



On Automobile Transport

Unofficial translation

The Law of the Republic of Kazakhstan dated 4 July, 2003 No. 476.

Unofficial translation

This Law regulates relations arising between carriers, passengers, freighters, recipients of freight, other individuals and legal entities in the scope of automobile transport.

Chapter 1. General provisions

Article 1. Basic definitions used in this Law

Following basic definitions are used in this Law:

1) system of emergency call in case of accidents and disasters (hereinafter system of emergency call) – the state automated informational system functioning with use of signals and details of navigational satellite systems providing provision of formalized information on traffic accidents and other emergency conditions on automobile roads of the Republic of Kazakhstan in emergency response services;

1-1) autobus – automobile motor vehicle destined for transfer of passengers and luggage having more than eight seats excluding seat for a driver;

2) bus station – complex of constructions destined for serving of passengers and drivers of autobuses, passenger traffic of which consists more than five hundred persons per day and including: fundamental building with waiting room with a capacity of more than seventy five persons and booking-offices, points of medical certification of drivers and rendering of primary medical care, luggage rooms, entrucking and deboarding platform, parking for autobuses, traffic control station and room for mothers with children located on territory of no less than five thousand square meters;

2-1) services of bus stations, auto stations and points of passengers serving – activity carried out by individuals and (or) legal entities on bus stations, auto stations and in points of passengers serving linked with provision of automobile transfer of passengers and luggage;

3) technical operation of motor vehicles – complex of measures, technical effects (diagnosing, technical serving, repair) directed to organization and provision of safety operation of motor vehicles;

4) automobile transport – branch of economy, main scope of activity of which is organization and carrying out transfer of passengers, luggage, freight and mail with use of motor vehicles and infrastructure;

5) infrastructure of automobile transport – complex of constructions (bus stations, auto stations, points of passengers serving, freight terminals, stations (workshops) of technical serving and repair of motor vehicles, constructions for storage of motor vehicles), providing continuity of transfer process as well as safety operation of motor vehicles;

6) automobile transport vehicle (hereinafter - motor vehicle) – unit of stock of automobile transport including autobuses, minibuses, light motor vehicles and freight vehicles, trolley buses, auto trailers, semitrailers for tractive units as well as specialized automobiles (destined for transfer of particular types of freight) and special automobiles (destined for performance of different non-vehicle works predominantly);

7) automobile transfers – transfers of passengers, luggage, freight or mail carried out by motor vehicles on automobile roads;

8) an automobile carrier (hereinafter referred to as the carrier) - an individual or legal entity owning vehicles, with the exception of cars, on the basis of ownership right or on other legal grounds, carrying out entrepreneurial activities in transportation of passengers, baggage, cargo and mail;

9) auto station – complex of constructions for serving of passengers and drivers of autobuses, passenger traffic of which is less than five hundred persons per day and including: fundamental building with waiting room with a capacity of less than seventy five persons and booking-offices, luggage rooms, entrucking and deboarding platform, parking for autobuses, traffic control station located on territory of no less than two and half thousand square meters;

9-1) taxi dispatch service - a service created by a carrier or another person who is an individual entrepreneur or legal entity of the Republic of Kazakhstan to process customer orders and their submission to a taxi carrier for fulfilment, including using a hardware-software complex and (or) a mobile taxi booking application;

9-2) special automated measuring tool – certificated special monitoring and measuring technical equipment that passed metrological check, carrying out photo and video recording, working in automated mode, fixing a type, brand, vehicle registration plate, weight and (or) overall characteristic and movement speed of motor vehicles;

9-3) socially important transfers – transfers of passengers in regular link having an impact on social and economic position of society and organized for the purpose of provision of accessible pay scale level and possibility of free movement of population on territory of the Republic of Kazakhstan;

10) luggage – property of a passenger packed and transferred in a luggage space of auto bus, minibus or in luggage automobile, accompanying the autobus, minibus within regulations established by the Rules of transfer of passengers and luggage by automobile transport, as well as in taxi on base of additional agreement with a carrier;

10-1) indivisible cargo - bulky and (or) heavy cargo, which during transportation cannot be divided into two or more parts without changing its purpose, excessive costs or risk of damage to it;

- 11) lightmotor car – a motor vehicle destined for automobile transfer of passengers and luggage and having no more than eight places for seating excluding the place of a driver;
- 12) a passenger – an individual using services of a carrier on base of concluded contract of automobile transfer or other legal base;
- 12-1) passenger agency – a person rendering services on sale of travel documents (tickets) through his (her) points of sale on base of the contract with a carrier providing performance of requirements submitted for execution of travel documents (tickets);
- 12-2) point of passenger serving – object destined for passengers serving in inhabited localities not having bus stations or auto stations, equipped for selling the travel documents (tickets) and baggage-checks, platform for safety stop of motor vehicles, entrucking, deboarding of passengers and construction for protection of passengers from different meteorological conditions;
- 13) non-regular automobile transfers of passengers and luggage – transfers which are not related to regular carried out with use of autobuses, minibuses by carriers having licenses, issued in established manner;
- 14) regular automobile transfers of passengers and luggage – transfers carried out by carriers with use of autobuses, minibuses, trolley buses on pre-agreed itineraries of travel, timetable of movement with established initial and destination points, points of boarding and deboarding of passengers;
- 15) trip ticket – document destined for keeping record and control of a driver and motor vehicle;
- 15-1) travel document (ticket) – document in paper or electronic form, the filling out of which shall conclude the contract of transfer of passengers;
- 16) recipient of freight – individual or legal entity authorized for receipt of freight on base of the contract of automobile transfer of freight or on other legal bases;
- 17) a freighter – individual or legal entity on behalf of which the shipment of freight is documented;
- 18) freights – property accepted for transfer in accordance with requirements established by the Rules of transfer of freights by automobile transport;
- 18-1) office of transport control – stationary or moveable traffic control point equipped by technical control facilities, equipped by fundamental building or special purpose vehicle;
- 18-2) public transport – transport for public service, carrying out regular and irregular automobile transfers of passengers and baggage, as well as a taxi;
- 19) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);
- 20) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);
- 21) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

22) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

23) hand-luggage - personal property of a passenger transferred by him (her) in passenger compartment of auto bus, microbus or taxi, weight and overall characteristics of which shall conform to requirements established by the Rules of transfer of passengers and luggage by automobile transport;

23-1) is excluded by the Law of the Republic of Kazakhstan dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of three months after the day of its first official publication);

23-2) service center (workshop) – individual or legal entity carrying out activity on installation and serving of tachographs;

23-3) a certification centre - a legal entity that digitally certifies the electronic cards for electronic (digital) tachographs in accordance with the provisions of the European Agreement relating to the work of crews of vehicles engaged in international road transportations, (EATD) 1970;

23-4) satellite navigation equipment - a hardware-software device installed on a vehicle to determine its current location, direction and speed of movement by signals from global navigation satellite systems, exchange data with additional vehicle-borne equipment, as well as to exchange information on mobile radiotelephone networks communication;

24) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

25) taxi–light motor car destined for automobile transfer of passengers and luggage, equipped in accordance with the Rules of transfer of passengers and luggage by automobile transport;

25-1) mobile taxi booking application - a software product used on a subscriber’s cellular communication device and providing access to booking a taxi and renting a vehicle with a crew through cellular services or the Internet;

25-2) taxi carrier - an individual entrepreneur or legal entity providing services for transportation of passengers and taxi baggage;

25-3) taximeter - a device designed to calculate the cost (price) of transporting passengers and taxi baggage;

25-4) a tachograph - a mechanical or electronic (digital) control device for recording the working hours and rest of drivers;

26) is excluded by the Law of the Republic of Kazakhstan dated 17.07.2009 No. 188-IV (order of enforcement see Article 2);

27) authorized body – central executive body carrying out administrative authority in the scope of automobile transport as well as inter-industry coordination within limits provided by the legislation of the Republic of Kazakhstan;

28) international automobile transfers – transfers carried out by carriers between points located on territory of different countries;

29) microbus – auto bus of extra small class having no more than sixteen seating places excluding place of a driver provided by producer factory;

30) emergency response services – services rendering emergency assistance upon traffic accidents and other emergency situations on automobile roads of the Republic of Kazakhstan;

31) arrangement of calling emergency response services – arrangement carrying out and ensuring determination of coordinates, speed and direction of movement of transport vehicles with the aid of signals no less than two current global navigation satellite systems, transfer of the report on transport vehicle upon traffic accident and other emergency situation, as well as bidirectional voice communication with emergency response services through the networks of mobile radiotelephony communication.

Footnote. Article 1 is in wording of the Law of the Republic of Kazakhstan dated 29.12.2006 No. 209 (order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 17.07.2009 No. 188-IV (order of enforcement see Article 2); dated 06.01.2010 No. 238-IV (order of enforcement see Article 2); dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.04.2014 No. 195-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 09.04.2016 No. 499-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.05.2017 No.59-VI (dated); dated 19.04.2019 No. 249-VI (the order of enforcement see Article 3).

Article 2. The legislation of the Republic of Kazakhstan on automobile transport

The legislation of the Republic of Kazakhstan on automobile transport is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

If international treaty, ratified by the Republic of Kazakhstan establishes other rules, than those contained in this Law, the rules of international treaty shall be applied.

Article 3. Scope of application of this Law

Application of this Law shall be applied to all individuals and legal entities carrying out the activity in the scope of automobile transport in accordance with the legislation of the Republic of Kazakhstan.

Specifications of transferring passengers and luggage by automobile transfer in the capital may be established by legislative act on status of the capital of the Republic of Kazakhstan.

Footnote. Article 3 as amended with the Law of the Republic of Kazakhstan dated 21 July , 2007 No. 297 (shall be enforced from date of its official publication).

Article 4. Basic principles of carrying out the activity in the scope of automobile transport

Works and services in the scope of automobile transport shall be carried out on base of following principles;

1) priority of safety, protection of life and health of people, protection of nature and cultural values;

2) equality of rights of individuals and legal entities upon carrying out of works and services in the scope of automobile transport;

3) provision of freedom of choice to a customer of services in the scope of automobile transport;

4) provision of freedom of prices for works and services in the scope of automobile transport in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 4 as amended with the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 5. Provision of mobilization readiness and involvement of automobile transport to liquidation of emergency situations

Relations linked with provision of mobilization readiness of automobile transport, measures on civil defense and accident and rescue works, liquidation of emergency situations of social nature shall be regulated by special legislative acts of the Republic of Kazakhstan.

The state bodies have a right to involve carriers to performance of works linked with liquidation of emergency situations with following compensation of expenses in manner established by the legislation of the Republic of Kazakhstan within the powers provided to them, upon occurrence of emergency situations of social, natural and technogenic nature as well as imposition of emergency state.

Footnote. Article 5 is in wording of the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication)

Article 5-1. Obligation of provision of automobile transport for law-enforcement and special state bodies

Individuals and legal entities shall perform legal requirements of civil servants of the law-enforcement and special state bodies on use of automobile transport (except

representatives of foreign states and international organizations having diplomatic immunity) for pass ways to scene of accidents, emergency situations and transportation in treatment facilities of citizens being in need of emergency medical treatment.

Local executive bodies of provision of the relevant authorized body shall organize transfer of forces and facilities involved in prevention and liquidation of emergency situation.

Expenses for use of transport in cases provided by this Article as well as inflicted damage on account of the state budget shall be paid to owners of automobile transports in manner established by the civil legislation of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 5-1 in accordance with the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication)

Article 6. Ecological, sanitary-epidemiological and fire safety on automobile transport

Ecological, sanitary-epidemiological and fire safety on automobile transport shall be regulated by regulatory legal acts of the Republic of Kazakhstan.

Article 7. Requirements submitted to carriers and motor vehicles in a part of safety ensuring of transfer

1. Carriers shall be accepted to transfers of passengers, luggage and freights having:
 - 1) documents confirming their qualification and professional aptitude in accordance with the legislation of the Republic of Kazakhstan on automobile transport;
 - 2) motor vehicles suitable for carrying out of the relevant type of transfers and satisfying requirements of technical regulations.
2. Drivers who have reached the age of twenty-one, having the right to drive vehicles of the subcategory “D1” and have worked as a driver for at least three years, including at least one year of driving experience in vehicles belonging to category “C”, are allowed to transport passengers by minibus.
 - 2-1. Drivers who have reached the age of twenty-five and have a driver experience of at least five years, including at least three years of driving experience in vehicles of the D1 subcategory are allowed to transport passengers by buses with more than sixteen seats, in addition to the driver’s seat, and trolleybuses.
3. Transfer of freight, as well as luggage out of luggage space in auto buses shall be prohibited.
4. Use of motor cars of serial production having no less than four doors shall be accepted for carrying out of transfers of taxi.

Use for transfer of taxi of motor vehicles with special control as well as with full manual control, right-handed steering control as well with quantity of side-doors less than four shall be prohibited.

