

LAW ON PUBLIC ROADS

(Official Herald RS, issue 101/2005)

I GENERAL PROVISIONS

Article 1

The Law regulates the legal status of public roads, conditions and method of management, protection and maintenance of public roads, sources and method of financing public roads, special conditions for the development and rehabilitation of public roads and inspectorate.

Article 2

For the purposes of this Law:

1) **Road** means any built or set aside area that can be used as a paved area by all or specific participants in traffic under the conditions stipulated in the law and other regulations.

2) **Public road** is a road that fulfils the criteria for classification by the relevant authority .

3) **National road** is a public road which links:

- the territory of the state with the European road network, namely it is a part of the European road network,
- the territory of the state with the territories of the neighbouring countries,
- the whole of the state territory,
- economically important conurbations in the state territory,
- the territories of two or more districts or a single district or any section passing through an urban area where no road bypass is built.

4) **Motorway** is a national road intended solely for motorized traffic with physically separated carriageways in each direction, grade separated intersections and full access control, with minimum two traffic lanes and one emergency lane in each direction and appropriate traffic signalling,

5) **Municipal road** is a public road that forms links within the territory of one municipality and/or one city and connects the municipal or city areas with the national road network.

6) **Paved area** is a specially developed area for the movement of all or certain modes of traffic or for the standing of vehicles.

7) **Uncategorized road** is a paved area accessible to a large number of various users, pronounced as an uncategorized road by the relevant authority and entered as an uncategorized road in the land cadastre.

8) **Cycle track** is a paved area marked out with a statutory traffic sign intended for the movement of bicycles or motorised bicycles,

9) **Urban area** is a functionally unified development providing conditions for life and work of a community and meeting their common needs, its boundaries being demarcated in the

physical and urban plans of a municipality and/or a town, and marked out with a statutory traffic sign on the public road.

10) Road outside urban area is a section of a public road in the open country outside urban area limits.

11) Road in urban area is a section of a public road located within urban area limits, its characteristics defined in the physical or urban development plan of a municipality and/or a city.

12) Street is a public road linking parts of an urban area.

13) Public roads referencing is a determined procedure for defining category and physical position of a road (kilometre and hectometre points).

14) Public roads registry contains statutory traffic and technical relevant data and procedures for the collection and/or updating data on public roads.

15) Pavement structure serves to take up mechanical impacts of vehicles, transfer them to public road substructure and enable safe, undisturbed and cost-effective movement of vehicles, bicycles and pedestrians. Its top section is called surfacing.

16) Carriageway is a developed portion of a public road used by motorists and comprising lanes (fast, additional, nearside, emergency and the like) for the travel and standing of vehicles.

17) Shoulder is a roadside element on an embankment that ensures lateral stability of pavement structure and accommodates traffic signs, signals and road furniture.

18) Open channel is a roadside element in a cutting which receives and drains surface water and ensures stability of pavement structure,

19) Berm lies between an open channel and a cutting slope protecting the former from being clogged with eroded material, and it includes traffic signs and road furniture and ensures sight distance.

20) Median is a public road element that physically separates traffic directions, accommodates traffic signalling and road furniture and offers space for building segments of a road structure. If a median exceeds 6 m in width it becomes a central reserve.

21) Verge is a public road element that physically separates motorised traffic from non-motorised traffic.

22) Road structures are bridges, overpasses, underpasses, viaducts, aqueducts, culverts, tunnels, galleries, retaining and lining walls, and the like.

23) Overpass is a structure over a public road functioning as a grade-separated intersection with another road, or an infrastructure system.

24) Underpass is a structure under a public road functioning as a grade-separated intersection with another road, or an infrastructure system.

25) Drainage structures and devices serve for collection, drainage and/or rechanneling of surface, slope and ground waters with the purpose to protect a public road and adjacent properties from any adverse effects of road runoff.

26) Service facilities on a public road are motels, restaurants, car repair shops, petrol stations, shops, sport & recreation facilities and other road user-oriented facilities.

- 27) Bus bay** is a specially developed and marked out paved area located along a roadway or connected to it for the stopping of vehicles.
- 28) Building lines** are lines delineating the area in which any public road construction, rehabilitation or maintenance works may be undertaken.
- 29) Land strip** is a continuous area on both sides of an embankment and in cutting, at least one meter wide when measured outwards from the lines that delineate the cross section of a public road outside an urban area .
- 30) Intersection** is the area where two or more roads cross or join and may be an at-grade intersection (crossing at single level) or grade-separated ones (crossing at grade separations).
- 31) Crossing** is the point where two roads, a road and a railway track or a road and an infrastructure system intersect along grade-separated structures.
- 32) Access road** is the paved area that provides access to the owner or holder of an estate along a public road,
- 33) An access junction** is a paved area used to connect a lower class public road with a higher class public road, or an uncategorized road and/or access road with a public road,
- 34) Infrastructure systems** include transport systems (river, railway, pipeline, etc) and other systems (water supply, sewers, distance heating, gas supply, power transmission and supply, telecommunications, etc).
- 35) Required sight distance** is the distance required for safe stopping of a vehicle in front of an obstruction on a public roadway. It shall exist at each point of a road and shall be derived from design speed.
- 36) Required sight distance on an intersection** is derived from the traffic conditions on the intersecting routes pursuant to legal and technical regulation and is used to construct a zone free from any obstructions that may endanger traffic safety, but ensuring the required sight distance on an intersection.
- 37) Neighbour** is the owner or user of land/or structures or devices on the land that borders on the road along at least one of its sides.
- 38) Road protection zone** is a continuous area along outer roadway edge, the width of which is designated by this Law, and it serves to protect a public road and traffic on it.
- 39) Controlled development zone** is a continuous area along outer limits of a road protection zone in which the range and scope of development is restricted. This zone is of the same width as the road protection zone and serves to protect a public road and traffic on it,
- 40) Traffic signs and signals** include means and devices that ensure monitoring, control and management of traffic on a road (road signs),
- 41) Traffic control** means the monitoring, control and regulation of traffic in a road network or along a specific section of a national road.
- 42) Traffic suspension** is a controlled road closure for traffic.
- 43) Traffic restriction** is prohibition of movement for specific classes of vehicles on a public road.
- 44) Special transport** is transport by a vehicle that exceeds any legally permissible element with its axle load, total mass, width, length or height.

45) Road maintenance comprises works to ensure smooth and safe traffic and maintain the usability of a public road in its original developed/rehabilitated condition.

46) Road protection means prohibition or restriction of actions on a public road in a road protection zone and a controlled development zone as stipulated in this law .

47) Classification of roads is a subdivision of public roads based on specified criteria,

48) Usable value of road is the value of a public road at the moment of assessment that depends on the degree of preserved design characteristics,

49) Technical regulation means standards, technical regulations, instructions, requirements and specifications for planning, designing, constructing, maintaining and protecting public roads,

50) Public road manager is a public company or any legal person or entrepreneur registered for public road management activity.

Article 3

Public roads and uncategorized roads constitute a road network.

The roads under paragraph 1 of this Article being goods for general use are state-owned and may be the subject of the acquisition of right of use, easement, and other rights stipulated in the law.

Article 4

A public road in the sense of this Law incorporates the following:

1) Roadbed including road substructure and road superstructure:

- road substructure (embankments, cuttings, cut-and-fills, structures, installations and drainage devices as well as road protection against surface and ground waters, and the like)

- road superstructure (pavement structure, nearside lanes and curbs, open channels, shoulders, berms, medians, and the like),

2) road structures (bridges, overpasses, underpasses, viaducts, aqueducts, culverts, tunnels, galleries, retaining and lining walls and the like),

3) access roads,

4) footways, pedestrian and cycle tracks along the roadway,

5) right-of way,

6) overhead space above the pavement not less than seven meters high with the headroom of at least 4.5 m above the highest pavement point and at least 4.75 m above the highest pavement point on the motorway,

7) road-oriented facilities (road maintenance bases, toll stations, control stations, bus bays, parking lots, rest areas, green grounds and the like,

8) traffic signs, signals and road markings,

9) road furniture (all kinds of safety barriers, direction posts, lighting installations and traffic lights, traffic flow recording devices, and the like, and

10) appliances and equipment for road, traffic and environmental protection (snow barriers, wind shields, protection against screes, noise and environmental impact, and the like.

In addition to the elements under paragraph 1 of this Article a national road also includes bodies, devices and equipment for traffic control.

Article 5

According to the significance of their linking role public roads are classified as follows:

- 1) National roads, Class I (linking the territory of the country with the European road network or constituting a segment of the European road network, linking the territory of the country with the territories of the neighbouring states, linking all segments of the territory of the country and interconnecting economically significant conurbations in the territory of the country),
- 2) National roads, Class II (linking the territories of two or more districts or segments within the territory of the district),
- 3) Municipal roads (linking segments of the territory of a municipality and/or a city, and connecting the municipality and/or the city to the network of national roads),
- 4) Streets (linking segments within an urban area).

The Government of the Republic of Serbia (hereinafter the Government) shall set criteria for the classification of national roads.

The Government shall issue an act on national road classification based on the criteria under paragraph 2 of this Article.

The Municipal assembly or the City Council shall set criteria for the classification of municipal roads and streets.

The Municipal assembly or the city council shall issue an act on the classification of municipal roads and streets based on the criteria under paragraph 4 of this Article.

Article 6

According to location and traffic conditions, public roads are classified as:

- 1) Roads outside an urban area
- 2) Roads within an urban area.

A public road in an urban area is defined in the physical and urban development plan.

The pavement structure in the streets which also constitute sections of national or municipal roads running through an urban area and the road signs other than traffic lights are considered sections of the above roads.

The route or a modified route of a national road that runs through an urban area shall be defined by the Municipal assembly and/or City Council upon the approval of the Ministry responsible for transport (hereinafter: the Ministry).

A modified route of a national road in an urban area can be effected if the technical characteristics of the new route of the national road meet the requirements of the respective road class.

Any decision of the Municipal assembly and/or city council on the route and change of the route of the national road running through an urban area made without an approval under paragraph 4 of this article will be void.

The route of a municipal road in an urban area shall be defined by the Municipal assembly and/or city council.

