction with the rules of this Article, he shall be punished for minor offence, with a fine from three hundred and fifty (350) to one thousand and five hundred (1.500) Euro.

Article 93

Limited validity of driving licence

1. Driving licence may be issued with a shorter validity period than foreseen in Article 92 of this Law on the basis of given ascertainment on the medical certificate.
2. If the official responsible person of the competent authority issues, extends the driving license in contradiction with the rules of this Article, he shall be punished for minor offence, with a fine from five hundred (500) to one thousand and five hundred (1.500) Euro.

Article 94
Extension of driving licence

1. The driver can apply for extension of the driving licence six (6) months before the expiry of the validity of the driving licence.

2. For the extension of driving licence is required medical certificate.

Article 95
Codes on driving licence

1. In the driving licence document there are indicated all categories of vehicles and the combination of vehicles.

2. The Ministry of Internal Affairs in cooperation with the Ministry and Ministry of Health shall, with sub-legal act, determine the additional information/restrictions in code and other related issues.

Article 96
Driving licence for the vehicle with automatic transmission (gearbox)

1. Driving licence can be issued for the vehicle with automatic transmission (gearbox), and serves only for driving of such vehicles.

2. The person who acts in contradiction with the rules of paragraph 1 of this Article shall be punished for minor offence, with a fine of two hundred (200) Euro.

Article 97
Recognition of driving licence

1. The person who possesses the driving licence issued in one of the European Union countries, including Switzerland, Norway, and the US, is not required to undergo additional testing when applying for the change into the driving licence of the Republic of Kosovo.

2. With the exception from paragraph 1 of this Article, regarding the change of driving licences of other countries there is decided by the Ministry, based on the program for passing the driver's exam, or through bilateral agreement between our state and any other state for the mutual recognition of driving licence.

3. Ministry in cooperation with the Ministry of Internal Affairs shall, with sub-legal act, determine the procedures on applying for the foreign driving licence according to this Article.

Article 98
International driving licence

1. The international driving licence is issued based upon the driving licence issued in the Republic of Kosovo and must be valid for at least six (6) months from the due time of submitting the application.

2. International driving licence is not allowed to be used as a document while driving within the Republic of Kosovo.

3. International driving licence shall be issued by the Ministry of Internal Affairs or the institution which is authorized by the Ministry of Internal Affairs.

4. The driver operating the vehicle within Kosovo with an international driving licence which is contradiction to paragraph 2 of this Article, shall be punished for minor offence, with a fine of one hundred and thirty (130) Euro.

Article 99

Loss of driving licence

1. If a driving licence is lost, the owner is obliged within thirty (30) days to inform the competent authority in this case the Ministry of Internal Affairs, that the driving licence or any other document that indicates the right for driving a vehicle is lost, damaged or information contained must be updated.

2. Ministry of Internal Affairs shall, with sub-legal act, determine the procedures for issuing a copy (duplicate) according to paragraph 1 of this Article.

Article 100

Cancellation of category in the driving licence

1. Driver upon his will can give up (cancel) from any relevant categories which he owns, but must submit a written statement to the competent body.

2. The driver from paragraph 1 of this Article has no right to request the return of the cancelled category.

Article 101

Revocation of driving licence

With the implementation of negative points which are foreseen in the respective Law into force on rules in road traffic, revocation of a driving licence against the offender of traffic safety will occur.

Article 102

Re-obtaining the driving licence

1. A person whose driving licence has been revoked because of the negative points will again undergo theoretical and practical testing after one (1) year from the date of receipt of the final decision has passed.

2. The person referred to in paragraph 1 of this Article may not undergo the theoretical and practical testing without holding additional training program for safe driving.

3. The person referred to in paragraph 1 of this Article if the driving licence has been revoked because of alcohol, drugs, narcotics or medical condition should pass the medical examination,

undergo rehabilitation training program instead additional training program for safe driving before undergoing the exam test for driving licence.