Footnote. Article 7 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2006 No. 206 (order of enforcement see Article 2); dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 8. Types of automobile transfers

1. Automobile transfers shall be divided into the transfers of:

- 1) passengers and luggage;
- 2) freights;
- 3) mail.

2. By the types of report, the transfers of passengers and luggage shall be divided into:

- 1) international – transfers between the Republic of Kazakhstan and foreign states or as a transit through territory of the Republic of Kazakhstan;
- 2) interrepublican – transfers between inhabited localities located on territory of the Republic of Kazakhstan.

3. is excluded by the Law of the Republic of Kazakhstan dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

4. According to the administrative-territorial principle, the intra-republican transportation of passengers and baggage is divided into:

- 1) urban (rural) - transportation within the established boundaries of the settlement;
- 2) suburban - transportation along routes connecting a settlement with a suburban zone of up to fifty kilometres, measured from the established borders of the settlement;
- 3) intra-district - transportation between settlements within the same region;
- 4) inter-district (intercity intraregional) - transportation within the same region, carried out between settlements located in different areas, or connecting settlements with cities of regional significance;
- 5) intercity interregional - transportation carried out between settlements located in different regions, or connecting settlements with cities of republican significance, the capital.

5. By the nature of the organization, automobile transportation of passengers and baggage is divided into regular, irregular and taxi transportations.

Footnote. Article 8 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first

official publication); dated 09.04.2016 No. 499-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 9. Requirements on equipment of motor vehicles by tachographs

1. Auto buses, freight as well as specialized vehicles, automobiles shall be subject to equipping by tachographs, used upon carrying out of:

- 1) automobile transfers of dangerous freights;
- 2) international automobile transfers of passengers, luggage and freights;
- 3) interurbaninterregionalregular automobile transfers of passengers and luggage;
- 4) interurbaninterregional, interdistrict (interurbaninterregional) non-regular automobile transfers of passengers and luggage

2. Service centers (workshops) shall carry out installation and serving of tachographs.

3. Use of tachographs as well as electronic (digital), and electronic cards for electronic (digital) tachographs shall be carried out in accordance with rules of organization of labour and rest of drivers as well as appliance of tachographs by which shall be established:

- 1) requirements to schedule of labour and rest of drivers and its registration;
- 2) requirements on installation and operation of tachographs;
- 3) requirements to service centers (workshops) carrying out installation and serving of tachographs;
- 4) order of keeping of register of individuals and legal entities applied a notification on beginning of carrying out the activity on installation and serving of tachographs;
- 5) order of certifying, production and issue of electronic cards for electronic (digital) tachographs;
- 6) order of functioning of the national data base on electronic (digital) tachographs.

4. Operation of auto buses, freight as well as specialized vehicles, automobiles used upon carrying out of the transfers stated in paragraph 1 of this Article shall not be allowed:

- 1) without control devices of registration of schedule of labour and rest of drivers (tachographs);
- 2) with switched off intact tachograph;
- 3) with unfilled diagram sheets;
- 4) with applying of earlier used diagram sheets;
- 5) without use of electronic cards in case of appliance of electronic (digital) tachographs;
- 6) without keeping of daily registry papers of schedule of labour and rest of drivers (in case of disrepair of control device).

5. Individuals or legal entities shall provide notification of established form to the local executive bodies before beginning of carrying out the activity on installation and serving of

tachographs in manner established by the Law of the Republic of Kazakhstan “On permissions and notifications”.

6. Individuals or legal entities shall provide notification of established form to the local executive bodies before beginning of carrying out the activity on production and issue of electronic card for electronic (digital) tachographs in manner established by the Law of the Republic of Kazakhstan “On permissions and notifications”.

Footnote. Article 9 is in wording of the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No.132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication).

Chapter 2. State regulation in the scope of automobile transport

Article 10. Basic objectives of the state regulation in the scope of automobile transport

Basic objectives of the state regulation in the scope of automobile transport are:

- 1) creation of conditions for provision of needs of economy and population in automobile transfers and other works and services;
- 2) protection of legal rights and interests, as well as nation interests of the state;
- 3) creation of conditions for competitive ability of native carriers at market of international automobile transfers;
- 4) protection of internal market of automobile transfers;
- 5) further development of infrastructure of automobile transport.

Article 11. State regulation and control in the scope of automobile transport

1. State regulation in the field of automobile transport shall be carried out by means of legal support, licensing, technical regulation, standardization, control over compliance with the legislation of the Republic of Kazakhstan on automobile transport.

2. State control for observance of the legislation of the Republic of Kazakhstan on automobile transport shall be carried out by the authorized body and the other state bodies within their competence established by the legislation of the Republic of Kazakhstan.

3. Control for the driveway of motor vehicles on territory of the Republic of Kazakhstan shall be carried out in check points of motor vehicles through the State border of the Republic of Kazakhstan coinciding with customs border of the Eurasian Economic Union, as well as in other places of movement of goods through the customs border of the Eurasian Economic

Union and on posts of transport control on territory of the Republic of Kazakhstan, automobile roads of public service, automobile roads within borders of cities or other inhabited localities.

Creation of check points of motor vehicles through the State border of the Republic of Kazakhstan coinciding with customs border of the Eurasian Economic Union, as well as in other places of movement of goods through the customs border of the Eurasian Economic Union and posts of transport control without equipping by technical facilities of control shall not be allowed. List of automobile check points through the State border of the Republic of Kazakhstan coinciding with customs border of the Eurasian Economic Union, as well as in other places of movement of goods through the customs border of the Eurasian Economic Union and stationary posts of the transport control on territory of the Republic of Kazakhstan shall be approved by the Government of the Republic of Kazakhstan.

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Article 11 is provided to be supplemented with paragraphs 4, 5 and 6 in accordance with the Law of the Republic of Kazakhstan dated 04.19.2019 No. 249-VI (shall be enforced from 01.01.2022).

Footnote. Article 11 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2006 No. 209 (order of enforcement see Article 2); dated 06.01.2010 No. 238-IV (order of enforcement see Article 2); dated 30.06.2010 No. 297-IV (shall be enforced from 01.07.2011); dated 26.12.2017 No. 124-VI (shall be enforced from 01.01.2018); dated 05.10.2018 No. 184-IV (shall be enforced upon expiry of six months after its first official publication).

Article 12. Competence of the Government of the Republic of Kazakhstan

Footnote. Article 12 is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 13. Competence of the authorized body

Authorized body shall:

- 1) realize the state policy in the scope of automobile transport;
 - 1-1) carry out coordination and methodical administration of local executive bodies in the scope of automobile transport;
 - 2) participate in carrying out of international cooperation in the scope of automobile transport and represent interests of the Republic of Kazakhstan in the international organization and foreign states;

3) is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after its first official publication);

4) approve itineraries and timetable of movement on regular intercity interregional automobile transfers of passengers and luggage in coordination with the local executive bodies of relevant oblasts, cities of republican significance, the capital;

5) organize regular international automobile transfers of passengers and luggage, coordinate timetable of movement on itineraries of mentioned transfers;

6) keep register of itineraries of regular international and intercity interregional automobile transfers of passengers and luggage;

7) is excluded by the Law of the Republic of Kazakhstan dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication).

8) organize and carry out control for observance of requirements of regulatory legal acts of the Republic of Kazakhstan determining order of functioning of automobile transport with exception of cases established by Article 19-4 of this Law;

9) provide coordination of the state with public association and associations of legal entities in form of associations (unions) in the scope of automobile transport;

10) approve Rules of acceptance of automobile carriers for carrying out international automobile transfers of freight;

11) approve Rules of appliance of international certificate of weighing of freight motor vehicles on territory of the Republic of Kazakhstan;

12) develop technical regulations in the scope of automobile transport;

13) approve order of organization of work of the posts of transport control;

13-1) approve Rules of use of special automated measuring facilities;

14) carry out issuance of the international certificate of weighting of freight motor vehicles;

15) approve Rules of organization of courses of special training of drivers of the motor vehicles carrying out transfers of dangerous freights;

16) is excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015);

17) approve a method of tariff calculation on rendering of services on transfer of passengers and luggage on the regular itineraries;

17-1) perform work on development of national standards of rendering of services of carriers, services of bus stations, auto stations and points of passengers serving;

17-2) consider drafts of documents on standardization within the competence, as well as make proposals for the development, introduction of amendments, revision and abolition of national, interstate standards, national classifiers of technical and economic information and recommendations for standardization to the authorized body in the field of standardization;

18) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

19) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (

shall be enforced upon expiry of ten calendar days after its first official publication);

20) is excluded by the Law of the Republic of Kazakhstan dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication);

21) keep register of individuals and legal entities that applied notification of beginning of carrying out the activity on production and issue of electronic cards for electronic (digital) tachographs;

22) keep national data base on electronic (digital) tachographs;

23) approve Rules of rendering of services on transfers of disabled persons by automobile transport;

23-1) develop state policy in the scope of automobile transport;

23-2) carry out international cooperation in the scope of automobile transport;

23-3) approve natural rules for ensuring civil servants of the authorized body carrying out state control in the scope of automobile transport, official uniform (without shoulder straps) in coordination with central authorized body on budget planning;

23-4) approve standard type contract of organizing regular automobile transfer of passengers and luggage;

23-5) approve valid parameters of motor vehicles designed for movement on automobile roads of the Republic of Kazakhstan;

23-6) approve the rules of organizing the labour and rest of drivers, as well as applying tachographs;

23-7) approve the rules of transfer of dangerous freights by automobile transport;

23-8) approve the rules of transfer of passengers and luggage by automobile transport;

23-9) approve the rules of transfer of freights by automobile transport;

23-10) approve the rules of technical operation of motor vehicles;

23-11) approve the rules of applying authorization system of automobile transfers in the Republic of Kazakhstan in international communication;

23-12) approve the list of dangerous freights allowed for transfer by motor vehicles in the territory of the Republic of Kazakhstan;

23-13) approve technical regulations in the scope of automobile transport;

23-14) approve the procedure for organization and carrying out of transfer of large-dimensioned and heavy-weight freights in the territory of the Republic of Kazakhstan;

23-15) determine the procedure for involvement of carriers to liquidation of emergency situations;

23-16) approve the rules of subsidization at the expense of budget funds of losses of carriers linked with carrying out of social important transfers of passengers;

23-17) is excluded by the Law of the Republic of Kazakhstan dated 05.05.2017 No. 59-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

23-18) approve qualification requirements submitted to licensed types (subtypes) of activity in the scope of automobile transport;

24) carry out other powers provided by this Law, other Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 13 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015); dated 05.05.2017 No. 59-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.10.2018 No. 184-IV (shall be enforced upon expiry of six months after its first official publication).

Article 14. Competence of local representative and executive bodies of oblasts, cities of republican significance, the capital, districts, cities of oblast significance

1. Local representative bodies of oblasts, cities of republican significance shall:

1) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

2) approve complex scheme of development of passenger transport and projects of organization of road traffic within their competence;

3) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

4) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

5) determine the list of social important links;

6) carry out other powers on provision of rights and legal interests of citizens in accordance with the legislation of the Republic of Kazakhstan.

2. Local executive bodies of oblasts, cities of republican significance shall:

1) organize regular interurbaninterregional, interdistrict (interurbanintraoblast), and in cities of republican significance, the capital – city and suburban transfers of passengers and luggage, hold competitionsfor the right of their serving;

1-1) realize state policy in the scope of automobile transport;

2) approve itinerary and schedules of traffic of regular interdistrict (interurbanintraoblast), and in cities of republican significance, the capital – city and suburban transfers of passengers and luggage;

3) coordinate itinerary and schedules of traffic on regular interurban interregional automobile transfers of passengers and luggage;

4) organize transfers of passengers and luggage on taxi in cities of republican significance ;

5) carry out reception of notification on the commencement or termination of the activity of bus stations, auto stations and points of passenger service;

6) keep register of itinerary of regular interdistrict (interurban intraoblast),and in cities of republican significance, the capital – city and suburban automobile transfers of passengers and luggage;

6-1) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

6-2) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

7) is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication);

8) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

9) develop complex scheme of development of passenger transport and projects of organization of road traffic;

10) carry out subsidization of losses carriers upon carrying out of social important transfers of passengers on interdistrict (interurbanintraoblast),and in cities of republican significance, the capital – urban and suburban links;

10-1) carrying out of licensing in accordance with the legislation of the Republic of Kazakhstan on licensing;

10-2) keep register of individuals and legal entities that filed notification on beginning of carrying out the activity on special training of drivers of motor vehicles carrying out transfers of dangerous freights in international and interrepublicanlinks;

11) carry out other powers imposed on the local executive bodies by the legislation of the Republic of Kazakhstan in interests of the local state administrations.