II MANAGEMENT OF PUBLIC ROADS

Article 7

Pursuant to this Law the management of a public road includes: the use of public road (organising and controlling collection of road use tax, executing authority, and the like), public road protection, exercising investor's authority in public road construction and rehabilitation projects, organisation and performance of professional tasks relating to construction, rehabilitation, maintenance and protection of a public road, award of public road maintenance, supervision of construction, rehabilitation, maintenance and protection of a public road, plans for construction, rehabilitation, maintenance and protection of a public road, public road referencing and keeping records of public roads and the related traffic-technical data.

National road management, besides the work in para. 1 of this Article also includes traffic control and/organising and performing traffic counts on national roads.

Management of a national road is an activity of general interest.

Article 8

Management of national roads shall be performed by a public enterprise to be founded by the Government (hereinafter: Public Enterprise).

The managing activity may also be performed by a company and/or a legal person or entrepreneur under the conditions and in the way stipulated in the Law governing activities of general interest.

Article 9

The Public Enterprise shall specify the methodology of traffic counting and keeping data on counted vehicles on a national road.

The Public Enterprise shall issue a middle term plan for construction, rehabilitation maintenance and protection of national roads and an annual programme of maintenance, protection, construction and rehabilitation works on national roads, that are to be approved by the Government.

Article 10

The Public Enterprise shall organise toll collection in such a way so as to ensure uninterrupted traffic flow without any delays other than necessary.

The Public Enterprise shall manage traffic control on national roads pursuant to the regulations that govern traffic safety on roads.

Traffic control shall be executed by the use of :

- 1) telecommunication, electronic and stationary devices for traffic monitoring, control, safety and regulation, monitoring pavement condition and remote notices and warnings.
- 2) structures and devices for toll collection
- 3) ventilation and safety devices in tunnels
- 4) structures and devices for public road protection, and
- 5) structures and devices for the protection of public road surroundings.

Article 11

Public road manager shall designate public roads and keep records on technical, traffic and other data.

The Minister in charge of transport (hereinafter: the Minister) shall stipulate:

- 1) method of public road referencing
- 2) kind and content of records, method of record keeping, method of data collecting and updating, and conditions of using data records on public roads.

Article 12

A section of a national or municipal road which when constructed or rehabilitated no longer represents a section of the constructed or rehabilitated national or municipal road shall not be deemed a section of that road.

If a section of a national road under paragraph 1 of this article continues to be used for traffic, it will be reclassified.

If a section of the national road under paragraph 1 of this article is not used for traffic, then the public road manager shall decide on the use of the land beneath such a road within three months from the date when the traffic on the road was discontinued.

Article 13

The public road manager is given a period of 15 days upon the reception of the permit of use to lodge a request for the registration in public books and official records on property rights of the right to public road use and easement and other established law-based rights vested to other persons for a public road.

The public road manager and/or any person vested with any of the rights under paragraph 1 of this article shall within 15 days upon any change in the established law-based rights lodge a request for an entry of a change and/or data erasure in public books and official records on property rights.

Article 14

Authorities shall be delegated to the public road manager to issue:

- 1) approval for the construction and rehabilitation of an access junction to a public road,
- 2) approval for the construction and/or laying of water mains, sewers, heating systems, railway line and other similar structures as well as telecommunication and electrical lines, installations, facilities and the like on a public road,
- 3) approval for the construction and/or laying water mains, sewers, heating systems, railway line and other similar structures as well as telecommunication and electrical lines, installations, facilities and the like in the protection zone of a public road,
- 4) approval for the modification of traffic areas within the facilities along a public road,
- 5) approval for the performance of sporting and other events on a public road,
- 6) special permit for special transport on a public road, and
- 7) permit for erection of boards and billboards, devices for image and sound announcement or advertising on a public road and/or along it.

The documents under paragraph 1 of this Article shall contain traffic and technical requirements.

The public road manager shall decide upon an application for approval and a permit under paragraph 1 hereof within eight days from the date of the application.

An appeal may be lodged to the Ministry and/or municipal or city authority against the documents under paragraph 1 of this article within eight days after the delivery of such a document.

The public road manager shall keep records of any documents issued in exercising the authorities vested in him.

Article 15

The public road manager shall ensure durable, continual and quality maintenance and protection of a public road as well as smooth and safe traffic flow.

The public road manager shall be held responsible for any damage inflicted upon public road users if it was caused by a failure to duly perform certain routine maintenance operations on a public road as stipulated in this law or by the execution of such works contrary to technical specifications and methodology.

III PUBLIC ROAD FINANCING

Article 16

The construction, rehabilitation, maintenance and protection of a public road shall be financed from :

- 1) public road use tax
- 2) compensation for road maintenance amounting to 10.0% of fuel tax
- 3) loans
- 4) investments by local and foreign persons
- 5) budget of the Republic of Serbia and
- 6) other sources pursuant to the law.

Article 17

The following fees shall be paid for the use of a public road:

- 1) annual license fee for motor vehicles, tractors and trailers,
- 2) annual license fee for motor vehicles not included in subsection 1 hereof,
- 3) fee for special transport,
- 4) fee for placement of boards, billboards, devices for image or sound announcement or advertising on a public road or any other land used by the public road manager pursuant to the regulations,.
- 5) special charge for the use of a public road, a section and/or a road facility
- 6) fee for excessive use of a public road, its section or a road facility
- 7) rental fee for a portion of the road land strip .
- 8) rental fee for the use of any other land used by the public road manager.
- 9) fee for access road connection to a public road.

10) fee for placement of water mains, sewers, electric, telephone and telegraph lines, and the like on a public road.

11) fee for any commercial development involving an access from a public road

12) annual fee for the use of commercial facilities having an access from a public road,

13) fee for the use of the national roads by vehicles with international plates.

Article 18

The amount of the fees, Art.17 (1 and 13) of this Law, shall be determined by the Government.

The amount of the fee, Art.17 (2) of this Law, shall be determined by the competent municipal authority or city authority.

The amount of the fees, Art.17 (3 through 12) of this Law, shall be determined by the public road manager.

For a national road the amount of the fee under paragraph 3 of this Article shall be determined provided there is Government's approval and for a municipal road and/or street the approval of the Municipal assembly and/or city council.

Article 19

The revenues defined in Art.16, (2) of this Law shall be placed into a special account in the Treasury of the Republic of Serbia.

The Ministry shall transfer the funds under paragraph 1 hereof to the account of the Public Enterprise to be used for maintenance and protection of national roads.

Article 20

The fees from Art.17 (13) of this Law shall be collected at border crossings, which shall be organised by the Public Enterprise pursuant to relevant regulations.

Article 21

The revenues from fee charges, Art. 17 (1, 2) represent municipal income.

The revenues from the collected fees Art. 17 (3 through 13) of this Law represent the income of the Public Enterprise and the revenues from the fees for the use of municipal roads and streets represent the income of road and street managers.

Article 22

The revenues from the fees, Art. 17 hereof shall be used for the construction, rehabilitation, maintenance and protection of public roads and to cover costs of use and repayment of loans for the above.

Article 23

The fee, Art.17 (1) of this Law shall not be paid for motor vehicles

1) of foreign diplomatic and consular offices provided the exemption from paying this fee is envisaged in an international agreement or if there is a case of reciprocity,

2) of handicapped persons and

3) organisations assembling handicapped persons.

Article 24

The fee Art. 17 (5) of this Law shall not be paid for motor vehicles owned by:

- 1) The Police ,
- 2) The Army of Serbia and Montenegro,
- 3) Ambulances,
- 4) Escorted vehicles (escorted vehicles are the vehicles escorted by the police or military police) and special vehicles (equipped with light and sound devices while operative),
- 5) official fire brigades, voluntary fire brigades and the fire units of legal persons having fire fighting services organised according to rules on fire protection,
- 6) handicapped persons and
- 7) organisations assembling handicapped persons.

Article 25

The fee Art. 17 (5) of this Law shall not be payable for the following motor vehicles if approved by the Public Enterprise:

- 1) Inspectorate for National Roads and Inspectorate for road traffic of the Republic of Serbia,
- 2) companies, enterprises and other legal persons and entrepreneurs that perform maintenance and protection of a public toll road,
- 3) if such vehicles are used to organise and collect toll charges, and
- 4) for the transport of persons and goods for national or international humanitarian actions.

Any vehicle from paragraph 1, subsection 4 of this article shall be issued a separate permit for each run.

Article 26

With regard to the fees determined in this Law, the controlling procedures, interest charges, refund, extinctive prescription and other not stipulated in this Law, the provisions of the law on Taxing Procedure and Tax Administration shall apply.

IV PROTECTION OF PUBLIC ROADS

Article 27

The holder of easement on a public road and other rights pursuant to the Law may carry out works on a public road (assembly and laying of water pipes, sewers, distance heating, railway track and other structures as well as telecommunication and electrical lines, installations, facilities and other) provided the exercise of such a right does not imperil road stability, traffic safety and traffic regime on a public road and provided a consent of the public road manager has been obtained.

Article 28

In the road protection zone along a public road outside an urban area development of any building construction, structures, or placing of installations or devices shall be forbidden except for a new pavement construction needed for traffic on a public road and facilities, devices and installations serving the public road and traffic.

In the road protection zone, under paragraph 1 of this article assembly and laying of water pipes, sewers, distance heating, railway track and other structures as well as telecommunication and electrical ductwork, installations, facilities and other may be undertaken provided the public road manager's approval containing traffic and technical requirements has been obtained.

The public road manager shall monitor the works under paragraph 2 of this Article.

Article 29

The width of the road protection zone shall be:

- | | |
|---------------------------------------|------|
| 1) Class I national roads – motorways | 40 m |
| 2) Other national roads, class I | 20 m |
| 3) Class II national roads, | 10 m |
| 4) Municipal roads | 5 m |

The provision under paragraph 1 of this Article relating to the width of the road protection zone shall apply to urban areas unless otherwise stipulated in the physical and urban development plans.

Article 30

Any new development in the controlled development zone will be permitted if it is foreseen in the physical and urban development plan relevant for the zone.

No mines, quarries or dump sites may be opened/built in the zone under paragraph 1.

Article 31

Fences, trees and plantations along national roads may be raised so as not to obstruct sight distance and imperil traffic safety on a public road.