4. On completion of the program referred to in paragraph 2 and 3 of this Article there shall be issued a certificate which should be presented on the occasion of submitting the exam for driving licence.

Article 103
Issuance of driving licence

Ministry of Internal Affairs does the issuance of driving licence and other necessary documents, following certain procedures.

Article 104
The price for the issuance of driving licence

Ministry of Internal Affairs determines the price for the issuance of driving licence.

Article 105
Sub-legal acts for security of the issuance of driving licence

1. Ministry of Internal Affairs in cooperation with the Ministry taking into account the need for a better security of driving licence towards the possible fraud and theft, will define by sub-legal act:

1.1. driving licence form and other driving certificates with a detailed description;

1.2. detailed administrative procedures for the issuance, revocation, extension and return of driving licence and other driving documents as well as samples for all documents.

Article 106
Obligations of foreign nationals associated to driving licence

1. A foreigner to whom has been granted a temporary or permanent residence, Kosovo citizen, who returns from the another foreign country, the personnel of diplomatic representations, consular representations, missions of foreign countries, representatives of international organizations, foreign trade representations, of traffic, cultural and others, of foreign offices, correspondents, can drive the vehicle on the basis of a foreign valid drivers licence for the period up to one (1) year from the date of entry into Kosovo.

2. Paragraph 1 of this Article is not related to the representatives of the organizations that operate in Kosovo (United Nations, KFOR, the Organisation for Security and Cooperation in Europe, etc.) unless otherwise provided by bilateral agreements.

CHAPTER IX TRAINING PROGRAM

Article 107 Certificate for trainer

1. For the trainer in the field of driving licence (hereinafter trainer) may be certified the person who meets the following conditions:

- 1.1. possesses driving licence of category B for at least five (5) years;
- 1.2. at least has completed the studies – Bachelor degree;
- 1.3. in the last five (5) years has held training for examiner or attended seminar in the field of driving licence within the country or abroad by the relevant international institutions;
- 1.4. has the certificate for trainer in at least one of the areas of driving licence;
- 1.5. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.

2. Rules from paragraph 1 of this Article are related only to the examiners receiving the certificate for the trainer for their first time.

3. Field for driving licence includes: training of candidates for driver, training for instructors of drivers, testing of candidates for driver, training or testing for driving examiners, training and testing for safe driving and eco-driving.

Article 108 Requirements for application

1. The person that meets the following conditions may apply for trainer:

- 1.1. at least has completed the studies – Bachelor degree;
- 1.2. has driving licence for at least five (5) years for category B;
- 1.3. has five (5) years experience in the field of driving licence;
- 1.4. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.

Article 109 The qualifying exam for trainer

1. Persons that pass the qualifying exam shall have right to attend the training for trainers.

2. The Ministry organizes basic training for trainers.
3. The Ministry shall, with sub-legal act, determine the method of organisation and holding of the qualifying exam for trainers and other related issues.

Article 110
Professional exam for trainer

1. Ministry organizes professional exam for trainers.
2. Professional exam for trainers is organized on the theoretical and practical part.
3. The person before undergoing the professional exam from paragraph 1 of this Article must successfully complete the basic training for trainers.

Article 111
Theoretical part of the professional exam for trainers

1. Officials that hold the professional exam on assessment of the trainers from theoretical part shall be assigned by the Ministry.
2. Officials from paragraph 1 of this Article should meet the following conditions:
 - 2.1. should possess a category B driving licence for at least five (5) years;
 - 2.2. should have completed the studies, equivalent with at least 240 ECTS, according to Bologna system;
 - 2.3. should have at least five (5) years of work experience;
 - 2.4. should have held or attended trainings on the rules and normative acts related to the holding of professional exam for trainers;
 - 2.5. should not be convicted for criminal offence more than six (6) months of imprisonment, by a final court decision.