3. Local executive bodies of districts, cities of oblast significance shall:

1) organize regular urban (rural), suburban and intradistrict transfers of passengers and luggage, approve their itineraries, organize and hold competitions for the right of their serving and approve traffic timetable on itineraries;

- 2) keep register of itineraries of regular urban (rural), suburban and intradistrict automobile transfers of passengers and luggage;
- 3) organize transfer of passengers and luggage on taxi;
 - 3-1) develop and approve a scheme and procedure for transfer of children residing in remote inhabited localities to general education schools;
- 4) organize transfer of children residing in long distance inhabited localities to general educational schools;
- 5) carry out subsidization of losses carriers upon carrying out of social important transfers of passengers urban (rural), suburban and intradistrict links;
 - 5-1) keep register of individuals and legal entities that filed notification on beginning of carrying out the activity on installation and service of tachographs;
 - 5-2) keep register of individual entrepreneurs and legal entities that submitted notification on beginning of carrying out the activity as a carrier of taxi;
- 6) carry out other powers imposed on the local executive bodies by the legislation of the Republic of Kazakhstan in interest of local state administration.

Footnote. Article 14 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 29.03.2016 No. 479-V (shall be enforced upon expiry of twenty one calendar days after its first official publication).

Article 15. Rights and obligations of civil servants of the authorized body upon carrying out of the state control in the scope of automobile transport

1. Civil servants of the authorized body have a right to:
 - 1) stop motor vehicles on posts of transport control on territory of the Republic of Kazakhstan in cases and manner provided by the legislation of the Republic of Kazakhstan;
 - 2) carry out inspections and draw up acts on the breaches of the legislation of the Republic of Kazakhstan on automobile transport, give subscriptions compulsory for performance on elimination of the breach;
 - 3) execute protocols on administrative infractions, carry out producing on cases on administrative infractions in accordance with the legislation of the Republic of Kazakhstan on administrative infractions;

4) request documents from individuals and legal entities mentioned in Article 19-6 of this Law required for check performance;

5) to use technical devices to record the facts of committing administrative offences and actions of officials of the authorized body in the manner determined by the authorized body.

2. Civil servants of the authorized body shall be obliged to:

1) investigate addresses of individuals and legal entities on questions of activity of automobile transport and apply the relevant measures of them;

2) carry out control for observance of the legislation of the Republic of Kazakhstan on automobile transport.

3. Officials of the authorized body in the implementation of state control in the field of automobile transport must wear the uniform (without shoulder straps), have license plates, as well as service certificates or identification cards.

List of civil servants of the authorized body carrying out the state control in the scope of automobile transport having the right for wearing of official uniform (without shoulder straps), specimens of official uniform (without shoulder straps), numbered lapel badges, service certificate shall be approved by the authorized body.

Footnote. Article 15 as amended by the Laws of the Republic of Kazakhstan dated 06.01.2010 No. 238-IV (order of enforcement see Article 2); dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 06.01.2011 No. 379-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 16. Licensing in the scope of automobile transport

Separate types of entrepreneurial activity in the scope of automobile transport shall be carried out on the basis of a license issued in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications.

Irregular transportations of passengers by buses, minibuses, as well as regular transportation of passengers by buses, minibuses in international transportation are carried out by buses, minibuses, indicated in the appendix to the license issued by the licensor.

In case of a change in the unit of rolling stock of buses, minibuses, which transport passengers, referred to in paragraph 2 of this article, the appendix to the license shall be reissued.

The renewal of the license and (or) the appendix to the license is carried out in accordance with paragraphs 3 - 8 of Article 33 of the Law of the Republic of Kazakhstan "On permits and notifications".

Footnote. Article 16 is in the wording dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 17. Confirmation of accordance

1. Confirmation of conformance of motor vehicles, equipment of motor transport assignment, processes of their service life in the scope of automobile transport shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

2. Document in the scope of confirmation of conformance issued by foreign state shall be admitted in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 17 is in wording of the Law of the Republic of Kazakhstan dated 29 December, 2006 No. 209 (order of enforcement see Article 2).

Article 17-1. Certification of electronic cards for electronic (digital) tachographs

Certification of electronic cards for electronic (digital) tachographs is carried out by a certification centre using a digital certificate of the main certification centre of the European Commission in accordance with the international treaty of the Republic of Kazakhstan.

Footnote. Article 2 is supplemented with Article 17-1 in accordance with the Law of the Republic of Kazakhstan dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 18. Compulsory insurance in the scope of automobile transport

1. Operation of motor vehicles on territory of the Republic of Kazakhstan shall be accepted only upon condition of compulsory insurance of civil responsibility of their owners.

2. Civil responsibility of a carrier before passengers for harm inflicted to life, health and property upon commitment of travels on motor vehicles used for carrying out of transfers of passengers and luggage shall be subject to compulsory insurance.

3. Amount of rates of insurance and insurance premiums on compulsory insurance of the civil responsibility of owners of motor vehicles and compulsory insurance of the civil responsibility of carriers before passengers as well as maintenance of these types (classes) of insurance and additional requirements on conditions of their performance shall be established by the legislative acts of the Republic of Kazakhstan on these types (classes) of insurance.

Article 19. Tariffs

1. Free (pactional) tariffs shall be established for the transfer of passengers, luggage and freights except for cases provided by this Law and other legislative acts of the Republic of Kazakhstan.

2. Tariff on regular automobile transfers of passengers and luggage in urban (rural) links shall be established by local executive body being unified for all itineraries.

2-1. According to the decision of the local executive body, the tariff is differentiated depending on the type of route, type of ticket, payment method, as well as the distance of transportation or the number of travelled stopping points.

3. Cost of transfer of passengers and luggage in suburban link shall be established by an organizer of transfers depending from transfer distance in accordance with tariff approved by the local executive body.

4. Tariffs on regular socially important transfers of passengers shall be established by the local executive body.

5. Tariffs established in accordance with paragraphs 2-4 of this Article shall be subject to coordination with the local representative body.

6. Local executive body shall subsidize losses of carriers in accordance with the legislation of the Republic of Kazakhstan if established tariffs in accordance with paragraphs 2-4 of this Article don't provide profitability of transfers of passengers.

Footnote. Article 19 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.05.2017 No. 59-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 2-1. Carrying out of the state control in the scope of automobile transport

Footnote. The Law is supplemented by chapter 2-1 by the Law of the Republic of Kazakhstan dated 31.01.2006 No. 125; as amended by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 19-1. Subject and purpose of performance of the state control in the scope of automobile transport

1. State control in the scope of automobile transport (hereinafter – transport control) shall be performed for observance of requirements of the regulatory legal acts determining procedure for functioning of automobile transport by individuals and legal entities.

2. Purpose of performance of transport control is provision of observance of requirements of the legislation of the Republic of Kazakhstan on automobile transport.

3. The authorized body shall cooperate with central and local executive bodies, apply cooperative measures of control, provide mutual information interchange.

Footnote. Article 19-1 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No.369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 19-2. Types of the state control in the scope of automobile transport

1. Transport control shall be divided into following types:

1) control for driveway of motor vehicles on territory of the Republic of Kazakhstan;
2) control for the purpose of observance of requirements of the regulatory legal acts in the field of automobile transport, international treaties ratified by the Republic of Kazakhstan determining procedure for functioning of automobile transport.

2. Performance of inspection shall not suspend activity of carriers and transport enterprise with exception of cases established by the Laws of the Republic of Kazakhstan.

3. State control in the field of automobile transport shall be carried out in the form of inspection and preventive control with visiting the subject (object) of control in accordance with the Entrepreneurial code of the Republic of Kazakhstan.

4. Preventive control without visiting the subject (object) of control shall be carried out in accordance with the Entrepreneurial code of the Republic of Kazakhstan and this Law.

Footnote. Article 19-2 is in wording of the Law of the Republic of Kazakhstan dated 17.07.2009 No. 188-IV (order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 29.10.2015 No. 376-V (shall be enforced from 01.01.2016); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 19-3. Terms and periodicity of performance of transport control

Footnote. Article 19-3 is excluded by the Law of the Republic of Kazakhstan dated 17.07.2009 No. 188-IV (order of enforcement see Article 2).

Article 19-4. Transport control of driveway of motor vehicles on territory of the Republic of Kazakhstan

1. Transport control of driveway of motor vehicles on territory of the Republic of Kazakhstan shall be carried out in check points of motor vehicles through the State border of the Republic of Kazakhstan coinciding with custom border of the Eurasian Economic Union, as well as in other places of movement of goods through the customs border of the Eurasian Economic Union and on posts of transport control on territory of the Republic of Kazakhstan, as well as upon driveway of motor vehicles through special automated measuring facilities.

2. Transport control of driveway of motor vehicles in check points of motor vehicles through the State border of the Republic of Kazakhstan coinciding with custom border of the Eurasian Economic Union, as well as in other places of movement of goods through the customs border of the Eurasian Economic Union shall be carried out by bodies of government revenues of the Republic of Kazakhstan.

3. Check points of motor vehicles through the State border of the Republic of Kazakhstan coinciding with custom border of the Eurasian Economic Union, as well as in other places of movement of goods through the customs border of the Eurasian Economic Union and stationary posts of transport control shall be equipped by fundamental buildings and constructions, equipped by technical facilities of control, communication, modern telecommunication and computer equipment for collecting, disposal and funding of details. Automobile check points through the State border of the Republic of Kazakhstan coinciding with custom border of the Eurasian Economic Union shall be equipped by barriers if it is necessary.

Footnote. Article 19-4 is in wording of the Law of the Republic of Kazakhstan dated 26.12.2017 No. 124-VI (shall be enforced from 01.01.2018).

Article 19-5. Forms of performance of transport control for driveway of motor vehicles on territory of the Republic of Kazakhstan

1. Transport control for performance of requirements of authorization system upon carrying out of international automobile transfers in the Republic of Kazakhstan on posts shall be performed by check of:

1) existence of approval documents for the driveway of motor vehicles on territory of the Republic of Kazakhstan;

2) existence of special permissions for the driveway on automobile roads of the Republic of Kazakhstan of large-dimensioned and (or) heavy-weight motor vehicles;

3) conformance of itinerary of travel established for international link;

4) *is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);*

5) is excluded by the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012);

6) existence of special permission for the transfer of dangerous freight of classes 1, 6 and 7

2. Transport control for observance by carriers of schedule of labour and rest of drivers of motor vehicles on posts shall be performed by checking existence of tachograph and its use, as well as keeping registry papers of control of schedule of labour and rest of drivers.

3. Transport control for driveway of large-dimensioned and heavy-weight motor vehicles by checking factual weight and overall characteristics of motor vehicles and determining size of their excess over limit characteristics established on territory of the Republic of Kazakhstan shall be performed with use of:

1) measuring tool and overall frames;

2) weight measuring equipment of stationary type or portable mobile weighing instrument;

3) special automated measuring facilities.

Footnote. Article 19-5 as amended by the Laws of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 19-6. Basic documents being subject to inspection

1. Upon performance of inspections of subjects of entrepreneurship on automobile transport, civil servants of the authorized body shall familiarize with statute and documents:

1) confirming professional qualification of specialists and drivers;

2) required for carrying out the regular automobile transfers of passengers and luggage on established itineraries (certificates, traffic timetable, schemes of itineraries, contracts with bus stations, auto stations and points of passenger serving, passports, contracts);

3) for transfer of dangerous freights (with special permission for the transfer of dangerous freight of classes 1, 6 and 7 on territory of the Republic of Kazakhstan, issued by the authorized body, form of itinerary of transfer of dangerous freight, certificate of access of a driver and motor vehicle for the transfer of dangerous freight);

4) for motor vehicles (with travel orders and commodity-transport documents of established forms, ticket-recording papers and journals of their record);

5) required for carrying out the activity on installation and serving of tachographs (accreditation certificate for the right of performance of works on check of tachographs, certificate on check of tachograph, certificate on periodical check of tachograph, journal of record of works with tachographs, technical documentation on workplace);

6) for carrying out of cargo-handling works by a carrier (commodity-transport bills, travel orders, acts of measuring (weighing) of freight, certificate of conformity to national standards on stuff and supporting equipment for performance of cargo-handling works and supporting works, technical documentation of workplace).