Article 32

A national road class I shall not cross a railway line at a single level.

Article 33

At an intersection of a public road and other road and at a single level crossing of a public road with a railway line the regulated sight distances shall be ensured.

Within the required sight distance zones it will be forbidden to locate any plants, fences or trees, leave objects and materials, install any facilities or devices, construct any structures or perform any actions that limit the sight distance on a public road.

The owner and/or holder of the land in the sight distance zones shall, when requested by the public road manager, remove plants, fences, trees, objects, materials, facilities, devices and structures under paragraph 2 hereof for the purpose of ensuring the sight distance on the road. The person under paragraph 3 hereof will be entitled to indemnification payable by the public road manager on the grounds of the restricted use of the land in the sight distance zone.

Article 34

The person managing a structure, facility, device, installation and ducts incorporated in a public road shall maintain such structure, facility, device, installation and ducts so as not to damage the public road and imperil traffic safety or disturb maintenance of the public road.

In case of damage and/or defect on a structure, facility, device, installation or ducts under paragraph 1 of this Article the person managing them shall start repairing the damage and/or defect without delay and immediately notify the public road manager of such undertaking.

The person under paragraph 1 hereof shall start repairing the damage and/or defect without impairing the public road or imperilling traffic safety provided the public road manager's approval has been obtained.

The costs of the works under paragraphs 2 and 3 hereof and the costs of the works required to reinstate the public road shall be borne by the person under paragraph 1 hereof.

Article 35

At the locations of high concentration of people (sports grounds-stadiums, fairgrounds, schools, clubs, etc), or at the locations used for keeping a large number of livestock (pastures, horse farms, etc) which are situated adjacent to a national road with high frequency of vehicles appropriate fences shall be erected between such a place and the national road in order to ensure smooth and safe traffic and protect the national road against damage.

No fence under paragraph 1 hereof may shorten the sight distance on the national road.

The Public Enterprise shall determine the need for a protective fence erection under paragraph 1 hereof and stipulate conditions for erection and maintenance.

Fences shall be erected and maintained by the owners or users of the land/or the structures defined under paragraph 1 of this Article.

When the owners or users of the land/or facilities fail to erect or maintain the fences, these shall be erected and maintained by the Public Enterprise at the formers' expense.

Article 36

It shall be forbidden to store building and other materials along a public road and reduce the sight distance on a public road.

Article 37

An access junction to a public road may be constructed with the consent of the public road manager.

An intersection or a crossing of a municipal road, uncategorized road and street with a national road, and an access junction to a national road may be constructed solely upon the approval of the Public Enterprise.

The approval under paragraph 2 hereof shall specify technical conditions for construction, traffic signalling, equipment.

If the special conditions under paragraph 2 hereof call for new traffic lanes, islands separating lanes, light signals and lighting on a national road, a permit for the construction of the intersection, crossing or an access junction under paragraph 2 hereof shall be given by the Ministry.

The permit under paragraph 4 hereof for the construction of an intersection, crossing or access junction issued without the prior consent under paragraph 2 hereof will be void.

The Public Enterprise shall issue the consent under paragraph 2 hereof if they find that all requirements have been met and if

1) it is not possible to link a municipal, uncategorized road or a street with the municipal, uncategorized road or street which already has an intersection, crossing or access junction to a national road

2) the intersection, crossing or access junction under paragraph 2 hereof does not restrict the capacity and flow of traffic on a national road, and

3) the intersection, crossing or access junction under paragraph 2 of this article is not detrimental to smooth and safe traffic running on a national road.

The costs of construction and erection of road signs and equipment on a newly constructed intersection, crossing or access junction, para.2 hereof, shall be borne by the investor of such construction and erection of road signs and equipment on a newly constructed intersection, crossing or access junction.

Technical inspection of a completed intersection, crossing or access junction to a national road shall be attended by an authorized representative of the Public Enterprise.

Article 38

A dirt road that crosses or feeds into a public road shall be constructed on a hard base or with the same type of surfacing as the public road it crosses or feeds into. It shall be minimum five metres wide and minimum 40 m long if the national road is class I, 20 m if the national road is class II, and 10 m if a municipal road is concerned, measuring from public road pavement edge.

An access road to a public road shall be constructed in the way stipulated under paragraph 1 hereof.

The costs of construction under paragraphs 1 and 2 hereof shall be borne by the Investor of a dirt or access road of the widths and lengths under paragraph 1 hereof.

If in the course of construction or rehabilitation the public road under paragraph 1 hereof crosses a dirt road, the costs of constructing a dirt road with hard base or identical surfacing to that of the public road crossed or accessed to shall be borne by the investor of public road new construction and/or rehabilitation.

Article 39

In rehabilitating a public road Public Enterprise shall minimise the number of intersections or access junctions of municipal or uncategorized roads onto national road in order to increase the capacity and traffic safety on the national road.

Article 40

Whenever any paved area used for public road-related facilities is to be changed an approval of the public road manager shall be obtained.

Article 41

Any public road neighbour shall allow free water runoff and snow deposition from the public road onto his land and shall be entitled to recover compensation in respect of any damage caused by such works.

The public road neighbours shall allow access to a public road or structure for their maintenance purpose , and shall be entitled to recover compensation in respect of any damage caused by such works.

The public road manager shall make a contract with a public road neighbour on the construction on the neighbour's land of open channels and other devices for roadbed dewatering, erection of provisional or standing devices and adjustments and planting of trees, for the purpose of protecting the public road and traffic on it from snow avalanches, snow drifts, noise, glare and other harmful effects if these cannot be built, erected or planted on the public road.

The provisions under paragraph 1 through 3 hereof shall also apply to owners and land holders where their respective lands are used for the above purpose.

Article 42

In order to protect a public road against washout and rock fall, the public road manager shall, if the natural land configuration allows, plant grass, decorative shrubbery, or other plants on embankment, cutting and side cut slopes as well as in the land strip so that it will not interfere with the sight distance on the public road.

The plantations under paragraph 1 hereof shall be regularly groomed.

Article 43

Billboards, boards, image or sound announcing or advertising units (hereinafter public notices) may be erected on a national road and/or along it at a distance of seven metres or on a municipal road and along it at the distance of five metres measured from the outer pavement edge line.

Public notices may be erected only provided a consent is given by the public road manager.

It is forbidden to erect public notices within a 60 m belt along a motorway.

Public notices shall be maintained by the person that applied for their erection.

Article 44

On a public road it is strictly forbidden to :

- 1) occupy the road in a temporary or permanent manner,
- 2) execute any works not related to new construction, rehabilitation, maintenance and protection of the road,
- 3) execute any works by the holders of easement and other right on the road that will damage the public road or imperil smooth and safe traffic running,
- 4) discharge water, waste waters or other liquids on the road,
- 5) stop road runoff particularly from a road ditch and a culvert in the road bed and stop water flowing towards respective recipients,
- 6) spill, leave or dump materials, objects and garbage onto the road,
- 7) stain the road surface with oil or any other matter,

- 8) erect and use lights or other lighting devices on or along the road that might endanger traffic running,
- 9) plough the land or perform any other farming activities on the shoulders, slopes and in the land strip,
- 10) drag logs, material, implements or other types of load on the road (beams, logs, branches, stone blocks, ploughs, harrows etc.),
- 11) slide timber, fuel wood, stone and other materials down the slopes in cut-and-fills, cuttings and embankments,
- 12) burn grass and other vegetation on the road or waste materials,
- 13) carry mud from an access road onto the public road,
- 14) let unsupervised livestock onto the road, graze or water livestock,
- 15) turn around horse drawn carts, tractors, ploughs and other farm implements and machinery on the road,
- 16) brake horse drawn carts using braked wheels,
- 17) enter or exit from the road outside an access junction or crossing and bring mud onto road pavement ,
- 18) stop or leave a vehicle that will interfere with road use,
- 19) do any act that will damage or may damage the road or interfere with traffic running.

Article 45

The public road manager shall act on a daily basis to identify any road occupiers, any illegal works on a public road or in the protection zone and any other acts that will considerably damage or might damage the public road or interfere with traffic running on it.

In the cases under paragraph 1 hereof the public road manager shall without delay send a written notice based on accurate, complete and precise facts to the public road inspectorate to undertake relevant measures and shall attach to it a location plan issued by the authority and/or authorized person whenever such a plan is suitable evidence for assessing the factual situation.

Article 46

The public road manager shall initiate a procedure before the Ministry or municipal and/or city council for transport to restrict the use of a public road when the public road is in such a condition that:

- 1) no traffic running is possible or only specific classes of vehicles can run,
- 2) traffic of specific vehicle types may have an adverse impact on the public road,
- 3) it is warranted by the reasons of road protection and traffic safety.

Simultaneously with initiating the procedure under paragraph 1 hereof the public road manager shall undertake safety measure on the public road by means of appropriate traffic signalling and shall duly notify of the implemented measures the Ministry of Home Affairs, and the general public through mass media.

Article 47

Motor vehicles and trailers other than caterpillar vehicles travelling on public roads shall be fitted with inflated tires.

Motor vehicles with caterpillars may travel on a public road with modern surfacing provided their caterpillar tracks have flat lining or other appropriate linings.

The vehicles of the Army of Serbia and Montenegro need not satisfy the requirements under paragraph 2 hereof, but the public road manager shall be entitled to recover compensation for any damage inflicted by such vehicles.

Animal-drawn carts weighing over three tons may travel on a public road provided they have rubberised wheels.

Article 48

Any transport by a vehicle which empty or loaded exceeds any of legally allowed axle loads, total mass, widths, lengths or heights shall be considered special transport by this Law.

Any special transport in the road transport in the territory of the Republic of Serbia and/or in the international road transport may run along public roads when a special permit specifying the manner and conditions of the transport and special transport fee is issued by the public road manager for each individual transport.

The public road manager shall send a written notice confirming the issue of the permit under paragraph 2 hereof to the Ministry of Home Affairs, Ministry of Transport and/or the relevant municipal or town authority as well as the person responsible for the maintenance of the road on which such special transport will travel.

A special transport may take place on public roads without a permit under paragraph 2 hereof when such transport is considered an emergency transport for the purposes of the relief of natural or other disasters, or for defence purposes.

