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# Traffic Act<sup>1</sup>

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## Chapter 1 GENERAL PROVISIONS

### Division 1 General Provisions

#### § 1. Scope of application of Act

(1) This Act provides for traffic management on the roads of Estonia, traffic rules, the principles and basic requirements for ensuring road traffic safety, the rules for registration of and the requirements for power-driven vehicles, trams, their trailers and off-road vehicles, the requirements for granting the right to drive, the working and rest time of drivers of power-driven vehicles, management and maintenance of the traffic register and liability for violation of the traffic rules.

(2) This Act also regulates the off-road driving of off-road vehicles.

(2<sup>1</sup>) The provisions of § 69 of this Act also apply to drivers of power-driven vehicles driving a vehicle off the road.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) This Act extends to foreign road users and vehicles registered abroad, who are located in the territory of Estonia, unless an international agreement provides otherwise.

(4) Any movement or positioning on a road closed for traffic for the purpose of a competition or mass event by an order of the Police and Border Guard Board or the Rescue Board, for road management or for another similar purpose is not considered traffic for the purposes of this Act.

[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(5) The provisions of the Administrative Procedure Act apply to administrative proceedings provided for in this Act, taking account of the specifications of this Act.

## § 2. Definitions

For the purposes of this Act:

- 1) **give way** (not hinder) means that a road user must not continue or commence advancing or make manoeuvres if by so doing they might compel other road users to abruptly change the direction or speed;
- 2) **built-up areas** is a developed area that has entry and exit roads equipped with road signs establishing the road traffic rules applicable in the built-up area;
- 3) **motor vehicle** is a power-driven vehicle with at least four wheels, which is designed for the carriage of passengers or goods or for drawing while coupled to vehicles or for specific work applications, and the design speed of which exceeds 25 kilometres per hour. Trackless vehicles connected to an electric conductor are also deemed to be motor vehicles. Mopeds, motorcycles, tractors and mobile machinery are not deemed to be motor vehicles;
- 4) **road train** is a combination of vehicles consisting of one or more hauling vehicles (traction unit) and one or more trailers or towed machinery;
- 5) **bus** is a motor vehicle designated for carrying passengers, which has more than eight seats in addition to the driver's seat;
- 6) **right of way** is the right of a road user to advance before another road user;
- 7) **dividing strip** is a curb, green or other strip separated from the road and not intended for vehicular traffic;
- 8) **traffic lights** is an electric device used on roads to regulate traffic by using light signals;
- 9) **trailer** is a vehicle manufactured to be drawn when coupled to a power-driven vehicle or a vehicle adapted for such purpose. Towed machinery and interchangeable towed machinery are not deemed to be a trailer;
- 10) **poor visibility** is a temporary situation caused by weather or another phenomenon (fog, rain, snow, snowstorm, twilight, smoke, dust, water and mud splashes, sun glare) in which objects on the road are indistinguishable from their background at more than 300 meters;
- 11) **reflex reflector** is a means for increasing the visibility of a person or another object in darkness by reflection of light from that means towards the light source, visible in the illumination of the dipped-beam headlamps at a distance of at least 150 metres and of the main-beam headlamps at a distance of at least 300 metres;
- 12) **emergency stopping** is the bringing of a vehicle to a halt or if the halting of a vehicle when the continuation of driving is dangerous or technically impossible;
- 13) **pedestrian** is a person who travels on foot or is transported in a wheelchair. A person who travels using a skateboard, roller skates, roller skis, a scooter, a kicksled or other similar items is also deemed to be a pedestrian;
- 14) **cycle** is any vehicle that has at least two wheels and is propelled solely by the muscular energy of the person(s) on that vehicle, in particular by means of pedals or hand-crank. A cycle may also have an engine with the maximum continuous rated power of 0.25 kilowatts. A wheelchair for disabled persons is not deemed to be a cycle;
- 15) **cycle and pedestrian track** is a separate road or part of a road designated for cycles, segways and pedestrians and signposted as such. A cycle and pedestrian track is a part of the road at an intersection of carriageways;
- 16) **cycle lane** is a longitudinal strip of a carriageway indicated by road surface marking and designated for cycles, mini mopeds and mopeds;
- 17) **cycle track** is a part of a road separated from the carriageway by structural means or an independent part of a road or an independent road, designated for cycles, segways, mini mopeds and mopeds and signposted as such. A cycle track is a part of the road at an intersection of carriageways;
- 18) **footpath** is an independent road for pedestrians and segways, which may be signposted as such;
- 19) **driver** is a person who drives a vehicle or an off-road vehicle or guides animals on a road. A driving instructor or instructor is deemed to be a driver during driving lessons and driving practice and the examinee is deemed to be the driver during a driving test;
- 20) **ice road** is a temporary road made on a frozen body of water for vehicles and pedestrians, signposted as such using adequate traffic control devices;
- 21) **light trailer** is a trailer with its maximum mass not above 750 kg;
- 22) **motorway** is a road specially designed and built for the traffic of power-driven vehicles and signposted as such, which does not serve adjacent immovables, is provided with separate carriageways for the opposite directions of traffic and does not cross at level with any road, railway, tramway, cycle and pedestrian track, cycle track, footpath or sidewalk;
- 23) **speed limitation device** is a device limiting the speed of a power-driven vehicle;
- 24) **inspector** is a person who exercises supervision over vehicles, road users and drivers within the limits of the authority granted by law and carries a document certifying their authority;  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]
- 25) **sidewalk** is a part of a road designated for pedestrian and segway traffic or a part of a road separated from the carriageway or cycle track by a curb or in another way, which may be signposted as such or marked with respective road surface markings;
- 26) **side turn** is a right or left turn;
- 27) **road user** is a person who participates in traffic as a pedestrian or a driver;
- 28) **traffic** is the movement and positioning of (a) pedestrian(s) or (a) vehicle(s) on the road. Driving cattle and riding animals is also deemed to constitute traffic;

29) **traffic control device** is a device for managing or guiding traffic (traffic lights, traffic sign, road marking, flashing lamp, barrier, speed limitation device, threshold, warning tape, traffic post, traffic cone, crossing barrier, safety island or other such device);

30) **road sign** is a sign that establishes certain road traffic rules, informs road users of a traffic hazard or helps to adapt to the traffic situation;

31) **traffic hazard** is a situation that compels road users suddenly to change direction or speed or to stop in order to avoid danger;

32) **traffic accident** is an event in which an individual is injured or killed or material damage is caused as a result of at least one vehicle moving on or off the road;

33) **person with mobility disability** is a person with a severe or profound mobility disability;

34) **mobile machinery** is a power-driven vehicle on wheels or caterpillar tracks designed for carrying out specific work and with a design speed of over 6 but less than 40 kilometres per hour. Vehicles designed for specific work applications, which are manufactured on the basis of motor vehicles, are not deemed to be mobile machinery;

35) **off-road area** is a territory that is not a road for the purposes of the Roads Act and is not designated for traffic of power-driven vehicles, trams or rail vehicles;

36) **off-road vehicle** is a vehicle powered by an engine, which is designed to be driven off#road and is not a power-driven vehicle for the purposes of this Act;

37) **manoeuvre** is any turn or changing of lanes or rounding;

38) **machine train** is a combination of vehicles consisting of a tractor or mobile machinery (traction unit) and a trailer or towed machinery or interchangeable towed machinery;

39) **motorcycle** is a two-wheeled power-driven vehicle with or without a sidecar. A motorcycle is also a power-driven vehicle with three symmetric wheels, which has an internal combustion engine with a capacity exceeding 50 cubic centimetres and a design speed above 45 kilometres per hour, as well as a four-wheeled power-driven vehicle with its unladen mass not exceeding 400 kilograms or, in the event of vehicles designated for carriage of goods, not exceeding 550 kilograms and with net power not exceeding 15 kilowatts. The mass of batteries is not taken into account upon calculating the unladen mass of four-wheeled electric vehicles;

40) **power-driven vehicle** is a vehicle that is powered by an engine. Motor assisted cycles, mini mopeds, off-road vehicles, trams and vehicles with a design speed of less than six kilometres per hour are not deemed to be power-driven vehicles;

41) **driving a power-driven vehicle** means any activity of a person in the driver's seat of a power-driven vehicle while it is moving. Any activity of a person while the person is not in the driver's seat but influences the driving direction or speed of the power-driven vehicle with the help of control devices (steering bars, steering wheel or other similar devices) is also deemed to be driving a power-driven vehicle;

42) **moped** is a two-wheeled or three-wheeled vehicle that has a design speed above 25 kilometres per hour but not more than 45 kilometres per hour and is equipped with a spark ignition engine whose capacity does not exceed 50 cubic centimetres or with another combustion engine whose net power does not exceed four kilowatts or with an electric engine whose maximum continuous rated power exceeds 0.25 kilowatts but not four kilowatts. A light four-wheeled power-driven vehicle meeting the above conditions and having an unladen mass of no more than 350 kilograms is also deemed to be a moped. The mass of batteries is not taken into account upon calculating the unladen mass of light four-wheeled electric vehicles;

43) **high-visibility warning clothing** is clothing designated to increase the visibility of an authorised official;

44) **overtaking** is moving past one or more driving vehicles by exiting one's own lane. Rounding or passing is not deemed to be overtaking;

45) **passing** is moving past one or more driving vehicles without exiting one's own lane. Moving past a vehicle driving in the opposite direction is also deemed to be passing;

46) **rear registration plate light** is a lamp illuminating the rear registration plate of a vehicle;

47) **safety island** is a road structure increasing the safety of pedestrians upon crossing the carriageway;

48) **safety waistcoat** is a garment designated to increase the safety of road users;

49) **parking** means bringing a vehicle to an intentional halt for longer than is necessary for picking up or setting down passengers or for loading or unloading goods;

50) **car park** is an area designed structurally or for traffic management purposes for the parking of vehicles, comprising parking places and parts of a road connecting them;

51) **priority road** is a road signposted as such in its entirety. At an intersection, the priority road is a road signposted as such in relation to an intersecting road or a paved road in relation to a gravel road or an earth-track and a gravel road in relation to an earth-track. Gravel roads or earth-tracks that have a paved section before emerging into an intersection with a paved road are not deemed to be paved roads;

52) **standing** means the bringing a vehicle to an intentional halt for picking up or setting down passengers or for loading or unloading goods. Stopping with the traffic flow or when requested by a traffic control device or an authorised official is not deemed to be standing;

53) **limited visibility** is a situation where curves, crests of hills, roadside facilities, green areas or obstacles on the road reduce visibility to such an extent that driving on this part of road with the maximum speed allowed thereon may be dangerous;

54) **night-time** is the period of time between nightfall and dawn when visibility is less than 300 metres due to the lack of natural light;

55) **blind person** is a person whose visual acuity with correction in the better eye is lower than 0.1 or whose field of vision is narrower than 20 degrees;

56) **mini moped** is a vehicle with at least two wheels, with the maximum net power in the event of an internal combustion engine or with the maximum continuous rated power in the event of an electric motor not exceeding one kilowatt and the maximum design speed not exceeding 25 kilometres per hour;

57) **drawing** means hauling another power-driven vehicle, road train or machine train using a power-driven vehicle;

58) **towed machinery** is a mechanism, structure, construction or other equipment with at least one wheel having stable contact with earth, coupled to a power-driven vehicle and pulled after or pushed before such vehicle;

59) **haulage of towed machinery** also means the haulage of interchangeable towed machinery;

60) **side appropriate to the direction of traffic** is a carriageway or a part thereof designated for vehicular traffic in one direction. In the event of a two-way carriageway, the right part of the carriageway bordered by a traffic control device on the left or, in its absence, by the imaginary centre-line, is deemed to be the side appropriate to the direction of traffic. If the tracks of a tramway are located in the middle of a carriageway and they are at grade with it, the centre-line of the tracks of the tramway is deemed to separate the two sides of the direction of traffic. A tramway appropriate to the direction of traffic belongs to the side appropriate to the direction of traffic. On a two-way carriageway that has three lanes marked with road surface markings in its overall width, only the rightmost lane is the side appropriate to the direction of traffic, unless provided otherwise by a traffic control device. If a road has a separate lane for public transport vehicles or slow-moving, heavy or other vehicles that are not rail vehicles or rail-borne vehicles, the edge of this separate lane closest to the carriageway is the edge of the side appropriate to the direction of traffic for other trackless vehicles;

61) **turn** is a side turn or a U-turn;

62) **continuous rated power** is the net power specified by the manufacturer at continuous load;

63) **heavy-goods vehicle** is a vehicle with or without cargo, a road train or a machine train, with its laden mass or load on any axis exceeding the requirements specified in § 80 of this Act;

64) **rail vehicle** is a rail vehicle as defined in the Railways Act;

65) **level crossing** is an intersection at grade between a road and a railway. A barrier or, in absence thereof, the location of a railway sign indicating a single or multi-track railway constitute the border between a road and a level crossing;

66) **permissible maximum mass** is the maximum mass determined for a fully equipped vehicle together with its driver, passengers and cargo upon registration, which must not exceed the maximum mass permitted by the manufacturer;

67) **authorised official** is a person who directs or stops road users within the limits of their authority;

68) **intersection** is an area formed by any intersecting carriageways at grade. The following is not deemed to be an intersection: any place where a car park, a calm traffic area, resting place or an area adjacent to a road is adjacent to a carriageway, any access road to a car park, calm traffic area, resting place or an area adjacent to a road, any intersection of a single-lane road and a field or forest road, and any intersection of such roads. An intersection is regulated when the sequence of road users is determined by traffic lights or directions given by an authorised official. An intersection is unregulated in all other events;

69) **rail-borne vehicle** is a vehicle designated to move on rails. For the purposes of this Act, a rail vehicle is not deemed to be a rail-borne vehicle;

70) **large vehicle** is a vehicle with or without cargo, a road train or a machine train with at least one dimension thereof exceeding the requirements specified in § 80 of this Act or with its load extending beyond the front or rear of the body of the vehicle by more than one metre;

71) **automobile** is a motor vehicle designated to carry passengers, which has up to eight seats in addition to the driver's seat;

72) **road with right of way** is a road where the driver has the right of way in relation to the drivers driving on an intersecting road;

73) **vehicle** is a device powered by an engine or in another way, designated for road traffic or driving on the road;

74) **motorcade** is two or more vehicles travelling in an organised way after one another;

75) **tachograph** is a device recording the driving and rest time of a driver;

76) **lane** is any one of the longitudinal strips into which a carriageway is divisible, whether or not signposted as such or defined by road markings, wide enough for one moving line of cars. Two-wheeled motorcycles and mopeds may drive in two lines on a lane;

77) **traffic line** is a line formed by vehicles driving behind one another;

78) **carriageway** is the part of a road designated for vehicular traffic. Cycle tracks and cycle and pedestrian tracks are not carriageways. A road may comprise several carriageways separated from one another by a dividing strip. Carriageways intersecting at grade form an intersecting area of carriageways. The edge of a carriageway is indicated by the respective road surface marking or, if there is no road surface marking, by a shoulder, dividing strip, green area or the edge of another verge, or by the bottom of a gutter or the kerb of the carriageway. If both tracks of a two-way tramway that is at grade with a carriageway are on one side of the carriageway, the tramway rail closest to the carriageway is deemed to be the edge of the carriageway for trackless vehicles;

79) **passenger** is a person who is using a vehicle for travelling, but is not the driver;

80) **segway** is a self-balancing two-wheel one-axle vehicle for carrying one person and powered by electricity;

81) **road** is a public structure that is used for pedestrian or vehicular traffic or another area designated for traffic by a land owner. A road also comprises shoulders, dividing strips and green area strips. Roads may be paved roads, gravel roads or earth-tracks depending on the upper layer. A paved road is a road coated with a layer of material processed with cement, ash or bitumen (asphalt, cement concrete or other such coating) and a paving stone or cobblestone road. A gravel road is a road of gravel, gravely sand or crushed stone sand or crushed stone screenings. An earth-track is a field, forest or other such uncoated road that is built for traffic or has developed into a road as a result of traffic;

- 82) **area adjacent to a road** is a roadside territory where constructions visible to a driver from the road are located and that may be accessed by an access road;
- 83) **road marking** is a road surface marking or a vertical marking that establishes a certain traffic order, helps to adapt to traffic and indicates various sources of danger. A road surface marking is a line, arrow, entry or image on the road surface. A vertical marking comprises alternate white and black stripes at the edge of the road or a reflex reflector on a white post with or without a black stripe;
- 84) **laden mass** is the actual mass of a vehicle at a given moment together with its driver, passengers and cargo;
- 85) **axle load** is the portion of the mass of a vehicle that exerts force on the road through the axle;
- 86) **tractor** is a power-driven vehicle designated for field or forest work, which has wheels or tracks and at least two axes, and whose maximum design speed is at least six kilometres per hour. Vehicles designed for specific work applications, which are manufactured on the basis of motor vehicles, are not deemed to be tractors;
- 87) **tram** is a rail vehicle for carrying passengers, with or without a rail-borne trailer, which runs on tracks and is connected to an overhead wire;
- 88) **trolleybus** is a motor vehicle for carrying passengers, which is connected to an overhead wire and has more than eight seats in addition to the driver's seat;
- 89) **maximum mass** is the authorised maximum mass, declared by the manufacturer, of a fully equipped laden vehicle, with the crew and passengers on board;
- 90) **unladen mass** is the mass, determined by the manufacturer, of a fully equipped vehicle with a driver but without passengers or cargo on board;
- 91) **interchangeable towed machinery** is a mechanism used in agriculture or forestry, the main purpose of which is to add to or change the functions of a tractor and which is designed to be drawn coupled to a tractor;
- 92) **design speed** is the maximum speed designated for a vehicle by the manufacturer;
- 93) **authorised user** is a natural person with Estonian citizenship or with a residence permit or right in Estonia or a legal person registered in Estonia who uses the vehicle under a contract for use or a sales contract with reservation of title of ownership and has been entered in the traffic register as the authorised user of the vehicle. A representative nominated by the authorised user of a vehicle not meeting the conditions specified in this clause is also deemed to be an authorised user;
- 94) **truck** is a motor vehicle designated for carrying cargo;
- 95) **driving practice area** is a paved road or area adapted to this purpose and closed for other traffic;
- 96) **calm traffic area** is a road designated for the common traffic of pedestrians and vehicles in which the speed of vehicles is reduced by structural or other means and where entry and exit roads are signposted as such;
- 97) **public transport vehicle** is, for the purposes of the Public Transport Act, a bus, trolleybus or tram providing the public transport service or an automobile intended to provide the public transport service;
- 98) **lane reserved for public transport vehicles** is, for the purposes of the Public Transport Act, a part of a carriageway, signposted as such and marked with the respective road surface marking, which is designated for the traffic of public transport vehicles which provide regular services, for taxis and for buses carrying passengers. Cycle traffic is allowed on a lane reserved for public transport if the relevant traffic control device allows it;
- 99) **crossing** is a part of a road that is designated for pedestrians to cross the carriageway, cycle track or tramway track, constructed in a comprehensible way and marked as such, where the pedestrians have no right of way to drivers, save where a pedestrian uses a crossing on a carriageway on to which the driver is turning. A carriageway may be crossed at a crossing by riding a cycle or driving a segway but the cyclist or the segway driver have no right of way to the driver of a vehicle, save where the cyclist or the segway driver use a crossing on a carriageway on to which the driver is turning. Cyclists and segway drivers crossing a carriageway at a crossing may not endanger pedestrians crossing it;
- 100) **pedestrian crossing** is a part of a road that is designated for pedestrians to cross the carriageway, cycle track or tramway track and signposted as such or marked by respective road surface marking, where the drivers are obliged to give way to pedestrians. A pedestrian crossing is regulated if the sequence of traffic is determined by the pedestrian traffic light signals or signals given by an authorised official. Pedestrian crossings are unregulated in all other cases. A carriageway may be crossed at an unregulated pedestrian crossing by riding a cycle or driving a segway but the cyclist or the segway driver have no right of way to the driver of a vehicle, save where the cyclist or segway driver cross at a pedestrian crossing on a carriageway on to which the driver of the vehicle is turning. Cyclists and segway drivers crossing a carriageway at a pedestrian crossing may not endanger pedestrians crossing it;
- 101) **rounding** means the passing of one or several vehicles standing on a carriageway or another obstacle by exiting one's own lane.

## Division 2 Traffic Safety

### § 3. Ensuring safety of road users

- (1) The Government of the Republic will develop the national road traffic safety policy.

- (2) The Ministry of Economic Affairs and Communications organises the ensuring of the safety of road users and traffic safety.
- (3) The Ministry of the Interior organises traffic supervision.
- (4) The Ministry of Education and Research organises the implementation of the traffic education policy.
- (5) Local authorities organise road traffic safety awareness raising and educational work among the population, at schools and at child care establishments within their administrative territories.
- (6) Local authorities ensure compliance with road traffic safety requirements upon drawing up and adoption of plans.

#### **§ 4. Traffic education**

- (1) The purpose of traffic education is to shape a culture of road users who show consideration for other road users and who:
  - 1) practise safe road use, understand the traffic environment and avoid acting in a manner that could endanger people or obstruct traffic;
  - 2) have the knowledge and skills to help themselves and other road users cope and remain safe in various traffic situations as pedestrians, passengers and drivers.
- (2) Children will be provided with traffic education and taught how to use the road safely by:
  - 1) their parents or legal guardian;
  - 2) pre-school child care institutions, basic schools, upper secondary schools, vocational educational institutions, hobby schools or other competent authorities.
- (3) The procedure for educating children about traffic and road use specified in clause 2) of subsection (2) this section will be established by a regulation of the Government of the Republic.
- (4) Road traffic safety education for adults will be provided through training, the mass media, road traffic safety campaigns, information days, special information bulletins and other similar means.

#### **§ 5. National road traffic safety programme**

- (1) The aim of the national road traffic safety programme is to more effectively implement measures to continuously improve road traffic safety and to reduce the number of persons killed or injured in traffic accidents.
- (2) The national road traffic safety programme will be implemented by ministries and authorities that have the competence to develop and take road traffic safety measures as well as by local authorities, state agencies and non-governmental organisations that have the competence to educate road users and cultivate their proper attitudes and safe traffic habits.
- (3) The implementation of the national road traffic safety programme at the local government level will be effected through regional and local road traffic safety programmes and action plans.

## **Division 3 Traffic**

#### **§ 6. Traffic management**

- (1) The purpose of traffic management is to ensure trouble-free, smooth, swift and safe traffic with minimum harm to the environment.
- (2) Traffic management is achieved through the use of traffic control devices.
- (3) The traffic control devices used for traffic management must meet the requirements of this Act and the Roads Act.
- (4) The owner of a road or a person responsible for the organisation of road management ensures traffic management and the proper positioning and maintenance of traffic control devices.
- (5) Traffic control devices may not be damaged and hidden from the view of road users. Traffic control devices may not be installed, moved or removed without authorisation to do so.
- (6) The meanings of road signs and road markings (road surface markings and vertical markings) will be established by a regulation of the Minister of Economic Affairs and Communications.

## § 6<sup>1</sup>. Intelligent Transport System

(1) An Intelligent Transport System is a system that integrates information and communication technology into the field of road traffic, including infrastructure, vehicles and users, traffic management and mobility management and interfaces with other transport modes.

(2) The principles specified in Directive 2010/40/EU of the European Parliament and of the Council on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport apply (OJ L 207, 06.08.2010, pp. 1–13) and the specification adopted by the European Commission based on the given Directive apply to the development and deployment of Intelligent Transport Systems and services. The personal data required for the functioning of the Intelligent Transport Systems and services must be processed in accordance with the Personal Data Protection Act and Electronic Communications Act.

(3) After the European Commission adopts the specification, the Ministry of Economic Affairs and Communications may, by a regulation, establish specific conditions and procedure for the development and deployment of Intelligent Transport Systems.  
[RT I, 25.05.2012, 7 - entry into force 04.06.2012]

## § 7. Meaning of traffic light signals

(1) Traffic lights with circular shaped signals regulate vehicular traffic and, in the absence of traffic lights for pedestrians, also pedestrian traffic. Traffic lights have three circular shaped signals: red on top, amber in the centre and green on the bottom. In exceptional cases a horizontally mounted traffic light with red in the left, amber in the centre and green in the right may be used.

The signals have the following meanings:

- 1) green permits proceeding;
- 2) flashing green permits proceeding but informs that amber is about to illuminate;
- 3) amber prohibits proceeding; proceeding from the place designated for halting is permitted only if halting in that place is impossible without endangering road traffic; if the light illuminates at the moment when the driver is on the intersection or a pedestrian crossing, proceeding must be continued;
- 4) red prohibits proceeding;
- 5) red and amber at the same time prohibit proceeding and inform that green is about to illuminate.

(2) Traffic lights with arrowheads regulate vehicular traffic at intersections. The signals are the shape of an arrowhead. Red and amber signals may have a circular shape; in that case they show the contour of an arrowhead. The signals are mounted vertically. The positioning of signals, sequence of illumination and meaning correspond to that of the traffic lights with circular signals. When a green arrowhead illuminates, traffic may proceed in the direction pointed by the arrowhead. A green illuminated arrowhead pointing to the left allows a U-turn from the leftmost lane.

(3) Traffic lights with additional signals regulate vehicular traffic at an intersection. The main signals of the traffic lights are mounted vertically, similarly to traffic lights with circular signals. There is an additional arrowhead signal on one or both sides of the green signal, illuminating in green. When the green arrowhead signal illuminates, vehicles may proceed in the direction indicated by the arrowhead regardless of which main signal is illuminated. A green illuminated arrowhead pointing to the left allows a U-turn from the extreme left lane. When the arrowhead signal is not illuminated, vehicles may not proceed in the direction indicated by the arrowhead. The green signal of a traffic light may itself show an arrowhead indicating the permitted directions for traffic when illuminated.

(4) A traffic light with a flashing amber signal indicates an unregulated intersection, a pedestrian crossing or other dangerous location.

(5) A traffic light for public transport regulates traffic for trams and other public transport vehicles that drive on a separate lane. The traffic light has three vertically mounted white signals. The top signal is S-shaped, the middle signal is a horizontal bar and the bottom signal a vertical bar. The upper part of the vertical bar may be pointed in the direction of the turn. Illuminated signals have the following meanings: the top signal prohibits proceeding, the middle signal prohibits proceeding and informs that another signal is about to illuminate and the bottom signal allows for proceeding.

(6) Direction-changing traffic lights regulate traffic on lanes where traffic may change direction. When a red signal in the form of a tilted cross is illuminated in the left section of the traffic lights, traffic may not proceed along the lane above which the traffic lights are mounted. When a green signal in the form of an arrowhead pointing down is illuminated in the right section of the traffic lights, traffic may proceed along the lane above which the traffic lights are mounted. An intermediate section may also be used, incorporating a tilted amber arrowhead pointing down and flashing simultaneously with the green or being illuminated all the time. Illumination of the arrowhead in the intermediate section indicates that this direction will soon be closed for the traffic and vehicles need to proceed to a lane in the direction indicated by the arrowhead. When

direction-changing traffic lights are not illuminated and are located above a lane marked by a double broken line, proceeding onto this lane is prohibited.

(7) Traffic lights at a crossing regulate traffic at level crossings, berths, places of exit of emergency vehicles and movable bridges. The traffic lights have two flashing red signals. Flashing prohibits advancement. On level crossings a slowly flashing white signal may be used in addition to the two red flashing signals; the level crossing may be traversed when the white signal is flashing, but not when the red signals are flashing. Traffic lights at a crossing may also incorporate only a red and a green signal, which have the same meaning as in traffic light with circular shaped signals.

(8) Cycle traffic lights regulate the traffic of cycles, segways, mini mopeds and mopeds on the lane designated for their movement or on a cycle track. Traffic lights with a pedestrian and cycle pictograph regulate the traffic of pedestrians, segway drivers and cyclists. The shape of the traffic lights and the position and meaning of signals are the same as in traffic lights with circular signals. The signals show a pictogram of a cycle or of a cycle and a pedestrian or incorporate an additional section with the pictograph of a cycle next to the traffic lights with circular signals.

(9) Pedestrian traffic lights regulate the traffic of pedestrians and segway drivers. Pedestrian traffic lights also regulate the traffic of cyclists if a cycle and pedestrian track has no cycle traffic lights. The upper part of the traffic lights shows a red pictograph of a pedestrian, prohibiting pedestrians and segway drivers to cross the carriageway, and the lower part a green pictograph of a pedestrian, allowing pedestrians and segway drivers to cross the carriageway. The traffic lights may be equipped with an audible signal that, when beeping with long intervals, indicates that the red signal is illuminated, and when continuous, indicates that the green signal is illuminated. If necessary, the pedestrian traffic lights may have two upper red signals showing a pictograph of a pedestrian.

(10) A countdown timer may be incorporated into traffic lights regulating the traffic of pedestrians and cyclists, indicating how many seconds are remaining until another signal illuminates.

(11) The requirements for traffic lights will be established by a regulation of the Minister of Economic Affairs and Communications.

## **§ 8. Traffic control**

(1) An authorised official controls traffic if it needs to be done in a way differing from the signals given by traffic control devices or if the existing traffic control devices do not ensure a normal flow of traffic over a certain time period, as well as in the event of traffic obstacles or congestions or in other events when traffic is disturbed.

(2) The directions given by an authorised official must be clearly visible and unambiguous. The authorised official must give the directions in good time so that drivers would not cause a dangerous traffic situation due to an unexpected manoeuvre or a sudden change in speed and would not disturb other road users. The authorised official may use a whistle, audible warning or another device to give directions.

(3) Traffic is controlled by a police officer or an assistant police officer who has undergone the respective training. Traffic may be controlled within the obtained competence and after having undergone the respective training also by:

- 1) authorised officials of the Estonian Defence Forces and the Estonian Defence League if a motorcade of the Estonian Defence Forces and the Estonian Defence League participates in traffic;
- 2) rescue service officials and persons involved in rescue works;
- 3) nature conservation officials in a protected area for the purposes of the Nature Conservation Act, in a limited-conservation area, on a species' protection site or in a limited management zone of an individual protected natural object and on the roads leading thereto;
- 4) persons in charge of state forest management or officials of state agencies on forest roads;
- 5) railway workers on level crossings;
- 6) persons in charge of ferry traffic at ports;
- 7) persons in charge of parking in car parks;
- 8) persons assigned by a road owner or administrative authority to temporarily control traffic due to road works or during duly approved events or in other events where traffic is disturbed or the road is temporarily closed for public traffic;
- 9) persons accompanying a large or heavy goods vehicle where traffic is disturbed or endangered due to the largeness or heaviness of the vehicle;
- 10) persons accompanying children's groups in order to ensure the safety of the children;
- 11) ambulance crew members at scenes of traffic accidents in order to ensure the safety of the victims and the ambulance crew;
- 12) persons undergoing the training for authorised officials.

## **§ 9. Requirements for authorised official and authorised official training provider**

(1) An authorised official must wear the high-visibility warning clothing or uniform specified in subsection 11 (1) of this Act.

(2) By way of exception, a safety waistcoat specified in subsection 11 (2) of this Act may be worn in urgent events or in short-time traffic control episodes.

(3) An authorised official must be at least 18 years of age and must have undergone training in accordance with the established procedure. By way of exception, an authorised official controlling parking in a car park may be at least 16 years of age. An authorised official accompanying the carriage of special goods must also have the right to drive a road train belonging to category CE. An authorised official specified in clauses 8 (3) 8) and 9) of this Act must hold the authorised official certificate and their state of health must correspond to at least the health requirements established for the driver of a motor vehicle of category B as provided for in subsection 101 (10).

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(4) The requirements specified in subsection (3) of this section do not cover police officers or authorised officials of the Estonian Defence Forces and the Estonian Defence League.

(5) If an event or activity is not periodically recurring or does not require traffic control for more than three days, except in the event of accompanying carriage of special goods, persons having undergone the authorised official training provided by a training provider specified in subsection (8) of this section may provide authorised official training. The owner of a road on which traffic control is to take place has the right to request the use of an authorised official specified in subsection (3).

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(6) The training of authorised officials and the practical on-road training of authorised officials by a training provider approved by the Road Administration must take place under the direct supervision of an authorised official specified in subsection (3) of this section, who is at least 24 years of age, upon the approval of and on the conditions established by the owner of the road.

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(7) A police officer and the road owner have the right to suspend the activities of an authorised official specified in subsection (3) of this section if the authorised official does not achieve the aim of traffic control or causes a traffic hazard as a result of their activities. In the event of suspension of the activities of the authorised official, the police officer has the right to order that the person who granted authorisation to control traffic ensure, within a reasonable time, the replacement of the authorised official by an authorised official who complies with the requirements provided by law.

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(8) Training providers approved by the Road Administration have the right to train authorised officials.

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(9) To obtain the approval specified in subsection (8) of this section, the following documents and information will be submitted to the Road Administration:

- 1) an application;
- 2) a curriculum complying with the requirements for the curricula of the authorised official training course specified in subsection (12) of this section;
- 3) information on the professional qualifications of the lecturers of authorised official training;
- 4) written consent by the lecturers specified in clause 3) of this subsection to commence work.

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(10) The Road Administration will refuse to approve a training provider if:

- 1) the curricula submitted by the educational institution do not meet the established requirements;
- 2) the training provider does not have lecturers who meet the requirements specified in subsection (12) of this section, or
- 3) false information was given upon application for approval.

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(11) The Road Administration will have the right to revoke the approval providing authorised official training specified in subsection (8) of this section if:

- 1) false information was submitted upon application for approval;
- 2) the training does not comply with the requirements established by the Minister of Economic Affairs and Communications specified in subsection (12) of this section; or
- 3) the training provider has decided to terminate the authorised official training.

[RT I, 31.12.2010, 3 - entry into force 01.01.2012]

(12) The procedure for training authorised officials and the form, procedure for issue and revocation of certificates of authorised officials as well as the curricula and requirements for the qualifications of lecturers will be established by a regulation of the Minister of Economic Affairs and Communications.

## **§ 10. Directions given by authorised official**

(1) An upright raised arm of the authorised official means that road users have to stop. Road users must stop immediately after the authorised official has raised an arm and has pointed to a place for stopping. If the direction is given at the moment when a driver is at an intersection or on a pedestrian crossing, the driver must proceed.

(2) A horizontally outstretched arm or arms of the authorised designate a stop signal for all road users approaching from any direction that would cut across that indicated by the outstretched arm or arms; after the authorised official has made this gesture and lowered an arm or arms, it will constitute a stop signal for drivers in front of or behind the official.

(3) Drivers towards whom an authorised official is with their side may drive to the right, forward, left or back. The authorised official may also make a gesture in a direction of traffic, allowing road users to proceed in this direction.

(4) Authorised officials may use other gestures or oral instructions to give comprehensible directions to road users.

(5) A direction prohibiting advancement remains valid until a direction allowing advancement is given.

(6) Proceeding is allowed in directions in which it is not prohibited.

(7) Directions given at intersections and on the roads between intersections have the same meaning.

(8) Traffic control directions are given by:

- 1) a traffic baton striped in black and white;
- 2) a red reflective disk;
- 3) a disk featuring the traffic sign 'Closed to all vehicles';
- 4) hand.

(9) A disk featuring the traffic sign 'Closed to all vehicles' may also be used by other authorised officials if the image 'Closed to all vehicles' is replaced by other words characterising the profession of the authorised official or an organisation, e.g. 'Rescue,' 'Nature protection,' 'Roadwork,' 'Children,' etc.

## **§ 11. Requirements for high-visibility warning clothing, safety waistcoat and reflex reflector of animal-drawn vehicle, cycle, segway, mini moped and pedestrian**

(1) High-visibility warning clothing must be yellow-green safety clothing of class 3 in line with the standard EVS-EN 471 'High-visibility warning clothing for professional use. Test methods and requirements.'

(2) A safety waistcoat must be a safety waistcoat or warning clothing of at least class 2 in line with the standard EVS-EN 471 'High-visibility warning clothing for professional use. Test methods and requirements.'

(3) Helmets for pedal cyclists must meet the requirements of the standard EVS-EN 1078 'Helmets for pedal cyclists and for users of skateboards and roller skates.'

(4) Reflex reflectors used by pedestrians must meet the requirements of the standard EVS-EN 13356 'Visibility accessories for non-professional use. Test methods and requirements.'

(5) Reflex reflectors used on animal-drawn vehicles, cycles, mini mopeds and segways must meet the requirements established on the basis of subsection 73 (11) of this Act.

## **§ 12. Traffic restrictions**

(1) The owner of a publicly used road has the right to temporarily or permanently restrict vehicular traffic, depending on the mass, axle load, dimensions or category of vehicle, or pedestrian traffic or to prohibit traffic for ensuring the safety of road users, performing road maintenance works, preventing damage to road and road structures, reducing the adverse impact on the natural environment or ensuring the physical and social environment for the purposes of the Public Health Act.

(2) Where restriction of traffic is not caused by the impacts of nature (thawing of the ground, storm and rainfall damage or other similar impact) or other extraordinary circumstances, the road owner or the person establishing the restriction must ensure access of road users to the restricted areas by other roads, by other modes of travel or in another time period.

(3) For the purposes of this Act, the road owner is:

- 1) on national roads – the Road Administration;
- 2) [Repealed – RT I, 17.03.2011, 1 – entry into force 01.07.2011]
- 3) on local roads – rural municipality or city government;
- 4) on winter roads – the person constructing the winter road.

(4) The owner of a public road must provide information about any changes in the organisation of use of the road for the purposes of § 31 of the Roads Act, to road users who need such information, and in the event of a permanent restriction, also provide information on the administrative body that established the restriction and the marking used on the road.

(5) The procedure for publication of traffic restrictions and application for an issue of traffic ban permits will be established by a regulation of the Minister of Economic Affairs and Communications.

