



Funded by
the European Union

MOVE
IT LIKE *Jublin*
CHISINAU Transport Development Initiative

CHISINAU TRANSPORT DEVELOPMENT INITIATIVE



OVERVIEW REPORT OF ALL PUBLIC TRANSPORT RELATED LEGISLATIVE PROVISIONS AT LOCAL AND NATIONAL LEVEL

Document owned by:



Consultants contributing to the development of the document:



“CRAYS Consulting” Ltd

mun. Chişinău, sec. Centru, str. Mălina
Mică, 20

Acronyms and abbreviations

AA	Association Agreement EU –Moldova
CoUE	The Council of the European Union
EC	European Commission
ToR	Terms of Reference
CMC	Chisinau Municipal Council
GDPTCP	General Directorate of Public Transport and Communication Paths
DCFTA	Deep and Comprehensive Free Trade Area
GDAUPLR	General Directorate of Architecture, Urban Planning and Land Relations
GD	Government Decision
KE	Key expert
UMP	Urban Mobility Plan
NAPIAA	National Action Plan for the Implementation of the Association Agreement
EU	European Union

Table of contents

1	Introduction	4
	1.1. Substantiation	4
	1.2. Structure of the Report	5
2	Data collected. Results of the analysis	6
	2.2. International commitments in the field of urban mobility and public transport	22
	2.3. Strategic planning of the urban mobility – good practices	23
3	Findings, lessons learned and recommendations	27
	3.1. Findings and lessons learned	27
	3.2. Recommendations for the organization of urban mobility	28
	3.3. Recommendations for the organization of public transport	33
4.	The options to support the decisions taken	34

1 Introduction

1.1. Substantiation

Providing quality, efficient and effective public transport is one of the biggest challenges for local public authorities in all countries, and Chisinau is no exception in this respect. The quality and operational management of public transport in a modern city largely depend on the quality of urban mobility, respectively, road and street users' satisfaction and convenience, including drivers. The economic aspect, too, is an element that cannot be neglected.

According to the Mission's ToR, the existing legal framework at the national level is not sufficiently clear from the perspective of the legal regulations on the options for organizing and managing the urban mobility system. The regulatory framework is affected by the lack of specific provisions for the functioning of urban transport and enforcement mechanisms and the lack of policies for the sustainable development of public transport.

The urban roads and streets network of Chisinau was formed through the prism of the radial concept of development, according to which the center connects to the peripheries through several arteries, without considering the functional hierarchy of the network, and the connection between the neighboring areas remained poorly developed.

As a result of the upward trend of increasing the number of vehicles registered in the metropolitan area, but also of those, which daily penetrate or circulate through the city, the level of congestion of the network increases significantly, and some structural, conceptual, and most importantly, sustainable measures are not applied, except for projects of a local character, which often only transfer sectoral problems. Thus, the traffic congestion situation is very acute and requires considerable and concentrated efforts to be solved.

One of the important aspects for improving things in the management of urban mobility and public transport is the taking over of good practices, and even if the EU-Moldova Association Agreement (AA) does not address issues in these areas, focussing on good practices and transposing them into national law is a crucial issue.

This report was produced under the Procurement Specification no. 21040814 (hereinafter - ToR) and in accordance with the reporting requirements of contract no. MILL/S/LEX/01, signed between the City Hall of Chisinau (hereinafter - Contracting Authority) and CRAYS Consulting Ltd (hereinafter - Consultant), signed on July 15, 2021.

The objectives of this Report were to present the methodology and business plan relevant to the tasks performed, including related data collection tools, subsequently coordinated with the Project Manager of the project "Move It Like Lublin - Chisinau Sustainable Development Initiative" (hereinafter - Project Manager), as well as priority areas for action, which set out final recommendations for improving the situation in the field of public transport and urban mobility.

As a result, the Consultant delivered a report analyzing local and national regulations to comply with international standards and rigors in the field of urban mobility in general and public transport, with its particularities related in particular to primary needs and long-term perspective.

In this regard, the tasks of the Consultant established by the Contracting Authority were the following:

- legal and regulatory review in the field of the public transport and urban mobility, including review of licensing, permitting, legal and contractual interfaces for public transport operations and

Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation

enforcement of traffic violations, specifically related to dedicated bus lanes and operations, including governmental, regulatory, and commercial participants in the sector.

- Review of the provisions regarding requirements for tariff and revenue collection, operating standards and conditions for transport operations, provisions for integration with other transport means, and for traffic enforcement, enforcement rights and obligations of city authorities, police, and others, use of video imagery for enforcement and for the due legal process, including data security and storage obligations.
- Identification of any relevant existing Moldovan laws which could have a negative impact on the structuring of this specific Project, including other transport sector legislation, private contract legislation, public procurement legislation, constitutional provisions, applicable government regulations, company law, laws on finance and security, tax laws, customs regulations, and import duties, property legislation, dispute resolution requirements and the efficacy of court proceedings, investment protection laws and laws governing construction contracts.
- review the sector experience in the country and how the identified challenges have been resolved in other transport projects in Moldova and in the region. As a result, being analyzed, formulated, and commented on all other existing or potential legal limitations and risks in relation to the envisaged project, covering restructuring of the bus network, fleet purchase, and traffic enforcement measures.
- finding the need for revision and suggesting drastic changes in order to improve legislation, regulations in the field of public transport, including from the perspective of urban mobility provisions, functional and technical specifications, database requirements, ensuring the protection of personal data. The consultant will also analyze the existing provisions on public transport tickets applicable to the introduction of the electronic ticket.

In order to achieve the intended goal, the target groups include the Chisinau City Hall and its relevant structures, the Project Implementation Unit, ministries, and other relevant government authorities, civil society, companies in the field of interest, and other stakeholders, with whom the Consultant met in meetings and discussions on the topic of the stated purpose and objectives.

1.2. Structure of the Report

The project's general objective to which this contract will form part is to improve the public transport system in Chisinau municipality.

This report is organized into four chapters as follows:

- Introduction to Chapter 1, which includes a brief description of the main tasks and characteristics of the Mission and an introduction to the subject of study;
- Chapter 2 presents the data collected by the Consultant, related to the legal framework of the urban mobility and public transport in the Republic of Moldova concerning the purpose and objectives of the mission;
- In Chapter 3 the Consultant presented his main findings and recommendations regarding the organizational dimension of urban mobility and public transport;
- Chapter 4 presents the options for the support of the decisions taken.

2 Data collected. Results of the analysis

2.1. Regulatory framework for urban mobility in the Republic of Moldova

The regulatory framework for urban mobility and public transport in the Republic of Moldova consists of over twenty laws, complemented by even more regulations (government decisions, regulations, orders, issued by ministries/agencies/directorates), programs in the field of road transport, with implication in the public transport field, technical requirements for road vehicles, gas emissions, and energy efficiency standards.

In this case, the general regulatory framework includes various regulations with an impact on the field of transportation, including road transport. This includes both general elements of the legal relationship between transport operators and passengers and between them and public administration bodies. It also includes tax, social, technical and road safety regulations, consumer and environmental protection, procurement (public and sectoral), etc.

The consultant laid down a list of the legislative/normative acts with the general and special characteristic that served as a starting point for the ongoing mission analysis, as follow:

2.1.1. The Main Regulatory Framework

1. Constitution of the Republic of Moldova (Law no. 1/1994, republished, amended/completed)

The Constitution of the Republic of Moldova is its Supreme Law. No law or other legal act that contravenes the provisions of the Constitution has legal force (art. 7). Article 8 of the Constitution laws down the obligation to comply with international law and international treaties.

The Constitution summarizes the democratic processes and expresses the conception of the state on the socio-political relations, focuses the economic relations on the traverses of the market economy, states the fundamental rights, freedoms and duties of people and their guarantees, regulates the attributions of public authorities, etc. (see Titles in the Constitution).

The provisions of the Constitution provide the general legal and regulatory framework, serving as a decisive benchmark for assessing the validity of all legal acts and facts.

The right to be safe (art. 25) and the right to free movement (art. 27) are guaranteed by the Constitution.

2. The Tax Code of the Republic of Moldova (Law no. 1163/1997, republished, amended/completed)

The Tax Code laws down the general principles of taxation in the Republic of Moldova, the legal status of taxpayers, tax authorities and other participants in the relations regulated by the tax legislation, the principles of determining the object of taxation, the principles of accounting of deducted income and expenses, liability for breach of tax law, as well as how to challenge the actions of tax authorities and their officials. This Code regulates the relations related to the execution of tax obligations regarding republican (state) taxes and fees, also establishing the general principles for determining and collecting local taxes and fees (see art. 1).

Taxation is carried out on the basis of this code and other regulatory acts adopted in accordance with it, officially published, and which are in force for the period established for the payment of taxes and fees. The tax procedure is applied at the time and place of application unless otherwise provided by law (art. 3 para. (4) and (41)).

If an international treaty governing taxation or includes rules governing taxation, to which the Republic of Moldova is part, stipulates other rules and provisions than those provided for by tax law, the rules and provisions of the relevant international treaty shall apply (art. 4 para. (1)).

In addition, the general provisions applicable to the report and the subject matter of the Contracting Agreement are the special provisions contained in Title IX. (Road Tolls). It should be noted that Title IX partially transposes (within the applicable limits) Directive no. 1999/62/EC of June 17, 1999 on the levying of charges on heavy goods vehicles for the use of certain infrastructures, the need for which is to be transposed into the legislation of the Republic of Moldova by the AA (Title IV, Chapter 15, Annex X). This directive regulates the framework for the harmonization of charging systems and the establishment of fair mechanisms for imposing infrastructure costs on carriers. The Directive lays down the obligation to establish certain rules for determining the application of taxes, the maximum amounts of certain tariffs and other general conditions to be complied with.

