

# LAW OF GEORGIA

## ON ROADS

This Law defines the types and the status of roads.

This Law defines the rules for the use and protection of roads by road owners and road users, as well as by organisations owning road and engineering structures, and the amount of and procedure for payment of tolls established for the use of roads (use of infrastructure), and lays down the requirements towards proper arrangement of roads to ensure the safety of traffic on roads.

This Law applies to roads of any significance within the territory of Georgia.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

*Law of Georgia No 3161 of 28 June 2010 - LHG I, No 35, 12.7.2010, Art. 207*

### I - General Provisions

#### Article 1 - Legislation of Georgia on roads

The legislation of Georgia on roads consists of the Constitution of Georgia, the treaties and international agreements of Georgia, this Law and other normative acts.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

#### Article 2 - Concept of roads

1. A road is an engineering structure which is to ensure safe and convenient movement of vehicles and other self-propelled means according to specified speeds, axle loads and dimensions.

2. The concept of a road combines as its integral parts:

- a) roadbeds of carriageways, bridges, tunnels, flyovers, road junctions, waterworks, bearing walls, bicycle tracks and walkways located along a road, as well as right-of-ways and other road structures within its boundaries;
- b) elements of traffic control and regulation, technological connection and lighting devices and other structures, including special purpose telephone connections required for the proper maintenance and operation of roads;
- c) the upper air space over roads within the limits of dimensions laid down for vehicles;
- d) snow protection and noise suppression devices, snow arresting tree belts, anti-avalanche, anti-landslide and drainage structures, rest areas and accident-prevention pockets, which may be arranged outside rights-of-way;
- e) road service buildings and structures.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

#### Article 3 - Types and classification of roads

1. According to their intended use, roads are divided into public roads and departmental roads.

2. According to their significance, public roads are divided into international, intrastate and local importance roads.

3. Roads connecting administrative, important industrial and cultural centres of Georgia and other states fall under international importance roads.

4. The following roads fall under intrastate importance roads:

- a) roads connecting with important industrial and cultural centres of the capital of Georgia, the capitals of the Autonomous Republics and the administrative centres of the regions, as well as their entrances and drives from international and intrastate importance roads;
- b) roads connecting the capitals of the Autonomous Republics, the administrative centres of the regions, important industrial and cultural centres of Georgia;
- c) roads connecting the airports and ports with the capitals of Georgia and of the Autonomous Republics and the administrative centres of the regions;

5. Roads, which do not meet the characteristics of intrastate importance roads defined by this paragraph but are of defensive and special significance,



may fall under intrastate importance roads.

6. The list of international and intrastate importance roads shall be approved by the Government of Georgia upon the recommendation of the Ministry of Regional Development and Infrastructure of Georgia. As a rule, it shall be revised once in five years.

7. The following roads fall under local importance roads:

a) roads connecting the administrative centres of the regions with the populated areas of the same regions;

b) roads connecting populated areas with international and intrastate importance roads;

c) roads interconnecting the populated areas of the regions;

d) roads connecting resorts, recreational and tourism areas, sports complexes, historic and cultural monuments, scientific centres and other objects of special significance with the administrative centres of the regions of Georgia (in whose territory these objects are located), as well as approaches to nearest railway stations, airports, sea ports from international, intrastate and local importance roads.

8. The following roads fall under departmental roads:

a) roads leading to organisations from public roads;

b) roads existing in the territories of industrial, agricultural and other enterprises;

c) roads passing along channels, pipelines, power transmission lines and other communications and structures, as well as service and patrol roads leading to hydro technical and other structures.

8. Roadsthat do not meet the characteristics of local importance roads defined by this paragraph but are of defensive and special significance may fall under local importance roads.

9. The list of local importance roads shall be approved by the higher or local self-government bodies of the executive authority of the Autonomous Republics of Ajara and Abkhazia. As a rule, it shall be revised once in three years.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

*Law of Georgia No 5424 of 26 October 2007 - LHG I, No 38, 14.11.2007, Art. 366*

*Law of Georgia No 855 of 23 December 2008 - LHG I, No 40, 29.12.2008, Art. 280*

*Law of Georgia No 1035 of 6 September 2013 - website, 23.9.2013*

#### **Article 4 - Rule of numbering, assigning names to and defining the length of roads**

1. The name of a road should contain the name of the first and last populated areas, which are connected by this road, and if necessary, the name of the main intermediate populated areas as well. The name may be assigned to a road according to the last populated area, taking into account the historic significance of geographic and other objects and national traditions.