### **§ 13. Environmental protection requirements**

(1) The drivers must not damage the environment with excessive noise, dust or exhaust gases produced by the engine or other equipment of the vehicle if it is possible to avoid such damage.

(2) Power-driven vehicles may not be washed in bodies of water or on the shore closer than 10 metres to the waterline.

(3) The road user must not:

1) damage, pollute or otherwise contaminate the road or the areas adjacent to the road;  
2) contaminate the environment with fuel or lubricants or change the oil of a power-driven vehicle in a place that is not designated for such purpose.

(4) The driver must not drive a vehicle with a leak that contaminates the environment.

(5) The engine of a vehicle standing or parked in a calm traffic area or residential area must not be left switched on for more than two minutes.

## **Chapter 2 TRAFFIC RULES**

### **Division 1 General Provisions**

#### **§ 14. Road traffic rules**

(1) The right-hand rule of the road applies to vehicular traffic.

(2) All road users, managers of traffic and other persons must follow the requirements of the traffic legislation, exercise carefulness and cautiousness in traffic and ensure the smoothness of traffic in order to prevent danger and causing damage.

(3) Where a temporary road sign (removable base) and a permanent road sign conflict, the temporary road sign will take precedence over the permanent road sign.

(4) Where temporary (yellow) road marking and permanent road marking conflict, the temporary road marking will take precedence over the permanent road marking.

(5) Where a traffic sign and road marking conflict, the traffic sign will take preference over the road marking.

(6) The signal of a traffic light permitting advancement or a direction given by an authorised official permitting advancement must not override the procedure established by a road sign, except a warning sign indicating an intersection with a non-priority road, a warning sign indicating an intersection of roads of the same category and priority signs, or by road marking.

(7) Nobody may endanger or obstruct traffic by their acts or omissions. A person causing a danger must take all measures in their power to eliminate the danger or reduce its harmful effects. If necessary, police must be informed of the danger caused.

(8) Equipment or materials endangering or obstructing the movement of pedestrians, especially elderly or disabled persons, may not be placed on a sidewalk or shoulder without the consent of the owner of the road.

#### **§ 15. Speed limit**

(1) The speed limit is:

1) 90 kilometres per hour on roads outside built-up areas;

- 2) 50 kilometres per hour in built-up areas;
- 3) 10–25 kilometres per hour on an ice road or 40–70 kilometres per hour if the thickness of ice is up to 50 centimetres. The speed limit is 70 kilometres per hour if the thickness of the ice is more than 50 centimetres;
- 4) 50 kilometres per hour upon drawing;
- 5) 25 kilometres per hour upon haulage of towed machinery;
- 6) 20 kilometres per hour in calm traffic areas. In close proximity to a pedestrian, vehicles may drive at the speed of the pedestrian;
- 7) 60 kilometres per hour for buses if there are passengers standing or sitting sideways to the direction of the traffic in the bus;
- 8) 60 kilometres per hour for trucks if a person escorting or fetching the cargo is on the open load bed of the truck or if the truck is used in the Estonian Defence Forces or by the Estonian Defence League for transportation of people;
- 9) 45 kilometres per hour for mopeds;
- 10) 40 kilometres per hour for mobile machinery;
- 11) 25 kilometres per hour for mini mopeds;
- 12) 20 kilometres per hour for segways;
- 13) 50 kilometres per hour for off-road vehicles if the off-road vehicle is used for driving on a road in the events specified in subsection 154 (1) of this Act.

(2) In accordance with subsection (4) of this section and depending on the traffic and road conditions, safety and category of vehicle:

- 1) the Road Administration may increase the speed limit on rural roads to 120 kilometres per hour;
- 2) local authorities may increase the speed limit on roads in built-up areas to 90 kilometres per hour.

(3) The requirement for the speed limit specified in clause 7) of subsection (1) of this section is not extended to the derogations set out in subsection 73 (11) of this Act.

(4) The conditions of and procedure for increasing the speed limit will be established by a regulation of the Minister of Economic Affairs and Communications.

(5) The owner of a road may reduce the speed limit specified in clauses 1) and 2) of subsection (1) of this section depending on the traffic and road conditions, safety and category of vehicles.

#### **§ 16. Duties of road users**

(1) The road user must be polite and mindful of other road users and avoid any behaviour that may obstruct traffic or endanger or be harmful to people, property or the environment.

(2) The road user must follow the directions given by an authorised official and comply with other traffic instructions given by an authorised official or an inspector or a traffic control device and follow the procedure for use of signage for vehicles.

(3) The road user must follow the instructions given by an authorised official even if such instructions are in contradiction with this Act or a traffic control device, unless it endangers the life, health or property of people or the environment.

(4) The road user must not obstruct a funeral or other processions, a children's group accompanied by an adult or a motorcade of vehicles escorted by an authorised official.

#### **§ 17. General obligations of giving way**

(1) The road user must follow the requirements of traffic control devices and the directions of an authorised official when giving way.

(2) The road user must give way to a vehicle with a flashing blue light and with or without a special audible warning and to a vehicle escorted by such vehicle, as well as to a vehicle with a flashing yellow light working on the road or a vehicle escorting such vehicle. If necessary, the road user must halt to give way.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) The driver emerging from a car park, a calm traffic area, an area adjacent to a road or their access road on to a carriageway must give way to road users travelling on that road, unless the obligation to give way is regulated otherwise by traffic control devices.

(4) Every driver emerging from an earth-track on to a gravel road or a paved road must give way to road users travelling on the road, unless the obligation to give way is regulated otherwise by traffic control devices.

(5) Drivers of trackless vehicles must give way:

- 1) upon leaving a carriageway, to pedestrians, drivers of segways, cyclists or drivers of mopeds and mini mopeds, unless the obligation to give way is regulated otherwise by traffic control devices;
- 2) to pedestrians, cyclists, drivers of segways, cyclists or drivers of mopeds and mini mopeds who cross the carriageway on to which the driver is turning, unless the obligation to give way is regulated otherwise by traffic control devices;

- 3) upon turning left or making a U-turn, to the road users driving in the oncoming traffic or to drivers overtaking such road users, unless regulated otherwise by traffic control devices;
- 4) to pedestrians entering or exiting a public transport vehicle that has halted at a stop in the middle of the carriageway appropriate to the direction of traffic;
- 5) the driver of a vehicle approaching from the right or being located on the right side if the trajectories of both vehicles intersect and the sequence of movement is not specified otherwise in this Act;
- 6) upon reversing, to all other road users;
- 7) upon emerging to the carriageway along an acceleration lane, to the drivers travelling on the carriageway;
- 8) to the driver of a tram if the trajectories of a trackless vehicle and a tram intersect, unless it is regulated otherwise by traffic control devices.

#### **§ 18. Indication of intention to give way**

(1) A driver required to give way in accordance with traffic rules or traffic control devices must clearly indicate by slowing the speed or halting that the driver intends to follow the obligation to give way.

(2) Every driver approaching an intersection must drive in such a way as not to disturb traffic at the intersection in the event of halting.

#### **§ 19. Duties of road user in traversing level crossing**

(1) A road user must exercise extra care upon traversing a level crossing. When a road user hears or sees an approaching railway vehicle, they must give way to it. A road user must comply with traffic signs, sound and light signals, position of the barrier and directions given by an authorised official.

(2) A road user may not traverse a level crossing:

- 1) if the traffic lights show a prohibiting signal, regardless of the presence or position of the barrier;
- 2) if the barrier is in the process of being placed across the road, is across the road or in the process of being raised, regardless of the signals indicated by traffic lights;
- 3) if a prohibiting direction is given by an authorised official;
- 4) by lingering.

#### **§ 20. Standing and parking of vehicle**

(1) The driver may not stand or park their vehicle in such a way that it obstructs other vehicles proceeding into or out of yards, garages, calm traffic areas and areas adjacent to a road, and obstruct the movement of pedestrians on pedestrian crossings and at intersections in the direction appropriate to the direction of sidewalks.

(2) On the roads in a built-up area, a vehicle may stand or park on a carriageway near to its right edge or on its right-hand shoulder in such a way that at least a strip of 0.7 metres would be available for the movement of pedestrians. In a built-up area, a vehicle may stand or park in a similar way on the left-hand side of a one-way road or on such a two-way road that has no tramway track in the middle and one lane in both directions separated by a broken line or, if no broken line exists, the carriageway is less than nine metres wide without taking into account the width of possible car parks constructed as an extension to the carriageway.

(3) On a carriageway in a built-up area, vehicles may stand or park in one line, however two-wheeled motorcycles without a side-car, cycles, mopeds and mini mopeds may stand or park two abreast. The longitudinal axis of the vehicle must be parallel to the carriageway and, if no obstruction exists, the vehicle must be no further than 0.2 metres from the edge of the carriageway. This requirement does not apply to vehicles parked in accordance with subsection (4) of this section.

(4) In a built-up area, a power-driven vehicle of less than six metres long belonging to category A, category B without trailer or subcategory D1 without trailer may stand or park also:

- 1) on the carriageway at a certain angle to its edge at a place where it is allowed by a traffic control device or there is a lay-by;
- 2) in a car park next to the sidewalk in accordance with the procedure established by a traffic control device;
- 3) partly or completely on a sidewalk if so allowed by a respective traffic control device, leaving at least a 1.5 metre wide strip available for the movement of pedestrians on the verge of the sidewalk further away from the carriageway;
- 4) on a safety island and dividing strip if so allowed by a respective traffic control device.

(5) A power-driven vehicle not specified subsection (4) of this section may not in any way park in any of the places specified in clauses 1) to 3) of subsection (4).

(6) A vehicle may stand on a sidewalk also for loading or unloading cargo, but not closer than 15 metres to a stopping point of public transport vehicles and leaving at least a 1.5 metre wide strip for the movement of pedestrians.

(7) On rural roads, a vehicle may stand or park on the right-hand shoulder. If this requirement cannot be complied with, a vehicle may stand or park on the road as much to the right as possible. Vehicles may stand and park only in one line and the longitudinal axis of the vehicle must be parallel to the edge of the carriageway.

(8) At night-time, a vehicle may stand or park outside a built-up area only in a car park or rest area.

(9) Before leaving the vehicle, the driver must take precautions to prevent the vehicle from moving spontaneously and prevent its unauthorised use.

### **§ 21. Prohibition to stand or park**

(1) A vehicle may not stand or park at the edge of a carriageway towards the dividing strip, except at places and in the way indicated by a traffic control device.

(2) A vehicle must not stand:

- 1) at any place where a traffic control device does not allow it;
- 2) at a level crossing;
- 3) on a tramway track or closer than one metre to a tramway track;
- 4) on or under a bridge, trestle or overpass, save in such spaces as may be specially marked for parking;
- 5) at any point where a standing vehicle would prevent the traffic of other vehicles or obstruct pedestrians;
- 6) on pedestrian crossings, on intersections of a cycle track or a cycle and pedestrian track with a carriageway or closer than five metres to such places, and on the left-hand side of a two-way road closer than five metres after such places and on a cycle lane;
- 7) at any place where the distance between the continuous line marking the direction of traffic or a lane and the standing vehicle is less than three metres;
- 8) on a lay-by for public transport vehicles of category D or on a road marking for a public transport vehicle stop, or in their absence, on the side of the stop at less than 15 metres to the road sign indicating a bus stop, trolleybus stop or taxi stop, provided that such standing obstructs the traffic of public transport vehicles of category D or taxis;
- 9) at less than 15 metres to a road sign indicating a tram stop;
- 10) at any place where the vehicle would hide traffic light signals or road signs from the view of other road users;
- 11) on carriageways in places of limited visibility;
- 12) on a green area without the consent of its owner or possessor;
- 13) on the dividing strip and at any place where it is disrupted, save in cases allowed by traffic control devices;
- 14) at a distance less than five metres to an intersecting carriageway but not where a sidewalk or a cycle and pedestrian track intersect;
- 15) at an intersection, save in places allowed for parking. As an exception, vehicles may stand and park at a three-forked intersection on a road directly traversing the intersection, if they do so on the opposite side to the road not continuing from the intersection, provided that a traffic control device prohibits crossing between the sides of the direction of traffic;
- 16) for loading and unloading cargo on deceleration and acceleration lanes and at any place where one lane exists next to the lane allowing only a left turn or a U-turn.

(3) Public transport vehicles of category D may stand at stops for public transport vehicles of category D specified in clause 8) of subsection (2) of this section and taxis may stand and park at taxi stops.

(4) Parking is prohibited:

- 1) at any place where vehicles may not stand;
- 2) at any place where it is prohibited by a traffic control device;
- 3) on a carriageway at a distance of less than 50 metres to a level crossing;
- 4) outside parking places marked as such on the road;
- 5) outside built-up areas on carriageways of roads marked as priority roads by appropriate signs;
- 6) on deceleration and acceleration lanes;
- 7) at any place where one lane exists next to the lane allowing only a left turn or a U-turn;
- 8) at any place where the vehicle would obstruct another vehicle approaching a parking place or exiting a parking place.

## **Division 2 Traffic Rules for Pedestrian**

### **§ 22. Location of pedestrian on road**

(1) A pedestrian must use sidewalks or parts of roads designated for pedestrian use. A pedestrians using a skateboard, roller skates, roller skis, a scooter, a kicksled or other similar items to travel must not endanger a pedestrian or person in a wheelchair travelling on the sidewalk or on a cycle and pedestrian track.

(2) If the density of traffic so permits, a pedestrian may also walk on a cycle track but must not obstruct cycle, segway, moped and mini moped traffic in doing so, and on the part of a cycle and pedestrian track designated for cyclists without obstructing cycle traffic.

(3) On any roads where the speed limit for vehicles exceeds 20 kilometres per hour, a pedestrian must walk on a sidewalk or, if none exists, on the shoulder of the road. In the absence of such places or unsuitability thereof for pedestrian traffic, a pedestrian may walk on the carriageway by keeping as close to its edge as possible.

(4) A pedestrian walking on a rural two-way carriageway with no dividing strip and no sidewalk must walk only on the left shoulder, or in the absence of the shoulder or unsuitability thereof for pedestrian traffic, on the carriageway as close to its left edge as possible without obstructing vehicles. Pedestrian walking on the carriageway must, at night-time or when visibility is poor, walk in a single line.

(5) A pedestrian pushing a cycle, segway, mini moped, moped or motorcycle must keep to the side of the carriageway appropriate to the direction of traffic, and if possible, outside the carriageway.

(6) An organised groups of people, except a group of children of pre-school age or elementary school for the purposes of subsection (7) of this section, may walk only close to the right edge of a carriageway or on the sidewalk no more than four persons abreast, without obstructing pedestrians. The person in charge of the group must ensure safety by taking all appropriate means, such as flags or, at night-time, by reflex reflectors, lanterns or other such means as specified in subsection (8).

(7) A groups of children of pre-school age or elementary school (hereinafter *group of children*) may walk only on the sidewalk two children abreast and accompanied by adults. If no sidewalk is provided, a group of children may walk on the shoulder, and on roads within built-up areas without lighting and on rural roads only in the daylight and in the event of two-way traffic where no dividing strip is provided, on the left shoulder. The person accompanying a group of children must ensure safety and wear a safety waistcoat.

(8) A pedestrians walking on the road in poor visibility or at night-time must wear a reflex reflector or a light source.

(9) A disabled person using a wheelchair may travel on a carriageway close to its right edge appropriate to the direction of traffic. When travelling at night-time or in poor visibility, the wheelchair must have a reflex reflector or a red lamp on the rear left side.

### **§ 23. Duties of pedestrian upon ensuring safety of children**

An adult accompanying a child of pre-school age must observe the child and prevent any sudden movement of the child on to the carriageway.

### **§ 24. Places for crossing carriageway**

(1) A pedestrian may cross a carriageway by using a pedestrian overpass or tunnel, a pedestrian crossing or crossing (without stepping out of its borders) or at an intersection.

(2) If the entry to a pedestrian overpass or tunnel, a pedestrian crossing or crossing or an intersection is closer than 100 metres, a pedestrian may cross the carriageway only by using them. A pedestrian may cross a carriageway at a distance of more than 100 metres of the above places only if the visibility of the carriageway is good in both directions and crossing the carriageway poses no traffic hazard.

### **§ 25. Requirements for crossing carriageway**

(1) Upon crossing a carriageway, a pedestrian must not linger or stop on the carriageway unnecessarily. A pedestrian using a skateboard, roller skates, roller skis, a scooter, a kicksled or other similar items must cross the carriageway at the normal speed of a pedestrian.

(2) A pedestrian must cross a carriageway by the shortest possible route, and where a safety island exists, by using it.

(3) If the intersection or crossing is regulated, a pedestrian must obey the signals of traffic lights, or in the presence of an authorised official, their directions.

(4) At a regulated intersection where no surface marking is provided for the pedestrian crossing, a pedestrian must cross the carriageway in the direction appropriate to the direction of sidewalks, and if traffic lights are provided on safety islands, by using the safety islands. If the green signal allows pedestrians to cross the intersection simultaneously on all roads entering the intersection, they may cross the intersection in any direction. If the crossing is not equipped with traffic lights for pedestrians, pedestrians must obey the traffic lights for vehicular traffic.

(5) If the red signal of the traffic lights for pedestrians illuminates while a pedestrian is on the carriageway, or in the absence of such traffic lights the amber signal of the traffic lights for vehicular traffic illuminates or an authorised official gives a general signal prohibiting advancement, a pedestrian must, depending of their

location, continue to move to the nearest safety island or, if no safety island is provided, complete crossing the carriageway.

(6) A pedestrian must not obstruct vehicles approaching or directly crossing an unregulated intersection.

(7) On unregulated pedestrian crossings, a pedestrian must take into account the distance and speed of approaching vehicles before stepping onto the carriageway, give the drivers an opportunity to smoothly reduce the speed or bring the vehicle to a halt, and make sure that the driver has noticed the pedestrian and that it would be safe to cross the carriageway.

(8) If a pedestrian crossing a carriageway at an unregulated place has stopped to give way to a vehicle, they may proceed only when making sure that crossing is safe.

#### **§ 26. Prohibitions for pedestrian traffic**

A pedestrian may not:

- 1) cross the carriageway at a place where a barrier has been placed to ban pedestrian traffic, and in a built-up area on a road having a dividing strip outside a passenger overpass or tunnel, pedestrian crossing or crossing;
- 2) step on the carriageway from behind a standing vehicle or other obstacle without ascertaining that no vehicle is approaching;
- 3) walk on a motorway;
- 4) walk on a carriageway with a dividing strip next to the dividing strip or along the dividing strip if no sidewalk on the dividing strip is provided.

#### **§ 27. Requirements for pedestrian with handcart**

(1) A pedestrian with a bulky object or a handcart may use the carriageway if the pedestrian would inconvenience other pedestrians by walking on the sidewalk or shoulder and walking on the carriageway does not place them and other road users in danger.

(2) A handcart, the width of which is more than one metre, used by a pedestrian at night-time or in poor visibility, must be equipped on the left side with a white lamp in the front and with a red lamp on the rear. Instead of these lamps, one lamp may be used on a handcart on the left side, featuring white in the front and red on the rear.

## **Division 3 Traffic Rules for Passenger**

#### **§ 28. Duty of passenger towards driver**

A passenger must not act in a manner that distracts the driver from driving the vehicle while the vehicle is moving.

#### **§ 29. Entering and exiting vehicle**

(1) Entering or exiting a vehicle is allowed only when the vehicle is standing.

(2) The door of the vehicle may not be opened before the vehicle has stopped. Opening the door of a vehicle must not endanger or obstruct other road users. The door on the side of the carriageway or cycle lane must not remain open for longer than is necessary for the passengers to enter or exit the vehicle.

(3) One may enter or exit a trackless vehicle on the side of the carriageway or on the rear only if it is safe and does not endanger other road users.

(4) Public transport vehicles may be waited for on the waiting platform, and where no platform is provided, only on the sidewalk or shoulder.

(5) In a stop for public transport vehicles without a waiting platform, one may step on the carriageway for entering the public transport vehicle only after it has stopped. One must immediately leave the carriageway after exiting a public transport vehicle.

#### **§ 30. Use of safety equipment**

(1) In a vehicle equipped with seat belts, a passenger must properly wear a seat belt.

(2) A passenger is not required to wear a seat belt:

- 1) when driving on an ice road;
- 2) if the passenger performs official duties that require stopping the vehicle at every 100 metres or less, or
- 3) if the passenger produces a doctor's written certificate of contraindications for wearing a seat belt.

(3) In a vehicle where head restraints are compulsory, the head restraints must be adjusted in such a way that they support the nape of the passenger.

(4) A passenger driving on a motorcycle or moped must wear a strapped motorcycle helmet.

(5) The requirement specified in subsection (4) of this section does not apply to enclosed three-wheeled and four-wheeled motorcycles and mopeds that have seat belts and seats installed by the manufacturer.

(6) A cyclist and a mini moped driver aged below 16 must wear a strapped cycle helmet when riding or driving on a road.

## **Division 4**

### **Traffic Rules for Cyclist and Segway, Mini Moped and Moped Driver**

#### **§ 31. Duties of cyclist and segway, mini moped and moped driver**

(1) A cyclist and a segway, mini moped and moped driver aged below 16 must wear a strapped cycle helmet when riding or driving on a road.

(2) Riding a cycle or driving a mini moped is allowed on cycle lanes or as close to the right edge of the carriageway as possible, save during a manoeuvre specified in subsection 48 (1) of this Act. Riding a cycle is also allowed on cycle and pedestrian tracks and shoulders if they are suitable for that purpose and if the riding does not endanger pedestrians.

(3) Driving a segway is allowed on sidewalks, footpaths, cycle and pedestrian tracks, cycle tracks and cycle lanes. When crossing a carriageway on a pedestrian crossing, a segway driver must not endanger pedestrians crossing the carriageway. A segway driver must not endanger or obstruct pedestrians when driving on sidewalks, footpaths and cycle and pedestrian tracks, cycle tracks and cycle lanes, and may only drive at the normal speed of pedestrians in their close proximity.

(4) Driving a moped is allowed on carriageways, cycle lanes and cycle tracks.

(5) A cyclist must not endanger pedestrians on cycle and pedestrian tracks. When crossing a carriageway on a pedestrian crossing, a cyclist must not endanger pedestrians crossing the carriageway. A cyclist specified in clause 32 (1) 1) of this Act must not endanger or obstruct pedestrians when riding on sidewalks and may only ride at the normal speed of pedestrians in their close proximity.

(6) If a road has a separate cycle track and an unregulated intersection, except an intersection with a car park, calm traffic area, resting place or an access road to an area adjacent to the road, a cyclist and a segway, mini moped and moped driver must give way to road users on the road, unless the obligation to give way is regulated otherwise by traffic control devices.

(7) If a road has a separate cycle and pedestrian track and an unregulated intersection, except an intersection with a car park, calm traffic area, resting place or an access road to an area adjacent to the road, a cyclist and a segway driver must give way to road users on the road, unless the obligation to give way is regulated otherwise by traffic control devices.

(8) Cyclists and mini moped and moped drivers may pass a standing or slowly moving vehicle on the right if there is enough space and the driver of the vehicle has not indicated a right turn.

(9) A cyclist and a segway driver approaching an intersection with a carriageway on a cycle and pedestrian track, and a cyclist and a segway, mini moped and moped driver approaching an intersection with a carriageway on a cycle track must slow down. A cyclist and a segway, mini moped and moped driver must cross the carriageway at the normal speed of a pedestrian.

#### **§ 32. Restrictions to cyclist and segway, mini moped and moped driver traffic**

(1) A cyclist and a segway, mini moped and moped driver must not:

1) ride or drive on the sidewalk, except for a segway driver, cyclist aged below 13 years of age and up to two persons accompanying them, as well as a cyclist with a small child in a child's chair and a cyclist if riding on the carriageway is seriously inhibited due to the condition of the carriageway;

2) ride without holding the handle bar with two hands, except when giving a warning signal by hand. A cyclist may not ride without holding the handle bar;

3) allow the vehicle they are driving (except three- or four-wheeled mopeds) to be towed by an animal or another vehicle;

- 4) carry objects that hamper their driving or endanger other road users;
- 5) tow a trailer that is not designed for towing by a cycle, segway, mini moped or moped;
- 6) to carry a passenger who does not sit on the passenger saddle and does not wear a strapped helmet as required;
- 7) endanger other road users when driving in a motorcade.

(2) Mini moped and moped drivers may not drive on pedestrian crossings.

(3) Moped drivers may not exceed the speed of 45 kilometres per hour, mini moped drivers 25 kilometres per hour and Segway drivers 20 kilometres per hour.

(4) A cyclist and a segway driver on a cycle and pedestrian track and a cyclists and a segway, mini moped and moped driver on a cycle track must give way to pedestrians entering or exiting a public transport vehicle that is standing at a tram or bus stop.

## **Division 5**

### **Traffic Rules for Driver**

#### **§ 33. General duties of driver**

(1) The driver must be mindful of less protected road users (pedestrians, cyclists, etc.) standing or travelling on the road or verge of the road and must avoid endangering them or causing them harm.

(2) The driver must:

- 1) ascertain before driving that their health condition allows to drive a vehicle;
- 2) ascertain before driving that the vehicle is roadworthy and observe the same while driving;
- 3) ascertain before driving that all lamps and registration plates and the windows and rear-view mirrors of the vehicle within the driver's field of vision are clean;
- 4) ascertain before driving that the rear-view mirrors and seat are in the right position;
- 5) ascertain before driving that they carry the documents required to drive the vehicle;
- 6) ascertain before driving that the driver and passengers properly use all the security equipment and not carry passengers who have not complied with this requirement;
- 7) ascertain before driving that the head restraints of the driver and passengers are adjusted in such a way that they support the nape and not carry passengers who have not complied with this requirement, provided that head restraints are compulsory in the vehicle;
- 8) ascertain before pulling out, making a manoeuvre or bringing the vehicle to a halt that it is safe and does not obstruct or endanger other road users or road workers;
- 9) if the conclusion of a liability insurance contract is required for the vehicle, ascertain before driving that the liability insurance contract (hereinafter *motor third party liability insurance contract*) concluded for the vehicle is in effect and a policy has been issued under such contract;
- 10) while driving a motorcycle or moped with a handle bar, hold the handle bar with both hands, except when giving a warning signal, wear a strapped motorcycle helmet and not carry passengers who do not comply with the latter requirement;
- 11) drive a motorcycle, off-road vehicle, tractor, moped, mini moped, segway or ride a cycle on the road in such a way that all wheels have contact with the road surface at all times.

(3) In vehicles equipped with seat belts it is compulsory for the driver to wear one while driving.

(4) When driving a motorcycle or moped, the driver must wear a strapped motorcycle helmet.

(5) The requirement specified in subsection (4) of this section does not apply to enclosed three-wheeled and four-wheeled motorcycles and mopeds that have seat belts and seats installed by the manufacturer.

(6) The driver is not required to wear a seat belt:

- 1) when driving on an ice road;
- 2) if the driver performs official duties that require stopping the vehicle at every 100 metres or less, or
- 3) if the driver produces a doctor's written certificate of contraindications for wearing a seat belt.

(7) In the event of an emergency stopping in poor visibility or at night-time, the driver of a power-driven vehicle of category B, C, D or T must wear a safety waistcoat when exiting the motor vehicle or tractor and stepping onto the carriageway.

(8) The driver of a power-driven vehicle and tram must know first aid measures.

(9) The driver must enable a police officer to use their power-driven vehicle, except a special purpose power-driven vehicle, for driving to the scene of an accident or an area of a natural disaster or taking a person in need of emergency medical aid to a medical institution.

(10) Subsection (9) of this section does not apply to a diplomatic representative of a foreign country, consular official, representative of a special mission or international organisation or to a worker of a diplomatic

representation of a foreign country, consular office, special mission or representation of an international organisation while they perform their official duties.

(11) The driver is prohibited to:

- 1) engage in activities that may impede the ability to drive or comprehension of the traffic environment while driving, including using a telephone without a hands-free device and holding a telephone in hand while the vehicle is moving;
- 2) drive a vehicle in the state of intoxication, in a state exceeding the maximum permitted level of alcohol in the bloodstream or in a state of health hazardous to traffic safety or to permit persons in any such state to drive their vehicle;
- 3) permit a person to drive a power-driven vehicle or tram if such person is not in possession of a document certifying their right to drive such a vehicle;
- 4) have as a passenger a person who does not wear a seat belt as specified in subsection 30 (1) of this Act or does not use the safety equipment specified in subsections 30 (4) and 36 (6), unless it is an emergency situation.

(12) The driver of a public transport vehicle must not open the doors of the vehicle until the vehicle has come to a complete halt and must not advance before all passengers have exited and the doors are completely closed.

### **§ 34. Carriage of passengers and goods**

(1) Passengers and goods may be carried only in a way that does not interfere with driving or obstruct the driver's view, does not hide the lamps, registration plates or other sign plates of the vehicle or the signals given by the driver.

(2) Passengers may be carried only on the seats and in the way specified by the manufacturer. Trailers belonging to a road train of subcategory D1E may not be used for carrying passengers. Persons accompanying or fetching cargo may sit on the open load bed of a truck only if there is a suitable and safe sitting place below the upper edge of the tailgate, and the maximum speed may not exceed 60 kilometres per hour.

(3) In the Estonian Defence Forces and the Estonian Defence League passengers may be carried in trucks adjusted for carrying persons and the maximum speed may not exceed 60 kilometres per hour.

(4) In the Estonian Defence Forces and the Estonian Defence League passengers may be carried in trucks by drivers of at least 18 years of age and with the right to drive motor vehicles of categories C and C1, provided that they have undergone respective training and have at least six months of experience in truck driving.

(5) The procedure for carriage of passengers and cargo in the Estonian Defence Forces and the Estonian Defence League will be established by a regulation of the Minister of Defence.

(6) Cargo must be placed, fastened and covered in such a way as to not endanger people, pollute the environment, cause damage to property or obstruct traffic. The carriage of goods must take place in accordance with the procedure established by the Road Transport Act.

(7) When passing under a trestle, overpass, power or communication lines or other such installations, drivers must always first ascertain its safety.

(8) No dimension of a laden or unladen vehicle, road train or machine train may exceed the requirements specified in subsection 80 (3) of this Act.

(9) If any of the dimensions of a laden or unladen vehicle, road train or machine train exceeds those specified in subsection 80 (3) of this Act, the vehicle may be used in accordance with the procedure specified in § 35 of the Roads Act.

(10) A heavy-goods vehicle or a large vehicle must be identified in accordance with subsection 73 (11) of this Act.

(11) The laden mass of a trailer of a road train or a machine train must not exceed the maximum mass of the trailer determined upon registration of the traction unit.

(12) The laden mass of a vehicle must not exceed the permissible maximum mass and the load on any axle must not exceed the registered axle load, unless a special permit has been issued in accordance with the procedure provided for in subsection 35 (2) of the Roads Act.

(13) If the laden mass or axle load of a laden or unladen vehicle, road train or machine train exceeds the requirements specified in subsection 80 (3) of this Act, such vehicle, road train or machine train may be used in accordance with the procedure specified in § 35 of the Roads Act.

(14) Hazardous loads must be carried in accordance with the procedure specified in the Road Transport Act. A vehicle transporting a hazardous load must have a respective danger label and a sign indicating hazardous load.

(15) Towed machinery must be hauled in accordance with the procedure specified in § 63 of this Act.

### **§ 35. Obligations of driver upon ensuring safety of pedestrians, segway drivers and cyclists**

(1) The driver must not endanger pedestrians, segway drivers or cyclists. The driver must be especially attentive of children, elderly persons and persons with symptoms of illness, persons with mobility disability and blind persons.

(2) In addition to the provisions of subsection 17 (5) of this Act, the driver must give way to a pedestrian:

1) when reversing;

2) if a pedestrian is about to complete crossing the carriageway even though the permitting signal of the traffic light has illuminated for the driver or an authorised official has indicated that advancement is permitted.

(3) The driver must always give way to blind pedestrians walking with a white cane or a guide dog.

(4) When approaching an unregulated pedestrian crossing, the drivers must drive at sufficiently low speed so as not to endanger a pedestrian who has stepped or is about to step on the pedestrian crossing. If necessary, the driver must stop so that a pedestrian can cross the carriageway.

(5) If a vehicle has stopped or is about to stop before an unregulated passenger crossing on an adjacent lane appropriate to the direction of traffic, the driver may not overtake this vehicle before the crossing or at the crossing but must stop before the crossing. The driver may proceed to the crossing after ascertaining that it does not endanger a pedestrian who has stepped or is about to step on the crossing.

(6) If there is a free lane between a vehicle that has stopped before a pedestrian crossing and a vehicle approaching the crossing, the driver does not have to stop before the crossing but must take into account the provisions of subsection (4) of this section.

(7) If the visibility of a crossing is limited on the side of oncoming traffic due to a standing vehicle or some other obstacle, the driver must take special care so as not to endanger a pedestrian on the crossing.

(8) The driver may drive on to a crossing only if they are certain that they do not need to stop there.

(9) The driver may not make a U-turn on a crossing.

(10) If vehicular traffic is regulated at a pedestrian crossing by traffic light signals or by an authorised official, the driver prohibited to proceed must stop short of the stop line or the stop line sign or, in their absence, the crossing itself.

(11) If the driver has to traverse a regulated pedestrian crossing at the end of a side turn, they may, if there is no stop line or stop line sign, traverse the crossing, giving way to pedestrians, cyclists and segway drivers crossing the carriageway during a permitting traffic light signal.

(12) If the driver has to traverse a regulated cycle track at the end of a side turn, they may, if there is no stop line or stop line sign, traverse the cycle track while a permitting traffic light signal is illuminated, giving way to cyclists and segway drivers crossing the carriageway during a permitting traffic light signal.

### **§ 36. Additional requirements to ensure safety of children**

(1) The driver must take into account that the development stage of children does not yet allow them to fully assess the traffic situation.

(2) When noticing a child or a bus displaying a children's group sign standing on the road or at the edge of a road, the driver must take special care and drive at a speed that enables them to avoid danger.

(3) In bus transport for the specific purpose of carrying children, sitting children under 18 years of age may be carried in the number corresponding to the number of seats in the bus; the carrying of standing children is prohibited.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(4) Buses used for carrying children must display a children's group sign in the front and at the rear and must have emergency lamps switched on when stopping. The bus driver and the person accompanying the children's group must ensure safety when children enter or exit the bus or traverse the carriageway.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(5) The driver must give way to children crossing a carriageway when signalled so by the person accompanying the group of children.

(6) If a child is not tall enough to wear a seat belt as required, a child seat or an infant seat or another proper safety device corresponding to the height and weight of the child must be used when carrying the child by a motor vehicle. A child may be carried in the front seat of an automobile only if fixed properly by safety devices. Rear-facing safety devices must not be used on seats equipped with an operational airbag.

(7) A child may not be held in the lap in the front seat of a motor vehicle while the vehicle is moving. An adult passenger may hold one child under 12 years of age in the lap in the rear seat of a motor vehicle, except that of an automobile, provided that the passenger holding a child in the lap wears a seat belt and all the seats in the motor vehicle are taken. By way of exception, an adult passenger may hold one child under seven years of age in their lap in a bus or trolleybus, except in the front seat.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(8) If it is not possible to install safety equipment in the middle rear seat of an automobile due to the existence of safety equipment for two children, a child of at least three years must be restrained with at least the lap belt for adults.

(9) Using safety equipment for children is not compulsory when carrying children less than three years of age in the rear seat of a taxi. Children under three years of age may be carried in a taxi in the lap of an adult if the passenger holding the child is properly wearing a seat belt and has only one child in the lap. When carrying children older than three years in the rear seat of a taxi, at least one child must be restrained by a seat belt pillow and, depending on the height of the child, by the seat belt for adults or only its lap belt or by some other appropriate safety equipment. Other children carried in the rear seat of a taxi must wear at least the lap belt of the seat belt for adults.

(10) A child under the age of 12 years must not be carried in the rear seat of a moped or motorcycle.

### **§ 37. Obligations of driver when using lane reserved for public transport vehicles and giving way to public transport vehicles**

(1) The driver whose vehicle has no right to drive on the lane reserved for public transport vehicles may use such lane in the following exceptional events:

- 1) the driver may move on to a lane reserved for public transport vehicles adjacent to the carriageway appropriate to the direction of traffic and not separated from the rest of the carriageway by a continuous line, before a turn or stopping in order to enable passengers to enter or exit, provided that it does not impede the provision of regular services by public transport vehicles. It is allowed to drive on to such a lane reserved for public transport vehicles when completing a turn, after which the vehicle must abandon it immediately;
- 2) the lane reserved for public transport vehicles on a carriageway may be traversed only across in places where it is not prohibited by a traffic control device.

(2) On a roads in a built-up area where the speed limit is 50 kilometres per hour the driver must give way to public transport vehicles of category D pulling out from stops.

### **§ 38. Obligations of driver and passenger when inspector stops vehicle**

(1) The driver of a power-driven vehicle must stop their vehicle if directed to do so by a police officer, an assistant police officer or another person authorised by law or other legislation issued in accordance with law. If the inspector has not indicated where to stop, the driver must stop the vehicle on the right shoulder or, if no shoulder exists, close to the right edge of the carriageway.

(2) The driver of a power-driven vehicle and tram must carry and present at the request of an inspector the documents specified in § 88 and subsection 145 (2) of this Act.

(3) The driver must give the documents to be checked to the inspector without leaving the driver's seat, handing them over through an open side window. The driver and the passenger must remain in their seats and may leave the vehicle only when so permitted or requested by the inspector.

(4) If a vehicle has a compulsory tachograph and a speed limitation device, the driver must make it possible to check the presence and operability of such devices, mounting plates, seals and compliance with the driving and rest time based on the record sheets or data of the tachograph. If there is a digital tachograph, the driver must enable the inspector to use a control card.

(5) The driver must enable checking whether the vehicle complies with the technical requirements and requirements for equipment.