3. The Customs Code of the Republic of Moldova (Law no. 1149/2000, republished, amended/completed)

The Customs Code laws lay down the legal, economic, and organizational principles of the customs activity. Of interest to the activities of this Report are the provisions governing the crossing of goods and means of transport across the customs border, the customs procedures (Chapter II), import and export duties (Chapter III), the customs clearance (Chapter IV), the customs control (Chapter V), the customs facilities granted to certain categories of foreigners (Chapter VI), the customs value of goods, determination of the country of origin of goods (Chapter VII), application of measures to protect intellectual property (Chapter XII). The Customs Code partially transposes Directive no. 1999/62/EC of June 17, 1999, on the levying of charges on heavy goods vehicles for the use of certain infrastructures, the need for which is to be transposed into the legislation of the Republic of Moldova by the AA (Title IV, Chapter 15, Annex X). The commitments given by the national authorities under AA derive from the provisions of Title V “Trade and trade-related matters”, Chapter 1 “National treatment and market access of goods”, Chapter 5 “Customs and trade facilitation”, Annex XV and Annex XXVI. Under the conditions of Annex XXVI “Approximation of customs legislation”, the Republic of Moldova has undertaken to transpose the relevant European framework. Thus, on August 24, 2021, was approved in the final reading the law on the new Customs Code which provides for the modernization and efficiency of customs legislation in accordance with the commitments assumed by the Republic of Moldova through AA. The new Customs Code will enter into force on January 1, 2023.

4. The Civil Code of the Republic of Moldova (Law no. 1107/2002, republished, amended/completed)

From the perspective of the research carried out, the provisions of Chapter XII “Transport” with the 3 subsequent sections are especially relevant. Thus, Section 1 of the Chapter reflects the general provisions on the contract of carriage, the forms of carriage, the time of carriage, and the carriage charge. In turn, Section 2 regulates passenger transport, of particular importance for urban transport, by elucidating the definition and particularities of the contract in question (ticket (the travel document)), charter contract, the extension of the obligation to carry, the liability of the carrier and related exceptions, obligations and liability of passengers, termination of the passenger transport contract). Finally, Section 3 of Chapter XII contains the provisions relating to the carriage of goods, expressly laying down the rules, conditions,

particularities, effects of such contractual relations (conclusion and performance of the contract of carriage of goods, liability of the carrier, claims and actions).

5. The Contravention Code of the Republic of Moldova (Law no. 218/2008, republished, amended/completed)

The Contravention Code contains legal norms that laws down the general and special principles and provisions in the matter of contravention, determine the facts that constitute contraventions, and provide for the contravention process and contravention sanctions (see art. 1).

The purpose of the contravention law consists in defending the rights and freedoms of the people, defending property, public order, other values protected by law, solving the contravention cases, as well as in preventing the commission of new contraventions (art. 2).

The general provisions contained in the First Book “Material Law”, Title I “General Part”, define the term of contravention, liability, and contravention sanction, elucidate the causes that remove the contravention character of the deed and the contravention liability, regulate the application of sanctions contravention (see Chapter II, III, IV, and V).

Of particular importance, in the context of the research tool, are the provisions of Title II “Special Part” which define the contraventions that threaten the transport regime (Chapter XII) and road traffic offenses (Chapter XIII), complemented by the provisions regarding contraventions in the field of environmental protection (Chapter IX); Book Two regulating the “Contravention Process”.

6. The Education Code of the Republic of Moldova (Law no. 152/2014, amended/completed) &

7. The Qualifications Framework of the Republic of Moldova (GD no. 1016/2017, amended) &

8. The Regulation on Continuing Adult Education (GD no. 193/2017, amended) &

9. The nomenclature of the fields of vocational training and trades / professions (GD no. 425/2015, amended/completed) &

10. The Qualifications Framework of the Republic of Moldova (CORM 006-14) (MLSP 2014, amended)

The Education Code lays down the legal framework of the connection between the design, organization, functioning, and development of the education and research system in the Republic of Moldova (art. 1). Relevant for the report are the provisions regarding the structure and organization of the education system (Title II), technical vocational education (Title IV), higher education (Title V), continuing education of adults (Title VII), training and development of staff involved in the educational process.

The National Qualifications Framework of the Republic of Moldova (NQFRM) aims to form a unique, integrated, open, and flexible national qualifications system, which includes all levels and forms of vocational education, aimed to meet the main needs in the qualified market fields, align the lifelong learning process to the economic development of the country, and support national policies and strategies in the field of vocational education and training in line with European policies in this area (the provisions of the European Qualifications Framework (EQF), the European Higher Education Area Qualifications Framework (QF-EHEA) (points 1-2).

The Regulation on Continuing Adult Education aims to regulate and develop the regulatory framework for adult education in the European context; developing the rules for funding and facilitating the development of adult continuing education programs, with priority given to the development of key competencies: digital, entrepreneurial, linguistic, intercultural and other new skills required by the market; use of

transversal skills; development of professional skills common to several occupations. The regulation lays down the activity of continuous training of adults within the educational system and outside it (point 1).

The nomenclature of the fields of vocational training and trades/professions applies to the vocational training of skilled workers in secondary technical vocational education institutions (ISCED, level 3) and of the unemployed through courses with training duration in accordance with the normative acts in force.

The classification of occupations in the Republic of Moldova establishes the names of occupations (professions and functions) practiced by the active population of the Republic of Moldova and their classification into groups according to the level of homogeneity of the activity carried out. The classifications are intended for solving a wide range of problems that are subject to the regulation of social and labor relations, as well as those related to assessing the state and dynamics of changes in the structure of the workforce, analysis, and forecasting indicators in the field of labor use and professional training (point 1).

Directive No. 2003/59/EC of July 15, 2003, on the initial qualification and periodic training of drivers of certain road vehicles intended for the carriage of goods or passengers is partially transposed by several national legal instruments, including: Education Code no. 152/2014; Law 131/2007 on road traffic safety and related regulations, GD 1452/2007 on driving licenses, GD no. 1016/2017 on the approval of the National Qualifications Framework of the Republic of Moldova; GD no. 193/2017 for the approval of the Regulation on the continuous training of adults; GD no. 425/2015 on the Nomenclature of fields of professional training and trades / professions; The classifier of occupations in the Republic of Moldova, approved by Ministry of Labor a Social Protection (MLSP) Order no. 22 of March 3, 2014; MTRI Order no. 9 of February 10, 2015 on the elaboration of Continuing Vocational Training Programs, etc., only not compiled in an integral process of the initial and regular training of drivers, integrated as provided by the Directive.

A complex assessment of the compatibility of the national legal framework with the provisions of the Directive no. 2003/59 / EC was carried out In 2019 within the EU Technical Assistance Project “*Support to Reform of the Transport Sector in the Republic of Moldova - EuropeAid / 139029 / DH / SER / MD*”. The main conclusion was: *The national legal framework reveals a lack of a systemic approach. In fact, the qualification and regular training of the categories of drivers identified by the provisions of Directive 2003/59/EC is governed by a wide range of legal and regulatory acts. The basic recommendation was on the need for a single regulation in the field.*

11. The Law no. 1515/1993 on environmental protection (amended/completed)

The law provides the legal framework for regulating activities related to environmental protection and rational use of natural resources, energy, the liability of all individuals and legal entities for environmental damage, measures to prevent danger to the biosphere and human health, compliance with treaty commitments, interstate and international agreements (art. 1-3).

General principles related to road transport are found in the law, from the approximation positions, of the rigors established in the **Directive no. 92/6/EEC** of February 10, 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community and **Directive 96/53/EC** of July 25, 1996 laid down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic, with a view to regulating: the installation and normal use of speed limitation devices for certain categories of vehicles from the point of view of environmental protection and energy efficiency,

as well as engine and tire wear and tear, as well as to increase road safety; and ensuring a balance between the rational and economical use of commercial road vehicles and the requirements for the maintenance of infrastructure, road safety, environmental protection and cargo structure. The provisions of the **Directive 2011/92/EU** of the European Parliament and of the Council of December 13, 2011 on the assessment of the effects of certain public and private projects on the environment (Text with EEA relevance) should be taken into account.

At the same time, it should be noted that on December 9, 2020, the Government approved the draft law on air quality. The draft law directly laws down the transposition of the **Directive 2008/50/EC** of the European Parliament and of the Council of May 21, 2008, on ambient air quality and cleaner air for Europe, **Directive 2004/107/EC** of the European Parliament and of the Council of December 15, 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air, and **Directive 2015/1480/EC** amending several annexes to Directives 2004/107/EC and 2008/50/EC of the European Parliament and of the Council laying down the rules concerning reference methods, data validation and location of sampling points for the assessment of ambient air quality (Text with EEA relevance).

The application of the law will contribute to achieving the objective of creating an integrated air quality management system and reducing emissions of pollutants into the atmosphere by 30% by 2023, provided by the Environmental Strategy for 2014-2023.

12. The Law on Roads, no. 509/1995 (republished, amended/completed)

The law on roads lays down the economic, legal and organizational principles of roads management, maintenance, extension, and operation.

It should be noted that **Directive no. 96/53/EC** of July 25, 1996, establishes for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic has been partially transposed, in particular, the technical parameters from Annex I which are in force until now, by being found in Annex no. 2 of the Law on Roads.

At the same time, the provisions of **Regulation (EC) no. 595/2009** of the European Parliament and of the Council of June 18, 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy-duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (Text with EEA relevance); the **Directive 2014/45/EU** of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC Text with EEA relevance; the **Directive 2008/96/EC** of the European Parliament and of the Council of November 19, 2008, on road infrastructure safety management; the **Directive 2011/92/EU** of the European Parliament and of the Council of December 13, 2011 on the assessment of the effects of certain public and private projects on the environment with EEA relevance.

This law establishes the functional classification of the road infrastructure, which can and should regulate the hierarchy of the urban road infrastructure, but also the duties and responsibilities of road infrastructure management authorities, including at the local level and including the management of mobility and safety on the road infrastructure.

13. Law no. 121/2018 on the on-works concessions and service concessions (amended)

This law regulates the specific aspects of attribution of the works concession and the service concession by the contracting public authorities, the applicable legal regime, and the execution of the respective concessions (see art. 1 - 2).

In the context of the analysis carried out, the provisions of the law are applicable in the part related to the works and services proposed for concession by the central/local public administration authorities, those of national/local public interest, the concessionaire selection requirements, and the concession conditions (from the assignment in all the complexity of the procedure until the execution, possibly, the solving of disputes) on the segment of public transport and urban mobility.

The Law partially transposes **Directive 2014/23/EU** of the European Parliament and of the Council of February 26, 2014, on the attribution of the concession contracts, as last amended by Commission Delegated **Regulation (EU) 2017/2366** of 18 December 2017.