2. For the calculation of the distance of roads in kilometres, the start and end points shall be:

a) for roads originating from Tbilisi, the capital of Georgia - Freedom Square;

b) for roads interconnecting settlements - administrative buildings of the respective self-government body, a post office or state, municipal and public buildings and structures located in the centre of the settlement;

c) for roads interconnecting other roads - the crossing of centre lines of conjoined roads;

d) for the roads interconnecting geographic, historic and other objects - the boarders of these objects.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

*Law of Georgia No 5293 of 24 November 2011 - website, 8.12.2011*

#### **Article 5 - Competence of the higher state bodies of Georgia to regulate the road industry**

1. The following shall fall within the governance of the higher state bodies of Georgia:

a) the regulation of relations of the national economy of the road industry of Georgia with other sectors;

b) the establishment of rules for the use and protection of roads and traffic rules;

c) deciding on the issues of construction of new international and intrastate importance roads.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*



## **Article 6 - Competence of the Autonomous Republics to regulate the industry of local importance roads**

1. The higher state bodies of the Autonomous Republics shall govern the industry of local importance roads and establish the rules of its management;

- a) organise the protection and registration of local importance roads passing through the territory of the Autonomous Republics;
- b) decide on the issues of development and improvement of local importance roads.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

## **II - Roads Management**

### **Article 7 - Management of public roads**

Public roads shall be managed by the owner of such roads, who carries out construction, re-construction, repair and maintenance works of these roads.

### **Article 8 - Management of departmental roads**

Departmental roads shall be managed by the owners of such roads or other bodies, to whom these roads are transferred on the basis of an agreement.

### **Article 9 - Duties of the Roads Department of Georgia**

1. The Ministry of Regional Development and Infrastructure of Georgia shall develop and implement a unified state policy on the issues of the development, design and scientific and technical progress of the network of international and intra-state importance roads.

1<sup>1</sup>. (Deleted).

2. The Roads Department of Georgia shall:

- a) design, construct, modernise, reconstruct, rehabilitate and maintain international and intrastate importance roads, improve and upgrade roads taking into account traffic safety requirements and the interests of the population, accept into service the finished roads of international and intrastate importance according to the procedures established by the legislation of Georgia;
- b) increase the capacity of roads, improve traffic organisation;
- c) control the observance of the rules for the protection and use of roads, make a list of international and intrastate importance roads and prepare proposals in order to make changes in them;
- d) according to the procedure established by the legislation of Georgia, in agreement with the Patrol Police Department of the Ministry of Internal Affairs of Georgia, temporarily suspend and limit traffic on roads, as well as permit the traffic of separate vehicles on these roads within the mentioned period.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

*Law of Georgia No 1018 of 20 July 2001 - LHG I, No 24, 1.8.2001, Art. 96*

*Law of Georgia No 5424 of 26 October 2007 - LHG I, No 38, 14.11.2007, Art. 366*

*Law of Georgia No 855 of 23 December 2008- LHG I, No 40, 29.12.2008, Art. 280*

*Law of Georgia No 2268 of 4 December 2009 - LHG I, No 45, 21.12.2009, Art. 337*

### **Article 10 - Composition of the property of the State Roads Department of Georgia**

The property of the Department is composed of fixed and current assets, financial resources and other assets, which are transferred into its possession and are entered into the balance account of the Department.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

### **Article 11 - Privatisation of the property of the State Roads Department of Georgia**

The issue of privatisation of roads owned by the State and organisations providing road maintenance shall be resolved according to the current legislation.



### III - Funding of the Road Sector

Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54

#### Article 12 - - Funding the maintenance and development of public roads

The design, construction, modernisation, rehabilitation and maintenance of public roads and research works shall be funded both from the State Budget and other sources.

Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54

Law of Georgia No 839 of 29 December 2004 - LHG I, No 42, 31.12.2004, Art. 218

#### Article 13 - Funding and providing material and technical support for the maintenance and development of departmental roads

The owners of departmental roads shall fund the maintenance and development of such roads and provide material and technical resources required for that purpose.

Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54

#### Article 14 - Private and toll roads

1. Arranging a private road shall be allowed.

2. The toll for the use of public roads or sections of roads owned by the State may be established if there is a parallel free road between two populated areas.