(6) The driver is entitled to request that the inspector present their identification or another document certifying their competence as well as to note down the information contained therein.

### **§ 39. Signals given by driver**

(1) The driver must indicate a signal for a turn in due time depending on the traffic situation but not later than three seconds before advancing, making a manoeuvre or bringing the vehicle to a halt. Signalling for a turn must continue during the manoeuvre and terminate immediately after the manoeuvre; a signal by hand may be terminated immediately before advancing, making a manoeuvre or bringing the vehicle to a halt. The driver must ascertain after signalling a turn that they will be given way and it is safe to proceed.

(2) If a vehicle has by design no director-indicator lamps or stop lamps or the director-indicator lamps or stop lamps are not functioning or the emergency lamps are on, the driver must give a signal with their arm as follows:

- 1) for the right turn – shoulder-height straight right arm extended to the side or shoulder-height left arm bent upwards at elbow at the right angle;
- 2) for the left turn – shoulder-height straight left arm extended to the side or shoulder-height right arm bent upwards at elbow at the right angle;
- 3) for stopping – moving up and down a straight arm extended to the side.

(3) The driver may use an audible warning only in the event of danger or outside a built-up area also when it is necessary to attract the attention of road users.

(4) The driver may blink the lamps only to attract the attention of road users.

(5) Giving a warning does not grant the driver the right of way.

(6) A standing vehicle must have emergency lights on:

- 1) outside a built-up area on a carriageway or shoulder at night-time or in the event of poor visibility or when at least one front or rear position lamp does not function;
- 2) in the event of a traffic accident;
- 3) in the event of an emergency stopping.

(7) A driving vehicle must have emergency lamps on at night-time or in the event of poor visibility or when at least one dipped-beam headlight or at least one rear position lamp does not function.

(8) The driver of a power-driven vehicle, except the driver of a mopeds or two-wheeled motorcycle without a sidecar must use a warning triangle:

- 1) in the absence of emergency lamps in the events specified in subsection (6) of this section;
- 2) in the absence of emergency lamps or their non-functioning in the event specified in subsection (7) of this section, fixed in a visible place on the rear of the vehicle;
- 3) regardless of the presence of emergency lamps, if the vehicle has been brought to an emergency stopping or has undergone a traffic accident and is located on the carriageway in a place of poor or limited visibility, or if the cargo has fallen or flown onto the carriageway in such a place.

(9) The warning triangle must be placed on the road at least 25 meters from the vehicle in a built-up area and at least 50 metres from the vehicle outside a built-up area. The distance from the vehicle must be such as to make it visible in dispersed daylight at the distance of at least 50 metres in a built-up area and at the distance of at least 100 metres outside a built-up area. In the event of an emergency stopping or a traffic accident it is allowed to place the warning triangle at a distance closer than those specified above, provided that it is placed towards the greater hazard at a distance enabling other drivers to notice the hazard in due time. The driver may have yellow blinking lamps on in addition to the warning triangle.

### **§ 40. General requirements for using lamps**

(1) On a moving power-driven vehicle, dipped-beam headlamps or main-beam headlamps and front, rear, and side position lamps as well as the rear registration plate lamp must be lit. On a moving tram, dipped-beam headlamps and the front, rear and side position lamps must be lit. On a moving trailer, the front, rear and side position lamps and the rear registration plate lamp must be lit.

(2) Daytime running lamps instead of dipped-beam headlamps may be used in the daytime. Daytime running lamps may be lit without front, rear and side position lamps and rear registration plate lamp.

(3) In the event of road trains (except road trains whose traction unit is a motor vehicle of category B) and machine trains that have no upper front position lamps, there must be an illuminated road train sign above the cabin of the traction unit or the front part of the bodywork.

(4) Power-driven vehicles and their trailers standing or parked on a non-illuminated road in poor visibility or at night time must have front, rear and side position lamps and rear registration plate lamp lit. On a road outside a built-up area emergency lamps must be lit as well.

(5) A vehicle standing or parked on unlit roads outside a built-up area in poor visibility or at night-time must not have its dipped-beam headlamps, main-beam headlamps or fog lamps lit. A vehicle stopped on a road in a built-up area must not have its main-beam headlamps and fog lamps lit, unless fog lamps are used instead of dipped-beam headlamps. A vehicle parked on a road in a built-up area must not have its dipped-beam

headlamps, main-beam headlamps or fog lamps lit. A vehicle stopped on the left side of a road in a built-up area must not have its dipped-beam headlamps lit.

(6) In a built-up area, instead of the front, rear and side position lamps specified in subsection (4) of this section, parking lamps on both sides or on the side of the traffic may be used if:

- 1) the power-driven vehicle is not longer than six metres and not wider than two metres;
- 2) the power-driven vehicle has no trailer.

(7) The requirements of subsections (4) and (6) of this section do not extend to stopped and parked vehicles that are:

- 1) on a road lighted in such a way that the vehicle can be noticed at sufficient distance;
- 2) outside a carriageway and paved shoulder;
- 3) cycles, mini mopeds, mopeds or two-wheeled motorcycles without a sidecar and without a battery in a built-up area at the edge of a carriageway;
- 4) in a calm traffic area.

#### **§ 41. Use of main-beam headlamps**

(1) Main-beam headlamps may be used when driving at night-time or in the event of poor visibility.

(2) When a vehicle is following closely behind another vehicle, main-beam headlamps may be blinked for a short time to give a warning of the intention to overtake.

(3) Main-beam headlamps may not be used if:

- 1) the lighting of the road is sufficient to enable the driver to see clearly for at least 300 metres;
  - 2) the distance to the vehicle approaching from the opposite direction is such that the lamps may dazzle its driver;
  - 3) they start illuminating the vehicle driving in front;
  - 4) they may dazzle other drivers, including the drivers on a waterway or railway running alongside the road.
- When waiting for the opportunity to traverse a level crossing, drivers may not dazzle the drivers of railway vehicles.

#### **§ 42. Use of fog lamps**

(1) Front fog lamps together with headlamps may be lit when driving in poor visibility due to fog, rain or snowfall.

(2) Front fog lamps may be used as a substitute to dipped-beam headlamps in the event specified in subsection 40 (1) of this Act.

(3) Rear fog lamps may only be used when driving on roads outside a built-up area in poor visibility due to fog, rain or snowfall or when snow, dust or mud lifted by the wind caused by driving considerably deteriorates the visibility of the rear lamps.

#### **§ 43. Use of spot lights**

Spot lights installed on a vehicle, which are designed to illuminate the workplace, may be lit only in upon performing a work assignment. They must not dazzle other drivers.

#### **§ 44. Yellow flashing lamp**

(1) A yellow flashing lamp must be installed and lit:

- 1) on vehicles performing road maintenance tasks and vehicles performing urgent tasks on the road (hereinafter *maintenance vehicle*);
- 2) on vehicles used as specified in § 35 of the Roads Act.

(2) If there is a risk that other road users may fail to notice a vehicle in good time or a vehicle presents a hazard or obstructs other road users, the flashing lamp may be installed and lit on the vehicle moving and performing works on the road for the following operations and situations:

- 1) operations to give assistance on the road by a power-driven vehicle designated for such purpose;
- 2) driving an agricultural or forest tractor or a vehicle with a speed limit or with trailers that, cargo included, are wider than 2.55 metres;
- 3) driving a power-driven vehicle whose design speed does not exceed 40 kilometres per hour.

#### **§ 45. Location of vehicle while driving**

(1) On a carriageway with road surface marking and separate lanes, the driver must drive within the borders of their lane.

(2) On a two-way carriageway with the total width of three lanes with road surface marking it is prohibited to drive on to the leftmost (oncoming) lane. The middle lane may be used only for overtaking or rounding and it must be used for changing the lane before making a left turn or a U-turn.

(3) On a two-way carriageway with the total width of four or more lanes it is not allowed to drive on the oncoming lane.

(4) A safety island or another similar structure separating the directions of traffic must be passed on the right.

(5) A vehicle with the maximum speed of 40 kilometres per hour or that, for some other reason not depending on the traffic flow, cannot drive faster, must drive on the rightmost lane. This requirement does not apply:

- 1) when the vehicle is overtaking a vehicle driving in front;
- 2) when the vehicle is about to make a left turn or a U-turn;
- 3) to a maintenance vehicle performing maintenance work.

(6) On a carriageway in a built-up area it is allowed to drive on any lane appropriate to the direction of traffic, provided that the requirements of § 37 of this Act are met.

(7) On a road outside a built-up area one must drive as close to the right edge of the carriageway as possible without endangering other road users, unless indicated otherwise by a traffic control device.

(8) If a carriageway outside a built-up area has several marked lanes on the side appropriate to the direction of traffic, the lanes on the left may be used only if the lanes on the right are occupied. In such an event it is prohibited to drive on the oncoming lane.

(9) A trackless vehicle may, without obstructing tram traffic, drive or stop on a tramway track appropriate to the direction of traffic and at grade with the carriageway only if the number of lanes for trackless vehicles is not signposted. If the vehicle obstructs tram traffic, the driver must free the tramway track. A driver approaching from the opposite direction must make it possible for the driver of a vehicle turning left to free the tramway track.

(10) A trackless vehicle must drive on the oncoming tramway track.

(11) An emergency response vehicle may drive on a sidewalk, cycle lane, cycle track, cycle and pedestrian track, safety island and dividing strip, provided that they perform official duties and it is not possible to perform them on the carriageway.

(12) A power-driven vehicle may drive on the shoulder only in the events specified in subsections 20 (2) and 20 (7), subsection 48 (3), clause 52 (2) 3), subsection 53 (4) and subsection 54 (2) of this Act.

(13) Without obtaining permission from the owner or possessor of land, a vehicle must not drive onto green areas or earth-tracks developed into such by traffic on green areas or off-road in places not designated for the traffic of power-driven vehicles.

(14) A vehicle turning on to a road that is signposted as a road for variable direction traffic must take the rightmost lane. The driver may move to the lanes located towards the left only after they have ascertained that it is allowed to drive on such lanes in the direction appropriate to the direction of traffic.

#### **§ 46. Separation and lateral distance**

(1) Depending on the speed of the vehicle and the road and weather conditions, the driver of a vehicle moving behind another vehicle must keep at a sufficient distance from the other vehicle to avoid collision if the vehicle in front should suddenly slow down or stop.

(2) Under normal conditions, the time required to cover the distance between vehicles moving after one another must be at least two seconds on roads in built-up areas and at least three seconds on roads outside built-up areas. This requirement does not apply when a vehicle exits its lane for overtaking and has indicated this manoeuvre by winking a direction-indication lamp.

(3) The driver must keep a safe lateral distance when driving.

(4) On a road outside a built-up area that has one lane appropriate to the direction of traffic, the driver not driving at the maximum speed allowed on such section of road must keep a separation distance that is sufficient to enable the overtaking vehicles to move back to the lane where they were previously. This requirement does not apply if the driver is preparing to overtake, the traffic is dense or overtaking is not allowed on this road section.

#### **§ 47. Changing traffic lanes and traffic lines**

(1) When the drivers of vehicles driving side by side mutually change lanes and lines, the driver on the left must give way to the driver on the right.

(2) On a road that has more than two lanes with road surface marking on the side appropriate to the direction of traffic, it is not allowed for drivers to overtake the vehicle in front when the traffic is dense and all lanes are equally full.

#### **§ 48. Turns**

(1) Before turning left or making a U-turn, the driver must move in good time near the edge of the left side of the carriageway appropriate to the direction of traffic and, before turning right, to the right side of the carriageway appropriate to the direction of traffic or to the lane designated for such turn by a traffic control device.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(2) When making a turn on an intersection, the driver must drive in such a way as to not enter the oncoming traffic lane when exiting the intersection of carriageways.

(3) If, due to the turning radius of the vehicle or the condition of the road, the driver is not able to make a turn on an intersection or on a road between intersections as provided for in subsections (1) and (2) of this section and subsection 45 (3) of this Act, it is allowed to derogate from these requirements, including driving on to the shoulder, provided that by doing so the driver does not endanger or obstruct other road users or damage the track bed of the road.

(4) If the road has a deceleration lane, the driver intending to make a turn must move on to that lane in good time and slow down once they are on such lane.

(5) If the road has an acceleration lane, the driver entering the road must first drive on that lane and give way to the vehicles driving on the road when joining the traffic flow.

(6) Outside a built-up area it is allowed to make a left turn or a U-turn on a road with a dividing strip only in a place signposted as such.

#### **§ 49. Reversing and U-turn**

(1) Any driver wishing to make a U-turn or to reverse must do so without endangering or impeding other road-users. If necessary, the help of another person must be used.

(2) On a one-way road, reversing in the direction not appropriate to the direction of traffic is allowed only for a manoeuvre and without reversing to an intersection.

(3) A U-turn is not allowed:

- 1) on a pedestrian crossing;
- 2) on a level crossing;
- 3) in a place of limited visibility.

#### **§ 50. Choosing driving speed**

(1) The driver must observe the speed limit specified in § 15 of this Act.

(2) The speed limit of 90 kilometres per hour must not be exceeded during driving practice and by drivers carrying a provisional driving licence or having the limited right to drive.

(3) The driver must adapt the speed of their vehicle to the situation but must not exceed the speed limit. The driver must:

- 1) when choosing the speed, take into account their driving experience, road conditions, state of the road and the vehicle, peculiarities of any goods carried, weather conditions, density of the traffic and other traffic conditions so that they are able to stop the vehicle within the range of visibility in front of the vehicle and without hitting any obstacle that can reasonably be expected to be on the road;
- 2) reduce the speed and, if necessary, stop if the conditions so require, especially if visibility is poor;
- 3) when switching over from the main-beam headlamps to dipped-beam headlamps, adapt the speed of the vehicle to the new range of visibility;
- 4) reduce the speed so as to avoid lifting up water, mud, gravel or any other such material that may bring damage to other road users and to avoid or reduce lifting up dust to road users and residential areas adjacent to the road.

(4) The driver must drive at a sufficiently low speed and, if necessary, stop if they pass:

- 1) a child on the road or near the road;
- 2) a children's bus on the road that has emergency lamps lit;
- 3) a blind pedestrian with a white cane or a guide dog;
- 4) a pedestrian when it is apparent that their movement is impeded or disturbed due to disability or illness;

- 5) a tram appropriate to the direction of traffic, that is standing or is about to stop at a tram stop;
- 6) an emergency or a road service vehicle with a flashing lamp.

(5) The driver must not exceed:

- 1) the design speed of the vehicle. The speed of a road train or a machine train may not exceed the design speed of any vehicle in its composition;
- 2) the speed limit specified on the maximum speed sign;
- 3) the speed allowed by a traffic control device.

(6) The maximum speed sign specified in clause 2) of subsection (5) of this section must be mounted on the rear of the vehicle visible to the vehicle driving behind it, if the maximum speed of the vehicle, except a segway, mini moped or moped, must be lower than the speed specified in clause 15 (1) 1) of this Act. A power-driven vehicle and road train, except a moped, that may not or cannot drive faster than 40 kilometres per hour, must have a low-speed vehicle sign mounted on the rear of the vehicle either on the left edge or in the middle.

(7) The driver must not:

- 1) obstruct other vehicles by driving at an unjustifiably low speed;
- 2) apply the brakes abruptly, unless necessary for ensuring safety.

## **§ 51. Overtaking**

(1) Drivers overtaking a vehicle moving in front must do so on the left. If a vehicle moving in front clearly intends to turn left or make a U-turn, overtaking must be effected on the right.

(2) A driver overtaking a tram must do so on the right. If a tramway track lies near to the right edge of the side appropriate to the direction of traffic, overtaking the tram must be effected on the left.

(3) Before overtaking, the driver must make sure that:

- 1) no driver who is behind them has begun to overtake;
- 2) the driver in front of them in the same lane has not given a warning of their intention to turn left;
- 3) that overtaking will not endanger or interfere with other road users;
- 4) the lane that they will enter is free over a sufficient distance;
- 5) the relative speed of the two vehicles allows for overtaking within a sufficiently short time;
- 6) it will be possible, without inconvenience to the driver overtaken, to resume the position in the previous lane.

(4) If, during overtaking, an obstacle or a traffic hazard that the driver could not foresee or was not able to properly assess before starting to overtake, the driver must abort the overtaking.

## **§ 52. Prohibition to overtake**

(1) The drivers must not overtake by using the lane for oncoming traffic:

- 1) if the requirements specified in subsection 51 (3) of this Act are not met;
- 2) on a road section with limited visibility;
- 3) at an intersection and in their immediate vicinity on a road emerging into the intersection, except at intersections where drivers approaching from other directions have the obligation to give way;
- 4) on a level crossing and in its immediate vicinity before the level crossing;
- 5) on an unregulated pedestrian crossing.

(2) The driver must not overtake in lanes appropriate to the direction of traffic:

- 1) on a road section of limited visibility where the lanes on the side appropriate to the direction of traffic are not marked on the road surface or the road surface marking is not visible;
- 2) on an unregulated pedestrian crossing;
- 3) on a deceleration or acceleration lane and by using the shoulder or a lay-by for a public transport vehicle stop, unless a vehicle making a left turn or a U-turn is overtaken on the right.

## **§ 53. Mutual obligations of drivers when overtaking**

(1) The driver of a vehicle overtaking another vehicle must keep a safe separation and lateral distance to the vehicle being overtaken.

(2) The driver whose vehicle is overtaken on the left must, taking into account the traffic situation, keep as much as possible to the right and not obstruct the overtaking vehicle by increasing the speed or in some other way.

(3) If the driver who has aborted an overtaking wishes to return to the lane appropriate to the direction of traffic, the drivers following them must enable it.

(4) If, owing to the narrowness, profile or condition of the carriageway, taken in conjunction with the density of oncoming traffic, a vehicle that is slow or bulky or is required to observe a speed limit cannot be safely overtaken, the driver of such vehicle must slow down and, if necessary, pull in to the side as soon as possible in order to allow vehicles following them to safely overtake.

#### **§ 54. Passing**

- (1) Passing on oncoming traffic must be effected on the right. Drivers turning left in opposite directions at an intersection may pass each other on the left, exercising extra care.
- (2) When passing an oncoming vehicle on a narrow carriageway, one must keep as much to the right as possible and pull onto the shoulder, if necessary.
- (3) If passing is difficult due to an obstacle, the driver having the obstacle in front of them must give way.
- (4) On a downhill road signposted as such, the driver moving downhill must give way in the event of an obstacle.
- (5) Overtaking vehicles on the side appropriate to the direction of traffic is prohibited in the events specified in clauses 52 (2) 1) and 2) of this Act.

#### **§ 55. Derogation from overtaking, passing and rounding**

Overtaking, passing or rounding a slowly moving or standing maintenance vehicle with a flashing or revolving yellow lamp working on the road or a standing emergency vehicle with a flashing or revolving blue lamp is allowed without endangering other road users or persons working on the road on the right or on the left, depending on the situation, and the road surface marking prohibiting overtaking may be crossed in this situation.

#### **§ 56. General requirements for crossing intersection**

- (1) The driver approaching an intersection must exercise such extra care as may be appropriate to local traffic conditions. The driver must drive at such a speed as to be able to stop to allow vehicles having the right of way to pass.
- (2) The driver must not enter an intersection of carriageways if the density of traffic is such that they will probably be required to stop at the intersection, thereby obstructing other road users.

#### **§ 57. Driving at unregulated intersection**

- (1) The driver driving on a non-priority road must give way to a driver approaching an intersection or driving at the intersection along the priority road or a right-of-way road, regardless of their driving direction.
- (2) If the direction of the priority road or the right of way road changes, the driver driving on the priority road or the right-of-way road must give way to the driver of a vehicle approaching from the right or being on the same road on the right-hand side. Drivers driving on a non-priority road must do the same in respect of each other.
- (3) If the driver does not know whether they are driving on a priority road, right-of-way road or non-priority road, the driver must behave as if they were driving on a non-priority road.
- (4) When emerging from a single-lane road to a multi-lane road, the driver must give way to drivers driving on the multi-lane road.

#### **§ 58. Driving on regulated intersection**

- (1) The driver who has entered an intersection when the traffic light signal allowing them to proceed was illuminated must clear the intersection in the direction in which they wish to proceed, regardless of the signals of other traffic lights on the intersection. However, if there is a stop line or a stop line sign at any of the traffic lights on the intersection, they must follow the signals of such traffic lights.
- (2) When the permitting signal of the traffic lights illuminates, the driver must give way to a drivers who is about to complete traversing of the intersection and to a pedestrian still on the carriageway.
- (3) The driver must stop ahead of the stop line or the stop line sign if the signal of the traffic light or the direction given by an authorised official prohibits advancement. In the absence of such signal or direction it is allowed, without obstructing pedestrians, to drive up to the edge of the intersecting carriageway.
- (4) If the driver is moving in the direction shown by the permitting green additional arrowhead of the traffic light at the time when the red or amber main signals are illuminated, they must give way to drivers approaching from any other direction.

(5) If the right-turn lane at an intersection is separated from the rest of the carriageway by a safety island and there is no traffic light on the right hand side before the intersection, the right turn must be made regardless of the signals of the traffic lights on the intersection, giving way to a driver approaching from any other direction.

#### **§ 59. Traversing level crossing**

(1) The driver must exercise extra care when approaching a level crossing. The driver must drive at such a speed that they are able to bring the vehicle smoothly to a halt, if necessary, at the place specified in subsection (2) of this section.

(2) In order to give way to an approaching railway vehicle and in the events specified in § 60 of this Act, the driver must stop in front of the barrier, or in the absence thereof, at least five metres from the first rail, or in the event of an appropriate road sign, in front of it.

(3) If a level crossing is not equipped with a barrier or light signals, no driver may enter it without making sure that no railway vehicle is approaching.

(4) The following vehicles may traverse a level crossing only upon approval of the owner or possessor of the railway:

- 1) a vehicle, road train or machine train, laden or unladen, the width of which is more than five meters, height more than 4.5 meters or length more than 24 meters;
- 2) a power-driven vehicle, the design speed of which is less than eight kilometres per hour;
- 3) a crawler-type vehicle.

(5) The approval granted by the owner or possessor of railway specified in subsection (4) of this section may be in writing or in electronic form. In the event of an electronic approval, the driver of the vehicle must present the approval on a data medium or make it possible for the supervisory official to access the electronic approval in another way.

#### **§ 60. Restrictions on traversing level crossing**

The driver must not:

- 1) traverse a level crossing if they may be forced to stop on it;
- 2) traverse the railway outside a level crossing;
- 3) transport over a level crossing agricultural, road, construction or other such equipment without fixing it in the transport position, or a coupling mechanism that may damage the level crossing.

## **Division 6 Additional Requirements for Driver of Power-driven Vehicle**

#### **§ 61. Emergency stopping**

(1) In the event of an emergency stopping in a place where stopping or parking is prohibited or if the vehicle brought to an emergency stopping, or its cargo fallen or flown or dropped off onto the carriageway cannot be removed from the carriageway without help, the driver must indicate the vehicle by switching on emergency lights or placing a warning triangle on the road as provided in subsection 39 (9) of this Act, immediately notify the police or the owner or the possessor of the road and take measures to quickly eliminate the danger or reduce its harmful effects.

(2) In the event of an emergency stopping on level crossings, the driver must see to it that people leave the vehicles, and do everything possible to free the level crossing. If it is impossible to free the level crossing from the traffic obstacle, the driver must stay by their vehicle and when seeing a railway vehicle coming, quickly approach it, giving a stop signal by making circles with arms. At night-time, a lit source of light, a reflex reflector or a similar object must be held in hand.

(3) On a motorway and on a road where the speed limit is over 90 kilometres per hour, a power-driven vehicle brought to an emergency stopping must have emergency lamps on and be removed from the carriageway. If it is impossible to remove the vehicle from the carriageway, a warning triangle must be placed on the road at least 100 metres rearward from the vehicle.

#### **§ 62. Drawing of power-driven vehicle**

(1) A power-driven vehicle that does not have a trailer may draw a power-driven vehicle. A two-wheeled vehicle must not be drawn or used for drawing.

(2) Only a driver with the right to drive vehicles of the same category as the vehicle being drawn may be at the wheel of a drawn vehicle.

(3) The speed of the drawn vehicle may not exceed the speed limit specified in clause 15 (1) 4) of this Act.

(4) A flexible hitch must leave a distance of five to eight metres between the vehicles and the middle part of thereof must be marked so that it is clearly visible. The length of a direct hitch may not exceed five metres. It is not allowed to use a chain for drawing.

(5) A power-driven vehicle with malfunctioning brakes must be drawn either with a direct hitch or in such a way that it is partly resting on the vehicle drawing it.

(6) A power-driven vehicle, road train or machine train that is being drawn must always have emergency lamps switched on. In the absence of emergency lamps or if they do not function, a warning triangle must be fixed in a visible place on the drawn power-driven vehicle, road train or machine train.

(7) Only if a direct hitch that guarantees the steerability of a drawn power-driven vehicle, road train or machine train is used a driver does not need to be present in the drawn power-driven vehicle, road train or machine train.

(8) There may be passengers in the driver's compartment of a drawn power-driven vehicle and in a drawn automobile only if there is a driver at the wheel of the drawn vehicle.

(9) There must not be any people on the vehicle bed of the drawing power-driven vehicle or in the vehicle partly resting on it.

(10) Drawing is prohibited:

1) on a motorway. If the need for drawing appears on a motorway, by way of exception, drawing may be performed until the nearest turn-off;

2) with a flexible hitch – on glare ice or if the drawn power-driven vehicle, road train or machine train has a malfunctioning steering wheel or malfunctioning brakes;

3) with a rod-shaped direct hitch – if the power-driven vehicle, road train or machine train has a malfunctioning steering wheel;

4) with any type of direct hitch – if the laden mass of a power-driven vehicle, road train or machine exceeds that of the drawing vehicle and the drawn power-driven vehicle has malfunctioning brakes;

5) if more than one power-driven vehicle, road train or machine train is being drawn at a time;

6) if the coupling device of a drawn road train or machine train is malfunctioning.

### **§ 63. Haulage of towed machinery**

(1) Speed limit upon haulage of towed machinery must not exceed the speed limit permitted in clause 15 (1) 5) of this Act.

(2) Upon haulage of towed machinery, the towed machinery or interchangeable towed machinery must be equipped with stop lamps, rear direction-indication lamps, rear position lamps, trailer's rear red reflex-reflectors with the shape of an equilateral triangle, the low-speed vehicle signs and maximum speed signs.

(3) The coupling device must meet the requirements specified in subsection 73 (11) of this Act.

(4) There must be no people on the load platform or on any other part of the towed machinery or interchangeable towed machinery.

(5) No more than one item of towed machinery or interchangeable towed machinery may be hauled at a time.

(6) The mass of the towed machinery or that of interchangeable towed machinery must not exceed the requirements specified in subsection 73 (11) of this Act.

(7) Towed machinery or interchangeable towed machinery must comply with the technical requirements established by the manufacturer.

### **§ 64. Traffic in calm traffic area**

(1) In a calm traffic area, a pedestrian can move around and a child can play in the entire calm traffic area, but they must not unnecessarily obstruct drivers.

(2) In a calm traffic area, the speed of a power-driven vehicle must not exceed the speed limit specified in clause 15 (1) 6) of this Act.

(3) The driver must not endanger or obstruct a pedestrian in calm traffic area; if necessary, the vehicle must be stopped.

(4) A power-driven vehicle may enter a calm traffic area only for standing or parking.

(5) Only a category A and B as well as subcategory D1 power-driven vehicle may be parked in a calm traffic area. Parking is allowed only in indicated parking spaces or, in their absence, on the road, at a place where parking does not obstruct pedestrians and not make the traffic of other vehicles impossible.

#### **§ 65. Traffic on ice road**

- (1) Driving on an ice road is allowed only in the daylight when visibility is no less than 300 metres.
- (2) On an ice road, the driver must observe the instructions for using the ice road displayed at the start of the ice road and the regulations given by the surveillance service staff.
- (3) The driver must enter an ice road only at a place specially indicated for this purpose.
- (4) On an ice road, the doors of a vehicle must be easily opened.
- (5) The driver and passengers must not wear a seat belt.
- (6) There must be a minimal interval of two minutes between vehicles entering an ice road.
- (7) The distance between vehicles on an ice road must be no less than 250 metres. Overtaking a vehicle driving in front, passing a vehicle and a two-way traffic on the same carriageway is prohibited.
- (8) Stopping on an ice road is allowed only in the event of an emergency. A vehicle brought to an emergency stopping must be removed from ice as soon as possible. If this is impossible, the ice road surveillance service must be notified thereof.
- (9) The maximum permissible mass of a vehicle taking an ice road must be determined by the surveillance staff, depending on the ice and weather conditions.
- (10) The maximum speed limit must be determined by the surveillance staff, depending on the ice and weather conditions. Conditions for safe driving on an ice road are to be established by the constructor of the winter road in accordance with the Roads Act.
- (11) It is prohibited to turn off an ice road.
- (12) If the ice condition does not allow for further driving, the driver must immediately turn back and warn other drivers on the ice road as well as the surveillance staff of bad road conditions. If possible, a return lane must be used for turning back.
- (13) In the event there appears a danger of ice road cracking, passengers will have to leave the vehicle when required by the driver. The driver may continue driving alone; the driver's door must be left open.
- (14) Ice road surveillance service must be immediately informed of all the dangerous changes, unmarked dangers or stopped vehicles on the ice road.
- (15) The mass of the cargo transported on an ice road must be indicated in the documentation of the cargo. Surveillance service staff members may check the laden mass of a vehicle by weighing.

#### **§ 66. Traffic on motorway**

On a motorway, it is prohibited to:

- 1) walk as a pedestrian, walk with a pet or animal or ride a cycle, moped or vehicle with a design speed under 40 kilometres per hour;
- 2) stop or park outside of a designated area;
- 3) drive a category C power-driven vehicle or a road train longer than seven metres on a lane other than the two right-hand lanes of the motorway that has three or more lanes;
- 4) make a U-turn, drive over the dividing strip and at any place where it is disrupted;
- 5) reverse.

#### **§ 67. Traffic in tunnels**

- (1) Even if a tunnel is lit, the vehicle must have the main-beam headlamps or dipped-beam headlamps and the front, rear and side position lamps and the rear registration plate lamps switched on.
- (2) Automobiles must keep a distance that is sufficient to enable to cover the distance in no less than two seconds under normal conditions. Category C and CE motor vehicles should keep a distance that is twice as long.
- (3) If traffic is stopped in a tunnel, the distance between the stopped vehicles must be at least five metres.
- (4) A driver may stop or park a vehicle in a tunnel only in the event of danger or an emergency stopping. In such an event, if possible, the driver must use a special designated area.

- (5) In a tunnel, it is prohibited to:
- 1) reverse;
  - 2) make a U-turn;
  - 3) stop or park outside designated areas;
  - 4) keep the engine of the vehicle running in the event of a lasting traffic obstacle.

#### **§ 68. Special rights of driver with mobility disability and driver of vehicle servicing people with mobility disability or blind people**

(1) A driver with a mobility disability and the driver of a vehicle servicing persons with a mobility disability or blind people may attach a parking card of a vehicle servicing people with a mobility disability or blind people to the front or rear window of their vehicle.

(2) If there is a parking card of a vehicle servicing people with a mobility disability or blind people, the driver having a mobility disability and the driver of the vehicle servicing people with a mobility disability or blind people may park the vehicle at their disposal on public paid parking places without charge.

(3) If a driver with a mobility disability and the driver of a vehicle servicing people with a mobility disability or blind people has a parking card of a vehicle servicing people with a mobility disability or blind people, the driver may:

- 1) stand and park in a built-up area where road signs prohibiting standing or parking apply, on the condition that the standing vehicle is located entirely on the sidewalk and that a strip of sidewalk of at least 1.5 metres wide is left for pedestrians to use. This permission does not apply on road sections marked with a line prohibiting stopping;
- 2) park in an area where road signs prohibiting apply, park in a car parks with limited parking time for longer than prescribed, and park on a road in a calm traffic area outside a car park in places where this does not obstruct pedestrians or render other vehicular traffic impossible.

(4) The driver of a vehicle servicing a person with a mobility disability or a blind person, whose vehicle displays a parking card, may stop in a built-up area where road signs prohibiting stopping apply, in order to pick up or set down the person with a mobility disability or the blind person.

## **Division 7 Prohibition to Drive Vehicle**

#### **§ 69. Prohibition to driving vehicle due to state of intoxication**

(1) The driver must not be in a state of intoxication. A state of intoxication for the purposes of this Act means a state of health that is caused by the consumption of alcohol, narcotic drugs or psychotropic substances or other substances with a similar effect and that results in externally perceptible disturbed or changed bodily or mental functions and reactions.

(2) For the purposes of this Act, alcohol means spirits and alcoholic beverages as specified in § 2 of the Alcohol Act or a liquid or substance with ethanol content and not belonging to a food group.

(3) For the purposes of this Act, narcotic drugs and psychotropic substances mean narcotic drugs and psychotropic substances as specified in the Narcotic Drugs and Psychotropic Substances and their Parent Substances Act.

(4) The driver of a power-driven vehicle, tram or off-road vehicle is considered to be intoxicated by alcohol in the following events:

- 1) the alcohol content in one gram of the driver's blood is no less than 1.50 milligrams or the alcohol content in the breath exhaled by the driver is 0.75 milligrams or more in one litre of breath;
- 2) the alcohol content in one gram of the driver's blood is no less than 0.50 milligrams or the alcohol content in the breath exhaled by the driver is 0.25 milligrams or more in one litre of breath and there are externally perceptible disturbed or changed bodily or mental functions and reactions due to which they will evidently not be able to drive a vehicle with due firmness necessary in traffic.

(5) The content of alcohol in one gram of blood of the driver of a power-driven vehicle, tram or off-road vehicle must not be 0.20 milligrams or more or 0.10 milligrams or more in one litre of breath.

(6) Intoxication of the driver of a power-driven vehicle, tram or off-road vehicle or the violation of the margin levels specified in subsection (5) of this section is established in accordance with the procedure provided for in the Police and Border Guard Act.

(7) Intoxication of drivers not specified in subsection (6) of this section is tested and established in accordance with the procedure provided for in the Police and Border Guard Act.

(8) If a person who has suffered a traffic accident is transported to a medical service provider to get emergency medical aid, the medical service provider having the right to take blood tests will take the person's blood test in order to establish a state of intoxication if required by the police.

(9) For the purpose of establishing the state of intoxication, blood samples will be taken, preserved, transferred for analyses, analyses will be carried out and payments for these analyses will be made in accordance with the procedure provided for in the Police and Border Guard Act.

(10) The results of blood tests will be recorded in accordance with the procedure specified in the Police and Border Guard Act.

#### **§ 70. Prohibition to drive caused by state of health**

(1) The driver must not be in such a medical condition or fatigue disorder that would prevent the driver from getting a precise perception of traffic conditions and the firm fulfilment of the requirements set by or on the basis of this Act (hereinafter *state of health hazardous to traffic safety*).

(2) The states of health in the event of which it is prohibited to drive power-driven vehicle, off-road vehicle and tram:

- 1) decreasing visual acuity – together with correction lower than 0.5 when using both eyes together or lower than 0.6 with the only better eye;
- 2) horizontal field of vision is narrower than 120°;
- 3) severe mobility disability (loss or distortion of limbs, joint stiffness or paralysis), except in events provided for in this Act or in legislation enacted in accordance therewith;
- 4) severe mental disorder, severe personality disorder or severe behavioural disorder;
- 5) effects of a substance decreasing or paralysing the person's ability to drive.

(3) In addition to subsection (2) of this section, it is prohibited to drive a power-driven vehicle, off-road vehicle or tram if the special conditions set out in subsection 101 (7) of this Act are not fulfilled.

(4) A state of health hazardous to traffic safety is determined by a medical doctor.

(5) In the event of doubt concerning the state of health hazardous to traffic safety, the traffic supervision authority specified in subsection 193 (1) of this Act will take the person to the nearest in-patient provider of health services holding the activity licence for health services.

(6) A medical doctor has the right to choose their methods to examine a person referred to the medical services provider to determine the state of health hazardous to traffic safety and decide who can be present or in the same room when a state of health hazardous to traffic safety is being determined.

(7) Costs relating to the medical determination of a state of health hazardous to traffic safety will be covered by the traffic supervision authority specified in subsection 193 (1) of this Act.

(8) If a state of health hazardous to traffic safety is determined, the person must cover the costs relating to the determination of the state.

(9) The health services provider specified in subsection (5) of this section must carry out a health check in order to determine a state of health hazardous to traffic safety if the police requests that.

(10) The form of the examination report on the state of health hazardous to traffic safety will be established by a regulation of the Government of the Republic.

## **Division 8**

### **Additional Requirements for Driving Animal-drawn Vehicle and Riding Animals**

#### **§ 71. Additional requirements for driving animal-drawn vehicle and riding animals**

(1) Draught, pack and saddle animals and cattle, individually or in herds, must have a driver who is able to guide the animals at all times, except at the entrance to a road in specifically signposted areas or car parks where the animal is securely tied.

(2) An animal-drawn vehicle, saddle animal and cattle may be driven by a person of at least ten years of age. A person of 10–14 years of age may drive an animal-drawn vehicle, saddle animal or cattle under the supervision of their legal guardian or an adult person authorised by the legal guardian.

(3) In a built-up area it is permitted to drive an animal-drawn vehicle in the far right lane of the carriageway, on the road outside a built-up area it is permitted on the shoulder, appropriate to the direction of traffic, or, in the absence of a shoulder or if it is unsuitable for travelling, it is permitted near the right-hand edge of the carriageway.