2. Availability of necessary documents and their conformance to requirements of the legislation of the Republic of Kazakhstan shall be determined upon performance of inspection

3. Upon performance of inspections of subjects of entrepreneurship on automobile transport, civil servants of the authorized body carrying out the inspection within their competence shall inspect:

1) availability and status of a rolling stock, repair and production base, technical facilities, cargo handling machines, control and measuring apparatus, equipped office premise (exceptions shall consist enterprises not having own repair and production base and that concluded the contracts on performance of the relevant types of work with other enterprises), as well as observance of ecological requirements and requirement on road traffic safety by subjects of entrepreneurship on automobile transport;

2) conformance of technical operation of motor vehicles to established requirement;

3) availability and conformance of services and qualified staff for performance of pre-trip technical checkup of motor vehicles, pre-trip and post-trip medical inspection of drivers or contracts with the relevant organizations carrying out such activity;

4) performance of requirements of Rules of transfers of passengers and luggage by automobile transport upon carrying out the transfers of passengers and luggage or rendering of services of bus stations, auto stations and points of passengers serving;

4-1) conformance of services of carriers, services of bus stations, auto stations and points of passengers serving to national standards;

5) performance of requirements established in the rules of transfers of freights by automobile transport, organization and carry out of transfers of bulky and heavy freights on the territory of the Republic of Kazakhstan and conformance of motor vehicles designed for movement on automobile roads of the Republic of Kazakhstan to limit characteristics;

6) performance of requirements of the Rules on appliance of authorization system upon carrying out international automobile transfers in the Republic of Kazakhstan, upon carrying out of international automobile transfers of passengers, luggage and freights;

7) is excluded by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication);

8) performance of requirements of the rules of transfer of dangerous freights by automobile transport;

9) performance of requirements on existence of conclusion of the bodies of sanitary and epidemic supervision on access of motor vehicles to international transfer of passengers and

food products as well as freights upon transfer of which the conclusion of mentioned state bodies shall be required;

10) availability of necessary documents and tools on traffic control point;

11) is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);

12) performance of requirements of the Rules of organization of labour and rest of drivers as well as appliance of tachographs;

13) performance of requirements of the Rules of transfer of freights by automobile transport in respect of points of shipping and discharging of freights.

Footnote. Article 19-6 as amended by the Laws of the Republic of Kazakhstan dated 12.01.2007 No. 222 (shall be enforced upon expiry of six months after date of its official publication); dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.04.2014 No. 195-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 05.05.2017 No. 59-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 19-7. Competence of the authorized body upon carrying out of transport control

Civil servants of the authorized body shall carry out the following control functions:

1) detection and appliance of measures on suppression of the violation of requirements of the regulatory legal acts determining procedure for functioning of automobile transport;

2) control for observance of the legislation of the Republic of Kazakhstan on permissions and notifications in the scope of automobile transport;

3) control of performance of requirements of authorization system upon organization of international automobile transfers on territory of the Republic of Kazakhstan in accordance with international treaties ratified by the Republic of Kazakhstan;

4) control for observance of the Rules of transfers of passengers and luggage by automobile transport by carriers, non-admission of transfers of freights in passenger compartment of auto buses;

5) is excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

6) control for driveway of motor vehicles on territory of the Republic of Kazakhstan, as well as for observance of acceptable overall and weight characteristics of motor vehicles established on the territory of the Republic of Kazakhstan by native and foreign carriers;

7) control for observance of the legislation of the Republic of Kazakhstan on automobile transport by carriers of the Republic of Kazakhstan and carriers of foreign states;

8) control for observance of schedule of labour and rest of drivers of motor vehicles by carriers of the Republic of Kazakhstan and carriers of foreign states;

9) control over the compliance of the equipment of a motor vehicle with the requirements of international treaties in terms of availability and serviceability of a tachograph on a motor vehicle;

10) inspection of existence of approval documents for regular automobile transfers of passengers and luggage and control for observance of itinerary and schedule of traffic, as well as existence of the passenger list upon non-regular international automobile transfers of passengers and luggage;

10-1) is excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

11) detection and suppression of carrying out the coastal transfers on territory of the Republic of Kazakhstan by foreign carriers;

12) is excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

13) is excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

14) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

15) issuance of permissions for the driveway on territory of the foreign state to carriers of the Republic of Kazakhstan in accordance with the international treaties ratified by the Republic of Kazakhstan;

15-1) issuance of permissions for the driveway on territory of the Republic of Kazakhstan to carriers of the foreign state in accordance with the international treaties ratified by the Republic of Kazakhstan;

16) issuance of special permission for the driveway of heavy-weight and (or) large-dimensioned motor vehicles (including foreign) on territory of the Republic of Kazakhstan;

17) is excluded by the Law of the Republic of Kazakhstan dated 16.01.2010 No. 238-IV (order of enforcement see Article 2);

18) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

19) is excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

20) collecting of information on use of transit potential, record of traffic intensity of motor vehicles, organization and carrying out of transferring collected information as report documents of established form;

21) coordination with the state bodies of the Republic of Kazakhstan on the issues of safety ensuring on automobile transport and auto roads;

22) issuance of special permission for transfer of dangerous freight on territory of the Republic of Kazakhstan;

23) control of service centers (repair rooms);

24) issuance of certificate on admission of transport vehicle to transfer of dangerous freights in international link.

Control functions with exception of those provided by subparagraphs 1), 2), 8), 9), 11), 15), 20), 21), 22), 23) and 24) of a part one of this Article, in automobile check points through the State border of the Republic of Kazakhstan coinciding with custom border of the Eurasian Economic Union, as well as in other places of movement of goods through the customs border of the Eurasian Economic Union shall be carried out by the government revenue bodies of the Republic of Kazakhstan.

The control functions provided for in subparagraphs 2) (in terms of control over the availability of a license), 4), 8), 9) and 10) of part one of this article, on the roads of the Republic of Kazakhstan, are also carried out by the authorized body for ensuring road safety.

Footnote. Article 19-7 as amended by the Laws of the Republic of Kazakhstan dated 06.01.2010 No. 239-IV (the order of enforcement see Article 2); dated 30.06.2010 No. 297-IV (shall be enforced from 01.07.2011); dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 07.11.2014 No. 248-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 26.12.2017 No. 124-VI (shall be enforced from 01.01.2018); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 19-8. Order of issuance of approval documents for the driveway on territory of the Republic of Kazakhstan

1. Entrance (departure) to the territory (from territory) of the Republic of Kazakhstan, transit on territory of the Republic of Kazakhstan of foreign motor vehicles carrying out

transfer of passengers and freights in international link shall be performed on base of approval documents – permission for passage.

2. Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).

3. Driveway of the foreign motor vehicles on territory of the Republic of Kazakhstan carrying out transfer of passengers and (or) freights from point of departure being on territory of the third state to the point of destination on territory of the Republic of Kazakhstan or from point of destination on territory of the Republic of Kazakhstan to the point of departure being on territory of the third state on base of approval documents – permission on performance of transfers by foreign carriers from the third countries on territory of the Republic of Kazakhstan or from the territory of the Republic of Kazakhstan in the third countries.

4. Parity exchange of the forms of approval documents with the competence bodies of foreign state may be performed by the authorized body.

5. Transit driveway of foreign motor vehicles on territory of the Republic of Kazakhstan with the states of which a parity exchange of the forms of approval documents is not made, shall be carried out on base of permission for the transit driveway issued by the authorized body after payment of sum of collecting for driveway of motor vehicles on territory of the Republic of Kazakhstan at the rates established by the Code of the Republic of Kazakhstan “ On taxes and other compulsory paymentstobudget” (Tax Code). Driveway of foreign motor vehicles going by transit on territory of the Republic of Kazakhstan without registry and distinction mark of its state shall be carried out on base of permission for transit driveway issued by the authorized body unless otherwise stipulated by international treaties ratified by the Republic of Kazakhstan after payment of the sum of collecting for driveway of motor vehicles on territory of the Republic of Kazakhstan at the rates established by the Code of the Republic of Kazakhstan “On taxes and other compulsory payments to budget” (Tax Code).

Passing loading of foreign freight motor vehicle on territory of the Republic of Kazakhstan following in backward direction from the transit traffic on territory of the Republic of Kazakhstan shall be permitted only upon existence of additional permission for the driveway on territory of the Republic of Kazakhstan.

Footnote. Article 19-8 as amended by the Laws of the Republic of Kazakhstan dated 10.12.2008 No. 101-IV (shall be enforced from 01.01.2009); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced from 01.01.2014).

Article 19-9. Order of driveway of foreign motor vehicles on territory of the Republic of Kazakhstan

1. International automobile driveways of freights, passengers and luggage between the Republic of Kazakhstan and foreign states shall be carried out through international automobile check points.

Approval and other documents which in accordance with the legislation of the Republic of Kazakhstan and international treaties of the Republic of Kazakhstan are necessary for carrying out of international automobile driveways shall be executed in accordance with the Rules of appliance of authorization system of automobile transfers in the Republic of Kazakhstan in international link and exist at drivers of motor vehicles and be represented upon requirement of civil servants of the authorized state bodies.

2. Transfer of passengers and freights by foreign motor vehicles between two points located on territory of the Republic of Kazakhstan shall not be allowed.

Foreign motor vehicles carrying out transit transfers of passengers on territory of the Republic of Kazakhstan shall be prohibited for boarding and (or) debarking of passengers on territory of the Republic of Kazakhstan.

Carriers carrying out international automobile transfers shall use motor vehicles having registry and distinction marks of its state.

By this, trailers or semitrailers may have registry and distinction marks of the other state.

Footnote. Article 19-9 as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 19-10. Order of departure of native motor vehicles from the territory of the Republic of Kazakhstan and issuance of foreign permissions to them

1. In the event of the departure of domestic vehicles to foreign countries with which the permits were exchanged, the carrier, on the basis of the submitted applications, may receive the relevant foreign permits issued by the authorized body after payment of the amount of the fee for the passage of vehicles through the territory of the Republic of Kazakhstan at rates established by the Code of the Republic of Kazakhstan “On taxes and other obligatory payments to the budget” (Tax Code).

Separate approval document shall be issued for each motor vehicle.

2. Used foreign approval documents shall be subject to return to the body that issued them earlier.

3. Disposal by carrier of foreign approval documents issued to him (her) to other carrier shall not be allowed.

In case if quantity of issued foreign approval documents is less than general quantity of applications applied by carriers, distribution of forms of foreign approval documents between carriers shall be performed in accordance with the legislation of the Republic of Kazakhstan.

Issuance of approval documents on regular international transfers of passengers and luggage by native carriers shall be carried out according to conditions of international treaties of the Republic of Kazakhstan.

Footnote. Article 19-10 as amended by the Law of the Republic of Kazakhstan dated 10.12.2008 No. 101-IV (shall be enforced from 01.01.2009); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of first official publication).

Article 19-11. Order of issuance of special permissions for the driveway of native and foreign large-dimensional and (or) heavy-weight motor vehicles on territory of the Republic of Kazakhstan

1. Passage of domestic and foreign bulky and (or) heavy vehicles through the territory of the Republic of Kazakhstan without cargo or with indivisible cargo or liquid cargo transported in specialized tank cars having excess in dimensions and (or) weight, and (or) axial loads above the permissible parameters of vehicles, intended for movement on the roads of the Republic of Kazakhstan, established by the authorized body are carried out on the basis of a permit document - a special permit for the passage of heavy and (or) large vehicles (hereinafter - a special permit) in the manner determined by the authorized body.

2. Special permission shall be issued by the authorized body or bodies of government revenues after establishment of itinerary of traffic and paying the sum of collecting for driveway of motor vehicles on territory of the Republic of Kazakhstan on rates established by the Code of the Republic of Kazakhstan “On taxes and other compulsory payments to the budget” (The Tax Code).

Footnote. Article 19-11 is in wording of the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 07.11.2014 No. 248-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of three months after the day of its first official publication).

Chapter 2-2. General safety requirements in the scope of automobile transport

Footnote. Chapter 2-2 is supplemented by the Law of the Republic of Kazakhstan dated 29 December, 2006 No. 209 (order of enforcement see Article 2).

Article 19-12. General provisions

1. The objects of technical regulation and standardization in the field of automobile transport shall be:

Automobile transport including:

- 1) auto buses;
- 2) micro buses;
- 3) lightmotor cars;
- 4) freight vehicles;
- 4-1) trolley buses;
- 5) automobile trailers;
- 6) semitrailersfor tractor units;
- 7) specialized automobiles (destined for transfer of particular types of freights);
- 8) special automobile (destined for performance of different predominantly non-transport works);
- 9) engineering of automobile transport;
- 10) producing (repair) of automobile transport;
- 11) transportation and storage of automobile transport;
- 12) utilization and elimination of automobile transport.

2. Motor vehicles shall not be sold at market and used if they may inflict harm to life and health of person and environment or misinform customers respectively they their safety and functional assignment upon condition of their applicable installation, serving and operation.

3. Person, distributing automobile transport at market of the Republic of Kazakhstan being subject to confirmation of conformance shall be obliged to apply measures for confirmation of conformance to requirements of this Law and technical regulations.

4. Person, distributing automobile transport at market of the Republic of Kazakhstan shall:

1) represent to perational documentation and other information in state and Russian languages, required for evaluation of possible risks by a customer and appliance of the relevant measures of safety by them;

2) perform sampling control, check customer complaints upon sale of automobile transport;

3) provide possibility of timely and effective prevention of users as well as carrying out of necessary measures to the extent of return of automobile transport upon existence of the risk of inflicting harm to life and health of human by automobile transport;

4) inform instantly the relevant bodies of the state control on violations of safety requirements previously distributed automobile transport and applied measures on elimination of such violations;

5) not to sell automobile transport if there is information from manufacturer, authorized representative, importer user or bodies of the state control on its non-conformance to established requirements of this Law and technical regulations.

