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# Traffic Act<sup>1</sup>

Passed 17.06.2010  
RT I 2010, 44, 261  
Entry into force 01.07.2011

## Amended by the following acts

Passed	Published	Entry into force
23.12.2010	RT I, 31.12.2010, 3	01.07.2011, in part 01.01.2011 and 19.01.2013
22.02.2011	RT I, 17.03.2011, 1	18.03.2011
23.02.2011	RT I, 25.03.2011, 1	01.01.2014; date of entry into force amended to 01.07.2014 [RT I, 22.12.2013, 1]
08.12.2011	RT I, 29.12.2011, 1	01.01.2012, in part 01.01.2014 and 01.11.2014; date of entry into force amended to 01.07.2014 [RT I, 22.12.2013, 1]
15.02.2012	RT I, 02.03.2012, 5	12.03.2012, in part 01.07.2012
02.05.2012	RT I, 25.05.2012, 7	04.06.2012
14.11.2012	RT I, 05.12.2012, 1	19.01.2013
15.05.2013	RT I, 01.06.2013, 1	01.07.2013
12.06.2013	RT I, 02.07.2013, 1	01.09.2013, in part 01.01.2014; date of entry into force amended to 01.07.2014 [RT I, 22.12.2013, 1]
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
05.12.2013	RT I, 27.12.2013, 5	01.01.2014
29.01.2014	RT I, 14.02.2014, 1	24.02.2014
29.01.2014	RT I, 18.02.2014, 1	01.08.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
26.03.2014	RT I, 11.04.2014, 1	01.10.2014
23.04.2014	RT I, 10.05.2014, 1	20.05.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the ministers' official titles have been replaced on the basis of subsection 107 <sup>3</sup> (4) of the Government of the Republic Act.
17.09.2014	RT I, 08.10.2014, 2	18.10.2014
11.02.2015	RT I, 28.02.2015, 1	01.05.2015, in part 02.03.2015
11.02.2015	RT I, 12.03.2015, 1	01.01.2016
18.02.2015	RT I, 12.03.2015, 4	01.03.2016
18.02.2015	RT I, 12.03.2015, 6	22.03.2015
18.02.2015	RT I, 23.03.2015, 3	01.07.2015
18.02.2015	RT I, 23.03.2015, 5	01.07.2015
09.12.2015	RT I, 30.12.2015, 1	18.01.2016
14.12.2016	RT I, 03.01.2017, 1	18.01.2017, in part 01.02.2017
15.03.2017	RT I, 28.03.2017, 1	07.04.2017
14.06.2017	RT I, 04.07.2017, 7	14.07.2017

14.06.2017	RT I, 04.07.2017, 6	01.09.2017
14.06.2017	RT I, 04.07.2017, 8	01.11.2017
14.06.2017	RT I, 07.07.2017, 1	01.11.2017
19.06.2017	RT I, 07.07.2017, 3	01.08.2017, in part 01.01.2018
06.12.2017	RT I, 20.12.2017, 1	30.12.2017
19.12.2017	RT I, 11.01.2018, 1	01.06.2018

# 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 duties of the owner of the road, the conditions and rates of financing roads and paying road tolls, 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 motor register, and liability for violation of the traffic rules.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

(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, which 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.

### § 1<sup>1</sup>. Financing of road management and road management plan

(1) Activities relating to national roads (hereinafter *road management*) are financed under a road management plan.

(2) The volume of the financing of management of national roads and the volume of support to management of local roads on a yearly basis is provided for in the state budget strategy.

(3) The funds for road management are allocated in the state budget for each budgetary year.

(4) Local road maintenance support for local authorities is allocated in the local authorities support fund in the state budget.

(5) If case-based support is allocated in the state budget for maintenance of local roads, the support is distributed in accordance with the State Budget Act.

(6) The national road management plan must include at least a list of construction and reconstruction sites as well as the volume and sources of financing per year. In the framework of construction of a national road included in the national road management plan, a road that does not belong to the state may be constructed in part if it is provided for in the design documentation and if the construction or maintenance technology calls for it or if it is in the public interests for the purposes of ensuring the integrity of the road network. The national road management plan may, in addition to national roads, also contain activities in support of the traffic safety of local roads.

(7) The national road management is prepared by the Ministry of Economic Affairs and Communications for four years and it is updated annually, where necessary.

(8) The national road management plan will be established by an order of the Government of the Republic

(9) Upon establishing the national road management plan, the Government of the Republic may authorise the minister responsible for the field to amend the national road management plan to the extent determined by the Government of the Republic if the volume of financing planned for the maintenance of national roads changes during the term of validity of the national road management plan.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

## § 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 area** 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) **combination of vehicles** is a combination of vehicles consisting of one or more hauling vehicles (traction unit) and one or more trailers or towed equipment;
- 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** are 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 equipment and interchangeable towed equipment is 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, in a wheelchair or in another vehicle designated for use solely by a person with reduced mobility. A person who travels using a skateboard, roller skates, roller skis, a scooter, a kick sled or other similar items is also deemed to be a pedestrian;  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]
- 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 a motor 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, self-balancing vehicles, self-driving delivery robots and pedestrians, and signposted as such. A cycle and pedestrian track is a part of the road at an intersection of carriageways;  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]
- 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, self-balancing vehicles, 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, self-driving delivery robots and self-balancing vehicles, which may be signposted as such;  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]
- 19) **driver** is a person who drives a vehicle or an off-road vehicle or guides animals on a road. A driving instructor or personal driving supervisor 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, self-driving delivery robot and self-balancing vehicle 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;  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]
- 26) **side turn** is a right or left turn;
- 26<sup>1</sup>) **group of children** is a group of children of a pre-school child care institution and of students of the first stage of school;  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]
- 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;
- 28<sup>1</sup>) **traffic supervision** is state supervision over traffic and the movement of off-road vehicles;  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]
- 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;
- 31<sup>1</sup>) **non-traffic means of information** is an announcement, notice, advertisement or sign which is installed on a carrier permanently attached to the ground or on a movable supporting structure or on another supporting structure of the means of information and which is not designated for the management of traffic or which does not conform to the requirements established for traffic control devices;  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]
- 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 moderate, severe or profound mobility disability;  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]
- 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 Building Code and is not designated for traffic of power-driven vehicles, trams or rail vehicles;  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]
- 36) **off-road vehicle** is a vehicle powered by a motor, 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) **combination of tractors** is a combination of vehicles consisting of a tractor or mobile machinery (traction unit) and a trailer or towed equipment or interchangeable towed equipment;
- 39) **motorcycle** is a two-wheeled power-driven vehicle with or without a sidecar, which has an internal combustion engine with a capacity exceeding 50 cubic centimetres and a design speed above 45 kilometres per hour. A three-wheeled power-driven vehicle that has a symmetric placement of the wheels and complies with the aforementioned conditions is also considered a motorcycle;  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]
- 40) **power-driven vehicle** is a vehicle that is powered by an engine, except for an engine-powered vehicle designated for use solely by a person with reduced mobility, an electric cycle, a self-balancing vehicle, a mini moped, a self-driving delivery robot, an off-road vehicle, a tram and a vehicle with a manufacturer speed of no more than six kilometres per hour;  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]
- 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, three-wheeled or four-wheeled vehicle having an unladen mass of no more than 425 kilograms, a design speed of no more than 45 kilometres per hour and a internal combustion engine with a net power of or an electric motor with a continuous rated power of up to four kilowatts in the case of a two-wheeled or three-wheeled moped and up to six kilowatts in the case of a four-wheeled moped. The capacity of the internal combustion engine of a two-wheeled moped does not exceed 50 cubic centimetres and the capacity of the spark ignition internal combustion engine of a three-wheeled or four-wheeled moped does not exceed 59 cubic centimetres;  
[RT I, 04.07.2017, 6 – entry into force 01.09.2017]
- 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, combination of vehicles or combination of tractors using a power-driven vehicle;
- 58) **towed equipment** is a mechanism, structure, construction or other equipment with at least one wheel having stable contact with the ground, coupled to a power-driven vehicle and pulled after or pushed before such vehicle;
- 59) **haulage of towed equipment** also means the haulage of interchangeable towed equipment;
- 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 vehicle** is a vehicle with or without cargo, a combination of vehicles or a combination of tractors, 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 traffic lights or directions given by an authorised official determine the sequence of road users. An intersection is unregulated in all other events;
- 68<sup>1</sup>) **self-driving delivery robot** is a partially or fully automated or remotely controlled vehicle which moves on wheels or another chassis that is in contact with the ground, which uses sensors, cameras or other equipment for obtaining information on the surrounding environment and, based on the obtained information, is able to move partially or fully without being controlled by a driver;

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

68<sup>2</sup>) **self-driving delivery robot user** is a natural or legal person who is the direct possessor of a self-driving delivery robot and uses the self-driving delivery robot in traffic. A person who is provided with a service using a self-driving delivery robot under a contract or on another ground and who does not have substantive control over the maintenance, operation the self-driving delivery robot or over allowing the self-driving delivery robot to engage in traffic is not considered a self-driving delivery robot user.  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

68<sup>3</sup>) **controlling of a self-driving delivery robot** is the adjustment of the moving speed or direction of a self-driving delivery robot by a natural person directly or by way of remote control using electronic, manual or other control equipment. The controlling of a self-driving delivery robot also means the setting of the path of movement for a self-driving delivery robot and the giving for the related movement and stopping instructions for the time during which the self-driving delivery robot participates in traffic partially or fully without the controller's control, but only to the extent that the self-driving delivery robot follows such instructions;  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

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 laden or unladen vehicle, combination of vehicles or combination of tractors, which has at least one dimension that exceeds the requirements specified in § 80 of this Act;  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

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 a motor 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) [Repealed – RT I, 28.03.2017, 1 – entry into force 07.04.2017]

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) **self-balancing vehicle** is a self-balancing two-wheel one-axle vehicle for carrying one person and powered by an electric motor;

81) **road** is a public structure that is used for pedestrian or vehicular traffic or another area designated for traffic by a landowner. 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, gravelly 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 of a fully equipped vehicle as determined by the manufacturer;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

91) **interchangeable towed equipment** 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 permanent residence and 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 motor 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;

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

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 that meet the requirements of subsection 64 (2) of the Public Transport Act, and for buses carrying passengers;

[RT I, 04.07.2017, 8 – entry into force 01.11.2017]

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 towards drivers, save where the pedestrian uses a crossing on a carriageway onto which the vehicle driver is turning. A carriageway may be crossed at a crossing by riding a cycle, riding a self-balancing vehicle or by a self-driving delivery robot, but the cyclist, the self-balancing vehicle rider or the self-driving delivery robot has no right of way towards the driver of a vehicle, save where the cyclist, the self-balancing vehicle rider or the self-driving delivery robot uses a crossing on a carriageway onto which the vehicle driver is turning. Cyclists and self-balancing vehicle riders crossing a carriageway at a crossing may not endanger pedestrians crossing it and a self-driving delivery robot crossing a carriageway at a crossing may not endanger any of the aforementioned;

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

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 required 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 a pedestrian crossing by riding a cycle or a self-balancing vehicle or by a self-driving delivery robot, but the cyclist, the self-balancing vehicle rider or the self-driving delivery robot has no right of way towards the driver of a vehicle, save where the cyclist, the self-balancing vehicle rider or the self-driving delivery robot uses a pedestrian crossing on a carriageway onto which the vehicle driver is turning. Cyclists and self-balancing vehicle riders crossing a carriageway at a pedestrian crossing may not endanger pedestrians crossing the carriageway and a self-driving delivery robot crossing a carriageway at a pedestrian crossing may not endanger any of the aforementioned;

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

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;  
3) disapprove of driving in a state exceeding the permitted alcohol level in the bloodstream or in a state of intoxication as well as of travelling in a power-driven vehicle driven by a driver who is in such a state.  
[RT I, 07.07.2017, 1 – entry into force 01.11.2017]

(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.

## **§ 5<sup>1</sup>. Information on state of road and organisation of use of road**

(1) Information on the state of national roads, closure of a road and general requirements for the use and protection of a road is provided by the Road Administration. Fresh information on traffic conditions on national roads is provided by the Road Administration via the Internet and a radio station that is broadcast nationwide.

(2) At least 24 hours in advance, the Road Administration will give notice of any significant changes in traffic control on a national road and of the period during which such change is in force via a radio station that is broadcast nationwide. The owner of a public road must give notice of any changes in traffic control in such a manner that the information reaches the road users whom it may concern.

(3) In the event of a heavy snowstorm or black ice and in other cases which significantly affect traffic control or traffic safety, the Road Administration is required to give immediate notice of the state of national roads and give fresh information on any changes in traffic control caused by a natural disaster or traffic accident via a radio station that is broadcast nationwide..

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

## **§ 5<sup>2</sup>. Rights and duties of owner of public road**

(1) The owner of a public road must:

1) remove from the road plantations, trees and bushes which restrict visibility as well as other construction works, rubbish, dead animals and birds which pose a traffic hazard;  
2) install traffic control devices which warn road users or divert traffic in the event of an accident and in a situation endangering other road users.

(2) The owner of a road may close the road or a part thereof for a certain period of time or restrict traffic on the road if the load-bearing part of the road has deteriorated due to soil thawing, rain or other factors significantly affecting traffic and if traffic may damage the road, or if traffic on the road is dangerous.

(3) In order to ensure the safety of passengers, the owner of a road must ensure the safety of the road and of the locations designated for the entry and exit of passengers.

(4) In order to ensure the safety of passengers, the owner of a public road may establish temporary or permanent restrictions on other vehicle traffic on a public transport route.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]



### **§ 5<sup>3</sup>. Non-traffic means of information**

(1) Permission to install and non-traffic means of information in the protection zone of a road, except on buildings, is granted by the owner of the road. To obtain the permission, the applicant must submit a drawing and the layout of the location of the means of information.

(2) A non-traffic means of information may be installed in the road protection zone if the means of information:

- 1) does not mislead road users or obstruct their view of a traffic control device;
- 2) does not make it difficult to distinguish a traffic control device;
- 3) does not pose a traffic hazard by dazzling road users or distracting their attention;
- 4) does not restrict visibility at a junction.

(3) A non-traffic means of information which, due to its shape, colour or design, could be mistaken for a traffic control device cannot be installed on a road or in the road protection zone

(4) Damage caused by disregarding the requirements for the installation of a non-traffic means of information must be compensated to a road user by the owner of the means of information.

(5) A non-traffic means of information may be installed on a road of the European road network and in the protection zone of such roads only if the means of information is parallel to the axis of the road.

(6) A non-traffic means of information may be installed in the road protection zone on the conditions provided for in subsection (2) of this section if the distance between the edge of the means of information closest to the carriageway and the edge of the carriageway is at least 12 metres.

(7) The owner of a non-traffic means of information bears all expenses relating to the installation, maintenance and removal of the means of information.

(8) A non-traffic means of information installed on a roads or in the road protection zones without the consent of the owner of the road or the owner of the land in the road protection zone must be immediately removed by the owner of the means of information at the request of the owner of the road or the owner of the land in the road protection zone. If this requirement is not met, the owner of the road or the owner of the land in the road protection zone will have the right to remove the means of information. The costs of removing the means of information are borne by the owner of the means of information.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

## **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 Building Code.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(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 responsible for the field.

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

(1) ‘Intelligent Transport System’ means a system in which information and communication technology is applied in the field of road transport, including infrastructure, vehicles and users, and in traffic management and mobility management, as well as for an interface with another mode of transport.

(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 applications and services of Intelligent Transport Systems must be processed in accordance with the Personal Data Protection Act and Electronic Communications Act.

(3) Once the European Commission adopts the specification, specific conditions and procedure for the development and deployment of Intelligent Transport Systems may be established by a regulation of the minister responsible for the field.

[RT I, 25.05.2012, 7 – entry into force 04.06.2012]

## **§ 6<sup>2</sup>. Electronic collection of road toll**

(1) In an electronic road toll collection system, one or more of the following technologies must be used:

- 1) satellite positioning technology;
- 2) mobile communications technology using the GSM-GPRS standard GSM TS 03.60/23 060;
- 3) 5.8 GHz microwave technology.

(2) The owner of a road must make available to road users on-board board equipment that is suitable for use in all the Member States of the European Union which use an electronic road toll collection system.

(3) The technological solutions of the electronic road toll collection system and the road toll database may be established by a regulation of the minister responsible for the field, taking account of Directive 2004/52/EC of the European Parliament and of the Council on the interoperability of electronic road toll systems in the Community (OJ L 166, 30.04.2004, pp 124–143).

(4) No electronic road toll within the meaning of Directive 2004/52/EC of the European Parliament and of the Council is levied for using a national road.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

## **§ 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, self-balancing vehicles, self-driving delivery robots, 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, self-balancing vehicle riders, self-driving delivery robots and cyclists. The shape of the traffic lights and the position and meaning of signals are the same as those of 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.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(9) Pedestrian traffic lights regulate the traffic of pedestrians, self-balancing vehicle riders and self-driving delivery robots. 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, self-balancing vehicle riders and self-driving delivery robots to cross the carriageway, and the lower part a green pictograph of a pedestrian, allowing pedestrians, self-balancing vehicle riders and self-driving delivery robots 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.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(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 responsible for the field.

## **§ 7<sup>1</sup>. Designation of road**

(1) A place name compliant with § 4 of the Place Names Act must be given to a public road. A place name may be given to other roads as well in accordance with the procedure provided for in the Place Names Act.

(2) The types of road that must be designated, the procedure for installation of guiding signs and service point signs, and the system of referring to destinations will be established by a regulation of the minister responsible for the field.

(3) During road construction, the proper installation of traffic control devices and traffic safety is ensured by the undertaking for the purposes of the Building Code.

(4) The requirements for traffic management will be established by a regulation of the minister responsible for the field.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

## **§ 7<sup>2</sup>. Requirements for road use**

(1) It is prohibited to damage and pollute a road.

(2) Upon using a road, an undertaking engaged in the carriage of cargo or passengers must provide the owner of the road, if the owner so requires, with information on vehicles using the road, the volume of transport operations, the itinerary and the frequency of journeys.

(3) A road may be used for a non-traffic purpose only upon the written consent of the owner of the road and on the conditions established by the owner of the road.

(4) If the road is closed for a non-traffic purpose, the person who obtained the respective consent must compensate the road owner for the costs relating to the reorganisation of traffic.

(5) The owner of a private road must allow an emergency vehicle, a surveillance vehicle and, during a state of emergency or war, a vehicle of the Defence Forces to use the private road. The owner of a private road must allow other vehicles to temporarily use the private road only if a public road that reasonably grants access to the same place has been closed for eliminating the consequences of an emergency or a natural disaster.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

## **§ 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 that 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 (1) of this Act may be worn in urgent or short-time traffic control episodes.

[RT I, 10.05.2014, 1 – entry into force 20.05.2014]

(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 special carriage must also have the right to drive a combination of vehicles 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, 23.03.2015, 3 – entry into force 01.07.2015]

(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 special carriage, 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, 23.03.2015, 3 – entry into force 01.07.2015]

(6) The training of authorised officials and the practical on-combination of vehicles 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 responsible for the field 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 responsible for the field.

(13) A person who has acquired foreign professional qualifications can act as an authorised official if their professional qualifications have been recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 7 (2) of the Recognition of Foreign Professional Qualifications Act is the Road Administration.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **§ 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, cycling helmet, and reflex reflector of animal-drawn vehicle, cycle, self-balancing vehicle, self-driving robot, mini moped and pedestrian**

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(1) High-visibility warning clothing, safety waistcoats, cycling helmets and reflex reflectors used by pedestrians must meet the requirements established for personal protective equipment and correspond to their purpose of use.

(2) Reflex reflectors used on animal-drawn vehicles, cycles, self-balancing vehicles, self-driving delivery robots and mini mopeds must meet the requirements established in subsection (1) of this Act or on the basis of subsection 73 (11) of this Act

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

### **§ 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.

(2<sup>1</sup>) For the purpose of ensuring the safety of road users and public order, the owner of the road may establish temporary or permanent restrictions on the use of the road by self-driving delivery robots. The restrictions must be made available to the user of a self-driving delivery robot in a generally available machine-processable electronic form.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(3) [Repealed – RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(4) [Repealed – RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(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 responsible for the field.

(6) More detailed requirements for the general availability of restrictions on the road use by a self-driving delivery robot and the machine-processable electronic form may be established by a regulation of the minister responsible for the field.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

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

- (1) The drivers must not damage the environment with excessive noise, dust or exhaust gases produced by the motor 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 motor 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 equipment;
    - 5<sup>1</sup>) 90 kilometres per hour upon special carriage whereby the issuer of the special permit set out in subsection 34<sup>1</sup>(3) of this Act has not reduced the maximum speed limit;
- [RT I, 23.03.2015, 3 – entry into force 01.07.2015]

6) 20 kilometres per hour in calm traffic areas. In the close proximity of a pedestrian or self-driving delivery robot, vehicles may drive at the speed of the pedestrian or self-driving delivery robot;

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

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 where passengers are carried in the cargo space or on the open load bed of the truck in the Estonian Defence Forces or Estonian Defence League or 40 kilometres per hour where passengers are carried in the cargo space or on the open load bed of the truck on an island, except on a large island within the meaning of the Permanently Inhabited Small Islands Act, in an event specified in subsection 34 (2) of this Act;

[RT I, 20.12.2017, 1 – entry into force 30.12.2017]

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 self-balancing vehicles;

12<sup>1</sup>) six kilometres per hour for self-driving delivery robots;

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

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 responsible for the field.

(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 official exercising state supervision or a traffic control device, and follow the procedure for use of signage for vehicles.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(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 group of children accompanied by adults or a motorcade of vehicles escorted by an authorised official.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

## **§ 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 or a blue signal 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 onto 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 onto 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, self-balancing vehicle riders, self-driving delivery robots, cyclists or drivers of mopeds and mini mopeds, unless the obligation to give way is regulated otherwise by traffic control devices;

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

2) to pedestrians, cyclists, self-balancing vehicle riders, self-driving delivery robots, cyclists or drivers of mopeds and mini mopeds who cross the carriageway onto which the driver is turning, unless the obligation to give way is regulated otherwise by traffic control devices;

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

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 meeting the requirements of subsections 64 (2) and (3) of the Public Transport Act may stand and park at taxi stops.