The person carrying the special transport under paragraph 4 hereof shall agree upon the transport procedure with the public road manager before they start the transport.

The person under paragraph 5 hereof that carries out the special transport under paragraph 4 hereof shall notify the Ministry of Home Affairs on the special transport to be carried.

Article 49

Checks of special transport cases, maximum allowable axle loads, total mass and dimensions of vehicles travelling on a public road shall be performed by an official of the Ministry of Home Affairs, an official of the Ministry of Transportation and/or an official of the municipal and/or city authority of transport.

Any vehicle used for special transport without the permit defined under paragraph 2, Art. 48 of this Law shall be excluded from traffic by the officer under paragraph 1 hereof and/ordered to park in a certain place until a special permit is obtained.

Any vehicle excluded from traffic by a controller will be prohibited from running during the period of exclusion.

Article 50

The person performing a special transport shall carry it out in accordance with the permit issued under paragraph 2, Art. 48. of this Law.

The person performing a special transport shall compensate the public road manager for any damage inflicted on the public road in the course of the special transport.

Article 51

The share of heavy vehicles of over fifty percent of all cargo transport temporarily or permanently running on a public road or its section for the benefit of a legal or physical person executing construction or rehabilitation works or pursuing some other business for which such transports are needed (exploitation in a quarry, of minerals, coal, timber, and the like) is considered excessive usage of a public road and its section in the sense of this Law.

The share of heavy vehicles owned by a legal or physical person executing the works and pursuing business under paragraph 1 hereof shall be determined by the public road manager on the basis of the average annual daily traffic of heavy vehicles of over 11.5 ton capacity and after a minimum of four counts of origin-destination traffic.

The person under paragraph 1 hereof shall compensate the public road manager for any damage due to gross negligence.

Article 52

Any vehicle that is disabled for further travel or any load fallen from a vehicle shall be immediately removed from the carriageway of a public road by the driver or the car owner not later than two hours from the moment the vehicle became disabled or the load fell.

If the owner of the vehicle or load fails to remove them within the period under paragraph 1 hereof, the public road manager will remove them not later than 12 hours from the moment the vehicle became disabled or the load fell at the expense of the vehicle or load owner.

The disabled vehicle or the load that fell off a vehicle shall be removed by the owner of the vehicle and load from the public road right-of way immediately and not later than 12 hours from the moment the vehicle became disabled and the load fell, at the expense of the owner of the vehicle and/or load.

If the owner of vehicle or load fails to remove them within the time period set out under paragraph 3 hereof, the public road manager shall remove them not later than 24 hours from the moment the vehicle became disabled and /or the load fell at the expense of the owner of the vehicle and/or load.

Vehicles and/or loads shall be removed from the roadbed or right-of-way of a public road under paragraph 1 through 4 hereof without inflicting any damage to the public road.

The removal of a stopped or left vehicle that interferes with the use of a national road shall be done in the way stipulated in provisions 1 to 5 of this article.

The removal of a stopped or left vehicle that interferes with the use of a municipal road and street shall be regulated and carried out by the municipality and/or the town.

Article 53

The authority that shall regulate traffic safety on roads and is responsible for the technical side of traffic regulation (hereinafter Traffic Regulating Authority) may suspend or restrict traffic or traffic of certain types of vehicles on a public road, its section or a structure, except on the motorway if this is done for the purposes of sporting or other events and provided the traffic can be diverted to other public roads and the consent of the public road manager has been obtained for the public road on which sporting or other event will take place.

The Traffic Regulating Authority shall notify of the suspension of traffic under paragraph 1 hereof the Authority of Home Affairs and the public road manager for the public road on which sporting or other event will take place.

The public road manager shall duly inform the public of traffic suspension under paragraph 1 hereof through public media or in some other customary way and undertake the necessary safety measures .

The costs of traffic suspension, diversion, public informing and safety measures undertaken shall be borne by the party organising sporting or other events.

Article 54

The public road manager shall be responsible for timely and appropriate notification of general public and road users on the condition and passability of roads in the cases of traffic restriction, suspension or closure 48 hours before the implementation of the measures specified.

Article 55

The public road manager shall erect, replace, add and revitalise traffic signs and signals, road furniture and structures and equipment for the protection of road, traffic and environment pursuant to the decision on technical regulation of traffic to be issued by the Ministry or municipal and/or city authority for transport.

The public road manager shall be responsible for regular cleaning of traffic signs, signals and road furniture.

Article 56

The Traffic Regulating Authority on a public road shall suspend traffic or the traffic of certain types of vehicles on a public road, its section or structure upon a proposal by the public road manager in the following cases:

- 1) if the public road is in such a condition that traffic or traffic of certain vehicle types cannot run,
- 2) if running of certain vehicle types inflicts damage to the public road, its section or structure,
- 3) if required due to any rehabilitation and maintenance works being executed on public road, and
- 4) if required for any other reasons of public road protection and traffic safety on a public road.

Full closure of a road, its section or structure for traffic can be temporary while traffic suspension for certain vehicle types on a public road, its section or structure may be temporary or permanent.

V MAINTENANCE OF PUBLIC ROADS

Article 57

Maintenance of a public road pursuant to this Law understands works that ensure smooth and safe traffic and safeguard road usability.

The public road manager shall ensure smooth and safe traffic running and safeguard the road usability when undertaking works under paragraph 1 of this article.
Public road maintenance includes routine, periodical and emergency maintenance operations.

Article 58

Routine maintenance on a public road shall include in particular:

- 1) inspection, identification and assessment of the condition of a public road and structure,
- 2) repair of the pavement structure and other road elements in places,
- 3) cleaning the pavement surface and other road elements within the right-of-way,
- 4) finishing shoulders,
- 5) finishing and preserving the embankment, cutting and cut-and-fill slopes ,
- 6) cleaning and finishing ditches, open channels, culverts and other elements in the drainage system,
- 7) repair of road structures,
- 8) erection, replacement, supplementing, and repair of traffic signs and signals,
- 9) cleaning traffic signs and signals,
- 10) placing, replacement, supplementing, and repair of road furniture and structures and of road, traffic and environmental protection devices,
- 11) cleaning of road furniture and devices of road, traffic and environmental protection ,
- 12) mowing grass and caring for greens along a public road and in the right-of-way,
- 13) removal of snow and ice from the pavement on a public road, at bus bays, car parks, shoulders and open channels.

Article 59

Periodical maintenance on public roads includes: strengthening the pavement structure, rehabilitation and intensified road maintenance.

Pavement strengthening particularly includes:

- 1) spreading gravel and crushed stone surfacing on roads without asphalt courses
- 2) treatment of the pavement surface or sealing
- 3) spreading new asphalt layer over the whole pavement width of a definite load bearing capacity and
- 4) rectification of the shape of the existing surfacing or pavement.

The rehabilitation of a public road includes:

- 1) selective renovation, replacement and strengthening of degraded surfacing, change of pavement cross fall on a public road, and/or its section,
- 2) replacement of complex expansion joint assemblies, waterproofing, pavement, fences, gullies, bearings, damaged secondary members, degraded footways on bridges, overpasses, underpasses and viaducts,
- 3) renovation of anti-corrosive protection on the steel construction on bridges, overpasses, underpasses and viaducts,

- 4) replacement of deformed, degraded and temporary culverts, and
- 5) erection of new traffic signs and signals on a public road and/or its section

Intensified maintenance of a public road (road improvement) includes in particular:

- 1) attenuation of some longitudinal gradients and curve straightening,
- 2) widening of pavement, shoulders and other elements in roadbed on short road sections,
- 3) enlargement of grade intersections,
- 4) replacement of drainage systems and waterproofing in tunnels, and rehabilitation or replacement of tunnel lining,
- 5) rehabilitation works on landslides and rock falls,
- 6) rehabilitation and new construction of retaining, lining and portal walls,
- 7) replacement or construction of a drainage system for groundwater drainage from a road and road structure,
- 8) placing new road furniture and new structures and equipment for road, traffic and environment protection on a public road, and/or its section.

The works under para. 2,3 and 4 of this Article shall be performed on the basis of the technical documentation prepared in accordance with this law, technical regulations and standards. The documentation includes: general provisions, terms of reference, technical report, location plan, longitudinal profile, cross sections, detailed methodology of works, design of traffic signs and signals and equipment, description of work items with bill of quantity and cost estimate, plan of traffic regulation during the execution of works and technical verification of the design documentation.

The technical documentation under paragraph 5 of this Article, prior to any works on overlaying, rehabilitation and intensified maintenance on a public road shall be verified and approved for the national roads by the Ministry, and in the case of municipal roads and streets by the municipal and/or town authority responsible for transport.

The verification under paragraph 6 of this Article shall become null and void if the works do not start within one year from the date of verification.

The Ministry of Transport or the municipal and/or city authority responsible for transport shall nominate a technical commission for technical inspection of the works that are performed on a public road within the scope of periodical maintenance and shall issue a certificate of acceptance of the works executed.

Article 60

Emergency maintenance of public roads includes actions provoked by natural catastrophes and extraordinary circumstances and is carried out in order to ensure road passability and safe traffic running .

Article 61

The Minister shall issue an act on regular, periodical and urgent maintenance of a national road regulating in detail the kinds, technical conditions and methodology of works.

The municipal and/or town authority for transport shall issue the act under paragraph 1 hereof for municipal roads and streets.

Article 62

Maintenance works on a public road shall as a rule be executed without traffic suspension.

In case the works under paragraph 1 of this Article cannot be performed without traffic suspension on a public road, the Ministry, municipal and/or city authority for transport, shall, after having obtained an opinion from the Ministry of Home Affairs issue a decision on traffic suspension designating another road to which traffic will be diverted and the respective conditions for traffic running on the road upon the consent of the public road manager of the public road to which traffic is to be diverted.

In case of traffic suspension under paragraph 2 hereof the respective public road manager shall inform road users of such traffic suspension through public media 48 hours in advance.

Article 63

The Public Enterprise shall maintain the pavement structure and traffic signalling, except light signals, on any section of a national road running through an urban area as it is considered an integral part of the national road, the section shall be maintained in the same width as the sections outside the urban area.

The municipality and/or the town council shall cover a proportion of the maintenance costs for the national road section running through the urban area if the roadway has been made wider than outside the urban area to meet the needs of the urban area concerned.