5. Automobile transport shall have necessary notice boards or marks on dangers and conditions of safety operation.

6. Safety requirements contained in operational documentation shall not be lower than requirements established by this Law and technical regulations.

Footnote. Article 19-12 as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.10.2018 No. 184-IV (shall be enforced upon expiry of six months after its first official publication).

Article 19-13. Safety requirements upon engineering of motor vehicles

1. Upon engineering of motor vehicles all possible dangers on all lifecycle phases shall be identified as well as upon normal operation, emergency situations (abandonment and abandonment and external influences), supposed mistakes of staff and inadmissible use.

2. Development of administration (instruction) on operation (appliance) and passport (or form) is inherent part of engineering of motor vehicles.

Article 19-14. Safety requirements upon producing of motor vehicles

1. Conformance of producing of motor vehicles to requirements of project documents, this Law, technical regulations shall be required.

2. Producer shall perform all complex of measures on safety ensuring, special project documents and provide possibility of control of performing all technological processes from which the safety is depended upon producing of motor vehicles.

3. If performance of trials is required for safety ensuring in the process or after producing of motor vehicles, they shall be performed to the full extent with performance of all requirements of project documents.

4. Departure from project documents upon producing of motor vehicles shall be coordinated with a projector and shall not to be higher than allowable risk established by technical regulations.

Article 19-15. Safety requirements upon transportations and storage of motor vehicles

1. All necessary requirements for ensuring of preservation of motor vehicles in process of their transportation and storage, preservation of technical characteristics stipulating their safety as well as requirements to preservation, conditions of transportation and storage, imposed terms of storage, instructions on terms of recertification of status, replacement of particular elements, details, blocks with expired terms of storage shall be stipulated in technical documentations on motor vehicle.

2. Transportation and storage of motor vehicles, their blocks and details shall be performed in recognition of all safety requirements provided by a projector and the legislation of the Republic of Kazakhstan.

3. Materials and substances applied for preservation shall be safety.

Article 19-16. Safety requirements upon utilization and elimination of motor vehicles

Individuals and legal entities shall provide utilization, elimination of motor vehicles in accordance with the legislation of the Republic of Kazakhstan in recognition of following requirements:

1) after termination of operation of motor vehicles, the measures for prevention of inadmissible their use shall be taken;

2) motor vehicles polluted in the process of operation by toxic substances, radioactive aerosols upon their utilization, elimination shall pass compulsory processing on detoxification by special solutions (methods) depending from toxic, physical and chemical properties applied harmful substances;

3) stuff, performing all stages of utilization, elimination of motor vehicles shall have necessary qualification, pass relevant training and observe requirements of workplace safety.

Article 19-17. Procedure for conducting preventive control without visiting the subject (object) of control

1. Preventive control without visiting the subject (object) of control shall be carried out by the authorized body on the basis of analysis and data of information systems, as well as other information about the activity of the subject (object) of control.

2. The subjects of control shall be:

1) taxi carriers and taxi information and dispatch services;

2) persons providing services of bus terminals, bus stations and passengers service points;

3) automobile carriers providing services for transportation of passengers and cargos;

4) persons acting as a consignor and (or) a consignee;

5) automobile carriers providing services for transportation of dangerous cargos;

6) automobile carriers providing services for transportation of bulky and heavy cargos;

7) automobile carriers engaged in international automobile transportation;

8) automobile carriers providing services for transportation of perishable cargos;

9) technical inspection operators;

10) persons engaged in installation and maintenance of tachographs;

11) persons, carrying out activities for production and issuance of electronic cards to electronic (digital) tachographs.

3. The purposes of preventive control without visiting the subject (object) of control shall be timely suppression and prevention of violations, providing the subject of control with the right of independent elimination of violations revealed by the results of preventive control without visiting the subject (object) of control, and decrease in administrative burden on the subject of control.

4. In order to provide the subjects of control with the right of independent elimination of violations, preventive control without visiting the subject (object) of control shall be conducted only for those violations, the consequences of which can be eliminated in accordance with the legislation of the Republic of Kazakhstan.

5. Following the results of preventive control without visiting the subject (object) of control, recommendation on elimination of the revealed violations without initiation of proceedings about an administrative offense with obligatory explanation to the subject of control of the procedure of violations elimination shall be made.

6. The recommendation must be handed over to the subject of control personally under the signature or in any other way, confirming the facts of sending and receiving.

7. A recommendation sent by one of the following methods shall be considered to be given in the following cases:

1) on purpose – from the date of mark in the recommendation of receipt;

2) by mail – registered letter;

3) electronically – from the date of sending by the authorized body to the e-mail address of the subject of control, specified in the letter when requested by the authorized body.

8. The recommendation on elimination of violations revealed by the results of preventive control without visiting the subject (object) of control shall be executed within twenty working days from the day following the day of its delivery.

9. In case of disagreement with the violations, specified in the recommendation, the subject of control shall have the right to send an objection to the authorized body that sent the recommendation, within five working days from the day following the day of its delivery.

10. Non-execution in established time of the recommendation on elimination of violations revealed by the results of preventive control without visiting the subject (object) of control shall entail imposition of preventive control with visiting the subject (object) of control by inclusion in the quarterly list of conducting preventive control with visiting the subject (object) of control.

11. Preventive control without visiting the subject (object) of control in relation to the subjects (objects) of control shall be conducted no more than once a year.

Footnote. Chapter 2-2 is supplemented by Article 19-17 in accordance with the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 3. Automobile transfers of passengers and luggage

Article 20. Rights and obligations of a passenger

1. Passenger shall have a right to:

- 1) carry out travels on any auto bus, trolley bus and taxi in manner provided by the legislation of the Republic of Kazakhstan on automobile transport;
- 2) purchase travel document (ticket);
- 3) gain a seat according to purchased travel document (ticket);
- 4) carry one child without payment at the age up to seven years if he (she) doesn't gain particular seat, or with payment of travel in amount of fifty percent – children at the age up to fifteen years with representing particular places to them except for taxi;
- 5) purchase travel documents (tickets) for children at the age from 5 to 12 years to international transfers carried out by carriers of the Republic of Kazakhstan with payment of fifty percent from full cost of travel document (ticket);
- 6) purchase travel documents (tickets for children at the age from 7 to 15 years with payment of fifty percent from full cost of travel document (ticket);
- 7) travel by purchased travel document (ticket) without additional payment if a carrier provides other auto bus instead of the auto bus provided by timetable, travel in which is more expensive;
- 8) return travel document (ticket) before beginning of transfer and receive back a sum paid for the transfer with the deduction of provided collecting;
- 9) recovery of lost (defective) travel document (ticket) in manner established by Rules of transfers of passengers and luggage by automobile transport;
- 10) carry hand-luggage without payment within regulations established by Rules of transfers of passengers and luggage by automobile transport;
- 11) give luggage for transfer for payment according to tariff;
- 12) declare value of luggage upon giving for transfer;
- 13) contest the conformance of quality level of transfer to its certificate in manner established by the legislation of the Republic of Kazakhstan.

Passenger shall have other rights in accordance with the Laws of the Republic of Kazakhstan.

2. Passenger shall:

1) pay and (or) have travel document (ticket) and save it until end of travel in time of the travel on itineraries of regular automobile transfers of passengers and luggage with exception of travel document (ticket) drawn up in electronic form;

1-1) present a travel document (ticket) for travel on public transport upon regular automobile transfers of passengers and baggage at request of representative of carrier;

2) observe public order, requirements established by Rules of transfers of passengers and luggage by automobile transport;

3) pay all services of a carrier upon transfer of luggage with declaration of the value unless otherwise provided by the contract.

Passenger shall entail other obligations in accordance with the Laws of the Republic of Kazakhstan.

Footnote. Article 20 as amended by the Laws of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.05.2017 No. 59-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 21. Organization and carrying out of regular automobile transfers of passengers and luggage

1. Regular automobile transfers of passengers and luggage may be organized, if:

1) carrying capacity of automobile roads allows to carry out regular traffic of auto buses, micro buses, trolley buses on particular itineraries;

2) condition of automobile roads and their equipment conforms to requirements of road traffic safety.

2. Regular automobile transfers of passengers and luggage with exception of international transfers shall be carried out by carriers that won in a competition for the right of serving the itineraries of mentioned transfers of passengers and luggage and received certificate for the right of their serving on the basis of contracts concluded between carriers and the relevant local executive bodies or authorized organizations.

3. Itineraries of regular interrepublican automobile transfers of passengers and luggage shall be divided among carriers on a competitive basis. Both particular itinerary and few itineraries may be tendered by one bid.

4. Regular interurban, interregional, interdistrict (interurban intraoblast), intradistrict and international transfers of passengers and luggage shall be carried out only from bus stations, auto stations or points of serving the passengers on the basis of the contracts concluded between carriers and administrations of bus stations auto stations or points of passenger serving.

Administration of bus stations, auto stations and points of serving the passengers shall have not the right to refuse in conclusion of the contract with carriers of passengers and luggage admitted in the manner established by the legislation of the Republic of Kazakhstan to such type of activity.

4-1. Upon electronic sale of travel documents (tickets) administration of bus station, auto station points of passengers serving shall provide selling of travel documents (tickets) on itineraries of a carrier through the informational system of selling travel documents (tickets) chosen by the carrier.

5. Carriers carrying out automobile transfers of passengers and luggage shall provide pre-trip (pre-shift) technical inspection and timely replacement of auto buses, trolley buses, micro buses in case of their disrepair.

6. Competition of the right of serving the itinerary of transfers of passengers and luggage shall be recognized invalid if the application of only one participant is represented. In case if upon repeated holding of competition, the application of only one participant is represented on this itinerary, the contract shall be concluded with him (her) upon condition of conformance to requirements of the competition.

7. Disposal of the right of serving the itinerary (itineraries) to the third party shall not be allowed.

Footnote. Article 21 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 21-1. Organization of activity of bus stations, auto stations and points of passengers serving

1. Local executive bodies of oblasts, cities of republican significance, the capital shall organize activity of bus stations, auto stations and points of passengers serving by:

1) inclusion of bus stations, auto stations and points of passenger serving into register upon conformance to requirements established by the regulatory legal acts of the Republic of Kazakhstan and national standards;

2) appliance of apparatus of the state-private partnership;

3) appliance of other apparatuses not prohibited by the legislation of the Republic of Kazakhstan.

2. Services of bus stations, auto stations and points of passenger serving shall conform to requirements of this Law, Rules of transfers of passengers and luggage by automobile transport, regulatory legal acts of the Republic of Kazakhstan and national standards.

Footnote. Chapter 3 is supplemented by Article 21-1 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 22. Rights and obligations of a carrier

1. Carrier shall have the right to:

1) creation of public unions, as well as unions of legal entities in form of associations (unions) for the purpose of protection of own rights and interests;

1-1) on creation of transport control service to ensure payment, as well as checking the facts of payment for travel on public transport;

2) rest and conditions of labour satisfying safety and hygiene requirements;

3) require observance of public order and Rules of transfers of passengers and luggage by automobile transport by passengers;

4) receive international certificate of weighting of freight motor vehicles.

2. Carriers carrying out regular automobile transfers of passengers and luggage shall:

1) provide technical intact status of motor vehicles and not to allow departure of motor vehicle on itinerary, status of which does not conform to established technical, ecological, sanitary and epidemiological requirements of fire safety;

1-1) to equip vehicles with in-vehicle emergency call devices;

2) provide performance of pre-trip and post-trip medical inspection, observance of schedule of labour and rest of drivers of motor vehicles;

3) provide safety of passenger, creation of necessary conveniences and conditions of serving to him (her);

4) provide timely transfer and preservation of luggage;

5) carry out carriage of particular categories of citizens or provide other benefits to them on payment of travel in accordance with the legislation of the Republic of Kazakhstan;

5-1) to equip vehicles with satellite navigation equipment with the opportunity to submit information to the organizer of transportation in real time;

6) to ensure the sale of travel documents (tickets) and baggage receipts at stopping points of the route independently or through bus stations, stations, passenger service points, including their electronic sale, including through the Internet and cellular devices;

7) declare tariffs for the transfer of passengers and luggage, fix them in the contracts, travel document (ticket) and luggage receipt;

8) observe declared tariffs and inform passengers on impending change of tariffs in time;

9) determine a person being responsible for carrying out of transfers;

10) observe national standards.

3. Carrier carrying out non-regular automobile transfers of passengers and luggage (except for taxi) shall be obliged to:

1) ensure performance of requirements mentioned in subparagraphs 1)-4) of paragraph 2 of this Article;

2) have journey log-book with mark on passing of pre-trip and post-trip medical inspection and technical inspection of motor vehicle;

3) provide safety boarding and debarking of passengers;

4) observe national standards.