[RT I, 04.07.2017, 8 – entry into force 01.11.2017]

(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 pedestrian 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. A pedestrian must not unjustifiably obstruct another pedestrian or a cyclist, self-balancing vehicle rider or self-driving delivery robot moving on a pedestrian crossing, sidewalk or on a cycle or pedestrian track.  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(2) If the density of traffic so permits, a pedestrian may also walk on a cycle track but must not obstruct cycle, self-balancing vehicle, 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, self-balancing vehicle, 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 group of people, except a group of children specified in subsection (7) of this section, may walk only close to the right edge of a carriageway or on the sidewalk or footpath no more than four persons abreast, without obstructing pedestrians or self-balancing vehicle riders. An organised group of people may also walk on a cycle and pedestrian track no more than two persons abreast, without obstructing cyclists or self-balancing vehicle riders. 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 similar means.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(7) A group of children may walk only on a footpath, sidewalk or cycle and pedestrian track no more than two children abreast while accompanied by adults. If there is no sidewalk, footpath or cycle and pedestrian track, a group of children may walk close to the right edge of the carriageway no more than two children abreast, thereby on roads within built-up areas without lighting and on rural roads only in the daylight and in the event of two-way traffic on road where there is no dividing strip, outside the carriageway close to the left edge of the road. The person accompanying a group of children must ensure safety and wear a safety waistcoat.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(8) A pedestrian 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 onto 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 making stops in up to every 100 metres, or

3) if in accordance with subsection 101 (9<sup>1</sup>) of this Act the passenger produces a doctor's written certificate of contraindications for wearing a seat belt.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 Self-balancing vehicle, Mini Moped and Moped Driver**

### **§ 31. Duties of cyclist, self-balancing vehicle rider, mini moped driver and moped driver**

(1) A cyclist, self-balancing vehicle rider, mini moped driver and moped driver aged below 16 years must wear a strapped cycle helmet while 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) Riding a self-balancing vehicle is allowed on sidewalks, footpaths, cycle and pedestrian tracks, cycle tracks and cycle lanes. When crossing a carriageway on a pedestrian crossing, a self-balancing vehicle rider must not endanger pedestrians crossing the carriageway. A self-balancing vehicle rider must not endanger or obstruct pedestrians when riding on sidewalks, footpaths and cycle and pedestrian tracks, cycle tracks and cycle lanes, and may only ride 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 while 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, self-balancing vehicle

rider, mini moped driver 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 self-balancing vehicle rider 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 self-balancing vehicle rider approaching an intersection with a carriageway on a cycle and pedestrian track, and a cyclist, self-balancing vehicle rider, mini moped and moped driver approaching an intersection with a carriageway on a cycle track must slow down. A cyclist, self-balancing vehicle rider, mini moped and moped driver must cross the carriageway at the normal speed of a pedestrian.

(10) A cyclist and a self-balancing vehicle rider must not unjustifiably obstruct a self-driving delivery robot.  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

### **§ 32. Restrictions to cyclist and self-balancing vehicle, mini moped and moped driver traffic**

(1) A cyclist and a self-balancing vehicle, mini moped and moped driver must not:

- 1) ride or drive on the sidewalk, except for a self-balancing vehicle rider, 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, self-balancing vehicle, 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 Self-balancing vehicle riders 20 kilometres per hour.

(4) A cyclist and a self-balancing vehicle rider on a cycle and pedestrian track and a cyclist or a self-balancing vehicle, mini moped or 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 driving 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;

8<sup>1</sup>) ascertain that the accessories installed in or on the vehicle do not endanger people, harm the environment, cause proprietary damage or obstruct traffic, and take measures to eliminate the danger arising from the accessories;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

9) if the conclusion of a liability insurance contract is required for the vehicle, ascertain before driving that the liability insurance contract (hereinafter *motor 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, self-balancing vehicle 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 making stops in up to every 100 metres, or

3) if in accordance with subsection 101 (9<sup>1</sup>) of this Act the driver produces a doctor's written certificate of contraindications for wearing a seat belt.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 in the seats and in the way specified by the manufacturer of the vehicle. Trailers belonging to a combination of vehicles of subcategory D1E may not be used for carrying passengers. A person is allowed to travel in the cargo space or on the open load bed of a truck adjusted for carrying passengers only on an island, except on a large island within the meaning of the Permanently Inhabited Small Islands Act, only where there is a suitable and safe sitting and clinging place below the upper edge of the hatches, and the maximum speed must not exceed 40 kilometres per hour.

[RT I, 20.12.2017, 1 – entry into force 30.12.2017]

(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 a trucks with a maximum mass of over 3500 kg by a driver who is 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 automobile driving experience.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 responsible for the field.

(6) The cargo must be placed, fastened and covered in accordance with its characteristics and packaging in such a manner that it does not jeopardise the people or the environment, does not cause pecuniary harm or obstruct traffic.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(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, combination of vehicles or combination of tractors may exceed the requirements specified in subsection 80 (3) of this Act.

(9) If a dimension of a laden or unladen vehicle, combination of vehicles or combination of tractors exceeds the size established on the basis of subsection 80 (3) of this Act, the vehicle may be used in accordance with the procedure established in § 34<sup>1</sup> of this Act.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(10) A heavy 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 combination of vehicles or a combination of tractors 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 § 34<sup>1</sup> of this Act.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(13) If the laden mass or axle load of a laden or unladen vehicle, combination of vehicles or combination of tractors exceeds the requirements specified in subsection 80 (3) of this Act, such vehicle, combination of vehicles or combination of tractors may be used in accordance with the procedure specified in § 34<sup>1</sup> of this Act.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(13<sup>1</sup>) Upon placement of cargo, it is taken into account that the mass of the vehicle needs to be distributed as evenly as possible and the cargo needs to form a whole, the centre of gravity needs to be as low as possible, any shifting needs to be precluded and sharp edges need to face backwards.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(13<sup>2</sup>) The equipment used for fastening the cargo must comply with the requirements applicable to fastening equipment, correspond to the purpose of use, and be intact, in a working order and sufficiently strong to hold the cargo in place and together.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(14) Dangerous goods are carried in accordance with the procedure established on the basis of the Road Transport Act.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

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

(16) More detailed conditions of and procedure for the placement, fastening and covering of cargo and methods of inspection used by the person exercising traffic supervision are established by a regulation of the minister responsible for the field.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

## **§ 34<sup>1</sup>. Special carriage**

(1) ‘Special carriage’ means the engagement of a heavy vehicle or a large vehicle in road traffic.

(2) On a public road, special carriage is permitted by a special permit and for a special fee and solely on the route and conditions specified in the special permit, regardless of the country of registration of the vehicle. On a private road, special carriage is performed with the consent and on the conditions of the road owner.



(3) The road owner grants the special permit. The driver must carry the special permit with them or the special permit must be electronically available and it must be submitted to the person exercising traffic supervision at their request. Before issuing a special permit, the issuer of the special permit must verify that the requirements set out in clauses 34<sup>2</sup>(1) 1) to 4) of this Act have been fulfilled.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4) The special fee charged for special carriage is up to 650 euros per one carriage operation and one road user, depending on the exceeding of the maximum masses, axle loads and dimensions established on the basis of subsection 80 (3) of this Act and the distance of travel. The fee for reviewing a special permit is up to ten euros per permit issued by each road owner.

(5) The issuer of a special permit may demand a reference calculation of the stability of the road or a section thereof and an expert assessment of such a calculation. The maker of a reference calculation must be a person who holds the respective competence. Additional costs relating to a reference calculation and expert assessment, allowing of special carriage and ensuring traffic safety are borne by the applicant for the special permit.

(6) A special permit is issued for a term of up to one year.

(7) The conditions of special carriage, the procedure for special carriage, issue of special permits as well as compensation of costs caused to the road owner, the fee for reviewing a special permit and the rates of the special fee will be established by a regulation of the minister responsible for the field.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

### **§ 34<sup>2</sup>. Additional requirements ensuring safety of special carriage**

(1) Upon special carriage:

- 1) other road users must be disturbed and jeopardised as little as possible;
- 2) if possible, carriage during rush hours and at other times when it is dangerous due to road and weather conditions as well as traffic intensity or causes considerable traffic obstacles to other road users must be avoided;
- 3) if possible, travelling through settlements as well as in streets, traffic nodes and intersections where the traffic intensity is high must be avoided;
- 4) civil engineering works, traffic control devices, power and communications lines, electric vehicle contact lines or other similar objects located by or above the road must be taken into account;
- 5) the prescribed travel route must be followed.

(2) The driver is required to:

- 1) before the commencement of the journey, make certain that the heavy or large cargo is duly marked and, while on the road, monitor the operability of the cargo and of the vehicle, combination of vehicles or combination of tractors;
- 2) upon engaging in road traffic, keep as much to the right as possible and, if necessary, stop at a suitable place in order to allow the vehicles that have queued up behind to overtake or in order to give way to the oncoming vehicles.

(3) Where necessary, upon special carriage an agreement on the temporary lifting or removal of the parts of the civil engineering works that are situated by or above the road must be concluded with the owners or possessors thereof.

(4) If any circumstances that demand a change of the travel route become evident, the holder of the special permit must apply for a new special permit specified in subsection 34<sup>1</sup>(2) of this Act.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

### **§ 34<sup>3</sup>. Revocation of special permit and refusal to grant special permit**

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1) The issuer of a special permit will refuse to issue the special permit if:

- 1) the fulfilment of the requirements provided for in subsection 34<sup>2</sup>(1) of this Act cannot be ensured;
- 2) the conditions established on the basis of subsection 34<sup>1</sup>(7) of this Act are not fulfilled;
- 3) the special carriage may considerably harm the road or the conditions of safe road use cannot be fulfilled;
- 4) false information or forged documents, which influence the granting of the special permit, were submitted upon application for the special permit;
- 5) the fee payable for the special permit has not been paid pursuant to the established procedure.

(2) A special permit will be revoked if:

- 1) it becomes evident that false information or forged documents, which influenced the granting of the special permit, were submitted upon application for the special permit;
  - 2) the special permit holder has not fulfilled the conditions of special carriage established on the basis of subsection 34<sup>1</sup>(7) of this Act or the conditions established by the road owner.
- [RT I, 23.03.2015, 3 – entry into force 01.07.2015]

### **§ 35. Obligations of driver upon ensuring safety of pedestrians, self-balancing vehicle riders, self-driving delivery robots and cyclists**

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(1) The driver's actions must not endanger pedestrians, self-balancing vehicle riders, self-driving delivery robots or cyclists. The driver must be especially attentive of children, elderly persons and persons with symptoms of an illness, persons with mobility disability and blind persons.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(1<sup>1</sup>) If the driver has to traverse a regulated pedestrian crossing at the end of a side turn, the driver may, provided that there is no stop line or stop line sign in the driver's driving direction, traverse the crossing, giving way to pedestrians, cyclists, self-balancing vehicle drivers and self-driving delivery robots crossing the carriageway during a permitting traffic light signal.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(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 onto 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 self-balancing vehicle riders 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 self-balancing vehicle riders 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 respective sign in the front and at the rear and must have emergency lamps switched during a stop. The bus driver and the person accompanying the group of children must ensure safety when children enter or exit the bus or traverse the carriageway.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

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

(5<sup>1</sup>) In an automobile and in a truck, a child of less than three years of age must not be carried on a seat not equipped with a safety belt. In the front seat of an automobile, a child may be driven only if the child is properly secured by a seat belt or safety equipment. A child of at least three years of age and a height of over 150 centimetres may be carried in the front seat of a truck that does not have a seat belt.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(6) If a child is not tall enough to wear a seat belt in accordance with the requirements established by the vehicle or seat belt manufacturer, a safety device secured in accordance with the requirements of the manufacturer of the safety device and corresponding to the height and weight of the child must be used when carrying the child by a motor vehicle. A rear-facing safety device must not be used when carrying a child in the front seat equipped with a switched-on front airbag.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(7) A child must not be held in the lap in the front seat of a motor vehicle (except bus) while the vehicle is moving. In a bus, except in its front seat or in the front row of seats, an adult passenger may hold one child under three years of age in their lap, provided that the passenger holding a child in the lap wears a seat belt in accordance with the requirements established by the vehicle or seat belt manufacturer. By way of exception, an adult passenger whose seat belt is not fastened may hold one child under seven years of age in their lap in a bus, except in the front seat or in the front row of seats.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(8) If it is not possible to install a safety device 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 in the middle seat with at least the lap belt designed for adults.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(9) Using a child safety device is not compulsory when carrying a child less than three years of age in the rear seat of a taxi. A child under three years of age may be carried in a taxi in the lap of an adult passenger if the passenger holding the child is properly wearing a seat belt and has only one child in their 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 an adult seat belt or only its lap belt or by another appropriate safety device. Other children carried in the rear seat of a taxi must wear at least the lap belt of the adult seat belt.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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) On a lane reserved for public transport vehicles, one may drive a public transport vehicle engaged in regular services under the Public Transport Act, a passenger-carrying taxi that meets the requirements of subsection 64 (2) of the Public Transport Act and a bus carrying a passenger.

[RT I, 04.07.2017, 8 – entry into force 01.11.2017]

(2) In addition to the provisions of subsection (1) of this section, one may drive an emergency response vehicle on a lane reserved for public transport vehicles upon performance of duties, with an electric vehicle that has a fully electric traction drive and with another vehicle where permitted by a relevant traffic control device.

(3) The driver of a vehicle not specified in subsections (1) and (2) of this section is prohibited to use a lane reserved for public transport vehicles, except in the following events and in accordance with the following procedure:

1) the driver may move onto 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 onto 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;

3) for rounding, provided that it does not disturb a public transport vehicle engaged in regular services and there are no other lanes in the direction of traffic, but one must abandon the lane thereafter immediately.

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

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

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

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

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

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

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

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) The driver must give the documents to be checked to the traffic supervisor 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 traffic supervisor.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) If a vehicle has a compulsory tachograph and a speed limitation device, the driver must make it possible to exercise state supervision over 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 traffic supervisor to use the inspection card.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

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

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

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

### **§ 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 combinations of vehicles (except combinations of vehicles whose traction unit is a motor vehicle of category B) and combinations of tractors that have no upper front position lamps, there must be an illuminated combination of vehicles 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 for special carriage in accordance with a legal instrument established on the basis of subsection 34<sup>1</sup>(7) of this Act;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

3) on self-driving delivery robots in the event specified in subsection 151<sup>3</sup>(6) of this Act.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(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 onto 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, footpath, cycle lane, cycle track, cycle and pedestrian track, safety island and dividing strip as well as park in places where parking and stopping is prohibited, or park on a sidewalk, footpath, cycle lane, cycle track, cycle and pedestrian track, safety island and dividing strip, provided that official duties are being performed and it is not possible to perform them on the carriageway. The driver of an emergency vehicle must, upon driving and stopping the vehicle or upon parking the vehicle ensure the safety of traffic and the stopped or parked vehicle must not disturb other road users.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 onto 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 onto 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 onto 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 or 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 combination of vehicles or a combination of tractors 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 self-balancing vehicle, mini moped or moped, must be lower than the speed specified in clause 15 (1) 1) of this Act. A power-driven vehicle and combination of vehicles, 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 the 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, combination of vehicles or combination of tractors, 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 the written or 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 official exercising state supervision to access the electronic approval in another way.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

#### **§ 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, combination of vehicles or combination of tractors 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, combination of vehicles or combination of tractors.

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

(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, combination of vehicles or combination of tractors has a malfunctioning steering wheel or malfunctioning brakes;

3) with a rod-shaped direct hitch – if the power-driven vehicle, combination of vehicles or combination of tractors has a malfunctioning steering wheel;

4) with any type of direct hitch – if the laden mass of a power-driven vehicle, combination of vehicles 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, combination of vehicles or combination of tractors is being drawn at a time;

6) if the coupling device of a drawn combination of vehicles or combination of tractors is malfunctioning.

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

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

(2) Upon haulage of towed equipment, the towed equipment or interchangeable towed equipment 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 equipment or interchangeable towed equipment.

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

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

(7) Towed equipment or interchangeable towed equipment must comply with the roadworthiness 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.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]
- (10) The maximum speed limit must be determined by the surveillance staff, depending on the ice and weather conditions.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]
- (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.
- (15<sup>1</sup>) The requirements for the making and maintenance of a public ice road will be established by a regulation of the minister responsible for the field.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]
- (15<sup>2</sup>) The maker of an ice road organises the maintenance of the ice road and must establish conditions for safe use of the ice road made by it.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

## **§ 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 combinations of vehicles 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 motor 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 drive vehicle due to state of intoxication**

(1) The driver must not be in a state of intoxication. A state of intoxication or the exceeding of the limit specified in subsection (3) of this section is identified in accordance with the procedure established in the Law Enforcement Act.

(2) 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 the driver is evidently not able to drive a vehicle with due firmness required in traffic.

(3) 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.

(4) 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 authorised to take blood tests, must, at the request of the police, take the person's blood test for the purpose of establishing a state of intoxication.

(5) The taking, storing and transfer for analysis of blood samples for the purpose of establishing the state of intoxication and the carrying out of analyses and remuneration of these steps takes place on the basis of and in accordance with the procedure established by the Law Enforcement Act.

(6) The result of a blood test is recorded in accordance with the procedure established on the basis of the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

#### **§ 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 a 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. A single device may display these lights. 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. A single device may

display these lights. 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.

(4) The owner and authorised user of a vehicle must ensure that the reading of the kilometrage indicator is not changed with the aim of leaving a false impression of the kilometrage of the power-driven vehicle.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

#### **§ 73. Roadworthiness 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 roadworthiness 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. A roadworthiness test does not need to be passed by a power-driven vehicle and its trailer that are used exclusively on an island, except by a power-driven vehicle and its trailer that are used on a permanently inhabited large island for the purposes of the Permanently Inhabited Small Islands Act. The results of a roadworthiness test are proven based on the data of the motor register. The results of a roadworthiness test may also be proven by a registration certificate or a certified printout of the data of the motor register.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(3) The roadworthiness testing of a power-driven vehicle and its trailer is conducted and administrative supervision over the implementation and quality thereof is exercised by the Road Administration.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(4) 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) of this Act with whom the Road Administration has concluded an administrative agreement.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(5) The costs of a roadworthiness test of a power-driven vehicle and its trailer are covered by the owner, possessor or authorised user of the vehicle at the rates established on the basis of subsection (12<sup>1</sup>) of this section. Upon establishment of the rates based on subsection (12<sup>1</sup>) of this section, it must be taken into account that the company engaged in roadworthiness testing is able to cover the direct expenses related to the provided service, the capital expenditure and a proportionate amount of the overheads, and make a reasonable operating profit.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(6) During a roadworthiness test, the compliance or non-compliance of a power-driven vehicle or its trailer with the roadworthiness 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.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7) In addition to subsection (6) of this section, a power-driven vehicle or its trailer is no longer deemed roadworthy if:



- 1) the insurer deems the vehicle or its trailer destroyed;
- 2) the person exercising traffic supervision takes a measure specified in clause 196<sup>2</sup>(1) 9) of this Act, or
- 3) according to official information received from the competent authority of a Member State of the European Union, a contracting state of the European Economic Area or the Swiss Confederation, a power-driven vehicle or its trailer has a fault or defect that requires a roadworthiness test of the vehicle, unless the vehicle does not have a serious or dangerous fault or defect for the purposes of this Act or it has been proven that the fault or defect has been eliminated.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7<sup>1</sup>) A power-driven vehicle or its trailer does not meet the roadworthiness requirements if it has a serious or dangerous fault or defect. A serious fault or defect is a fault or defect the occurrence of which calls for a roadworthiness test. A dangerous fault or defect is a fault or defect that directly and imminently jeopardises human life or health, property or the environment.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7<sup>2</sup>) If a serious fault or defect is detected during a roadworthiness test of a power-driven vehicle or its trailer, the power-driven vehicle or its trailer which does not meet the roadworthiness requirements in force may be used in traffic within the time limit specified in the regulation established on the basis of subsection (12) of this section or subsection 85 (7) of this Act, which depends on the time of presenting the vehicle for a roadworthiness test, but is not shorter than 30 days or longer than 60 days, and upon the expiry of which the power-driven vehicle or its trailer must be presented for a roadworthiness test again. Upon engaging in traffic, the driver must drive carefully, taking account of the nature of the fault or defect.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7<sup>3</sup>) If during a roadworthiness test a dangerous fault or defect is detected, the use of the vehicle in traffic will be prohibited until the fault or defect has been eliminated. After eliminating the dangerous fault or defect, the power-driven vehicle or its trailer must be presented for a roadworthiness test. Such power-driven vehicle or its trailer may be used in traffic only in accordance with the procedure provided for in subsection (7<sup>4</sup>) of this section.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7<sup>4</sup>) In addition to subsection (7<sup>2</sup>) of this section, a power-driven vehicle or its trailer that does not comply with the roadworthiness requirements may, by way of exception, used only if it does not have a dangerous fault or defect that would preclude the use of the vehicle in traffic. In these circumstances the vehicle or its trailer 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 parking facility, taking the shortest route possible.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7<sup>5</sup>) During the period specified in subsection (7<sup>2</sup>) of this section, the power-driven vehicle or its trailer cannot be used for carriage of passengers for the purposes of the Public Transport Act or for carriage of cargo for the purposes of the Road Transport Act.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7<sup>6</sup>) The option provided for in subsection (7<sup>2</sup>) of this section does not apply in the case of an extraordinary roadworthiness test under clause 196<sup>2</sup>(1) 9) of this Act.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(7<sup>7</sup>) The period specified in subsection (7<sup>2</sup>) of this section does not extend if a power-driven vehicle or its trailer is presented for a roadworthiness test again and the serious fault or defect has not been eliminated or there is another serious fault or defect.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(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 roadworthiness requirements for power-driven vehicles and their trailers will be established by a regulation of the minister responsible for the field.