(4) When moving along the carriageway at night-time or in poor visibility, riders must display, on the side opposite to that appropriate to the direction of traffic, a white or selective-yellow light to the front and a red light to the rear or an amber light in both directions. These lights may be displayed by a single device. In a built-up area it is permitted to ride saddle animals as close to the right-hand edge of the carriageway or the lane reserved for public transport vehicles as possible. On roads outside built-up areas it is permitted to ride saddle animals on the shoulder, appropriate to the direction of traffic, or, in the absence of a shoulder or if it is unsuitable for travelling, it is permitted near the right-hand edge of the carriageway.

(5) Cattle may be driven only in daylight and as close to the right-hand edge of the road as possible, except for driving cattle that have got loose. When driving cattle that have got loose at night-time or in limited visibility, the driver must display, on the side opposite to that appropriate to the direction of traffic, a white or selective-yellow light to the front and a red light to the rear or an amber light in both directions. These lights may be displayed by a single device. There must be enough drivers to ensure safety and that the animals are kept together. If necessary, the animals must be split into groups.

(6) Cattle must not be:

- 1) driven on a paved road without the authorisation of the owner or the possessor of the road;
- 2) left unsupervised on a road;
- 3) driven across a railway or carriageway in places not intended for such purpose or at night-time or in poor visibility.

## **Chapter 3 VEHICLE**

### **§ 72. Duties of owner and authorised user of vehicle**

(1) The owner and authorised user of a vehicle must ensure the proper use, good technical condition and proper storage of vehicles belonging to them or being in their possession.

(2) If the owner of a power-driven vehicle grants another person use of the power-driven vehicle, they must keep the following information during the usage period and for a period of six months as of the end of the usage period by the other person and produce, when required by court or a traffic authority official:

- 1) the name and surname of the person who used the power-driven vehicle;
- 2) the address of the person who used the power-driven vehicle;
- 3) the date of birth or personal identification code of the person who used the power-driven vehicle;
- 4) the number of the driving licence of the person who used the power-driven vehicle.

(3) The authorised user also has the duties specified in subsection (2) of this section regarding the vehicle used by them.

### **§ 73. Technical requirements for power-driven vehicle and its trailer, requirements for equipment and inspection of their compliance with regulations**

(1) A power-driven vehicle and its trailer operated in traffic as well as their equipment must comply with the technical requirements provided by law. A power-driven vehicle and its trailer must be equipped as required.

(2) A power-driven vehicle and its trailer operated in traffic must have passed a roadworthiness test by the prescribed time.

(3) During a roadworthiness test, the compliance or non-compliance of a power-driven vehicle and its trailer with the technical requirements is identified and in the event of compliance a date is set for the next test after the expiry of which the vehicle will no longer be deemed roadworthy. A vehicle that has been deemed a write-off by an insurer is no longer deemed roadworthy.

(4) A power-driven vehicle and its trailer that have passed a roadworthiness test on a permanently settled islet, Aegna Island or Naissaar Island may be used on the permanently settled islet, Aegna Island or Naissaar Island.

(5) A power-driven vehicle and its trailer that do not comply with the technical requirements may be used in exceptional circumstances, provided that they do not have particularly dangerous faults or deficiencies that would prevent using the vehicle in road traffic. In these circumstances the vehicle may be driven carefully, taking into consideration the nature of the fault, to the nearest repair centre, roadworthiness test centre, regional

office of the Road Administration or car park, taking the shortest route possible. If a fault that might endanger the traffic occurs on the road, the driver must attempt to eliminate it.  
[RT I, 17.03.2011, 1 - entry into force 01.07.2011]

(6) The roadworthiness testing of a power-driven vehicle and its trailer is conducted by the Road Administration who also supervises compliance with the regulations and the quality of testing.

(7) A decision on the roadworthiness of a power-driven vehicle and its trailer is made by the Road Administration or a company specified in subsection 191 (1). A roadworthiness test is carried out at the expense of the owner, possessor or authorised user of the vehicle.

(8) A power-driven vehicle and its trailer must not have any equipment that detects or interferes with the speed measuring equipment used by the traffic supervision.

(9) A power-driven vehicle that is deemed a workplace in terms of the Occupational Health and Safety Act must be equipped with first aid equipment.

(10) Only a power-driven vehicle and its trailer that rest on the road surface with pneumatic tires or caterpillar tracks, tires or caterpillar tracks made of elastic material or caterpillar tracks equipped with elastic pads may be driven on a paved road.

(11) The technical requirements for power-driven vehicles and their trailers will be established by a regulation of the Minister of Economic Affairs and Communications.

(12) The conditions of and procedure for roadworthiness testing of power-driven vehicles and their trailers, including the conditions of and procedure for equipment testing, types of roadworthiness testing, deadlines for roadworthiness testing, list of vehicles exempt from roadworthiness testing, list of documents to be submitted upon roadworthiness testing and the requirements for roadworthiness testing centres will be established by a regulation of the Minister of Economic Affairs and Communications.

(13) A state fee must be paid for inspection of the compliance of a power-driven vehicle and a trailer thereof with the roadworthiness requirements on permanently inhabited islets and on islands Aegna and Naissaar.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

#### **§ 74. Requirements for inspectors of roadworthiness of power-driven vehicles and their trailers**

(1) An inspector of the roadworthiness of power-driven vehicles and their trailers must have:

1) higher education, secondary specialised education or vocational secondary education or respective education in the field of motor vehicles or tractors;

[RT I, 02.07.2013, 1 - entry into force 01.09.2013]

2) at least three years of relevant practical knowledge, training and experience;

3) the right to drive a power-driven vehicle of the type that they inspect.

(2) In addition to the requirements provided for in subsection (1) of this section, an inspector of the roadworthiness of trolleybuses must have undergone appropriate training in electrical safety requirements.

(3) The Road Administration may authorise an inspector of the roadworthiness of category C power-driven vehicles and their trailers to inspect also category D power-driven vehicles and their trailers.

(4) An inspectors of the roadworthiness of power-driven vehicles and their trailers must have undergone training and field training organised by the Road Administration and passed a relevant examination.

(5) An inspector of the roadworthiness of power-driven vehicles and their trailers must be evaluated. Evaluation is organised and certificates are issued by the Road Administration.

(6) An evaluation certificate is valid for three years.

(7) After evaluation, an inspector of the roadworthiness of power-driven vehicles and their trailers must undergo in-service training organised by the Road Administration.

(8) The evaluation certificate of an inspector may be suspended by the Road Administration for up to three years if the holder of the evaluation certificate has violated legislation regulating roadworthiness testing of power-driven vehicles and their trailers.

(9) If an evaluation certificate has been suspended for longer than one year, the owner of the certificate will undergo training, field training and taken an examination specified in subsection (4) of this section to have the validity of the evaluation certificate restored.

(10) The requirements of and the procedures for evaluation of inspectors of roadworthiness of power-driven vehicles and their trailers, including the requirements of and procedure for the authorisation specified in subsection (3) of this section, will be established by a regulation of the Minister of Economic Affairs and Communications.

(11) A state fee is payable for an examination and evaluation of an inspector of the roadworthiness of power-driven vehicles and their trailers.

#### **§ 75. Supervision of roadworthiness testing**

(1) Supervision of roadworthiness testing is an activity the purpose of which is to establish if a centres for roadworthiness testing and the processes and the quality of roadworthiness testing of power-driven vehicles and their trailers comply with the requirements provided by law and to ensure compliance with obligations arising from the public law contract specified in subsection 191 (1) of this Act.

(2) The supervision specified in subsection (1) of this section is performed by authorised officials of the Road Administration (hereinafter *supervisory official*).  
[RT I, 17.03.2011, 1 - entry into force 01.07.2011]

(3) The supervisory official exercising supervision must present their identification when performing their official duties. The supervisory official must ensure the confidentiality of the information learned, unless legislation provides for the disclosure thereof.

(4) The supervisory official is authorised to:

- 1) inspect the performance and quality of roadworthiness inspection of a power-driven vehicle and its trailer unobstructed and without advance notice;
- 2) enter a centre for roadworthiness testing in order to carry out an inspection, request appropriate documents, data and other materials and clarifications from the person with the right to perform roadworthiness testing and the person specified in § 73 of this Act;
- 3) inspect the compliance of the centre for roadworthiness testing with the requirements provided by law;
- 4) be present while roadworthiness testing is carried out and examine the processes;
- 5) inspect a power-driven vehicle and its trailer regarding the compliance of the roadworthiness testing with the regulations provided by law;
- 6) issue mandatory precepts to eliminate non-compliance with requirements provided by law within the limits of their competence.

(5) If the performance or quality of roadworthiness testing does not comply with the requirements provided in this Act or the legislation adopted on the basis of this Act, the supervisory officer will have the right to issue a precept to the company conducting roadworthiness testing or to the person specified in § 74 of this Act to eliminate the deficiencies or to bring roadworthiness testing into accordance with the requirements provided by law. The Road Administration may suspend the roadworthiness testing until the precept has been complied with.  
[RT I, 17.03.2011, 1 - entry into force 01.07.2011]

(6) If the requirements for roadworthiness testing provided by law have not been met to a significant extent or if a precept has not been complied with by the prescribed time, the Director General of the Road Administration or an authorised official thereof has the right to deprive the company or the person specified in § 74 of this Act of the right to conduct roadworthiness testing.

(7) If a person does not agree with a precept or decision to deprive them of the right to conduct roadworthiness testing, they may appeal against the decision with the Director General of the Road Administration who will review and resolve the intra-authority appeal within 30 days as of the date of filing it.

(8) If a precept issued by a supervisory official is not complied with, the Road Administration may impose a preventive fine in accordance with the procedure specified in the Substitutive Enforcement and Preventive Fines Act. The upper limit for the preventive fine is 1300 euros for a natural person and 6400 euros for a legal person. The preventive fine for the enforcement of the same obligation may not exceed 6400 euros for a natural person and 32 000 euros for a legal person.  
[RT I, 17.03.2011, 1 - entry into force 01.07.2011]

#### **§ 76. Registration of power-driven vehicle and its trailer**

(1) A power-driven vehicle and its trailer must be registered in accordance with the established procedure and bear state registration plates. The registration plate of the traction unit may be placed on the towed supplementary equipment in accordance with subsection 73 (11) of this Act. A power-driven vehicle or its trailer, which is used in road traffic must be registered within five working days after putting the vehicle into service in Estonia for the first time.

(2) Registration is an act whereby the company specified in subsection (7) of this section enters the details of a power-driven vehicle or its trailer that is put into service in Estonia and complies with the requirements and the persons related to it into the traffic register. The registration of a power-driven vehicle or its trailer is proven by a registration certificate.

(3) A power-driven vehicle or its trailer used by a person permanently residing in Estonia, natural person who has obtained a residence permit in Estonia and a legal person who is registered in Estonia is subject to registration. Also subject to registration are a power-driven vehicle and trailer that have been in Estonia for more than one year and are put into service by a natural person permanently residing in a foreign state, a legal person and a self-employed person registered in a foreign state.

(4) If the owner of a power-driven vehicle or its trailer is a natural person who does not have an Estonian residence permit or a legal person who is not registered in Estonia in accordance with legislation, a natural person who has a residence permit in Estonia or a legal person registered in Estonia who is authorised by the owner of the power-driven vehicle or trailer will be entered into the traffic register as the authorised user.

(5) If a power-driven vehicle or its trailer belongs to multiple owners jointly, all the owners will be entered into the traffic register and one owner will be designated by the owners of the power-driven vehicle or its trailer as the authorised user.

(6) A power-driven vehicle and its trailer that have been brought to Estonia for temporary use must be registered for the term specified in the customs declaration.

(7) A power-driven vehicle and its trailer is registered or a decision to refuse registration is made and the related registry entries are made by the Road Administration. Upon registration, a registration plate and a registration certificate are issued regarding a power-driven vehicle and its trailer.

(8) Trolleybuses and their trailers are registered and the registers thereof maintained by their owners.

(9) Prior to the registration of a power-driven vehicle and its trailer, an inspection of the roadworthiness thereof must be carried out where compliance of the power-driven vehicle and its trailer with the technical requirements will be decided. The decision will be made in writing only if the power-driven vehicle or its trailer does not comply with the requirements in force.

(10) A power-driven vehicle and its trailer that have an Estonian registration plate and also a registration plate from another state may not be used, unless the foreign power-driven vehicle and its trailer have been registered in Estonia for a specified term.

(11) When leaving the state, a power-driven vehicle or road train registered in Estonia must display, in a visible place at the rear, the distinguishing sign of Estonia if it has not been incorporated into the registration plate. When entering the state, a power-driven vehicle or road train that has been registered in a foreign state must display the distinguishing sign of the state in which they are registered if it has not been incorporated into the registration plate.

(12) A trailer of a power-driven vehicle engaged in international traffic for which a registration certificate or a registration plate has not been issued by a competent authority, but which has a certificate issued by a competent authority of the state that specifies the permissible mass of the trailer and a certificate for passing the annual roadworthiness test, must be fitted with the registration number of the traction unit in the place of the registration plate.

(13) The conditions of and procedure for registration of power-driven vehicles and their trailers, including the list of data and documents required for registration, procedure for roadworthiness testing prior to registration, the form of the certificate and the requirements for manufacturing state registration plates and vehicle marking signs will be established by a regulation of the Minister of Economic Affairs and Communications.

(14) A state fee is payable for issuing a registration plate, summoning a Road Administration official and making entries into the traffic register regarding a power-driven vehicle and its trailer.

#### **§ 77. Refusal to register power-driven vehicle and its trailer, amendments to register data and deletion from register**

(1) The Road Administration will make a decision to refuse to register a power-driven vehicle or its trailer or to make other register entries when:

- 1) documents or data required for registration have not been submitted;
- 2) the power-driven vehicle or its trailer does not comply with the requirements in force; or
- 3) is made up of spare parts;
- 4) the power-driven vehicle or its trailer has been deleted from the register due to being destroyed or based on a valid certificate of destruction.

(2) Amending register data means changing, adding or omitting data about a power-driven vehicle and its trailer and persons relating thereto.

(3) In order to amend register data, the owners, their representatives or other entitled persons of a power-driven vehicle and its trailer must submit a valid application to the Road Administration within five working days of the occurrence of the amendment.

(4) In order to amend register data, a power-driven vehicle or its trailer must be submitted to the Road Administration for inspection when changes occur in the data of the power-driven vehicle or its trailer or when the vehicle does not have a valid identification number.

(5) Deletion from the register means making a vehicle deletion entry in the traffic register.

(6) A power-driven vehicle or its trailer will be deleted from the register:

- 1) when a power-driven vehicle and its trailer are taken out of Estonia in connection with the owners thereof settling in another state or the transfer of the vehicle to another state;
- 2) based on a valid certificate of destruction in the event of three- or four-wheeled motorcycles, automobiles or trucks with a maximum mass not exceeding 3500 kilograms;
- 3) when the term for the temporarily registered power-driven vehicle or its trailer expires;
- 4) based on an application of the owner of the power-driven vehicle or its trailer or a representative of the owner, which confirms that the power-driven vehicle or its trailer has been destroyed, demolished in an environmentally friendly manner or that they are no longer in use;
- 5) based on a respective application of the owner or a representative of the owner of the vintage vehicle;
- 6) based on official information from a relevant authority of a Member State of the European Union regarding the registration of the power-driven vehicle or trailer in the respective Member State; or
- 7) in other events provided by law.

(7) The owners of a power-driven vehicle or its trailer or a representative of the owner may apply for a temporary deletion of the power-driven vehicle or its trailer from the register. A power-driven vehicle and its trailer will be deleted temporarily from the register for a period of 1–24 months. A power-driven vehicle and its trailer that have been temporarily deleted from the register based on an application of the owner of the power-driven vehicle or its trailer or a representative of the owner will be deemed as registered upon expiry of the term for temporary deletion.

(8) In addition to the reasons provided for in subsection (6) of this section, the Road Administration will temporarily delete a power-driven vehicle or its trailer from the register when:

- 1) the owner who has been entered in the register gives notice of the transfer of the power-driven vehicle or its trailer, but the acquirer has not submitted an application for amendment of the register data; or
- 2) the power-driven vehicle or its trailer has been declared wanted.

(9) In the event of transfer, change of user or deletion from the register of a power-driven vehicle or its trailer encumbered with a restriction on transfer, a written consent of the person who imposed the restriction must be submitted.

#### **§ 78. Type-approval and single vehicle approval**

(1) Type-approval is a procedure by which a competent authority declares that the type of systems, components, equipment or separate technical units of a power-driven vehicle or its trailer comply with the requirements laid down in subsection (5) of this section.

(2) Single vehicle approval is a procedure by which a competent authority declares that a specific power-driven vehicle or its trailer complies with the requirements laid down in subsection (5) of this section.

(3) The competent authority for type-approval and single vehicle approval in Estonia is the Road Administration.

(4) The Road Administration may use experts to conduct expert analyses or tests required for conducting type-approval and single vehicle approval. Type-approval is carried out and related steps taken at the expense of the manufacturer, the manufacturer's official representative or the importer of the vehicle or product.

(5) The procedure, conditions and requirements for type-approval and single vehicle approval will be established by a regulation of the Minister of Economic Affairs and Communications.

(6) A state fee must be paid for type-approval steps and single vehicle approval.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

#### **§ 79. Reconstruction of registered power-driven vehicle or their trailer**

(1) The reconstruction of a registered power-driven vehicle or its trailer will be authorised by the Road Administration.

(2) A reconstructed power-driven vehicle and its trailer must comply with the technical requirements in force.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) After the reconstruction of a power-driven vehicle or its trailer, a technical expert analysis of the reconstructed vehicle or its trailer will be carried out by the Road Administration. The Road Administration may involve experts in the expert analysis. The expert analysis and the related steps will be taken at the expense of the manufacturer, the manufacturer's official representative or the importer of the vehicle or product.

(4) The conditions of reconstruction of registered power-driven vehicles and procedure for authorisation of reconstruction will be established by a regulation of the Minister of Economic Affairs and Communications. [RT I, 31.12.2010, 3 - entry into force 01.07.2011]

#### **§ 80. Maximum permissible dimensions, mass and axle load of vehicle, road train and machine train**

(1) The laden mass of a vehicle must not exceed the permissible maximum mass and the load of any of the axles must not exceed the figure determined upon registration.

(2) If any of the dimensions or the mass or axle load of a laden or unladen vehicle exceeds the established figures, the vehicle may be operated in accordance with the procedure established in § 35 of the Roads Act.

(3) The maximum permissible dimensions of laden or unladen vehicles, road trains and machine trains and the permissible maximum mass and axle loads of vehicles, road trains and machine trains will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 81. Insurance of liability arising from using vehicle**

(1) A vehicle is subject to compulsory insurance in accordance with the Motor Third Party Liability Insurance Act.

(2) A register entry for a vehicle registered in the traffic register will be made only if the vehicle has a valid motor third party liability insurance policy. A valid motor third party liability insurance policy is not required for deleting a vehicle from the traffic register or for vehicles in possession of the Estonian Defence Forces, Estonian Defence League, Security Police Board and police authorities where one of the aforementioned authorities is the designated owner of the vehicle according to the registration certificate.

#### **§ 82. Racing car**

(1) A racing car is a motor vehicle that is intended to be used only for training or participation in motorsport events and that complies with the regulations of the International Automobile Association (FIA) or the Estonian Autosport Union.

(2) A racing car can only participate in traffic in connection with the motorsport events and training sessions registered with the Estonian Autosport Union and in compliance with the event or training regulations and in concordance with the event organiser. A racing car may be only driven in traffic by a person holding a driving permit issued by the Estonian Autosport Union.

#### **§ 83. Vintage vehicle**

(1) A vintage vehicle is a vehicle that reflects the development of research or engineering, is of cultural and historical value and of interest to collectors or museums and that was manufactured at least 35 years ago.

(2) In order to be classified as a vintage vehicle, a vehicle must be approved as a vintage vehicle.

(3) Approval as a vintage vehicle means verifying that the vehicle to be classified as a vintage vehicle complies with the technical and originality requirements.

(4) Approval as a vintage vehicle is carried out by two specialists appointed by at least five vintage vehicle clubs and approved by the Road Administration who will issue a certificate of approval as a vintage vehicle. Approval as a vintage vehicle, the issue of an approval certificate and all related steps are taken at the expense of the owner of the vehicle or the applicant.

(5) The procedure for approval, registration and roadworthiness testing of vintage vehicles and the technical requirements for vintage vehicles and requirements for the equipment thereof will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 84. Emergency response vehicle**

(1) An emergency response vehicle is:

1) a vehicle and off-road vehicle used to perform urgent functions or official duties or duties whereby it is necessary to warn other road users of the presence of such vehicles (hereinafter *emergency vehicle*);

2) a vehicle used to perform road management duties and unavoidable official duties on roads (hereinafter *maintenance vehicle*);

3) a vehicle and off-road vehicle used by an official of a surveillance agency or of agency administered by it upon taking a surveillance step or by an official of a security authority officials upon engaging in covert information gathering specified in the Security Authorities Act (hereinafter *surveillance vehicle*).

(2) If the blue flashing lamp of an emergency vehicle is switched on, whether with or without a siren, the driver of the vehicle may derogate from the requirements specified in Chapter 2 of this Act upon performing their duties, except from the requirements specified in §§ 69 and 70.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) The driver of a surveillance vehicle may deviate from the requirements specified in Chapter 2 of this Act without using the siren upon performing their duties, except from the requirements specified in §§ 69 and 70.

(4) If the yellow flashing lamp of a maintenance vehicle is switched on, the driver of the vehicle, upon performing their duties, may deviate from the requirements specified in subsection 14 (1), § 20, § 45 and subsection 48 (6) of this Act and from the requirements of traffic signs, except for priority signs and signs for speed limit, and the requirements of road markings.

(5) The driver of an emergency response vehicle must ensure that traffic safety is maintained when the rights specified in this section are exercised.

(6) The list of emergency response vehicles, the procedure for their identification and the applicable traffic rules will be established by the Government of the Republic.

#### **§ 85. Requirements for vehicles belonging to Estonian Defence Forces and Estonian Defence League**

(1) A power-driven vehicle, off-road vehicle and their trailers belonging to the Estonian Defence Forces and the Estonian Defence League must be registered in accordance with the established procedure, passed a roadworthiness test and have state registration plates.

(2) The procedure for registration and roadworthiness testing of vehicles and their trailers belonging to the Estonian Defence Forces and the Estonian Defence League and the technical requirements for power-driven vehicles, off-road vehicles and their trailers will be established by a regulation of the Minister of Defence.

(3) The Logistics Centre of the Estonian Defence Forces is the competent authority for type#approval of vehicles belonging to the Estonian Defence Forces and the Estonian Defence League.

#### **§ 86. Requirements for animal-drawn vehicle**

(1) An animal-drawn vehicle must have a stopper or brake to prevent the vehicle from rolling or a parking device.

(2) An animal-drawn vehicle exceeding one metre in width must be fitted with a marking sign for a slow-moving vehicle to the rear and two red reflex-reflectors fitted close to the outer edges of the vehicle.

(3) An animal-drawn vehicle exceeding one metre in width must show a white light to the front and a red light to the rear when moving at night-time or in poor visibility. These lights may be replaced by a single lamp placed on the left side of the vehicle with white light to the front and red light to the rear.

(4) Animal-drawn vehicles not exceeding one metre in width must have a red reflex-reflector placed at the rear near the left side, but when moving on the carriageway at night-time must carry the same marking as specified in subsection (3) of this section.

#### **§ 87. Requirements for cycle, segway and mini moped**

(1) A cycle and a mini moped must:

- 1) have a break and a bell that are in a working order;
- 2) be fitted with a white light to the front and a red light to the rear and a yellow or white reflex-reflector fitted on both sides of at least one wheel.

(2) A segway must have:

- 1) a bell;
- 2) a white light to the front and a red light to the rear and a yellow or white reflex-reflector on the outside of both wheels;
- 3) a device to prevent spontaneous movement;
- 4) a speedometer.

(3) At night-time or in poor visibility, a cycle, a segway and a mini moped is required to have a white light on the front and red at the rear while driving.

(4) The maximum permissible width for two-wheeled cycles is 0.8 metres and the maximum permissible width for cycles with three or more wheels is 1.25 metres. Cycles may tow uni#axial trailers with the maximum mass of 50 kilograms.

(5) A mini moped and a segway have to comply with the technical requirements established by the manufacturer.

## **Chapter 4**

# **DRIVING POWER-DRIVEN VEHICLE**

## **Division 1**

### **Acts Relating to Driving Power-driven Vehicle**

#### **§ 88. Documents required of driver of power-driven vehicle**

(1) When driving a power-driven vehicle, the driver must carry a driving licence or another document certifying their right to drive, the registration certificate of the power-driven vehicle and the registration certificate of its trailer or a copy of the registration certificate of the trailer that is certified by the agency that issued the certificate and other documents required by law.

(2) If the driver carries an identity document, it is not mandatory to carry a driving licence issued in Estonia while driving in the territory of Estonia.

(3) If the driver carries an identity document, it is not mandatory to carry the registration certificate of the power-driven vehicle and its trailer if the driver has been entered in the traffic register as the owner, authorised user or a user; or if the owner, authorised user or a user is a passenger in the vehicle.

(4) If the driver wishes to leave Estonia to enter a non-European Union state in a power-driven vehicle that is registered in Estonia or in a truck that is registered in Estonia and that has a maximum mass of 3500 kilograms and their name is not entered on the registration certificate of the power-driven vehicle as the user of the vehicle, the driver must, in addition to the documents specified in subsection (1) of this section, carry an officially certified authorisation document issued by the owner of the vehicle, unless the owner or the person entered on the registration certificate as a user is a passenger in the vehicle.

(5) The written authorisation document specified in subsection (4) of this section may be substituted by a commercial lease contract of the power-driven vehicle if the owner and the commercial lessor of the power-driven vehicle are legal persons who are entered in the Estonian commercial register and whose activities, as specified in their articles of association, include the commercial leasing of power-driven vehicles. The commercial lease contract must contain the information specified in subsection 89 (1) of this Act.

(6) Upon carriage of goods, the driver of a vehicle must, in addition to the documents specified in this section, carry the accompanying documents and, upon carriage of special goods, carry a certificate issued to the driver in accordance with the Road Transport Act to certify that the driver has undergone respective training and that the power-driven vehicle is permitted to carry special goods.

(7) A person specified in subsections 95 (2) and (3) of this Act who is in a category B motor vehicle next to the driver with the limited right to drive or who is in the immediate vicinity of a category T power-driven vehicle driven by a driver with the limited right to drive, must carry a driving licence certifying that they have the right to drive power-driven vehicles of the respective category.

(8) A person who drives a power-driven vehicle in accordance with subsections 109 (1) and (2) of this Act must carry a learner's form or learner's certificate and an identity document during driving lessons.

(9) If a person specified in subsection 109 (1) of this Act and an instructor specified in subsection 109 (2) of this Act does not hold a driving licence issued in Estonia, they must carry a driving licence issued in a foreign state specified in subsection 99 (1). The right to train or instruct the driver of a power-driven vehicle is certified based on traffic register data.

(10) When requested by an inspector, the driver of a power-driven vehicle with a mandatory tachograph must present a tachograph card, a driver card or other documents relating to the Council Regulation (EEC) No 3821/85 on recording equipment in road transport ( OJ L 370, 31.12.1985, pp 8–21) to the extent and on the conditions laid down in Article 15.

#### **§ 89. Document authorising use of power-driven vehicle and its trailer**

(1) A document authorising the use of a power-driven vehicle and its trailer must contain the following information:

- 1) the place and date of issue;
- 2) the given name, surname and address of the owner of the power-driven vehicle or its trailer;
- 3) the make and model of the power-driven vehicle or its trailer, and the vehicle identification number;
- 4) the number of the registration certificate and the state registration plate;
- 5) the name and address of the user of the vehicle and the number of their driving licence, date of birth or personal identification code.

6) the period of validity of the authorisation document.

(2) The owner's signature on the authorisation document must be officially authenticated or notarised.

### **§ 90. Prohibition to drive power-driven vehicle**

(1) A person must not drive a power-driven vehicle if:

- 1) they do not have the right to drive power-driven vehicles of the respective category or subcategory;
- 2) they do not meet the requirements established for the driver and the power-driven vehicle or those specified on the driving licence; or
- 3) they have been removed from driving a vehicle in accordance with § 91 of this Act.

(2) The owner, possessor or driver of a power-driven vehicle must not permit a person who does not have the right to drive power-driven vehicles of the respective category, who is in the state of intoxication, in a state exceeding the maximum permitted level of alcohol in the bloodstream or whose state of health is hazardous to road safety to drive the power-driven vehicle and must not entrust the driving of the power-driven vehicle to such person.

### **§ 91. Removal from driving vehicle**

(1) Removal from driving a vehicle is a decision taken by a traffic supervision official, which involves the prohibition of driving until the grounds for prohibition cease to exist.

(2) A driver will be removed from driving a vehicle if:

- 1) there is sufficient reason to believe that they used narcotic drugs or psychotropic substances or other substances with similar effect;
- 2) there is sufficient reason to believe that the alcohol level in their bloodstream or breath exceeds the established limit or they are in a state of intoxication;
- 3) they do not have the right to drive power-driven vehicles of the respective category;
- 4) they do not have the right to drive the respective vehicle;
- 5) it is prohibited to continue the journey with the power-driven vehicle due to a failure of the power-driven vehicle, the level of pollutants in its exhaust emissions, its noise level or another deficiency;
- 6) their driving licence is sent for expert assessment due to evident signs of falsification;
- 7) there is sufficient reason to believe that their state of health does not comply with the established requirements;
- 8) the driver of a power-driven vehicle with a tachograph has not complied with the rest requirements provided for in § 130 of this Act;
- 9) they have violated the requirements for transporting highly hazardous goods.

(3) A decision to remove a driver from driving a vehicle must set out the following:

- 1) the time and place of the decision;
- 2) the name and address of the agency of the official that made the decision;
- 3) the position, given name and surname of the official who made the decision;
- 4) the given name and surname and the personal identification code or date of birth of the driver;
- 5) the address of the driver;
- 6) the type, model and registration plate of the vehicle;
- 7) the grounds for the removal from driving a vehicle specified in subsection (2) of this section, the time it commences and the conditions for its termination. In the event of seizure of registration plates, a note is made on the decision indicating the place for their return;
- 8) the signature of the person who drew up the decision.

(4) The decision will take effect as of making it.

(5) The decision to remove a driver from driving a vehicle must be drawn up in two original copies of which one will be given to the driver. The other one will be signed and dated by the driver to confirm receipt. If the driver refuses to sign it or is in such a state of intoxication or medical condition that they are unable to sign it, a respective entry will be made in the decision to remove the driver from driving.

(6) A decision to remove a driver from driving a vehicle may be appealed in accordance with the Administrative Procedure Act.

### **§ 92. Impoundment of vehicle**

(1) A vehicle whose driver is removed from driving will be towed to a guarded storage facility or a police authority if it is impossible to hand the vehicle over to the owner or the possessor on site.

(2) A vehicle may also be towed to a guarded storage facility if the vehicle is parked:

- 1) in such a way that it constitutes a hazard to other road users or significantly disturbs traffic;

- 2) in such a way that it damages the road or a green area;
- 3) in a place where parking is prohibited and in such a way that it disturbs the repair and maintenance of the road, a green area, buildings or structures;
- 4) on a parking place designated for disabled people without a parking card issued to a vehicle servicing people with a mobility disability or blind people;
- 5) on a sidewalk, traffic island or central reserve, except in parking spaces indicated by a traffic control device;
- 6) in an entrance to an area bordering a calm traffic area and a road, also in the garage entrance preventing the use of a garage;
- 7) in an area where the panel indicating an area designated as a towing zone applies;
- 8) in the lane reserved for public transport vehicles.

(3) Clause 5) of subsection (2) of this section does not apply to cycles.

(4) The guarded storage facility specified in subsection (2) of this section is specified by the local authority.

(5) In the events provided for in subsection (2) of this section, the police authority and the local authority have the right to tow away the vehicle.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(5<sup>1</sup>) In the events provided for in subsection (2) of this section, the owner of a private road has the right to demand that the police authority or the local authority have a vehicle towed away.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(6) A vehicle specified in subsection (2) of this section can only be towed away if the owner, possessor or their representative is not present or there are no passengers in the vehicle or when the parties are unable or refuse to remove the obstacle or hazard caused by the illegally parked vehicle.

(7) A report will be prepared concerning the towing of a vehicle and placement of the vehicle in a guarded storage facility and the report must set out the following:

- 1) the type, make, state registration plate and special features of the vehicle placed in the guarded storage facility and a list of anything visibly missing from or any visible damage to the vehicle;
- 2) the position, given name, surname and signature of the official who made the decision to tow and organised the towing;
- 3) the name, address and telephone number of the person who placed the vehicle in the guarded storage facility and the given name and surname of the person who carried out the placement;
- 4) the address of the storage facility in which the vehicle is placed;
- 5) the date and time of drawing up the report;
- 6) the position, given name and surname of the person who received the vehicle at the storage facility and a list of anything visibly missing from or any visible damage to the vehicle;
- 7) the signature of the person who received the vehicle in the storage facility.

(8) The report indicated in subsection (7) of this section will be prepared in three original copies of which one will be given to the official who made the decision to place the vehicle in a storage facility, one will be retained by the company that organised the placement and one will be retained in the storage facility of the vehicle.

(9) A vehicle will be returned to the owner or a representative thereof promptly after payment of the costs of the arrival of the tow truck, towing and storing the power-driven vehicle. Placing a power-driven vehicle on a tow truck is also deemed as towing.

(10) A company that tows or stores a vehicle is liable for any damage caused during towing or storage of the vehicle.

(11) In the events set out in clause 91 (2) 5) of this Act, the use of a vehicle may be prohibited by means of seizure of the registration plates thereof.

(12) The costs of transporting a vehicle to a guarded storage facility or police authority and the costs of storing and guarding the vehicle there must be compensated by the driver, owner or possessor of the vehicle in accordance with the procedure and at the rates established in subsection (14) of this section. Upon establishment of the rates on the basis of subsection (14) of this section, it must be taken into account that the person towing the vehicle away or the person organising the keeping and guarding of the vehicle in a guarded storage facility must be able to bear the direct expenses relating to the service, the capital expenditure and a proportional part of the overheads and make a reasonable operating profit. The police will be informed immediately and the owner or possessor of a power-driven vehicle or their representative will be informed in writing of the transportation of the vehicle to a storage facility or police authority.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(13) The driver, owner or possessor of a vehicle will be released from compensating for the costs specified in subsection (12) of this section if their actions do not comprise the elements of an offence.

(14) The costs of transporting a vehicle to the guarded storage facility or police authority and the costs of storing and guarding the vehicle there and the reimbursement arrangements will be established by a regulation of the Government of the Republic.

## **Division 2**

### **Right to Drive Power-driven Vehicle**

#### **§ 93. Categories of power-driven vehicles**

(1) In terms of the right to drive, power-driven vehicles and road trains are divided into main categories and subcategories.

(2) The main categories for power-driven vehicles, road trains and machine trains are as follows:

- 1) AM – moped;
- 2) A – motorcycle;
- 3) B – motor vehicle with maximum mass not exceeding 3500 kilograms and with no more than eight seats in addition to the driver’s seat; the same motor vehicle coupled with a light-weight trailer or with a trailer that is not a light-weight trailer and where the maximum mass of the road train does not exceed 3500 kilograms; the same motor vehicle with a trailer of maximum mass exceeding 750 kilograms and where the maximum mass of the road-train exceeds 3500 kilograms but does not exceed 4250 kilograms, provided that the right to drive such a motor vehicle and trailer combination has been obtained after passing a relevant driving test;  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]
- 4) BE – road train that consists of a category B motor vehicle and a trailer or a semi-trailer with a maximum mass not exceeding 3500 kilograms;
- 5) C – motor vehicle that does not belong to category D or subcategory D1, has a maximum mass of more than 3500 kilograms and has been designed and constructed to carry up to eight passengers in addition to the driver; the same motor vehicle coupled with a light trailer;
- 6) CE – road train consisting of a category C motor vehicle and its trailer or semi-trailer with a maximum mass exceeding 750 kilograms;
- 7) D – motor vehicle that has been designed and constructed to carry more than eight passengers in addition to the driver; the same motor vehicle coupled with a light trailer;
- 8) DE – road train consisting of a category D motor vehicle and its trailer with a maximum mass exceeding 750 kilograms;
- 9) T – tractor, mobile machinery and machine train.

(3) The subcategories for power-driven vehicles and road trains are as follows:

- 1) A1 – motorcycle with an engine capacity not exceeding 125 cubic centimetres and engine power not exceeding 11 kilowatts or a motorcycle with a power and weight ratio not exceeding 0.1 kilowatts per kilogram. A three-wheel power-driven vehicle with symmetrically arranged wheels and with an engine power not exceeding 15 kilowatts is also an A1 subcategory power-driven vehicle;
- 2) A2 – motorcycle with engine power not exceeding 35 kilowatts or with power to weight ratio not exceeding 0.2 kilowatts per kilogram and that has not been modified from a vehicle with an engine capacity at least twice the amount;  
[RT I, 31.12.2010, 3 - entry into force 19.01.2013]
- 3) B1 – four-wheel vehicle that is not a moped and whose unladen mass exceeds 350 kilograms but not 400 kilograms or 550 kg for vehicles for transporting goods and net power no higher than 15 kilowatts. In the event of the unladen mass of vehicles with an electric actuator, the battery mass must not be taken into account;  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]
- 4) C1 – motor vehicle that does not belong to category D and with a maximum mass exceeding 3500 kilograms but not exceeding 7500 kilograms and that has been designed and constructed to carry up to eight passengers in addition to the driver; the same motor vehicle with a light trailer;
- 5) C1E – road train consisting of a subcategory C1 motor vehicle and its trailer or semi-trailer with a maximum mass exceeding 750 kilograms, provided that the combined maximum mass of the traction unit and the trailer or semi-trailer does not exceed 12 000 kilograms; road train consisting of a category B motor vehicle and its trailer or semi-trailer with maximum mass exceeding 3500 kilograms, provided that the combined permissible maximum mass of the traction unit and the trailer or semi-trailer does not exceed 12 000 kilograms;
- 6) D1 – motor vehicle that has been designed and constructed to carry up to 16 passengers in addition to the driver and with a length not exceeding eight metres; the same motor vehicle with a light trailer;
- 7) D1E – road train consisting of a subcategory D1 motor vehicle and its trailer with a maximum mass exceeding 750 kilograms.