14. Law no. 720/1996 on road fund (republished, amended/completed)

This law lays down the legal, organizational, and financial basis for the establishment and operation of the road fund. The fund has a special purpose, being used to finance *inter alia* the maintenance, repair, and reconstruction of national and local public roads; road design; road management; the distribution of the funds on expenditure chapters for public roads being approved annually by the Government, and for the local ones by the local public authorities (art. 1). The law lays down the principles for collecting the taxes on petrol and diesel (art. 3), fees for issuing authorizations for international road transport, multilateral ECMT authorizations, multilateral road authorizations (ECMT), Interbus authorizations, paid by companies (art. 7 and Annex no. 3), the tax for the commercialization of the natural gas intended for use as fuel for vehicles (art. 72 and Annex no. 2).

15. Law no. 160/2011 on the regulation of entrepreneurial activity by authorization (amended/completed)

Licensing for certain types of activity in the field of road transport is carried out in the manner established by the legislation in force. For a relatively long period, in this sense, express reference was made to the provisions of Law no. 451/2001.

Major changes on the legal framework governing the entrepreneur activity through licensing were operational in 2017, with the adoption of Law no. 185 of September 21, 2017, on amending and supplementing some legislative acts. Following the changes made, many of the entrepreneurial activities that previously required a license were exempted from the obligation to obtain activity licenses. At the same time, the total number of permissive documents for starting the entrepreneurial activity in 2017, in different fields of activity, decreased considerably to 180, compared with 2015 when there were over 400 permissive documents (licenses/authorizations, etc.). By Law no. 185/2017, the number of documents required for the right to obtain a license in order to carry out a certain entrepreneurial activity by license has decreased considerably. Also, by Law no. 185/2017, Law no. 451/2001 was repealed.

Law no. 160/2011 on the regulation of entrepreneurial activity by authorization establishes the legal framework in the field. The purpose of this law is to establish unitary provisions on the procedure for regulating the authorization of entrepreneurial activity, which will be applied by the issuing authorities to individuals and legal entities for the practice of entrepreneurial activity or other activity provided by law, related to the activity of enterprising and indispensable to her (art. 1). The nomenclature of permissive documents is set out in Annex no. 1 to the law.

16. Law on the public communal services, no. 1402/2002 (amended/completed) &

17. Regulation on the concession of public communal services (GD no. 1006/2004)

The law lays down the unitary legal framework regarding the establishment and organization of the public services of communal households in the administrative-territorial units, including the monitoring and control of their functioning (art. 1). The management of the public domain involves all the activities including the construction, modernization, and operation of streets, roads, (...) bridges, viaducts, and pedestrian crossings, the organization of road and pedestrian traffic, the introduction of modern road signaling, and control systems, lighting of settlements, (...) snow removal of roads and sidewalks, (...) maintenance of cable networks, maintenance of car transport stations, etc. Among the public communal services provided/offered is the provision of local public transport, as a whole of the activities, implemented in order to carry out, at the local level, the public transport (see art. 2 and art. 3). This law guarantees to all persons the right to benefit from quality public communal household services, provided/offered by specialized operators (see art. 7-8, art. 10-12). The delegation of the management of public communal services to the operators will be done in conditions of transparency, through public procurements organized according to the law (art. 21, paragraph (2)). Operators that provide/offer services at the level of the region, district, the municipality is set up by the local public administration authorities or, as the case may be, by the specialized central ones for a series of activities, among which those of construction, operation, maintenance, and modernization of roads and bridges of regional, district, municipal interest; and the public transport, including pupils, between localities (art. 23 para. (3) (a) and (e)).

The regulation on the concession of public communal services completes the provisions of Law no. 1402/2002 and lays down the unitary legal framework regarding the stages and conditions to be fulfilled in the concession procedure of water supply and sewerage services and other public services of communal household, regardless of the form of ownership of the operator and the organizational form of management (pt. 1).

18. Law no. 105/2003 on the consumer protection (republished, amended/completed)

This act lays down the legal basis for the protection of persons by the state as consumers and transposes the **Directive 2005/29/EC** of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council and the **Directive 1999/44/EC** of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees.

19. Law no. 397/2003 on the local public founding (republished, amended/completed)

The provisions of the law regulate the economic relations related to the formation and management of local budget resources, including the carrying out of special purpose transfers for the financing of local public road infrastructure and capital investments (art. 12 paragraph (1) letters (b) and letters (d)), as well as the principles of disposing of/collecting the related taxes.

The transfers with special destination stipulated in par. (1) lit. (b) of art. 12 for the first level local budgets, including the Balti and Chisinau municipal budgets, are calculated and distributed in proportion to the number of the population in the respective administrative-territorial unit, based on the official data existing at the time of their calculation, in the amount of 50% of the total volume. The toll for the use of

roads by motor vehicles registered in the Republic of Moldova is approved in the law of the annual state budget and will be used exclusively for the infrastructure of communal roads and streets.

The funds related to the budgets of the villages (communes) and of the cities (municipalities) from the composition of the autonomous territorial unit with special legal status will be transferred to the central budget of the autonomous territorial unit with special legal status. For the local budgets of the second level and of the autonomous territorial unit with special legal status, the transfers with special destination for financing the local public road infrastructure are calculated and distributed according to the number of equivalent kilometres administered, according to the legislation on the road fund (art. 12 para. (2)).

20. Law no. 407/2006 on the insurance activities (amended/completed) &

21. Law no. 414/2006 on the on compulsory motor third party liability insurance for motor vehicle damage (republished, amended/completed)

Considering the trend of the Republic of Moldova towards economic integration based on the adoption and implementation of existing economic and trade rules and regulations in the European Economic Area, in order to develop a prudent regulatory framework for financial markets and supervisory framework equivalent to that in force in the European Union in the purpose of developing the insurance market.

The law no. 407/2006 regulates globally the insurance activity (reinsurance). The insurance activity is carried out within two categories: "life insurance" and "general insurance". The insurance classes from the categories specified in par. (1) are laid down in Annex no. 1 of the law, an integral part of this law. The insurer is entitled to carry out the activity within the limits of the insurance classes for which it has obtained a license under the conditions of this law. The right to practice within the 10th class of compartment B (motor third party liability insurance covering - damages resulting from the use of motor vehicles (including the liability of the carrier)) of Annex no. 1 of this law is granted and indicated separately in the annex to the license for the compulsory internal motor third party liability insurance or for the compulsory internal and external motor third party liability insurance. By the way of derogation from the para. 2, the insurer engaged in the category of "life insurance" may, without holding a license for the category "general insurance", also take out the risks covered by Class 1 (including - compensation for people who suffered injuries during transportation) and 2 provided in compartment B of Annex no. 1, if they are considered auxiliary risks for the classes in the category "life insurance" (see art. 8 and Annex no. 1).

Law no. 414/2006 regulates the legal relations between insurers, insured persons, and third parties deriving from the contract of compulsory civil liability insurance for damages caused by motor vehicles, as well as the manner of carrying out this type of insurance (art. 1). Thus, the law regulates in blocks: the contract of compulsory third party insurance of motor vehicles (Chapter II - concerns the manner of concluding the contract of compulsory third party insurance of motor vehicles (art. 8); the term of action and termination of the insurance contract, (art. 9- 10), insurance premiums and limits of insurances (Chapter III - provisions on insurance premiums, reductions and increases of insurance premiums, payment of the insurance premium, limits of the insurer's liability art. 11-14), insurance indemnities (Chapter IV – with damages or not / is repaired by the insurer, the amount of compensation in case of common violation claims file article / finding of damages, art. 18-21), establishment and payment of damages (Chapter VI – in order to establish the compensations, to establish the compensations in case of damage or destruction of the vehicle / bodily injury / damage or loss of animals / in case of damage or destruction of other goods, payment of compensations, recourse action art. 22-29), National Bureau of Motor Insurers - NBMI (Chapter VII - provisions regarding the establishment, attributions, NBMI membership, Street Victims

Protection Fund, Compensation Fund, management, NBMI patrimonial resources, external financial guarantee, information on accidents, insurance records, control of compulsory third party insurance of motor vehicles (Articles 30-39).

Violations on the insurance market are considered non-compliance with the mandatory provisions of the mentioned law, of the Law no. 414-XVI of December 22, 2006, on the compulsory civil liability insurance for damages caused by motor vehicles, other legislative acts, insurance regulations, non-compliance with licensing conditions, prescriptions issued for compliance, non-execution of sanctions and enforcement measures imposed recovery and financial remediation, as well as the facts expressly established in the Contravention Code and in the Criminal Code (see art. 54 of Law no. 407/2006).

It is mentioned that, between May 4 - June 5, 2020, the draft law on compulsory third-party insurance of motor vehicles was proposed for public consultation/approval/expertise. The draft law submitted to the Government for approval transposes the provisions of the Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability (Text with EEA relevance), as well as the provisions of art. Article 21 (2) and Article 181 (3) of the Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (Text with EEA relevance).

22. Law no. 436/2006 on the local public administration (amended/completed)

This act lays down and regulates the organization and functioning of public administration authorities in administrative-territorial units (art. 2 para. (1)).

The law contains general provisions on the responsibilities of the local councils (village, communal, city, municipal) (Chapter II), the mayor/deputy mayor (Chapter III), the secretary of the local council (Chapter IV), the mayor's office (Chapter V), the public administration authorities of the district (Chapter VI), administrative control of the activity of local public administration authorities (Chapter IX), public services, public goods and works (Chapter X), administration of public finances (Chapter XI).

Important for the report is the responsibility to decide on the design, construction, maintenance and modernization of roads, bridges, (...) as well as the entire infrastructure (...) of local / district interest; to organize the good functioning of the public services of communal household / of the district and/or regional interest; to ensure road and pedestrian safety by organizing the movement of transport, by maintaining roads, bridges and road traffic engineering within the administered territory; to ensure the registration of trolleybuses, mopeds, motor vehicles and equipment used in construction or agricultural works, which are not subject to registration, as well as animal-drawn vehicles, in accordance with the standard regulation approved by the Government (art. Article 14 (2) (f), (h), Article 29 (1) (i), (j), (l), (ll) Article 43 (1) (g), (i), Article 53 (d) and (k).

Of particular importance are the provisions of Chapters VII and VIII which concern the public administration of Chisinau, regarding the general principles of organization / functioning / competence / coordination to the particularities of the municipality. Chapters VII¹ and VIII provide for the organization and functioning of the public administration authorities of Balti municipality.

23. Law no. 158/2008 on regarding the civil service and the status of the civil servant (amended/completed)

The law regulates the general rules of the civil service, the status of the civil servant, the legal relations between civil servants and public authorities, as well as other relations arising therefrom; the aim is to ensure a stable, professional, impartial, transparent, and efficient public service in the interest of society and the state (art. 1). The provisions of the law applicable to civil servants from the public authorities are specified in Annex no.1.