(12) The conditions of and procedure for roadworthiness testing of power-driven vehicles and trailers thereof, including the conditions of and procedure for inspection of equipment, types of roadworthiness testing, conditions of and procedure for classification of faults and defects, time limits of roadworthiness testing, time limits for presentation for repeat roadworthiness testing, list of vehicles released from roadworthiness testing, and the list of documents to be submitted and the procedure followed upon submission of documents during a roadworthiness test will be established by a regulation of the minister responsible for the field.  
[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(12<sup>1</sup>) The rates of the fee charged for a roadworthiness test will be established by a regulation of the minister responsible for the field.  
[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(13) [Repealed – RT I, 04.07.2017, 6 – entry into force 01.09.2017]

### **§ 73<sup>1</sup>. Using power-driven vehicle and its trailer after referral to extraordinary roadworthiness testing**

(1) A power-driven vehicle or its trailer which has, due to a serious fault or defect, been referred to an extraordinary roadworthiness test on the basis of clause 196<sup>2</sup>(1) 9) of this Act may be used in traffic for up to 30 days after the detection of the serious fault or defect. Upon engaging in traffic, the driver must drive carefully, taking account of the nature of the fault or defect.

(2) A power-driven vehicle or its trailer from the driving of which the driver has been removed on the basis of clause 91 (2) 5) of this Act may be used only after eliminating the dangerous fault or defect. After eliminating the dangerous fault or defect, the power-driven vehicle or its trailer must be presented for a roadworthiness test. Such power-driven vehicle or its trailer may be used in traffic only in accordance with the procedure provided for in subsection 73 (7<sup>4</sup>) of this Act.

(3) After the period specified in subsection (1) of this section, the power-driven vehicle or its trailer may be used in traffic in accordance with the procedure provided for in subsection 73 (7<sup>4</sup>) of this Act.

(4) During the period specified in subsection (1) of this section, the power-driven vehicle or its trailer cannot be used for carriage of passengers for the purposes of the Public Transport Act or for carriage of cargo for the purposes of the Road Transport Act.  
[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

### **§ 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.

(1<sup>1</sup>) A person testing the roadworthiness of a power-driven vehicle and a trailer thereof must not be a person subject to a prohibition on business imposed by a final judgment or a person who has been deprived of the right to work as a tester of roadworthiness. A tester also must not be a person from whom the right to engage in roadworthiness testing or another similar field of activity has been taken away by a final judgment due to a misuse of their professional or official rights or a violation of their official duties. Also, the person must not be punished for an intentionally committed criminal offence, given the time limits of deletion of conviction data specified in § 24 of the Criminal Records Database Act.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 until the date of expiry thereof and the Road Administration may refuse to issue a new evaluation certificate within three years as of the suspension of the validity of the evaluation certificate if the holder of the certificate has violated legislation regulating roadworthiness testing of power-driven vehicles and their trailers.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(9) If the Road Administration has taken the measures specified in subsection (8) of this section for longer than one year, the holder of the certificate must undergo training, field training and take an examination specified in subsection (4) of this section to have the validity of the evaluation certificate restored.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(9<sup>1</sup>) If the Road Administration has taken the measures specified in subsection (8) of this section for less than one year, the Road Administration may demand that the holder of the certificate take the examination specified in subsection (4) of this section in order to restore the validity of the certificate.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(9<sup>2</sup>) If more than five years has passed from the expiry of the validity of the evaluation certificate, a tester of the roadworthiness of power-driven vehicles and their trailers must undergo training, field training and take an examination specified in subsection (4) of this section.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 responsible for the field.

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

(12) A person who has acquired foreign professional qualifications may act as an inspector of the roadworthiness of a power-driven vehicle and its trailer if their professional qualifications have been recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 7 (2) of the Recognition of Foreign Professional Qualifications Act is the Road Administration.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **§ 75. Administrative supervision of roadworthiness testing**

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) Administrative supervision of roadworthiness testing is an activity the purpose of which is to establish if a centre 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 check compliance with the obligations arising from a public law contract specified in subsection 191 (1) of this Act.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) The administrative supervision specified in subsection (1) of this section is performed by authorised officials of the Road Administration.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) The person exercising administrative supervision must present their identification when performing their official duties. The person exercising administrative supervision must ensure the confidentiality of the information learned, unless legislation provides for the disclosure thereof.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) The person exercising administrative supervision is authorised to:  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

- 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 a test, request appropriate documents, data and other materials and clarifications from the person authorised to perform roadworthiness testing and a person specified in § 73 of this Act;  
[RT I, 04.07.2017, 6 – entry into force 01.09.2017]
- 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) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(5) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(6) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(7) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(8) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

## **§ 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 authority 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 motor register. The registration of a power-driven vehicle or its trailer is proven by a registration certificate or the data of the motor register.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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.

(3<sup>1</sup>) A power-driven vehicle of the armed forces of a foreign state located in the territory of the Republic of Estonia, which has been registered in the foreign state and to which a registration plate or mark has been issued there, does not need to be registered.

[RT I, 12.03.2015, 1 – entry into force 01.01.2016]

(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 Estonian citizenship or a residence permit or right in Estonia and permanent residence 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 motor register as the authorised user.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(5) If a power-driven vehicle or its trailer belongs to multiple owners jointly, all the owners will be entered into the motor 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 are 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 roadworthiness 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 combination of vehicles 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 combination of vehicles 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 responsible for the field.

(14) A state fee is payable for issuing a registration plate, summoning a Road Administration official and making entries into the motor 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.

(1<sup>1</sup>) The Road Administration may refuse to register a power-driven vehicle or a trailer thereof if it complies with the requirements in force, but still involves a significant danger to human life or health, the environment or property, and with regard to which a market surveillance authority or a type-approval authority of a Member State of the European Union has taken market surveillance measures or measures of supervision over compliance with type-approval.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1<sup>2</sup>) In the event specified in subsection (1) of this section, the registration of a motor vehicle and its trailer may be refused for up to six months and the registration of a moped, motorcycle, tractor and its trailer may be refused until the manufacturer has fulfilled all the relevant conditions.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 presented 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.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(5) Deletion from the register means making a vehicle deletion entry in the motor register. The suspension of the register entry of a vehicle in accordance with subsection (8<sup>1</sup>) of this section or the temporary deletion of a vehicle from the register in accordance with subsection (7) of this section is not considered deletion from the register.

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

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

- 1) when a power-driven vehicle or its trailer is taken out of Estonia in connection with the owner of the vehicle or its trailer 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-wheeled motorcycles or light quadricycles, automobiles or trucks with a maximum mass not exceeding 3500 kilograms. A certificate of destruction does not need to be submitted for deleting from the register a power-driven vehicle specified in subsection (1) of this section, which has been demolished or destroyed before 1 May 2004;
- 3) when the term for the temporarily registered power-driven vehicle or its trailer expires;
- 4) in the case of a vehicle or vintage vehicle not specified in subsection (2) of this section, based on a request of the owner or the owner's representative;
- 5) 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 its trailer in the respective Member State;
- 6) based on a request of the Ministry of the Interior upon delivery of a vehicle specified in clause 2) of this subsection to a museum or to an internal security training establishment as a training aid;

7) based on a certificate of the Environmental Inspectorate, the Police and Border Guard Board or the Rescue Board, if the vehicle specified in clause 2) of this subsection has been destroyed and it cannot be duly demolished, or

8) in another event provided by law.

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

(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.

(8<sup>1</sup>) The suspension of the register entry of a power-driven vehicle or its trailer is a step by which the Road Administration deletes the data of the vehicle from the motor register until the restoration of the register entry.

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

(8<sup>2</sup>) The Road Administration will suspend the register entry of a power-driven vehicle or its trailer if two years have passed:

- 1) from the validity of the compliance of the vehicle with the roadworthiness requirements in accordance with subsection 73 (6) of this Act, and

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

- 2) from the validity of the policy of the last insurance contract concluded with regard to the vehicle.

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

(8<sup>3</sup>) The register entry of the power-driven vehicle or its trailer will restore as soon as the vehicle complies with the roadworthiness requirements in force and passes a roadworthiness test.

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

(8<sup>4</sup>) A power-driven vehicle or its trailer that has been temporarily deleted from the motor register or whose register entry has been suspended is deemed to be an unregistered vehicle and the use of such a vehicle in traffic is prohibited. By way of exception, a power-driven vehicle or its trailer whose register entry has been suspended may be used in the events specified in subsection 73 (74) of this Act.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(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, single vehicle approval and validity of approval**

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1) The provisions of Regulation (EU) No 167/2013 of the European Parliament and of the Council on the approval and market surveillance of agricultural and forestry vehicles (OJ L 60, 02.03.2013, pp 1–51) apply to the type-approval of a tractor, its trailer and interchangeable towed equipment, taking into account the requirements established in this Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1<sup>1</sup>) The provisions of Regulation (EU) No 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L 60, 02.03.2013, pp 52–128) apply to the type-approval of an electric cycle, mini moped, moped and motorcycle, taking into account the requirements established in this Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1<sup>2</sup>) Regulation (EU) No 165/2014 of the European Parliament and of the Council on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.02.2014, pp 1–33) applies to the type-approval of a tachograph, a component thereof or a tachograph card, taking into account the requirements established in this Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1<sup>3</sup>) Type-approval is a procedure by which a competent authority declares that: the type of a power-driven vehicle or its trailer or the type of a component, system, equipment or separate technical unit of a power-driven vehicle or its trailer (hereinafter jointly *product*) complies with the requirements established on the basis of subsection (5) of this section; the type of interchangeable towed equipment or the type of its component, system, equipment or separate technical unit complies with the requirements of Regulation (EU) No 167/2013 of the European Parliament and of the Council; the type of an electric cycle or mini moped or the type of their component, system, equipment or separate technical unit complies with the requirements of Regulation (EU) No 168/2013 of the European Parliament and of the Council; and a tachograph, its component or tachograph card complies with the requirements of Regulation (EU) No 165/2014 of the European Parliament and of the Council.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1<sup>4</sup>) Upon granting a type-approval in an event specified in a legal instrument of the European Union, the Road Administration may impose on the manufacturer of a power-driven vehicle or its trailer or product a secondary condition to periodically prove that the power-driven vehicle, its trailer or product complies with the type-approval. Detailed conditions of periodical proving of the compliance of the power-driven vehicle or its trailer or product with the type-approval are set out in the decision granting the type-approval.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 established on the basis of subsection (5) of this section.

(3) In Estonia, the competent authority for type-approval and single vehicle approval as well as for related steps is the Road Administration.

(4) For the purpose of technical expert assessment and testing required for taking steps related to the type-approval and a single vehicle approval, the Road Administration may use an expert or a designated technical service. Steps related to the type-approval and single vehicle approval are taken at the expense of the manufacturer of the vehicle or product, its official representative or importer.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4<sup>1</sup>) Without discriminating anyone, the manufacturer of a power-driven vehicle or its trailer or product must ensure simple and easy access to the information established on the basis of subsection (5) of this section.

(4<sup>2</sup>) The manufacturer of a power-driven vehicle or its trailer or product must take appropriate measures established on the basis of subsection (5) of this section for ensuring the compliance of the output with the data approved by the type-approval.

(4<sup>3</sup>) The manufacturer of interchangeable towed equipment must ensure easy and quick access to the information specified in Chapter XV of Regulation (EU) No 167/2013 of the European Parliament and of the Council and the manufacturer of an electric cycle and mini moped must ensure easy and quick access to the information specified in Chapter XV of Regulation (EU) No 168/2013 of the European Parliament and of the Council without discriminating anyone.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4<sup>4</sup>) A type-approval or a single vehicle approval is issued for an unspecified time if the type-approval authority of a Member State of the European Union has not set a term of validity to the type-approval or the single vehicle approval.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4<sup>5</sup>) The type-approval of a power-driven vehicle or its trailer will terminate when:

1) new requirements applicable to the power-driven vehicle or its trailer that received the type-approval become mandatory for the power-driven vehicle or its trailer and the type-approval cannot be updated in accordance with the new requirements;

2) the manufacturing of the power-driven vehicle or its trailer, which received the type-approval, is terminated;

3) the term of validity of the type-approval expires;

4) the type-approval terminates due to a special restriction.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4<sup>6</sup>) If the type-approval of one variant or of one version of a variant of a power-driven vehicle or its trailer becomes invalid, only the type-approval of the variant or version of the vehicle will become invalid.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(5) The requirements for a type-approval and a single vehicle approval are established for the purpose of the free movement of goods, energy efficiency, traffic safety, environmental protection, health protection, identification, road maintenance and prevention of unauthorised use. The conditions of and procedure for

reviewing a type-approval and single vehicle approval, requirements for a vehicle and its component, system, equipment and separate technical unit, ensuring access to the repairs, maintenance and technical information of a vehicle, requirements of and procedure for ensuring compliance with the type-approval of output, type-approval supervision requirements, and the procedure for designation of the technical service will be established by a regulation of the minister responsible for the field.  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(6) A state fee must be paid for type-approval, single vehicle approval and related steps.  
[RT I, 14.02.2014, 1 – entry into force 24.02.2014]

### **§ 78<sup>1</sup>. Refusal to grant type-approval and single vehicle approval or to take related steps**

(1) The Road Administration may refuse to grant type-approval or single vehicle approval or refuse to take related steps if:

- 1) documents or data required for obtaining type-approval or single vehicle approval have not been submitted;
- 2) the power-driven vehicle or its trailer or product does not comply with the requirements established on the basis of subsection 78 (5) of this Act;
- 3) the interchangeable towed equipment does not meet the requirements specified in Regulation (EU) No 167/2013 of the European Parliament and of the Council;
- 4) the electric cycle or mini moped does not meet the requirements specified in Regulation (EU) No 168/2013 of the European Parliament and of the Council;
- 5) false data or falsified test results have been submitted in the course of granting the type-approval or single vehicle approval;
- 6) the defeat strategy, defeat device or pollution control failure device that complies with the requirements established on the basis of subsection 78 (5) of this Act or with Regulation (EU) No 168/2013 of the European Parliament and of the Council has been used in the course of granting the type-approval;
- 7) the power-driven vehicle or its trailer or the type of the product complies with the requirements established on the basis of subsection 78 (5) of this Act, but nevertheless poses a significant risk to human life, health, the environment or property.

(2) In addition to the provisions of subsection (1) of this section, the Road Administration may, until a precept specified in subsection 78<sup>3</sup>(5) of this Act has been complied with, refuse to grant type-approval to a power-driven vehicle or product of an equivalent type or refuse to take the related steps.  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 78<sup>2</sup>. Revocation of type-approval and single vehicle approval**

(1) The Road Administration may revoke a type-approval if the manufacturer:

- 1) requests that the type-approval be revoked;
- 2) submitted false information or falsified test results in the course of granting the type-approval or supervision over compliance with the type-approval;
- 3) has falsified test results upon inspection of the continued compliance of an in-use vehicle or its motor with the type-approval in accordance with requirements established on the basis of subsection 78 (5) of this Act or in accordance with Regulation (EU) No 168/2013 of the European Parliament and of the Council;
- 4) fails to submit such data or technical specifications due to which the type-approval would not have been granted or due to which the type-approval would have been revoked;
- 5) has impermissibly altered the power-driven vehicle's emissions control system of nitrogen compounds (NO<sub>x</sub>) subject to the requirements established on the basis of subsection 78 (5) of this Act;
- 6) has used the defeat strategy, defeat device or pollution control failure device that complies with the requirements established on the basis of subsection 78 (5) of this Act or with Regulation (EU) No 168/2013 of the European Parliament and of the Council in the course of granting the type-approval of the power-driven vehicle;
- 7) has not complied with the precept specified in subsection 78<sup>3</sup>(5) of this Act by the prescribed date;
- 8) has failed to fulfil the secondary condition imposed on the basis of subsection 78 (1<sup>4</sup>) of this Act.

(2) The Road Administration may revoke a single vehicle approval if false information or falsified test results have been submitted in the course of granting the approval.  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 78<sup>3</sup>. State supervision over compliance with type-approval**

(1) Supervision over compliance with type-approval is an activity aimed at verifying the compliance of a power-driven vehicle or product with the data approved by the type-approval granted to the vehicle or product by the Road Administration, as well as the manufacturer's ability to ensure the compliance of the vehicle or product with data approved by the type-approval.

(2) The Road Administration exercises supervision over the compliance with the type-approval.

(3) The compliance of a vehicle or product with the requirements of the type-approval is proven by the manufacturer, its official representative or importer.



(4) The supervisory official has the right to demand that the manufacturer submit relevant documents, data, test protocols and explanations, the right to examine the organisation of the manufacturing of the power-driven vehicle or product, observe the manufacturing process and have randomly chosen products referred for further inspection.

(5) If a power-driven vehicle or product does not comply with data approved by the type-approval or if the manufacturer is unable to ensure the compliance of the vehicle or product with information approved by type-approval or if the manufacturer fails to ensure access to relevant information, the supervisor will have the right to make a precept to the manufacturer to have the deficiency eliminated.

(6) If the precept specified in subsection (5) of this section is not complied with, the maximum penalty payment imposed in accordance with the procedure provided for in the Substitutive Enforcement and Penalty Payment Act will be 6400 euros.

(7) The Road Administration may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 31, 32, 49, 50, 51 and 52 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

(8) A state fee is paid for exercising state supervision over compliance with type-approval at the rate provided for in the State Fees Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

#### **§ 74<sup>4</sup>. Technical service, designation and competence thereof, and revocation of designation**

(1) The technical service is the Road Administration or a legal person appointed by the Road Administration to organise the technical expert assessment and testing required for taking steps associated with type-approval (hereinafter *designated technical service*).

(2) The designated technical service must:

- 1) be independent of the process of designing, manufacturing, delivering and maintaining the vehicle or product assessed by it;
- 2) have staff that possesses the skills, technical expertise and qualifications required for carrying out the designated technical expert assessment or tests;
- 3) have the technical and information tools required for carrying out the technical expert assessment or tests;
- 4) ensure that the staff maintain confidentiality of the information learned in the course of their work.

(3) The designated technical service must not have any non-staggered overdue state or local taxes, fees, fines or compulsory insurance premiums. The designated technical service must not have been declared bankrupt or liquidation proceedings initiated against it or be subject to any other circumstances that could result in its permanent insolvency or termination of operations.

(4) In addition to the provisions of subsections (2) and (3) of this section, the designated technical service engaged in the technical expert assessment or tests required for taking steps related to the type-approval of a tractor, its trailer and interchangeable towed equipment as well as products designated for them must comply with the requirements established in Chapter XVI of Regulation (EU) No 167/2013 of the European Parliament and of the Council.

(5) In addition to the provisions of subsections (2) and (3) of this section, the designated technical service engaged in the technical expert assessment or tests required for taking steps related to the type-approval of an electric cycle, moped and motorcycle as well as products designated for them must comply with the requirements established in Chapter XVI of Regulation (EU) No 168/2013 of the European Parliament and of the Council.

(6) The activity category of the technical service is determined on the basis of its field of competence in accordance with Article 41(3) of Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L 263, 09.10.2007, pp 1–160), Article 59(1) of Regulation (EU) No 167/2013 of the European Parliament and of the Council or Article 63(1) of Regulation (EU) No 168/2013 of the European Parliament and of the Council.

(7) The designation of the designated technical service is preceded by a conformity assessment in the course of which the compliance of the legal person with the statutory requirements is assessed and as a result of which the Road Administration draws up a conformity assessment report in accordance with Article 42 of Directive 2007/46/EC of the European Parliament and of the Council, Article 62 of Regulation (EU) No 167/2013 of the European Parliament and of the Council or Article 66 of Regulation (EU) No 168/2013 of the European Parliament and of the Council.

(8) The conformity assessment specified in subsection (7) of this section is carried out by the Road Administration. Upon conformity assessment, the Road Administration can take into account the assessment given by an accreditation authority that complies with the requirements of Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.08.2008, pp 30–47) regarding the conformity of the legal person.

(9) The technical expert assessment and test by the designated technical service is taken into account in the process of granting the type-approval, provided that the technical service has been designated for carrying these out.

(10) The designation of the designated technical service is revoked at the request of the technical service. The designation of the designated technical service can be revoked also if the designated technical service has not complied with a precept specified in subsection 78<sup>5</sup>(5) of this Act in a timely manner.

(11) The designated technical service informs the Road Administration of each detected deviation from the requirements of the type-approval of the vehicle, its component, system, equipment or separate technical unit by the manufacturer as well as of each non-conformity that may result in refusal to grant the type-approval or restriction, suspension or revocation of the type-approval, and of the circumstances that affect the scope and conditions of designation of the designated technical service.

(12) A state fee is paid for the designation and extension of the competence of the technical service at the rate set out in the State Fees Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 78<sup>5</sup>. State supervision over designated technical service**

(1) Supervision over the designated technical service is an activity aimed at verifying the compliance of the designated technical services and the organisation of technical expert assessments and tests required for taking steps related to type-approval with the established requirements. In the course of supervision of the designated technical service, the conformity assessment report preceding the designation of the designated technical service is examined as well.

(2) Supervision over the designated technical service is exercised by the Road Administration.

(3) The Road Administration examines the conformity assessment report at least once every three years.

(4) The supervisory official has the right to demand that the designated technical service submit relevant documents, data, test protocols and explanations, the right to examine the organisation of the technical expert assessment and tests, attend these, and have randomly chosen products referred for further inspection.

(5) If the designated technical service or its technical expert assessment or test does not meet the established requirements, the supervision authority will have the right to make a precept to the designated technical service for elimination of the defect. Until the precept has been complied with, the Road Administration will not take into account the results of the technical expert assessment or the test required for taking steps related to type-approval.

(6) If the precept specified in subsection (5) of this section is not complied with, the maximum penalty payment imposed in accordance with the procedure provided for in the Substitutive Enforcement and Penalty Payment Act will be 6400 euros.

(7) The Road Administration may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 31, 32, 49, 50, 51 and 52 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 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 roadworthiness 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 responsible for the field.  
[RT I, 31.12.2010, 3 – entry into force 01.07.2011]

#### **§ 80. Maximum permissible dimensions, mass and axle load of vehicle, combination of vehicles and combination of tractors**

(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 figure, the vehicle may be operated in accordance with the procedure established in § 34<sup>1</sup> of this Act.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(3) The maximum permissible dimensions of laden or unladen vehicles, combinations of vehicles and combinations of tractors and the permissible maximum mass and axle loads of vehicles, combinations of vehicles and combinations of tractors will be established by a regulation of the minister responsible for the field.

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

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

(2) [Repealed – RT I, 11.04.2014, 1 – entry into force 01.10.2014]

#### **§ 82. Racing vehicle**

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(1) A racing vehicle is a motor vehicle that is intended to be used only for participation in autosport or motorsport races or training and that, for the purposes of subsection 4 (3) of the Sports Act, complies with the requirements of the sport association established for the development and coordination of autosport or motorsport at the international or national level.