#### **§ 94. Right to drive**

(1) A power-driven vehicle may be driven by a person who has the right to drive power-driven vehicles of the respective category and whose right to drive has not been suspended, withdrawn or revoked or who has not been removed from driving.

(2) Power-driven vehicles of the AM category may also be driven by a person who has the right to drive any power-driven vehicle or the limited right to drive. A person born prior to 1 January 1993 is not required to have the right to drive or the limited right to drive power-driven vehicles of the AM category. A person who was

16–17 years of age at the time of entry into force of this is not required to have the right to drive power-driven vehicles of the AM category until 1 January 2013.

(3) A person with the right to drive power-driven vehicles of category A may also drive power-driven vehicles of subcategories A1 and A2.

(4) A person with the right to drive power-driven vehicles of category B may also drive power-driven vehicles of subcategory B1 and three-wheeled vehicles with symmetrically arranged wheels, which are of subcategory A1.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(5) A person with the right to drive power-driven vehicles of category C may also drive power-driven vehicles of subcategory C1.

(6) A person with the right to drive power-driven vehicles of category D may also drive power-driven vehicles of subcategory D1.

(7) A person with the right to drive road trains of categories CE and DE and subcategories C1E and D1E may also drive road trains of category BE. A person with the right to drive road trains of category CE may also drive road trains of category DE if the driver holds the right to drive power-driven vehicles of category D.

(8) A person with the right to drive road trains of subcategory C1E may also drive road trains of subcategory D1E if the driver holds the right to drive power-driven vehicles of subcategory D1.

(9) A person with the right to drive road trains of category DE may also drive road trains of subcategory C1E if the driver holds the right to drive power-driven vehicles of subcategory C1.

(10) Power-driven vehicles of category T and machine trains with the maximum mass not exceeding 8000 kilograms may also be driven by a person who has the right to drive power-driven vehicles of categories B, C or D or subcategories C1 or D1.

(11) Power-driven vehicles of category T and machine trains with the maximum mass not exceeding 18 000 kilograms may also be driven by a person who has the right to drive road trains of category BE or power-driven vehicles of subcategories C1 or D1 or a person who received the right to drive power-driven vehicles of category B prior to the entry into force of this Act.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(12) Power-driven vehicles of category T and machine trains may also be driven by a person who has the right to drive road trains of categories CE or DE or subcategories C1E or D1E.

#### **§ 95. Limited right to drive**

(1) The limited right to drive is the right of a person who is younger than persons provided for in subsection 103 (1) of this Act to drive power-driven vehicles in the events and in accordance with the procedure provided for in this section.

(2) The limited right to drive power-driven vehicles of category B may be granted to a person of 16 to 17 years of age on the condition that their legal guardian or a person authorised by the legal guardian is next to them in the motor vehicle. Such person must have held the right to drive power-driven vehicles of category B for at least two years and must not be in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream.

(3) The limited right to drive power-driven vehicles of category T may be granted to a person of at least 15 years of age on the condition that the maximum mass of the vehicle with or without a trailer does not exceed 8000 kilograms. A person with the limited right to drive may drive power-driven vehicles of category T on the condition that they do not carry goods on roads and that the driving takes place under the direct supervision of their legal guardian or a person authorised by the legal guardian in writing. Such person must have held a driving licence certifying the right to drive power-driven vehicles of category T for at least two years and must not be in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream.

(4) A motor vehicle that is driven by a person with the limited right to drive must display a novice driver's badge on the front and at the rear of the motor vehicle in a visible position.

(5) In the event of the legal guardian specified in subsections (2) and (3) of this section or a person authorised in writing by the legal guardian, the required period of holding the relevant licence does not include the period in which they held a licence with the limited right to drive or a provisional licence.

#### **§ 96. Documents certifying right to drive**

(1) The driver of a power-driven vehicle must have a valid document certifying their right to drive. A document certifying the right to drive is a provisional driving licence, a driving licence, temporary driving licence, a

driving licence with the limited right to drive specified in § 95 of this Act, an international driving licence issued by a competent authority along with an internal driving licence or, in the events provided by law, a document substituting a driving licence. A person may hold only one valid document certifying their right to drive.

(2) The right to drive is established by the traffic register or a document specified in subsection (1) of this section. The data of the traffic register will be relied on if, according to the data of the traffic register, the right to drive of the driver of a power-driven vehicle has suspended, has been suspended or, as a penalty, has been withdrawn in accordance with law.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) A driving licence is not required for driving a pedestrian-controlled power-driven vehicle. Driving a power-driven vehicle that has a driver's seat is not considered pedestrian-controlled driving.

(4) A duly filled-in learner's form along with authorisation to travel on roads certifies the right of a learner-driver to drive a power-driven vehicle during a driving lesson on the conditions specified in subsection 109 (1) of this Act and a learner's form or learner's certificate certifies the right of a learner-driver to drive a power-driven vehicle during driving practice on the conditions specified in subsection (2).

(5) The right of an examinee to drive a power-driven vehicle during a driving test is established by the traffic register or by a driving test report.

(6) A learner's licence drawn up in accordance with subsection 106 (2) of this Act certifies that a person who has obtained the right to drive has the right to drive a power-driven vehicle until they receive a provisional driving licence.

(7) The Road Administration will issue a temporary driving licence to a person whose right to drive has not been suspended, withdrawn or revoked while a driving licence is being prepared or in other reasoned events. A temporary driving licence grants the right to drive power-driven vehicles only in Estonia.

(8) The forms, technical specifications and the list of data entered on driving licences, international driving licences, temporary driving licences, driving licences with the limited right to drive, provisional licences specified in subsection (1) of this section and of the documents certifying the right to drive specified in subsections (4) to (6) of this section will be established by a regulation of the Minister of Economic Affairs and Communications.

(9) A state fee is payable for issuing or replacing a driving licence.

### **§ 97. Terms of driving licences**

(1) [Omitted from this text.]

[RT I, 31.12.2010, 3 – entry into force 01.07.2011 – in force until 18.01.2013]

(2) A provisional driving licence is valid for up to two years.

(3) A driving licence with the limited right to drive a power-driven vehicle of category B is valid until the owner of the driving licence becomes 18 years old.

(4) A driving licence with the limited right to drive a power-driven vehicle of category T whose maximum mass with or without a trailer does not exceed 8000 kilograms is valid until the owner of the driving licence reaches 16 years of age.

(5) A temporary driving licence is valid for up to two months.

(6) An international driving licence is valid for up to three years.

(7) A driving licence for power-driven vehicles of categories AM, A, B and T and subcategories A1, A2 and B1 and road trains of category BE is valid for ten years.

[RT I, 31.12.2010, 3 - entry into force 19.01.2013]

(8) A driving licence for power-driven vehicles of categories C and D and subcategories C1 and D1 and road trains of categories CE, DE, C1E and D1E is valid for five years.

[RT I, 31.12.2010, 3 - entry into force 19.01.2013]

### **§ 98. Issue, replacement and revocation of provisional driving licence and driving licence**

(1) Provisional driving licences and driving licences are issued, replaced and revoked by the Road Administration.

(2) Provisional driving licences and driving licences are issued within ten working days as of the day after which the respective test was passed or an application for replacement of the driving licence was submitted.

(3) Provisional driving licences and driving licences are not issued to persons whose right to drive has been suspended or withdrawn in accordance with § 125 of this Act or whose right to drive has been withdrawn by a competent authority of a Member State of the European Union and the respective decision has been forwarded to the Road Administration.

(4) If an applicant for a provisional driving licence does not collect their provisional driving licence within 12 months as of the date of commencement of validity of the provisional driving licence, a new provisional licence will be issued only if the person successfully passes the theory test and driving test required for obtaining the right to drive.

(5) If the holder of a provisional driving licence does not obtain a full driving licence for the respective category of power-driven vehicle or road train within 12 months as of the expiry of the provisional driving licence, they must re-apply for a provisional driving licence and successfully pass the theory test and driving test required for obtaining the provisional driving licence.

(6) A provisional driving licence and driving licence is revoked:

- 1) upon revocation of the right to drive;
- 2) if the driving licence has been lost, damaged or stolen;
- 3) if the person has given false information when applying for the provisional driving licence or the driving licence or has obtained the provisional driving licence or the driving licence by fraud;
- 4) if a new driving licence has been issued to the person;
- 5) if a foreign driving licence has been issued to the person;
- 6) if the person has not surrendered the driving licence and there are grounds in accordance with subsection 128 (2) of this Act to revoke the driving licence; or
- 7) if the person has not collected it within 12 months as of the date on which the grounds for the issue of the provisional driving licence arose.

#### **§ 99. Driving licence issued in foreign state**

(1) Estonia recognises:

- 1) a driving licence issued in a member state of the European Economic Area or in the Swiss Confederation;
- 2) a driving licence issued in a contracting state of the 1968 Vienna Convention on Road Traffic which complies with the Convention;
- 3) a driving licence issued in a contracting state of the 1949 Geneva Convention on Road Traffic together with an international driving licence;
- 4) a foreign driving licence issued in a state that has an international agreement with Estonia on mutual recognition of driving licences.

(2) The driving licences of members of the armed forces of foreign states and their dependants who are in the territory of the Republic of Estonia are recognised in accordance with the procedure provided for in the International Military Cooperation Act. A document certifying the right to stay in the territory of the Republic of Estonia for the purpose of military cooperation must be submitted together with a driving licence issued in a foreign state.

[RT I, 01.06.2013, 1 - entry into force 01.07.2013]

(3) The driving licences of foreign diplomatic representatives, consular agents and representatives of special missions and international organisations accredited to Estonia and of members of the administrative, support and household staff of a foreign diplomatic representation, consular post, representatives of special missions or an international organisation, and also a driving licence of a family member of a member of such staff who is not a citizen of Estonia or who does not hold a residence permit in Estonia, are valid in Estonia even if the licence does not correspond to the requirements provided for in subsection (1) of this section, provided that a diplomatic or service card issued by the Minister of Foreign Affairs is submitted together with the licence.

(4) The driving licence specified in subsections (1), (2) and (3) of this section is only valid on the condition that the state that issued the driving licence has not suspended, withdrawn or revoked the person's right to drive.

(5) The driving licence issued in a state specified in clause 1) of subsection (1) this section is valid until the end of the period of validity stated on the licence. If the period of validity of the driving licence is longer than ten years, it must be replaced with an Estonian driving licence within 24 months as of the date on which residence permit was issued or on which the person took up residence in Estonia. The residence in Estonia and the validity of the residence permit is determined on the basis of the population register. If the driving licence specified in clause 1) of subsection (1) of this section has expired or if the person has not replaced it within 24 months as of the date on which the person settled in Estonia, it will be replaced with an Estonian driving licence after the person has successfully passed the theory test and driving test. The replaced driving licence will be surrendered to the Road Administration.

(5<sup>1</sup>) [Omitted from this text.]

[RT I, 31.12.2010, 3 – entry into force 01.07.2011 – in force until 18.01.2013]

(6) A proper driving licence of a person who has taken up permanent residence in Estonia, which licence has been specified in clause 2) of subsection (1) of this section, will be valid for 12 months as of taking up permanent residence in Estonia; the driving licence will be replaced with an Estonian driving licence without taking any tests. The driving licence to be replaced must be surrendered to the Road Administration. If the driving licence has not been replaced within five years after the date of expiry indicated on it, the driving licence will be replaced with an Estonian driving licence after passing the traffic theory test and the driving test. The Road Administration has the right to demand an international driving licence or an official translation of the driving licence.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(6<sup>1</sup>) A proper driving licence of a person who has taken up permanent residence in Estonia, which licence has been specified in clause 3) of subsection (1) of this section, will be valid for 12 months as of taking up permanent residence in Estonia; the driving licence will be replaced with an Estonian driving licence after passing the traffic theory test and the driving test. The driving licence to be replaced must be surrendered to the Road Administration. If a driving licence has not been replaced within five years after the date of expiry indicated on it, an Estonian driving licence may be applied for in accordance with the procedure provided for in § 98 of this Act.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(7) Driving licences issued in states that have an international agreement of mutual recognition of driving licences with Estonia is replaced in accordance with terms and conditions specified in the international agreement.

(8) Valid driving licences specified in subsection (1) of this section are be replaced with Estonian driving licences, provided that the person's right to drive has not been suspended, withdrawn or revoked in the state that had issued the driving licence or in Estonia.

## **Division 3**

### **Granting Right to Drive Power-driven Vehicle**

#### **§ 100. General requirements for granting right to drive power-driven vehicle**

(1) The right to drive a power-driven vehicle is granted to a person whose permanent residence is in Estonia, whose age and state of health comply with the requirements in force and who has obtained the qualification of a power-driven vehicle driver.

(2) For the purposes of this Act, permanent residence means a place where a person usually lives at least 185 days in each calendar year because of personal and occupational ties. Permanent residence is proven by the data of the population register.

(3) In order to obtain the qualification of a power-driven vehicle driver, the applicant for the right to drive must complete the training prescribed on the basis of subsection (6) of this section and the first aid training prescribed in accordance with subsection (8) of this section and successfully pass a theory test and driving test in accordance with the procedure prescribed in subsection (7) of this section. A theory test is not required in the events specified in subsections 107 (2) and 107 (3) of this Act for upgrading from driving a lower-category motorcycle to driving a higher-category motorcycle, when the right to drive is granted after a successful completion of the driving test.

(4) The Road Administration organises theory tests and driving tests, approves examination results and grants the right to drive power-driven vehicles.

(5) The requirements for the knowledge, skills and behaviour of drivers of power-driven vehicles will be established by a regulation of the Minister of Economic Affairs and Communications.

(6) The conditions of and procedure for training drivers of power-driven vehicles, including curricula, will be established by a regulation of the Minister of Economic Affairs and Communications.

(7) The procedure for testing drivers of power-driven vehicles and granting the right to drive and requirements for driving test vehicles will be established by a regulation of the Minister of Economic Affairs and Communications.

(8) Requirements for first aid training and first aid testing of drivers of power-driven vehicles, for the first-aid teaching aids and curriculum will be established by a regulation of the Minister of Social Affairs.

(9) A state fee must be paid for testing a power-driven vehicle driver.

## **§ 101. Medical examination of driver of power-driven vehicle and applicant for right to drive**

(1) The state of health of a power-driven vehicle driver and applicant for the right to drive must comply with the medical requirements established in accordance with subsection (10) of this section. Compliance with the medical requirements is proven by a medical certificate issued by the person who carried out the medical examination.

(2) An applicant for the right to drive must, no sooner than six months before the start of driver training, pass a medical examination and a power-driven vehicle driver must regularly pass a medical examination in the course of which the state of health of the person undergoing the medical examination and their suitability to drive a power-driven vehicle is determined.

(3) A power-driven vehicle driver must pass a medical examination once every ten years, upon replacing their driving licence or upon arrival of the due date of the next medical examination. If the due date of the next medical examination arrives up to six months before the date of expiry of the driving licence, the medical examination must be undergone not later than on the date of expiry of the driving licence.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(4) A medical examination must be passed once in five years by:

1) a driver of power-driven vehicles of categories A, B and BE and their subcategories who is over 65 years of age;

2) a driver of power-driven vehicles of categories C, CE, D and DE and their subcategories, a driver of tractors and mobile machinery of category T, a driver of taxis of category B, a driver of emergency vehicles of category A and B and a driving instructor who is over 50 years of age.

(5) By a decision made by the person conducting the medical examination and depending on the state of health of the power-driven vehicle driver, the driver may have to pass a medical examination more frequently than specified in subsections (3) and (4) of this section.

(6) In events other than those specified in subsections (2) to (5) of this section, a power-driven vehicle driver must pass a medical examination:

1) if they are in a state of health that is hazardous to road safety as established in accordance with § 70 of this Act and they have been removed from driving a vehicle in accordance with § 91 of this Act;

2) at the request of a medical doctor if it is determined in the course of a medical examination that the driver's state of health does not comply with the established medical requirements.

(7) The person who conducts a medical examination may determine, if necessary, a special condition of the right to drive, on the basis of the state of health of the power-driven vehicle driver and the applicant for right to drive. A special condition of the right to drive means that due to the person's state of health, the driving of power-driven vehicles is allowed if a special requirement or restriction is followed.

(8) Upon arrival of the due date for the next medical examination of a power-driven vehicle driver, the right to drive power-driven vehicles will be suspended if the person fails to submit a new medical certificate to the Road Administration by the due date at the latest.

[RT I, 31.12.2010, 3 - entry into force 19.01.2013]

(9) Thirty days before the due date for the next medical examination, the Road Administration will, with the consent of the person in question, send to the person's mobile telephone number or electronic mail address given by them, a message that the person's right to drive will be suspended on the due date for the next medical examination, unless the person submits a new medical certificate to the Road Administration no later than on the said due date, and that they will need to submit a new medical certificate to the Road Administration for restoring their right to drive.

10) The forms of medical certificates and medical requirements for drivers of power-driven vehicles and applicants of right to drive, including medical contraindications that prohibit driving of a power-driven vehicle, will be established by a regulation of the Government of the Republic.

## **§ 102. Medical examination**

(1) The medical examination of drivers of and applicants for the right to drive power-driven vehicles of categories A, B, BE, C and CE and their subcategories, except for taxis of category B and emergency vehicles of categories A, B and C and tractors and machine trains of category T, is carried out by a family doctor.

(2) The medical examination of drivers of and applicants for the right to drive power-driven vehicles of category D and DE and their subcategories, taxis of category B and emergency vehicles of categories A, B and C and driving instructors is carried out by a traffic medicine committee that operates on the basis of an activity licence granted to a provider of health care services (hereinafter *traffic medicine committee*).

(3) The traffic medicine committee comprises at least three medical specialists: an optometrist, a neurologist and an internist.

(4) The family doctor or the traffic medicine committee must forward the data of the medical certificate of a power-driven vehicle driver and an applicant for the right to drive to the Road Administration in real time via the health information system.

[RT I, 05.12.2012, 1 - entry into force 19.01.2014]

(5) The cost of medical examination referred to in subsection 101 (2) of this Act will be paid for by the applicant for the right to drive or the power-driven vehicle driver. The cost of the medical examination may be paid for by an employer.

(6) Supervision over the medical examination of applicants for right to drive and drivers of power-driven vehicles is carried out by the Health Board in accordance with the procedure provided in the Health Services Organisation Act.

### **§ 103. Minimum age of driver**

(1) Depending on their age, a person may be granted the right to drive the following categories of power-driven vehicles, except in the events of the limited right to drive specified in § 95 of this Act:

1) 14 years of age – power-driven vehicles of category AM;  
2) 16 years of age – power-driven vehicles of subcategory A1 and B1 and power-driven vehicles of category T where the maximum mass with or without a trailer does not exceed 18 000 kilograms;

3) [Omitted from this text.]

[RT I, 31.12.2010, 3 – entry into force 01.07.2011 – in force until 18.01.2013]

4) 20 years of age – power-driven vehicles of category A if the person has previously been granted the right to drive power-driven vehicles of subcategory A2 for at least two years;

[RT I, 31.12.2010, 3 - entry into force 19.01.2013]

5) [Omitted from this text.]

[RT I, 31.12.2010, 3 – entry into force 01.07.2011 – in force until 18.01.2013]

6) 24 years of age – power-driven vehicles of category A, except in the event specified in clause 4), and power-driven vehicles of category D;

7) 18 years of age – power-driven vehicles of category B; power-driven vehicles of subcategory A2 or C1 and power-driven vehicles of category T whose maximum mass with or without a trailer exceeds 18 000 kilograms;

[RT I, 31.12.2010, 3 - entry into force 19.01.2013]

8) 21 years of age – three-wheeled motorcycles of category A with a symmetrical wheel layout and net power above 15 kW; power-driven vehicles of category C or subcategory D1.

[RT I, 31.12.2010, 3 - entry into force 19.01.2013]

(2) Driving lessons and driving practice specified in subsections 109 (1) and (2) of this Act are permitted with the following minimum age limit and categories of power-driven vehicles:

1) 14.5 years of age – power-driven vehicle of category T where the maximum mass with or without a trailer does not exceed 18 000 kilograms;

2) 15.5 years of age – power-driven vehicles of category B and subcategories A1 and B1;

3) 17 years of age – power-driven vehicles of subcategory C1;

4) 17.5 years of age – power-driven vehicles of category T where the maximum mass with or without a trailer exceeds 18 000 kilograms.

### **§ 104. Exceptional circumstances for granting right to drive**

(1) On the proposal of the management of an organisation representing Estonia in the International Automobile Association, the right to drive power-driven vehicles of category B may be granted to a motor racing athlete who is 17 years of age, holds an international driving permit, whose participation in international events requires a driving licence and who has the limited right to drive power-driven vehicles of category B.

(2) A person who has the right to drive power-driven vehicles of category B specified in subsection (1) of this section may, until they attain 18 years of age, drive motor vehicles on the conditions specified in subsection 95 (2) of this Act.

(3) In exceptional circumstances, the right to drive a power-driven vehicle of category C, a road train of category CE, a power-driven vehicle of subcategory D1 or a power-driven vehicle of category D that provides local regular services for the purposes of the Public Transport Act on routes that are shorter than 50 kilometres may be granted to a person who is at least 18 years of age, has at least the right to drive power-driven vehicles of category B and has completed 280 hours of vocational training prescribed by the Road Transport Act.

(4) Only for the performance of their conscription duties, the right to drive power-driven vehicles of category C and road trains of category CE may be granted to a conscript who is at least 18 years of age, holds the right to drive power-driven vehicles of category B, and the right to drive power-driven vehicles of category D may be granted to a conscript who is at least 18 years of age and holds the right to drive power-driven vehicles of category C.

### **§ 105. Grant of right to drive moped**

(1) An applicant for the right to drive a moped who is up to 15 years of age must have a written consent of their legal guardian for being granted the right to drive.

(2) The right to drive a moped is granted and the driving licence is issued to a person who has not been:

- 1) convicted of the misdemeanours specified in §§ 201, 223, 224, 226, subsections 227 (2) to (4), §§ 234, 236 or 237 of this Act; or
- 2) penalised for a traffic offence specified in Chapter 23 of the Penal Code; or
- 3) repeatedly convicted of misdemeanours specified in Chapter 15 of this Act, except the offences specified in clause 1) of this subsection.

(3) In order to be granted the right to drive a moped, persons who were 16–17 years of age at the time when this Act entered into force must pass only the theory test.

### **§ 106. Granting right to drive motor vehicle and motorcycle**

(1) The right to drive a motor vehicle and a motorcycle is granted and a provisional driving licence is issued to a person who:

- 1) has not previously held the right to drive a motor vehicle or a motorcycle; or
- 2) has the right to drive a motorcycle or a tractor and also wishes to obtain the right to drive a motor vehicle; and
- 3) has not been convicted of the misdemeanours specified in §§ 201, 223, 224, 226, subsections 227 (2) to (4), §§ 234, 236 or 237 of this Act; or
- 4) has not been convicted of a traffic offence specified in Chapter 23 of the Penal Code; or
- 5) has not been repeatedly convicted of the misdemeanours specified in Chapter 15 of this Act, except the offences specified in clause 3) of this subsection.

(2) After the test results have been officially registered and until a provisional driving licence is obtained, but for not longer than 15 days as of passing the test, a learner's certificate on which the Road Administration has made an entry concerning the granting of the right to drive, certifies that the person who has obtained the right to drive has the right to drive a power-driven vehicle independently.

(3) A motor vehicle that is driven by a person who holds a provisional driving licence or a driver referred to in subsection (2) of this section, must display a novice driver's badge on the front and at the rear of the vehicle in a visible position.

(4) If a person who holds a provisional driving licence has acquired the necessary skills and completed the final stage of training and in the last 12 months has not been penalised for a violation of the traffic rules, they will obtain a driving licence without having to take the tests.

(5) If a person who holds a provisional driving licence has a penalty in force for a violation of the traffic rules, they will obtain a driving licence after they have successfully passed the theory test.

(6) If a person who holds a provisional driving licence has been penalised by withdrawing the right to drive a power-driven vehicle, their right to drive a power-driven vehicle and the provisional driving licence issued to them will be revoked. If a person has been granted the right to drive a power-driven vehicle in some category before the first issue of a provisional driving licence, the right to drive these power-driven vehicles of these categories will not be revoked. The right to drive a power-driven vehicle and a new provisional driving licence may be applied for after completing follow-up training and a successful passing of the theory test and driving test.

(7) A person who holds the right to drive and the right to drive power-driven vehicles of category B and also wishes to obtain the right to drive a power-driven vehicle of another category, the right to drive will be transferred in accordance with the procedure established by § 107 of this Act, and a driving licence will be issued to them.

(8) The training of drivers, their testing and granting them the right to drive in the course of vocational training takes place in one phase and after the tests have been successfully passed, the person will be granted a driving licence in accordance with the procedure established by subsection 100 (7) of this Act.

### **§ 107. Granting right to drive upon simultaneous application for right to drive power-driven vehicle of category A, subcategories A1 and A2, category B, subcategory B1, category B and subcategory C1**

(1) If the right to drive a power-driven vehicle of subcategory A1 or A2 is granted for the first time, the person will be granted a provisional driving licence also if they have previously been granted a provisional driving licence for driving a power-driven vehicle of category B or category B with subcategory C1. A provisional driving licence will be granted with the same term of validity as marked on the previous provisional driving licence.

(2) The right to drive a power-driven vehicle of category A is granted to a person who holds a driving licence for driving a motor vehicle of any category or who has held the right to drive a power-driven vehicle of subcategory A2 for at least two years.

(3) The right to drive a power-driven vehicle of subcategory A2 may also be granted to a person who holds a provisional driving licence or a driving licence for driving a power-driven vehicle of any category or who holds the right to drive a power-driven vehicle of subcategory A1.

(4) If the right to drive a power-driven vehicle of category B or subcategory B1 or, simultaneously, category B and subcategory C1 is granted for the first time, the person will be granted a provisional driving licence, except in the event specified in subsection (5) of this section.

(5) If an applicant who applies for the right to drive a power-driven vehicle of category B or simultaneously the right to drive a power-driven vehicle of category B and subcategory C1 has previously been granted the right to drive power-driven vehicles of category C or D, they will be granted a driving licence.

#### **§ 108. Granting right to drive power-driven vehicle of categories C, D and T, and subcategories C1 and D1, and road train and machine train**

(1) The right to drive a power-driven vehicle of category C and subcategory D1 may be granted to a person who has held the right to drive a power-driven vehicle of category B for at least one year.

(2) The right to drive a power-driven vehicle of category D may be granted to a person who has held the right to drive a power-driven vehicle of category B for at least two years.

(3) The period of holding a driving licence specified in subsections (1) and (2) of this section excludes the period of holding a provisional driving licence for a power-driven vehicle of category B and a driving licence with the limited right to drive.

(4) The right to drive a power-driven vehicle of subcategory C1 may be granted to a person together with the right to drive a power-driven vehicle of category B or to a person who has the right to drive a power-driven vehicle of category B.

(5) The right to drive a road train of subcategory BE, CE or DE and subcategory C1E or D1E may be granted to a person who holds the right to drive a traction unit of the respective category.

(6) The right to drive a power-driven vehicle of categories C and D and a road train of category CE may be granted to a person together with granting the right to drive a power-driven vehicle of category B or to a person who has the right to drive a power-driven vehicle of category B, if the right to drive is necessary in connection with conducting a vocational training course, in accordance with the Road Transport Act. If, in accordance with the Road Transport Act, it is necessary to conduct a vocational training course, the person may, after passing the final test and having been granted the right to drive a power-driven vehicle of category B or, once such the right to drive has been granted, without delay apply for the right to drive a power-driven vehicle of categories C and D and a road train of category CE.

(7) The right to drive a power-driven vehicle and a road train in the categories listed in this section must not be granted to a person who holds a provisional driving licence for a power-driven vehicle of category B.

(8) In order to be granted the right to drive a power-driven vehicle and a machine train of category T, a person who holds the right to drive a power-driven vehicle of categories C or D or subcategories C1 or D1 must only pass the driving test.

#### **§ 109. Driving power-driven vehicle during driving lesson and driving practice**

(1) A person who takes a training course for driving a power-driven vehicle or has completed the training course or restores the right to drive may drive a power-driven vehicle during a driving lesson in the presence of a driving instructor.

(2) For practicing driving, a learner-driver who undergoes or has completed a training course for driving a power-driven vehicle, may drive a power-driven vehicle in the presence of another person (hereinafter *instructor*) provided that the following conditions are met:

- 1) the instructor has held a driving licence for the respective category of a power-driven vehicle for at least five years. The period of holding a provisional driving licence is included in the period of holding a driving licence;
- 2) the instructor has no penalties in force for driving a power-driven vehicle in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream nor for violating traffic requirements for which the penalty provided by this Act is the withdrawal of right to drive power-driven vehicles or for which the right to drive has been withdrawn, taking into account the terms for deletion of data specified in § 25 of the Penal Register Act;

3) the instructor has obtained a certificate from the Road Administration certifying that they meet the requirements specified in clauses 1) and 2);

4) an instructor is allowed to practice driving with a person whose name is marked on the instructor's certificate.

(3) A person who holds a certificate of a driving instructor may also be an instructor.

(4) An instructor's certificate is not granted to a person who holds a provisional driving licence.

(5) If a learner-driver specified in subsection (2) of this section is younger than 18 years of age, only their legal guardian may be the instructor.

(6) A motor vehicle, truck, bus and road train used for driving practice and a power-driven vehicle used for the purposes of obtaining driving practice must display a sign of a vehicle for driving practice visible from the front and from the back.

(7) The procedure for issuing driving instructor certificates and the form of the certificate will be established by a regulation of the Minister of Economic Affairs and Communications.

(8) A state fee must be paid for the issue of a certificate for the instructor of drivers of power-driven vehicles.

#### **§ 110. Driving power-driven vehicle during driving test**

(1) The document that serves as the basis for driving a power-driven vehicle during a driving test is the driving test report drawn up in the name of the examinee by the Road Administration.

(2) A driving test report will be prepared after the theory test is passed, but before the driving test. The driving test report may be on paper or electronic.

(3) An applicant for a provisional driving licence must not take the driving test earlier than three months before attaining the age specified in subsection 103 (1) of this Act.

## **Division 4 Driver Training**

#### **§ 111. Driver training provider**

(1) Driver training is provided by legal persons in private law, self-employed persons and state and municipal educational institutions that hold a licence to provide driver training (hereinafter *education licence*).

(2) The Minister of Education and Research will issue an education licence for three years, unless the applicant requests a shorter period.

#### **§ 112. Requirements for driver training provider**

(1) A driver training provider must have:

- 1) study premises (buildings, furnishings and other property) or the possibility to use such premises;
- 2) a practice area or the possibility to use a practice area;
- 3) vehicles for driving practice, which comply with the requirements provided by law or the possibility to use such vehicles;
- 4) instructors who comply with the requirements set out in subsection 118 (1) of this Act and first aid instructors of drivers of power-driven vehicles who comply with the requirements set out in § 119;
- 5) training plans and training documentation for the category being taught, which comply with the requirements set out in subsections 100 (6) and (8) of this Act;
- 6) the methodological and audiovisual teaching aids and accessories that are specified in the training plans;
- 7) first aid teaching aids specified in the training plans.

(2) Before applying for an education licence, the person who applies for an education licence must apply for an assessment of the Road Administration about their compliance with the requirements specified in this Act. For obtaining the assessment, documents specified in clauses 113 (1) 2) to 7) of this Act must be submitted to the Road Administration. The Road Administration has the right to involve, if necessary, officials of the Health Board in providing an assessment of the first-aid training of drivers of power-driven vehicles. The Road Administration will give a written assessment within 30 days after the receipt of the application.

(3) The requirements for teaching aids, practice areas and vehicles for driving practice of the driver training provider will be established by the Minister of Economic Affairs and Communications.

### **§ 113. Application for education licence and review of applications**

(1) In order to obtain an education licence, an applicant must submit the following documents to the authority that issues licences:

- 1) an application for an education licence;
- 2) documents certifying the existence of the premises, practice area and vehicles for driving practice provided for in clauses 112 (1) 1) to 3) of this Act or the right to use them;
- 3) the training plan and training documentation specified in clause 112 (1) 5) of this Act;
- 4) the list of audiovisual teaching aids specified in clause 112 (1) 6) of this Act;
- 5) the list of teaching aids specified in clause 112 (1) 7) of this Act;
- 6) data about the compliance of the driving instructors with the requirements of § 118 of this Act and written consents for being employed;
- 7) data about the compliance of the first aid instructors of drivers of power-driven vehicles with the requirements of § 119 of this Act and written consents for being employed;
- 8) an assessment specified in subsection 112 (2) of this Act.

(2) Before issuing an education licence, the agency that issues education licences must verify the information held on the applicant in the commercial register if the applicant is an undertaking entered in the commercial register or in another register if the applicant is entered in such other register in accordance with law.

(3) An agency that issues education licences will review the application and decide to issue an education licence or refuse to issue it within 45 days as of the submission of the documents specified in subsection (1) of this section. The agency that issues education licences will communicate the decision to issue or to refuse to issue an education licence to the applicant either by post or by electronic means within five working days as of making the decision.

(4) An agency that issues education licences will refuse to issue an education licence if the applicant does not meet the requirements specified in § 112 of this Act or has tax arrears.

(5) The applicant must pay a state fee before submitting an application for an education licence.

### **§ 114. Revocation of education licence**

(1) An agency that issues education licences may revoke an education licence if:

- 1) a training provider applies for revocation of the education licence;
- 2) a training provider has been declared bankrupt or liquidation proceedings have been initiated against them;
- 3) a training provider has tax arrears;
- 4) it becomes evident that false information was submitted upon application for the education licence;
- 5) training provided does not comply with the requirements provided for in this Act or legislation issued on the basis thereof; or
- 6) a training provider has not commenced providing training within one year after the beginning of the term of validity of the education licence or has not provided training within the last year;
- 7) two or more precepts specified in subsection 116 (3) of this Act have been issued to a training provider in the course of the current year;
- 8) a training provider has not complied with the precept issued to the training provider by a respective supervisory authority by the due date or in accordance with the required procedure.

(2) The authority that issued the education licence will communicate the decision to revoke the education licence to the training provider by post or by electronic means within five working days as of making the decision.

### **§ 115. Individual driver training**

Individual driver training of a power-driven vehicle driver may be provided under the supervision of a training provider specified in § 111 of this Act in accordance with the procedure established under subsection 100 (6) of this Act.

### **§ 116. Supervision over training of drivers of power-driven vehicles**

(1) Supervision over training of drivers of power-driven vehicles is exercised by:

- 1) the Ministry of Education and Research;
- 2) the Road Administration that supervises the fulfilment of the requirements specified in subsections 100 (6) and (8) of this Act, with the right to involve officials of the Health Board, if necessary, in exercising supervision over the first aid training of drivers of power-driven vehicles.

(2) Upon exercising supervision, the official has the right to demand from the person who is entitled to provide driver training and the person who actually provides driver training submit relevant documentation, data and explanations, and to study the organisation of training and to attend training.

(3) If the power-driven driver training or driving instructor training does not comply with the requirements provided in this Act or in legislation enacted under this Act, the supervisory official specified in subsection (1) of this section will be entitled to make a precept to the training provider to have the deficiencies of the training activity eliminated. Until compliance with the precept, the supervisory official specified in clause 1) of subsection (1) may suspend the training activity of the training provider and prohibit the registration of new training groups.

(4) In the event of non-compliance with a precept specified in subsection (3) of this section, the supervisory official may impose a preventive fine and substitutive enforcement of a preventive fine in accordance with law. The upper limit for a preventive fine is 1300 euros for a natural person and 6400 euros for a legal person.

## **Division 5 Driving Instructor**

### **§ 117. Requirements for training driving instructors**

The training of driving instructors is provided by an institution of higher education that has obtained a respective education licence from the Ministry of Education and Research.

### **§ 118. Requirements for driving instructor**

(1) A driving instructor must meet the following requirements:

- 1) be at least 21 years of age;
- 2) comply, for the purposes of the Professions Act, with the requirements for Level 6 of the qualifications framework;
- 3) have held a driving licence certifying the right to drive power-driven vehicles in the respective category for at least three years, except providers of training for drivers of power-driven vehicles of category AM who must have right to drive power-driven vehicles of category A;
- 4) meet the qualification requirements for driving instructors;
- 5) have no penalties in force for driving a power-driven vehicle in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream or for violating traffic rules for which the penalty provided by this Act is the withdrawal of the right to drive power-driven vehicles or for which the right to drive has been withdrawn, taking into account the conditions of deletion of data specified in § 25 of the Registry of Convictions Act;
- 6) have not been convicted of a wilful criminal offence, taking into account the terms for deletion of data specified in § 25 of the Registry of Convictions Act.

(2) The time of holding a driving licence specified in clause (1) 3) of this section includes the time of holding a provisional driving licence. A certificate of an instructor is not issued to the holder of a provisional driving licence.

(3) An application for the right to train drivers of power-driven vehicles of categories A, C and D may be submitted by a person who has a right to train drivers of power-driven vehicles of category B.

(4) Drivers of power-driven vehicles of category AM may be trained by a driving instructor who has the right to train drivers of power-driven vehicles of category A.