Footnote. Article 22 as amended by the Laws of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.04.2014 No. 195-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 05.05.2015 No. 312-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of three months after the day of its first official publication).

Article 23. Conditions of the contract of organizing interrepublican automobile transfers of passengers and luggage

Footnote. Title as amended by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

1. Contract of organization of regular interrepublican automobile transfers of passengers and luggage shall provide:

- 1) tariff;
- 2) order and places of selling travel documents (tickets), carrying out of control for their availability at passengers;
- 3) the amounts and terms of payment of compensations to the carrier, if an established tariff by local executive bodies of the regions (the cities of republican significance, the capital city) does not cover the costs of transportation, as well as for transportation of passengers and luggage on preferential terms or free of charge;
- 4) traffic timetable, type (class) and quantity of auto buses, trolley buses, micro buses used on the itinerary;
 - 4-1) requirements on renewal of auto buses, micro buses, trolley buses used on the itinerary;
- 5) responsibility of parties for non-performance or improper performance of obligations under the contract;
- 6) minimum validity of the contract consisting no less than three years;
- 7) order of prolongation of the validity term of the contract.

2. Other compulsory conditions of the contract of organization of regular interrepublican automobile transfers of passengers and luggage may be established by legislative acts of the Republic of Kazakhstan.

3. Carrier and local executive bodies shall observe conditions of the contract of organization of regular interrepublican automobile transfers of passengers and luggage.

Carrier shall incur other obligations in accordance with the Laws of the Republic of Kazakhstan.

4. Local executive bodies upon organization of regular interrepublican automobile transfers of passengers and luggage shall be obliged to:

- 1) provide execution and maintenance of established boarding and deboarding points of passengers in accordance with the legislation of the Republic of Kazakhstan;
- 2) carry out control for observance of established traffic timetable of auto buses, micro buses and trolley buses.

Footnote. Article 23 as amended by the Laws of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2018 No. 210-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 24. Carrying out of non-regular automobile transfers of passengers and luggage

1. Carriers carrying out non-regular automobile transfers of passengers and luggage shall be prohibited to perform boarding of passengers from territories of bus stations (auto stations, points of passengers serving) and on itineraries of regular automobile transfers of passengers and luggage.

2. The contract for transportation of passengers and luggage in case of irregular transportation in intrarepublican communication shall be concluded between the customer and the carrier in written form, in two copies – one for each of the parties.

By this, the contract shall provide:

- 1) subject of contract;
- 2) purpose of travel;
- 3) itinerary of traffic, initial and destination point of boarding and deboarding of passengers;
- 4) term of deliver;
- 5) travel payment;
- 6) rights and obligations of parties;
- 7) responsibility of parties for non-performance or improper performance of obligations under the contract;
- 8) order of conflicts resolution;
- 9) existence of passengers list.

Footnote. Article 24 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official

publication); dated 24.05.2018 No. 156-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 25. Transfer of organized groups of children

1. Transfer of organized groups of children shall be carried out by auto buses, having no less than two doors, technical status of which satisfies requirements established by Rules of transfers of passengers and luggage by automobile transport.

2. Auto buses destined for transfer of organized groups of children shall be equipped by yellow flasher lamp.

3. Identification mark “Minors carriage” shall be established at the front and back of these auto buses.

4. Drivers at the age not less than twenty five years, having driving license of relevant category and length of work as a driver no less than five year shall be admitted to transfers of organized groups of children.

5. Columns of two and more auto buses shall be accompanied by special automobiles of the authorized body of road traffic safety in manner provided by the authorized body in the scope of road traffic safety.

Footnote. Article 25 as amended by the Laws of the Republic of Kazakhstan dated 17.04.2014 No. 195 (shall be enforced upon expiry of six months after the date of its first official publication).

Article 26. Organization of transfers of passengers and luggage of taxi

1. Individual entrepreneurs or legal entities before beginning of carrying out of activity as carrier of taxi shall direct notification to the local executive body on beginning of activity in manner established by the Law of the Republic of Kazakhstan “On permissions and notifications”.

2. Carriers of taxi shall:

1) use taxi having unified colour-grade and specific designations for transfer of passengers and luggage in accordance with rules of transfers of passengers and luggage by automobile transport;

2) is excluded by the Law of the Republic of Kazakhstan dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication);

3) ensure passing of pre-trip technical inspection of motor vehicles and pre-trip and post-trip medical inspection of taxi drivers;

4) is excluded by the Law of the Republic of Kazakhstan dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication);

- 5) provide timely replacement of taxi in case of its disrepair;
- 6) to ensure that the passenger is informed about the cost (price) of the taxi service;
- 7) have one taxi among each thirty taxi upon existence of thirty and more taxi adapted for the transfer of disabled persons using special transportation means;
- 8) provide observance of schedule of labour and rest of taxi drivers.

Taxi carrier shall incur other obligations in accordance with the Laws of the Republic of Kazakhstan.

3. Upon organization of transfers of passengers and luggage, carriers shall have the right to:

- 1) use specially equipped taxi stands for taxi stand, boarding and debarking of passengers;
- 2) perform boarding and debarking of passengers on each parts of road network with observance of requirements of road traffic rules;
 - 2-1) to have a taxi dispatch service or conclude an agreement for the dispatch service;
 - 2-2) to equip the vehicle with a taximeter;
- 3) represent recommendation on organization of specially equipped taxi stands to the local executive bodies.

Taxi carrier shall have other rights in accordance with the Laws of the Republic of Kazakhstan.

4. The taxi dispatch service, created by another person who is not a taxi carrier, concludes an agreement on the dispatch service with taxi carriers included in the register of individual entrepreneurs and legal entities that have submitted a notice of starting activities as a taxi carrier, including carrying out taxi transportation under a lease agreement for a motor vehicle with a crew, concluded through the mobile taxi booking application, and renders its services, provided that the taxi carrier fulfils the requirements of subparagraphs 5) and 8) of part one of paragraph 2 of this article when carrying out taxi services.

Information about individual entrepreneurs and legal entities that have filed a notice of the start of activities as a taxi carrier is posted in the state electronic register of permits and notifications.

5. Local executive bodies of districts, cities of regional significance, cities of republican significance and the capital provide the organization and equipment of taxi stands at airports, railway stations, stationary shopping facilities of category 1 and 2, shopping markets, theatres, circuses, cinemas, cultural and recreation organizations (parks of culture and recreation), as well as squares, avenues, streets, neighbourhoods.

6. Services of transfer of passengers and luggage of taxi shall conform to requirements of this Law, Rules of transfer of passengers and luggage by the automobile transport, regulatory legal acts of the Republic of Kazakhstan and national standards.

Footnote. Article 26 is in wording of the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first

official publication); as amended by the Laws of the Republic of Kazakhstan dated 17.04.2014 No. 195-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 27.10.2015 No. 364-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 27. Advantages for particular categories of passengers during the transfers by public transport

1. Particular categories of passengers shall have the following advantages:

- 1) right of extraordinary boarding in auto bus, trolley bus, taxi;
- 2) allocating of special places in the forepart of auto bus, trolley bus.

Disabled persons, pensioners, pregnant women, passengers with children of preschool age shall enjoy stated advantages;

- 3) right of extraordinary purchase of tickets.

Participants and disabled persons of the Great Patriotic War and persons equated to them shall enjoy stated advantage.

2. On bus stations it shall be created as follows:

- 1) room for mothers with children for provision of additional services to passengers with children at the age up to 5 years and pregnant women;
- 2) arrangements for boarding and disembarking of disabled passengers.

3. Public transport shall be equipped by arrangements for boarding and disembarking of disabled passengers.

Individuals and legal entities, motor vehicles of which are adapted for disabled persons' access shall have advantages upon performance of competitions by the state bodies for the right of serving itineraries on transfer of disabled persons.

Footnote. Article 27 as amended by the Laws of the Republic of Kazakhstan dated 13.04.2005 No. 40 (shall be enforced from 01.01.2007); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 27-1. Availability of services in the scope of automobile transport for disabled persons

1. For provision of access of disabled persons to the services in the scope of automobile transport on bus stations and auto stations, it shall be provided as follows:

- 1) allocation of places with installing of special traffic signs for parking of motor vehicles for disabled persons;

2) adapting of buildings, road entrance to building (entrance in building, stairways), travel way inside of building for population groups with limited mobility;

3) equipment by informational signal devices and communications facilities available for disabled persons with hearing and visions disabilities in accordance with requirements of the legislation of the Republic of Kazakhstan;

4) availability of attendant invalid wheel chair for serving of disabled persons with supporting-motor apparatus disorder and other population groups with limited mobility;

5) allocation of special places in waiting rooms for disabled persons which shall be equipped in recognition of needs of the persons, moving on invalid wheel chairs;

6) equipment of public toilets by cabins for the persons, moving on invalid wheel chairs;

7) equipment of specialized booking-offices for serving of disabled persons;

8) establishment of specialized payphones for persons, moving on invalid wheel chairs.

2. Force of subparagraph 2) of paragraph 1 of this Article shall be applied in respect of passengers serving points.

3. In airports, railway stations, educational facilities, health, social security, culture, sports, leisure and rest, as well as in area squares, avenues, streets, in squares, free parking spaces are reserved for special motor vehicles of disabled persons, that should not occupy other motor vehicles.

In cases where the number of parking spaces shall be:

1) up to ten inclusive, - one parking space is reserved for a special motor vehicle of a disabled person;

2) more than ten, - not less than ten percent for parking a special motor vehicle of a disabled person from the total number of parking spaces.

Herein, if based on the results of the calculation, number of parking spaces is a fractional value from 0.5 and above, this value is subject to rounding up to whole units.

Footnote. Chapter 3 is supplemented by Article 27-1 in accordance with the Law of the Republic of as amended by the Laws of the Republic of Kazakhstan dated 03.12.2015 No. 433-V (shall be enforced from 01.01.2016).Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced from 01.01.2014);

Article 28. Disposition of luggage until its recognition as unpossessed by the court

1. In case when a passenger or a person authorized for receiving a luggage didn't receive the luggage by the reasons not depended from a carrier, the carrier shall keep it on bus station or auto station of the point of destination or dispatch until recognition of luggage as unpossessed by the court, unless otherwise provided by the contract.

2. Owner of luggage shall compensate expenses to a carrier on its storage, cargo-handling operations and transportation being required for provision of luggage preservation upon recognition of luggage as unpossessed by the court.

Article 29. Rules of transfer of passengers and luggage by automobile transport

Rules of transfer of passengers and luggage by automobile transport shall determine:

- 1) form, order of sale and validity terms of travel documents (tickets), luggage receipts;
- 2) order of organization and carrying out of regular automobile transfers of passengers and luggage, opening and closing of itineraries of regular automobile transfers of passengers and luggage, requirements to sanitary status, external formatting and equipment of auto buses, trolley buses, micro buses used for performance of stated types of transfers;
 - 2-1) order of organization of emergency call system on automobile transfer of passengers and luggage;
- 3) order of organization and holding of competitions for the right of serving of itineraries of regular interrepublican automobile transfers of passengers and luggage;
- 4) order and conditions of issuance, suspension and revocation, conditions and bases for refusal in the issuance as well as form of certificate for the right of serving of itinerary;
- 5) requirements to bus stations, auto stations, points of passengers serving as well as order of their functioning;
- 6) order of organization and carrying out of non-regular automobile transfers of passengers and luggage;
- 7) order of organization and carrying out of transfers of passengers and luggage by customized auto buses, micro buses and motor cars;
- 8) order of organizations and carrying out of transfers of passenger and luggage of taxi;
- 9) order of acceptance, storage and issue of luggage;
- 10) order and conditions of return of travel documents (tickets) and their cost;
- 11) requirements to formatting and containing of points of boarding and deboarding of passengers on itineraries of regular international and interrepublican transfers, as well as points of boarding and deboarding of passengers upon taxi transfers;
- 12) order of organization and performance of pre-trip and post-trip medical certification of drivers on itineraries of regular and non-regular automobile transfers of passengers and luggage;
- 13) order of organization and carrying out of preliminary and electronic sale of travel documents (tickets);
- 14) requirements to informational and dispatching services of taxi.

Footnote. Article 29 as amended by the Laws of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (order of enforcement see Article 2); dated 17.04.2014 No. 195-V (shall be enforced upon expiry of six months after the date of its first official publication).

Chapter 4. Automobile transfers of freight and mail

Footnote. Title of Chapter 4 as amended by the Laws of the Republic of Kazakhstan dated 09.04.2016 No. 499-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 30. Contract of automobile transfer of freight

1. Under the contract of automobile transfer of freight, a carrier shall be obliged to deliver the freight entrusted to him (her) by a freighter in point of destination with observance of conditions of its transfer and give it to the person authorized for receiving the freight (recipient of freight), and the freighter shall pay for automobile transfer of freight according to the contract or tariff.