3. The toll for the use of roads or their sections shall be determined according to the procedure established by the legislation for the maintenance and development of these roads or sections of roads.

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#### Article 14<sup>1</sup> - Concepts of a toll and a payer of a toll

1. A toll for the use of roads ('toll') is a mandatory payment to the State Budget of Georgia, which is payable for the use of transit infrastructure in the territory of Georgia.

2. A toll payer is an owner or a driver of a commercial vehicle driving or carrying cargo by means of a commercial vehicle in the territory of Georgia through customs control/supervision.

Law of Georgia No 3161 of 28 June 2010 - LHG I, No 35, 12.7.2010, Art. 207

Law of Georgia No 3806 of 12 November 2010 - LHG I, No 66, 3. 12.2010, Art. 414

Law of Georgia No 5962 of 27 March 2012 - website, 12.4.2012

#### Article 14<sup>2</sup> - Amount of a toll and its payment procedure

The amount of a toll and the procedures and conditions related to its payment shall be determined by normative acts of the Government of Georgia.

Law of Georgia No 3161 of 28 June 2010 - LHG I, No 35, 12.7.2010, Art. 207

#### Article 14<sup>3</sup> - Exemption from the toll

A person defined by Article 14<sup>1</sup>(2) of this Law, who by means of a commercial vehicle carries cargo placed in the customs checkpoint of the sea port in the territory of Georgia within the nearest 10 km radius from the territory of the sea port to the customs control area or vice versa, using the route defined by the Legal Entity under Public Law called the Revenue Service within the governance of the Ministry of Finance of Georgia, shall be exempt from payment of the toll.



#### **Article 14<sup>4</sup> - Administration of the toll and responsibility**

1. A commercial vehicle subject to customs control/supervision may not move/carry cargo in the territory of Georgia without payment of the toll.
2. The toll shall be administered by an authorised body determined by the Government of Georgia.
3. (Deleted – 31.5.2011, No 4718).
4. The toll paid in excess or by mistake shall be refunded according to the procedure established by the legislation of Georgia.

### **IV - Using Roads**

#### **Article 15 - Rule for using roads**

1. Public roads shall be used according to the procedure established by this Law and the traffic rules.
2. The rule for using departmental roads shall be defined by the respective agency by whom the road is possessed.
3. Vehicles shall move on carriageways. Vehicles with metal or caterpillar wheels may not move on paved carriageways and shoulders of public roads. For the traffic of vehicles whose axle load and dimensions exceed the established ones, the owners of such vehicles (including aliens) shall obtain a permit according to the established procedure, and if such vehicles damage any element of a road the owners shall pay the cost of its rehabilitation according to the established procedure.

#### **Article 16 - Restrictions and prohibitions for the use of roads**

The following shall be prohibited on roads:

- a) movement of a motor vehicle if the maximum load on each leading or non-leading axle exceeds 10 tons (except for single leading axle vehicles the maximum load of which on the leading axle may not exceed 11.5 tons) and/or the actual mass exceeds 44 tons and/or the actual mass exceeds the maximum permitted mass. Except for the restriction to exceed the maximum permitted mass, this subparagraph shall not apply to:
  - a.a) oversize load (overweight load) or abnormal load (heavy haulage) motor vehicles which move on roads in agreement with authorised bodies (entities) as provided for by the legislation of Georgia and in accordance with the terms and conditions of such agreement;
  - a.b) motor vehicles have entered the territory of Georgia through a customs checkpoint located at a sea port, and which proceed to the customs control area under the Tax Code of Georgia located within the nearest 10 km radius from the territory of the sea port, using the route determined by the tax authority;
  - a.c) motor vehicles that have entered the territory of Georgia through a customs checkpoint and proceed to a railway station located within the nearest 25 km radius from the tax authority, using the route towards the customs control area determined by the tax authority as provided for by the Tax Code of Georgia;
- b) (deleted);
- c) contaminating or blocking roads, road structures and rights-of-way, as well as bridges and pipe openings, channels and drainages;
- d) transporting unpacked cargo, which may cause the contamination of roads or rights-of-way;
- e) bringing and throwing agricultural products (grains, hay, etc.) on roads, arranging warehouses for materials and dropping litter and snow on roads;
- f) performing works which may cause leakage of oil products and chemical substances, as well as loading and unloading of vehicles on carriageways;
- g) driving cattle, except for the places agreed with the road authorities, as well as unattended grazing of cattle on right-of-ways;



h) blocking roads, arranging control and check points, arranging demonstrations, sporting contests, other mass events, which change the established mode of movement, as well as entering and exiting roads by vehicles in places not appropriate for this purpose without a permit from local self-government bodies, road services and patrol police;

i) placing advertisements without a permit from the road authorities;

j) trading on roadbeds;

k) damaging road structures, technical means for traffic regulation, green plants, snow protection equipment and other road property;

l) ignoring the mentioned restrictions and prohibitions shall result in liability according to the procedures provided for by the legislation of Georgia.