Article 112
Practical part of the professional exam for trainers

1. Officials that hold the professional exam on assessment of the trainers from practical part shall be assigned by the Ministry.
2. Officials from paragraph 1 of this Article should meet the following conditions:
 - 2.1. should possess a category B driving licence for at least five (5) years;
 - 2.2. should have completed the studies, equivalent with at least 240 ECTS, according

to Bologna system;

2.3. should have at least five (5) years of work experience;

2.4. should have held or attended trainings on the rules and normative acts related to the holding of professional exam for trainers;

3. A person who has successfully completed the professional exam, he shall be provided with certificate for trainer in the field of driving licence.

4. Ministry shall, with sub-legal act, issue the programme of the basic periodic training, as well as the method of organization of passing the professional exam for trainers.

Article 113

Training for certified trainers

1. The Ministry organizes seminars for certified trainers at least two (2) seminars within four (4) years to raise the level of professional skills of the trainer.

2. Ministry shall, with sub-legal act, determine the method of organisation and holding of the training programs in the form of seminar or similar to it for certified trainers and other related issues.

Article 114

Additional training program for safe driving, educational and psycho-social seminars for participants in traffic

1. Additional training program for safe driving includes theoretical and practical part.

2. Theoretical part includes at least twelve (12) hours of educational content for road safety, driving risks, driver responsibilities and relationship between the participants in traffic.

3. Practical part is carried out with exercises and at least six (6) teaching classes are foreseen.

4. Ministry shall, with sub-legal act, issue additional training program for safe driving, educational seminars for participants in road traffic.

Article 115

Participation in the additional training program for safe driving

1. In additional training program for safe driving should participate the person that:

1.1. has temporarily lost his driving license under negative points earned from traffic fines;

1.2. has driven vehicle under the influence of alcohol, drugs, narcotic substances, etc;

1.3. has been the cause of road traffic accident with fatality;

1.4. has lost the validity of driving license, etc.

2. Ministry shall, with sub-legal acts, issue the training program under paragraph 1 of this Article and other related issues.

Article 116

Professional drivers of vehicles under escort and with overtaking priority

1. The training of drivers that drive vehicles under escort and priority overtaking vehicles, depending on the category, is performed by competent professional institution authorized by the Ministry.

2. Driver that completes the training for driving of vehicles from paragraph 1 of this Article shall be issued the certificate for the respective category.

3. Ministry defines the conditions and criteria for obtaining the authorization from paragraph 1 of this Article as well as the training program.

4. The driver who acts in contradiction with the rules from paragraph 2 of this Article shall be punished for minor offence, with a fine from four hundred (400) to one thousand two hundred (1.200) Euro.

5. Authorized institution where the driver is employed if acting in contradiction with the rules of this Article shall be punished for minor offence, with a fine from one thousand and five hundred (1.500) to two thousand and five hundred (2.500) Euro.

6. Authorized institution acting in contradiction with the rules of the paragraph 2 and 3 of this Article shall be punished for minor offence, with a fine from five thousand (5.000) to eight thousand (8.000) Euro.

Article 117

Polygon for safe driving

1. Respective Ministry of Transport may authorize entities with technical and professional competence, professional human resources and financial support to establish the polygon for "safe driving".

2. Terms and conditions for obtaining authorization from paragraph 1 of this Article shall be determined by sub-legal act.

3. If the authorized entity from paragraph 1 of this Article does not perform its assigned activities professionally and in accordance with national and international regulations, the Ministry shall revoke the authorization. Until the determination of another authorized entity, Ministry will take over the controlling of developments and professional supervision.

4. For the development of operations, authorized entity will be compensated by the service fees which are determined by the Ministry, which will be received during the performance of operations.

5. Professional supervision of authorized entity is carried out by the Ministry.

Article 118
Obligations of authorized entity

Authorized entity is obliged to permanently fulfil the requirements for performing the determined tasks, in accordance with the rules of this Law and the rules of sub-legal acts issued under this Law.