(2) A racing vehicle can only participate in traffic in connection with autosport and motorsport events and training sessions registered in compliance with the requirements of the sport association established for the development and coordination of autosport or motorsport at the international or national level, and in accordance with the race or training guidelines and in concordance with the race organiser.

(3) A racing vehicle may be only driven in traffic by a person specified in the guidelines of autosport or motorsport races and training sessions registered by the sport association established for the development and coordination of autosport or motorsport at the international or national level.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

#### **§ 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 roadworthiness requirements for vintage vehicles and requirements for the equipment thereof will be established by a regulation of the minister responsible for the field.

#### **§ 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 or a blue signal light 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 the functions of the public authority, except from the requirements provided for in §§ 69 and 70.

[RT I, 12.03.2015, 6 – entry into force 22.03.2015]

(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.

#### **§ 84<sup>1</sup>. Requirements for driver of emergency vehicle**

(1) An emergency vehicle driver must complete emergency vehicle driver training of the category of the power-driven vehicle.

(2) The training provider issues an emergency vehicle driver training certificate. The emergency vehicle driver training certificate must comply with the requirements established on the basis of subsection (8) of this section.

(3) The emergency vehicle driver training provider must enter the details of the training certificate in the motor register.

(4) An emergency vehicle driver who does not exercise the right provided for in subsection 84 (2) of this Act does not have to complete the training specified in subsection (1) of this section.

(5) The driver of power-driven vehicles of category D does not have to complete emergency vehicle driver training if they have completed emergency vehicle driver training corresponding to power-driven vehicles of category B or C.

(6) A person who has held a valid driving licence of the respective category, including a provisional driving licence, for at least two years and a medical certificate that meets the health requirements applicable to drivers of emergency vehicles is admitted to emergency vehicle driver training.

(7) An emergency vehicle driver must complete emergency vehicle driver refresher training at least once every five years.

(8) The procedure for emergency vehicle driver training, competence requirements, training curriculum, training certificate form and details entered in the motor register are established by a regulation of the minister responsible for the field.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018, subsection (4) is applied as of 1 March 2020]

#### **§ 84<sup>2</sup>. Requirements for emergency vehicle driver training provider**

(1) To organise emergency vehicle driver training, the training provider must submit a notice of economic activities to the register of economic activities in accordance with the General Part of the Economic Activities Code Act.

(2) In addition to subsection 15 (1) of the General Part of the Economic Activities Code Act, the following details and documents are given in the notice of economic activities:

- 1) the emergency vehicle driver training curriculum;
- 2) details on the professional qualifications and work experience of the lecturer;
- 3) written consent to provide the training, which is signed by the lecturer specified in clause 2) of this subsection.

(3) The requirements provided for in subsections (1) and (2) of this section do not apply where the emergency vehicle training provider is the Estonian Internal Security Service, the Defence Forces, the Police and Border

Guard Board, the Rescue Board, the Estonian Foreign Intelligence Service or the Estonian Academy of Security Sciences.

(4) The training provider must have the following:

- 1) a classroom and furnishings suitable for carrying out the training or a possibility to use them;
- 2) a driver training plot or a possibility to use one;
- 3) a training vehicle or a possibility to use one;
- 4) persons who comply with the requirements provided for in subsection (5) of this section.

(5) The person who teaches the emergency vehicle driving course must:

- 1) be familiar with the bases of the course taught;
- 2) have higher education or secondary specialised education;
- 3) have work experience corresponding to the substance of the course.

(6) A specialist who does not comply with the requirements provided for in subsection (5) of this section may be involved in training emergency vehicle drivers based on the objective of a course included in the emergency vehicle driver training curriculum.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

### **§ 84<sup>3</sup>. State supervision over organisation of emergency vehicle driver training**

(1) The Road Administration exercises state supervision over the organisation of emergency vehicle driver training, which is subject to the notification obligation.

(2) The official exercising state supervision has the right to demand that the training provider and the person who actually carries out the training submit relevant documents, data and explanations and to inspect the organisation of the training as well as to be present during carrying out the training.

(3) If the organisation of the emergency vehicle driver training does not comply with the requirements provided for in this Act or legislation passed on the basis thereof, the person exercising state supervision has the right to make a precept to the training provider to eliminate the deficiency. Until compliance with the precept, the person exercising state supervision may suspend the training activity of the training provider and prohibit the registration of new training groups.

(4) Upon failure to comply with a precept specified in subsection (3) of this section, the person exercising state supervision may impose a penalty payment in accordance with the procedure provided for in the Substitutive Enforcement and Penalty Payments Act. The maximum penalty payment payable by a natural person is 1300 euros and the maximum penalty payment payable by a legal person is 6400 euros.

(5) The person exercising state supervision specified in subsection (1) of this section may, for the purpose of exercising the state supervision provided for in this section, apply the special measures of state supervision provided for in §§ 30, 32, 50 and 51 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

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

(1) Vehicles belonging to the Estonian Defence Forces and the Estonian Defence League, which have not been entered in the motor register, must be registered in accordance with the established procedure in the register of the vehicles of the Estonian Defence Forces and the Estonian Defence League, have passed a roadworthiness test in accordance with the requirements established in this section and have state registration plates.

(2) Vehicles entered in the register of the vehicles of the Defence Forces and the Defence League, their roadworthiness, inspection of compliance with the requirements, registration, reconstruction, and the duties of the owner and authorised user are governed by §§ 72, 73, 76, 79 and 84 of this Chapter, unless otherwise provided for in this section.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(3) The roadworthiness testing of a vehicle entered in the register of the vehicles of the Estonian Defence Forces and the Estonian Defence League is organised and administrative supervision over the proper implementation and quality thereof is exercised by the Estonian Defence Forces.

(3<sup>1</sup>) The Defence Forces make a decision on the roadworthiness of a vehicle entered in the register of the Defence Forces and the Defence League.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(3<sup>2</sup>) The provisions of §§ 78–78<sup>5</sup> do not apply to the type approval of a vehicle entered in the register of the Defence Forces and the Defence League.  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4) The Estonian Defence Forces is the competent authority for type#approval, supervision and assessment of reconstruction of vehicles belonging to the Estonian Defence Forces and the Estonian Defence League.

(5) The Estonian Defence Forces performs an act of registration of a vehicle registered in the register of the vehicles of the Estonian Defence Forces and the Estonian Defence League or a decision to refuse to perform such act and performs the related registry acts.

(6) To change data in the register of the vehicles of the Estonian Defence Forces and the Estonian Defence League, the owner of the vehicle, its representative or another authorised person must submit to the Estonian Defence Forces a duly made request within five working days as of the change of the data.

(7) The procedure for registration and roadworthiness testing of vehicles entered in the register of the vehicles of the Estonian Defence Forces and the Estonian Defence League, time limits for roadworthiness testing, time limit of presentation for a repeat roadworthiness test, conditions of and procedure for classification of faults and defects as well as requirements for roadworthiness and equipment will be established by a regulation of the minister responsible for the field.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(8) The procedure for and conditions and requirements of the type-approval of vehicles entered in the register of the vehicles of the Estonian Defence Forces and the Estonian Defence League will be established by a regulation of the minister responsible for the field.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

#### **§ 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, self-balancing vehicle 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.

(1<sup>1</sup>) In addition to the provisions of subsection (1) of this section, an electric cycle and a mini moped must also comply with the requirements established in Regulation (EU) No 168/2013 of the European Parliament and of the Council.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(2) A self-balancing vehicle 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 self-balancing vehicle 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.

(4<sup>1</sup>) Vehicles that do not comply with the requirements provided for in subsection (4) of this section may be used in traffic upon consent and on the conditions of the road owner.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(5) A mini moped and a self-balancing vehicle have to comply with the roadworthiness 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 authority that issued the certificate and other documents required by law. In the case of a power-driven vehicle registered in Estonia or a trailer thereof, the registration certificate can be replaced with a copy.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 motor register as the owner, authorised user or a user; or if the owner, authorised user or a user is a passenger in the vehicle.

(3<sup>1</sup>) If a roadworthiness test must be taken, the driver of a power-driven vehicle or trailer of a foreign country must present a document certifying that the vehicle or trailer has passed a roadworthiness test.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(3<sup>2</sup>) The driver of a bus of a foreign country or a truck with a maximum mass of over 3500 kilograms of a foreign country must present the last roadworthiness test card or a copy thereof or, in the case of an electronic test card, its certified printout and a roadworthiness test card issued in the course of traffic supervision, provided that such documents have been issued.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(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 must, in addition to the documents specified in this section, carry the accompanying documents, which may also be electronic.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(6<sup>1</sup>) If the driver of an emergency vehicle is carrying their identity document, the carrying of the training certificate specified in § 84<sup>1</sup> of this Act is not mandatory if the details of the certificate have been entered in the motor register. If the details of the emergency vehicle driver training certificate have not been entered in the motor register, the driver must carry the respective certificate.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(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 driving instructor specified in subsection 109 (1) of this Act and a personal driving supervisor 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 motor register data.

(10) The driver of a power-driven vehicle with a mandatory tachograph must present to a person exercising traffic supervision the tachograph card or the driver card or other document to the extent and on the conditions specified in Article 36 of Regulation (EU) No 165/2014 of the European Parliament and of the Council.  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 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 of a traffic supervisor or another law enforcement authority, which means prohibiting the driving of a vehicle until the ground for removal of the person from driving a vehicle has lapsed.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

(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 vehicle due to a fault of the vehicle, the level of pollutants in its exhaust emissions, its noise level or another deficiency;

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

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) an infringement specified in point 7 of Annex IV to 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) is established upon measuring the mass of a power-driven vehicle, combination of vehicles or combination of tractors.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]



(2<sup>1</sup>) The driver may be removed from driving a vehicle where the road toll has not been paid for the truck or its trailer.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

(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.

(2<sup>1</sup>) A self-driving delivery robot may be taken to a guarded place of storage or a police authority if:

- 1) the self-driving delivery robot has been parked in the manner specified in clause 1), 2), 3), 6), 7) or 8) of subsection (2) of this section;
- 2) the self-driving delivery robot does not have an identification number, the user's telephone number or the user's name;
- 3) the user cannot be contacted at the telephone number given to the self-driving delivery robot;
- 4) the user data indicated on the self-driving delivery robot does not match with that of the actual user;
- 5) the user or driver complying with the requirements provided for in subsection 151<sup>2</sup>(1) of this Act cannot be identified.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(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 and, in the events specified in subsection (2<sup>1</sup>), the police authority has the right to tow away the vehicle.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(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 and, in the events specified in subsection (2<sup>1</sup>), the police authority have a vehicle towed away.

(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 combinations of vehicles are divided into main categories and subcategories.

(2) The main categories for power-driven vehicles, combinations of vehicles and combinations of tractors are as follows:

- 1) AM – moped;
- 2) A – motorcycle;
- 3) B – motor vehicle with maximum mass not exceeding 3500 kilograms and designed and manufactured to carry up to eight passengers in addition to the driver; 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 combination of vehicles 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, 28.02.2015, 1 – entry into force 01.05.2015]

- 4) BE – combination of vehicles 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 – combination of vehicles 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 – combination of vehicles consisting of a category D motor vehicle and its trailer with a maximum mass exceeding 750 kilograms;
- 9) T – tractor, mobile machinery and combination of tractors.

(3) The subcategories for power-driven vehicles and combinations of vehicles are as follows:

1) A1 – motorcycle with a motor capacity not exceeding 125 cubic centimetres and motor 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 a motor power not exceeding 15 kilowatts is also an A1 subcategory power-driven vehicle;

2) A2 – motorcycle with motor 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 a motor 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 or subcategory D1 and with a maximum mass exceeding 3500 kilograms but not exceeding 7500 kilograms, and that has been designed and manufactured to carry up to eight passengers in addition to the driver; the same motor vehicle with a light trailer;

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

5) C1E – combination of vehicles 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; combination of vehicles 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 – combination of vehicles 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 of subcategory A1 with symmetrically arranged wheels. If the capacity of the motor of a three-wheeled vehicle of subcategory A1 with symmetrically arranged wheels exceeds 15 kilowatts, the person with the right to drive power-driven vehicles of category B must be at least 21 years of age.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 combinations of vehicles of categories CE and DE and subcategories C1E and D1E may also drive combinations of vehicles of category BE. A person with the right to drive combinations of vehicles of category CE may also drive combinations of vehicles 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 combinations of vehicles of subcategory C1E may also drive combinations of vehicles 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 combinations of vehicles of category DE may also drive combinations of vehicles 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 combinations of tractors 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 combinations of tractors with the maximum mass not exceeding 18 000 kilograms may also be driven by a person who has the right to drive combinations of vehicles of category BE, power-driven vehicles of categories C or D, 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 combinations of tractors may also be driven by a person who has the right to drive combinations of vehicles 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, a driving licence with the limited right to drive specified in § 95 of this Act, an international driving licence issued by a foreign 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.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(2) The right to drive is established by the motor register or a document specified in subsection (1) of this section. The data of the motor register will be relied on if, according to the data of the motor 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 motor register or by a driving test report.

(6) [Repealed – RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(7) At the time of formalisation of a provisional driving licence and a driving licence, but no later than ten working days from passing a respective examination or from the day following the submission of a request to exchange the driving licence, the person may, upon existence of a valid right to drive, to drive a power-driven vehicle without a document certifying the right to drive only in Estonia. The right to drive a power-driven vehicle is proven based on the data of the motor register.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 responsible for the field.

(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 combinations of vehicles 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 combinations of vehicles of categories CE, DE, C1E and D1E is valid for five years.  
[RT I, 31.12.2010, 3 – entry into force 19.01.2013]

(9) If, in addition to any category listed in subsection (7) of this section, holds the right to drive a power-driven vehicle of category C or D or subcategory C1 or D1 or a combination of vehicles of category CE or DE or subcategory C1E or D1E, the Road Administration will have the right to issue a driving licence for ten years on the condition that the category and subcategory specified in subsection (8) of this section are indicated on the driving licence with a term of validity of five years.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

#### **§ 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.

(1<sup>1</sup>) The provisional driving licence and the driving licence is issued to a person or replaced for a person whose permanent residence is in Estonia. The requirement of the permanent residence in Estonia is not applied upon issuing a driving licence to a person holding a driving licence specified in subsection 99 (3) of this Act.

(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) A provisional driving licence and a driving licence is not issued to a person whom no right to driver has been granted or 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, the European Economic Area or the Swiss Confederation and the respective final decision has been forwarded to the Road Administration. The first driving licence is not issued to a person whom the right to drive is not granted in accordance with subsection 106 (1) of this Act.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 combination of vehicles 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;
- 3) a driving licence issued in a contracting state of the 1949 Geneva Convention on Road Traffic;
- 4) a foreign driving licence issued in a state that has an international agreement with Estonia on mutual recognition of driving licences.

(1<sup>1</sup>) The entries of a driving licence issued in a contracting state of the 1968 Vienna Convention on Road Traffic or in a contracting state of the 1949 Geneva Convention on Road Traffic must be made in the Latin alphabet or transliterated into the Latin alphabet. The driving licence must indicate the symbol and description of the category of the power-driven vehicle, combination of vehicles or combination of tractors that the person has the right to drive.

(1<sup>2</sup>) A driving licence that does not comply with the requirements provided for in subsection (11) of this section and has been issued in a contracting state of the 1968 Vienna Convention on Road Traffic or in a contracting state of the 1949 Geneva Convention on Road Traffic is valid only along with an international driving licence or a translation certified by a notary, provided that the driving licence indicates the symbol and description of the category of the power-driven vehicle, combination of vehicles or combination of tractors that the person has the right to drive.

(2) The driving licence of a person staying in the territory of the Republic of Estonia on the basis of Chapter 4 of the National Defence Act, which has been issued in a foreign state, is also valid in the territory of the Republic of Estonia. A document certifying the right to stay in the territory of the Republic of Estonia for the purpose of international military cooperation must be submitted together with the foreign driving licence.

[RT I, 12.03.2015, 1 – entry into force 01.01.2016]

(3) If the driving licence belongs to a foreign diplomatic representative, a consular agent, a representative of a special mission or an international organisation accredited to Estonia, a member of the administrative, support or household staff of a foreign diplomatic representation, consular post, special mission or international organisation or to a family member of such person who is not a citizen of the Republic of Estonia or who does not hold a residence permit or the right to reside in Estonia, the driving licence is valid in Estonia even if the licence does not meet the requirements provided for in subsection (1) of this section, provided that a diplomatic identity card issued by the Ministry of Foreign Affairs is submitted together with the licence.

[RT I, 03.01.2017, 1 – entry into force 01.02.2017]

(3<sup>1</sup>) The foreign driving licences of the persons specified in subsection (3) of this section are replaced with an Estonian driving licence or the right to drive is granted to the on the basis of a written request of the Ministry of Foreign Affairs in accordance with the procedure specified in subsection 100 (7) of this Act.

(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.

(4<sup>1</sup>) A driving licence specified in clauses 2) and 3) of subsection (1) this Act is invalid if it has been issued to a person who permanently resided in Estonia at the time of obtaining the licence. The driving licence can be replaced with an Estonian driving licence after passing the traffic theory test and the driving test required for obtaining the right to drive.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4<sup>2</sup>) The Road Administration may refuse to recognise a driving licence specified in clause 1) of subsection (1) of this section if, based on the data arising from the notations made on the driving licence by the competent authority of another member state of the European Economic Area of Swiss Confederation or based on other incontestable information issued by the authority, it is proven that at the time of issue of the driving licence the person did not permanently reside in the country that issued the driving licence. The driving licence can be replaced with an Estonian driving licence after passing the traffic theory test and the driving test required for obtaining the right to drive.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(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 15 years, it must be replaced with an Estonian driving licence not later than by 18 January 2033. As of 19 January 2033, a driving licence specified in clause 1) of subsection (1) whose term of validity exceeds 15 years must be replaced with an Estonian driving licence immediately after obtaining the right to reside in Estonia or immediately after taking up residence in Estonia. When the holder of a driving licence issued in a state specified in clause 1) of subsection (1) of this section takes up permanent residence in Estonia, the provisions of the Traffic Act regulating the restriction, suspension, deprivation or revocation of the right to drive will be applicable to the licence holder and, where necessary, the Road Administration can replace the driving licence with an Estonian driving licence.

(6) A driving licence specified in clause 2) of subsection (1) of this section, which is held by a person who has taken up permanent residence in Estonia, is 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 a translation of the driving licence, which is certified by a notary.

(6<sup>1</sup>) A driving licence specified in clause 3) of subsection (1) of this section, which is held by a person who has taken up permanent residence in Estonia, is 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. The Road Administration may preserve the surrendered foreign driving licence at the request of the person until the date of expiry of the driving licence and issue it to the person against their Estonian driving licence. If a driving licence has not been replaced within five years after the date of expiry indicated on it, an Estonian driving licence can be applied for in accordance with the procedure provided for in § 98 of this Act.

(7) A driving licence issued in a state that has an international agreement of mutual recognition of driving licences with Estonia is replaced in accordance with the terms and conditions specified in the international agreement.

(8) A driving licence specified in subsection (1) of this section will be replaced with an Estonian driving licence, unless the person's right to drive has been suspended, withdrawn or revoked in the country that issued the driving licence or in Estonia. If a 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 required for obtaining the right to drive.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

## **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 or who can prove that they have studied in Estonia for at least six months, whose age and state of health comply with the requirements in force and who has obtained the qualifications of a power-driven vehicle driver. The permanent residence requirement is not applied upon granting the right to drive to persons specified in subsection 99 (3) of this Act.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 or occupational ties or, if there are no occupational ties, in connection with personal ties that indicate a considerable relationship between the person and their place of residence. If a person's occupational and personal ties are in different places and they consecutively live in different places located in the Member States of the European Union, the place related to their personal ties will be deemed as their permanent residence if the person regularly returns to it. The permanent residence is proven by the data of the population register. The person is required to prove that they permanently reside in Estonia.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 responsible for the field.

(6) The conditions of and procedure for training drivers of power-driven vehicles, including curricula, will be established by a regulation of the minister responsible for the field.

(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 responsible for the field.

(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 responsible for the field.

(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, in the case of a driving licence specified in subsection 97 (7) of this Act, undergo a medical examination once every ten years or, in the case of a driving licence specified in subsection 97 (8) of this Act, once every five years upon replacing the driving licence or upon arrival of the next medical examination date. If the 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, 28.02.2015, 1 – entry into force 01.05.2015]

(4) A medical examination must be undergone once in every 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 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.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]



(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 driver's right to drive power-driven vehicles will be suspended if no new valid medical certificate has been issued to the driver via the health information system or the driver fails to submit a new valid medical certificate to the Road Administration by the due date at the latest.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(9) Thirty days before the due date for the next medical examination, the Road Administration will send to the mobile telephone number or electronic mail address given by the power-driven vehicle driver a message that the driver's right to drive will be suspended on the due date for the next medical examination, unless a new valid medical certificate has been issued to the driver via the health information system or the driver submits a new valid medical certificate to the Road Administration by the due date at the latest in accordance with the procedure set out in subsection 102 (2) of this Act.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(9<sup>1</sup>) The form of the doctor's decision specified in clause 30 (2) 3) and clause 33 (6) 3) of this Act is established by a regulation of the minister responsible for the field.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(10) The medical examination conditions and health requirements for drivers of power-driven vehicles and applicants for the right to drive power-driven vehicles, including medical contraindications whereby the driving of power-driven vehicles is prohibited will be established by a regulation of the Government of the Republic.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(11) A power-driven vehicle driver must undergo an additional medical examination if, according to the valid medical certificate issued on the conditions of and in accordance with the procedure established on the basis of subsection 4 (2) of the Health Services Organisation Act, the driver has been diagnosed with an absolute medical contraindication whereby the driving of power-driven vehicles is not permitted.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

## **§ 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, CE, D and DE and their subcategories, tractors and mobile machinery of category T, taxis of category B, and emergency vehicles of categories A, B and C and is carried out by a family doctor, occupational health doctor or by a traffic medicine committee established by a health service provider (hereinafter *traffic medicine committee*).