(5) A driving instructor whose state of health no longer allows them to drive a power-driven vehicle of the category being trained, but who has held the right and experience to drive this power-driven vehicle for at least three years, may continue training the drivers of power-driven vehicles of this category as an instructor of traffic theory.

(6) If a driving instructor has been removed from driving a power-driven vehicle or their right to drive a power-driven vehicle has been suspended, the driving instructor's right to train power-driven vehicle drivers will be suspended until the ground for the suspension lapses.

(7) Qualifications requirements for instructors of drivers of power-driven vehicles, requirements for training instructors and organising instructor training and the requirements for the national curriculum will be established by a regulation of the Minister of Economic Affairs and Communications.

### **§ 119. Requirements for first aid instructors of drivers of power-driven vehicles**

First aid instructors of drivers of power-driven vehicles must be registered as healthcare employees in the state register of healthcare employees.

### **§ 120. Certificate of right to provide driver training**

(1) The Road Administration will, for a term of five years, issue to persons who apply for the certificate and comply with the requirements provided in § 118 of this Act a certificate of the right to provide driver training.

- (2) A certificate of the right to provide driver training will be revoked if:
- 1) the right to drive is revoked in accordance with § 126 of this Act;
  - 2) the certificate has been obtained by fraud;
  - 3) the certificate has been falsified;
  - 4) the driving instructor has been penalised for the violations specified in clauses 118 (1) 5) and 6) of this Act;
  - 5) false information was given upon application for the certificate;
  - 6) the certificate is lost, damaged or has become unusable;
  - 7) the holder of the certificate is dead; or
  - 8) a new certificate is issued.

(3) A certificate that was lost, destroyed or has become unusable and that certifies the right to provide driver training will be replaced by a new certificate if the applicant for the certificate complies with the requirements specified in § 118 of this Act.

(4) The procedure for application, issue and revocation of certificates of the right to provide driver training will be established by a regulation of the Minister of Economic Affairs and Communications.

(5) A state fee must be paid for the issue of a document certifying the right to provide driver training.

### **§ 121. Supervision over training driving instructors**

- (1) Supervision over training driving instructors is exercised by:
- 1) the Ministry of Education and Research;
  - 2) the Road Administration that supervises the fulfilment of the requirements specified in subsection 118 (1).

(2) Upon exercising supervision, the official has the right to demand that the person who is entitled to provide training and the person who directly provides training present relevant documentation, data and explanations, and to study the organisation of training and to attend training.

(3) If the driving instructor's training does not comply with the requirements provided in this Act or in legislation enacted under this Act, the supervisory official specified in subsection (1) of this section will be entitled to make a precept to the training provider to rectify the deficiencies of the training activity. Until compliance with the precept, the supervisory official may suspend the training activity of the training provider and prohibit the registration of new training groups.

(4) In the event of non-compliance of a precept specified in subsection (3) of this section, the supervisory official may impose a preventive fine and substitutive enforcement of a preventive fine in accordance with law. The upper limit for a preventive fine is 1300 euros for a natural person and 6400 euros for a legal person.

## **Division 6 Examiner of Drivers of Power-driven Vehicles**

### **§ 122. Requirements for examiners of drivers of power-driven vehicles and certificates of examiners of drivers of power-driven vehicles**

- (1) An examiner of drivers of power-driven vehicles must meet the following requirements:
- 1) be at least 25 years old;
  - 2) comply, for the purposes of the Professions Act, with the requirements for Level 5 of the qualifications framework;
  - 3) hold a valid right to drive power-driven vehicles of the category that is being examined for at least five years along with a category B driving licence or have the right to drive power-driven vehicles of the category that is being examined and have worked as an examiner of category B drivers for at least three years;
  - 4) have no penalties in force for driving a power-driven vehicle in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream nor for violating traffic requirements for which the penalty provided by this Act is the withdrawal of the right to drive power-driven vehicles or for which the right to drive has been withdrawn, taking into account the terms for deletion of data specified in § 25 of the Registry of Convictions Act;
  - 5) have not been convicted for a wilful criminal offence, taking into account the terms for deletion of data specified in § 25 of the Registry of Convictions Act;
  - 6) have passed examiner training organised by the Road Administration;
  - 7) hold a valid certificate issued by the Road Administration to examiners of drivers of power-driven vehicles.

(2) The time of holding a driving licence includes the time of holding a provisional driving licence. An examiner certificate is not issued to the holder of a provisional driving licence.

(3) The certificate of an examiner of drivers of power-driven vehicles will be revoked if:

- 1) the certificate has been obtained by fraud or in a similar manner;
- 2) the examiner has been penalised for the violations specified in clauses (1) 4) and 5) of this section, taking into account the terms for deletion of data specified in § 25 of the Registry of Convictions Act;
- 3) false information was given upon application for the certificate;
- 4) the certificate is lost, damaged, stolen or has become unusable;
- 5) the holder of the certificate is dead; or
- 6) a new certificate is issued.

(4) The right for testing will be suspended if the examiner does not comply with the established qualification requirements.

(5) Requirements for the examiners of drivers of power-driven vehicles and the procedure for training and issuing and revoking certificates of examiners of drivers of power-driven vehicles will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 123. Supervision of training of examiners**

(1) Supervision over the training of examiners is exercised by the Road Administration.

(2) Upon exercising supervision, the official has the right to demand that the person who has the right to provide training and the person who directly provides training submit relevant documentation, data and explanations, and to study the organisation of training and to attend training.

## **Division 7**

### **Suspension, Withdrawal, Revocation and Restoration of Right to Drive Power-driven Vehicles**

#### **§ 124. Suspension of right to drive power-driven vehicles**

(1) Suspension of the right to drive power-driven vehicles means that a person is temporarily prohibited to drive power-driven vehicles.

(2) The right to drive power-driven vehicles is suspended by the Road Administration.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) A person's right to drive power-driven vehicles will be suspended if:

- 1) the term of validity of their driving licence has expired;
- 2) the due date for passing the next medical examination of the power-driven vehicle driver has arrived.

(4) A person's right to drive power-driven vehicles will be suspended if their state of health does not meet the health requirements established on the basis of subsection 101 (10) of this Act.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(5) A decision to suspend the right to drive must set out the following:

- 1) the date and place of making the decision;
- 2) the given name, surname and position of the person who made the decision and the name and address of the agency;
- 3) the given name, surname and residence of the power-driven vehicle driver;
- 4) the basis of and the term for suspension of the right to drive;
- 5) the signature of the person who drew up the decision.

(6) In the events specified in subsection (3) of this section, the right to drive power-driven vehicles will be suspended on the day following the expiration date of the driving licence or the health certificate or the due date of passing the next medical examination.

(7) In the events provided for in subsection (4) of this section, the Road Administration will draw up a decision to suspend the right to drive, issuing it in two copies, one of which, immediately after the signature of the decision, will be given to the person against signature on the other copy of the decision or be sent by registered mail to the address of residence registered in the population register or another known address of residence. The right to drive power-driven vehicles will be suspended upon delivery of the decision to the person.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

#### **§ 125. Withdrawal of right to drive power-driven vehicles**

(1) Withdrawal of the right to drive is the principal or a supplementary penalty imposed by a court or an extra-judicial body for an offence relating the violation of the requirements of this Act or legislation issued on the basis thereof, which entails the prohibition to drive a vehicle.

(2) A penalty imposed on a person residing in Estonia by a court or an extra-judicial body of a Member State of the European Union or the European Economic Area or the Swiss Confederation, which entails the prohibition

to drive vehicle, is also considered withdrawal of the right to drive. In Estonia, the starting point of enforcement of a decision that has entered into force is the entry of the decision in the traffic register.

#### **§ 126. Revocation of right to drive power-driven vehicles**

(1) The right to drive power-driven vehicles will be revoked if the person has obtained the right to drive by fraudulent means or if the person's driving licence was issued on the basis of a document containing falsified or false information. A decision to revoke the right to drive will be made by the Road Administration.

(2) A decision to revoke the right to drive must set out the following:

- 1) the date and place of making the decision;
- 2) the given name, surname and position of the person who made the decision and the name and address of the authority;
- 3) the given name, surname and residence of the driver of a power-driven vehicle;
- 4) the basis for revoking the right to drive;
- 5) the signature of the person who drew up the decision.

(3) The revocation of the right to drive power-driven vehicles will enter into force after the communication of the decision to the person.

(4) The Road Administration will prepare a decision to revoke the right to drive in two copies, one of which, immediately after the signature of the decision, will be given to the person against signature on the other copy of the decision or be sent by registered mail to their address of residence registered in the population register or to their other known address of residence.

#### **§ 127. Surrender of driving licence**

In the event of suspension, withdrawal or revocation of the right to drive power-driven vehicles, the person must surrender their driving licence to the Road Administration within five working days after the entry into force of the decision.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

#### **§ 128. Failure to submit or surrender driving licence**

(1) If, within the term provided for in § 127 of this Act, a person fails to surrender their driving licence, the Road Administration will issue the person a precept to surrender the driving licence, giving the person a term of no less than five working days and no more than 14 days to that effect. The precept will enter into force as of delivery.

(2) In the event of failure to comply with a precept, the Road Administration may impose a preventive fine in accordance with the procedure provided for in the Substitutive Enforcement and Preventive Fines Act. The upper limit of a preventive fine is 640 euros.

(3) If a person's driving licence has been suspended for six months or more or if the right to drive power-driven vehicles has been withdrawn from the person for more than six months and the person has not complied with a precept specified in subsection (2) of this section by the prescribed time, the Road Administration will have the right to revoke the driving licence.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

#### **§ 129. Restoration of right to drive power-driven vehicles**

(1) If the right to drive power-driven vehicles has been withdrawn from a person as the principal or supplementary penalty for at least six months but for no longer than 12 months, the right to drive power-driven vehicles can be restored if the person successfully passes the theory test. The theory test can also be taken during the period when the right to drive has been revoked as a penalty, but the right to drive in such an event will be restored after the expiration of the penalty term.

(2) If the right to drive power-driven vehicles has been withdrawn from a person as a principal or supplementary penalty for 12 months or longer, the right to drive power-driven vehicles can be restored if the person successfully passes the required theory and driving test. The theory test can also be taken during the period when the right to drive has been revoked as a penalty, but no sooner than 12 months before the expiration of the penalty term. The driving test cannot be taken before the expiration of the penalty term.

(3) If a person's right to drive power-driven vehicles has been suspended due to the worsening of their state of health on the basis of a decision of the traffic medicine committee, their health certificate will become invalid and the person can restore the right to drive if the circumstances that served as the basis for the decision of the traffic medicine committee have ceased to exist. For restoring the right to drive, the person must pass a medical examination specified in § 101 of this Act, on the basis of which a new health certificate will be issued.

(4) If a person has not replaced their driving licence within five years after the expiry thereof, their right to drive power-driven vehicles will be restored if they pass the theory test and driving test.

(5) If a person's right to drive granted in a foreign state has been suspended or withdrawn, their right to drive will be restored after the expiry of the suspension or revocation term.

## **Chapter 5**

### **WORKING AND REST TIME AND WAGES OF DRIVER**

#### **§ 130. Requirements for working, driving and rest time of drivers of power-driven vehicles**

(1) The duration of driving and rest time of drivers of motor vehicles with more than nine seats (including the driver's seat) designed for the carriage of passengers, and of drivers of motor vehicles or road trains with a maximum mass exceeding 3500 kilograms designed for the carriage of goods, the list of carriage types exempted from compliance with the requirements for road freight transport and the obligations of the drivers are provided for in Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Regulation (EEC) No 3820/85.

(2) Persons specified in Article 10(4) of Regulation (EC) No 561/2006 of the European Parliament and of the Council must comply with the requirements for working and rest time of drivers established by legislation. Any provision of a contract under the law of obligations deviant from the requirements of the Regulation is void.

(3) The working time of a driver is the time between the appropriate break and rest periods in accordance with Regulation (EC) No 561/2006 of the European Parliament and of the Council or the appropriate break and rest periods in accordance with other legislation regulating labour law, when the driver is obliged to perform, arrange or prepare road transport.

(4) The stand-by time of another crew member being in the moving vehicle besides the driver is not included in the working time of the driver, unless it includes work-related activities or unless agreed otherwise in the collective agreement.

(5) Driver's average weekly working time, including overtime, must not exceed 48 hours.

(6) Weekly working time may be extended to 60 hours if the average working time of four consecutive months does not exceed 48 hours per week.

(7) In the event of extending the weekly working time to 60 hours, the four-month calculation period specified in subsection (6) of this section may be replaced by a six-month average working time calculation period if the following requirements have been fulfilled:

- 1) such six-month average working time calculation period has been specified in the collective agreement;
- 2) the work performed is expected to be of temporary or periodic nature and follow a recurrent pattern over the years;
- 3) the technological and organisational characteristics of the work process must be known and understandable to the parties prior to the commencement of the six-month average working time calculation period.

(8) If the driver works between 12:00 a.m. and 6:00 a.m., the daily working time must not exceed ten hours for every 24-hour period of time.

(9) If during the journey the observance of the daily working time requirement specified in subsection (8) of this section becomes impossible due to the reasons beyond the control of the driver and not known before the beginning of the journey, the driver may deviate from the working time restriction for the purpose of finding an appropriate place for stopping or in the event of an unavoidable need for stopping the work process, ensuring the fulfilment of traffic safety and occupational safety requirements.

(10) During the working time, the driver must not work for more than six consecutive hours without a break. If the total working time is six to nine hours, it will be suspended for a minimum break of 30 minutes and if the total working time is over nine hours, for a minimum break of 45 minutes. This subsection applies to a driver working on the basis of Regulation (EC) No 561/2006 of the European Parliament and of the Council to the extent not regulated by the Regulation.

(11) In addition to drivers working under an employment contract, the requirements of this section also applies to drivers working under law of obligations contracts. The application of the weekly working time calculation period in accordance with subsection (7) to drivers working under other law of obligations contracts is allowed only if the work to be performed complies with the requirements specified in clauses 2) and 3) of subsection (7).

(12) The requirements specified in Regulation (EC) No 561/2006 of the European Parliament and of the Council do not apply to drivers in domestic road transport if:

- 1) the vehicle is used by agricultural, gardening, forestry or fishing undertakings for the transport of their goods within 50 kilometres from the place where the vehicle is usually located, including in the towns of that region;
- 2) the vehicle is used for the transport of animal waste or carcasses;
- 3) the vehicle is used for the transport of animals from an agricultural enterprise to a market located in the same county and vice versa or from a market to a slaughterhouse located within the distance of 50 kilometres;
- 4) a vehicle or a vehicle with a trailer or semi-trailer with the maximum mass not exceeding 7500 kilograms transports materials, equipment or machinery necessary for the driver in relation to their work. Such a vehicle may be used within the distance of 50 kilometres from the location of the undertaking, provided that driving the vehicle is not the main activity of the driver;
- 5) a vehicle running on pressurised gas, liquid gas or electricity is used for cargo transport from the location of the undertaking within 50 kilometres and the maximum mass of the vehicle with a trailer or semi-trailer does not exceed 7500 kilograms;
- 6) a vehicle is used only for driving lessons for the purpose of obtaining a driving licence and a professional certificate;
- 7) the vehicle is an agricultural or forestry tractor that is used for agricultural and forestry work within the distance of 100 kilometres from the location of the undertaking;
- 8) the vehicle is used in relation to sewerage works, works relating to protection against floods, rendering water, gas and electricity maintenance services, road maintenance or inspection, collection or removal of domestic waste, rendering telegraph, phone, radio or television services and determining the location of radio or television transmitters or receivers;
- 9) a special vehicle transporting circus or amusement park equipment;
- 10) the vehicle is used for the collection of milk from farms and for returning milk containers to farms or for delivering dairy products intended for animal feed;
- 11) the owner or the authorised user of a bus with 10 to 17 seats is in accordance with the information of the population register the parent of four or more children, the respective entry has been made on the registration certificate of the vehicle and the bus is used for non-commercial passenger transport.

(13) On regular passenger services, the length of the route of which from the point of departure to the destination is up to 50 kilometres, the driver's driving time in a working day must not exceed nine hours and the rest period during any 24-hour period must not be shorter than nine hours.

(14) In the events specified in subsection (12) of this section the employer must inform the driver of the nature of the carriage, without, however, impairing the working conditions of the driver or traffic safety.

(15) In the events not covered by this section the provisions of Division 3 of Chapter 3 of the Employment Contracts Act apply to the working and rest time of the driver.

### **§ 131. Use of tachograph**

(1) The driving and rest time of a power-driven vehicle driver is calculated on the basis of the recording sheets of a mechanical tachograph in accordance with Annex I of Council Regulation (EEC) No 3821/85 on recording equipment in road transport or the information saved in the memory of a tachograph with digital data recording (hereinafter *digital tachograph*) in accordance with Annex IB.

(2) The use of a tachograph is obligatory in the passenger carriage specified in subsection 130 (13) of this Act if the driver also provides passenger carriage services for which the use of a tachograph is obligatory between two twenty-four hour rest periods.

(3) If the use of a tachograph is obligatory, the driver must record the information of the driving and rest time with a tachograph in accordance with Article 15 of Council Regulation (EEC) No 3821/85.

(4) A tachograph is not obligatory for a vehicle:

- 1) manufactured before 1 January 1985, if the vehicle is not used for the provision of paid cargo or passenger carriage services;
- 2) used in transportation exempted from the requirements on the basis of Article 3 of Regulation (EC) No 561/2006 of the European Parliament and of the Council and subsection 130 (13) of this Act.

### **§ 132. Application for digital tachograph card**

(1) The driver of a power-driven vehicle with a digital tachograph, the employer of the driver, the inspector and the workshop installing the tachograph (hereinafter *workshop*) must have a relevant digital tachograph card (hereinafter also *card*), which enables to ascertain the user of the card and to record and store data.

(2) A natural person with the right to work in Estonia may apply for a driver card, if:

- 1) they have a valid driving licence for driving a power-driven vehicle of the category for which the use of a tachograph is obligatory;

2) they have not been issued earlier a valid driver card or a workshop card necessary for operating as an installer of digital tachographs.

(3) A company card may be applied for by an undertaking that uses or intends to start using a power-driven vehicle that has a digital tachograph.

(4) A workshop card may be applied for by an undertaking that has been declared competent in its area of specialisation by an accreditation institution specified in subsection 5 (5) of the Metrology Act.

(5) A control card may be applied for by an authority exercising supervision specified in § 139 of this Act.

(6) The manufacturing of digital tachograph cards is arranged by and the cards are issued and revoked by the Road Administration.

(7) The procedure for application for, issue and use of driver, company, workshop and control cards of power-driven vehicles with a digital tachograph will be established by a regulation of the Minister of Economic Affairs and Communications.

(8) A state fee must be paid for the issue of a card.

### **§ 133. Term of validity of card**

Driver, company and control cards are issued for a term of five years, a workshop card is issued for a term of one year.

### **§ 134. Refusal to issue card**

The issue of a card will be refused if:

- 1) the applicant does not comply with the requirements provided for in § 132 of this Act;
- 2) inaccurate information has been submitted for obtaining the card;
- 3) the previous driver card of the applicant for a driver card has been revoked less than six months ago due to the violation of the requirements specified in clauses 135 (1) 1), 2) and 6) of this Act;
- 4) the applicant for the workshop card does not comply with the professional competence requirement specified in subsection 127 (4) of this Act or has been penalised for a serious violation of the requirements for the installation of a tachograph under § 216; or
- 5) the applicant has not paid the state fee.

### **§ 135. Revocation of card**

(1) A card will be revoked if:

- 1) inaccurate information has been submitted for obtaining the card;
- 2) the card is counterfeit;
- 3) the driver uses a card that is not theirs;
- 4) the card is lost, destroyed or stolen;
- 5) the owner of the card no longer complies with the requirements provided for in subsections 132 (2) to (4) of this Act;
- 6) the owner of the card has submitted an application for the revocation of the card.

(2) Upon the issue of a new card to the holder, the previously issued card will become invalid and be returned to the Road Administration.

[RT I, 17.03.2011, 1 - entry into force 01.07.2011]

### **§ 136. Use of card**

(1) In the event of organising transportation with a power-driven vehicle that has a digital tachograph, the employer must:

- 1) give assignments to drivers who have a driver card;
- 2) regularly inspect the use of the tachograph by the driver and the compliance of the driving and rest time with the requirements.

(2) The driver of a power-driven vehicle with a digital tachograph must:

- 1) store the card in a way that precludes its falling into the hands of other persons;
- 2) not give their card to another person for use and ensure the correctness of the data;
- 3) comply with the requirements for working, driving and rest time of drivers;
- 4) grant the employer and the persons specified in subsection 139 (1) of this Act access to the driver card data and the digital tachograph for acts relating to supervision;
- 5) submit the recording sheet of the tachograph, the driver card or other documents to the extent and on the conditions provided for in Article 15 of Council Regulation (EEC) No 3821/85;
- 6) inform the issuer of the card of the theft or loss of the card immediately upon becoming aware thereof.

(3) The workshop must:

- 1) use its card and recorded data for the intended purpose;

- 2) ensure in the event of the repair of a digital tachograph the copying of the data, confirmation of the copied data with a digital signature and storage thereof in electronic form for at least 12 months after the arrival of the tachograph in the workshop;
- 3) ensure the availability of this data to the persons exercising supervision;
- 4) issue a certificate to the employer if upon accepting a digital tachograph for repairs it becomes evident that the recorded data is lost;
- 5) remove from a vehicle or digital tachograph a device that allows for interfering with the operation of the tachograph.

### **§ 137. Storage of data**

(1) In the event of organising transportation with a power-driven vehicle that has a digital tachograph, the employer must:

- 1) store for at least 12 months the recorded data of the driving and rest time of drivers unchanged in electronic form, in printed form signed by the driver or temporarily on the recording sheets in the event of using a mechanical tachograph;
- 2) comply with the requirements of § 12 of the Accounting Act upon preserving the documents of record-keeping of the working time of drivers;
- 3) ensure the regular copying of information from the driver card at least once every 28 days, from the vehicle at least once every 90 days. If the contract of employment of the driver or another law of obligations contract expires or the vehicle is transferred or the digital tachograph is sent to a workshop for repairs, the information will be copied up to the date of expiration of the contract, transfer of the vehicle or the sending of the tachograph to the workshop;
- 4) grant access to the information to the persons specified in subsection 139 (1) of this Act for acts relating to supervision.

(2) The employer may use the service of another undertaking or person with appropriate technical possibilities in archiving the electronically recorded information regarding the driving and rest time of drivers. The employer ensures the required storage of the information and the availability of the information to the persons exercising supervision under subsection 139 (1) of this Act.

### **§ 138. Special requirements for calculation and payment of wages to driver of power-driven vehicle on road transport**

Upon calculation and payment of the wages of a power-driven vehicle driver, the requirements of Article 10 of Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, pp 1–14) must be followed.

### **§ 139. Supervision over compliance with requirements for working, driving and rest time of driver of power-driven vehicle and payment of wages to driver**

(1) Supervision over compliance with the requirements for working, driving and rest time of a power-driven vehicle driver specified in § 130 of this Act by the undertaking is exercised by a labour inspector and, on the road, by police officers, assistant police officers or other persons authorised by law or other legislation enacted on the basis thereof.

(2) Supervision over compliance with the requirements established for the payment to the drivers specified in § 138 of this Act is exercised by the Labour Inspectorate on the conditions and in accordance with the procedure provided for in the Occupational Health and Safety Act.

(3) The follow-up inspection of a violation of the requirements for working, driving and rest time of a power-driven vehicle driver on the road may be exercised by the persons specified in subsection (1) of this section at the location of the undertaking using the power-driven vehicle.

(4) The labour inspector has the right to make a precept in the event of a violation of the requirements for working, driving and rest time of a power-driven vehicle driver and payment of wages to the driver.

(5) A precept specified in subsection (4) of this section is made and any intra-authority appeal filed against the precept is settled in accordance with the procedure provided for in the Occupational Health and Safety Act.

(6) Upon failure to comply in due time with a precept specified in subsection (4) of this section, a preventive fine may be imposed by the labour inspector in accordance with the procedure provided for in the Substitutive Enforcement and Preventive Fines Act.

(7) The upper limit for a preventive fine specified in subsection (6) of this section is 640 euros for a natural person and 3200 euros for a legal person.

(8) Requirements for organisation of supervision over compliance with the requirements for working, driving and rest time of drivers of power-driven vehicles and payment of wages to drivers will be established by a regulation of the Government of the Republic.

## **Chapter 6**

### **TRAM AND DRIVING A TRAM**

#### **§ 140. Technical requirements for tram and its trailers, requirements for equipment thereof and inspection of their compliance with requirements**

(1) A tram and its trailer and their equipment must comply with the technical requirements established by legislation. A tram and its trailer must be duly equipped.

(2) A roadworthiness test must be passed in a timely manner by a tram and its trailer.

(3) During a roadworthiness test, the compliance or non-compliance of the tram and its trailer with the technical requirements is established and a term is set for the next roadworthiness test, after the expiry of which the vehicle will no longer be deemed roadworthy.

(4) Roadworthiness testing of trams and their trailers is conducted by the Road Administration who also supervises compliance with the requirements and the quality of testing.

(5) The technical requirements for trams and their trailers will be established by a regulation of the Minister of Economic Affairs and Communications.

(6) The conditions of and procedure for the roadworthiness testing of trams and their trailers, including the conditions of and procedures for equipment testing, types of roadworthiness testing, deadlines for roadworthiness testing, list of documents to be submitted upon roadworthiness testing and the requirements for the place and the person carrying out roadworthiness testing will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 141. Registration of tram and its trailer**

(1) Trams and their trailers are registered and the registers thereof maintained by their owners.

(2) A roadworthiness test must be passed by a tram and its trailer prior to registration. The technical expert assessment required for conducting roadworthiness testing will be carried out by the Road Administration. The Road Administration may involve experts in the expert assessment. The costs of the expert assessment and related procedures will be covered by the manufacturer of the vehicle or product, the manufacturer's official representative or the importer.

(3) The procedure for registration of trams and their trailers will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 142. Requirements for tram driver**

A person who is 21 years of age or older and have the right to drive power-driven vehicles of category B and trams may drive a tram. A person who is 20.5 years old or older and has the right to drive power-driven vehicles of category B and whose right to drive has not been suspended, withdrawn or revoked or who has not been removed from driving may learn to drive a tram.

#### **§ 143. Medical examination of tram driver and applicant for right to drive tram**

(1) The state of health of a tram driver and an applicant for the right to drive a tram must comply with the health requirements established in accordance with subsection (7) of this section.

(2) An applicant for the right to drive a tram must pass no sooner than six months before the start of tram driver training and a tram driver must periodically pass a medical examination to establish their state of health and suitability for driving a power-driven vehicle.

(3) A tram driver must pass a medical examination every ten years.

(4) A tram driver who is over 50 years of age must pass a medical examination every five years.

(5) Subsections 101 (5) to (9) and 102 (2) to (4) of this Act apply to the medical examination of a tram driver and an applicant for the right to drive a tram.

(6) A tram driver or an applicant for the right to drive a tram must pay for the medical examination specified in subsection (2) of this section. The costs of a medical examination may be paid by the employer.

(7) The procedure for and the conditions of medical examinations of tram drivers and applicants for the right to drive a tram, the forms of medical certificates and the health requirements, including medical contraindications in the event of which it is not permitted to drive a tram, will be established by a regulation of the Government of the Republic.

(8) The Health Board exercises supervision over the medical examination of tram drivers and applicants for the right to drive a tram in accordance with the procedure provided for in the Health Services Organisation Act.

#### **§ 144. Requirements for instructor of tram drivers**

Tram drivers are trained by instructors who comply with the requirements specified in subsection 112 (1) of this Act and with the right to train drivers of power-driven vehicles of categories B, C or D.

#### **§ 145. Requirements for driving tram**

(1) The right to drive a tram is granted by the Road Administration.

(2) When driving a tram, the tram driver must carry a driving licence and the registration certificate of the tram.

(3) The right to drive a tram will be withdrawn, revoked and restored in accordance with the provisions concerning withdrawal, revocation and restoration of the right to drive power-driven vehicles.

(4) The qualification requirements for tram drivers and the procedure for the preparation and examination of tram drivers and granting the right to drive a tram will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 146. Prohibition to drive tram**

(1) A person is prohibited to drive a tram if:

- 1) they do not have the right to drive power-driven vehicles of category B or trams;
- 2) they do not meet the requirements established for tram drivers and trams or those specified on the driving licence; or
- 3) they have been removed from driving a vehicle in accordance with § 91 of this Act.

(2) The owner, possessor or driver of a tram must not permit a person who does not have the right to drive power-driven vehicles of category B or trams, who is in a state of intoxication, in a state exceeding the maximum permitted level of alcohol in the bloodstream or whose state of health is hazardous to road safety to drive a tram and must not entrust the driving of a tram to such a person.

(3) A tram driver must not be in a state of intoxication, in a state exceeding the maximum permitted level of alcohol in the bloodstream or in a state of health hazardous to road safety.

(4) A state specified in subsection (3) of this section will be ascertained in accordance with the procedure specified in §§ 69 and 70 of this Act.

(5) The form of expert assessments for ascertaining the state of health of a tram driver hazardous to road safety will be established by a regulation of the Government of the Republic.

#### **§ 147. Removal from driving tram**

(1) A tram driver will be removed from driving a tram if:

- 1) there is sufficient reason to believe that the tram driver has used narcotic drugs or psychotropic substances;
- 2) there is sufficient reason to believe that the tram driver is in the state of intoxication, in a state exceeding the maximum permitted level of alcohol in the bloodstream or in a state of health hazardous to road safety;
- 3) they do not have the right to drive a tram;
- 4) they do not have the right to use the tram;
- 5) it is prohibited to continue the journey with the tram due to a failure of the tram, the level of pollutants in its exhaust emissions, its noise level or some other deficiency;
- 6) their driving licence is sent for an expert assessment when signs of falsification are evident; or
- 7) there is sufficient reason to believe that their state of health does not comply with the established requirements.

(2) The decision to remove a tram driver from driving must set out the following:

- 1) the date and place of making the decision;
- 2) the name and address of the authority of the official who made the decision;
- 3) the position, given name and surname of the official who made the decision;
- 4) the given name and surname and the personal identification code or date of birth of the tram driver;
- 5) the address of the tram driver;

- 6) the type, model and registration number of the tram;
- 7) the grounds for removal from driving a tram specified in clauses 1) to 7) of subsection (1) of this section, the start time of removal from driving and the conditions for the lapse of the removal;
- 8) the signature of the person who drew up the decision.

(3) The decision to remove a tram driver from driving will enter into force from the moment of making it.

(4) The decision to remove a tram driver from driving will be prepared in two original copies, one of which will be given to the tram driver. The other copy of the decision will be signed and dated by the tram driver to confirm receipt. If the tram driver refuses to sign the decision or is in a state of intoxication or has a medical condition that makes them unable to sign, the respective note will be made in the decision to remove the tram driver from driving.

## **Chapter 7**

### **CYCLIST AND DRIVER OF MINI MOPED**

#### **§ 148. Requirements for cyclist and driver of mini moped**

(1) A person of 10 years of age or older who has acquired the qualifications of a cyclist may independently cycle on a carriageway. Persons of 10 to 15 years of age must hold a respective driving licence when cycling or driving on a carriageway. A person of eight years of age or older may cycle on a carriageway only under the direct supervision of their legal guardian or, with the consent of the latter, under the supervision of another adult.

(2) A person of 14 years of age or older may drive a mini moped. A mini moped driver of 14 or 15 years of age must hold a cycling driving licence.

(3) The qualifications of a mini moped driver must correspond to the qualifications of a cyclist.

(4) The qualifications requirements for cyclists will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 149. Requirements for training providers of cyclists and drivers of mini mopeds**

(1) Cyclist training is provided and road safety taught by pre-school child care institutions, basic schools, upper secondary schools, vocational schools, hobby schools, training providers holding a permit for training drivers of power-driven vehicles and organisations whose statutory activities include cyclist training.

(2) A cyclist may be individually instructed by a parent.

(3) Cyclist's instructor must hold a driving licence of any power-driven vehicle.

(4) Cyclists and mini moped drivers must be trained on a required study field and with the required study aids.

(5) The procedure for the preparation of cyclists and drivers of mini mopeds and the requirements for the study aids and study fields will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 150. Examination of cyclists and drivers of mini mopeds**

(1) Basic schools, upper secondary schools, hobby schools, the Police and Border Guard Board, training providers holding a permit for training drivers of power-driven vehicles and the Road Administration have the right to examine cyclists.

[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(2) An applicant for a cyclist driving licence must successfully pass the theory test and the driving test.

(3) The procedure for examining cyclists and mini moped drivers will be established by a regulation of the Minister of Economic Affairs and Communications.

#### **§ 151. Requirements for issuing driving licences of cyclists and drivers of mini mopeds**

(1) Cyclist driving licences are issued and the records thereof maintained by the authorities specified in subsection 150 (1) of this Act.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(2) The Road Administration organises the printing and issue of cyclist driving licences and maintains the records thereof.

(3) A cyclist driving licence may be applied for by a person who:

- 1) has completed the training in accordance with subsection 149 (5) of this Act;

2) has participated in an official competition involving the requirements established by the regulation specified in subsection 149 (5) of this Act and received a written confirmation that they comply with the requirements for granting a cyclist driving licence; or

3) has on their own initiative prepared for the examination under the guidance of a parent, an instructor of drivers of power-driven vehicles or a driving practice instructor.

(4) A mini moped driving licence may be applied for by a person who has undergone the training specified in subsection 149 (5) of this Act.

(5) An applicant for a driving licence up to the age of 15 years must have the written consent of their legal guardian for obtaining a cyclist driving licence or a mini moped driving licence.

(6) The procedure for issuing cyclist and mini moped driving licences and the form for the cyclist driving licence will be established by a regulation of the Minister of Economic Affairs and Communications.

## **Chapter 8**

# **OFF-ROAD VEHICLE TRAFFIC MANAGEMENT AND DRIVING OFF-ROAD VEHICLE**

### **§ 152. The purpose of off-road vehicle traffic management**

The purpose of off-road vehicle traffic management is to prevent damage to the environment and possessors of land and to ensure traffic safety.

### **§ 153. Off-road vehicle traffic**

(1) An off-road vehicle may be driven or parked off-road, except in the limited management zone of a shore or bank, only with the permission of the owner or possessor of land. In the limited management zone of a shore or bank, an off-road vehicle may be driven and parked in accordance with the procedure specified in the Nature Conservation Act.

(2) Off-road vehicle traffic in protected areas and species protection sites is regulated by nature conservation rules.

(3) The local authority has the right to establish additional requirements for off-road vehicle traffic its territory.

(4) The permission specified in subsection (1) of this section is not required:

- 1) from police and customs officials performing their duties;
- 2) upon taking a sick person to the hospital;
- 3) from persons involved in rescue work;
- 4) in other events related to the performance of duties (such as the provision of repair and maintenance services for power and communication lines or other similar activities).

### **§ 154. Prohibition in off-road vehicle traffic**

(1) It is prohibited to drive off-road vehicles on roads, except for crossing rivers, roads and other obstacles and roads covered with snow, which are temporarily inaccessible for power-driven vehicles and roads where it is permitted by a relevant traffic control device.

(2) An off-road vehicle may be used to cross a road, provided that the road is sufficiently visible in both directions, the crossing does not constitute a hazard for traffic on the road and the road is crossed along the shortest possible route. When driving on the road, the off-road vehicle driver must give way to other traffic.

(3) The traffic prohibition specified in subsection (1) of this section does not apply in the events specified in subsection 153 (4) of this Act.

### **§ 155. Traffic management of off-road vehicles and obligation to give way**

(1) The right-hand rule of the road applies to off-road vehicular traffic.

(2) If the routes of off-road vehicles cross, the driver of an off-road vehicle must give way to the off-road vehicle driver who approaches from the right-hand side or is on the right-hand side.

(3) An off-road vehicle driver may not force other traffic to change the direction or speed of driving when starting to drive or manoeuvring. An off-road vehicle driver who is required to give way must demonstrate this clearly by reducing speed or coming to a gradual halt.

### **§ 156. Environmental protection requirements for off-road vehicle traffic**

An off-road vehicle driver and passenger must observe the environmental protection requirements provided for in § 13 of this Act and must not damage, pollute or otherwise contaminate the areas used for traffic.

### **§ 157. Technical requirements for off-road vehicle and requirements for its equipment and inspection of its compliance with requirements**

(1) An off-road vehicle and its equipment must comply with the technical requirements established by legislation. An off-road vehicle must be duly equipped.

(2) The roadworthiness testing of an off-road vehicle prior to registration is conducted by the Road Administration who also supervises compliance with requirements and the quality of testing.

(3) The technical requirements for off-road vehicles and equipment thereof will be established by a regulation of the Minister of Economic Affairs and Communications.

(4) The conditions of and procedure for the roadworthiness testing of off-road vehicles, including the conditions of and procedure for equipment testing, types of roadworthiness testing and the list of documents to be submitted upon roadworthiness testing will be established by a regulation of the Minister of Economic Affairs and Communications.

### **§ 158. Registration of off-road vehicle**

(1) An off-road vehicle is registered in accordance with the established procedure and must bear state registration plates.

(2) An off-road vehicle must be registered within five working days after starting to use the vehicle in Estonia.

(3) If the owner of an off-road vehicle is a natural person who is not a citizen of Estonia or a legal person who is not registered in Estonia in accordance with law, the owner's representative who is a legal person registered in Estonia or a natural person who permanently resides in Estonia and has Estonian citizenship or a residence permit will be entered in the traffic register as the authorised user.

(4) An off-road vehicle must pass a roadworthiness test prior to registration. The technical expert assessment required for conducting roadworthiness testing is carried out by the Road Administration. The Road Administration may involve experts in the expert assessment. The costs of the expert assessment and relating acts are covered by the manufacturer, the manufacturer's official representative or the importer of the vehicle of product.