The Law transpose art. 3 para. (1) lit. (a), (b), and (d) Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

24. Law no. 133/2011 on the protection of the personal data (amended/completed)

Law no. 133/2011 regulates the legal relations appearing in the processing of personal data that are part of an accounting system or that are intended to be included in such a system, carried out in whole or in part by automated means, such as and by means other than automated ones (art. 2).

The law lays down the basic conditions for the processing, storage, and use of personal data (Chapter II), the rights of the data subject (Chapter III), the principles of controlling the protection of personal data (Chapter V), the rigors inherent in ensuring confidentiality and security processing of personal data (Chapter VI) and liability for infringement (Chapter VIII).

The Law also create the legal framework to apply the Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

25. Law on competition, no. 183/2012 (amended/completed)

The competition act lays down the legal framework for the protection of competition, including the prevention and counteracting of anti-competitive practices and unfair competition, the conduct of economic concentrations on the market, establishes the legal framework for the activity and competence of the Competition Council and liability for infringements of competition law. The main purpose of this law is to regulate the relations regarding to the protection, maintenance and stimulation of competition in order to promote the legitimate interests of consumers (see Articles 1 and 2). Thus, the provisions of the law are applicable to the field of road transport, targeted at the public transport segment, to acts or inactions that have as the object or have or may have the effect of restricting, impeding, or distorting competition, as well as to acts of unfair competition committed e.g. in the provision / supply of services, management of funds.

The law transposes the provisions of art. 101-106 of the Treaty on the Functioning of the European Union of 25 March 1957, the provisions of the Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty and, in part, the provisions of Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) (Text with EEA relevance).

26. Law no. 131/2015 on public procurements (republished, amended/completed) &

27. Law no. 74/2020 on procurement in the energy, water, transport, and postal services sectors

Law no. 131/2015 provides the general framework for public procurement through a public procurement contract for goods, works, or services (subject to the exceptions in Article 5) which transposes the Directive 2014/24 / EU of the Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC Text with EEA relevance, as amended by

Commission Delegated Regulation (EU) 2017/2365 of 18 December 2017 amending Directive 2014/24/EU of the European Parliament and of the Council in respect of the application thresholds for the procedures for the award of contracts and Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts.

In turn, Law no. 74/2020 - of special applicability (among the exceptions provided by Law no. 131/2015), particularly relevant to the performed analysis - partially transposes Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport, and postal services sectors and repealing Directive 2004/17/EC, as amended by Commission Delegated Regulation (EU) 2017/2364 of 18 December 2017 amending Directive 2014/25/EU of the European Parliament and of the Council in respect of the application thresholds for the procedures for the award of contracts.

28. Law no. 136/2016 on the Chisinau municipality status (amended/completed)

The law regulates the specific features of the organization and functioning of the public administration authorities of Chisinau municipality. The organization and functioning of the public administration authorities of Chisinau is implicitly regulated based on the provisions of the European Charter of Local Self-Government, of Law no. 436-XVI of December 28, 2006, on local public administration, etc. (art. 1). The municipal council, the general mayor, the pretors exercise specific competencies and attributions to the local public authorities of the first level in the territory of Chisinau and of the second level - in the relations with the cities, villages (communes) of the municipality (see art. 3).

The city council, the general mayor, the pretors have broad powers, including, to decide on the design, construction, maintenance and modernization of roads, bridges (...), as well as the entire infrastructure (...) of local interest and / or municipal, as appropriate, coordinates and controls the process; to organize the proper functioning of public services of local and / or municipal interest; to ensure the safety of road and pedestrian traffic by organizing the movement of transport, by maintaining roads, bridges and installing road signs within the administered territory; to ensure the registration of trolleybuses, mopeds, motor vehicles and equipment used in construction or agricultural works, which are not subject to registration, as well as animal-drawn vehicles, in accordance with the standard regulation approved by the Government; to take measures, in accordance with the law, aimed to ensure the protection of the environment; to coordinate the distribution of land in the sector for the construction and / or location of garages, including temporary ones, and the location of paid car parks (see art. 6, art. 15, art. 21, art. 25).

2.1.2. Special regulatory framework

The special regulatory framework includes acts that directly regulate the activity in the road transport field, including public passenger transport.

The following special laws and regulations establishing the institutional and organizational framework have been established and studied by the Consultant:

1. The Road Transport Code of the Republic of Moldova (Law no. 150/2014, (amended/completed))

The Code establishes the regulatory and operational framework in the field of road transport, each title/chapter/section identifying the narrow profile provisions of the subjects covered by the Code and its exceptions, the regulations covering road transport activities, classification of road transport, terms used (Title I); the principles of road transport management, the authorities exercising public administration in

the field of road transport and their attributions (specialized central public administration authorities, local public administration authorities and other authorities empowered by law, within the limits of their competences) (Title II); access to the road transport activity, the official registration of road transport operators, the authorization regime for road transport services, the transport “e-Authorization” information system, the additional requirements applicable to the issuance of unit and multiple road transport authorizations in international freight traffic, ECMT authorizations, INTERBUS Carnet, Roadmap Carnet (CFP), unitary and multiple authorizations for international road passenger transport by occasional services, authorization regime for regular road passenger transport services, road transport on own account, professional attestation of road transport managers and drivers (Title III); general conditions regarding to the carriage of goods by road, carriage of goods and parcels by persons (Title IV); related activities (Title V); drivers working and rest time, the necessary measures to be taken from the perspective of road safety (Title VI); tariffs (Title VII); monitoring and controlling compliance with national and international regulations in the field of road transport (Title VIII).

The amendments and additions to the Code over time have also been made through the 1: 1, partial and/or adapted transposition of legal acts according to AA (Title IV, Chapter 15, Annex X), namely: Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (to be seen the provisions of art. 3 lit. (i), art. 49 lit. (o), art. 85, Title V, Chapter 4 of the Code); Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (to be seen the provisions of art. 3 lit. (e), art. 49 lit. (q), art. 51 para. (3), art. 56 (paragraphs (1) and (2) of the Code); Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on technical inspection for motor vehicles and their trailers (to be seen art. 3 lit. (g), art. 18 para. (3) lit. (e), art. 49 lit. (j) and letter (k), art. 85 lit. (e), Title V, Chapter 6 of the Code); Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (to be seen the provisions of art. 43 para. (2) lit. (a), Art. 126 para. (4), art. 128 para. (2) lit. (d) of the Code); Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (to be seen, in particular, the provisions of Chapter 2, Title IV of the Code); Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport, Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities, Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities (to be seen, in particular, the provisions of Chapter 4, Title V and Title VI of the Code); Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator (to be seen the applicable provisions, which are found starting with the general terms and continuing with each step regarding the activity of the road transport operator in the Code); Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers (to be seen the provisions of art. 43 para. (4), (5) and (7), art. 127, art. 128 of the Code)

2. Law no. 1194/1997 on transports (amended/completed)

The law on transport lays down the legal, economic, and organizational bases of the transport operation in the Republic of Moldova. General terms regarding the transport companies organization of the activity, their interaction with the local public administration authorities, the transport system (of particular interest being the components of road transport (art. 17) and urban electric transport (art. 18)), transport tariffs, and fees, transport security and safety, labor relations and social protection of transport workers, control - are found in the law and lay the foundations for the organization, uninterrupted operation of various modes of transport in order to use them more efficiently and improve the quality of service, increase the efficiency of transport, etc.

Even if the law does not directly denote the transposition of EU legal instruments, the terms and regulatory framework are in line with the provisions of the Council Directive 92/6/EEC of 10 February 1992, Council Directive 96/53/EEC of 25 July 1996, Directive 2014/45/EU on periodic technical inspection for motor vehicles and their trailers and repealing Directive 2009/40/EC, Directive 2006/126/EC of 20 December 2006, Directive 2008/68/EC of 24 September 2008, Regulation (EC) no 561/2006 of 15 March 2006, Directive 2006/22/EC of 15 March 2006, Directive 2002/15/EC of 11 March 2002, Directive 2003/59/CE of 15 July 2003, Directive 1999/62/EC of 17 June 1999, etc.

3. Law no. 131/2007 on road traffic safety (republished, amended/completed)

Law no. 131/2007 lays down the legal and social relations in the field of road traffic, establishes the rights, obligations, responsibilities of the competent authorities (Chapter II) and of the participants in the road traffic (Chapter IV), determines the principles of organizing the activity of the training units of the personnel in the field road transport (Chapter III and Annex), conditions of admission to the road traffic of drivers (Chapter V), the road infrastructure safety and health insurance in road safety (Chapter VI), liability (Chapter VII). The provisions of the law at road traffic from the perspective of ensuring its smooth and safe operation, which means protecting the rights and legitimate interests of individuals and legal entities, defending their property, protecting the health, bodily integrity, and life of road users, and protection of the environment surrounding.

The amendments/completions made to the law partially transposed the **Directive 2006/22/EC** of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council **Regulations (EEC) No 3820/85 and (EEC) No 3821/85** concerning social legislation relating to road transport activities; the **Directive 2003/59/EC** of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers being transposed; the **Directive 2008/96/EC** of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management, regarding terms and definitions and carry out of the road safety impact assessments and audits, but without implementation tools, etc.

4. Road Traffic Regulation (GD no. 357/2009) (amended/completed)

The Road traffic regulation lays down the norms that determine the vehicles and pedestrians' movement on the public roads of the Republic of Moldova, as well as on the territories adjacent to them. Compliance with this Regulation will ensure the safety of all road users, the protection of the environment, the protection of the rights and legal interests of people, and the protection of their property. The Regulation provides the legal and operational framework for the rights, obligations, and restrictions for drivers (Chapter II), the traffic engineering organization and monitoring (Chapter III), the rules for the movement of the vehicle (Chapter IV), the obligations for vehicle owners and persons responsible for the operation

of vehicles, public roads, level crossings and other road construction in order to ensure the road safety (Chapter V).

The Regulation transpose in an adapted form the provisions of the Council Directive 92/6/EEC of 10 February 1992, Council Directive 96/53/EEC of 25 July 1996, Directive 2014/45/EU on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC, Directive 2006/126/EC of 20 December 2006, Directive 2008/68/EC of 24 September 2008, Regulation (EC) no 561/2006 of 15 March 2006, Directive 2006/22/EC of 15 March 2006, Directive 2002/15/EC of 11 March 2002, Directive 2003/59/CE of 15 July 2003, Directive 1999/62/EC of 17 June 1999, etc.