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(2) [Repealed – RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(3) The traffic medicine committee comprises at least three doctors: an optometrist, a neurologist and an internist. The internist may be replaced by a family doctor or occupational health doctor in the committee.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(4) The health service provider that issued the certificate will 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 electronically on the conditions of and in accordance with the procedure established on the basis of clause 59<sup>2</sup>(2) 1) of the Health Services Organisation Act or submit the medical certificate of the applicant for the medical certificate to the Road Administration on paper.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

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

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

### **§ 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.

(3) In the event specified in subsection 104 (3) of this Act, the person may engage in driving practice related to obtaining the right to drive if the person is at least 17 years and six months old.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

### **§ 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 combination of vehicles 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 combinations of vehicles 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 or 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 ten days as of passing the test, the right holder's right to drive power-driven vehicles is proven on the basis of the data of the motor register.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 combination of vehicles and combination of tractors**

(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 combination of vehicles 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 combination of vehicles 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 combination of vehicles of category CE.

(7) The right to drive a power-driven vehicle and a combination of vehicles 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 combination of tractors 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 *personal driving supervisor*) provided that the following conditions are met:

1) the personal driving supervisor 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 personal driving supervisor has no penalty 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 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 conviction data specified in § 24 of the Criminal Records Database Act;

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

3) the personal driving supervisor has obtained the right to instruct from the Road Administration, meets the terms and conditions specified in clauses 1) and 2) of this subsections and the right to instruct is certified on the basis of the data of the motor register;

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

4) the personal driving supervisor is allowed to instruct the driving practice of a person whose name is marked on the personal driving supervisor's certificate or entered in the motor register.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(2<sup>1</sup>) The instructor of a power-driven vehicle driver specified in subsection (1) and a personal driving supervisor specified in subsection (2) must not be in a state of intoxication or in a state exceeding the maximum permitted level of alcohol in the bloodstream during a driving lesson or driving practice. The state of intoxication specified in this subsection or the exceeding of the maximum permitted level specified in subsection 69 (3) of this Act is identified in accordance with the procedure provided for in the Law Enforcement Act.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(3) A person who holds a certificate of a driving instructor may also be a personal driving supervisor.

(3<sup>1</sup>) The personal driving supervisor must hold a valid personal driving supervisor's certificate. The personal driving supervisor's certificate is issued by the Road Administration for a term of 12 months.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(4) A personal driving supervisor'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 personal driving supervisor.

(6) A motor vehicle, truck, bus and combination of vehicles 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 personal driving supervisor certificates and the form of the certificate will be established by a regulation of the minister responsible for the field.

(8) A state fee must be paid for the issue of a personal driving supervisor certificate.

#### **§ 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. Licence obligation**

(1) An activity licence is required for providing driver training.

(2) The provisions of this Act and of the General Part of the Economic Activities Code Act, which regulate application for an activity licence or authorisation, the reviewing of an application, the revocation of an authorisation or an activity licence, notification of a change of data as well as waiver of economic activities also apply to persons and bodies organising the training of drivers of power-driven vehicles who are not undertakings for the purposes of subsection 5 (1) of the General Part of the Economic Activities Code Act, insofar as the special characteristics thereof provide otherwise.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

## **§ 112. Object of inspection of activity licence**

(1) An activity licence is granted if the applicant has:

- 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.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

(2) The requirements for teaching aids, practice areas and vehicles for driving practice of the driver training provider will be established by the minister responsible for the field.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

## **§ 113. Application for activity licence**

(1) An application for an activity licence will be reviewed by the Ministry of Education and Research. The fulfilment of the requirements that form a part of the object of inspection of an activity licence specified in subsection 112 (1) of this Act will be identified by the Road Administration in a preliminary administrative decision based on the documents specified in clauses 2) to 7) of subsection (2) of this section.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(1<sup>1</sup>) An application for an authorisation or activity licence is submitted to the Ministry of Education and Research via the Estonian Education Information System.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

(2) In addition to the information required in the General Part of the Economic Activities Code Act, an application for an activity licence must contain the following data and documents:

- 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<sup>1</sup>) The Ministry of Education and Research will review the application for an authorisation or activity licence within three months as of the submission of the data and documents specified in subsection (2) of this section. The term for reviewing an application will commence upon submission of all the required data and documents.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

(2<sup>2</sup>) The time limit specified in subsection (2<sup>1</sup>) of this document will be suspended if the Road Administration gives the applicant a term for the elimination of the deficiencies. The time limit will continue to run after the expiry of the closing date for the elimination of the deficiencies.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

(3) The details of the activity licence are entered in the Estonian Education Information System.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

## **§ 114. Revocation of education licence**

[Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

## **§ 115. Individual driver training**

Individual driver training of a power-driven vehicle driver may be provided under the supervision of a training provider holding a licence specified in § 111 of this Act in accordance with the procedure established on the basis of subsection 100 (6) of this Act.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force amended – RT I, 22.12.2013, 1)]

## **§ 116. State and administrative supervision over training of drivers of power-driven vehicles**

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) State and administrative supervision over training of drivers of power-driven vehicles is exercised by:

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

- 1) the Ministry of Education and Research;
- 2) the Road Administration that exercises supervision over the fulfilment of the requirements specified in subsections 100 (6) and (8) and § 112 of this Act, with the right to involve, if necessary, officials of the Health Board in exercising state and administrative supervision over the first aid training of drivers of power-driven vehicles.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(2) Upon exercising state and administrative supervision, the official exercising it has the right to demand that the person who is entitled to provide driver training and the person who actually provides driver training submit relevant documents, data and explanations, and to examine the organisation of training and to attend the training process.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(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.

(5) A law enforcement authority may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 32, 50 and 51 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

## **Division 5 Driving Instructor**

### **§ 117. Requirements for training driving instructors**

The training of instructors of drivers of power-driven vehicles is provided by an institution of professional higher education or a university.

[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

### **§ 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 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 conviction data specified in § 24 of the Criminal Records Database Act;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

6) must not be convicted for an intentionally committed criminal offence, given the time limits of deletion of conviction data specified in § 24 of the Criminal Records Database Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 responsible for the field.

(8) A person who has acquired foreign professional qualifications may act as an instructor of drivers of power-driven vehicles if their professional qualifications have been recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 7 (2) of the Recognition of Foreign Professional Qualifications Act is the Road Administration.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

#### **§ 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 responsible for the field.

(5) A state fee must be paid for the issue of a document certifying the right to provide driver training.

#### **§ 121. State and administrative supervision over driving instructor training**

(1) State and administrative supervision over the training of driving instructors 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 subsection 118 (1).

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) Upon exercising state and administrative supervision, the official exercising it has the right to demand that the person who is entitled to provide training and the person who actually provides training submit relevant documents, data and explanations, and to examine the organisation of training and to attend the training process.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]



(3) If the driving instructor training does not comply with the requirements provided in this Act or in legislation enacted under this Act, the person exercising supervision specified in subsection (1) of this section will be entitled to make a precept to the training provider to rectify the deficiencies and improve the training activity. Until compliance with the precept, the person exercising state supervision may suspend the training activity of the training provider and prohibit the registration of new training groups.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) Upon failure to comply with a precept specified in subsection (3) of this section, the person exercising state supervision may impose a penalty payment in accordance with the procedure provided for in the Substitutive Enforcement and Penalty Payment Act. The maximum penalty payment payable by a natural person is 1300 euros and the maximum penalty payment payable by a legal person is 6400 euros.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(5) A law enforcement authority may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 32, 50 and 51 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

## **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 or 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 conviction data specified in § 24 of the Criminal Records Database Act;  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]
- 5) must not be convicted for an intentionally committed criminal offence, given the time limits of deletion of conviction data specified in § 24 of the Criminal Records Database Act;  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]
- 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.

(2<sup>1</sup>) The person who organises a power-driven vehicle driver examination must not engage in providing driving instruction at the driver training provider.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 4) and 5) of subsection (1) of this section, taking into account the terms for deletion of conviction data specified in § 24 of the Criminal Records Database Act;  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]
- 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 responsible for the field.

(6) A person who has acquired foreign professional qualifications may act as an examiner of drivers of power-driven vehicles if their professional qualifications have been recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 7 (2) of the Recognition of Foreign Professional Qualifications Act is the Road Administration.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 123. Administrative supervision over examiner training**

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) Administrative supervision over the training of examiners is exercised by the Road Administration.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) Upon exercising administrative 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 documents, data and explanations, and to study the organisation of training and to attend the training process.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

## **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) [Repealed – RT I, 12.03.2015, 4 – entry into force 01.03.2016]

(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.

(3<sup>1</sup>) If the right to drive power-driven vehicles of categories C and D and subcategories C1 and D1 or combinations of vehicles of categories CE and DE and subcategories C1E and D1E is indicated on the driving licence with a term of validity of five years, the right to drive power-driven vehicles of categories C and D and subcategories C1 and D1 or combinations of vehicles of categories CE and DE and subcategories C1E and D1E will be suspended upon expiry of the term of validity indicated on the driving licence.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(4) The Road Administration will suspend a person's right to drive power-driven vehicles if their state of health does not meet the health requirements established on the basis of subsection 101 (10) of this Act.  
[RT I, 12.03.2015, 4 – entry into force 01.03.2016]

(4<sup>1</sup>) A person's right to drive power-driven vehicles will be suspended by the court on the basis of clause 177<sup>2</sup>(1) 2) of the Code of Enforcement Procedure. The right to drive is deemed as suspended as of the entry into force of the court order.  
[RT I, 12.03.2015, 4 – entry into force 01.03.2016]

(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 the 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 the 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 motor 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**

If a decision to withdraw or revoke a person's right to drive power-driven vehicles has entered into force, 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, 12.03.2015, 4 – entry into force 01.03.2016]

#### **§ 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 right to drive has been suspended for six months or more or if their right to drive power-driven vehicles has been withdrawn for more than six months and the person has not complied with the 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, 28.02.2015, 1 – entry into force 01.05.2015]

#### **§ 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 a health service provider, 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 issuer of the certificate have ceased to exist. To restore 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 to them.  
[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(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.

(6) If a person's right to drive power-driven vehicles has been suspended by a court order on the basis of clause 177<sup>2</sup>(1) 2) of the Code of Enforcement Procedure, the suspension of the person's right to drive will end once a court order made on the basis of subsection 177<sup>5</sup>(1) of the Code of Enforcement Procedure enters into force with regard to the person.  
[RT I, 12.03.2015, 4 – entry into force 01.03.2016]

## **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 combinations of vehicles 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, a minimum continuous break of 30 minutes must be taken and if the total working time is over nine hours, a minimum continuous break of 45 minutes must be taken. 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.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 the radius of 50 kilometres from the seat of the undertaking;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

2) the vehicle is used for the transport of animal waste not designated for human consumption or for the transport of carcasses;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

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) [Repealed – RT I, 28.02.2015, 1 – entry into force 02.03.2015]

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, door-to-door collection and removal of domestic waste, rendering telegraph, phone, radio or television services and determining the location of radio or television transmitters or receivers;

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

9) a special vehicle transporting circus or amusement park equipment;

10) the vehicle is used for the collection of milk from farms, for returning milk containers to farms or for delivering dairy products intended for animal feed;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

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 day must not exceed nine hours and the continuous rest period during any 24-hour period must not be shorter than nine hours.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(14) In the events specified in subsection (12) of this section, the carrier must inform the driver of the nature of the carriage, without, however, impairing the working conditions of the driver or traffic safety.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 an analogue tachograph in accordance with Regulation (EU) No 165/2014 of the European Parliament and of the Council or the information saved in the memory of a tachograph with digital data recording (hereinafter *digital tachograph*) in accordance with the same Regulation.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(2<sup>1</sup>) A tachographs must be used on vehicles first registered since 1 May 2006 and used for the carriage of passengers specified in subsection 130 (13) of this Act, except in the event specified in clause 3) of subsection (4) of this section.

[RT I, 28.02.2015, 1 – entry into force 01.01.2020]

(3) If the use of a tachograph is mandatory, the driver must record the driving and rest time data in accordance with Articles 32–37 of Regulation (EU) No 165/2014 of the European Parliament and of the Council.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(4) A tachograph is not obligatory for a vehicle:

1) manufactured before 1 January 1985, provided that 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 (12) of this Act;

3) in urban lines for the purposes of the Public Transport Act.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(5) If the data of the tachograph specified in subsection (1) of this section cannot be used upon calculation of the driving and rest time of the driver of a power-driven vehicle, the driver may use a document issued by the undertaking in accordance with Commission Decision 2009/959/EC, amending Decision 2007/230/EC on a form concerning social legislation relating to road transport activities (OJ L 330, 16.12.2009, pp 80–81).

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 131<sup>1</sup>. Installation, repairing and inspection of tachograph**

(1) Tachographs may be installed, repaired or inspected only by an undertaking registered in the commercial register, which has been declared competent in its field of specialisation by the accreditation agency specified in subsection 5 (5) of the Metrology Act and which has been registered with the Road Administration.

(2) In addition to complying with the requirements specified in subsection (1), an undertaking engaged in the installation, repairs or inspection of digital tachographs must hold a workshop card.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 132. Application for, making and issue of digital tachograph card**

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1) The driver of a power-driven vehicle equipped with a digital tachograph, the carrier using a power-driven vehicle equipped with a digital tachograph, the official exercising state supervision and the undertaking engaged in installing, repairing or inspecting tachographs (hereinafter *workshop*) must hold a relevant driver card, undertaking card, workshop card or inspection card (hereinafter jointly also referred to as *card*) in accordance with Articles 2(f), (i), (j) or (k) of Regulation (EU) No 165/2014 of the European Parliament and of the Council, which allows for ascertaining the user of the card and for recording and storing data, depending on the purpose of the card.

(2) A natural person having permanent residence in accordance with Article 26(2) of Regulation (EU) No 165/2014 of the European Parliament and of the Council may apply for the driver card of a power-driven vehicle equipped with a digital tachograph if:

1) they hold 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) An undertaking card may be applied for by a carrier that uses or intends to start using a power-driven vehicle equipped with a digital tachograph.

(4) A workshop card can be applied for by an undertaking that meets the requirements specified in subsection 131<sup>1</sup>(1) of this Act.

(4<sup>1</sup>) A workshop card can be applied for in the name of a natural person who has an employment relationship with the undertaking under an employment contract or another contract of law of obligations. An undertaking cannot apply for a workshop card for a person who holds a valid driver card.

(5) The inspection card of an official exercising state supervision may be applied for by a law enforcement authority specified in §§ 139 and 139<sup>1</sup> of this Act. The inspection card is issued to the law enforcement authority.

(6) The making of the card is organised, the compliance of the applicant for the card is assessed, and the card is issued and revoked by the Road Administration.

(7) The procedure for application and issue of the driver card of a power-driven vehicle with a digital tachograph, the undertaking card, the workshop card and the inspection card will be established by a regulation of the minister responsible for the field.

(8) A state fee is paid for the issue of a card at the rate set out in the State Fees Act.  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 133. Term of validity of card**

(1) The driver card, the undertaking card and the inspection card are issued for five years and the workshop card for one year.  
[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(2) In the event specified in Article 26(4) of Regulation (EU) No 165/2014 of the European Parliament and of the Council, the Road Administration issues a driver card valid for up to 185 days as well.  
[RT I, 28.03.2017, 1 – entry into force 01.01.2018]

### **§ 134. Refusal to issue card**

(1) The issue of a card will be refused if the documents or data required for obtaining the card have not been submitted or if false information affecting the decision to issue the card has knowingly been given.

(2) In addition to the situation specified in subsection (1) of this section, the issue of a driver card will be refused if the applicant:

- 1) does not comply with the requirements provided for in subsection 132 (2) of this Act;
- 2) the previous driver card was revoked less than a month before in the event specified in subsection 135 (2) of this Act;
- 3) the previous driver card was revoked less than six months before in the event specified in clause 135 (1) 1) or 2) of this Act;

(3) In addition to the situation specified in subsection (1) of this section, the issue of a workshop card will be refused if the applicant:

- 1) does not comply with the requirements provided for in subsection 131<sup>1</sup>(1) of this Act;
- 2) applies for a workshop card to the person who holds a valid driver card;
- 3) has been penalised on the basis of § 216 of this Act, taking into account the time limits of deletion of conviction data specified in § 24 of the Criminal Records Database Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 135. Revocation of card**

(1) A driver card, workshop card, undertaking card or inspection card will be revoked if:

- 1) false information that affected the issue of the card was knowingly given upon applying for the card;
- 2) the card has been falsified;
- 3) the card has been destroyed, lost, stolen or is defective.

(2) In addition to the situations specified in subsection (1) of this section, a driver card will be revoked if it is used by a person who does not own it.

(3) In addition to the situations specified in subsection (1) of this section, a workshop card will be revoked when the workshop has failed to remove from the vehicle or from the tachograph a device that enables disturbing its operation or where the undertaking has failed to comply with a precept specified in subsection 139<sup>1</sup>(3) of this Act within the prescribed time limit.

(4) A person is required to return the card to the Road Administration in the event specified in clause 1) or 2) of subsection (1) of this section within five working days as of the date of delivery of the decision to revoke the card.

(5) If a person has not returned a revoked card within the term specified in subsection (4) of this section, the Road Administration will make a precept to the person to return the card, giving the person a time-limit for returning the card, which is not shorter than five working days or longer than 14 days.

(6) In the event of failure to comply with the precept, the Road Administration may impose a penalty payment in accordance with the procedure provided for in the Substitutive Enforcement and Penalty Payment Act. The maximum limit of a penalty payment is 640 euros.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 136. Use of card**

(1) Upon organising transportation using a power-driven vehicle that has a mechanical or digital tachograph, the carrier must:

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

1) give work instructions to the driver holding a driver card;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

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 carrier and, for the purpose of taking supervisory steps, the officials specified in subsection 139 (1) of this Act access to the data of the digital tachographs and driver card;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

5) [Repealed – RT I, 28.03.2017, 1 – entry into force 07.04.2017]

6) [Repealed – RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 officials of the law enforcement authority;

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

4) give the carrier a certificate if upon accepting the digital tachographs for repairs it becomes evident that the recorded data has been destroyed;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

5) remove from the vehicle or from the tachograph the device aimed at disturbing or possibly disturbing its operation and destroy the device.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 137. Storage of data**

(1) Upon organising transportation with a power-driven vehicle that has an analogue or digital tachograph, the carrier must:

1) store for at least 12 months the recorded data of the driving and rest time of the driver unchanged in electronic form or on recording sheets, in printed form signed by the driver or on the recording sheets in the event of temporarily using an analogue tachograph;

2) comply with the requirements of § 12 of the Accounting Act upon preserving the documents of record-keeping of the working time of the driver;

3) ensure the regular copying of data from the driver card at least once every 28 days and from the vehicle at least once every 90 days and, in the event of using an analogue tachograph, collect the recording sheets after 28 days;

4) if the contract of employment of the driver or another contract under the law of obligations expires or the vehicle is transferred or the digital tachograph is sent to a workshop for repairs, the data specified in clause 3) of this subsection must be copied and the recording sheets must be forwarded up to the date of expiration of the contract, transfer of the vehicle or the sending of the tachograph to the workshop;

5) ensure that the data specified in clauses 1), 3) and 4) of this subsection is not used for any other purpose than complying with the requirements for the driving and rest time of the driver of the power-driven vehicle and keeping account of such time;

6) grant the law enforcement authorities specified in subsection 139 (1) of this Act immediate access to the data gathered by the carrier on the working, driving and rest time of the driver of the power-driven vehicle.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(2) The carrier 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 the driver. The carrier ensures the required storage of the data and the availability of the data to the officials of the law enforcement authority specified in subsection 139 (1) of this Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

### **§ 137<sup>1</sup>. Use of data**

The employees of an undertaking engaged in the installation, repairs or checking of a tachometer and the officials of the Road Administration, Labour Inspectorate and Police and Border Guard Board exercising state supervision are allowed to process the personal data of the driver of a power-driven vehicle only in connection with the preservation of the data or the checking of the working, driving and rest time of the driver of the power-driven vehicle and of compliance with the requirements of keeping account thereof.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]



### **§ 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. State supervision over compliance with requirements for working, driving and rest time of driver of power-driven vehicle and for remuneration of driver**

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) State supervision over compliance with the requirements for working, driving and rest time of a power-driven vehicle driver and the requirements of use of a tachograph and preservation of data, which are set out in §§ 130-131, subsections 136 (1) and (2) and § 137 of this Act, is exercised on the premises of the undertaking by the Labour Inspectorate and on the road by the Police and Border Guard Board.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(2) State supervision over compliance with the requirements established in §§ 130, 131 and 137 of this Act and the requirements for the remuneration of 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.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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.

(3<sup>1</sup>) The official exercising supervision may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 32, 49 and 50 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) The Labour Inspectorate has the right to make a precept to the carrier or a person related to the carrier in the event of a violation of the requirements for working, driving and rest time of a power-driven vehicle driver, use of the tachograph, preservation of data and remuneration of the driver. A precept is entered into the register of economic activities in accordance with the procedure provided for in the General Part of the Code of Economic Activities Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 state 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.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

### **§ 139<sup>1</sup>. State supervision over the installation, repairs and inspection of tachographs**

(1) State supervision over the installation, repairs and inspection of tachographs is exercised by Road Administration.

(2) Upon exercising state supervision, the official exercising it has the right to demand that the authorised person of the undertaking and the person who is directly engaged in carrying out the work submit relevant documents and data and give relevant explanations, as well as attend the installation, repairing and inspection of a tachograph.

(3) If the installation, repairing or inspection of a tachographs does not comply with the requirements provided for in this Act or legislation established on the basis thereof, the person exercising state supervision specified in subsection (1) of this section will have the right to make a precept for eliminating the deficiencies.

(4) Upon failure to comply with a precept specified in subsection (3) of this section, the person exercising state supervision may impose a penalty payment in accordance with the procedure provided for in the Substitutive Enforcement and Penalty Payment Act. The maximum penalty payment payable by a natural person is 1300 euros and the maximum penalty payment payable by a legal person is 6400 euros.

(5) A law enforcement authority may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 32, 49, 50, 51, 52 and 53 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

[RT I, 28.02.2015, 1 – entry into force 02.03.2015]

## **Chapter 6**

### **TRAM AND DRIVING A TRAM**

#### **§ 140. Roadworthiness 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 roadworthiness 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 roadworthiness 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 roadworthiness requirements for trams and their trailers will be established by a regulation of the minister responsible for the field.