2. Conclusion of the contract of automobile transfer of freight shall be confirmed by drawing up of commodity-transport-bill.

Article 31. Change and termination of the contract of automobile transfer of freight

Upon change or termination of the contract, parties shall have a right to require return of expenses incurred due to performance of conditions of the contract before its change or termination unless otherwise is provided by the contract.

Article 32. Rules and obligations of a carrier and freighter under the contract of automobile transfer of freights

1. Carrier under the contract of automobile transfer of freights shall have a right to:

1) refuse from automobile transfer of freight that doesn't conform to details of freight stated in transfer documents on its properties, weight and overall characteristics;

2) perform unloading of freight if the further automobile transfer of freight threatens to the safety of transfer and preservation of freight;

3) compensation of expenses incurred due to safety ensuring of transfer or preservation of freights in accordance with subparagraphs 1), 4) of paragraph 2 of this Article, unless otherwise provided by the contract;

4) in case when there is no possibility to deliver freight due to insuperable force to a new point of destination stated by a freighter (recipient of freight), refuse from automobile transfer and return freight to a freighter, previously informing him (her) about it; additional expenses of a carrier linked with this shall be paid by the freighter (recipient of freight) unless otherwise provided by the contract.

Carrier shall have the other rights established by the Laws of the Republic of Kazakhstan and contract.

2. Carrier under the contract of automobile transfer shall be obliged to:

1) inform a freighter (recipient of freight) immediately on occurred threat of safety of transfer and preservation of freights, observe instructions received from the freighter (recipient of freight), as well as on the actions carried out by him (her) on safety ensuring of transfer and preservation of freights;

2) check exactness of notes in commodity-transport-bill concerning the number of freight places, their marking and numbers, as well as external status of freight and its packing upon taking of freight;

3) control stowage and fastening of freight for the purpose of observance of established regulations of loading of motor vehicle, safety ensuring of performing automobile transfer and preservation of freight;

4) store freight in point of destination in case when recipient of freight didn't receive a freight by the reasons not depending on automobile carrier within thirty days from the date of arrival, perishable freight – within four days.

Carrier shall entail other obligations established by the Laws of the Republic of Kazakhstan.

3. Freighter under the contract of automobile transfer of freight shall have the right to:

- 1) check of worthiness of motor vehicle before loading for the transfer of declared freight;
- 2) refusal from carrier services in case of unworthiness of motor vehicle for the transfer of declared freight.

Freighter shall have other rights in accordance with the Laws of the Republic of Kazakhstan and the contract.

4. Freighter under the contract of automobile transfer of freight shall be obliged to:

- 1) perform notes in travel order on time of arrival and departure of motor vehicle;
- 2) draw up relevant act in case of abandonment of carrier services on reason of impropriety of motor vehicle;

3) not to allow excess of admissible weight and overall characteristics established by the legislation of the Republic of Kazakhstan in process of loading of motor vehicle;

4) represent a commodity-transport-bill to a carrier and other documents required for the transfer of freight (certificate, relevant permission, veterinary documents, customs entries) in necessary cases provided by the legislation of the Republic of Kazakhstan.

5. Services of automobile transfers of freight shall conform to requirements of this Law, the Rules of transfer of freights by automobile transport and the other regulatory legal acts of the Republic of Kazakhstan.

Footnote. Article 32 as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after date of its first official publication).

Article 33. Delivery of motor vehicles, loading and unloading of freights

1. Carrier shall be obliged to deliver motor vehicles available for automobile transfer of freights for loading to a freighter in the term established by accepted application (order) or contract of automobile transfer of freight in accordance with the Rules of transfers of freights by automobile transport and contract.

2. Loading of freights on motor vehicle (binding, cover, load lashing), as well as unloading of freights shall be carried out in the manner and terms provided by the contract with observance of requirements provided by the Rules of transfer of freights by automobile transport.

Carrier of freighter shall be obliged to provide protective cover of freights which in force of their characteristics may entail pollution of automobile roads and create threat to road traffic safety.

3. Freightier shall be obliged to prepare freight for automobile transfer before arrival of motor vehicles to place of loading in such a way as to provide safety of loading, transfer, preservation of freight and motor vehicle.

Article 34. Preclusion to automobile transfer of freight

1. Carrier shall inform a freighter on impossibility of further transfer upon occurrence of preclusions to automobile transfer of freight due to a fault of the freighter within one day from a moment of occurrence of such preclusions.

2. Freightier shall be obliged to take measures on elimination of preclusions to automobile transfer of freight.

3. Automobile carrier shall have the right to return the freight to the freighter on his (her) account in recognition of incurred expenses on provision of preservation of the freight within three days, and sell perishable freight in established manner in case if a freighter didn't take measures on elimination of preclusions to automobile transfer of freight within three days from the date of informing by a carrier in accordance with paragraph 1 of this Article (in respect of perishable freight within a day).

Article 35. Issuance of freight

1. Recipient of freight may refuse from acceptance of freight only in case when quality and (or) quantity of freight are changed so much so that possibility of full or part use of freight on direct application is excluded in consequence of waste or damage for which a carrier shall bear responsibility.

2. Freightier shall give instruction to a carrier on deliver of freight to new point of destination upon impossibility of issuance of the freight to a recipient of freight upon international automobile transfers by the reasons not depending from the carrier in manner established by the Rules of transfer of freight by automobile transport.

Article 36. Automobile transfers of freight with declared value

1. Carrier may transfer the freights with declared value according to agreement with a freighter (recipient of freight).

2. Declaration of value is mandatory upon automobile transfer of precious metals (stones), items from them, objects of art, antiques and other artistic values, video-and audio systems, electronic and computational and multiplying equipment, developmental prototype of machines, equipment, devices, freights for personal (house) needs transferred without accompaniment.

3. Additional payment for automobile transfer of freights with declared value may be collected from a freighter (recipient of freight) amount of which shall be established by agreement of parties according to the contract of automobile transfer of freight.

Article 37. Automobile transfers of dangerous freights

1. Dangerous freights shall be admitted as any substances, materials, items, wastes of production and other activity which in force of inherent qualities may serve as the reason for explosion, fire or damage of technical facilities, devices, buildings and constructions as well as death, traumatizing and diseases of people, animals, inflict harm to environment upon transfer, performance of cargo-handling operations and storage.

Note of RCLI!

Force of paragraph 1-1 is suspended till 01.01.2017 (see Article 54-1);

1-1. Motor vehicles transferring dangerous freights shall be subject to mandatory equipment by arrangement of calling emergency response services.

1-2. Motor vehicles transferring dangerous freights of classes 1, 6 and 7 shall be additionally equipped by arrangements of incessant data transmission in a real-time regime on speed, observance of the traffic route.

2. Freighters shall state exact danger and precautionary measures in documents which shall be applied (commodity-transport, written instruction for a driver of motor vehicle) upon presentation of dangerous freights to automobile transfer.

Written instructions for a driver of motor vehicle shall be handed to an automobile carrier no later than appliance of order of automobile transfer of dangerous freight.

3. Loading and unloading of dangerous freights shall be performed by a freighter, recipient of freight having permission (access) for performance of these works.

4. Transfer of dangerous freight of classes 1, 6 and 7 on territory of the Republic of Kazakhstan shall be carried out by specialized automobile or other motor vehicles are specially re-equipped for these purposes on base of permission document – special permission for transfer of dangerous freight on territory of the Republic of Kazakhstan.

5. Certificate on access of a driver to transfer of dangerous freight by motor vehicles in international and interrepublican links shall be issued by individual entrepreneurs or legal entities, carrying out activity on special training of drivers of motor vehicles carrying out transfers of dangerous freights in international and interrepublican links.

6. An individual entrepreneur or legal entity, before starting the activities for special training of drivers of vehicles carrying out the transportation of dangerous goods in international and intra-republican communications, must send a notification of the established form to the local executive body in the manner prescribed by the Law of the Republic of Kazakhstan "On permits and notifications".

7. Rules of transfer of dangerous freights by automobile transport shall determine:

1) order of organization of transfer of dangerous freights;

2) requirements to drivers of motor vehicles carrying out transfer of dangerous freights;

3) requirements to motor vehicles carrying dangerous freights;

4) order of driveway on territory of the Republic of Kazakhstan of motor vehicles carrying dangerous freights;

5) order of issue of special permission for the transfer of dangerous freight of classes 1, 6 and 7;

6) procedure for issuance of certificate on admission of transport vehicle to transfer of dangerous freights in international link.

8. Certificate on admission of transport vehicle to transfer of dangerous freights in international link shall be issued by the authorized body on the basis of diagnostic technical check card in which the term of undergoing next compulsory technical inspection is stated in accordance with established periodicity of undergoing compulsory technical inspection.

Footnote. Article 37 as amended by the Laws of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.04.2014 No 195-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after the date of its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 38. Automobile transfers of large-dimensioned and heavy-weight freights

1. Large-dimensioned and heavy-weight freights shall be admitted as freights which in recognition of dimensions and mass of motor vehicle exceed admissible dimension and weight characteristics of motor vehicles for traffic on automobile roads established on territory of the Republic of Kazakhstan.

2. The passage of domestic and foreign large and (or) heavy vehicles through the territory of the Republic of Kazakhstan with a load that has excess in dimensions and (or) weight, and (or) axle loads over the permissible parameters of vehicles, established by the authorized body, intended for movement on the roads of the Republic of Kazakhstan are not allowed, except for cases of transportation of indivisible cargo or liquid cargo transported in specialized tank cars.

3. Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Footnote. Article 38 is in wording of the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 No 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 38-1. Transportation of goods by dump truck

Footnote. Chapter 4 is supplemented by Article 38-1 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced from 01.01.2015); is excluded by the Law of the Republic of Kazakhstan dated 19.04.2019 No. 249-VI (shall be enforced upon the expiry of three months after the day of its first official publication).

Article 39. Automobile transfer of post

1. Automobile transfers of mail shall be carried out by carriers on base of the contract of automobile transfer of mail, concluded with post operators.

2. Motor vehicle specially intended for transfer of mail shall be used strictly on direct application in accordance with the contract of automobile transfer of mail. Transfer of third persons not concerning to automobile transfer of mail shall be prohibited.

3. Driveway of transport of post operator providing universal services of postal service to freight and luggage complexes, located on territories of automobile, railway, water stations and railroad stations, airports, for exchange of postal matters shall be carried out in a top-priority manner and without payment.

4. Loading and unloading as well as accompaniment of mail and its preservation shall be provided by post operators unless otherwise established by the contract of automobile transfer of mail. Responsibility for preservation and entirety of mail upon automobile transfer shall be borne by post operator unless otherwise appeared from conditions of the contract.

Footnote. Article 39 is in wording of the Law of the Republic of Kazakhstan dated 09.04.2016 No. 499-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 40. Intermodal transfers of freight

Relations of carriers as well as other persons participating in a transfer of freights by different types of transport on unified transport document (unified bill of lading) shall be determined by the legislative acts of the Republic of Kazakhstan on transport.

Footnote. Article 40 is in wording of the Law of the Republic of Kazakhstan dated 27.10.2015 No. 363-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 41. Rules of transfers of freights by automobile transport

Rules of transfers of freights by automobile transport shall determine:

- 1) delivery term of freights;
- 2) order of organization and carrying out of automobile transfers of freights;
- 3) form of commodity-transport-bill and order of its appliance;
- 4) requirements to points of loading and unloading of freights;
- 5) order of receipt of freights to automobile transfer as well as processing, storage and issuance of freights in point of destination;
- 6) order of selling perishable freights;
- 7) order of transfer of freights with declared value;
- 8) order of marking of freights;
- 9) order of sealing of freights;
- 10) order of drawing up acts;
- 11) order of changing and dissolution of the contracts of transfer of freights;
- 12) order of retention of freights;
- 13) order of transfer of separate types of freights;
- 14) order of certification of motor vehicles transferring perishable freights in international link;
- 15) requirements to motor vehicles transferring perishable freights.

Footnote. Article 41 as amended by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 41-1. Registration of activities for transportation of goods by freight and specialized vehicles, as well as provision of services by special vehicles

The carrier has the right to register activities for transportation of goods by freight and specialized vehicles, as well as the provision of services by special vehicles in the territorial division of the authorized body in the manner determined by the authorized body.

Footnote. Chapter 4 is supplemented with article 41-1 in accordance with the Law of the Republic of Kazakhstan dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 5. International automobile transfers

Article 42. State regulation of international automobile transfers

1. International automobile transfers shall be carried out in accordance with the legislation of the Republic of Kazakhstan on automobile transport, international treaties ratified by the Republic of Kazakhstan.

2. Order of entrance to territory of the Republic of Kazakhstan and departure beyond its borders, as well as transit driveway of motor vehicles on it shall be determined by the authorized body.

3. Performance of international automobile transfers to the countries in respect of which permission system of performing international automobile transfers is in force shall be carried out on the basis of permissions issued by the authorized body.