*Law of Georgia No 2021 of 9 November 2005 - LHG I, No 48, 29.11.2005, Art. 318*

*Law of Georgia No 2515 of 27 December 2005 - LHG I, No 59, 31.12.2005, Art. 444*

*Law of Georgia No 3394 of 23 June 2006 - LHG I, No 26, 17.7.2006, Art. 215*

*Law of Georgia No 68 of 27 June 2008 - LHG I, No 12, 14.7.2008, Art. 90*

*Law of Georgia No 5293 of 24 November 2011 - website, 8.12.2011*

*Law of Georgia No 1832 of 24 December 2013 - website, 3.1.2014*

### **Article 17 - Temporary suspension or limitation of movement**

1. Movement on roads may be temporarily suspended or limited only in the case of accidents or natural disasters caused by road and climatic conditions or the conduct of repair and construction works.

2. The decision on temporary suspension or limitation of traffic on international and intrastate importance roads is made, with the indication of time frames, by the Roads Department of Georgia in coordination with the Patrol Police Department, on local importance roads - by respective local self-government bodies, and on departmental roads - by owners of these roads.

3. The authority that makes a decision on temporary suspension or limitation of traffic on roads must make an announcement in the press and other mass media, indicating bypass roads, and at the starting point of such section of a road respective road signs should be installed and other measures provided for by the legislation of Georgia shall be taken. If the relevant decision-making authorities fail to comply with these requirements, road users shall have the right to demand compensation for damage caused.

4. If appropriate information is published in press and other mass media, and other measures provided for by the legislation of Georgia are taken, road users may not demand compensation for damage caused by temporary suspension or limitation of traffic.

*Law of Georgia No 5424 of 26 October 2007 - LHG I, No 38, 14.11.2007, Art. 366*

### **Article 18 - State control of roads**

1. The compliance of the condition of public roads with the requirements of unhindered and safe movement shall be supervised by the Patrol Police Department of the Ministry of Internal Affairs of Georgia.

2. If necessary, a commission with the participation of other interested legal persons may be established.

*Law of Georgia No 944 of 16 October 1997 - The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

*Law of Georgia No 5424 of 26 October 2007 - LHG I, No 38, 14.11.2007, Art. 366*

### **Article 19 - Responsibility of the road authorities**

1. The responsibility for temporary suspension of traffic on public roads shall be imposed on the road authorities, except when traffic is suspended according to the established procedure.

2. Road authorities shall compensate road users for damage caused by road accidents due to bad road conditions if this was caused by the failure of the road authorities to fulfil their obligations in whole or in part. The caused damage shall be compensated on the basis of a court decision.

3. The documents related to accidents on public roads due to bad road conditions shall be processed by the bodies of the Ministry of Internal Affairs of Georgia with the participation of the road authority in charge of the respective section of a road.

4. The cases of imposing responsibility on the road organisations shall be heard in court.

### **Article 20 - Responsibility of owners of departmental roads**



Owners of departmental roads shall be responsible for safe and unhindered traffic on their roads. They shall compensate road users for damage caused by road conditions.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

#### **Article 21 - Responsibility of road users**

1. During travel and cargo carriage, road users shall comply with the requirements of this Law and traffic rules.

2. Enterprises, organisations, institutions and citizens, who cause damage to the road surface, shoulders, roadbeds, protective devices, bridges, viaducts, water drainage and other structures, shall bear responsibility according to the procedure established by the legislation of Georgia and compensate for the damage inflicted.