(5) Off-road vehicles are registered and the registration plates and certificates thereof are issued by the Road Administration.

(6) The list of off-road vehicles subject to registration will be established by a regulation the Minister of Economic Affairs and Communications.

(7) The conditions of and procedure for registration of off-road vehicles, including the list of data and documents required for registration, and the requirements for state registration plates and vehicle signs will be established by a regulation of the Minister of Economic Affairs and Communications.

(8) A state fee must be paid for making entries relating to the registration of an off-road vehicle in the traffic register.

### **§ 159. Refusal to register off-road vehicle, amendment of register data and deletion from register**

(1) The registration of an off-road vehicles or performance of a register act will be refused if:

- 1) no documents or data required for registration have been submitted;
- 2) the off-road vehicle does not meet the established requirements; or
- 3) the off-road vehicle is made up of spare parts.

(2) In order to amend register data, the owner, their representative or another entitled person of the off-road vehicle must submit a valid application to the Road Administration within five working days of the change in the data.

(3) If vehicle data is amended, the off-road vehicle will be presented to the Road Administration for amendment of the register data.

(4) An off-road vehicle will be deleted from the register:

- 1) based on an application from the owner or the owner's representative;
- 2) in other events provided by law.

(5) An off-road vehicle that has been seized or pledged or that is encumbered with a restriction on transfer or declared wanted by the police will not be deleted from the register.

(6) In the event of transfer, change of user or deletion from the register of an off-road vehicle that is encumbered with a restriction on transfer, the written consent of the person who imposed the restriction must be submitted.

#### **§ 160. Right to drive off-road vehicle**

(1) A person who has the right to drive power-driven vehicles of any category may drive off-road vehicles.

(2) When driving an off-road vehicle, the driver must carry a driving licence and the registration certificate of the off-road vehicle.

#### **§ 161. General duties of off-road vehicle driver**

(1) An off-road vehicle driver must:

- 1) ascertain before driving that the off-road vehicle is roadworthy and observe the same while driving;
- 2) drive holding the driving device (handle bar, wheel or similar) with two hands, except when giving a warning signal by hand;
- 3) wear a strapped motorcycle helmet and not carry a passenger who does not wear a strapped motorcycle helmet.

(2) An off-road vehicle driver must carry and, at the request of a police officer or another person who has respective competence arising from law, present the following:

- 1) the document certifying their right to drive;
- 2) the registration certificate of the off-road vehicle.

(3) An off-road vehicle driver has the right to request that the inspector present their professional certificate or another document certifying their competence and to note down the details thereof.

(4) The owner, possessor or driver of an off-road vehicle must not permit a person who does not have the right to drive off-road vehicles or meet the requirements specified in subsection (5) of this section to drive the off-road vehicle and must not entrust the driving of the off-road vehicle to such a person.

(5) An off-road vehicle driver must not be in a state of intoxication, in a state exceeding the maximum permitted level of alcohol in the bloodstream or in a state of health hazardous to road safety.

(6) The state specified in subsection (5) of this section or a state of intoxication is ascertained in accordance with the procedure specified in §§ 69 and 70 of this Act.

#### **§ 162. Signals given by off-road vehicle driver**

(1) An off-road vehicle driver must give a turn signal in accordance with subsection 39 (2) of this Act.

(2) An audible warning signal may only be used in the event of a hazard, to attract the attention of a road user.

(3) Giving a warning signal does not grant the driver of an off-road vehicle the right of way.

#### **§ 163. Use of lamps of off-road vehicle**

On a moving off-road vehicle dipped-beam headlamps or main-beam headlamps and rear light must be lit.

#### **§ 164. Speed of off-road vehicle**

(1) An off-road vehicle driver must adapt the speed of their vehicle to their driving experience, the landscape, the condition of the off-road vehicle, the peculiarities of any goods carried, the weather conditions and other traffic conditions, to be able to stop the vehicle within the area visible in front and without hitting any obstacle that can reasonably be expected. An off-road vehicle driver must reduce the speed and, if necessary, stop if the conditions so require, especially if visibility is poor.

(2) An off-road vehicle driver must not exceed the maximum speed designated by the manufacturer of the off-road vehicle.

(3) In the event specified in subsection 154 (1) of this Act, when driving on the road, the off-road vehicle must not be driven faster than 50 kilometres per hour.

## **§ 165. Driving off-road vehicle on body of water covered with ice**

Driving an off-road vehicle on a body of water covered with ice is regulated by the Water Act.

# **Chapter 9 ENSURING ROAD MOBILITY OF PEOPLE WITH MOBILITY DISABILITY AND BLIND PEOPLE**

## **§ 166. Organisation of road mobility of people with mobility disability and blind people and parking of vehicles servicing such people**

The road mobility of people with a mobility disability or blind people, the parking of vehicles servicing such people and the parking of vehicles driven by people with a mobility disability is organised by the local authority.

## **§ 167. Parking card of vehicle servicing person with mobility disability and blind person**

(1) In order to ensure the road mobility of a person with a mobility disability or a blind person, a parking card of a vehicle servicing people with a mobility disability or blind people will be issued to the person in accordance with the procedure established on the basis of subsection (4) of this section.

(2) A parking card granted on the basis of subsection (4) of this section or a parking card of a vehicle servicing people with a mobility disability or blind people, which has been issued by the competent authority of a contracting state that has joined the additional European agreement of the 1968 Convention on Road Traffic is considered a parking card of a vehicle servicing people with a mobility disability or blind people.

(3) The form of and conditions of issue of parking cards for vehicles servicing a vehicle servicing people with a mobility disability or blind people will be established by a regulation of the Minister of Social Affairs.

(4) A parking card of a vehicle servicing people with a mobility disability or blind people will be issued by the local authority.

# **Chapter 10 TRAFFIC ACCIDENT**

## **§ 168. General duty to assist**

(1) At the site of a traffic accident, every road user or passenger must assist, according to their skills, any person who needs assistance due to a traffic accident and inform the emergency centre immediately about such person.

(2) If at the site of a traffic accident the emergency centre cannot be informed about a person who needs assistance due to a traffic accident and the one cannot stay with the victim as well as if the injuries of the person who needs assistance due to a traffic accident do not require transporting them to the hospital in an ambulance, the driver must transport the victim to the nearest hospital in the safest manner possible.

(3) A road user or passenger must stay with the person who needs assistance due to a traffic accident, if it is safe, until the arrival of an ambulance, police or rescue service unit. If the victim is transported to the hospital in accordance with the procedure provided for in subsection (2) of this section, the road user or passenger must, at the request of the driver or victim, assist the driver in transporting the victim to the hospital, including being the escort, provided that it is safe.

## **§ 169. Behaviour of driver in event of traffic accident**

(1) In the event of a traffic accident the driver involved must:

1) stop as quickly as possible, without causing an additional hazard thereby, and switch on the hazard warning lights. If the vehicle has no hazard warning lights or if the vehicle involved in the traffic accident is located at a place where the visibility is bad or limited, a warning triangle must be placed on the road in accordance with subsection 39 (9) of this Act;

2) ensure traffic safety at the site of the accident to the extent possible;

3) present a personal identification document at the request of another driver involved in the traffic accident.

(2) If a person has been injured or killed in a traffic accident, the driver must:

1) if actions specified in clauses 1) and 2) of subsection (1) of this section have not been performed at the site of the traffic accident, mark the site with a warning triangle in accordance with subsection 39 (9) of this Act and ensure traffic safety at the site of the accident to the extent possible;

2) inform the emergency centre about the traffic accident and act in accordance with the instructions received from there;

3) to the extent of their skills, provide first aid to people in need of medical attention;

4) write down the names and addresses of eye witnesses upon their consent.

(3) If the driver has fulfilled the requirements specified in subsection (2) of this section, but it is not possible to inform the emergency centre from the site and they cannot arrange the transportation of the victim to the hospital with an ambulance, the driver must transport the victim to the hospital, provided that transportation does not pose a risk for the victim. The driver transporting the victim must inform the person at the hospital accepting the victim of their name, contact information and vehicle number and return immediately to the site of the traffic accident.

(4) It is not required to report a traffic accident to the police if all the following requirements are met:

- 1) people were not injured in the traffic accident or the people involved in the traffic accident themselves do not require their health to be examined;
- 2) the driver(s) involved in the traffic accident and the person(s) who suffered damage agree on the liability upon assessment of the reasons of the incident;
- 3) the data of all the people involved in the traffic accident have been recorded in a manner allowing for later identification;
- 4) the person responsible for causing material damage is specified;
- 5) the driver(s) involved in the traffic accident and the person(s) who suffered damage have recorded the circumstances listed in clauses 2) to 4) in writing and have signed the report.

(5) In the event of disagreement, if the person(s) who sustained damage is (are) not known, the person causing material damage is not at the site of traffic accident or material damage occurred as a result of hitting an animal or avoiding it, the police must immediately be informed of the traffic accident and measures must be taken according to the instructions received from the police. If due to hitting a large game for the purposes of the Hunting Act no material damage has been caused but the large game has been injured or killed, the emergency centre must be informed and measures must be taken according to the orders received from them.

(6) Vehicles or objects involved in a traffic accident may only be moved before the police arrives at the site of the traffic accident if the victim is transported to the hospital or the accident has rendered other vehicular traffic impossible and if the position and traces of the vehicles and objects have been marked beforehand in the presence of witnesses.

(7) A driver involved in a traffic accident must not consume alcohol and other substances causing narcotic or psychotropic intoxication until the police have ascertained the circumstances of the traffic accident at the site of the traffic accident, except for medicinal products containing narcotic or psychotropic substances administered at the site of the event by the ambulance crew providing first aid or by the orders of another health by way of emergency care.

#### **§ 170. Rescue operations**

(1) Rescue work at the scene of a traffic accident is performed by the Rescue Board in accordance with the Rescue Act.

[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(2) An ambulance crew provides medical assistance at the site of a traffic accident in accordance with the Health Care Services Organisation Act.

(3) Transportation of the deceased from the site of a traffic accident is organised by the police.

(4) If the driver of a vehicle is killed in a traffic accident or is taken to the hospital due to their injury, the transportation of the vehicle from the site of the traffic accident will be arranged and the preservation thereof will be ensured by the police.

#### **§ 171. Identification of circumstances of and keeping records on traffic accident**

(1) Traffic accidents are registered by:

- 1) the Police and Border Guard Board;

[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

- 2) an insurer engaged in traffic insurance or the Estonian Traffic Insurance Fund;
- 3) a provider of health care services operating on the basis of an activity licence;
- 4) a family doctor operating on the basis of a practice list.

(2) The procedure for informing of a traffic accident and registration, formalisation, identification of circumstances and keeping of records on traffic accidents will be established by a regulation of the Government of the Republic.

#### **§ 172. Expert committee**

(1) The Minister of Economic Affairs and Communications may set up expert committees in order to ascertain and generalise the causes of traffic accidents and to develop proposals for ensuring road traffic safety.

(2) An expert committee has the right to examine materials prepared on a traffic accident, identify the circumstances of the traffic accident, prepare generalisations, and make proposals for the improvement of road traffic safety, elimination of the causes and mitigation of the consequences of traffic accidents.

## **Chapter 11**

# **TRAFFIC REGISTER AND REGISTER FOR VEHICLES OF ESTONIAN DEFENCE FORCES AND ESTONIAN DEFENCE LEAGUE**

### **§ 173. Traffic register**

(1) The traffic register is a database established by the Government of the Republic for the purpose of maintaining records on vehicles, ships with the total length of less than 12 metres and personal watercraft, driving licences and other documents certifying the right to drive, digital tachograph cards, professional training of drivers and registered securities over movables.

(2) The statutes of the traffic register will be established by a regulation of the Government of the Republic.

(3) The chief processor of the traffic register is the Road Administration (hereinafter *registrar*).

### **§ 174. Databases of traffic register**

(1) The traffic register is composed of:

- 1) vehicle database;
- 2) database of recreational craft, ships with the total length of less than 12 metres and personal watercraft;
- 3) database of driving licences and other documents certifying the right to drive;
- 4) database of certificates of skippers of recreational craft and operators of personal watercraft;
- 5) database of cards of digital tachographs;
- 6) database of professional training of drivers.

(2) In the vehicle database, records are maintained on power-driven vehicles, trailers and off-road vehicles specified in § 158 of this Act, which are registered in Estonia, the owners and authorised users thereof, and restrictions on the use and disposal of the vehicles and registered securities over movables.

(3) In the database of recreational craft, ships with the total length of less than 12 metres and personal watercraft, records are maintained on recreational craft, ships with the total length of less than 12 metres and personal watercraft complying with the requirements of the Maritime Safety Act, which are registered in Estonia, the owners and authorised users thereof, and restrictions on the use and disposal thereof.

(4) In the database of driving licences and other documents certifying the right to drive, records are maintained on the granting, suspension, withdrawal, revocation and restoration of the right to drive, as well as driving licences issued in Estonia and other documents certifying the right to drive.

(5) In the database of certificates of skippers of recreational craft and operators of personal watercraft, records are maintained on the granting, suspension, withdrawal, revocation and restoration of the right to drive, and also documents certifying the right to drive issued in Estonia.

(6) In the database of digital tachograph cards, records are maintained on the granting, suspension, withdrawal, revocation and restoration of driver cards and workshop cards, as well as the granting and revocation of control cards and company cards.

(7) In the database of professional training of drivers, records are maintained on the professional training of drivers in accordance with the Road Transport Act.

### **§ 175. Persons who submit information to traffic register**

(1) The following persons submit information to the traffic register:

- 1) the owner of a vehicle, recreational craft, ship with the total length of less than 12 metres or personal watercraft or the representative;
- 2) an applicant for the right to drive or a driving licence;
- 3) an administrative authority or agency or court upon suspension or withdrawal and revocation of the right to drive;
- 4) a person entitled to apply restrictions on disposal;
- 5) a training provider of power-driven vehicle drivers upon the submission of study groups and lists of trainees who have completed the training;
- 6) a training provider of instructors of power-driven vehicle drivers upon the submission of lists of trainees who have completed the instructor training for power-driven vehicle drivers;
- 7) a training and examination agency for skippers of recreational craft and operators of personal watercraft;

- 8) a person conducting the roadworthiness testing of vehicles, recreational craft, ships with the total length of less than 12 metres or personal watercraft;
- 9) an examiner of the state of health of drivers;
- 10) an applicant for a digital tachograph card or their representative;
- 11) an applicant for a professional training certificate or their representative;
- 12) an applicant for a recreational craft skipper certificate or a personal watercraft operator certificate;
- 13) a competent authority of the member states of the European Union or the European Economic Area;
- 14) the chief processor of the motor third party liability insurance register on the data of vehicles and trailers destroyed due to insured events of traffic insurance and vehicle insurance entered in the motor third party liability insurance register;
- 15) other agencies and persons on the grounds arising from law.

(2) In order to perform the duties provided in this Act, the registrar has the right to submit enquiries and receive information from the registry of convictions, the population register and other state or local authority databases.

(3) The persons who submit information specified in subsection (1) of this section must submit truthful information on the conditions and in accordance with the procedure provided for in legislation. If the registrar has doubts about the accuracy of the documents submitted by the person submitting information specified in subsection (1), the registrar has the right to confiscate the documents and submit them to the competent state authority for inspection.

(4) The registrar has the right to take biometric data and process these in the course of the proceedings related to the application and issue of the documents certifying the right to drive. For the purposes of this Act, biometric data means the face image, fingerprint images, the signature or the signature image and eye iris images.

(5) An agency, a body conducting extra-judicial proceedings or a court that has made a decision to withdraw the right to drive a vehicle or tram from a person, will send a copy of the decision or submit the data in electronic form to the registrar at the latest on the working day following the entry into force of the decision.

(6) The examiner of the state of health of a driver will send the data of the health certificate of the driver to the registrar by the end of the next working day at the latest.

#### **§ 176. Information entered in register on registered security over movables**

The following information is entered in the register on a registered security over movables:

- 1) name and date of birth of the pledgee, registry code of a legal person. The registry code does not have to be indicated if the person is not subject to entry in a public register;
- 2) the monetary value of the registered security over movables;
- 3) the ranking of the registered security over movables;
- 4) other information provided by law.

#### **§ 177. Making entry on registered security over movables**

(1) An entry will be made in the traffic register regarding a registered security over movables on the basis of a written application of the person entered in the traffic register as the owner of the vehicle, which is accompanied by the written agreement on establishing the registered security over movables.

(2) The person entered in the traffic register as the owner may withdraw the application until an order on entry has been made on it. To withdraw the application, an application in the same form as the original application must be made to the registrar, indicating the reason for withdrawing the application.

(3) A state fee must be paid for making, amending and deleting an entry on a registered security over movables.

#### **§ 178. Presumption of accuracy of information entered on registered security over movables**

(1) The information entered in the traffic register on a registered security over movables is presumed accurate.

(2) When an entry concerning a registered security over movables is deleted from the traffic register, the right of security is deemed terminated.

#### **§ 179. Order on entry of registered security over movables**

(1) An application on a registered security over movables is settled by an order on entry and an entry is made on the basis thereof.

(2) If there is a deficiency in an application that prevents making the entry or if a required document is missing and the deficiency can obviously be eliminated, the registrar will grant a term for the elimination of the

deficiency. If the deficiency is not eliminated by the expiry of the term, the registrar will deny the application by an order on entry.

(3) If an entry application is granted in full, an entry will be made in the register without drafting a separate order on entry. In such an event, the contents of the entry are deemed the order on entry.

(4) If the registrar grants an application in part, they will make an entry on the satisfied part and an order on entry on denying the remaining part.

#### **§ 180. Making entry regarding registered security over movables**

An order on entry and an entry are made immediately, unless otherwise provided by law.

#### **§ 181. Filing appeal against order on entry of registered security over movables**

(1) A person concerned can file an appeal against an order on entry by which an entry application was denied or granted in part as well as against an order by which the term for eliminating deficiencies was granted for a period exceeding six months.

(2) The appeal must be filed with the registrar in writing within 15 days from the delivery of the order, but not later than within five months from making the order on entry.

#### **§ 182. Appeal proceedings**

(1) The registrar will decide the acceptance of the appeal immediately after the receipt of the appeal. The registrar will verify whether the appeal is admissible under law and whether the appeal has been filed in accordance with the requirements provided by the law and within the required time limit.

(2) An appeal must comply with the requirements for filing an appeal with the circuit court as provided for in the Code of Civil Procedure.

(3) The registrar does not have to separately formalise the acceptance of an appeal or notify thereof separately.

(4) An appeal may be filed against an order by which the acceptance of an appeal is refused. An order made by a circuit court regarding an appeal against an order is not subject to appeal.

(5) If the registrar finds an appeal justified, they will grant the appeal by an order. If the registrar finds that the appeal can be granted only in part, they will deny the appeal.

(6) If the registrar does not grant an appeal within five days, they will immediately submit it together with the annexes and related procedural documents to the county court of the location of the registrar for review and settlement. No separate order needs to be made in the event of denying an appeal and it does not need to be forwarded to the parties to the proceedings.

(7) The county court will review an appeal submitted by the registrar, applying the provisions of the Code of Civil Procedure, which regulate orders on entry.

#### **§ 183. Amending incorrect entry on registered security over movables**

(1) The registrar will correct the spelling mistakes of no legal significance on its own initiative.

(2) The registrar will amend an entry if the order on entry serving as the basis for the entry has been quashed or revised.

#### **§ 184. Access to information entered in traffic register**

(1) The extent of access granted to information entered in the traffic register and access restrictions are provided for by law.

(2) Everyone has the right to access any and all information in the register, which relates to them.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) Information entered in the traffic register is public, except for:

- 1) data of natural and legal persons;
- 2) numbers of registration certificates;
- 3) registration numbers;
- 4) identification numbers (VIN, TIN, HIN and CIN);
- 5) information relating to health certificates and examinations.

(4) In the event of a justified legitimate interest, the information with restricted access specified in subsection (3) of this section may be given to third parties. A justified legitimate interest is verified and the release decided by the Road Administration.

(5) State and local authority agencies, notaries, enforcement officers and the Estonian Traffic Insurance Fund specified in the Motor Third Party Liability Insurance Act have the right to access information required for the performance of their duties provided by law. Persons performing public duties under a public law contract with the state or local authority have the right to access information required for performance of their public duties.

(6) Insurers engaged in motor third party liability insurance and power-driven vehicle insurance have access to the data in the databases of the traffic register specified in clauses 174 (1) 1) and 174 (1) 3) of this Act for provision of insurance services. For provision of insurance services, an insurer has the right to process the personal data of a data subject (customer) without their consent for the purpose of assessing the insurance risk, concluding insurance contracts, performing an insurance contract and ensuring the performance thereof.

(7) The data on restrictions set on the use and disposal of power-driven vehicles, trailers, off-road vehicles, recreational craft, ships with an overall length of less than 12 metres and personal watercraft registered in Estonia is public.

(8) Information on registered securities over movables entered in the traffic register regarding vehicles is public. To see the information on registered securities over movables, the knowledge of the registration number of the vehicle or the name of the person entered in the traffic register as the owner of the vehicle is sufficient. No one can excuse themselves by claiming that they did not know the information on registered securities over movables entered in the traffic register.

(9) A state agency of a foreign country has in the event of a justified interest the right to access the personal data entered in the traffic register if the European Commission has found the level of protection of personal data of the respective state to be sufficient. The release of data is decided by the chief processor of the traffic register.

(10) An application submitted via the website of the Road Administration for a release of electronic data on the make, model, date of initial registration or year of manufacturing, restrictions of a vehicle or watercraft that has been entered in the traffic register, validity of the driving licence, existence of the right to drive or validity of the roadworthiness test is regarded a simple enquiry.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(11) An application submitted via the website of the Road Administration for a release of electronic data not specified in subsection (10) of this section from the traffic register is regarded an extended enquiry.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(12) The data of the traffic register is released on the basis of enquiries specified in subsections (10) and (11) of this section, another one-off request or a contract made between the Road Administration and the respective person. A state fee must be paid for a release of data not specified in subsection (10) of this section on the basis of a document of the data of the traffic register or extended information or another one-off request.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(13) The procedure for accessing the electronic data of the traffic register will be established by a regulation of the Minister of Economic Affairs and Communications.

### **§ 185. Register of vehicles belonging to the Estonian Defence Forces and the Estonian Defence League**

(1) On the power-driven vehicles and trailers thereof, including off-road vehicles and trailers thereof and tractors, mobile machinery and trailers thereof used by the Estonian Defence Forces and the Estonian Defence League, which are not entered in the traffic register, records are maintained in the register of vehicles belonging to the Estonian Defence Forces and the Estonian Defence League.

(2) The register of vehicles belonging to the Estonian Defence Forces and the Estonian Defence League is a database that is established by and the statutes for the maintaining of which are established by the Minister of Defence.

(3) The chief processor of the register of vehicles belonging to the Estonian Defence Forces and the Estonian Defence League is the Ministry of Defence.

## **Chapter 12 ORGANISATION OF PARKING**

### **§ 186. Organisation of parking**

(1) Parking must be organised in such a manner that does not disturb or endanger traffic or disturb people in residential areas as a result of power-driven vehicle exhaust gases and noise.

(2) The road owner or the person responsible for road management who organises parking may have a vehicle that is parked in such a way that it disturbs or endangers traffic relocated to a guarded storage facility on the conditions and in accordance with the procedure specified in § 92 of this Act.

(3) The road owner or the person responsible for the organisation of road management who organises parking may use a traffic sign indicating the impounding of vehicles to mark an area for safety reasons or to prevent a threat caused to public interest.

(4) Parking is organised by the road owner or the person responsible for the organisation of road management by means of road signs, road markings and other traffic control devices.

(5) The road owner or the person responsible for the organisation of road management may charge a fee for parking. Paid parking in the public parking areas of local authorities is organised in accordance with the provisions of §§ 187 to 190 of this Act.

### **§ 187. Parking charge**

(1) The local authority may establish paid parking areas in their public parking areas, within the boundaries of which the drivers of a power-driven vehicle is required to pay parking charges for their power-driven vehicle and its trailer.

(2) The council of local authority will establish the following by a regulation:

- 1) paid parking areas;
- 2) the rate or differentiated rates of parking charges;
- 3) benefits applicable upon payment of parking charges and the events of exemption from payment thereof.

(3) The rural municipality or city government organises parking in the paid parking areas of the local authority. The local authority may assign, under a public law contract, the monitoring of parking and of payment of parking charges, and imposition of parking fines, the forwarding of the third copies of parking fine decisions and the submission of parking fine decisions for compulsory enforcement specified in § 188 of this Act to a legal person in private law. A legal person in private law participates in the proceedings through its employees to whom the provisions concerning officials provided by this Act extend.

(4) The driver of a power-driven vehicle and its trailer must pay parking charges before or directly after parking commences. After the driver of a power-driven vehicle has displayed the time when parking commences in writing or on a parking clock, the obligation to pay the parking charge will arise after 15 minutes from time when parking commenced, unless the local authority council has established a longer term.

(5) The document proving the right of parking must be placed on the front windscreen or dashboard of the power-driven vehicle in such a manner that the paid parking time or validity of the document can be verified from outside the power-driven vehicle. In the event of parking a trailer, the document proving the right of parking must be placed on the drawbar so that the paid parking time or validity of the document can be verified. A parking cards of a vehicle servicing people with a mobility disability or blind people must be placed in accordance with the provisions of subsection 68 (1) of this Act.

(6) Parking charges are paid to the budget of the local authority that established the charges.

### **§ 188. Parking fine**

(1) A parking officer will make a decision to impose a parking fine (hereinafter *parking fine decision*) if:

- 1) the parking charge is not paid or is paid at a lower rate;
- 2) the paid parking time has been exceeded;
- 3) the document proving the right to paid parking has not been filled in correctly; or
- 4) the document proving the right to paid parking has not been placed in accordance with the provisions of subsection 187 (5) of this Act.

(2) A parking fine must be paid by the owner of the power-driven vehicle or its trailer. If the authorised user of a power-driven vehicle or its trailer has been entered in the traffic register, the parking fine must be paid by the authorised user.

(3) A parking fine decision is made in three original copies of which the one will remain with the parking officer, one will be given to the driver of the power-driven vehicle or the user of the trailer thereof or affixed to the vehicle or its trailer in a weatherproof envelope at the place where it is clearly visible and one will be delivered to the owner or user of the vehicle and its trailer within five days to the e-mail address which the person specified in subsection (2) of this section has notified to the traffic register, traffic insurance register or population register. If the recipient does not, within five days from sending a parking fine decision transmitted electronically, confirm the receipt or if their e-mail address is not known, the provisions of Chapter 4 of the Taxation Act apply to the delivery after the parking fine has not been paid by the term specified in the given to the driver of the power-driven vehicle or user of its trailer or affixed to the power-driven vehicle or its trailer.

(4) A parking fine decision must set out:

- 1) the given name, surname and official title of the official who made the decision;

- 2) the name and contact details of the agency in whose name the decision is made;
- 3) if the decision is made by an employee of a legal person in private law, the name, registry code and contact details of the legal person in private law;
- 4) the place, date and time of making the decision;
- 5) the type, make and registration number of the power-driven vehicle or its trailer;
- 6) a brief description of the circumstances that constitute the basis for making the decision;
- 7) the legal basis for making the decision;
- 8) the imposed parking fine;
- 9) the term for payment of the parking fine;
- 10) a notice communicating the fact that the decision is delivered to the address of the owner or user of the power-driven vehicle;
- 11) a warning concerning the commencement of compulsory enforcement proceedings in the event of failure to comply with the decision;
- 12) the possibility and term of and procedure for contesting the decision.

(5) A parking fine decision delivered to the owner or user of a motor vehicle or its trailer must specify, in addition to the information provided in subsection (4) of this section, also the name, personal identification code or registry code and the address of the residence or seat of the owner or user of the power-driven vehicle.

(6) A payment order of the parking fine that sets out the bank account number where the parking fine must be paid and the reference number is appended to the parking fine decision.

(7) If a power-driven vehicle or its trailer is not removed from the paid parking area, the parking official has the right to make, after no sooner than twenty-four hours, another parking fine decision.

(8) The rate of the parking fine must not exceed 31 euros per one twenty-four hour period. The rate or, if appropriate, the differentiated rates of the parking fine will be established by the local authority council. The provisions of subsection 98 (2) of the Taxation Act apply to the limitation period for imposition of parking fines. [RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(9) The term of payment of a parking fine must not be less than fourteen days after the date of delivery of the parking fine decision to the owner or user of a power-driven vehicle or its trailer.

(10) A parking fine is paid to the budget of the local authority that established the fine.

### **§ 189. Payment and contestation of parking fines**

(1) A parking fine is deemed to be paid on time if has accrued to the bank account specified in the parking fine decision by the due date.

(2) If a person specified in subsection 188 (2) of this Act finds that their rights have been violated by a parking fine decision, they may file an intra-authority appeal with the rural municipality or city government or an appeal with an administrative court against the decision.

(3) In the event of failure to pay a parking fine by the due date, the local authority may submit the claim for payment of the parking fine to an enforcement officer for immediate compulsory execution on the grounds and in accordance with the procedure provided for in the Code of Enforcement Procedure.

(4) The provisions of § 132 of the Taxation Act regarding the compulsory enforcement of other financial liabilities collectible by the tax authority apply to the expiry of the time limit of compulsory enforcement of a parking fine. The claim for a parking fine subject to payment will expire if the parking fine has not been claimed within four years as of making the decision on the parking fine. [RT I, 31.12.2010, 3 - entry into force 01.07.2011]

### **§ 190. Relocation of parked vehicle in exceptional circumstances**

(1) In exceptional circumstances caused by rapidly changing weather conditions, the need to perform operational tasks or any other need to alter the road traffic rules, the organisation of parking may be changed.

(2) The Rescue Board has the right to relocate vehicles from the area where it is necessary to perform rescue or explosives removal work. [RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(3) If the organisation of parking is changed due to exceptional circumstances, the official who regulates parking will document the vehicles that have been parked legitimately and they will be relocated to a guarded storage facility in accordance with the procedure provided for in § 92 of this Act.

(4) An agency organising towing and storage will inform the owner or authorised user of the relocated vehicle or the police as soon as possible.

(5) Towing and storage charges will be paid by the agency that organises parking or relocation.

## **Chapter 13**

# **EXERCISE OF STATE AUTHORITY IN EVENT OF ACTS RELATING TO VEHICLES AND DRIVING LICENCES**

### **§ 191. Exercise of state authority in event of acts relating to vehicles and driving licences**

(1) The Minister of Economic Affairs and Communications may authorise the Road Administration to enter into public law contracts with companies to inspect the roadworthiness and fitness for service of power-driven vehicles, trams, their trailers and off-road vehicles. The obligations of the company and the liability for roadworthiness testing, the fee charged for the roadworthiness testing, the conditions of the reports submitted to the Road Administration on the conducted roadworthiness testing and the conditions of and grounds for amending the contract will be specified as the obligatory terms and conditions of the contract.

(2) Registration plates of power-driven vehicles, their trailers and off-road vehicles can be manufactured by a company holding a special or exclusive right for the purposes of the Competition Act. The Minister of Economic Affairs and Communications may authorise the Road Administration to arrange a public competition for granting the special or exclusive right and to grant the special or exclusive right.

(3) The Road Administration may use technical equipment for online monitoring and recording of the taking of the traffic theory and driving tests required for obtaining the right to drive, and in the territory of the company specified in subsection (1) of this section and in the room where roadworthiness testing is conducted for the purpose of monitoring and recording roadworthiness testing. The recordings can be used for exercising supervision and settling intra-authority appeals and complaints. The recordings will be retained for at least one month, but for not longer than one year.

(4) The procedure for the installation and use of the technical equipment specified in subsection (3) of this section and for processing the data will be established by a regulation of the Minister of Economic Affairs and Communications.

### **§ 192. Requirements for companies inspecting compliance with roadworthiness testing of vehicles**

(1) Companies specified in subsection 191 (1) of this Act must comply with the following requirements:

- 1) the company must be reliable;
- 2) the members of the management or supervisory board of the company must not have been penalised for a criminal offence, taking into account the terms for deletion of data specified in § 25 of the Penal Register Act;
- 3) the company has not significantly violated the public contracts concluded with it for conducting roadworthiness testing and it has not been declared bankrupt or no liquidation proceedings have been initiated against it and no other circumstances exist that could cause its permanent insolvency or winding-up;
- 4) the company has arrears of state or local taxes, state duties, fines or compulsory insurance;
- 5) the premises and territory of the company comply with the requirements provided for in subsection 73 (12) of this Act;
- 6) the equipment, supplies, instruments and inventory of the company comply with the requirements provided for in subsection 73 (12) of this Act;
- 7) the employees of the company comply with the requirements provided for in § 74 of this Act;
- 8) the company is able to ensure that the quality of roadworthiness testing complies with the requirements provided for in subsection 73 (12) of this Act;
- 9) the company must be a competent measurer for the purposes of the Metrology Act and hold a relevant professional competence certificate.

(2) The requirements of clauses 5) to 9) of subsection (1) of this section do not apply to a company conducting roadworthiness testing prior to registration.

(3) A contract must not be concluded or extended with a company not complying with the requirements provided for in subsection (1) of this section or if a contract specified in subsection 191 (1) of this Act has been terminated within the last two years before the conclusion of the contract due to breaches committed by the company.

(3) [Repealed – RT I, 31.12.2010, 3 – entry into force 01.07.2011]

## **Chapter 14**

# TRAFFIC SUPERVISION

## § 193. Traffic supervision authority

(1) Police officers, assistant police officers or other officials exercise traffic supervision within the competence granted to them by law and by the rural municipality or city government over the fulfilment of the stopping and parking requirements in the territory of the local authority.

(2) Upon application of a traffic supervision measure in accordance with a specific Act, the official exercising supervision follows the provisions of other legislation while observing the principles of this Act. In the events not regulated by other legislation, the provisions of this Act apply.

(3) [Repealed – RT I, 31.12.2010, 3 – entry into force 01.07.2011]

## § 194. Requirements for traffic supervision authority

(1) The traffic supervision authority must be familiar with the requirements of traffic legislation and the procedure for traffic supervision as well as with the methods and forms of exercising traffic supervision.

(2) The traffic supervision authority must be familiar with the instructions of use of the technical equipment used upon exercising supervision and have undergone training in the use of such equipment.

(3) The requirements provided for in § 74 of this Act apply to the traffic supervision authority.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

## § 195. Obligations of traffic supervision authority

The traffic supervision authority must:

- 1) ensure smooth traffic and the safety of road users;
- 2) inspect the compliance with the traffic requirements established by or on the basis of Acts, prevent the violation of traffic requirements and identify the offenders;
- 3) take measures to remove a traffic obstruction or risk, and in the event of the impossibility of the immediate removal of a traffic obstruction to take measures to mark it or place a barrier and to inform the road owner or a person responsible for the organisation of road management about the traffic obstruction;
- 4) warn road users about possible obstructions and risks on the road;
- 5) control traffic, if necessary;
- 6) wear a uniform or a badge and be clearly visible to road users, except in the event of concealed traffic supervision, and to act understandably for road users.

## § 196. Rights of traffic supervision authority

The traffic supervision authority has the right to:

- 1) stop a vehicle in the events specified in § 200 of this Act;
- 2) in event of an offence or carrying out a police operation, to inspect a vehicle and the documents of a vehicle, driver or cargo and other documents provided by law;
- 3) remove from driving a vehicle a person who does not have a document proving the right to drive or use the vehicle of the respective category;
- 4) remove from driving a vehicle a person who is suspected of driving a vehicle in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream, to inspect the alcohol content in the air exhaled by the driver on the site and to refer a person suspected of driving a vehicle in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream to expert assessment;
- 5) remove from driving a vehicle a person who is so ill or fatigued that their clear perception of traffic conditions or full compliance with the traffic regulations is impeded;
- 6) prohibit the use of a power-driven vehicle if its structure does not comply with the requirements or if, due to a failure of the vehicle, the level of pollutants in its exhaust emissions, its noise level or another deficiency it is prohibited to continue the journey;
- 6<sup>1</sup>) refer a power-driven vehicle or a its trailer to a special inspection of compliance with the roadworthiness requirements if the vehicle or trailer has been allowed to be used in traffic by way of exception on the basis of subsection 73 (5) of this Act or if the use of the vehicle or trailer is prohibited under clause 6) of this section;  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]
- 7) in the event of a necessity or risk to prohibit or restrict traffic;
- 8) deliver an offender or a person suspected of an offence in the events and in accordance with the procedure provided for by the law to the police or another agency;
- 9) detain documents and objects in the events and in accordance with the procedure provided for by the law;
- 10) use a firearm and special equipment for the forced stopping of a vehicle in the events and in accordance with the procedure provided by law;
- 11) use photo and video recording equipment in performing traffic supervision;

12) a traffic supervision device recording a power-driven vehicle may be used in performing traffic supervision, the recording of which can also be used for identifying the driver of power-driven vehicle, if necessary. The recordings can be used for performing supervision and in settling disputes and complaints. The recordings will be retained for at least one month, but for not longer than one year;

13) to relocate vehicles in the events and in accordance with the procedure provided by the law;

14) verify the compliance of a power-driven vehicle and its trailer with roadworthiness requirements.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

### **§ 197. Liability of traffic supervision authority**

The traffic supervision authority is liable for its illegal acts or omissions in accordance with the procedure provided for by law.

### **§ 198. Ways of exercising traffic supervision**

Traffic supervision is exercised on foot or in a vehicle, in moving or standing duty, using portable or fixed technical equipment.