Article 119
Revocation of the authorization for the polygon of “safe driving”

1. On the proposal of the competent authority, the Minister in charge for transport by decision may revoke (remove) the authorization for authorized entity if:

- 1.1. have failed to fulfil the conditions set for performing the determined tasks, in accordance with the rules of this law and regulations adopted under this Law;
- 1.2. against him is filed the proceeding for bankruptcy or liquidation;
- 1.3. have ceased to work on the basis of a court decision.

Article 120
Training and conducting of seminars

1. The Ministry shall, by sub-legal act, issue the programme on conducting the training and seminars in the field of driving licence.

2. The Ministry shall organize itself or authorize any entity that meets the following conditions and criteria:

- 2.1. spatial, material and technical conditions;
- 2.2. necessary equipment for conducting the seminars;
- 2.3. relevant professional staff in order to meet the requirements of Article 111 and 112 of this Law;
- 2.4. organization of work and structure that guarantees quality and long-term implementation of work;
- 2.5. appropriate support in technical terms.

3. The authorized entity will be compensated by service fees that are determined by the Ministry which are collected on the occasion of conducting the workshops and seminars.

Article 121
Authorization for trainings

1. The entity authorised for the trainings in the field of driving licence shall be that entity which is accredited by the competent qualifications Authority.
2. Entities accredited from paragraph 1 of this Article should apply to the respective Ministry of Transport for obtaining authorization for conducting training courses in the field of driving licence.
3. Authorized entity shall, after the completion of the training, issue the certificate to candidate (person).
4. The authorized entity from paragraph 2 of this Article acting in contradiction with the rules of this Article and sub-legal acts issued based on this Law, shall be punished for minor offence, with a fine from five thousand (5.000) to eight thousand (8.000) Euro.
5. Ministry shall, with sub-legal act, determine the conditions and criteria for granting authorization from paragraph 2 of this Article and other issues related to them.

Article 122
Revocation of the authorization of the entity for training

1. On the proposal of the competent authority, the Minister in charge of Transport by decision may revoke (remove) the authorisation of the authorized entity if:
 - 1.1. has failed to fulfil the conditions set for performing the determined tasks according to Article 120 of this Law, and regulations adopted under this Law;
 - 1.2. against him is filed the proceeding for bankruptcy or liquidation;
 - 1.3. has ceased to work on the basis of a court decision;
 - 1.4. if he shows poor professional performance.

Article 123
Limitation of exercising the activity

A person that has participated in the assessment of candidates for drivers (in the role of examiner) is not allowed to establish or work in any position in driving school for one (1) year from the last date of examination.

Article 124
Professional supervision

1. Professional supervision is monitoring of content, professionalism, standards, quality, efficiency in implementation of the tasks carried out according to the rules of this Law and sub-legal acts issued in compliance with these rules in order to increase road traffic safety.

2. Professional supervision includes monitoring of standards and quality of the persons that train the candidates for drivers, persons that hold exam for driving licence, professional licensing exams, the progress of work of the entities authorized by the Ministry and other issues that influence to increase road traffic safety.

3. The Ministry shall, with a sub-legal act, determine the implementation procedures of the professional supervising and the measures against entities and persons of the paragraph 2 of this Article who show weak professional performance.

Article 125

Conflict of public interest

1. The official of the Ministry who is included in trainings organized of the Ministry authorized entities has no right to take part on their exam evaluation in case of any kind of licencing evaluation organized by the Ministry.

2. The Ministry official who acts in contrary with paragraph 1 of this Article makes serious violation of the labour rules.

Article 126

Supervision of the work of driving school

1. Supervision of the work of the driving school in terms of meeting the conditions set, is done by persons authorized by the ministry, respectively inspectorate.