Issuance of permissions for the driveway on territory of the Republic of Kazakhstan to carriers of foreign state and permissions for the driveway on territory of foreign country to carriers of the Republic of Kazakhstan shall be performed by civil servants of the state bodies in accordance with Article 19-7 of this Law and with international treaties ratified by the Republic of Kazakhstan as well as with use of automated distribution system of foreign forms of permissions in manner established by the Rules of appliance of authorization system of automobile transfers in the Republic of Kazakhstan in international link.

If demand on permission in respect of countries with which the authorization system of performance of international automobile transfers is in force exceeds the quantity of permissions intended for issuance to carriers of the Republic of Kazakhstan, the permissions shall be issued in primarily for:

- 1) automobile transfers of humanitarian freights;
- 2) export automobile transfers of freights performed in the Republic of Kazakhstan;
- 3) automobile transfers performed jointly with carriers of other types of transport;
- 4) automobile transfers of perishable products;
- 5) automobile transfers performed in trailing position.

4. Control for observance of the legislation of the Republic of Kazakhstan on automobile transport by carriers of the Republic of Kazakhstan and carriers of foreign state upon

performance of international automobile transfers shall be carried out by civil servants of the state bodies in accordance with Article 19-7 of this Law.

5. Motor vehicles used by carriers of foreign state upon performance of international automobile transfers by them on territory of the Republic of Kazakhstan may be subject to inspection by civil servants of the authorized body.

Footnote. Article 42 as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication).

Article 43. Organization and carrying out of international automobile transfers of passengers and luggage

1. Regular international automobile transfers of passengers and luggage shall be organized on itineraries (with pointing of initial, destination and stopping points) and traffic timetable of autobuses, minibuses coordinated between authorized body and relevant competent body of foreign state.

2. Drivers of autobuses shall have the lists of passengers, certified by civil servants of the authorized body upon performance of international non-regular automobile transfers of passengers and luggage by carriers of the Republic of Kazakhstan.

3. International automobile transfers between the Republic of Kazakhstan and foreign states shall be carried out only through check points through the State border of the Republic of Kazakhstan.

4. When carrying out regular transportation of passengers and baggage in international traffic, it is prohibited to transport passengers between points in the territory of the Republic of Kazakhstan, with the exception of transportation of passengers and baggage by domestic carriers between settlements of the region of the Republic of Kazakhstan, through which they travel to a foreign state or enter from a foreign state.

5. Filling out of documents and pass of autobuses carrying out international transfers of passengers on regular itineraries on check points through the State border of the Republic of Kazakhstan shall be carried out free of turn.

Footnote. Article 43 as amended by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 44. Automobile transfers of passengers, luggage, freights by motor vehicles registered on the territory of the foreign state

Entrepreneurial activity on transfer of passengers, luggage, freights by motor vehicles registered on the territory of the foreign state between the points located on territory of the Republic of Kazakhstan with exception of the transfer by motor vehicles temporary imported on territory of the Republic of Kazakhstan shall be prohibited.

Footnote. Article 44 is in wording of the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 45. Requirements required to carriers, drivers and motor vehicles upon carrying out of international automobile transfers

1. Carriers, carrying out international automobile transfers shall use motor vehicles that conform to international requirements having registry and distinction marks of its state.

Established requirement shall not apply to trailers and semitrailers.

2. Drivers of motor vehicles shall observe schedule of labour and rest of drivers established by the legislation of the Republic of Kazakhstan on automobile transport upon carrying out international automobile transfers.

3. International automobile transfers of freights shall be carried out on base of certification on access to carrying out of international automobile transfers and cards of access to motor vehicles issued by the authorized body. Requirements to a carrier shall be established by the Rules of access of automobile carriers to international automobile transfers of freights.

4. Motor vehicles registered in the Republic of Kazakhstan destined for transfer of perishable freights shall have certificate issued by the authorized body on their conformance to requirements established in Rules of transfers of freights by automobile transport upon carrying out of international automobile transfers.

5. Motor vehicles registered in foreign countries, when carrying out international transportation of goods with a destination in the territory of the Republic of Kazakhstan after crossing the State Border of the Republic of Kazakhstan, coinciding with the customs border of the Eurasian Economic Union, move using identification means.

Requirements for identification means, as well as the procedure for their use, are determined by the authorized body in the customs area.

Footnote. Article 45 is in wording of the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.04.2019 No. 249-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 6. Responsibility in automobile transport

Article 46. Responsibility of freighters and recipients of freight for delay of departure of motor vehicles according to the contract of automobile transfer of freights

1. For delay of motor vehicles presented for loading or unloading in excess of coordinated terms, a freighter or recipient of freight if delay is occurred due to their fault shall pay a fine to a carrier provided by agreement of parties (contract), and in the absence of stated agreement – for every hour of delay in amount of:

1) twenty percent from monthly calculation index – upon delay of motor vehicles with bearing capacity up to four tons inclusively;

2) thirteen percent from monthly calculation index – upon delay of motor vehicles with bearing capacity more than four tons up to seven tons inclusively;

3) fourteen percent from monthly calculation index – upon delay of motor vehicles with bearing capacity more than seven tons up to ten tons inclusively;

4) fifteen percent from monthly calculation index – upon stoppage of motor vehicles with bearing capacity more than ten tons.

2. Upon delay of specialized motor vehicles, the amount of fine mentioned in paragraph 1 of this Article shall be increased twofold.

Mentioned fine shall be paid by a freighter or recipient of freight also for delay of motor vehicle due to their fault in a garage of a carrier or on itinerary.

3. Ground for charging a fine for delay of motor vehicle are the marks in commodity-transport-bill and travel orders on time of arrival and departure, and for delay in garage – refusal of a freighter or recipient of freight to send or receive the freight.

4. For presentation of freight being prohibited for automobile transfer, or freight requiring special precautionary measures with incomplete statement of the name or property of the freight, the freighter shall pay a fine to a carrier besides inflicted losses for carrying in amount of five-fold payment mentioned in the contract.

5. Freighters and recipients of freights shall be obliged to compensate for losses to a carrier, incurred due to their fault in consequence of overweight, damage of motor vehicle upon loading and unloading, incorrect loading, packing or incorrect binding of the freight with exception of cases when these operations are carried out by the carrier.

Freighter (recipient of freight) shall pay a fine to a carrier in amount established by paragraphs 1 and 2 of this Article and Article 49 of this Law for delay of motor vehicles and containers occurred in consequence that relevant documents necessary for performance of custom, sanitary and other rules were not been closed.

Article 47. Responsibility of a carrier for delay of departure of passenger and luggage or lateness to point of destination

1. For delay of departure of motor vehicle, carrying passenger, or lateness of such motor vehicle to point of destination (with exceptions of transfers in urban, suburban, intradistrict and rural links) due to the fault of a carrier, the latter shall pay a fine to passenger in amount of three percent from the cost of travel document (ticket) for every hour of delay, as well compensate for inflicted expenses unless he (she) proves that delay or lateness happened in consequence of insuperable force. By this, sum of a fine may not exceed the cost of the travel document (ticket) purchased by the passenger.

2. In case of refusal of a passenger from automobile transfer due to delay of departure, a carrier shall be obliged to refund carriage charge in full amount to the passenger, as well as compensate for expenses to the passenger incurred by him (her) due to such delay.

3. For expiration of deliver of luggage, a carrier shall pay a fine to a receiver of luggage in amount of ten percent of payment for automobile transfer of luggage for each day of expiration, counting incomplete days for full, but not higher than fifty percent of carriage charge.

Expiration in deliver of luggage shall be calculated from twenty four hours of a calendar day in which the luggage shall arrive. Payment of a fine for expiration in deliver of luggage shall be performed by a carrier upon issuance of luggage on base of act drawn up upon requirement of the passenger.

4. Carrier shall compensate for expenses occurred at a sender or recipient of luggage due to delay if they are happened.

5. Carrier shall provide places in hotel and provide food on his (her) account upon delay of departure of autobus, microbus on interdistrict (interurban intraoblast), interurban interregional and international itineraries for ten hours and more due to the fault of the carrier.

6. Upon request of a passenger, official document shall be issued to him (her) or marking shall be made in travel document (ticket) on expiration of automobile transfer or cancellation of travel.

7. Upon cancellation of travel with exception of cases of insuperable force, a carrier shall be obliged to provide departure of a passenger by immediate travel to the point of destination stated in travel document (ticket) or refund double cost of travel document (ticket) to the passenger.

Footnote. Article 47 as amended by the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 48. Responsibility for non-representation and non-use of motor vehicles under the contract of automobile transfer of freights

1. For non-representation of motor vehicle under the contract on automobile transfer of freights in a quantity provided by the contract of automobile transfer, a carrier shall pay a fine

to a freighter (recipient of freight) in amount of ten monthly calculation indices for each case of non-representation of motor vehicle, unless otherwise provided by agreement of parties.

2. Upon non-representation of motor vehicles by a carrier, use of which is paid on a temporary tariff in a quantity provided by the contract of automobile transfer, the carrier shall pay a fine to a freighter (recipient of freight) in amount of forty percent of cost of use by motor vehicles on the assumption of time of use stated in the contract of automobile transfer, unless otherwise provided by agreement of parties.

3. Upon refusal of a freighter (recipient of freight) in use in full or in part of motor vehicles in a quantity provided by the contract of automobile transfer of freights, he (she) shall pay a fine to a carrier in amount of ten monthly calculation indices for each case of refusal in use of motor vehicle or in amount of forty percent of the cost of use by motor vehicles on the assumption of time of use stated in the contract of automobile transfer, upon refusal from use of motor vehicles the work of which shall be paid on temporary tariff, unless otherwise provided by agreement of parties.

Article 49. Responsibility for non-representation and non-use of containers

Carrier for non-representation of containers to a freighter, and freighter for non-use of containers to a carrier shall pay a fine for each hour of delay in amount provided by agreement of parties and in the absence of stated agreements in amount of:

1) fifteen percent of monthly calculation index for container by gross weight less than five tons;

2) thirty percent of monthly calculation index for container by gross weight from five until ten tons;

3) sixty percent of monthly calculation index for container by gross weight higher ten tons ;

Article 50. Responsibility of a freighter for untimely transfer of documents

Freighter shall entail responsibility before a carrier for losses inflicted due to untimely transfer of documents necessary for automobile transfer of freight, as well as inaccuracy, incorrectness or incompleteness of details stated by him (her) in commodity-transport-bill.

Article 51. Responsibility of a carrier for loss, shortage and damage (waste) of freight or luggage

1. Carrier shall provide preservation of freight or luggage from the date of their acceptance for transfer and until issuance to a receiver, person authorized by him (her) or person authorized for receipt of luggage.

2. Carrier shall entail for loss, shortage and damage (waste) of freight or luggage, unless he (she) proves that the loss, shortage and damage (waste) are occurred not due to his (her) fault.

3. Damage inflicted upon transfer of freight or luggage shall be compensated in amount established by the legislation of the Republic of Kazakhstan.

4. Together with compensation of established damage, a carrier shall refund carriage charge to a sender (receiver) collected for transfer of lost, deficient, wasted or damaged freight or luggage, If this payment is not included to the cost of the freight.

Footnote. Article 51 as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 52. Responsibility for violations of delivery terms of freights

For violation of delivery terms of freights a carrier shall pay a fine to a freighter (recipient of freight) in amount of five percent of carriage charge for each day of expiration, but not higher than fifty percent of carriage charge, unless he (she) proves than expiration is occurred not due to his (her) fault.

Footnote. Article 52 is in wording of the Law of the Republic of Kazakhstan dated 27.10.2015 No. 363-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 53. Release from responsibility

1. Carrier shall not bear responsibility for preservation of luggage following together with a passenger as hand-luggage with exception of cases when the fault of the carrier is proved.

2. Freighters, recipient of freight shall be released from responsibility in case of accident or due to insuperable force in result of which it is impossible to perform cargo-handling works unless otherwise provided by the contract on automobile transfer.

Article 54. Responsibility for breach of the legislation of the Republic of Kazakhstan on automobile transport

Breach of the legislation of the Republic of Kazakhstan on automobile transport shall entail responsibility established by the Laws of the Republic of Kazakhstan.

Footnote. Article 54 is in wording of the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 54-1. Transitional provisions

Requirements to square territory of bus station and auto station established by subparagraph 2) and 9) of Article 1 of this Law shall not apply to bus stations and auto stations accepted for operation before 1 January, 2011.

Footnote. The Law is supplemented by Article 54-1 in accordance with the Law of the Republic of Kazakhstan dated 28.12.2010 No. 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); is in the wording of the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V (shall be enforced from 01.01.2015).

Article 55. Order of enforcement of this Law

This Law enters into force from the date of its first official publication with exception of subparagraph 3) of Article 9 which enters into force from 1 January, 2005.

The President
of the Republic of Kazakhstan