3. During modernisation of public roads, communications shall be shifted by efforts of organisations on whose balance sheet the communications are registered, on the basis of an agreement with the road authorities. If the communications are arranged in violation of existing norms, they shall be shifted by efforts and at the expense of the owner.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

#### **Article 22 - Prohibition of uncoordinated actions on roads and in roadside zones**

1. Without agreement with the owner, the following is prohibited on roads and in roadside zones (100 metres on both sides from the centre line of the road):

a) conduct of any construction, reclamation, agricultural, geologic works, laying of communication and other lines, construction of new structures and repair of existing structures (except for the repair and restoration of pipelines, communication and power transmission lines in the case of accidents, of which the road authorities shall be immediately informed);

b) organisation of carriage of technological loads;

c) arrangement of street lighting and landscaping;

d) arrangement of mobile filling stations, kiosks, pavilions and other facilities;

e) arrangement of loading and unloading, parking and washing areas for vehicles;

f) arrangement of dams, ponds and other irrigation and hydro technical structures, deepening of river beds and extraction of sand and road gravel within 1 kilometre above and below bridges;

g) timber floating on rivers, under bridges;

h) approaching bridge abutments by boats or other floating means, arrangement of parking, passages, and ports and other structures under viaducts, flyovers and bridges;

2. The conduct of any work, which changes the established organisation of traffic or rate of speed of vehicles on any section of the road, shall be agreed with road police in addition to road organisations;

3. Buildings and structures constructed by organisations, enterprises, institutions and citizens in violation of this Law shall be demolished at the expense of unauthorised constructors.

#### **Article 23 - Providing technical assistance to vehicles damaged on roads**

1. The Patrol Police of the Ministry of Internal Affairs of Georgia shall use every effort to remove from the carriageway vehicles which cause an accident on the road or disabled vehicles, for the purpose of which oncoming vehicles and cranes are used.

2. State and local self-government bodies, which manage roads within their jurisdiction, shall, in coordination with the Patrol Police of the Ministry of Internal Affairs of Georgia, use every effort to remove from the carriageway disabled vehicles or loads, provide technical assistance or erect warning signs.

3. In the case of a traffic accident on departmental roads, the owners of these roads shall provide technical assistance to the vehicle.

*Law of Georgia No 944 of 16 October 1997 – The Gazette of the Parliament of Georgia, No 44, 11.11.1997, p. 54*

*Law of Georgia No 5424 of 26 October 2007 - LHG I, No 38, 14.11.2007, Art. 366*

#### **Article 24 - Medical aid on roads**

Persons injured in traffic accidents on roads shall be provided medical aid by medical institutions that are located closest to these roads.



## **Article 25 - (Deleted)**

*Law of Georgia No 5424 of 26 October 2007 - LHG I, No 38, 14.11.2007, Art. 366*

## **Article 26 - Performing works related to the development and improvement of roads**

Roads shall be repaired, maintained and accepted into service and required research works shall be conducted according to the legislation of Georgia, including accepted standards, construction norms, technical regulations, instructions and the rules for accepting completed road works, which shall be approved according to established procedures by the Minister of Regional Development and Infrastructure of Georgia in the form of subordinate normative acts.

*Law of Georgia No 5424 of 26 October 2007 - LHG I, No 38, 14.11.2007, Art. 366*

*Law of Georgia No 855 of 23 December 2008 - LHG I, No 40, 29.12.2008, Art. 280*

## **V - Allocation and Use of Lands**

### **Article 27 - Procedure for allocating lands for the construction and exploitation of roads**

1. The land for the construction and exploitation of roads, as well as for the establishment of special zones (rest areas and service facilities) and for quarries, shall be allocated to road authorities and other organisations engaged in the construction and exploitation of roads for permanent or temporary use according to the procedures established by the legislation of Georgia.

## **VI - Transitional Provisions**

*Law of Georgia No 68 of 27 June 2008 - LHG I, No 12, 14.7.2008, Art. 90*

### **Article 28 - Transitional provisions**

Before 15 August 2008:

a) the Ministry of Economic Development of Georgia and the Ministry of Internal Affairs of Georgia shall make appropriate amendments to the procedures for issuing recommendations provided for by Article 16(a) of the Law of Georgia on Roads;

b) the Supreme Council of the Autonomous Republic of Abkhazia shall ensure the compliance of the Law of Abkhazia on Local Importance Roads of 28 December 2006 with the Law of Georgia on Roads.

*Law of Georgia No 68 of 27 June 2008 - LHG I, No 12, 14.7.2008, Art. 90*

**Chairperson of the Parliament of Georgia - Head of State**

**Eduard Shevardnadze**

**Speaker of the Parliament of Georgia**

**Vakhtang Gogvadze**

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