2. Supervision includes all administrative works, documents and evidences related to the training.

3. During the implementation of tasks, driving school inspector is authorized as follows:

3.1. inspects and assesses the current state of the work of driving schools, whether they are complying to the prescribed curriculum as foreseen with legal and sub-legal acts and whether they are still complying with the conditions for licensing;

3.2. inspects the premises, equipment, vehicles, polygon, instructors of drivers in the field during their practical preparation of candidates for drivers, professional lecturers while conducting their classes, keeping records and administrative documentations, which must be kept during the daily performance of driving schools;

3.3. in cases when during the inspection of driving schools there are found irregularities/deficiencies, which do not affect the basic conditions for obtaining the licence, by decision and within specific timeframe gives remarks on improvement/elimination of irregularities/deficiencies that are found during the inspection;

3.4. suspends the work of driving schools, instructors of drivers and the professional lecturers which have lost one (1) or more of the conditions set for obtaining the licence, and in cases when the driving school has not lost any of the conditions set for obtaining a licence, but does not work according to the Law and Administrative Instructions that regulate the sector of driving schools, initiates the proceedings for a minor offence to the court with relevant competence;

3.5. initiates administrative procedure within the institution to revoke the licence of the driving school, instructor of drivers or professional lecturer;

3.6. initiates the legal procedure at the competent court.

4. The oversight of entity that is carrying out the class of first aid to the injured persons on a traffic accident is done by the Ministry of Health.

CHAPTER X TRANSITIONAL AND FINAL PROVISION

Article 127 Conflict of the Law

In case of conflict of the punitive provisions of this Law and Criminal Code of the Republic of Kosovo and Law on Minor Offences, the last ones shall apply.

Article 128 Preparation of questions and tests

1. Ministry shall compile the questions and tests for candidates for driving licence.
2. The questions of the candidates for driving licence of category B shall be public, while the tests shall be confidential.
3. Persons that compile the questions for the assessment of candidates for drivers, for instructors and for professional lecturers, for examiners and for trainer of examiners should have university qualifications.
4. Persons that hold the exam can not be the same persons who have participated in the compilation of the test.
5. Tests of the exam shall be delivered to the members of the Commission at the moment of starting of the exam by one of the persons that have compiled the test.
6. An official who is the representative of the compiling team of the tests, for the sake of keeping the secrecy even during the testing, shall participate as an observer at the facilities where the testing of the candidates is being held, without the right to communicate with the candidates.

Article 129 Revenues

The revenues deriving from fines for minor offences under this Law shall be treated according to the Law on Public Financial Management and Accountability.

Article 130**The validity of the current driving licence**

Existing driving licence issued with unlimited validity for the category B, is valid until 31 January 2033, as defined in Article 3 paragraph 3 of Directive 2006/126/EC of the European Parliament and of the Council, while its extension after this date shall be done according to Article 94 of this Law.

Article 131**Limitations**

1. Article 107 of this Law is applied only six (6) months from the date of entry into force of this Law.
2. Category A, subcategories A1 and A2 of Article 63 paragraph 2 of this Law enter into the force from date 1 January 2019.

Article 132**The validity of the existing licences**

1. All licences of examiners, professional lecturers and instructors of drivers issued before the date of entry into force of this Law are valid until their expiry.
2. The licensees according to paragraph 1 of this Article should, within the term of five (5) years, fulfill the qualifications conditions as required by this Law, in order to get the right on extension of the licence.

Article 133**Existing entity for training of instructors of drivers and examiners**

Authorized entity that provides the training for instructors of drivers and examiners, within one hundred eighty (180) days from the date of entry of this Law should be equipped with new authorization foreseen by this Law.

Article 134**Sub-legal acts**

1. Competent authorities for implementing this Law shall be responsible to issue sub-legal acts within one (1) year, after the entry into force of this Law.
2. In case of amendment of European Directives that are included in this Law or in sub-legal acts, the supplementation of the same shall apply also in our legislation.

Article 135**Abrogation of provisions**

On the day of entry into force of this Law, Articles: 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 262, 263, 264, 265, 266, 267, 268, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 281, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 295.3 and 351 of the Law on Road Traffic Safety (Law no. 02/L-70) shall be abrogated.

Article 136
Entry into force

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

Law No.05/L - 064
18 May 2016

Promulgated by Decree No.DL-011-2016, dated 03.06.2016, President of the Republic of Kosovo Hashim Thaçi.