- 5. Regulation on technical surveillance exercised by the National Inspectorate of Public Security (GD no. 415/2003, amended/completed) &**
- 6. Regulation on ensuring the road safety in enterprises, institutions, organizations carrying out the carriage of passengers and goods (MTC/1999) &**
- 7. GD no. 1047/1999 on the reorganization of the Automated Search Information System “Automobile” in the State Register of Transports and the introduction of roadworthiness of motor vehicles and their trailers (amended/completed)**

The regulation on technical surveillance exercised by the National Inspectorate of Public Security provides for the regulation and ensuring the effectiveness of technical surveillance, establishes the obligations of all subdivisions of the National Inspectorate of Public Security responsible for technical surveillance and how to perform them, determines forms of relations with legal entities of the means of transport of motor vehicles and motorcycles, as well as their trailers; companies which carry out activities of manufacture, operation, technical maintenance of vehicles, repair and technical testing, as well as with drivers.

The main purpose of the technical surveillance activity exercised by the National Inspectorate of Public Safety is to ensure road safety (points 1 and 2). The National Inspectorate of Public Safety carries out its activity in the field of technical surveillance in cooperation with other units of the Ministry of internal affairs, other ministries and departments, institutions, whose activity is related to ensuring road safety and environmental protection (point 4).

The National Inspectorate of Public Security units of the Local Police Departments organize and carry out the periodic state technical inspection of the vehicles in cooperation with the environmental protection bodies; controls the implementation by vehicle owners of maintenance measures in technical and operational condition; exercises control over the compliance of the technical condition of vehicles and their equipment with the requirements of the Road Traffic Regulation, standards and other normative acts in force relating to ensuring road safety and environmental protection; controls the quality of the repairs, servicing and technical testing of vehicles carried out by authorized economic operators in order to ensure the road safety (point 8, see Chapters IV, V, VI, VIII and IX).

Control of the execution by transport companies of measures for the proper maintenance of vehicles, the performance of measures for the prevention of road accidents, the raising of the professional and safety level of drivers provided for in the Regulation on road safety at enterprises, institutions, organizations that carry out passenger and freight transport, approved by the Ministry of Transport and Communications on December 9, 1999, are carried out by the National Inspectorate of Public Security units of the police departments (point 20). The purpose of the inspection is to ensure that the technical and environmental condition of the vehicles complies with the requirements of the Road Traffic Regulation (point 21). The quality control of the technical testing of the vehicles at the technical testing stations aims at verifying the

observance of the requirements of the roadworthiness rules of the motor vehicles and their trailers, approved by GD no. 1047 of 8 November 1999 (para. 36). Through the GD 1047/1999 was created the State Register of Road Transports based on the Automated Search Information System “Automobile” and was approved the Regulation on the State Register of Road Transports (Annex no. 1), the rules for the registration of means of transport (Annex No. 2), the rules for the periodic roadworthiness inspection of motor vehicles and their trailers (Annex No. 3) and the tariffs for the mandatory roadworthiness inspection of motor vehicles and their trailers at the roadworthiness stations (Annex No. 4).

The Regulation on technical surveillance carried out by the National Inspectorate of Public Security (GD no. 415/2003) expressly transposes point II.5 (P) of Annex I to the Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles, as last amended by the Directive 2014/46/EU of the European Parliament and of the Council of 3 April 2014 amending the Council Directive 1999/37/EC on the registration documents for vehicles; and Section 0 of Annex I to the Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC Text with EEA relevance.

GD no. 1047/1999 partially transposes the Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (Text with EEA relevance).

8. Regulation on the Inland Transport of Dangerous Goods (GD no. 143/2016, amended/completed)

The Regulation on the Inland Transport of Dangerous Goods shall apply to the transport of dangerous goods by road, rail, or inland waterway, including loading and unloading activities, transfer to or from another mode of transport, and parking required by the circumstances of transport, with exceptions, specific safety requirements for the domestic and international transport of dangerous goods within the territory (points 1-3), restrictions for reasons of transport safety (Chapter II), derogations (Chapter III). Additional provisions regarding road transport are provided in Annex no. 1.

The Regulation partially transposes the provisions of the Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (Text with EEA relevance).

9. Regulation on the road transport of the passengers and luggage (GD no. 854/2006, amended/completed)

The Regulation of the road transport passengers and luggage lays down the main conditions for carrying out of passengers and luggage transportation on the territory of the Republic of Moldova and abroad, being mandatory for licensed transport companies, institutions, organizations, and persons benefiting from road transport services.

The Regulation provisions transpose partially the **Regulation (EC) No 1071/2009** of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator which regulates access to the profession of the road transport operator and carry out of this activity. Thus, it is means about the harmonization of national and EU provisions to be met the conditions for the occupation of road transport operator activity.

10. The Methodology for calculating the tariffs for passenger transportation services (GD no.1167/2007)

The methodology for calculating tariffs for passenger and luggage transport services sets out the unique principles for calculation, approval, and application of tariffs for passenger and luggage transport services for the next period of time.

The Methodology provides the conditions for calculating tariffs (Chapter II), the method of determining the consumption and expenses included in the calculation of tariffs (Chapter III), as well as the mechanism for regulating and applying tariffs (Chapter IV).

The methodology is to be applied by all transport companies operating on regular routes, regardless of the type of ownership and the organizational-legal form.

11. The Regulation on the conditions for the installation, repair and checking of tachographs and speed limitation devices (GD no. 475/2016, amended)

The Regulation lays down conditions for the installation, repair, adjustment and checking of road transport control devices and speed limitation devices.

The Regulation fully transposes the Council **Directive 92/6/EEC** of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community and partially – the provisions of the **Regulation (EU) No 165/2014** of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council **Regulation (EEC) No 3821/85** on recording equipment in road transport and amending **Regulation (EC) No 561/2006** of the European Parliament and of the Council on the harmonization of certain social legislation relating to road transport (Text with EEA relevance).

However, the following special regulations were analyzed, which ensure the framework of policies/strategies and/or practical implementation reported at the level of Chisinau municipality:

1. National Strategy on Road Safety (GD no. 1214/2010)
2. Transport and Logistic Strategy for 2013-2022 (GD no. 827/2013)
3. Regulation of public passenger transport operated by minibusses and conditions of the competition regarding the administration of minibus routes in Chisinau municipality (CMC Decision 4/6 of 22.08.2000)
4. Transport Strategy of the Chisinau municipality (CMC Decision no. 7/1 of 21.10.2014)
5. Regulation of the General Directorate of Public Transport and Communication Path (CMC Decision 11/31 of 04.06.2004)
6. Methodology for calculating and regulating tariffs for services provided by passenger transport and the Regulation on the examination and approval of tariffs for services provided by passenger transport operators within the Chisinau municipality (CMC Decision 51/2 of 11.07.2006)
7. Road Transport Programme of the Chisinau municipality.

The inter-institutional link (central → local → central) for the application of this regulatory framework is of crucial importance for a viable and workable management system.

2.2. International commitments in the field of urban mobility and public transport

The Association Agreement addresses mobility and the creation of conditions for ensuring well-managed and safe mobility (see Preamble, Article 1, Article 15 (2), Article 123 (d)), but without clear provisions for transposition.

The concept is circumscribed for cross-border mobility, without defining urban mobility or other elements in the field of mobility or explicitly pursuing the transposition of certain international regulations in this field in the legislation of the Republic of Moldova, other than international, due to the public transport is part of the urban mobility.

Generally, it should be noted that urban mobility is not legally regulated at the EU level, but rather a term recently developed as a set of good practices, which refers to the set of road infrastructure users, with facilities for the safe use, but aimed to create the equal field for all modes of travel, limiting as much as possible the facilitation of travel by private transport.

Based on the findings of subchapter 1.1 of this report, given that the Chisinau municipality, along with other European cities, is facing severe transport and traffic problems, the key question is how to improve mobility in the city, by reducing congestion, accidents, and pollution at the same time, to improve also the quality of public transport.

The results of the evaluation found in the Commission staff working document of 24 February 2021 entitled 'Assessment of the Urban Mobility Package 2013' (SWD(2021)0047), highlight the need for further EU action on urban mobility to update the EU-wide sustainable urban mobility toolbox by responding to growing challenges (CO₂ emissions and air pollutants, congestion, road accidents, the resilience of the transport network) and contribute to the most ambitious climate, digital and social objectives, in line with EU commitments. At the same time, the main EU documents developed and adopted by the EC in the years 2006 - 2017 (Figure 1) set out the course of action at this level at the EU level.

The EU reiterates the importance of efficient and effective urban transport in this regard, with mobility in urban areas also being a decisive facilitator for economic growth and employment and for sustainable development in urban areas. The European Green Deal (COM(2019)640) and the 'Strategy for Sustainable and Smart Mobility' (COM(2020)789), adopted in 2019 and 2020 respectively, provide a new framework for the overall direction of EU transport policy in the coming years and recognize the importance of

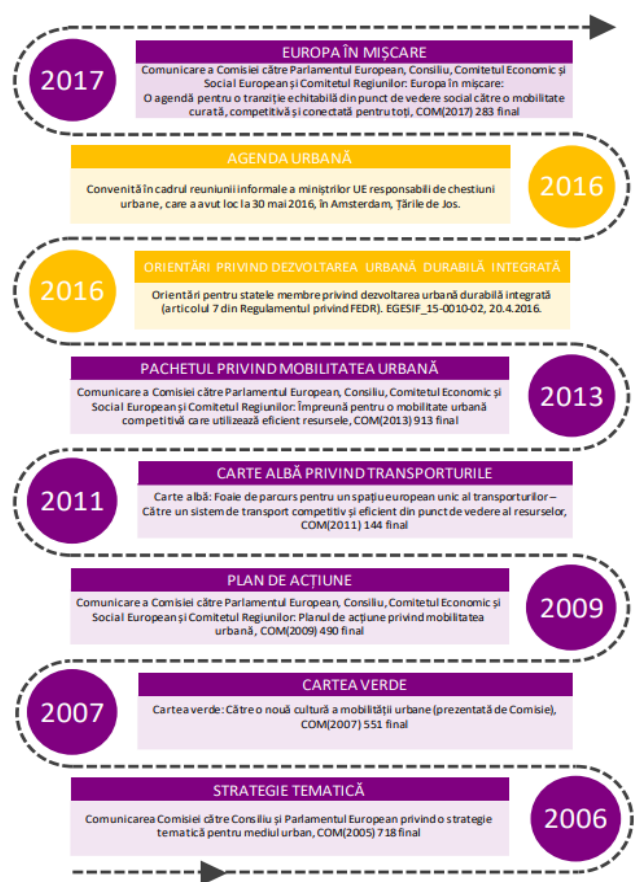


Figure 1 – The main approved by the EEC

urban mobility in the context of the ecological and digital transitions.