The manager of the municipal road and street shall maintain supplemental elements, structures and equipment on the national road that were made and erected to meet the needs of the urban area.

Article 64

The piers and constructions on a bridge carrying a public road and a railway track shall be maintained by the railway infrastructure manager in compliance with technical codes of practice and standards.

The costs of maintenance of the piers and constructions on the bridge under paragraph 1 hereof shall be borne equally by the railway infrastructure manager and the public road manager.

Article 65

In the case of traffic suspension due to natural catastrophes the public road manager shall act according to a special plan for relieving consequences of natural disasters.

VI SPECIAL CONDITIONS FOR CONSTRUCTION AND REHABILITATION OF PUBLIC ROADS

Article 66

Any new construction and rehabilitation project for a public road shall proceed in accordance with the Law on Planning and Building and this Law.

Where a national road new construction and rehabilitation project is concerned besides a general road preliminary design the following preliminary designs for the roadbed, road

structures, access junctions, intersections, crossings, road-related structures, traffic signalling and road furniture will also be needed.

Detailed design documentation for new construction and rehabilitation of a national road shall include detailed designs for the elements specified under paragraph 4 of this Law.

The Minister shall give a more detailed specification of the contents of the preliminary designs for the elements of a national road under paragraph 2 of this Article.

Article 67

A public road shall be constructed so as to have at least two traffic lanes and two nearside lanes or curbs flush with the pavement while a street shall have sidewalks and curbs instead of nearside lanes.

A public road shall be constructed to carry minimum 11.5 ton axle load.

An exception from paragraph 2 hereof will be a municipal road and street that shall be capable of carrying 6 ton axle load minimum.

Article 68

A motorway project shall fulfil the following requirements:

- 1) it shall have two physically separated carriageways with at least two traffic lanes in each of them provided that each lane is minimum 3.75 m wide while depending on land configuration its width may be reduced to 3.5 m.
- 2) each carriageway shall have a special lane 2.5 m wide lane for emergency stopping of vehicles along its whole length or along some of its sections spaced at appropriate intervals depending on ground conditions while in tunnels and galleries there shall be appropriate spaces for emergency stopping of vehicles instead of that special lane, and
- 3) other road elements (curve radii, longitudinal gradient, nearside lanes etc) shall allow for a speed of at least 130 km per hour but if the land configuration does not permit it then the speed shall be 100 km per hour at least.

Article 69

Other class I national roads shall fulfil the following requirements:

- 1) the traffic lanes shall be 3.5 m wide minimum but the width may be reduced to 3.25 m depending on land configuration, traffic density and structure.
- 2) other road elements (curve radii, longitudinal gradient, nearside lanes etc) shall allow for safe traffic running at high speeds, not less than 100 km per hour and exceptionally 80 km per hour on mountain saddles and other difficult mountainous ground and
- 3) the intersections shall be so designed as to allow for safe access to and exit from the road for all vehicles.

Article 70

Structures on a public road shall be so constructed so that the width of the roadway on a road structure is at least the same as the roadway width elsewhere on the road.

The paved area of a bus bay on the public road, apart from the street, shall be constructed outside the pavement limits on the public road.

Article 71

A public road outside an urban area intended for high density traffic shall be so constructed as to include grade separated intersection with other public road.

Article 72

Class I national road shall be constructed with a special climbing lane for slow-moving vehicles on the road sections with a big longitudinal gradient.

Article 73

The technical documentation for public road construction other than streets shall envisage in accordance with physical plans locations along public roads for the construction of:

- 1) petrol stations,
- 2) car repair shops, and
- 3) facilities for temporary accommodation of disabled vehicles,

and for motorway and class I national road construction also:

- 1) car base for road assistance and provision of information to traffic participants
- 2) catering facilities
- 3) tourist facilities
- 4) shops and stores
- 5) sports and recreation.

Article 74

The investor shall inform the general public through media or in some other customary way about the construction or rehabilitation of a public road or a road structure at least 30 days prior to the commencement of works.

The persons who own and are responsible for maintaining the structures, facilities, devices, installations and ducts incorporated in public road bed or right-of-way or road structure (sewage, water supply, power supply, telecommunications, etc.) shall coordinate such works with the road rehabilitation works.

The investor shall notify in writing the persons under paragraph 2 hereof at least 60 days prior to the commencement of the works under paragraph 1 hereof.

The persons under paragraph 2 hereof shall relocate the structures, facilities, devices, installations and ductwork or adapt them to changes at their own expense if any rehabilitation or other works are executed on a public road and at the public road investor's expense if a public road is constructed.

In case the persons under paragraph 2 hereof fail to relocate or adapt structures, facilities, devices, installations and ductwork before the commencement of any construction and/or rehabilitation of public road or other works on a public road, they shall be liable for the damage incurred due to the delay in the commencement of such works.

Article 75

If an existing public road and/or its section has to be displaced due to the construction of another structure (railway infrastructure, mine, quarry, storage reservoir, airport, etc.), the public road or the section of the public road being relocated shall be built incorporating the elements that conform to the respective road class.

The costs of relocation of a public road or its section under paragraph 1 hereof shall be borne by the investor whose construction works have been the cause of displacement of the public road and/or its section unless otherwise agreed between the investor and the public road manager.

Article 76

If a public road is to cross a railway track because either a public road or a track is to be constructed, the cost of an overpass or underpass construction shall be borne by the investor of the construction project of a public road and/or railway infrastructure.

Article 77

If a public road crosses an infrastructure system by an underpass, such an underpass shall be considered an integral part of the infrastructure system.

The public road superstructure under the underpass, under paragraph 1 hereof, together with road furniture, traffic signs, drainage systems for runoff and ground water that are required to enable proper and safe use of the public road, shall be considered as part of the public road.

If a public road crosses an infrastructure system by an overpass, such an overpass shall be considered an integral part of the public road.

The infrastructure system under an overpass under paragraph 3 hereof with installations and facilities needed for its proper and safe use shall be considered an integral part of the infrastructure system.

The provisions under paragraphs 1 through 4 of this Article shall also apply to any underpass or overpass that is to be constructed because of a reclassification of the public road or the infrastructure system.

If two public roads cross by means of an underpass, and/or overpass, the underpass and/or overpass shall belong to the public road that runs over the other public road that it crosses.

Article 78

The territorial and/or urban plan shall determine sections of a public road and/or road structure incorporating the following extra elements (wider carriageway, sidewalk, intersections to meet the needs of the neighbouring community, car parks, public lighting, light and other signals, cycle tracks, pedestrian paths and the like) and the facilities and equipment to meet the needs of the community.

The construction of the public road section and/or road structure under paragraph 1 hereof shall not impair road continuity or the traffic running along the road.

The costs of the extra elements on a public road as under paragraph 1 hereof shall be borne by the municipality and/or the city that requested the construction of such extra elements.

Article 79

Upon a motion of a municipality, or a city, or a public carrier bus stops may be built on a national road provided the consent of the Public Enterprise has been obtained.

The costs of a bus bay construction under paragraph 1 hereof shall be borne by the municipality and/or town or public carrier.

Article 80

Bridges carrying a public road and a railway track may have common piers provided they have separate superstructures.

As an exemption to the provision under paragraph 1 hereof bridges carrying a public road and a railway track may have common piers and a joint superstructure provided the roadway is separated from the track.

Article 81

At the locations susceptible to rock fall or exposed to snow drifts, torrents, or strong winds, the public road and traffic shall be protected by:

- 1) means of permanent structures (retaining, lining and partition walls, wind shields, etc.),
- 2) planting protective belts of forest and other plants, and
- 3) provisional devices (palisades, wooden slats, metal gratings, wire nets, etc) .

Article 82

The provisions of this Law regulating public road construction shall apply to the rehabilitation of these roads as well.

The rehabilitation works on a public road in the sense of this Law understand works on the existing road, its section or structure by which the position of the public road alignment is modified together with its structural members, bearing capacity, and stability or the carriageway is widened with new fast and emergency lanes.

A permit for the public road use under paragraph 2 hereof shall be issued by the Ministry or the municipal and/or city authority for transport matters.

Article 83

The design, construction and rehabilitation of a public road and materials used shall be in compliance with technical regulations, and standards governing structures of the type and/or materials.

Public roads shall be planned, designed and constructed in such a way that the planning and technical concepts incorporate most advanced techniques in public road design and construction, meet traffic safety requirements, based on the economic principles and criteria of project feasibility and comply with the standards of environmental protection so that any harmful environmental impact caused by anticipated traffic can be minimized.

A public road, its section and structure shall be suitable for use when it is established in legal terms that the public road, its section and structure fulfill technical regulations and standards of traffic safety for the works of that type.

Article 84

The public road manager shall inform the general public about the opening of a public road to traffic through mass media.

Article 85

The Minister shall stipulate basic requirements to be fulfilled by a public road and its elements outside an urban area from the aspect of traffic safety and suitability of road for traffic running.

The Minister shall stipulate basic conditions to be fulfilled by bus bays and car parks that are integrated in the public road.

VII SURVEILLANCE

Article 86

The enforcement of this Law, the secondary legislation based on the Law and other laws and regulations governing new construction and rehabilitation of national roads and traffic safety on them shall be surveilled by the Ministry.

Supervision and inspection shall be performed by the Ministry through the Public Road Inspectorate of the Republic (hereafter : Inspector).

Article 87

The Inspector shall not prepare or take part in the preparation of technical documentation and verification of such technical documentation for the structures subjected to his inspection and shall not act as a supervising engineer for the construction and execution of works on the structures subjected to inspection.