(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 responsible for the field.

#### **§ 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 responsible for the field.

#### **§ 142. Requirements for tram driver**

(1) A tram may be driven by a person who is at least 21 years of age and holds the right to drive power-driven vehicles of category B and trams. A person who is at least 20.5 years of age and holds 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.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2) A person who has acquired foreign professional qualifications may drive a tram if their professional qualifications have been recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 7 (2) of the Recognition of Foreign Professional Qualifications Act is the Road Administration.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 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 administrative 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.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

### **§ 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 responsible for the field.

### **§ 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 ten years of age or older who has acquired the qualifications of a cyclist may cycle on a carriageway unsupervised. Persons of 10 to 15 years of age must hold the right to ride a bicycle when in order to cycle on a carriageway. The document proving the right to ride a bicycle is the cyclist's licence or the right to ride a bicycle is proven on the basis of the data of the motor register. A person of at least eight years of age 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. The requirements set out in this subsection do not extend to a cyclist moving in a calm traffic area.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(2) A mini moped may be driven by a person who is at least 14 years of age. 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 the right to ride a bicycle.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(2<sup>1</sup>) If the driver is carrying an identity document, the carrying of a cyclist's licence issued in Estonia is not mandatory if the data of the cyclist or the mini moped driver has been entered in the motor register. If the data of a cyclist or mini moped driver has not been entered in the motor register, the cyclist must carry their cyclist's licence with them and in order to prove the right to ride or drive specified in subsection (1) or (2) of this section, submit it at the request of a police officer or another person whose competence arises from law.

(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 responsible for the field.

### **§ 149. Requirements for cyclist and mini moped driver training provider**

(1) Cyclist training and mini moped driver training is provided and road safety taught by pre-school child care institutions, basic schools, upper secondary schools, vocational education institutions, 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 and a mini moped driver may be individually instructed by a parent.

(3) A cyclist and mini moped instructor must be at least 21 years of age and hold a driving licence of any power-driven vehicle.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 responsible for the field.

#### **§ 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 and mini moped drivers.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(2) An applicant for a cyclist's licence must successfully pass the theory test and the riding test.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(3) The procedure for examining cyclists and mini moped drivers will be established by a regulation of the minister responsible for the field.

#### **§ 151. Right to ride bicycle, right to drive mini moped, granting of right to ride and drive, and requirements for issuing licences**

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(1) Cyclist's licences are granted, licences are issued and the records thereof maintained by the authorities specified in subsection 150 (1) of this Act. The right to ride a bicycle entitles a person aged 14 or 15 years to drive a mini moped.

(2) The Road Administration organises the printing and issuing of cyclist's licences to the authorities specified in subsection 150 (1) of this Act.

(3) The right to ride a bicycle may be applied for by a person who complies with the cyclist's qualification requirements established on the basis of subsection 148 (4) of this Act.

(4) An applicant for the right to ride who is up to 15 years of age must have their legal representative's consent to the obtaining of the right to ride a bicycle.

(5) The procedure for granting the right to ride a bicycle and issuing cyclist's licences and the form for the cyclist's licence will be established by a regulation of the minister responsible for the field.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

## **Chapter 7<sup>1</sup> REQUIREMENTS AND TRAFFIC RULES FOR SELF-DRIVING DELIVERY ROBOTS**

[RT I, 04.07.2017, 7 - entry into force 14.07.2017]

#### **§ 151<sup>1</sup>. Requirements for self-driving delivery robots**

(1) The devices, accessories and technology of a self-driving delivery robot must ensure the safe control and road use of the self-driving delivery robot in such a manner that it does not obstruct traffic or endanger or harm people, property or the environment.

(2) The dimensions of a self-driving delivery robot moving on a road with and without cargo must be such that these do not endanger or obstruct other road users.

(3) A self-driving delivery robot must be equipped with reflex reflectors and lamps that ensure its safe use and visibility to other road users in the dark or in poor visibility.

(4) A self-driving delivery robot must bear a clearly legible identification number and the telephone number and name of the user.

(5) Requirements for the devices, accessories, technology, technical condition, manufacturer speed, reflex reflectors and lamps as well as the maximum dimensions will be established by a regulation of the minister responsible for the field.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

## **§ 151<sup>2</sup>. General duties of user and driver of self-driving delivery robot**

(1) The natural person who is the user and controller of a self-driving delivery robot must be at least 18 years of age. The user of a self-driving delivery robot must be a natural person who is an Estonian citizen or holds a residence permit or the right to reside in Estonia or a legal person registered in Estonia.

(2) It is prohibited to carry humans or animals using a self-driving delivery robot.

(3) Upon using a self-driving delivery robot, the user and, upon controlling a self-driving delivery robot, the controller must be careful, cautious and alert, prevent endangering other road users and causing damage, follow requirements established to self-driving delivery robots and its traffic, and be familiar with the legislation pertaining to the use of self-driving delivery robots.

(4) The user of a self-driving delivery robot is required to:

1) before using the self-driving delivery robot, ensure its roadworthiness and compliance and make certain that its technical condition allows for its safe use;

2) not allow a person who is in a state of intoxication or in a state exceeding the maximum permitted alcohol level in the bloodstream or in a state of health that is unsafe for traffic or a person who lacks the skills and knowledge for safe use of the self-driving delivery robot or a person who does not meet the requirements provided for in subsection (1) of this section to control the self-driving delivery robot;

3) keep account of the self-driving delivery robots used by the user and equip these with identification numbers, the user's name and telephone number;

4) make certain that the lighting systems and reflex reflectors of the self-driving delivery robot are working and that the identification features are legible;

5) ensure that a takeover of the controlling of the self-driving delivery robot by persons not specified in subsection (1) of this section be precluded upon using the self-driving delivery robot;

6) before using the self-driving delivery robot for delivering cargo ensure that the cargo is placed, secured and covered in such a manner that it does not endanger people, harm the environment, cause proprietary damage or obstruct traffic;

7) while using the self-driving delivery robot, be available at the telephone number required in subsection 151<sup>1</sup>(6) of this Act and, at the request of and by the time prescribed by a law enforcement body, submit the data specified in subsection (7) of this section.

(5) Before and while using a self-driving delivery robot, its controller must make certain that:

1) the self-driving delivery robot is roadworthy and that its technical condition and the devices used for moving and controlling the self-driving delivery robot allow for using it safely;

2) the lighting systems and reflex reflectors of the self-driving delivery robot are working and that the identification features are legible.

(6) The controller of a self-driving delivery vehicle is prohibited to:

1) in a state of intoxication or in a state exceeding the maximum permitted alcohol level in the bloodstream or in a state of health unsafe for traffic, control the self-driving delivery robot or hand over control to a person in such state;

2) hand over the control of the self-driving delivery robot to a person who lacks the required skills and knowledge for the safe use of the self-driving delivery robot or who does not meet the conditions established in subsection (1) of this section.

(7) At the request of and by the time prescribed by a person exercising traffic supervision or a court, the user of a self-driving delivery robot is required to save and submit within six months from the day of use of the self-driving delivery robot the following data:

1) the data of the path of movement of the self-driving delivery robot, including the date of use, the start and end time of use with the accuracy of a second, the location and the speed of movement;

2) chronologically saved data set of the controlling instructions of the controller of the self-driving delivery robot and of the movement without the interference of the controller, and data required for identifying the controller;

3) data on disruptions identified by the sensors of the self-driving delivery robot, which resulted in the interference of the controller in the movement of the self-driving delivery robot;

4) data on the owner and insurance of the self-driving delivery robot.

(8) A more detailed list of the data specified in subsection (7) of this section and requirements for the form of preservation and saving of data may be established by a regulation of the minister responsible for the field.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

### **§ 151<sup>3</sup>. Position of self-driving delivery robot on road**

(1) A self-driving delivery robot may be used on a sidewalk, footpath and the part of a cycle and pedestrian track designated for pedestrians, which is sufficiently wide for the self-driving delivery robot to move, and thereby the self-driving delivery robot must not exit the boundaries of such road or road part.

(2) A self-driving delivery robot must not endanger or obstruct pedestrians upon moving on a sidewalk, footpath, cycle and pedestrian track or upon crossing a carriageway via a pedestrian crossing. If necessary, a self-driving delivery robot must stop or clear the road or, upon crossing a carriageway, move to the nearest safe spot outside the carriageway.

(3) In a settlement, a self-driving delivery robot may, if there is no sidewalk, footpath or cycle and pedestrian track, be used on the right-side shoulder of the carriageway or, if there is no shoulder, close to the edge of the right side, provided that it does not endanger or obstruct other road users. A self-driving delivery robot may be used on the left-side shoulder or, upon absence thereof, close to the left edge of the carriageway only immediately before reaching the destination, provided that such route is shorter and safer.

(4) In a calm traffic area, a self-driving delivery robot may move along the carriageway close to the edge of the carriageway if there is no sidewalk, footpath or cycle and pedestrian track or any shoulder. Upon moving in a calm traffic area, the self-driving delivery robot must not endanger or obstruct other road users.

(5) If there is a temporary obstacle on the road part designated for self-driving delivery robot traffic, which does not allow for continuance of the journey thereon, the self-driving delivery robot may use the carriageway for passing the obstacle, provided that it is safe and does not harm other road users.

(6) Upon moving or staying at the carriageway, a self-driving delivery robot must be used in the flashing mode using the yellow lamps specified in subsection 151<sup>1</sup>(5) of this Act.  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

### **§ 151<sup>4</sup>. Crossing of carriageway**

(1) A carriageway may be crossed by a self-driving delivery robot in places designated for pedestrians for crossing the carriageway.

(2) Before crossing a carriageway, the self-driving delivery robot or its controller must analyse the safety of crossing the carriageway and ensure that the crossing can be completed safely without remaining standing on the carriageway.

(3) Upon crossing a carriageway by a self-driving delivery robot, other road users crossing the carriageway must not be obstructed or endangered.  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

### **§ 151<sup>5</sup>. Self-driving delivery robot's obligation to give way**

A self-driving delivery robot must give way to other road users, except in the events specified in clauses 17 (5) 1) and 2) and subsection 35 (11) of this Act. If necessary, the self-driving delivery robot must stop and move to the nearest safe spot outside the carriageway.  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

## **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. Roadworthiness 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 roadworthiness 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 roadworthiness requirements for off-road vehicles and equipment thereof will be established by a regulation of the minister responsible for the field.

(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 responsible for the field.

#### **§ 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 motor 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 responsible for the field.

(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 responsible for the field.

(8) A state fee must be paid for making entries relating to the registration of an off-road vehicle in the motor 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 official exercising state supervision present their identification or another document certifying their competence and to note down the details thereof.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(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 responsible for the field.

(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.

(8) In the event of a traffic accident involving a self-driving delivery robot, the controller or user of the self-driving delivery robot must take adequate measures to ensure the stopping of the self-driving delivery robot and that the self-driving delivery robot does not pose any further danger. If a person has been injured or killed in a traffic accident and the controller of a self-driving delivery robot can directly realise it via the self-driving delivery robot's camera or other similar device, the controller or user of the self-driving delivery robot must notify the Alarm Centre thereof and follow the instructions received from there.

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

## **§ 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 compulsory motor insurance or the motor insurance fund specified in § 10 of the Motor Insurance Act;

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

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.

## **§ 171<sup>1</sup>. Database of traffic accidents**

(1) The database of traffic accidents is a database established by the minister responsible for the field for the purpose of ensuring the collection and availability of information required for making the national traffic safety policy as well as for traffic safety related development and research.

(2) The data entered in the database of traffic accidents has an informative and statistical meaning.

(3) Every person has the right to access all their data free of charge.

(4) Every person has the right to access statistically processed non-personalised data contained in the database of traffic accidents.

(5) The Road Administration is the chief processor of the database of traffic accidents.

(6) The Police and Border Guard Board and the Motor Insurance Fund submit data to the database of traffic accidents regarding the circumstances of traffic accidents as well as the drivers and vehicles involved in traffic accidents. In addition, the Police and Border Guard submits information to the database of traffic accidents on road users involved in traffic accidents and on casualties or injured persons.

(7) A more detailed composition of the information to be submitted, which is specified in subsection (6) of this section, is determined by a regulation specified in subsection (9) of this section.

(8) The database of traffic accidents contains personalised data until the purpose of processing personalised data has been attained, after which personalised data will be coded.

(9) The statutes of maintenance of the database of traffic accidents will be established by a regulation of the Government of the Republic.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

#### **§ 172. Expert committee**

(1) The minister responsible for the field 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**

# **MOTOR REGISTER AND REGISTER FOR VEHICLES OF ESTONIAN DEFENCE FORCES AND ESTONIAN DEFENCE LEAGUE**

#### **§ 173. Motor register**

(1) The motor 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 motor register will be established by a regulation of the Government of the Republic.

(3) The chief processor of the motor register is the Road Administration (hereinafter *registrar*).

#### **§ 174. Databases of motor register**

(1) The motor 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, data on the roadworthiness testing of vehicles, and restrictions on the use and disposal of the vehicles and registered securities over movables.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(2<sup>1</sup>) The vehicle database also keeps account of motor vehicles and their trailers registered in Estonia, which have been temporarily deleted or whose register entry has been suspended.

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

(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 inspection cards and undertaking cards.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(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 motor register**

- (1) The following persons submit information to the motor 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;
  - 7<sup>1</sup>) authorities authorised to examine cyclists and mini moped drivers;  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]
  - 8) a person conducting the roadworthiness testing of vehicles, recreational craft, ships with the total length of less than 12 metres or personal watercraft;
  - 8<sup>1</sup>) authorities or undertakings regarding the information concerning the kilometrage of the vehicle;  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]
  - 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 authorised processor of the motor insurance register on the data of vehicles and trailers destroyed due to insured events of motor insurance and vehicle insurance entered in the motor insurance register;  
[RT I, 11.04.2014, 1 – entry into force 01.10.2014]
  - 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 criminal records database, the population register, the database of identity documents and other state or local authority databases.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(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 the 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 motor register regarding a registered security over movables on the basis of a written application of the person entered in the motor 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 motor 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 motor register on a registered security over movables is presumed accurate.

(2) When an entry concerning a registered security over movables is deleted from the motor 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 motor register**

(1) The extent of access granted to information entered in the motor 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 motor 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 authorities, notaries, enforcement officers, assistant police officers and the motor insurance fund specified in § 10 of the Motor 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 a state authority or local authority have the right to access information required for performance of their public duties.

[RT I, 12.03.2015, 6 – entry into force 22.03.2015]

(6) Insurers engaged in motor insurance and power-driven vehicle insurance have access to the data in the databases of the motor 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 motor 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 motor 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 motor 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 motor 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 motor register.

(9<sup>1</sup>) The competent authority of a Member State of the European Union designated for exchanging national registration data of vehicles has the right to access the data related to a vehicle and the data of the owner, authorised user or user of the vehicle. The purpose of granting access is the facilitation of proceedings relating to road safety related traffic offences and cross-border information exchange specified in subsection 200<sup>3</sup>(2) of this Act.

[RT I, 14.02.2014, 1 – entry into force 24.02.2014]

(9<sup>2</sup>) In the event of an enquiry specified in subsection 200<sup>3</sup>(3) of this Act, every person has the right to receive information on which of their personal data was sent to the competent authority of a Member State of the European Union for the purpose of exchange of national registration data of vehicles on the basis of subsection (9<sup>1</sup>) of this section. Upon provision of information, the person is also informed of the date of the enquiry and the data of the enquirer.

[RT I, 14.02.2014, 1 – entry into force 24.02.2014]

(10) Via the website of the Road Administration an electronic application can be submitted for the electronic issue of the data of a vehicle, off-road vehicle or watercraft, verification of the compliance with the roadworthiness requirements and restrictions as well as the validity of a driving licence or the existence of the right to drive.



[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(11) In the event of submission of an application specified in subsection (10) of this section, the data of the motor register provided for in clauses 2) to 4) of subsection (3) of this section are public as well.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(12) The data of the motor register is issued for performing a statutory function or on the basis of an application specified in subsection (10) of this section, another one-off application or a contract concluded between the Road Administration and a respective person. A state fee must be paid for issuing data from the motor register on the basis of a document or another one-off application.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(13) The procedure for accessing the electronic data of the motor register will be established by a regulation of the minister responsible for the field.

#### **§ 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 motor 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 responsible for the field.

(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. The parking card 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 motor 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 motor 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 it 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 12<sup>1</sup> ROAD TOLL**

[RT I, 04.07.2017, 5 - entry into force 20.12.2017]

### **§ 190<sup>1</sup>. Road toll**

(1) The road toll is a pecuniary obligation the payment of which gives a person the right to use a public road with a vehicle specified in § 190<sup>2</sup> of this Act during a specific period.

(2) The period of use of a public road by a truck and its trailer which are liable to the road toll starts as of the moment of payment of the road toll, unless the payer of the road toll has not delayed the start of the period.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>2</sup>. Object of road toll**

The road toll is paid for a truck with a maximum mass of over 3500 kilograms and its trailer.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>3</sup>. Road toll rate**

(1) The road toll rate depends on the maximum mass of the truck and its trailer, the number of axles and the exhaust gas class of the truck.

(2) The road toll is calculated on the basis of the data of the motor register. If the motor register has no data, the road toll rate is calculated on the basis of the data given by payer of the road toll. Upon absence of data in the motor register, the driver must prove the data serving as the basis for the road toll rate on the road on the basis of the registration certificate or the data given by the manufacturer, its official representative or the importer. If the exhaust gas class of the truck cannot be identified, the road toll is calculated based on the truck exhaust class EURO 0.

(3) If the total of the maximum masses of a truck with a maximum mass of over 3500 kilograms and its trailer does not exceed 12 000 kilograms, the road toll rates per each exhaust class and number of axles are as follows:

- 1) the 24-hour rate is 9 euros;
- 2) the 7-day rate is 25 euros;
- 3) the 30-day rate is 50 euros;
- 4) the 90-day rate is 125 euros;
- 5) the 365-day rate is 500 euros.

(4) If the truck and its trailer have up to three axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO 0, EURO I or EURO II, the road toll rates are as follows:

- 1) the 24-hour rate is 12 euros;
- 2) the 7-day rate is 45 euros;
- 3) the 30-day rate is 90 euros;
- 4) the 90-day rate is 225 euros;
- 5) the 365-day rate is 900 euros.

(5) If the truck and its trailer have at least four axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO 0, EURO I or EURO II, the road toll rates are as follows:

- 1) the 24-hour rate is 12 euros;
- 2) the 7-day rate is 65 euros;
- 3) the 30-day rate is 130 euros;
- 4) the 90-day rate is 325 euros;
- 5) the 365-day rate is 1300 euros.

(6) If the truck and its trailer have up to three axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO III, the road toll rates are as follows:

- 1) the 24-hour rate is 11 euros;
- 2) the 7-day rate is 40 euros;
- 3) the 30-day rate is 80 euros;
- 4) the 90-day rate is 200 euros;
- 5) the 365-day rate is 800 euros.

(7) If the truck and its trailer have at least four axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO III, the road toll rates are as follows:

- 1) the 24-hour rate is 12 euros;
- 2) the 7-day rate is 60 euros;
- 3) the 30-day rate is 120 euros;
- 4) the 90-day rate is 300 euros;
- 5) the 365-day rate is 1200 euros.

(8) If the truck and its trailer have up to three axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO IV or EURO V, the road toll rates are as follows:

- 1) the 24-hour rate is 10 euros;
- 2) the 7-day rate is 35 euros;
- 3) the 30-day rate is 70 euros;
- 4) the 90-day rate is 175 euros;
- 5) the 365-day rate is 700 euros.

(9) If the truck and its trailer have at least four axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO IV or EURO V, the road toll rates are as follows:

- 1) the 24-hour rate is 12 euros;
- 2) the 7-day rate is 55 euros;
- 3) the 30-day rate is 110 euros;
- 4) the 90-day rate is 275 euros;
- 5) the 365-day rate is 1100 euros.

(10) If the truck and its trailer have up to three axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO IV or to a less polluting EURO-exhaust gas class, the road toll rates are as follows:

- 1) the 24-hour rate is 10 euros;
- 2) the 7-day rate is 30 euros;
- 3) the 30-day rate is 60 euros;
- 4) the 90-day rate is 150 euros;
- 5) the 365-day rate is 600 euros.

(11) If the truck and its trailer have at least four axles, the total of the maximum masses of the truck and its trailer is over 12 000 kilograms and the truck belongs to the exhaust gas class EURO IV or to a less polluting EURO-exhaust gas class, the road toll rates are as follows:

- 1) the 24-hour rate is 12 euros;
- 2) the 7-day rate is 50 euros;
- 3) the 30-day rate is 100 euros;
- 4) the 90-day rate is 250 euros;
- 5) the 365-day rate is 1000 euros.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

#### **§ 190<sup>4</sup>. Payment of road toll**

(1) The owner of the truck is obligated to pay the road toll. If the authorised user of the truck has been entered in the motor register, the authorised user is required to pay the road toll.

(2) If the road toll has not been paid, the driver is prohibited to start driving.

(3) The Road Administration allows for paying the road toll at any time of the day. The Road Administration may outsource the duty to organise payment of the road toll to a legal person governed by private law under an administrative contract concluded between the Road Administration, the Tax and Customs Board and the legal person.

(4) The Road Administration exercises administrative supervision over the performance of the administrative duty specified in subsection (3) of this section. The Road Administration immediately takes measures to ensure that the administrative duty is performed where the administrative contract is terminated unilaterally or there is another reason which prevents continued performance of the administrative duty.

(5) If the Road Administration has transferred the duty to organise the manners of payment of the road toll to a legal person governed by private law, it may be agreed on in the administrative contract that the performer of the duty adds justified costs related to the performance of the duty and a reasonable business profit to the road toll (hereinafter *service fee*). The amount of the service fee is specified in the administrative contract.

(6) The payer of the road toll pays it to the Tax and Customs Board or to the legal person governed by private law specified in subsection (3) of this section who, in turn, transfers the collected road toll to the Tax and Customs Board.