The preparation of a new EU urban mobility framework is pending approval: a roadmap has been published and consultation activities already started. The new initiative on urban mobility is to be published by the end of 2021¹. It is clear that this initiative is going to be based on three objectives: 1) Sustainable mobility; 2) Smart mobility, and 3) Resilient mobility.

2.3. Strategic planning of the urban mobility – good practices

The EU's concern in terms of urban mobility, also expressed in the Communication '**COM/2013/0913 final**' of the Commission to the European Parliament, the Council, the European Economic, and Social Committee, and the Committee of the Regions, entitled 'Together for resource-efficient competitive urban mobility', which notes that the cities of Europe, where 70% of the EU population lives and which generate more than 80% of the EU's GDP, are linked through one of the EU's GDP - is undoubtedly unquestionable. The best transport systems but moving within them is becoming more and more difficult and with less and less efficiency. This document was further developed through the "Sustainable and Smart Mobility Strategy" (**COM (2020) 789**), and at the end of 2021, the "Sustainable and Smart Mobility Strategy – putting European transport on track for the future" was presented. (**SWD (2020) 331 final**)², which states that urban mobility is still heavily based on passenger cars using conventional fuels. Only slow progress is being made in moving towards more sustainable modes of transport.

In addition to serious ecological problems, motorized transport is the cause of about 38% of the number of deaths in road accidents at the European level, which in the Republic of Moldova exceeds the figure of 42%.

The Commission is actively promoting the concept of planning sustainable urban mobility, which for example provides local authorities with concrete proposals on how to implement strategies for urban mobility, which are based on a detailed analysis of the current situation as well as a clear perspective on the sustainable development of their urban area.

The concept of a sustainable urban mobility plan takes into account functional urban areas and proposes that urban mobility measures should be part of a **broader urban and territorial strategy**. Those plans should therefore be drawn up in cooperation in different policy areas and sectors (transport, land use, and spatial planning, environment, economic development, social policy, health, road safety, etc.); at different levels of government and administration, as well as with authorities in neighbouring areas, in both urban and rural areas.

States should therefore consider the following:

- Conduct a careful assessment of the present and future performance of urban mobility on their territory and in the light of major policy objectives;
- Developing an approach to urban mobility that ensures mutually coordinated and mutually enhanced measures at national, regional, and local levels;
- Ensure that sustainable urban mobility plans are developed and implemented in their urban areas, being integrated into a broader urban or territorial development strategy;
- Review and amend, if necessary, the technical, strategic, legal, financial, and other instruments available to local planning authorities;

¹ See - https://ec.europa.eu/transport/themes/urban/urban_mobility_en, accesat la 17.08.2021

² See - <https://eur-lex.europa.eu/legal-content/RO/TXT/HTML/?uri=CELEX:52020DC0789&from=EN>, accessed on 10.12.2021

Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation

- Take measures to avoid fragmented approaches to ensure the continuity and compatibility of urban mobility measures in order to ensure the functioning of the internal market.

Sustainable urban mobility plans are about promoting balanced development and better integrating different modes of urban mobility. This planning concept highlights that urban mobility is mainly aimed at people and, in fact, underlines the involvement of citizens and stakeholders, facilitating behavioural change towards mobility.

The Republic of Moldova will adopt an attitude by rallying to the standards in the field, even if the AA does not define such immediate commitments. In the current conditions, in the absence of a national regulatory framework regarding the concept of mobility, which is a new one for urban planning in the Republic of Moldova, more legal clarity is required on the notions and the legal and regulatory approach for the concepts of:

- urban mobility³,
- urban mobility plan (definition and component parts), legal requirements related to the implementation of an urban mobility plan.

In fact, these elements expose the urgent need to improve or adopt an updated legal framework that corresponds to the needs of the moment and perspective - a legal framework according to the international standards promoted in the EU⁴ and which exposes a new paradigm of networking between road infrastructure users, adapted to conditions of comfort and safety for all these users, in equal measure.

Such a legislative priority is all the more justified given that, on June 16, 2021, the Strategy for Transport and Smart Mobility for the municipality was presented, as well as the related action plan. The documents were developed by UNDP Moldova consultants, so this Strategy should regain its place and utility within the national regulatory framework.

Moreover, the Government is involved in activities of elaboration-adjustment of the National Strategy for Road Safety, which should be adjusted to the new requirements for addressing urban mobility, in accordance with the document mentioned above.

2.4. Communication with Project stakeholders

For a better understanding of the institutional considerations, including in terms of national legislation and the implementation of the AA, which is the subject of this report, the Consultant requested and held several meetings with the administrations of the General Directorate for Public Transport and Communication Paths (GDPTCP), separately in the segment of road infrastructure management (urban mobility), and of public transport, and with the General Directorate for Architecture, Urban Planning and Land Relations (GDAUPLR).

The requested meetings with both Directorates of the City Hall of Chisinau had the following goal:

1. The legislative and normative framework used and the relationship with the AA;
2. Management of activities and problems faced. Implementation of good practices;
3. Urban mobility management and the problems faced;

³ Mobility is defined as the potential for travel and the ability to get from one place to another, using one or more modes of transport to meet daily needs, Ibidem.

⁴ See - https://ec.europa.eu/transport/themes/urban/urban_mobility_en, accessed on 17.08.2021

Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation

4. Relations with the national level in the management of road infrastructure (urban mobility) and public transport;
5. Hierarchy of municipal road infrastructure;
6. Establishing problems and needs on the side of legal regulations for the management of road infrastructure (urban mobility) and public transport:
 - a) which is missing,
 - b) existing but with execution problems,
 - c) existing, but causing obstacles to the activity,
 - d) other regulatory issues (institutional, financial, procurement, etc.).

On August 26, 2021, the Consultant had a meeting with the GDPTCP management, in the person of Mr. Vitalie Mihalache, head, and Dumitru Ceban, deputy head, with responsibilities in the road infrastructure and urban mobility field.

During this meeting, it was found that there are no serious problems in the application of the Law on roads no. 509/1995, only on the normative level of application of the law, which is very insufficient and incomplete. At the same time, several important problems were found:

- the hierarchy (classification) of urban and local road infrastructure, which is not clearly regulated, except at the level of public roads, without connections with urban road infrastructure. Even if there are technical rules, which provide for the classification of the street network, in reality, there are no implementing regulations, which is why management problems arise.
- the procedures for linking planning→design→construction→operation→maintenance are not clearly defined, so at the institutional management level, there are a lot of services and institutions, which create multiple obstacles, even if the legislation for conferring competencies has changed in many cases (e.g. the powers for police coordination, or, project checks, etc.).
- consequently, the lack of a legal procedure (law, GDs) makes the lack of interpretation on the institutional side, which causes corruption and poor quality of works.

City Hall Chisinau (local public authority) does not have the status of the ascertaining agent, so they cannot verify, ascertain, and sanction the problems that arise within the chain. In the same context, the police have these rights but do not apply them (cooperation), given that they are related to the management of the activities of the local authorities.

Another problem is the damage recorded as a result of road accidents. The legislation does not stipulate what are the procedures regarding the responsibility of the road manager and his obligations in the event of an accident, but also what are the obligations to restore the infrastructure and recover the damage. Also, the process of coordination and record-keeping of works in the road area, including at the coordination level, is not regulated by the Government.

Conclusions:

1. The urban road infrastructure has to be ranked, in accordance with the structure of the Law on Roads, but with institutional regulation, up to the related technical norm, being adapted to the best international practices with regard to mobility and access.
2. The City Halls are not ascertaining agents and cannot effectively verify (administrate), protect, and manage their property, or sanction non-compliance with their obligations regarding those who use it.

Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation

3. The management of the procedures for involving the road infrastructure manager in the process of data collection, recording, and liability of road accidents is not managed at the Government level.
4. The road assets, including the management of work zones carried out on public roads (streets), are not managed as a unit in an electronic register, which would allow a uniform record of changes in the structure of assets, from planning to monitoring, including responsibility.

On September 1, 2021, the Consultant held a meeting with the head of the GDAUPLR, Mrs. Svetlana Dogotaru, during which the same topics were discussed.

An important topic that stood in the foreground throughout the meeting was the lack of an updated GUP at the current level of the Chisinau city, but also of some local urban regulations, urban zonal plans, and a city's urban mobility plan. This creates great problems for the municipality's activity and chaos in the regulation of urban planning activities.

Conclusion:

1. The urban roads infrastructure should be ranked based on the structure laid down by the **Law on roads no. 509/1995**, but with the institutional responsibility up to the technical norm,
2. Revision and improvement of **Law no. 835/1996** on the principles of urbanism and spatial planning so as to meet the current needs and requirements. The Law 350/2001 on urban planning of Romania would be a good example. The main idea would be the next point,
3. The need to establish within GDAUPLR an urban planning unit, which would manage the infrastructure problems at the level of elaboration of the GUP, RLU, ZUP, UMP.
4. **Law no. 163/2010** on the authorization to carry out construction works should also be improved.

3 Findings, lessons learned and recommendations

3.1. Findings and lessons learned

It is obvious the presence in the management of the road transport and infrastructure a **legal and normative system that is ambiguous in interpretation**, both outside the built (national) and urban areas - with provisions transposed in the relevant EU legislation, but also with remaining elements of the old system, developed under the influences of the post-Soviet system. Also, a lack of coordination of the connection (interaction) in the fields of road transport and infrastructure from the national level (roads and public traffic) to the local level (urban roads and streets, respectively, urban traffic), both vertically and horizontally it is obvious.

Urban Mobility

The current urban traffic (mobility) in the Republic of Moldova is largely based on the supremacy of the influence of private road transport, which is constantly rising, in opposition to the public transport and vulnerable users, even if there are no severe restrictions on developing innovative solutions.