Article 88

The Inspector shall be authorised to inspect and will be obligated to supervise:

- 1) construction, rehabilitation and maintenance works on a national road, its section and road structure,
- 2) technical and other documentation for the construction, rehabilitation and maintenance of a national road, its section and structure,
- 3) compliance with terms regarding persons responsible for design, technical verification of the design documentation, construction management and supervision of works,
- 4) condition of a national road, its section and structure,
- 5) proper maintenance of a national road, its section and structure pursuant to technical and other regulations and requirements in order to ensure the capacity of the national road, its section and structure for unimpeded and safe running of traffic,
- 6) conditions for traffic running on a national road,
- 7) regular and proper enforcement of measures for national road protection,
- 8) application of technical regulations, and standards and quality criteria in the execution of works and use of materials for national road construction, rehabilitation and maintenance,

- 9) whether the permit for the construction and rehabilitation of a national road, its section and structure has been obtained and whether it was issued in a proper way,
- 10) whether a national road, its section and structure are being constructed in accordance with the technical documentation that supported the issuance of the construction permit and whether the documentation complies with the regulations,
- 11) whether the contractor for the construction and rehabilitation of a national road, its section and structure keeps inspection records and construction journal in a proper way,
- 12) whether a national road, its section and structure are used in compliance with the issued certificate of use and whether the certificate was issued in a proper way, and
- 13) whether construction works on a national road, its section and structure and their commencement were registered in a proper way,
- 14) whether a special transport is performed using a special permit.

Besides the inspection tasks under paragraph 1 hereof the Inspector shall perform other tasks stipulated in the Law.

Article 89

In performing supervision for inspection purposes the inspector will be authorized and shall:

- 1) put a stop to any works being executed in contravention of laws and regulations, codes of practice and standards and quality criteria during construction and use of materials for construction, rehabilitation and maintenance of a national road, its section or structure, contrary to traffic running conditions on a national road, its section or structure or in contravention of the statutory measures for the protection of a national road, its section or structure,
- 2) lodge a proposal with an authority responsible for the regulation of traffic to ban the traffic or travel of certain types of vehicles on a national road, its section or structure,
- 3) order elimination of defects on a national road, its section or structure that compromise or may compromise traffic safety,
- 4) order demolition and removal of any facilities built or erected within the protection zone of a national road contrary to the provisions of this Law and removal of any waste and garbage,
- 5) order demolition and/or removal of fences, trees, plants, construction and other materials and boards with lettering, raised, left or erected in contravention of the provisions of this Law,
- 6) order demolition and removal of facilities, pipelines, lines, installations, inscription plates, fences, trees, plants, construction and other materials from a national road, its section and structure and the right-of-way other than the facilities, pipelines, ducts and installations for which easement or any other law right was established,
- 7) order suspension of any works performed in immediate vicinity of a national road, its section and structure which could compromise their stability and traffic safety,
- 8) exclude from traffic on a national road a vehicle carrying out a special transport without a special permit,
- 9) order an investor to obtain a certificate of completion within a period that shall not be shorter than 30 days if he learns that the national road, its section or structure for which a construction permit was issued is being used without a certificate of use and if the investor

fails to obtain the certificate of use within the fixed period, the Inspector shall temporarily suspend traffic on the national road, its section or structure,

10) order placement of physical obstacles preventing access to a national road at a junction or crossing, namely along an access junction, without a consent of the Public Enterprise and/or construction permit,

11) order making up for defects or suspend further works on construction and rehabilitation of a national road, its section and structure if he establishes that the contractor does not fulfill the specified requirements,

12) initiate a procedure to annul the construction permit if he finds out that it was issued contrary to the law,

13) order demolition of a national road, its section or structure if no construction and/or rehabilitation permit was issued,

14) order making up for defects within a fixed period if he finds out that in the course of the works and in the use of materials for construction, rehabilitation and maintenance of a national road, its section and structure no technical regulations, codes of practice and standards and quality criteria were observed and if such defects are not made up within a fixed period, he shall ban and suspend further works and/or order demolition and removal of constructed, reconstructed and maintained sections of the network and structures on it, on which the defects were not eliminated as ordered ,

15) order removal of a stopped or abandoned vehicle impeding the use of a national road.

Article 90

If a national road, its section or structure is in such condition that traffic safety is compromised the Inspector shall order safety measures be undertaken without further delay and shall, if necessary, temporarily ban traffic running on the national road, its section and structure.

Article 91

An authorized person in municipal and city administration that shall perform the supervision for the purpose of the inspection of the enforcement of the regulations governing the protection of municipal roads and streets shall have the duties and powers of the Republic Inspector for national roads as stipulated in this Law.

Article 92

An appeal to the decision of the Inspector may be lodged with the Government of the Republic of Serbia within eight days after delivery.

The appeal shall be lodged through the Ministry.

The appeal to the decision under paragraph 1 hereof shall not postpone the enforcement of the decisions by which:

1) any works are banned and/or suspended,

2) traffic is temporarily banned on a national road, its section or structure,

3) elimination of defects on a national road, its section or structure that endanger or may endanger traffic safety is ordered,

4) demolition and removal of structures, pipelines, ducts, installations, public notices, fences, trees, plants, building and other material from a national road, its section, structure and the right-of-way is ordered except for the structures, pipelines, ducts and installations with the right of easement or any other law-stipulated right,

5) excluded from traffic on a national road will be a vehicle used for special transport without a special permit.

Article 93

The Inspector shall wear a uniform and have his identity card when performing inspection.

The Minister shall specify the appearance, contents and use of the uniform and identity card.

Article 94

The Inspector shall have the right to stop vehicles on national roads for the purpose of inspection except for vehicles of the Army of Serbia and Montenegro, ambulances and vehicles of the authorities of internal affairs.

The vehicles under paragraph 1 of this article shall be stopped by raising the traffic sign “STOP” meaning “traffic forbidden for all vehicles in both directions”.

VIII PENAL PROVISIONS

Article 95

1) The entrepreneur, the responsible person in a legal entity and the physical person temporarily or permanently occupying a public road shall be liable to a confinement of three months to one year for criminal act (Article 44, subsection 1.).

2) The entrepreneur, the responsible person in a legal entity and the physical person executing works on a public road which are not related to construction, rehabilitation, maintenance and protection of the public road shall be liable to a confinement of up to one year for criminal act (Article 44, subsection 2.).

3) The entrepreneur, the responsible person in a legal entity and the physical person, the holder of easement right and other rights established on a public road, who executes the works on a public road that damage the road and imperil smooth and safe traffic running shall be liable to a confinement of up to six months for criminal act (Article 44, subsection 3).

4) The entrepreneur, the responsible person in a legal entity and the physical person who discharges water, waste water and other liquid onto a public road shall be liable to a confinement of up to six months for criminal act (Article 44, subsection 4).

5) The entrepreneur, the responsible person in a legal entity and the physical person who raises plantations, erects fences, and plants trees, leaves behind objects and materials, constructs structures and devices or is engaged in other actions which compromise visibility on a public road shall be liable to a confinement of up to six months for criminal act (Article 33, paragraph 2).

Article 96

The legal person shall be liable to a fine of 300,000 to 3,000,000 Dinars for an economic offence if they:

- 1) fail to reference public road, and keep records of traffic-related technical and other data (Article 11, paragraph 1)
- 2) fail, to lodge a request for the registration of the right to road into public books and official evidence in which real estate rights are registered within 15 days after a certificate of use is delivered, (Article 13, paragraph 1),
- 3) fail, within 15 days after a change in the established right on a public road occurred to lodge a request for the entry of such a change or data erasure in public books and official evidence in which real estate rights are registered (Article 13, paragraph 2),
- 4) carry out special transport without a special permit of the public road manager (Article 48, paragraph 2)
- 5) fail to ensure safe and unimpeded traffic and preserve road usability during any maintenance work on a public road, (Article 57, paragraph 2),
- 6) execute overlaying, rehabilitation and intensified maintenance works without technical documentation or based on the technical documentation that does not contain the specified elements (Article 59, para 5),
- 7) fail to have the technical documentation verified by the authority prior to the commencement of overlay, rehabilitation and enhanced maintenance works on a public road (Article 59, paragraph 6),
- 8) fail to envisage locations for new structures along public roads in the technical design documentation (Article 73, of this Law),
- 9) in performing construction or other works fail to relocate structures, facilities, devices, installations and ducts incorporated in the roadbed, right-of-way of a public road or a road structure or fail to adapt them to any changes (Article 74, paragraph 4),
- 10) fail to construct a relocated section of a public road with elements adequate for the category of the existing public road (Article 75, paragraph 1),
- 11) fail to protect a public road and traffic at places subjected to rockfall or snow drifts, torrents and strong wind in the way prescribed in Art. 81, paragraph 1 of this Law,
- 12) construct and reconstruct a public road contrary to the provision in Art. 83, paragraph 1 of this Law.

The responsible person in the legal entity shall also be liable to a fine of 50,000 to 200,000 Dinars for the economic offence under paragraph 1 above.

Article 97

The legal person shall be liable to a fine of 200,000 to 1,000,000 Dinars for violation if:

- 1) fail to decide on the method and conditions for the use of land under a section of the national road which is not used for traffic within three months after the date when the road stopped being used for traffic (Article 12, paragraph 3),
- 2) build structures and place facilities, devices and installations in contravention of Article 28, paragraph 1 of this Law,
- 3) construct and lay water mains, sewers, distance heating, railway track and other structures, as well as telecommunication and electrical ductwork, installations, facilities and the like without an approval and in contravention of the method and conditions stipulated in the public road manager's approval (Article 28, paragraph 2),
- 4) fail to ensure monitoring of the construction of structures and laying of facilities, devices and installations (Article 28, paragraph 3),