(7) The date of payment of the road toll is the date of payment of the amount payable to the designated account or to the cash register of the tax authority in cash or the date when the payment authorisation data reach the tax authority or the date when the legal person specified in subsection (3) of this section confirms the data related to the road toll in the road toll database.

(8) The road toll accrues to the legal person specified in subsection (3) of this section.

(9) The procedure for payment of the road toll and service fee and the procedure for refunding the road toll are established by a regulation of the minister responsible for the field and the maximum permitted rate of the road toll specified in subsection (5) of this section may be established by a regulation of the minister responsible for the field.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

#### **§ 190<sup>5</sup>. Exemption from road toll**

The following are exempt from the road toll:

- 1) a truck and its trailer, which belong to the Defence Forces, the Defence League, foreign armed forces, the Police and Border Guard Board or a rescue service agency;
- 2) a truck and its trailer, which belong to a provider of international aid;
- 3) a truck and its trailer, which belong to a local authority, non-profit association, foundation or undertaking and which are used mainly for rescue work;
- 4) a vintage vehicle within the meaning of § 83 of this Act.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>6</sup>. Refund of road toll**

(1) The person required to pay the road toll can apply to the Road Administration for a refund of the road toll for the unused period or for the period of use of a vehicle for the purpose specified in clause 4) of subsection (2) of this section in the case of payment of the 90-day rate or 365-day rate.

(2) A refund of the road toll can be applied for regarding a truck and its trailer in the following events:

- 1) the truck has been deleted or temporarily deleted from the Estonian motor register or the relevant register of the country of location of the vehicle;
- 2) the registry entry of the truck has been suspended;
- 3) change of the owner or authorised user of the truck;
- 4) a national defence duty has been performed with the truck.

(3) An application for a refund of the road toll may be submitted within three months after the emergence of the ground specified in subsection (2) of this section.

(4) To calculate the amount to be refunded, the number of unused days following a registry entry made in the events specified in subsection (2) of this section is divided by the number of days of the right to use the road and multiplied by the amount of the paid road toll.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>7</sup>. Use of funds earned from road toll**

The funds that have accrued to the state budget from the road toll are used for maintenance of the transport infrastructure.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>8</sup>. Road toll authority**

(1) In connection with the road toll, the Tax and Customs Board performs all the duties of the tax authority under the Taxation Act, except for the duties placed within the competence of the Road Administration under this Act.

(2) The Road Administration calculates the amount of the road toll payable for and refundable to a truck and its trailer.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>9</sup>. Road toll database**

(1) Data related to the road toll is gathered to the road toll database in order to keep account of payment of the road toll and make the payment of road toll and the exercising of supervision over it easier.

(2) The Road Administration is the chief processor of the road toll database.

(3) Data proving the performance of the obligation to pay the road toll has a legal meaning.

(4) The data of the road toll database is not public, except for the following data:

- 1) the registration number of the truck;
- 2) the total amount of the maximum masses of the truck and its trailer;
- 3) the exhaust gas class of the truck;
- 4) the number of axles of the truck and its trailer;
- 5) the period for which the road toll has been paid;
- 6) the start of the period of validity of the road toll.

(5) The road toll database is established and its statutes are adopted by a regulation of the minister responsible for the field.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>10</sup>. Exchange of data between Road Administration and Tax and Customs Board**

The Road Administration sends to the Tax and Customs Board data on the road toll payable and refundable, which the Tax and Customs Board requires for performing the duties established in the Taxation Act. The Tax and Customs Board communicates to the Road Administration information on road toll payments and refunds.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 190<sup>11</sup>. State supervision of payment of road toll**

(1) The Road Administration, the Tax and Customs Board and the Police and Border Guard Board exercise state supervision over performance of the obligation to pay the road toll provided for in this Act.

(2) A law enforcement authority may, for the purpose of exercising the state supervision provided for in this section, take special measures of state supervision provided for in §§ 30, 32 and 45 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.  
[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

#### **§ 190<sup>12</sup>. Variations of state supervision of payment of road toll**

(1) Where a truck for which no road toll has been paid enters Estonia across its border, the law enforcement authority sends the truck to the nearest road toll sales point.

(2) Where no road toll has been paid for a truck and its trailer using a public road, the law enforcement authority has the right to remove the driver from the vehicle on the ground and in accordance with the procedure provided for in § 91 of this Act until the road toll has been paid.  
[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

## **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 responsible for the field 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 responsible for the field 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 state and administrative supervision and settling intra-authority appeals and complaints. The recordings will be retained for at least one month, but not longer than one year.  
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(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 responsible for the field.

#### **§ 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 board 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 § 24 of the Criminal Records Database Act;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

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 (4) of this section;

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

6) the equipment, supplies, instruments and inventory of the company comply with the requirements provided for in subsection (4) of this section;

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

7) the employees of the company comply with the requirements provided for in § 74 of this Act;

8) the company has the capacity to ensure that the quality of roadworthiness testing complies with the requirements provided for in subsection (4) of this section;

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

9) the company must be a competent measurer for the purposes of the Metrology Act and hold a relevant professional competence certificate.

(1<sup>1</sup>) A company specified in subsection 191 (1) of this Act must ensure the objectiveness, safety, environmental friendliness and high quality of roadworthiness testing.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(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 is not concluded or extended with a company not complying with the requirements provided for in subsection (1) or (1<sup>1</sup>) of this section or whose 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 a breach of contract committed by the company.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(4) Requirements for the quality, safety and environmental roadworthiness testing regarding the premises, territory, equipment, supplies, instruments and inventory and quality assurance facilities of a company specified in subsection 191 (1) of this Act are established by a regulation of the minister responsible for the field.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

## **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) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(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**

[Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

#### **§ 196<sup>1</sup>. Special measures of traffic supervision**

(1) For the purpose of exercising traffic supervision, a police officer or an assistant police officer may take the special measures of state supervision specified in §§ 30, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42, 44, 45 and 49 of the Law Enforcement Act on the ground and in accordance with the procedure set out in the Law Enforcement Act. The Police and Border Guard may take a special measure of state supervision provided for in



§ 53 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

[RT I, 12.03.2015, 6 – entry into force 22.03.2015]

(2) For the purpose of exercising traffic supervision, a rural municipality government or a city government may take the special measures of state supervision specified in §§ 30, 32 and 44 of the Law Enforcement Act on the grounds and in accordance with the procedure set out in the Law Enforcement Act. The rural municipality government or the city government may take a special measure of state supervision provided for in § 53 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

[RT I, 12.03.2015, 6 – entry into force 22.03.2015]

## **§ 196<sup>2</sup>. Specifics of traffic supervision**

(1) A police officer or an assistant police officer has the right to:

1) in the event of suspicion regarding the health status, take a person to a provider of health services on the ground set out in § 70 of this Act;

2) remove a person from driving a vehicle on the ground and in accordance with the procedure set out in § 91 of this Act;

3) take a vehicle to a guarded place of storage or to a police authority on the ground and in accordance with the procedure set out in § 92 of this Act;

4) verify the compliance with the requirements for the working, driving and rest time of the driver of a power-driven vehicle;

4<sup>1</sup>) if in the course of verification of data recorded by the tachograph sufficient evidence of the existence of a device that may disturb the operation of the tachograph has been found, refer the power-driven vehicle to an undertaking specified in subsection 131<sup>1</sup>(1) of this Act for making a special test;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

4<sup>2</sup>) if the data on the installation board is incorrect or the tachographs or its components do not comply with the requirements or it is obvious that that data of the tachograph has been manipulated or corrupted, remove the installation board of the tachograph from the power-driven vehicle;

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

5) if necessary or in the event of a threat, prohibit or limit traffic;

6) use a traffic supervision device that records a power-driven vehicle and whose recording can be used for identifying the driver of the power-driven vehicle, if necessary. Recordings will be preserved at least for one month, but no more than one year, unless these constitute evidence in offence proceedings;

7) relocate vehicles on the ground and in accordance with the procedure set out in § 190 of this Act;

8) verify the compliance of vehicles with the requirements of §§ 86 and 87 of this Act, and the compliance of power-driven vehicles, their trailers and off-road vehicles with the roadworthiness requirements;

9) refer a power-driven vehicle or its trailer to a special roadworthiness test if upon roadside inspection in the course of traffic supervision a serious or dangerous fault or defect specified in subsection 73 (7<sup>1</sup>) of this Act is detected and it cannot be eliminated on the spot;

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

10) take measurements in accordance with the Metrology Act.

(2) A rural municipality government or a city government has the right to:

1) take a vehicle to a guarded place of storage or to a police authority on the ground and in accordance with the procedure set out in § 92 of this Act;

2) if necessary or in the event of a threat, prohibit or limit traffic.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) In accordance with the procedure provided for in § 53 of the Law Enforcement Act, the Police and Border Guard may sell or destroy a vehicle towed away on the ground provided for in clause 3) of subsection (1) of this section and a rural municipality government or a city government may sell or destroy a vehicle towed away on the ground provided for in clause 1) of subsection (2) of this section. The Police and Border Guard Board and the rural municipal government or the city government has the right to receive from the motor register and from the population register the address of the place of residence or seat, electronic mail address and telephone number of the owner or responsible user of the vehicle placed in a guarded place of storage or police facilities. The Police and Border Guard Board and the rural municipal government or the city government will inform the person by registered mail or by publishing a notice in the official publication *Ametlikud Teadaanded* in the events specified in § 53 of the Law Enforcement Act.

[RT I, 12.03.2015, 6 – entry into force 22.03.2015]

## **§ 197. Liability of traffic supervision authority**

[Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

## **§ 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.

(1<sup>1</sup>) Upon exercising traffic supervision, a bus or a truck with a maximum mass of over 3500 kilograms or a trailer used by an undertaking specified in Article 2(4) 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) may be selected for inspection based on data gathered in accordance with clauses 1–3 of § 2002 of this Act.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(1<sup>2</sup>) Subsection (1<sup>1</sup>) of this section does not prevent selecting a vehicle for inspection at random or where there is reason to believe that the vehicle may have a serious or dangerous fault or defect specified in subsection 73 (7<sup>1</sup>) of this Act.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(2) The database of the fixed automatic traffic supervision system is a database created by the minister responsible for the field where the data of traffic offences gathered by the traffic supervision systems installed on local roads and national roads is processed with the aim of ensuring efficient traffic supervision.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(3) The data entered in the database of the fixed automatic traffic supervision system has a legal meaning.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(4) The Road Administration is the chief processor of the database of the fixed automatic traffic supervision system.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(5) The statutes of the database of the fixed automatic traffic supervision system are established by a regulation of the minister responsible for the field.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(6) Upon using a measuring device, the requirements of the measuring methodology and the user manual of the manufacturer must be followed.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(7) The requirements for the measuring procedure and the processing of the measuring results of a speedometer and speed measuring system will be established by a regulation of the Government of the Republic.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(8) Requirements for the procedure of measuring the mass of a vehicle and for processing measuring results are established by a regulation of the Government of the Republic.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

## **§ 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 light);
- 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 signal 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) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(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 responsible for the field.  
[ 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 responsible for the field 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 responsible for the field.

[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 dimensions of power-driven vehicles and trailers, payment of the road toll, 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 offences specified in Article 6(1)(b) of Regulation (EC) No 1071/2009 of the European Parliament and of the Council;

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

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 specified in subsection 48 (2) of the Road Transport Act on a transport manager who has been declared non-compliant with the requirement of good repute.
- [RT I, 11.01.2018, 1 – entry into force 01.06.2018]

### **§ 200<sup>3</sup>. Cross-border information exchange in case of traffic offences**

(1) In Estonia, the Road Administration is the competent authority for the exchange of national registration data of vehicles involved in a road safety related traffic offence between the Member States of the European Union.

(2) The information exchange specified in this section is applied in the event of the following road safety related traffic offences, which have been committed with a vehicle of another Member State of the European Union, in accordance with the legislation of the Member State of the European Union where the offence was committed:

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

- 1) exceeding the permitted speed limit;
- 2) violation of the requirement of fastening the seat belt or using a child safety system;
- 3) disregarding the red light of traffic lights or another stop signal;
- 4) driving a vehicle in a state of intoxication or exceeding the permitted alcohol level;
- 5) driving a vehicle in a state of intoxication by narcotic drugs, psychotropic substances or other substances with a similar effect;
- 6) not using a helmet;
- 7) using a prohibited lane;
- 8) using a mobile phone or other telecommunications while driving.

(3) To process an enquiry submitted of a competent authority of another Member State of the European Union designated to exchange national registration data of vehicles, the Road Administration has the right, to the extent and pursuant to the procedure established in subsection (6) of this section, to send to the competent authority that submitted the enquiry only the data of the vehicle, the population register data of the owner, authorised user or user of the vehicle or the commercial register data of the legal person.

(4) The Road Administration has the right to receive data on a vehicle registered in another Member State of the European Union, its owner, authorised user or user from the competent authority designated to exchange the national registration data of the vehicles of the Member State.

(5) The reply to an enquiry submitted by the Road Administration or the competent authority of another Member State of the European Union designated to exchange the national registration data of vehicles will be preserved for one year as of the date of submission of the enquiry and thereafter the date of the enquiry will be deleted.

(6) The procedure for exchanging data between the Member States of the European Union on road safety related traffic offences, the list of data required for information exchange and the procedure for reporting will be established by a regulation of the minister responsible for the field.

[RT I, 14.02.2014, 1 – entry into force 24.02.2014]

## **Chapter 15 LIABILITY**

### **§ 201. Driving power-driven vehicle, off-road vehicle or tram by person without right to drive**

(1) The penalty for driving a power-driven vehicle, off-road vehicle or tram by a person who does not have the right to drive power-driven vehicles of the respective category or trams is a fine of up to 200 fine units or detention.

(2) The penalty for the same act 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 a fine of up to 300 fine units or detention.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

### **§ 202. Permitting person without right to drive power-driven vehicles, off-road vehicles or trams to drive power-driven vehicle or tram**

(1) The penalty for 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 a fine of up to 100 fine units.

(2) The penalty for the same act whereby a person whose right to drive power-driven vehicles or trams has been suspended, revoked or withdrawn is permitted to drive a power-driven vehicle, off-road vehicle or tram is a fine of up to 300 fine units.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(3) The penalty for an act specified in subsection (1) or (2) of this Act, where committed by a legal person, is 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**

The penalty for driving a power-driven vehicle or off-road vehicle that has not been registered or re-registered in accordance with the established procedure is 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) The penalty for 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 a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is 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**

The penalty for 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 a fine of up to 200 fine units.

### **§ 206. Driving power-driven vehicle or off-road vehicle with illegible state registration plate**

The penalty for driving a power-driven vehicle or off-road vehicle with a state registration plate that is illegible from the required distance is a fine of up to ten fine units.

### **§ 207. Driving of power-driven vehicle, combination of vehicles, combination of tractors or tram that has not passed roadworthiness test**

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(1) The penalty for driving a power-driven vehicle that has not passed the roadworthiness test as well as a combination of vehicles or a combination of tractors that includes a trailer that has not passed the roadworthiness test, or a tram that has not passed the roadworthiness test is a fine of up to 100 fine units.

(2) The penalty for the same act committed with a bus or coach, a truck with a laden mass of over 3500 kilograms or a combination of vehicles consisting of a bus or coach or a truck with a laden mass of over 3500 kilograms is a fine of up to 300 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

### **§ 208. Allowing person to drive power-driven vehicle, combination of vehicles, combination of tractors or tram that has not passed roadworthiness test**

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(1) Where the owner, possessor or person liable for compliance with the roadworthiness requirements or for operation allows another person to drive a power-driven vehicle that has not passed the roadworthiness test as well as a combination of vehicles or a combination of tractors that include a trailer that has not passed the roadworthiness test, or a tram that has not passed the roadworthiness test, the penalty is a fine of up to 100 fine units.

(2) Where the owner, possessor or person liable for compliance with the roadworthiness requirements or for operation allows another person to drive a bus or coach, a truck with a laden mass of over 3500 kilograms or a combination of vehicles consisting of a bus or coach or a truck with a laden mass of over 3500 kilograms, the penalty for the same act is a fine of up to 300 fine units.

(3) The penalty for the act specified in subsection 1 or 2 of this section, where committed by a legal person, is a fine of up to 3200 euros.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

#### **§ 209. Driving power-driven vehicle or off-road vehicle with technical failure**

The penalty for 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 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) The penalty for 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 a fine of up to 100 fine units.

(2) The penalty for the same act committed by a legal person is 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, combination of vehicles and tractor train having maximum mass of over 12 000 kilograms**

The penalty for driving a vehicle, combination of vehicles or combination of tractors whose maximum mass is over 12 000 kilograms and whereby the permitted maximum mass is exceeded by 20 per cent or more is a fine of up to 200 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

#### **§ 210<sup>2</sup>. Permission to drive vehicle, combination of vehicles and tractor train having maximum mass of over 12 000 kilograms**

(1) The penalty for permitting by the owner, possessor or person responsible for roadworthiness or operation of a vehicle, combination of vehicles 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, combination of vehicles or tractor is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is 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, combination of vehicles and tractor train having maximum mass of up to 12 000 kilograms**

The penalty for driving a vehicle, combination of vehicles or combination of tractors whose maximum mass is up to 12 000 kilograms and whereby the permitted maximum mass is exceeded by 25 per cent or more is a fine of up to 200 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

#### **§ 210<sup>4</sup>. Permission to drive vehicle, combination of vehicles and tractor train having maximum mass of up to 12 000 kilograms whereby maximum mass is exceeded**

(1) The penalty for permitting by the owner, possessor or person responsible for compliance with the roadworthiness requirements or operation of a vehicle, combination of vehicles 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, combination of vehicles or tractor is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is 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**

The penalty for driving a power-driven vehicle without a mandatory speed limitation device, with an inoperable speed limitation device or using a device which may impede the operation of the speed limitation device is a fine of up to 200 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

#### **§ 210<sup>6</sup>. Permission to drive power-driven vehicle in violation of rules of use of speed limitation device**

(1) The penalty for 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 a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is 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**

The penalty for 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 a fine of up to 100 fine units.

#### **§ 212. Violation of requirements for use of tachograph by driver of power-driven vehicle**

The penalty for 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 a fine of up to 100 fine units.

#### **§ 213. Permitting to drive power-driven vehicle in violation of requirements for use of tachograph**

(1) The penalty for 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 duly sealed or on whose tachograph a device enabling interference with the operation of the tachograph has been installed is a fine of up to 200 fine units.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The penalty for the same act committed by a legal person is 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**

The penalty for 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 a fine of up to 100 fine units.

#### **§ 215. Using equipment allowing for interfering with operation of tachograph**

The penalty for driving a power-driven vehicle supplied with equipment allowing for interfering with the operation of the tachograph is a fine of up to 300 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

#### **§ 216. Installation of equipment allowing for interfering with operation of tachograph or failure to remove such equipment**

(1) The penalty for the 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 a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is 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 manual or digital tachograph or driver card**

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1) The penalty for a violation of the requirements established to the use of an analogue or digital tachograph installed on a power-driven vehicle or to the use of a driver card is a fine of up to 100 fine units.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

#### **§ 217<sup>1</sup>. Violation of requirements established to possibility to read or preserve data of recording sheets of analogous tachograph or data recorded in digital tachograph or driver card**

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1) The penalty for a violation of the requirements established to the possibility to read or preserve the data of the recording sheets of an analogous tachograph or the data recorded in a digital tachograph or a driver card is a fine of up to 300 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

### **§ 217<sup>2</sup>. Using another person's driver card**

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

The penalty for using another person's driver card is a fine of up to 300 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

### **§ 218. Driving power-driven vehicle or off-road vehicle reconstructed without authorisation**

The penalty for driving a power-driven vehicle or off-road vehicle reconstructed without authorisation is a fine of up to 50 fine units.

### **§ 219. Driving environmentally hazardous power-driven vehicle or off-road vehicle**

The penalty for 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 a fine of up to 50 fine units.

### **§ 220. Permitting to drive environmentally hazardous power-driven vehicle or off-road vehicle**

(1) The penalty for 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 a fine of up to 100 fine units.

(2) The penalty for the same act committed by a legal person is 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 when traffic light signals prohibit it**

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(1) The penalty for driving onto an intersection or pedestrian crossing by the driver when traffic light signals prohibit it is a fine of up to 50 fine units.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The penalty for the same act, if it causes a traffic hazard, is 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, the 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) The penalty for 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 a fine of up to 50 fine units.

(2) The penalty for the same act, if it causes a traffic hazard, is a fine of up to 100 fine units or withdrawal of the right to drive vehicles for up to six months.

(3) For an offence provided for in subsection (2) of this section, the 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) The penalty for a 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 a fine of up to 300 fine units, detention or withdrawal of the right to drive vehicles for up to six months.

(2) For an offence provided for in subsection (1) of this section, the 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 penalty for 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 a fine of up to 100 fine units or 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 a fine of up to 300 fine units, detention or withdrawal of the right to drive vehicles for up to twelve months.

(3) For an offence provided for in this section, the 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.

#### **§ 224<sup>1</sup>. Giving driving lessons and carrying out driving practice by driving instructor and personal driving supervisor in state of intoxication**

(1) The penalty for giving driving lessons or carrying out driving practice by a driving instructor or a personal driving instructor while in a state of intoxication or in a state specified in subsection 69 (3) of this Act is a fine of up to 300 fine units.

(2) The court or the body conducting extra-judicial proceedings may impose the deprivation of the right to drive a vehicle over a period of three to nine months as an additional penalty for an offence specified in this section. [RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 225. Permitting intoxicated person to drive power-driven vehicle, off-road vehicle or tram or handing over driving to them**

(1) The penalty for 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 who, to the knowledge of the owner, possessor or driver, is in a state of intoxication or a state specified in subsection 69 (3) of this Act or handing over driving to such a person is a fine of up to 300 fine units. [RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The penalty for the same act committed by a legal person is 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 penalty for the consumption of alcohol, narcotic or psychotropic substances immediately following a traffic accident by a driver involved in the traffic accident is a fine of up to 300 fine units, detention or withdrawal of the right to drive vehicles for up to 18 months. [RT I, 07.07.2017, 1 – entry into force 01.11.2017]

(2) For an offence provided for in subsection (1) of this section, the 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 penalty for exceeding the speed limit by up to 20 kilometres per hour by the driver of a power-driven vehicle is a fine of up to 30 fine units.