Hierarchic functionality of the road and street infrastructure

Law on Roads no. 509/1995 provides the classification, including functional, of public roads, which also includes streets. There is no delimitation/connection of the road infrastructure outside and inside the urban area, through classified urban roads and streets, and the hierarchy of urban roads and streets is not provided and legally linked with **Moldovan Construction Norm (NCM) B.01.05:2019** "Urban Planning. Systematization and arrangement of urban and rural localities", which also does not have a clear connection with **NCM D.02.01: 2015** "Design of public roads", and Recommendations on the design of streets and roads in urban and rural localities (**CP D.02.11 - 2014**). This aspect essentially influences the way in which the decision-makers approach the road design solutions, especially at the limit of connecting the road infrastructures outside and inside an urban area, and much more accentuated in the big cities - with their own road network developed by the time, and under Soviet normative conditions.

These differences create lots of difficulties for urban infrastructure development or rehabilitation plans, in which innovative ideas are hardly accepted - in line with the concept of "Sustainable Urban Mobility", combined with another international concept of road safety - "Safe System"⁵.

The organization of the modal principle of public transport

Another question is related to the management of public transport, which again suffers from the connection of institutional management problems, organized at the state level, and connection with the same segment at the municipal level. The modal and multimodal aspect of the organization of public transport in Chisinau and entrance in Chisinau greatly affects the road traffic capacity and quality.

The organization of an efficient public transport, in addition to the institutional and financial aspect, is dependent on ensuring a functioning infrastructure system and creating traffic flow conditions, but in particular:

→ hierarchy of the road's infrastructure and public transport management,

⁵ A se vedea - <https://roadsafety.piarc.org/en/road-safety-management-safe-system-approach/safe-system-principles>, accesat la 10.12.2021

- institutional organization of the field,
- financing and relationship with road users,
- modal and intermodal aspects,
- sustainability and development strategies,
- institutional management and legal organization.

Principles of urban planning (universal design)

Revision and improvement of **Law no. 835/1996** on the principles of urban and spatial planning so as to meet the current needs and requirements and elaboration of the GUP, RLU, ZUP, UMP in Chisinau, but also an institutional clarification of the urban planning management linked with the transportation infrastructure.

The concept of the "Universal design"⁶ should be "book of the book" for the urban planning unit of the GDAUPLR at the stage of planning and design of the urban road infrastructure.

Institutional aspect

All the above findings are also related to the management aspect within the corresponding directorates of the Chisinau City Hall - GDPTCP and GDAUPLR. The GDPTCP needs a deep institutional restructuring, given that the urban mobility field is approached very superficially, and the cause is in the functional attributions established on this subject and the lack of specialists, which would cover the whole spectrum of these activities, which belongs to another type of analysis - an institutional one. The same can be attributed to GDAUPLR, only in terms of approaching general urban planning.

3.2. Recommendations for the organization of urban mobility

3.2.1. Urban mobility as a strategy

The current challenges of international urban mobility are:

- Congestion is one of the major problems of urban areas,
- The consequences of urban motorized traffic today account for 23% of CO2 emissions (continued dependence on oil),
- Cities in the former socialist countries do not have the legal and regulatory tools to improve the quality of the environment,
- Road accidents in urban areas cause more than 40% of all road deaths,
- Integration of different modes of transport, both local, regional, and long distances.

A substantial majority of the European citizens, according to the Eurobarometer, consider the major problems of cities to be: air pollution (81%), traffic congestion (76%), travel costs (74%), road accidents (73%) and noise pollution (72%).

When it is intended to carry out an institutional reform of the field of transport, especially from an urban point of view, it is important not only to renew rolling stock (public transport), but to take a general approach to mobility. It is important to create a product of a new quality, to change the attitude of a modern city to it.

⁶ See - <https://universaldesign.ie/what-is-universal-design/the-7-principles/>, accessed on 10.12.2021

**Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation**

In the concept of "Urban mobility", the street (urban road infrastructure) should be understood and approached as a starting point, both for the efficient management of transport, but also as a space for human activities and mobility, in all its possible forms. In order to design streets for people, it is important to start again to see the street as a "common space", a public space for people, and not a functional link between points A and B.

The functional link between points A and B implies in this system a "Social interaction". In this regard, the most important thing is to diversify the attractions in the city (municipality) and adjust the infrastructure to the needs of users. In the cities of the Republic of Moldova, the ratio between the utilized area of the road (street) and the general urban area is significantly lower than in EU cities, and this proportion is often not functional enough, which in turn causes motorization. It is necessary to be re-thought out and re-learned the approach that everything should be taken into consideration the multifactorial and multifunctional nature so that it is possible to cope with this phenomenon created over time.

A one-dimensional approach to street design, where mobility is the only guiding principle, is no longer viable.

Instead, mobility will combine accessibility, safety, human perception, health, social interaction, ecology, climate adaptation, economy, culture, and history to create a functional and people-friendly road infrastructure in all respects, and for these 10 dimensions of the street should be taken into consideration and included for the mandatory approach in the rules for the design of urban road infrastructure.

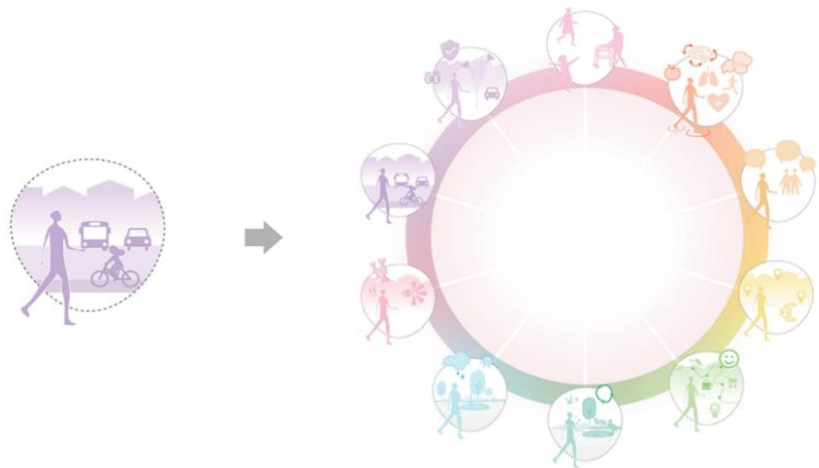


Figure 2 – Ten functional dimensions of the street

The primary solutions to change things can be assessed in 3 stages:

urgent, medium-term, and long-term. An urgent action that does not impose high costs would be to regulate the functional hierarchy of the urban road network in Chisinau.

3.2.2. Functional hierarchization of the urban roads and streets

The functional hierarchy of the Chisinau municipality urban road infrastructure is crucial for efficient management of urban transport and mobility, depending on the traffic needs and the established importance for all types of users. Thus, an efficient infrastructure, following good practices, should be organized according to the hierarchical principle⁷:

- a functional classification system that characterizes roadways by their position in the transportation network and the type of service they provide to motor vehicles,

⁷ AAHTO (2018). A Policy on Geometric Design of Highways and Streets (7th Edition).

Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation

→ a context classification system that characterizes roadways by their surrounding environment and how the roadway fits into the community.

Thus, an urban road network should be classified according to the Figure 3. In this regard the functional classification system considers four general functional classes: transit (freeways), transit (arterials), collectors, and local roads and streets. The context classification system considers five context classes: rural, rural town, suburban, urban, and urban core, that could form in common up to 20 specific design-framework combinations.

Each of the combinations includes roadways that serve distinct set of user needs. Nineteen of these twenty roadway types (all but freeways in the rural town context) are commonly found on the road and street network the exception, representing a freeway in a rural town context, is unlikely to occur often.

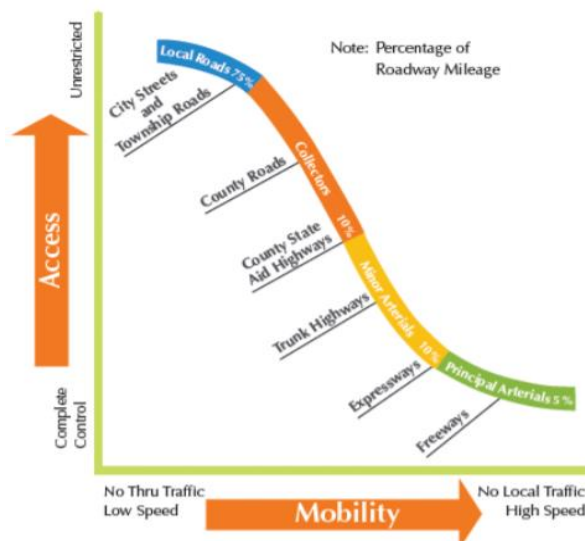


Figure 3 – The Urban roadway network

Tabel 1 - Framework for Roadway Design Based on Functional Classification and Roadway Context

Functional Class	Context class				
	Rural	Rural Town	Suburban	Urban	Urban core
Local Road or Street					
Collector Road or Street					
Arterial Road or Street					
Freeway (Motorway)					

Thus, the functional classification defines the role of each roadway in servicing the movement of vehicles in the general transport system. The functional classification of a road infrastructure suggests its position in the transport network and its general role in servicing vehicles, trucks, and transit vehicles, but also the role of vulnerable users - a very important element (Figure 4), defined between:

- mobility - the ability to get from point A to point B in a timely manner, ensuring as little access as possible for vulnerable users, and
- access - limiting the entry of motor vehicles into the area, to the detriment of major facilities for vulnerable users.

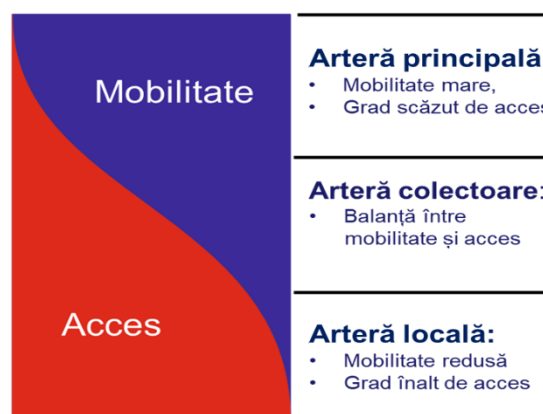


Figure 4 – The Mobility and access in the functional hierarchy

Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation

In this system, the correct (hierarchical) management of the road infrastructure functionality between motorized, and non-motorized transport and vulnerable road users, have to take into consideration at least 3 indispensable elements:

- ✓ Speed management,
- ✓ Geometric parameters of the designed infrastructure,
- ✓ Access / mobility hierarchy.