- 5) open/build a mine, quarry and landfill in the controlled development zone (Article 30, paragraph 2),
- 6) erect fences, plant trees and plantations along public roads in contravention of Article 31 of this Law,
- 7) fail to erect appropriate fences at places and in the way stipulated in Article 35, paragraph 1,
- 8) obstruct sight distance on a national road in the way described in Article 35, paragraph 2,
- 9) store building and other materials along a public road thus reducing the sight distance on a public road (Article 36),
- 10) construct an access junction on a public road without the approval of the public road manager. (Article 37, paragraph 1),
- 11) construct an intersection or crossing of a municipal road and/or uncategorized road and street with a national road, namely construct an access junction on a national road without the approval of the Public Enterprise (Article 37, paragraph 2),
- 12) fail to construct a dirt road crossing or feeding to a public road in the way prescribed in Article 38, paragraph 1 of this Law,
- 13) fail to construct an access junction to a public road in the way described in Article 38, paragraph 2 of this Law,
- 14) fail to obtain an approval from the public road manager to change the paved areas intended for the public road-related facilities (Article 40),
- 15) fail to allow access to a public road or structure for their maintenance (Article 41, paragraph 2),
- 16) fail to protect a public road in the way specified in Article 42, paragraph 1 of this Law,
- 17) fail to regularly groom and renew plantations (Article 42, paragraph 2),
- 18) erect public notices on a public road in contravention of Article 43, paragraph 1 of this Law,
- 19) erect public notices on a public road without the approval of the public road manager (Article 43, paragraph 2),
- 20) erect public notices in contravention of Article 43, paragraph 3 of this Law,
- 21) fail to take care of public notices erected on a public road or along them (Article 43, paragraph 4),
- 22) stop runoff from a public road, particularly from a road ditch and through a culvert in the roadbed and stop water flowing towards respective recipients (Article 44, subsection 5),
- 23) spill, leave or dump materials, objects and garbage onto a public road (Article 44, subsection 6),
- 24) stain a public road with oil or any other similar matter, (Article 44, subsection 7),
- 25) erect and use lights or other lighting devices on a public road or along it that might compromise traffic running on the public road (Article 44, subsection 8),
- 26) plough the land/or perform any other farming activity on the shoulders, slopes and in the land belt of the public road (Article 44, subsection 9),
- 27) drag objects, materials, tools and other kinds of load along a public road (Article 44, subsection 10),

- 28) slide timber, fuel wood, stone and other materials down the slopes in cut-and-fills, cuttings and embankments (Article 44, subsection 11),
- 29) burn grass and other vegetation on a public road as well as waste objects and materials (Article 44, subsection 12),
- 30) carry mud from an access road onto a public road (Article 44, subsection 13),
- 31) let unsupervised livestock onto a public road, graze or water livestock on a public road (Article 44, subsection 14),
- 32) turn around a horse-drawn cart, tractor, plough and other farm implements and machinery on a public road (Article 44, subsection 15),
- 33) brake horse drawn carts with braked wheels (Article 44, subsection 16),
- 34) enter or exit a vehicle to or from a public road outside an access junction or crossing and bring mud onto the public road (Article 44, subsection 17),
- 35) stop or leave a vehicle which will interfere with road use (Article 44, subsection 18),
- 36) damage or do any act that may damage the road or interfere with traffic running (Article 44, subsection 19),
- 37) fail to perform on a daily basis jobs related to protection of a public road as stipulated in Article 45, paragraph 1 of this Law ,
- 38) fail to submit a written request as stipulated in Article 45, paragraph 2 of this Law,
- 39) use motor vehicles and trailers without wheels with inflated tires except for motor vehicles with caterpillar tracks in traffic on a public road (Article 47, paragraph 1) ,
- 40) use on a public road with modern surfacing motor vehicles with caterpillar tracks without flat lining or other types of lining (Article 47, paragraph 2),
- 41) use animal-drawn vehicles weighing over three tons without inflated tires (Article 47, paragraph 4),
- 42) fail to notify the authorities and persons about any special permits issued for special transport, Art. 48, paragraph 3 of this Law,
- 43) fail to adjust any special transport with the public road manager (Article 48, paragraph 5)
- 44) fail to notify the Ministry of Home Affairs about a special transport carried out without a permit for the purpose of urgent action in natural disasters and other extraordinary circumstances and for defence purposes this being agreed upon with the public road manager (Article 48, paragraph 6),
- 45) use a vehicle that was excluded from traffic during an inspection in the period of such exclusion (Article 49, paragraph 3),
- 46) carry out a special transport in contravention of Article 50, paragraph 1 of this Law,
- 47) fail to remove a vehicle disabled for travel from a public road as well as a load that fell of the vehicle within the time stipulated in Article 52, paragraph 1 of this Law,
- 48) fail to remove from the land strip of a public road a vehicle disabled for further travel as well as a load that fell of the vehicle within the time stipulated in Article 52, paragraph 3 of this Law,
- 49) cause damage to a public road when removing vehicle or load from the roadbed or the land strip of a public road (Article 52, paragraph 5),
- 50) fail to inform the public in due course through mass media or in some other customary way and undertake the necessary safety measures in contravention of Article 53, paragraph 3 of this Law,.

- 51) fail to inform the public and road users in the manner stipulated in Article 54 of this Law,
 - 52) act in contravention of Article 55 of this Law,
 - 53) fail to act in the case of traffic suspension as stipulated in Article 62, paragraph 3 of this Law,
 - 54) fail to act according to a specific plan in the case of traffic suspension due to natural catastrophes (Art. 65)
 - 55) fail to act accordingly as stipulated in Article 74 paragraph 1 of this Law prior to the commencement of any construction and rehabilitation works on a public road and facility,
 - 56) fail to coordinate the works on structures, facilities, devices, installations and ducts incorporated in public road bed and in land strip and road structure with the rehabilitation works on public road (Article 74, paragraph 2),
 - 57) fail to act accordingly prior to the commencement of construction or rehabilitation works on a public road in the way stipulated in Article 74, paragraph 3 of this law.
- The responsible person in the legal entity shall also be liable to a fine of 10,000 to 50,000 Dinars or a confinement of up to 30 days for the violation under paragraph 1 hereof.

Article 98

The entrepreneur shall be liable to a fine of 100,000 to 500,000 Dinars or be sentenced to up to 30 days in confinement for the violation if they:

- 1) fail to reference public roads, and keep records of traffic-related technical and other data (Article 11, paragraph 1)
- 2) fail to decide on the method and conditions for the use of land under the section of a national road which is not used for traffic within three months after the date when the road stopped being used for traffic (Article 12, paragraph 3),
- 3) fail, to lodge a request for the registration of the right to a road into public books and official evidence in which real estate rights are registered within 15 days after a permit of use is delivered (Article 13, paragraph 1),
- 4) fail, within 15 days after a change in the established right on a public road occurred to lodge a request for the entry of such a change or data erasure in public books and official evidence in which real estate rights are registered (Article 13, paragraph 2),
- 5) build structures and place facilities, devices and installations in contravention of Article 28, paragraph 1 of this Law,
- 6) construct and lay water mains, sewers, distance heating, railway track and other structures as well as telecommunication and electrical ductwork, installations, facilities and the like without an approval and/or in contravention of the method and conditions stipulated in the approval issued by the public road manager (Article 28, paragraph 2),
- 7) fail to ensure monitoring of the construction of structures and laying of facilities , devices and installations (Article 28, paragraph 3),
- 8) open/build a mine, quarry and landfill in the controlled development zone (Article 30, paragraph 2),
- 9) erect fences, plant trees and plantations along public roads in contravention of Article 31 of this Law,

- 10) fail to erect appropriate fences at places and in the way stipulated in Article 35, paragraph 1,
- 11) obstruct sight distance on a national road in the way described in Art. 35, paragraph 2 ,
- 12) store building and other materials along a public road thus reducing the sight distance on a public road (Article 36),
- 13) construct an access junction on a public road without the approval of the public road manager (Article 37, paragraph 1),
- 14) fail to construct a dirt road crossing or feeding onto a public road in the way prescribed in Article 38, paragraph 1 of this Law,
- 15) fail to construct an access junction onto a public road in the way described in Article 38, paragraph 2 of this Law,
- 16) fail to obtain an approval from the public road manager to change the paved areas intended for public road-related facilities (Article 40),
- 17) fail to allow access to a public road or structure for their maintenance (Article 41, paragraph 2),
- 18) fail to protect a public road in the way specified in Article 42, paragraph 1, of this Law,
- 19) fail to regularly groom and renew plantations (Article 42, paragraph 2),
- 20) erect public notices on a public road in contravention of Article 43, paragraph 1 of this Law,
- 21) erect public notices on a public road without the approval of the public road manager (Article 43, paragraph 2),
- 22) erect public notices in contravention of Article 43, paragraph 3, of this Law,
- 23) fail to take care of public notices erected on a public road or along them (Article 43, paragraph 4),
- 23) stop runoff from a public road, particularly from a road ditch and through a culvert in roadbed and stop water flowing towards its respective recipients (Article 44, subsection 5),
- 24) spill, leave or dump materials, objects and garbage onto a public road (Article 44, subsection 6),
- 25) stain the public road with oil or any other similar matter, (Article 44, subsection 7),
- 26) erect and use lights or other lighting devices on a public road or along it that endanger traffic running on the public road (Article 44, subsection 8),
- 27) plough the land or perform any other farming activity on the shoulders, slopes and in the land belt of the public road (Article 44, subsection 9),
- 28) drag objects, materials, tools and other kinds of load along a public road (Article 44, subsection 10),
- 29) slide timber, fuel wood, stone and other materials down the slopes in cut-and-fills, cuttings and embankments (Article 44, subsection 11),
- 30) burn grass and other vegetation on a public road as well as waste objects and materials (Article 44, subsection 12),
- 31) bring mud from an access road onto a public road (Article 44, subsection 13),
- 32) let unsupervised livestock onto a public road, graze or water livestock on a public road (Article 44, subsection 14),

- 33) turn around a horse-drawn cart, tractor, plough and other farm implements and machinery on a public road (Article 44, subsection 15),
- 34) brake horse-drawn carts with braked wheels (Article 44, subsection 16),
- 35) enter or exit a vehicle to or from a public road outside an access junction or crossing and bring mud onto the public road (Article 44, subsection 17),
- 36) stop or leave a vehicle which will interfere with road use (Article 44, subsection 18),
- 37) damage or do any act that or may damage the road or interfere with traffic running (Article 44, subsection 19),
- 38) fail to perform on a daily basis jobs related to protection of a public road as stipulated in Article 45, paragraph 1 of this Law,
- 39) fail to submit a written request as stipulated in Article 45, paragraph 2 of this Law,
- 40) use motor vehicles without wheels with inflated tires except for motor vehicles with caterpillar tracks in traffic on a public road (Article 47, paragraph 1) ;
- 41) use on a public road with modern surfacing motor vehicles with caterpillar tracks without flat lining or other types of lining (Article 47, paragraph 2),
- 42) use animal-drawn vehicles weighing over three tons without inflated tires (Article 47, paragraph 4),
- 43) carry out a special transport without a special permit of the public road manager (Article 48, paragraph 3),
- 44) fail to notify the authorities and persons about any special permits issued for special transport, Art. 48, paragraph 3 of this Law,
- 45) fail to adjust any special transport with the public road manager (Article 48, paragraph 5),
- 46) fail to notify the Ministry of Home Affairs about a special transport carried out without a permit for the purpose of urgent action in natural disasters and other extraordinary circumstances and for defence purposes this being agreed upon with the public road manager (Article 48, paragraph 6),
- 47) use a vehicle that was excluded from traffic during an inspection in the period of such exclusion (Article 49, paragraph 3)
- 48) carry out a special transport in contravention of Article 50, paragraph 1 of this Law,
- 49) fail to remove a vehicle disabled for travel from a public road as well as a load that fell of the vehicle within the time stipulated in Article 52, paragraph 1 of this Law,
- 50) fail to remove from a public road land strip a vehicle disabled for further travel as well as a load that fell of the vehicle within the time stipulated in Article 52, paragraph 3 of this Law,
- 51) cause damage to a public road when removing vehicle or load from the roadbed or the land strip of a public road (Article 52, paragraph 5),
- 52) fail to inform in due course the public through mass media or in some other customary way and undertake the necessary safety measures in contravention of Article 53, paragraph 3 of this law,
- 53) fail to inform the public and road users in the manner stipulated in Article 54 of this Law,
- 54) act in contravention of Article 55 of this Law,