(2) The penalty for exceeding the speed limit by 21 up to 40 kilometres per hour by the driver of a power-driven vehicle is a fine of up to 100 fine units or withdrawal of the right to drive vehicles for up to six months.

(3) The penalty for exceeding the speed limit by 41 up to 60 kilometres per hour by the driver of a power-driven vehicle is a fine of up to 200 fine units, detention or withdrawal of the right to drive vehicles for up to twelve months.

(4) The penalty for exceeding the speed limit by more than 60 kilometres per hour by the driver of a power-driven vehicle is a fine of up to 300 fine units, detention or withdrawal of the right to drive vehicles for up to twenty-four months.

(5) The 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**

The penalty for driving a power-driven vehicle equipped with a device that detect or interfere with the operation of speed measuring equipment is a fine of up to 100 fine units.

### **§ 229. Obstruction of or interference with measuring function of automatic speed measuring equipment**

The penalty for the obstruction of or interference with the regular functioning of the measuring function of the fixed automatic traffic supervision system in a manner that rendered the proper documentation or recording of the particulars of the offence is a fine of up to 300 fine units.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

### **§ 230. Violation of requirements for overtaking**

(1) The penalty for a violation of the requirements for overtaking by the driver of a power-driven vehicle is a fine of up to 100 fine units.

(2) The penalty for the same act, if it causes a traffic hazard, is a fine of up to 200 fine units or withdrawal of the right to drive vehicles for up to twelve months.

(3) For an offence provided for in subsection (2) of this section, the 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**

The penalty for 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 a fine of up to 100 fine units.

### **§ 232. Violation of requirements for crossing level crossings**

The penalty for a violation by the driver of a power-driven vehicle or tram of the requirements for crossing a level crossing is a fine of up to 100 fine units.

### **§ 233. Hindering use of right of way**

The penalty for 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 a fine of up to 100 fine units.

### **§ 234. Ignoring stop signal for vehicle**

(1) The penalty for the intentional ignoring of a mandatory stop signal for a vehicle by the driver of a vehicle is a fine of up to 200 fine units, detention or 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, the 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 penalty for the intentional ignoring of a mandatory stop signal for off-road vehicle by a driver of off-road vehicle is a fine of up to 200 fine units or detention or withdrawal of the right to vehicles for up to twenty-four months.

### **§ 236. Failure to report traffic accident**

(1) The penalty for a 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 a fine of up to 300 fine units, detention or withdrawal of the right to drive vehicles for up to twelve months.

(2) For an offence provided for in subsection (1) of this section, the 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) The penalty for leaving the scene of a traffic accident or failure to provide assistance to people who need assistance due to a traffic accident is a fine of up to 300 fine units, detention or 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, the 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**

The penalty for a violation by the driver of a power-driven vehicle or tram of requirements for carriage of passengers or goods is a fine of up to 100 fine units.

### **§ 239. Failure to fix safety equipment properly**

(1) The penalty for failure to fix safety belt properly:  
1) by the driver of the vehicle;  
2) by a passenger  
is a fine of up to 50 fine units.

(2) The penalty for 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 a fine of up to 100 fine units.

### **§ 239<sup>1</sup>. Violation of requirements of use of motorcycle helmet**

(1) The penalty for a violation of the requirements of use of a motorcycle helmet:  
1) by the driver;  
2) by a passenger, is a fine of up to 50 fine units.

(2) The penalty for an act specified in subsection (1) of this section, if the person has been previously penalised for such act, is a fine of up to 100 fine units.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

### **§ 240. Violation of child safety requirements**

(1) The penalty for carrying a child under 16 years of age without being properly fixed by a seat belt or other safety equipment by the driver is a fine of up to 100 fine units.

(2) The penalty for an act provided for in subsection (1) of this section, if the person has been previously penalised for such act, is a fine of up to 200 fine units.

### **§ 241. Parking in unauthorised place**

(1) The penalty for parking a vehicle in an unauthorised place or in violation of the parking rules indicated by a traffic control device is a fine of up to ten fine units.

(2) The penalty for 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 a fine of up to 50 fine units.

### **§ 242. Other violation of traffic requirements by driver of power-driven vehicle or tram**

(1) The penalty for a 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 set out in §§ 201 to 203, 205 to 207, 209, 211, 212, 214 to 219, 221 to 224 or 226 to 241 of this Act, is a fine of up to 20 fine units.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The penalty for the same act, if it causes a traffic hazard, is a fine of up to 100 fine units or withdrawal of the right to drive vehicles for up to six months.

(3) For an offence provided for in subsection (2) of this section, the 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 penalty for failure to copy the data of a digital tachograph or driver card by the prescribed time is a fine of up to 100 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

#### **§ 243<sup>1</sup>. Intentional corruption of data of digital tachograph or driver card**

(1) The penalty for intentional corruption of the data of a digital tachograph or driver card is a fine of up to 200 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(2) The penalty for the same act committed by a legal person is a fine of up to 13 000 euros.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

#### **§ 244. Influencing of driver of power-driven vehicle without violating requirements for working, driving and rest time**

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(1) The penalty for giving to the driver of a power-driven vehicle a work order or the organisation of work in such a manner that the due performance of the work calls for a violation of the working, driving and rest time requirements established by this Act, except the events specified in § 252 of this Act, is a fine of up to 200 fine units.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(2) The penalty for the same act committed by a legal person is 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**

The penalty for the use of a longer weekly driving time than established for drivers of power-driven vehicles is a fine of up to 100 fine units.

#### **§ 246. Violation of daily driving time requirements established for drivers of power-driven vehicles**

(1) The penalty for exceeding the daily driving time established for drivers of power-driven vehicles by up to two hours is a fine of up to 100 fine units.

(2) The penalty for exceeding the daily driving time established for drivers of power-driven vehicles by more than two hours is a fine of up to 200 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

#### **§ 247. Violation of driving time requirements for two consecutive weeks established for drivers of power-driven vehicles**

The penalty for exceeding the driving time requirements for two consecutive weeks established for drivers of power-driven vehicles is a fine of up to 100 fine units.

#### **§ 248. Violation of break time requirements established for drivers of power-driven vehicles**

(1) The penalty for failure to use the prescribed break time after 4.5 hours of driving time by the driver of a power-driven vehicle is a fine of up to 100 fine units.

(2) The penalty for 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 a fine of up to 100 fine units.

#### **§ 249. Violation of daily rest time requirements established for drivers of power-driven vehicles**

(1) The penalty for the use by the driver of a power-driven vehicle of up to two hours shorter daily rest time than prescribed is a fine of up to 100 fine units.

(2) The penalty for the use by the driver of a power-driven vehicle of over two hours shorter daily rest time than prescribed is a fine of up to 200 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

#### **§ 250. Violation of weekly rest time requirements established for drivers of power-driven vehicles**

The penalty for the use by the driver of a power-driven vehicle of a shorter weekly rest time than prescribed is 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 penalty for failure by the driver of a power-driven vehicle to present an approved work schedule to the official exercising traffic supervision is 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, the penalty for failure by the driver of a power-driven vehicle to follow an approved work schedule is 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 penalty for 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 a fine of up to 100 fine units.

(2) The penalty for the same act committed by a legal person is 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**

The penalty for exceeding the weekly working time prescribed for drivers of power-driven vehicles is a fine of up to 100 fine units.

**§ 254. Violation of requirements for working and rest time established for tram drivers**

The penalty for a violation by a tram driver of the requirements for the working and rest time prescribed for tram drivers is a fine of up to 100 fine units.

**§ 255. Influencing driver to violate working and rest time requirements**

[Repealed – RT I, 28.02.2015, 1 – entry into force 01.05.2015]

**§ 256. Violation of requirements relating to major risk upon road transport of hazardous substances and objects**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

**§ 257. Violation of requirements relating to medium risk in road transport of hazardous substances and objects**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

**§ 258. Violation of requirements related to minor risk in road transport of hazardous substances and objects**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

**§ 259. Other violation of traffic rules by pedestrian, self-balancing vehicle rider, driver or use of self-driving delivery robot, cyclist, driver of mini moped, driver of animal-drawn vehicle or passenger**

[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(1) The penalty for another violation of the traffic rules by a pedestrian, self-balancing vehicle rider, driver or user of a self-driving delivery robot, cyclist, driver of a mini moped, driver of an animal-drawn vehicle or a passenger, if the necessary elements of a misdemeanour provided for in §§ 226, 234, 236, 237, 239 or 241 of this Act are missing, is a fine of up to ten fine units.  
[RT I, 04.07.2017, 7 – entry into force 14.07.2017]

(2) A fine of up to 100 fine units is the penalty for 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) material damage or traffic hazard is caused thereby.

**§ 260. Violation of requirements for off-road vehicle traffic**

The penalty for a violation of the requirements for off-road vehicle traffic is a fine of up to 50 fine units.

**§ 261. Violation of obligations of owner or authorised user of power-driven vehicle**

(1) The penalty for a failure to meet the requirement specified in subsection 72 (2) or (4) of this Act by the owner or authorised user of a power-driven vehicle is a fine of up to 100 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.  
[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

#### **§ 261<sup>1</sup>. Engaging in traffic using vehicle, combination of vehicles or combination of tractors that jeopardises road stability**

[Repealed – RT I, 28.03.2017, 1 – entry into force 07.04.2017]

#### **§ 261<sup>2</sup>. Allowing for traffic jeopardising road stability and safety**

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(1) The penalty for driving a vehicle, combination of vehicles or combination of tractors whose dimensions do not or whose mass or axle load does not comply with the standards or that otherwise jeopardises the stability of the road as well as for violation the conditions of special carriage by the driver of a vehicle, combination of vehicles or combination of tractors or for operating a vehicle, combination of vehicles or combination of tractors on a road closed for traffic or on a road works not designated for traffic is a fine of up to 200 fine units or detention.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(2) [Repealed – RT I, 28.03.2017, 1 – entry into force 07.04.2017]

#### **§ 261<sup>3</sup>. Permitting traffic jeopardising road stability and traffic safety**

(1) The penalty in a situation where the owner, possessor or person responsible for the operation of a vehicle, combination of vehicles or combination of tractors specified in § 261<sup>2</sup> of this Act permits it to engage in traffic as well as on a road closed for traffic or on a road section not designated for traffic is a fine of up to 300 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

#### **§ 261<sup>4</sup>. Installation of non-compliant traffic control device**

(1) The penalty for not installing a traffic control device, for installing a non-compliant traffic control device is a fine of up to 100 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

#### **§ 261<sup>5</sup>. Unauthorised installation of non-traffic means of information**

(1) The penalty for installing a non-traffic means of information on the road or road protection zone without the consent of the road owner is a fine of up to 50 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.  
[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

#### **§ 261<sup>6</sup>. Allowing to drive truck without paying road toll**

(1) The penalty for allowing a truck on a public road without paying the road toll by a person required to pay the road toll is a fine of up to 50 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 1800 euros.  
[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

#### **§ 261<sup>7</sup>. Allowing to drive truck with road toll paid at lower rate**

(1) The penalty for allowing a truck on a public road after paying the road toll at a rate lower than the prescribed rate by a person required to pay the road toll is a fine of up to 30 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 1200 euros.  
[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

#### **§ 261<sup>8</sup>. Driving of truck without paying road toll**

The penalty for using a truck on a public road without paying the road toll is a fine of up to 40 fine units.  
[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 261<sup>9</sup>. Driving of truck with road toll paid at lower rate**

The penalty for driving a truck on a public road after paying the road toll at a rate lower than the prescribed rate is a fine of up to 20 fine units.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

### **§ 262. Rates of cautionary fines imposed in written caution proceedings**

In written caution proceedings, a cautionary fine is imposed as follows:

- 1) the penalty for exceeding the speed limit is a cautionary fine the amount of which in euros is calculated by multiplying the number of kilometres above the speed limit by 3;
- 2) the penalty for 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 a cautionary fine of up to 20 euros;
- 3) the penalty for an act specified in subsection (2) of this section and committed in a manner that poses a hazard to other road users or significantly disturbs traffic is a cautionary fine of 64 euros;
- 4) the penalty for driving onto an intersection or a regulated pedestrian crossing while the traffic light signals prohibit it is a cautionary fine of 96 euros;
- 5) the penalty for an act specified in subsection (4) of this section and committed in a manner that poses a hazard to other road users or significantly disturbs traffic is a cautionary fine of 190 euros;
- 6) in the event of driving a power-driven vehicle that has not passed a roadworthiness test, a cautionary fine of 25 euros will be imposed;

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

- 7) in the event of engaging in traffic such a vehicle subject to the insurance obligation under the Motor Insurance Act, which does not have compulsory motor insurance or automatic motor insurance, a cautionary fine of 25 euros will be imposed.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

### **§ 263. Proceedings**

- (1) The Police and Border Guard Board is the extra-judicial body that conducts proceedings in the misdemeanour cases provided for in §§ 201 to 261<sup>9</sup> of this Act.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

- (2) The rural municipality or city government is also a body authorised to conduct extra-judicial proceedings of the misdemeanours provided for in §§ 241 and 261 of this Act.

- (3) The extrajudicial proceedings of the misdemeanours provided for in §§ 261<sup>1</sup>–261<sup>5</sup> of this Act are conducted by:

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

- 1) the Road Administration in the event of a misdemeanour;
- 2) the rural municipality government or the city government in the event the misdemeanour was committed on a road of the local authority.

- (4) The Labour Inspectorate is also a body authorised to conduct extra-judicial proceedings of the misdemeanours provided for in §§ 213, 217–217<sup>2</sup> and 243–254 of this Act.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

- (4<sup>1</sup>) The Tax and Customs Board is the extra-judicial body that conducts proceedings in the misdemeanour cases provided for in §§ 2616–261<sup>9</sup> of this Act.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

- (5) The body conducting extra-judicial proceedings or the court will confiscate the thing that constitutes the direct means of committing a misdemeanour provided for in §§ 215 and 228 of this Act.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

## **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 combinations of vehicles 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 combinations of vehicles 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 combinations of vehicles 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 combinations of vehicles 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 combinations of vehicles 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 combinations of vehicles 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 motor 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 motor 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 combinations of vehicles 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 motor 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]

(16) The suspension of the register entry of a power-driven vehicle or its trailer also applies to a vehicle registered in the motor register if two years have passed from the validity of the compliance thereof with the roadworthiness requirements and, under a motor insurance contract concluded before 1 October 2014, no policy has been issued over the last two years.

[RT I, 11.04.2014, 1 – entry into force 01.10.2014]

(17) As of 1 April 2015, a power-driven vehicle driver and an applicant for the right to drive power-driven vehicles may submit to the Road Administration a medical certificate on paper, as specified in subsection 102 (4), only if, for objective reasons, it was not possible to draw up or issue a medical certificate electronically via the health information system.

[RT I, 08.10.2014, 2 – entry into force 18.10.2014]

(18) A person having the right to drive power-driven vehicles of category A can drive automobiles of category B1 until 1 January 2016.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(19) The requirements provided for in subsection 74 (11) of this Act do not apply to a person who has worked as a roadworthiness tester if a judgment of conviction entered into force before the entry into force of this Act.

[RT I, 28.02.2015, 1 – entry into force 01.05.2015]

(20) A mechanical tachograph specified in Annex I or a digital tachograph specified in Annex IB to Council Regulation (EEC) No 3821/85 on recording equipment used in road transport may be used in road transport, unless otherwise provided by Regulation (EU) No 165/2014 of the European Parliament and of the Council.

[RT I, 28.03.2017, 1 – entry into force 07.04.2017]

(21) A two-wheeled or three-wheeled motor vehicle that has been manufactured before 9 November 2009 and whose design speed does not exceed 50 kilometres per hour and the capacity of the internal combustion engine of which does not exceed 50 cubic centimetres or whose engine's continuous rated power does not exceed four kilowatts is deemed a moped for the purposes of this Act.

[RT I, 04.07.2017, 6 – entry into force 01.09.2017]

(22) The road toll obligation is applied as of 1 January 2018.

[RT I, 04.07.2017, 5 – entry into force 20.12.2017]

(23) An emergency vehicle driver specified in subsection 84<sup>1</sup>(2) of this Act whom, before the entry into force of this Act, an emergency vehicle driver training certificate has been issued for an unspecified period must complete refresher training before 1 January 2026.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(24) Subsection 84<sup>1</sup>(2) of this Act is applied as of 1 March 2020.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

(25) The notification obligation of an emergency vehicle driver training provider recognised by the Ministry of Economic Affairs and Communications on the basis of the Road Transport Act in force until 1 December 2017 is deemed as performed upon entry into force of this Act.

[RT I, 11.01.2018, 1 – entry into force 01.06.2018]

**§ 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]
- (12) The provisions of subsection 131 (2)<sup>1</sup> of this Act will enter into force on 1 January 2020.  
[RT I, 28.02.2015, 1 – entry into force 01.05.2015]
- (13) Subsection 133 (2) of this Act will enter into force on 1 January 2018.  
[RT I, 28.03.2017, 1 - jõust. 07.04.2017]

<sup>1</sup>Directive 2002/15/EC of the European Parliament and of the Council on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.03.2002, pp 35–39); Directive 2004/52/EC of the European Parliament and of the Council on the interoperability of electronic road toll systems in the Community (OJ L 166, 30.04.2004, pp 124–143) as amended by Regulation (EC) No 219/2009 (OJ L 87, 31.03.2009, pp 109–154); Directive 2004/54/EC of the European Parliament and of the Council on minimum safety requirements for tunnels in the Trans-European Road Network (OJ L 167, 30.04.2004, pp 39–91) as amended by Regulation (EC) No 596/2009 (OJ L 188, 18.07.2009, pp 14–92); Directive 2006/126/EC of the European Parliament and of the Council on driving licences (OJ L 403, 30.12.2006, pp 18–60) as amended by Directives 2009/113/EC (OJ L 223, 26.08.2009, pp 31–35), 2011/94/EU (OJ L 314, 29.11.2011, pp 31–34), 2012/36/EU (OJ L 321, 20.11.2012, pp 54–58), 2013/22/EU (OJ L 158, 10.06.2013, pp 356–361), 2013/47/EU (OJ L 261, 03.10.2013, pp 29–29), 2014/85/EU (OJ L 194, 02.07.2014, pp 10–13) and (EU) 2015/653 (OJ L 107, 25.04.2015, pp 68–73); 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 (ELT L 102, 11.04.2006, pp 35–44) as amended by Directives 2009/4/EC (OJ L 21, 24.01.2009, pp 39–40), 2009/5/EC (OJ L 29, 31.01.2009, pp 45–50) and Regulation (EU) No 2016/403 (OJ L 74, 19.03.2016, pp 8–27); Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L 263, 09.10.2007, pp 1–160) as amended by Directives 2010/19/EU (OJ L 72, 20.03.2010, pp 17–37) and 2013/15/EU (OJ L 158, 10.06.2013, pp 172–183) and Regulations (EC) No 1060/2008 (OJ L 292, 31.10.2008, pp 1–98), (EC) nr 78/2009 (OJ L 35, 04.02.2009, pp 1–31), (EC) nr 79/2009 (OJ L 35, 04.02.2009, pp 32–46), (EC) nr 385/2009 (OJ L 118, 13.05.2009, pp 13–65), (EC) nr 595/2009 (OJ L 188, 18.07.2009, pp 1–13), (EC) nr 661/2009 (OJ L 200, 31.07.2009, pp 1–24), (EU) nr 371/2010 (OJ L 110, 01.05.2010, pp 1–21), (EU) nr 183/2011 (OJ L 53, 26.02.2011, pp 4–32), (EU) nr 582/2011 (OJ L 167, 25.06.2011, pp 1–168), (EU) nr 678/2011 (OJ L 185, 15.07.2011, pp 30–56), (EU) nr 65/2012 (OJ L 28, 31.01.2012, pp 24–38), (EU) nr 1229/2012 (OJ L 353, 21.12.2012, pp 1–30), (EU) nr 1230/2012 (OJ L 353, 21.12.2012, pp 31–79), (EU) nr 143/2013 (OJ L 47, 20.02.2013, pp 51–55), (EU) nr 171/2013 (OJ L 55, 27.02.2013, pp 9–19), (EU) nr 195/2013 (OJ L 65, 08.03.2013, pp 1–12), (EU) nr 136/2014 (OJ L 43, 13.02.2014, pp 12–46), (EU) nr 133/2014 (OJ L 47, 18.02.2014, pp 1–57), (EU) nr 214/2014 (OJ L 69, 08.03.2014, pp 3–64), (EU) nr 540/2014 (OJ L 158, 27.05.2014, pp 131–195), (EU) nr 1171/2014 (OJ L 315, 01.11.2014, pp 3–12), (EU) 2015/45 (OJ L 9, 15.01.2015, pp 1–4) and (EU) 2015/166 (OJ L 28, 04.02.2015, pp 3–39); Commission Directive 2009/4/EC 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, 24.01.2009, 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); Directive 2015/413/EU of the European Parliament and of the Council facilitating cross-border exchange of information on road-safety-related traffic offences (OJ L 68, 13.03.2015, pp 9–25); Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.09.1996, pp 59–75) amended by Directives 2002/7/EC (OJ L 67, 09.03.2002, pp 47–49) and (EU) 2015/719 (OJ L 115, 06.05.2015, pp 1–10); Directive 2014/45/EU of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.04.2014, pp 51–128); Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles as amended by Directives 2003/127/EC (OJ L 10, 16.01.2004, pp 29–53), 2006/103/EC (OJ L 363, 20.12.2006, pp 344–351), 2013/22/EU (OJ L 158, 10.06.2013, pp 356–361) and 2014/46/EU (OJ L 127, 29.04.2014, pp 129–133); Directive 2014/47/EU of the European Parliament and of the Council on the technical

roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (OJ L 127, 29.04.2014, pp 134–218); [RT I, 04.07.2017, 6 – entry into force 01.09.2017] Directive 1999/62/EC of the European Parliament and of the Council on the charging of heavy goods vehicles for the use of certain infrastructures (OJ L 187, 20.07.1999, pp 42–50), amended by Directives 2006/38/EC (OJ L 157, 09.06.2006, pp 344–351), 2011/76/EU (OJ L 269, 14.10.2011, pp 1–16) and 2013/22/EU (OJ L 158, 10.06.2013, pp 356–361). [RT I, 04.07.2017, 5 – entry into force 20.12.2017]