### **§ 199. Methods of exercising traffic supervision**

(1) Traffic supervision may be exercised:

- 1) publicly, in an alarm vehicle in police colours;
- 2) publicly, in an alarm vehicle in border guard colours;
- 3) with police officers concealed, in a vehicle without special features and in private outfit for the prevention of traffic violations and other offences;
- 4) with portable or fixed technical equipment;
- 5) by combining the methods specified in clauses 1) to 3); or
- 6) in connection with a traffic police operation.

(2) The database of the fixed automatic speed measuring system is a database created by the Ministry of Economy and Communications where the data of traffic offences gathered by the speed measuring system installed on national roads are processed with the aim of ensuring efficient traffic supervision in relation to exceeding the permitted speed limit.

(3) The information entered in the fixed automatic speed measuring system database has a legal effect.

(4) The chief processor of the fixed automatic speed measuring system database is the Road Administration.

(5) The statutes of the fixed automatic speed measuring system database will be established by the Minister of Economic Affairs and Communications.

(6) Upon using a speedometer and a speed measuring system, the requirements of the measuring methodology and the user manual of the manufacturer must be followed. Requirements for the measuring process and processing measuring results will be established by a regulation of the Government of the Republic.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

### **§ 200. Stopping of vehicles and inspection of roadworthiness while exercising traffic supervision**

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(1) A person exercising traffic supervision will give a driver a stop signal:

- 1) manually (by using a staff, reflective disk or red signal lamp);
- 2) from a marked police emergency vehicle in a manner specified in subsection (1) of this section or by using a loudspeaker;
- 3) by switching on both the red and blue flashing rotary lights of an emergency vehicle in order to signal the driver in front;
- 4) from an unmarked police vehicle by switching on the blue and red flashing rotary light or blue and red warning lights and, where necessary, also by giving an instruction to stop through a loudspeaker.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(2) If a person exercising traffic supervision has lifted the arm and indicates a place for stopping, the driver must stop at once at the indicated place. If a person exercising traffic supervision has not indicated a place for stopping, the driver must stop at the right shoulder of the road or, if there is no shoulder, close to the right edge of the road.

(3) A vehicle will be stopped for a check if:

- 1) the vehicle's driver or passenger violates the requirements provided in this Act, special legislation or legislation established on the basis thereof;
- 2) the manner in which the vehicle moves gives reason to believe that the driver does not control the vehicle in the manner required;
- 3) the appearance of the vehicle gives reason to believe that there may be a risk or non-compliance with the requirements or that the vehicle has been involved in a traffic accident;
- 4) the positioning, fastening or marking of the cargo does not comply with the requirements; or

5) the level of noise emitted by the vehicle or high smoke content present in the exhaust gases gives indication of the non-compliance with the requirements.

(4) During a police operation, all vehicles for the inspection of which the operation was organised will be stopped.

(5) A vehicle will be stopped so that the driver can stop at the right shoulder of the road or, if there is no shoulder, close to the right edge of the road in a manner that does not obstruct or endanger the traffic.

(6) Vehicles will be stopped for as short a period as possible.

(7) It is prohibited to stop vehicles (except under extraordinary circumstances):

- 1) on a road section where visibility is limited;
  - 2) on a bend;
  - 3) before and directly after an upward slope of a road;
  - 4) at and directly before an intersection;
  - 5) at and directly before a pedestrian crossing;
  - 6) at and directly before a level crossing;
  - 7) at a place where a standing vehicle would render other vehicular traffic impossible or obstruct pedestrians;
- or
- 8) at another dangerous place.

(8) A public transport vehicle on a regular route must not be stopped. A public transport vehicle moving on a regular route may be stopped for checking for up to three minutes. To ensure the smooth organisation of public events or the escorting of important state guests, public transport vehicles on regular routes may be stopped for a period longer than three minutes.

(9) An emergency vehicle with a working siren may be stopped only if there is reason to believe that the vehicle has been stolen, is being used for criminal purposes, is being driven by an intoxicated person or has caused a traffic accident.

(10) The scope of and procedure for inspection of the roadworthiness of vehicles while exercising traffic supervision by police officers will be established by a regulation of the Minister of Economic Affairs and Communications.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

### **§ 200<sup>1</sup>. Traffic supervision information system**

(1) The traffic supervision information system is a database established by the Minister of Economic Affairs and Communications for the purpose of electronic storage, systematising and exchanging between relevant authorities of the data specified in § 200<sup>2</sup> of this Act, exercising supervision, drawing up reports and carrying out analyses on the basis of the data.

(2) The data entered into the traffic supervision information system has an informative and statistical meaning.

(3) The chief processor of the traffic supervision information system is the Ministry of Economic Affairs and Communications and the authorised processor is the Road Administration.

(4) The statutes of the traffic supervision information system will be established by a regulation of the Minister of Economic Affairs and Communications.

[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

### **§ 200<sup>2</sup>. Data entered into traffic supervision information system**

The following is entered into the traffic supervision information system:

1) data gathered during exercising traffic supervision on roads regarding the roadworthiness, mass, axle load and measurements of power-driven vehicles and trailers, adherence to the rules of driving and rest time of drivers, inspection of documents required for carriage under an Act or an international agreement and carriage of hazardous loads by vehicles as well as the qualification of offences identified in the course of inspection and the type of penalty, including the data on serious criminal offences specified in Article 6(1)(b) of Regulation (EC) No 1071/2009 of the European Parliament and of the Council establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L 300, 14.11.2009, pp. 51-71);

[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

2) data gathered upon inspecting adherence to the requirements of the working, driving and rest time of drivers in undertakings;

[RT I, 02.03.2012, 5 - entry into force 01.07.2012]

- 3) data sent by a foreign state to the Ministry of Economic Affairs and Communications under an international agreement regarding road carriage or traffic offences detected upon inspecting an Estonian carrier and about respective penalties imposed, including data on serious offences specified in Article 6(1)(b) of Regulation (EC) No 1071/2009 of the European Parliament and of the Council;
- 4) data on transport managers who have been declared non-compliant with the requirement of good reputation on the grounds laid down in § 19<sup>2</sup> of the Road Transport Act.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

## **Chapter 15**

### **LIABILITY**

#### **§ 201. Driving power-driven vehicle, off-road vehicle or tram by person without right to drive**

(1) The driving of a power-driven vehicle, off-road vehicle or tram by a person who does not have the right to drive a power-driven vehicle of the respective category or trams is punishable by a fine of up to 100 fine units or by detention.

(2) The same act, if committed by a person who has been removed from driving a power-driven vehicle, off-road vehicle or tram or whose right to drive power-driven vehicles or trams has been suspended, revoked or withdrawn, is punishable by a fine of up to 300 fine units or by detention.

#### **§ 202. Permitting person without right to drive power-driven vehicles, off-road vehicles or trams to drive power-driven vehicle or tram**

(1) Permitting a person who does not have the right to drive power-driven vehicles, off-road vehicles or trams of the respective category by the owner, possessor or the person responsible for compliance with the roadworthiness requirements or operation of a power-driven vehicle or tram to drive the power-driven vehicle or tram is punishable by a fine of up to 100 fine units.

(2) The same act, if a person whose right to drive power-driven vehicles or trams has been suspended, revoked or withdrawn, is permitted to drive the power-driven vehicle, off-road vehicle or tram, is punishable by a fine of up to 300 fine units.

(3) An act specified in subsection (1) or (2) of this Act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 203. Driving power-driven vehicle or off-road vehicle that has not been registered or re-registered**

Driving a power-driven vehicle or off-road vehicle that has not been registered or re-registered in accordance with the established procedure is punishable by a fine of up to 100 fine units.

#### **§ 204. Permitting to drive power-driven vehicle or off-road vehicle that has not been registered or re-registered**

(1) Permitting by the owner, possessor or person responsible for compliance with the roadworthiness requirements or for operating a power-driven vehicle or off-road vehicle not registered or re-registered in accordance with the established procedure to drive the vehicle is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 205. Driving power-driven vehicle or off-road vehicle without state registration plate or with state registration plate that does not belong to particular power-driven vehicle or off-road vehicle**

Driving a power-driven vehicle or off-road vehicle without a state registration plate or with a state registration plate that does not belong to the particular power-driven vehicle or off-road vehicle is punishable by a fine of up to 200 fine units.

#### **§ 206. Driving power-driven vehicle or off-road vehicle with illegible state registration plate**

Driving a power-driven vehicle or off-road vehicle with a state registration plate that is illegible from the required distance is punishable by a fine of up to ten fine units.

#### **§ 207. Driving power-driven vehicle or tram that has not passed roadworthiness test**

Driving a power-driven vehicle or tram that has not passed the roadworthiness test is punishable by a fine of up to 50 fine units.

#### **§ 208. Permitting to drive power-driven vehicle or tram that has not passed roadworthiness test**

(1) Permitting by the owner or possessor or person responsible for compliance with the roadworthiness requirements or operation of a power-driven vehicle or tram that has not passed the roadworthiness test to drive the vehicle or tram is punishable by a fine of up to 100 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 209. Driving power-driven vehicle or off-road vehicle with technical failure**

Driving a power-driven vehicle or off-road vehicle that is prohibited to be driven under its own power due to a technical failure is punishable by a fine of up to 100 fine units.

#### **§ 210. Permitting to drive power-driven vehicle or off-road vehicle with technical failure to be driven**

(1) Permitting, by the owner or possessor or person responsible for compliance with the roadworthiness requirements or operation of a power-driven vehicle or off-road vehicle that is prohibited to be driven under its own power due to a technical failure to drive the vehicle is punishable by a fine of up to 100 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 210<sup>1</sup>. Exceeding permitted maximum mass of vehicle, road train and tractor train having maximum mass of over 12 000 kilograms**

The driving of a vehicle, road train or tractor train whose maximum mass is over 12 000 kilograms whereby the permitted maximum mass thereof is exceeded by 20 per cent or more is punishable by a fine of up to 200 fine units.

[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 210<sup>2</sup>. Permission to drive vehicle, road train and tractor train having maximum mass of over 12 000 kilograms**

(1) Permitting by the owner, possessor or person responsible for roadworthiness or operation of a vehicle, road train or tractor train whose maximum mass is over 12 000 kilograms whereby the permitted maximum mass thereof is exceeded by 20 per cent or more to drive the vehicle, road train or tractor is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 210<sup>3</sup>. Exceeding permitted maximum mass of vehicle, road train and tractor train having maximum mass of up to 12 000 kilograms**

The driving of a vehicle, road train or tractor train whose maximum mass is up to 12 000 kilograms whereby the permitted maximum mass thereof is exceeded by 25 per cent or more is punishable by a fine of up to 200 fine units.

[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 210<sup>4</sup>. Permission to drive vehicle, road train and tractor train having maximum mass of up to 12 000 kilograms whereby maximum mass is exceeded**

(1) Permitting by the owner, possessor or person responsible for compliance with the roadworthiness requirements or operation of a vehicle, road train or tractor whose maximum mass is up to 12 000 kilograms whereby the permitted maximum mass thereof is exceeded by 25 per cent or more to drive the vehicle, road train or tractor is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 210<sup>5</sup>. Driving power-driven vehicle in violation of rules of use of speed limitation device**

Driving a power-driven vehicle without a mandatory speed limitation device, with an inoperable speed limitation device or using a device that allows for impeding the operation of the speed limitation device is punishable by a fine of up to 200 fine units.

[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 210<sup>6</sup>. Permission to drive power-driven vehicle in violation of rules of use of speed limitation device**

(1) Permission by the owner, possessor or the person responsible for compliance with the roadworthiness requirements or operation of a power-driven vehicle without a mandatory speed limitation device, with an inoperable speed limitation device or using a device that allows for impeding the operation of the speed limitation device to drive the vehicle is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 211. Driving power-driven vehicle in violation of requirements for use of tachograph**

Driving a power-driven vehicle that lacks a required tachograph or whose tachograph is not in a working order or not sealed in accordance with the requirements is punishable by a fine of up to 100 fine units.

#### **§ 212. Violation of requirements for use of tachograph by driver of power-driven vehicle**

Failure by the driver of a power-driven vehicle to enter the working time of other works manually on the recording sheets or printouts or in the digital tachograph is punishable by a fine of up to 100 fine units.

#### **§ 213. Permitting to drive power-driven vehicle in violation of requirements for use of tachograph**

(1) Permitting by the owner or possessor or person responsible for compliance with the roadworthiness requirements or operation of a power-driven vehicle that lacks the required tachograph or whose tachograph is not in a working order or not sealed in accordance with the requirements is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 214. Failure to use tachograph in prescribed events or deliberately damaging tachograph or seal affixed thereto**

Failure to use a tachograph installed on a power-driven vehicle in the prescribed events or deliberately damaging a tachograph or a seal affixed thereto is punishable by a fine of up to 100 fine units.

#### **§ 215. Using equipment allowing for interfering with operation of tachograph**

Driving a power-driven vehicle supplied with equipment allowing for interfering with the operation of the tachograph is punishable by a fine of up to 300 fine units.

#### **§ 216. Installation of equipment allowing for interfering with operation of tachograph or failure to remove such equipment**

(1) Installation of equipment allowing for interfering with the operation of the tachograph or failing to remove the equipment specified in clause 136 (3) 5) of this Act upon examination of the tachograph in a workshop is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 217. Violation of requirements for use of recording sheet of manual or digital tachograph or driver card**

(1) Violation of the requirements established for the use of recording sheets of the manual or digital tachograph installed on the power-driven vehicle or for the use of a driver card or the possibility of reading thereof is punishable by a fine of up to 100 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

#### **§ 218. Driving power-driven vehicle or off-road vehicle reconstructed without authorisation**

Driving a power-driven vehicle or off-road vehicle reconstructed without authorisation is punishable by a fine of up to 50 fine units.

#### **§ 219. Driving environmentally hazardous power-driven vehicle or off-road vehicle**

Driving a power-driven vehicle or off-road vehicle in whose exhaust emissions the level of pollutants or whose emitted noise exceeds the permitted limit is punishable by a fine of up to 50 fine units.

#### **§ 220. Permitting to drive environmentally hazardous power-driven vehicle or off-road vehicle**

(1) Permitting by the owner or possessor or person responsible for compliance with the roadworthiness requirements or operation of a power-driven vehicle or off-road vehicle in whose exhaust emissions the level of pollutants or whose emitted noise exceeds the permitted limit is punishable by a fine of up to 100 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 221. Driving onto intersection or pedestrian crossing by driver of power-driven vehicle or tram when traffic light signals prohibit it**

(1) Driving onto an intersection or pedestrian crossing by the driver of a power-driven vehicle or tram when traffic light signals prohibit it is punishable by a fine of up to 50 fine units.

(2) The same act, if it causes a traffic hazard, is punishable by a fine of up to 100 fine units or by withdrawal of the right to drive vehicles for up to six months.

(3) For an offence provided for in subsection (2) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from one to three months.

#### **§ 222. Failure by driver of power-driven vehicle or tram to give way to pedestrian on unregulated pedestrian crossing**

(1) Failure by the driver of a power-driven vehicle or tram to give way to a pedestrian on an unregulated pedestrian crossing and overtaking a vehicle that has stopped in a neighbouring lane at an unregulated pedestrian crossing is punishable by a fine of up to 50 fine units.

(2) The same act, if it causes a traffic hazard, is punishable by a fine of up to 100 fine units or by withdrawal of the right to drive vehicles for up to six months.

(3) For an offence provided for in subsection (2) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from one to three months.

#### **§ 223. Causing damage to property or through negligence to health by driver of power-driven vehicle, off-road vehicle or tram**

(1) Violation of the traffic requirements by the driver of a power-driven vehicle, off-road vehicle or tram, if material damage or damage to the health of another person through negligence is caused thereby, is punishable by a fine of up to 300 fine units, by detention or by withdrawal of the right to drive vehicles for up to six months.

(2) For an offence provided for in subsection (1) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from one to three months.

#### **§ 224. Driving power-driven vehicle, off-road vehicle or tram when exceeding maximum permitted level of alcohol in the bloodstream**

(1) The driving of a power-driven vehicle, off-road vehicle or tram by a person whose level of alcohol in the bloodstream is 0.20–0.49 milligrams of alcohol per one gram of blood or whose alcohol content in one litre of exhaled air is 0.10–0.24 milligrams is punishable by a fine of up to 100 fine units or by withdrawal of the right to drive vehicles for up to six months.

(2) The same act by a person whose level of alcohol in the bloodstream is 0.50–1.49 milligrams of alcohol per one gram of blood or whose alcohol content in one litre of exhaled air is 0.25–0.74 milligrams is punishable by a fine of up to 300 fine units, by detention or by withdrawal of the right to drive vehicles for up to twelve months.

(3) For an offence provided for in this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles as follows:

1) from three to nine months if the person has not been previously penalised for an offence specified in this section;

2) from three to twelve months if the person has been previously penalised for an offence specified in this section.

### **§ 225. Permitting intoxicated person to drive power-driven vehicle, off-road vehicle or tram or handing over driving to them**

(1) The granting by the owner, possessor or driver of a power-driven vehicle, off-road vehicle or a tram, of permission for the power-driven vehicle, off-road vehicle or tram to be driven by a person in a state of intoxication or a state specified in subsection 69 (5) of this Act or handing over driving to such a person is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

### **§ 226. Consumption of alcohol, narcotic or psychotropic substances following traffic accident by driver involved in traffic accident**

(1) The consumption of alcohol, narcotic or psychotropic substances, except for a medicinal product containing narcotic or psychotropic substances at the site of the event by the paramedics providing first aid or by the orders of another health care professional by way of emergency care, following a traffic accident by a driver involved in the traffic accident immediately after the traffic accident until the circumstances at the site of the accident have been identified is punishable by a fine of up to 300 fine units, by detention or by withdrawal of the right to drive vehicles for up to eighteen months.

(2) For an offence provided for in subsection (1) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from three to nine months.

### **§ 227. Exceeding speed limit by driver of power-driven vehicle**

(1) The exceeding of a speed limit by up to 20 kilometres per hour by the driver of a power-driven vehicle is punishable by a fine of up to 30 fine units.

(2) The exceeding of a speed limit by 21 up to 40 kilometres per hour by the driver of a power-driven vehicle is punishable by a fine of up to 100 fine units or by withdrawal of the right to drive vehicles for up to six months.

(3) The exceeding of a speed limit by 41 up to 60 kilometres per hour by the driver of a power-driven vehicle is punishable by a fine of up to 200 fine units, by detention or by withdrawal of the right to drive vehicles for up to twelve months.

(4) The exceeding of a speed limit by more than 60 kilometres per hour by the driver of a power-driven vehicle is punishable by a fine of up to 300 fine units, by detention or by withdrawal of the right to drive vehicles for up to twenty-four months.

(5) A court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles:

- 1) for an offence provided for in subsection (2) of this section from one to three months;
- 2) for an offence provided for in subsection (3) of this section from three to six months;
- 3) for an offence provided for in subsection (4) of this section from six to twelve months.

### **§ 228. Driving power-driven vehicle equipped with devices that detect or interfere with operation of speed measuring equipment**

Driving a power-driven vehicle equipped with a device that detect or interfere with the operation of speed measuring equipment is punishable by a fine of up to 100 fine units.

### **§ 229. Obstruction of or interference with measuring function of automatic speed measuring equipment**

The obstruction of or interference with the regular functioning of the measuring function of automatic speed measuring equipment as well as facilitating the obstruction or interference is punishable by a fine of up to 300 fine units.

[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

### **§ 230. Violation of requirements for overtaking**

(1) Violation of the requirements for overtaking by the driver of a power-driven vehicle is punishable by a fine of up to 100 fine units.

(2) The same act, if it causes a traffic hazard, is punishable by a fine of up to 200 fine units or by withdrawal of the right to drive vehicles for up to twelve months.

(3) For an offence provided for in subsection (2) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from one to six months.

### **§ 231. Driving on side opposite to that appropriate to direction of traffic**

Driving on the side opposite to that appropriate to the direction of traffic by the driver of a power-driven vehicle, unless this is permitted by the traffic rules, is punishable by a fine of up to 100 fine units.

### **§ 232. Violation of requirements for crossing level crossings**

Violation by the driver of a power-driven vehicle or tram of the requirements for crossing a level crossing is punishable by a fine of up to 100 fine units.

### **§ 233. Hindering use of right of way**

Failure by the driver of a power-driven vehicle or tram to grant the right of way to an emergency response vehicle in the events provided for in the traffic rules is punishable by a fine of up to 100 fine units.

### **§ 234. Ignoring stop signal for vehicle**

(1) The intentional ignoring of a mandatory stop signal for a vehicle by the driver of a vehicle is punishable by a fine of up to 200 fine units, by detention or by withdrawal of the right to drive vehicles for up to twenty-four months.

(2) For an offence provided for in subsection (1) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from three to twelve months.

### **§ 235. Ignoring stop signal for off-road vehicle**

The intentional ignoring of a mandatory stop signal for off-road vehicle by a driver of off-road vehicle is punishable by a fine of up to 200 fine units or by detention or by withdrawal of the right to vehicles for up to twenty-four months.

### **§ 236. Failure to report traffic accident**

(1) Violation by the driver of a vehicle involved in a traffic accident of the requirements for reporting the traffic accident to the police, if reporting is mandatory, is punishable by a fine of up to 300 fine units, by detention or by withdrawal of the right to drive vehicles for up to twelve months.

(2) For an offence provided for in subsection (1) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from three to nine months.

### **§ 237. Leaving scene of traffic accident or failure to provide assistance to people who need assistance due to traffic accident**

(1) Leaving the scene of a traffic accident or failure to provide assistance to people who need assistance due to a traffic accident is punishable by a fine of up to 300 fine units, by detention or by withdrawal of the right to drive vehicles for up to twenty-four months.

(2) For an offence provided for in subsection (1) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from six to twelve months.

### **§ 238. Violation of requirements for carriage of passengers or goods by driver of power-driven vehicle or tram**

Violation by the driver of a power-driven vehicle or tram of requirements for carriage of passengers or goods is punishable by a fine of up to 100 fine units.

### **§ 239. Failure to fix safety equipment properly**

(1) Failure to fix safety belt properly:  
1) by the driver of the vehicle;  
2) by a passenger  
is punishable by a fine of up to 50 fine units.

(2) An act provided for in clause 1) or 2) of subsection (1) of this section, if the person has been previously penalised for such act, is punishable by a fine of up to 100 fine units.

#### **§ 240. Violation of child safety requirements**

(1) For driving a child under 16 years of age without being properly fixed by a seat belt or other safety equipment by the driver is punishable by a fine of up to 100 fine units.

(2) For an act provided for in subsection (1) of this section, if the person has been previously penalised for such act, is punishable by a fine of up to 200 fine units.

#### **§ 241. Parking in unauthorised place**

(1) Parking a vehicle in an unauthorised place or in violation of the parking rules indicated by a traffic control device is punishable by a fine of up to ten fine units.

(2) Parking a vehicle in an unauthorised place or in violation of the parking rules indicated by a traffic control device in such a manner that it poses a hazard to other road users or significantly disturbs the traffic is punishable by a fine of up to 50 fine units.

#### **§ 242. Other violation of traffic requirements by driver of power-driven vehicle or tram**

(1) Violation of the traffic requirements by the driver of a power-driven vehicle or tram, provided that there are no necessary elements of a misdemeanour provided for in §§ 201, 202, 205 to 207, 209, 211, 214 to 219, 221 to 224 or §§ 226 to 241 of this Act is punishable by a fine of up to 50 fine units.

(2) The same act, if it causes a traffic hazard, is punishable by a fine of up to 100 fine units or by withdrawal of the right to drive vehicles for up to six months.

(3) For an offence provided for in subsection (2) of this section, a court or an extra-judicial body may impose as a supplementary penalty the withdrawal of the right to drive vehicles from one to three months.

#### **§ 243. Violation of requirements for copying of data of digital tachograph or driver card**

(1) The untimely copying of the data of a digital tachograph or driver card is punishable by a fine of up to 100 fine units.

(2) The intentional damaging of the data of a digital tachograph or driver card is punishable by a fine of up to 200 fine units.

#### **§ 244. Violation of requirements for working and rest time of drivers of motor vehicles or trams by owner, possessor or person responsible for operation of motor vehicle or tram**

(1) Violation by the owner or possessor or person responsible for the operation of a power-driven vehicle or tram of the requirements for working and rest time established for drivers of power-driven vehicles or trams is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 – entry into force 12.03.2012]

#### **§ 245. Violation of weekly driving time requirements established for drivers of power-driven vehicles**

Use of a longer weekly driving time than established for drivers of power-driven vehicles is punishable by a fine of up to 100 fine units.

#### **§ 246. Violation of daily driving time requirements established for drivers of power-driven vehicles**

(1) Exceeding the daily driving time established for drivers of power-driven vehicles by up to two hours is punishable by a fine of up to 100 fine units.

(2) Exceeding the daily driving time established for drivers of power-driven vehicles by more than two hours is punishable by a fine of up to 200 fine units.

#### **§ 247. Violation of driving time requirements for two consecutive weeks established for drivers of power-driven vehicles**

Exceeding the driving time requirements for two consecutive weeks established for drivers of power-driven vehicles is punishable by a fine of up to 100 fine units.

#### **§ 248. Violation of break time requirements established for drivers of power-driven vehicles**

(1) Failure to use the prescribed break time after 4.5 hours of driving time by the driver of a power-driven vehicle is punishable by a fine of up to 100 fine units.

(2) The use of a shorter break than the prescribed break time after 4.5 hours of driving time by the driver of a power-driven vehicle is punishable by a fine of up to 100 fine units.

#### **§ 249. Violation of daily rest time requirements established for drivers of power-driven vehicles**

(1) The use by the driver of a power-driven vehicle of up to two hours shorter daily rest time than prescribed is punishable by a fine of up to 100 fine units.

(2) The use by the driver of a power-driven vehicle of over two hours shorter daily rest time than prescribed is punishable by a fine of up to 200 fine units.

#### **§ 250. Violation of weekly rest time requirements established for drivers of power-driven vehicles**

The use by the driver of a power-driven vehicle of a shorter weekly rest time than prescribed is punishable by a fine of up to 100 fine units.

#### **§ 251. Violation of work schedule requirements established for drivers of power-driven vehicles**

(1) In regular carriage of passengers where the length of the route is less than 50 kilometres, the failure by the driver of a power-driven vehicle to present an approved work schedule to the official exercising traffic supervision is punishable by a fine of up to 100 fine units.

(2) In regular carriage of passengers where the length of the route is less than 50 kilometres, failure by the driver of a power-driven vehicle to follow an approved work schedule is punishable by a fine of up to 100 fine units.

#### **§ 252. Violation of requirements for preparing work schedule for driver of power-driven vehicle by possessor of vehicle**

(1) In regular carriage of passengers where the length of the route is less than 50 kilometres, the failure by the possessor of the vehicle to provide the driver with a required work schedule or drawing up a work schedule that violates the working and rest time requirements is punishable by a fine of up to 100 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 253. Violation of weekly working time requirements established for drivers of power-driven vehicles**

Exceeding the weekly working time prescribed for drivers of power-driven vehicles is punishable by a fine of up to 100 fine units.

#### **§ 254. Violation of requirements for working and rest time established for tram drivers**

Violation by a tram driver of the requirements for the working and rest time prescribed for tram drivers is punishable by a fine of up to 100 fine units.

#### **§ 255. Influencing driver to violate working and rest time requirements**

(1) The issue of an illegal work order to the driver of a power-driven vehicle, which influences the driver to violate the working and rest time requirements provided by law, except in the events specified in § 252 of this Act, is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

#### **§ 256. Violation of requirements relating to major risk upon road transport of hazardous substances and objects**

(1) Violation of the requirements for the carriage of hazardous substances, objects or waste by road, if such violation poses a major risk to human life or health or to the environment, is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 02.03.2012, 5 - entry into force 12.03.2012]

### **§ 257. Violation of requirements relating to medium risk in road transport of hazardous substances and objects**

Violation of the requirements for the carriage of hazardous substances, objects or waste by road, if such violation poses a medium risk to human life or health or to the environment, is punishable by a fine of up to 100 fine units.

### **§ 258. Violation of requirements related to minor risk in road transport of hazardous substances and objects**

Violation of the requirements for carriage of hazardous substances, objects or waste by road, if such violation poses a minor risk to human life or health or to the environment, is punishable by a fine of up to 50 fine units.

### **§ 259. Other violation of traffic rules by pedestrian, driver of segway, cyclist, driver of mini moped, driver of animal-drawn vehicle or passenger**

(1) Other violation of the traffic rules by a pedestrian, the driver of a segway, a cyclist, driver of a mini moped, driver of an animal-drawn vehicle or a passenger, if there necessary elements of a misdemeanour provided for in sections 226, 234, 236, 237, 239 or 241 of this Act do not exist, is punishable by a fine of up to ten fine units.

(2) The same act, if:

- 1) committed in a state of intoxication;
- 2) damage to the health of a person through negligence is caused thereby; or
- 3) if material damage or traffic hazard is caused thereby,

is punishable by a fine of up to 100 fine units.

### **§ 260. Violation of requirements for off-road vehicle traffic**

Violation of the requirements for off-road vehicle traffic is punishable by a fine of up to 50 fine units.

### **§ 261. Violation of obligations of owner or authorised user of power-driven vehicle**

(1) Failure to meet the requirement specified in subsection 72 (2) of this Act by the owner or authorised user of a power-driven vehicle is punishable by a fine of up to 50 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 390 euros.

### **§ 262. Rates of cautionary fines imposed in written caution proceedings**

In written caution proceedings, a cautionary fine is imposed as follows:

- 1) the exceeding of a speed limit is punishable by a cautionary fine the amount of which in euros is calculated by multiplying the number of kilometres above the speed limit by 3;
- 2) parking a vehicle at an unauthorised place or in violation of the parking procedure or rules indicated by a traffic control device or the possible obstruction of other road users by standing at an intersection or the unauthorised use of a lane reserved for public transport vehicles is punishable by a cautionary fine of up to 20 euros;
- 3) an act described in subsection (2) of this section in a manner that poses a hazard to other road users or significantly disturbs traffic is punishable by a cautionary fine of 64 euros;
- 4) driving onto an intersection or a regulated pedestrian crossing if the traffic light signals prohibit it is punishable by a cautionary fine of 96 euros;
- 5) an act described in subsection (4) of this section in a manner that poses a hazard to other road users or significantly disturbs traffic, is punishable by a cautionary fine of 190 euros.

### **§ 263. Proceedings**

(1) The provisions of the General Part of the Penal Code and the Code of Misdemeanour Procedure apply to misdemeanours specified in §§ 201 to 261 of this Act.

(2) The Police and Border Guard Board conducts extra-judicial proceedings in the misdemeanour cases provided for in §§ 201-261 of this Act.  
[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(3) Extra-judicial proceedings concerning the misdemeanours provided for in §§ 256 to 258 of this Act are conducted by the Tax and Customs Board.

(4) A rural municipality or city government is also the body that conducts extra-judicial proceedings concerning the misdemeanours provided for in §§ 241 and 261 of this Act.

(5) The Labour Inspectorate is also the body that conducts extra-judicial proceedings concerning the misdemeanours provided for in §§ 243 to 255 of this Act.

(6) A body conducting extra-judicial proceedings or a court will confiscate an object that was the direct object of committing a misdemeanour provided for in §§ 215 and 228 of this Act.

## **Chapter 16**

### **IMPLEMENTING PROVISIONS**

#### **§ 264. Transitional provisions**

(1) A driving licence issued before the entry into force of this Act permits the holder to drive the power-driven vehicles specified in § 93 of this Act until the expiry date of the driving licence valid on the day of entry into force of this Act or until the replacement of the driving licence as follows:

- 1) a moped driving licence grants the right to drive power-driven vehicles of category AM;
  - 2) a driving licence of category A1 grants the right to drive power-driven vehicles of category A1;
  - 3) a driving licence of category A grants the right to drive power-driven vehicles of category A within the restrictions specified on the driving licence;
  - 4) a driving licence of category B1 grants the right to drive power-driven vehicles of category B1;
  - 5) a driving licence of category B grants the right to drive power-driven vehicles of category B;
  - 6) a driving licence of category BE grants the right to drive road trains of category BE;
  - 7) a driving licence of category C1 grants the right to drive power-driven vehicles of category C1;
  - 8) a driving licence of category C1E grants the right to drive road trains of category C1E;
  - 9) a driving licence of category C grants the right to drive power-driven vehicles of category C;
  - 10) a driving licence of category CE grants the right to drive road trains of category CE;
  - 11) a driving licence of category D1 grants the right to drive power-driven vehicles of category D1;
  - 12) a driving licence of category D1E grants the right to drive road trains of category D1E;
  - 13) a driving licence of category D grants the right to drive power-driven vehicles of category D;
  - 14) a driving licence of category DE grants the right to drive road trains of category DE;
  - 15) a driving licence of category T or R grants the right to drive power-driven vehicles of category T;
- [RT I, 31.12.2010, 3 - entry into force 01.07.2011]
- 16) a driving licence of any power-driven vehicle category grants the right to drive mopeds and off-road vehicles.

(2) Upon replacing a driving licence specified in subsection (1) of this section, the new driving licence will specify the category of power-driven vehicles or road trains that the person has the right to drive in accordance with clauses 1) to 16) of subsection (1), unless provided otherwise by law.

(3) Until 1 January 2016, a person who holds the right to drive power-driven vehicles of category B may drive power-driven vehicles of category C entered in the traffic register before the entry into force of this Act, provided that the permissible maximum mass of the power-driven vehicle does not exceed 3500 kg or the same power-driven vehicle with a light trailer.

(4) The restoration of the right to drive of a person whose driving licence has expired by the time of entry into force of this Act is subject to subsection 129 (4) of this Act.

(5) Mopeds that have been in use until the date specified in subsection (4) of this section and that have no documentation attesting the vehicle's importation and completion of customs procedures and/or documentation on the legal acquisition and possession will be registered on the basis of a written confirmation of the owner about the legal ownership of the vehicle if the restoration of such documentation is not possible.

(6) Mopeds, except mini mopeds, which have been used before the entry into force of this Act must be registered within one year from the entry into force of this Act.

(7) Certificates attesting the qualifications of authorised officials that have been issued before the entry into force of this Act are valid until 1 January 2013.

(8) Registered securities over movables entered in the traffic register before the entry into force of this Act will remain in force.

(9) A person who, before the entry into force of this Act, worked as an inspector of compliance with the roadworthiness requirements is not subject the requirements provided in clause 74 (1) 1) or 2) of this Act.

(10) A person who, before the entry into force of this Act, worked as a driving instructor is not subject the requirements provided in clause 118 (1) 2) of this Act.

(11) A person who does not permanently reside in Estonia is not required to have a driving licence for driving a moped and a vehicle equivalent to a moped. The registration of a moped and a vehicle equivalent to a moped is not required if the moped's driver does not permanently reside in Estonia.

(12) Until 1 January 2015, a person who holds the right to drive power-driven vehicles of categories C or D or power-driven vehicles of subcategories C1 or D1 is also allowed to drive power-driven vehicles and road trains of category T.

(13) Until 1 January 2016, a person who holds the right to drive power-driven vehicles of category B is allowed to drive a category B power-driven vehicle along with a trailer that is not a light-weight trailer, provided that the trailer has been registered in the traffic register before the entry into force of this Act and the maximum authorised weight of the trailer does not exceed 750 kg.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(14) Clause 93 (3) 6) of this Act will be valid as of 19 January 2013. Until 19 January 2013, a power-driven vehicle of category D1 means a motor vehicle that has been designed and manufactured to carry, in addition to the driver, up to 16 more passengers, or the same vehicle along with a lightweight trailer.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(15) Section 6<sup>1</sup> of this Act applies to Intelligent Transport Systems that are developed after the adoption of the specification under Article 6 of the Directive 2010/40/EU of the European Parliament and of the Council.  
[RT I, 25.05.2012, 7 - entry into force 04.06.2012]

§ 265.–§ 279.[Omitted from this text.]

### § 280. Repeal of Traffic Act

(1) The Traffic Act (RT I 2001, 3, 6; 2010, 24, 115) is repealed.

(2) Regulations issued on the basis of the Traffic Act in force until the entry into force of this Act will remain in force after the entry into force of this Act until repealed, insofar as they are not in conflict with this Act.

### § 281. Entry into force of Act

(1) This Act will enter into force on 1 July 2011.  
[RT I, 31.12.2010, 3 - entry into force 01.01.2011]

(2) Subsections 9 (3) and (5) to (11) of this Act will enter into force on 1 January 2012.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

(3) Clause 93 (3) 2) of this Act will enter into force on 19 January 2013.

(4) Subsection 97 (1) of this Act remains in force until 18 January 2013.

(5) Subsections 97 (7) and (8) of this Act will enter into force on 19 January 2013.

(6) Subsection 102 (4) of this Act will enter into force on 19 January 2014.  
[RT I, 05.12.2012, 1 - entry into force 19.01.2013]

(7) Clauses 103 (1) 3) and 5) of this Act remain in force until 18 January 2013.

(8) Clauses 103 (1) 4), 7) and 8) of this Act will enter into force on 19 January 2013.

(9) Clause 2) of § 199 of this Act remains in force until 31 December 2011.

(10) Section 272 of this Act will enter into force on 1 August 2010.

(11) Subsection 101 (8) of this Act will enter into force on 19 January 2013.  
[RT I, 31.12.2010, 3 - entry into force 01.07.2011]

<sup>1</sup>Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, pp 35–39), Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network (OJ L 167, 30.4.2004, pp 39–91), Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (Recast) (OJ L 403, 30.12.2006, pp 18–60), Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, pp 35–44), amended by Commission Directive 2009/4/EC on counter measures to prevent and detect manipulation of records of tachographs, amending Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 21, 24.1.2009, pp 39–40), Directive 2010/40/EU of the European Parliament and of the Council on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 06.08.2010, pp 1–13).  
[RT I, 25.05.2012, 7 - entry into force 04.06.2012]