- 55) fail to ensure safe and unimpeded traffic and preserve road usability during any maintenance work on a public road (Article 57, paragraph 2),
- 56) execute overlaying, rehabilitation and enhanced maintenance works without technical documentation or based on the technical documentation which does not contain the specified elements (Article 59, para 5),
- 57) fail to have the technical documentation verified by the authority prior to the commencement of overlay, rehabilitation and enhanced maintenance works on a public road (Article 59, paragraph 6),
- 58) fail to act in case of traffic suspension as stipulated in Article 62, paragraph 3 of this Law,
- 59) fail to act according to a specific plan in case of traffic suspension due to natural catastrophes (Article 65),
- 60) fail to envisage locations for the building of structures along public roads in the technical design documentation, Article 73 of this Law,
- 61) fail to act accordingly as stipulated in Article 74 paragraph 1 of this Law prior to the commencement of any construction and rehabilitation works on a public road
- 62) fail to coordinate the works on structures, facilities, devices, installations and ducts incorporated in a public road bed, land strip, and road structure with rehabilitation work on a public road (Article 74, paragraph 2)
- 63) fail to act accordingly prior to the commencement of construction or rehabilitation works on a public road in the way stipulated in Article 74, paragraph 3 of this Law,
- 64) fail to displace structures, facilities, devices, installations and ducts incorporated in the roadbed, land strip or structure of a public roadbed, land strip or road structure during the rehabilitation or other works or fail to adjust them to any changes (Article 74, paragraph 4),
- 65) fail to construct a relocated section of a public road with elements adequate to its class (Article 75, paragraph 1),
- 66) at the locations susceptible to rockfall or exposed to snow drifts, torrents, or strong winds, fail to accordingly protect a public road and traffic as stipulated in Article 81 of this Law,
- 67) design, construct and/or reconstruct a public road and use materials in contravention of Article 83, paragraph 1 of this Law.

Article 99

The physical person shall be liable to a fine of 10,000 to 500,000 Dinars or confinement up to 30 days for a violation if they:

- 1) fail to lodge a request for the registration of the right to a road into public books and official evidence in which real estate rights are registered within 15 days after a certificate of use is delivered, (Article 13, paragraph 1),
- 2) fail to lodge a request for the entry of such a change or data erasure in public books and official evidence in which real estate rights are registered within 15 days after a change in the established right on a public road occurred (Article 13, paragraph 2),
- 3) build structures and place facilities, devices and installations in contravention of Article 28, paragraph 1 of this Law,

- 4) construct and lay water mains, sewers, distance heating, railway track and other structures as well as telecommunication and electrical ductwork, installations, facilities and the like without an approval and/or in contravention of the method and conditions stipulated in the approval issued by the public road manager (Article 28, paragraph 2),
- 5) open/build a mine, quarry and landfill in the controlled development zone (Article 30, paragraph 2),
- 6) erect fences, plant trees and plantations along public roads in contravention of Article 31 of this Law,
- 7) fail to erect appropriate fences at places and in the way stipulated in Article 35, paragraph 1 of this Law,
- 8) obstruct sight distance on a national road in the way described in Article 35, paragraph 2 of this Law,
- 9) store building and other materials along a public road thus reducing the sight distance on a public road (Article 36),
- 10) construct an access junction to a public road without the approval of the public road manager (Article 37, paragraph 1),
- 11) fail to construct a dirt road crossing or feeding to a public road in the way prescribed in Article 38, paragraph 1 of this Law,
- 12) fail to construct an access junction to a public road in the way described in Article 38, paragraph 2 of this Law,
- 13) fail to obtain an approval from the public road manager to change the paved areas intended for the public road related facilities (Article 40),
- 14) fail to allow access to a public road or facility for their maintenance (Article 41, paragraph 2),
- 15) erect public notices on a public road in contravention of Article 43, paragraph 1 of this Law,
- 16) erect public notices on a public road without the approval of the public road manager (Article 43, paragraph 2),
- 17) erect public notices in contravention of Article 43, paragraph 3 of this Law,
- 18) fail to take care of public notices erected on a public road or along them (Article 43, paragraph 4),
- 19) stop runoff from a public road, particularly from a road ditch and through a culvert in the roadbed and stop water flowing towards its respective recipients (Article 44, subsection 5),
- 20) spill, leave or dump materials, objects and garbage onto a public road (Article 44, subsection 6),
- 21) stain the public road with oil or any other similar matter, (Article 44, subsection 7),
- 22) erect and use lights or other lighting devices on a public road or along it that might compromise traffic running on the public road (Article 44, subsection 8),
- 23) plough the land or perform any other farming activity on the shoulders, slopes and in the land belt of the public road (Article 44, subsection 9),
- 24) drag objects, materials, tools and other load along a public road (Article 44, subsection 10),

- 25) slide timber, fuel wood, stone and other materials down the slopes in side cuts, cuttings and of embankments (Article 44, subsection 11),
- 26) burn grass and other vegetation on a public road as well as waste objects and materials (Article 44, subsection 12),
- 27) carry mud from an access road onto a public road (Article 44, subsection 13),
- 28) let unsupervised livestock onto a public road, graze or water livestock on a public road (Article 44, subsection 14),
- 29) turn a around a horsedrawn cart, tractor, plough and other farm implements and machinery on a public road (Article 44, subsection 15),
- 30) brake horse-drawn carts with braked wheels (Article 44, subsection 16)
- 31) enter or exit a vehicle to or from a public road outside an access junction or crossing and carry mud onto a public road (Article 44, subsection 17),
- 32) stop or abandon a vehicle which will interfere with road use (Article 44, subsection 18),
- 33) damage or do any act that may damage the road or interfere with traffic running (Article 44, subsection 19),
- 34) use motor vehicles and trailers without wheels with inflated tires except for motor vehicles with caterpillar tracks in traffic on a public road (Article 47, paragraph 1) ,
- 35) use on a public road with modern surfacing motor vehicles with caterpillar tracks without flat lining or other types of lining (Article 47, paragraph 2),
- 36) use animal-drawn vehicles weighing over three tons without inflated tires (Article 47, paragraph 4),
- 37) carry out a special transport without a special permit of the public road manager (Article 48, paragraph 2),
- 38) fail to adjust any special transport with the public road manager (Article 48, paragraph 5),
- 39) fail to notify the Ministry of Home Affairs about a special transport carried out without a permit for the purpose of urgent action in natural disasters and other extraordinary circumstances and for defence purposes this being agreed upon with the public road manager (Article 48, paragraph 6),
- 40) use a vehicle that was excluded from traffic during an inspection in the period of such exclusion (Article 49, paragraph 3),
- 41) carry out a special transport in contravention of Article 50, paragraph 1 of this Law,
- 42) fail to remove a vehicle disabled for travel from a public road as well as a load that fell of the vehicle in the way stipulated in Article 52, paragraph 1 of this Law,
- 43) fail to remove from public road bed a vehicle disabled for further travel as well as a load that fell of a vehicle in the way stipulated in Article 52, paragraph 3 of this Law,
- 44) cause damage to a public road when removing vehicle or load from the roadbed or the land strip of a public road (Article 52, paragraph 5),
- 45) fail to act accordingly as stipulated in Article 74 paragraph 1 of this Law prior to the commencement of any construction and rehabilitation works on a public road,
- 46) fail to coordinate the works on structures, facilities, devices, installations and ducts incorporated in public road bed and in land strip and road structure with any rehabilitation works on a public road (Article 74, paragraph 2),

47) fail to act accordingly prior to the commencement of construction or rehabilitation works on a public road as stipulated in Article 74, paragraph 3 of this Law,

48) fail to displace structures, facilities, devices, installations and ducts incorporated in a public road bed or in the land strip or structure during the rehabilitation or execution of other works or fail to adapt them to any changes (Article 74, paragraph 4).

IX TRANSITIONAL AND FINAL PROVISIONS

Article 100

On the date when this law comes into effect the Roads Law will cease to be in effect (Official Herald RS, issues 46/91, 52/91, 53/93, 67/93, 48/94, and 42/98) as well as Article 48 of the Law on International Road Transport (Official Gazette FRY, issues 60/98, 5/99, 44/99, 74/99 and 4/00).

Article 101

Until the first date of business of the Public Enterprise road management jobs will be carried out by the Roads Directorate of the Republic of Serbia established by the Roads Law (Official Herald RS, issues 46/91, 52/91, 53/93, 67/93, 48/94, and 42/98) .

On the first date of business of the Public Enterprise the Roads Directorate of the Republic of Serbia, Article 1 hereof, will cease to exist.

On the first date of business of the Public Enterprise, it will be assigned the rights, liabilities, funds, staff, documentation and files in order to honour the public authorizations vested in the Roads Directorate under Article 1 of this Law.

Article 102

Secondary legislation based on the Roads Law (Official Herald of the Republic of Serbia, issues 46/91, 52/91, 53/93, 67/93, 48/94, 42/98) shall apply until new secondary legislation based on this Law is passed.

Article 103

This Law shall come into effect on January 1, 2006.