The Urban Mobility Observatory has been developed at EU level⁸ – an online platform for communicating and presenting good practices in this important segment, where resources, ways of approaching and examples of sustainable urban mobility planning, already implemented in Europe's cities, can be found, which can create a conducive development framework to this topic, starting from the concept, processes, guides and case studies, and ending with assessment tools. The production of an Urban Mobility Plan involves 11 implementation steps, as established by Rupprecht Consult:

1. Determining the potential, developing a working structure and planning framework:
 - alignment with all principles of sustainable mobility,
 - assessment of the impact of the regional and national framework,
 - carrying out an internal evaluation,
 - the evaluation of resources,
 - the establishment of the work plan,
 - identifying key actors and stakeholders.
2. Defining process development and purpose:
 - look beyond the boundaries of responsibility,
 - policy coordination actions and integrated planning approach,
 - the planned involvement of stakeholders and citizens,
 - approval of the work plan and management arrangements.
3. Analysis of the urban mobility situation and scenario development and development:
 - preparing an analysis of problems and opportunities - mandatory with relevant conclusions,
 - scenario development.
4. Developing the vision and strategy with stakeholders:
 - developing a common vision of mobility,
 - Active communication with the public.
5. Setting the purpose, objectives and performance indicators:
 - identifying priorities for mobility,
 - developing SMART goals.

⁸ <https://www.eltis.org/mobility-plans>

Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation

6. Development of a set of action packages, mandatory to identify:
 - identification of the most effective measures,
 - learning from other experiences,
 - consideration of the best budget value,
 - using synergies and creating a package of measures.
7. Approval (adoption) of actions and responsibilities and provision of financing:
 - assessment of responsibilities and resources,
 - preparing a budget and action plan.
8. Implementation management, monitoring and evaluation:
 - arranging monitoring and evaluation.
9. Adoption of SUMP:
 - evaluation of the quality of the plan,
 - the adoption of the plan,
 - establishing management.
10. Ensuring an efficient management and communication:
 - implementation management,
 - informing and engaging citizens,
 - evaluating progress by achieving the objectives.
11. Learning lessons:
 - permanent improvements,
 - evaluation of results – SWOT,
 - identifying new challenges for improvements.

3.2.3. Recommendations

Based on the current legal and regulatory system, referring to the time needed to improve the legal framework, the Consultant recommends:

- 1) The preparation and approval by the CMC of the municipal regulation on the functional hierarchization of the road infrastructure of Chisinau municipality, based on the current legal provisions, stated in the subchapter. 3.1. This document would allow the municipality to partially unblock the projects on the rehabilitation of urban road infrastructure, in order to bring them closer to the conditions of friendly spaces for all users.
- 2) Promoting a Strategy (concept) for sustainable urban mobility at the national level and an action plan for its realization. The evaluation and improvement of the legal, normative and procedures framework should be the pillar of this action plan, otherwise, the strategy developed and adopted will not be able to be implemented. Chisinau City Hall could act as a leader in such a project, given its awareness and background in this matter.

- 3) At the same time, the institutional reform of the GDPTCP (professional capacity in the field of urban mobility management is one of the most important) and GDAUPLR (creation of a solid pole in the field of urban planning, with clearly described tasks, including the planning of urban mobility and interaction with the respective unit of the GDPTCP).
- 4) The improvement of the legal, regulatory and procedures framework referred to in point 2 should be carried out in the framework of a technical assistance project, with the help of European experts in urban mobility, so that the end result can be tailored.

3.3. Recommendations for the organization of public transport

Public transport should be approached as an integral subject, part of the concept of “urban mobility”, as described in subchapter 3.2. It is certain that the improvement of public passenger transport is not possible without defining the definition of “urban mobility” at the national level, or at least at the municipal level, because it is strictly related to the functional hierarchy of infrastructure.

A study of the modal and multimodal structure of public transport in Chisinau, in relation to previous studies on this subject and in connection with the recommendations in subchapter 3.2 would help a lot the municipality, including as strategic planning of public transport modes, opportune for Chisinau. The organization, management and quality of this aspect would greatly change the mobility paradigm in the city.

4. The options to support the decisions taken

The conclusions regarding the AA analysis and its application of the institutional management level establish that despite some attempts to apply some provisions and concepts of the best practices, they do not have an efficient practical purpose due to the lack of those provisions in the legal and normative framework of the Republic of Moldova. The current version of the AA does not provide any elements on urban mobility that would legally require implementation in the Republic of Moldova.

In Chapter 3 of the Report, the Consultant referred to his findings and recommendations which is considered important to improve the situation of mobility in the municipality, which should also include work carried out at the national level.

According to the findings and conclusions made and taking into consideration the recommendations made, the Consultant outlined a roadmap on the segments: institutional, legal/regulatory and operational / implementation to integrate the concept of urban mobility to provide services tailored to the needs of citizens, in order to improve the environment and road safety on urban road infrastructure. The following is the respective roadmap, in annex no. 1 of the Report.

ROAD MAP
For the implementation of the concept of "Urban Mobility"

Nr.	Aspect			Responsible Institution	Period of time	Results
	Institutional	Legal and normative	Deployment			
1.	To implement the best urban mobility practices, urban roadway infrastructure should be functionally ranked, in accordance with the structure of the Road Law, but adapted to the needs of the concept of universal design and urban mobility for all users	The CMC decision on the approval of the Regulation on the Functional Hierarchy of the Chisinau municipality of roadway and street network	<p>The functional hierarchy of roads and streets refers to the function of each roadway (street) on the tram, related to mobility (users) and access (vehicles) depending on the range of danger and speed. Road law no. 509/1995 provides for the functional classification of public roads.</p> <p>The CMC should establish the hierarchy on the street network, which will be mandatory in the subsequent works for the design of new streets or the rehabilitation of existing ones.</p> <p>This aspect was already explained in the Street Design Guide, developed by UNDP Moldova for Chisinau City Hall, within the project "Sustainable Green Cities for Moldova".</p>	GDPTCP (attracting technical assistance)	2022	The Regulation on the Functional Hierarchy of the Chisinau municipality of roadway and street network (approved and implemented)

**Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation**

2.	Attracting the technical assistance to improve the legal, regulatory, and procedural framework for the implementation of the urban mobility concept (SWD (2020) 331 final)	Amendments, at least, to the: Law no. 136/2016 Law no. 509/1995 Law no. 835/1996 Law no. 131/2007 GD no. 1468/2016 MNC D.02.01:2015 MNC B.01.05:2019 PG D.02.11 – 2014, etc	Attracting international technical assistance on this topic is crucial, at least at the level of institutional analysis. It is important in the second phase, but in parallel with the implementation of point 1	GDPTCP (attracting technical assistance)	2022 - 2024	Elaboration and approval by CMC of the legal, regulatory, and procedural framework. Implementation
3.	Institutional reorganization through the elaboration of the new structure and the operating regulations of GDPTCP and GDAUPLR. In the Regulations of both entities mentioned, the areas of interaction (ensuring efficient and safe urban mobility), adapted to the EU best practices, should be clear and without interpretation.	Elaboration of the new regulatory framework of the GDPTCP and GDAUPLR activities, including as the name of entities	The recent evaluations (2020) of the efficiency of the activities of the Chisinau City Hall Directorates carried out under the auspices of UNDP, GIF and Green City Lab described very eloquently the institutional problems of the structure and activity of GDPTCP and GDAUPLR. In the frame of the elaboration of new regulations of activity of these directorates, it is recommended to take into consideration the need for efficient relations of urban mobility.	Chisinau City Hall (technical assistance)	2022 - 2025	Elaboration and approval by the CMC of the regulatory framework. Implementation
4.	The municipality does not institutionally and digitally manage a Register of Municipal Road Assets, which would allow it to control in real-time all the	The decision of the CMC on the creation and administration of the Municipal	Elaboration and adoption of a municipal regulation on the record of road assets, but also the planning, design, laying, monitoring, and	Chisinau City Hall (technical assistance)	2023 - 2025	Elaboration and approval by the CMC of the regulatory

**Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation**

	works on the road infrastructure, from planning to record-keeping and monitoring. This institutional mechanism is also important and efficient in terms of accounting and purchasing activity.	Register of Road Assets and its implementation.	record-keeping of engineering works in Chisinau and the digitization of these works for efficient monitoring and record-keeping of all actors will allow the efficient management of each municipal work, both as procurement and as financial efficiency and road infrastructure management, monitoring in real-time its planning, development, and monitoring.			framework. Implementation
5.	The subject and field of urban mobility must be regulated by the Government from the technical and standards point of view, including as a technology, institutional and knowledge transfer.	Including the definition of 'Urban mobility' in: Law nr. 131/2007 on road traffic safety and the legal and normative regulation of the subject. Draft law on road infrastructure safety management.	A big part of the strategies developed for the Chisinau City Hall with aspects related to mobility and road traffic also uses the term "Urban mobility", but which is not contained as a regulation in the related legislation. Its regulation and definition will allow the implementation of a new street planning concept and the legislating of good practice guides already developed but which cannot be implemented, including for this reason.	GDPTCP, the Government of the Republic of Moldova	2022	Elaboration and approval by the CMC of the regulatory framework.
6.	Elaboration and approval of a plan for the implementation of the Transport Strategy of Chisinau.	Elaboration and approval of the Action Plan for the implementation of the Transport Strategy of Chisinau.	The Transport Strategy of Chisinau was approved by the CMC, but without elaborating and approving an implementation plan for this. Without this plan, the Strategy is a document, which exposes only goals and objectives, but without	GDPTCP, the Government of the Republic of Moldova	2022	Elaboration and approval of the Plan by the CMC

**Move It Like Lublin – a Chisinau Sustainable Development Initiative.
Review local and national public transport-related legislation**

			institutional elements of implementation.			
7.	Promoting a Strategy (concept) for sustainable urban mobility at the national level and an action plan for its transposition. The evaluation and improvement of the legal, normative, and procedural framework should be the pillar of this action plan, otherwise, the strategy developed and adopted is not able to be implemented.	Draft of the Urban Mobility Strategy (GD) Draft of the Action Plan for approving the Urban Mobility Strategy (GD)	The Chisinau City Hall should act as a leader in such a project, given the awareness and background, it has on this topic.	GDPTCP, the Government of the Republic of Moldova (technical assistance)	2022 - 2024	Elaboration and approval of the regulatory framework.