

**Republika e Kosovës**

**Republika Kosova - Republic of Kosovo**

***Qeveria - Vlada – Government***

Ministria e Infrastrukturës

Ministarstvo Infrastrukture

Ministry of Infrastructure

Secretary General of the Ministry of Infrastructure,

Pursuant to the Article 145 (paragraph 2) of the Constitution of the Republic of Kosovo, considering the Article 38 of the Law no. 03/L-189 on State Administration of the Republic of Kosovo (Official Gazette No. 82, 21 October 2010), based on the Article 17 (paragraph 5 and paragraph 6) of the Regulation no. 02/2011 on the Areas of Administrative Responsibility of the Office of Prime Minister and Ministries (22.03.2011), pursuant to the Article 5 (paragraph 5.4.c) of the Regulation 2001/19 on the Executive Branch, issues:

**ADMINISTRATIVE DIRECTION NO 1/2016 ON THE MANNER OF ORGANIZING AND CONDUCTING DRIVER EXAM AND PREPARING THE TESTS**

**Article 1**

**Purpose**

The purpose of this Administrative Direction is to define the process and procedures for preparing the tests, organizing and conducting exam for drivers, as well as professional supervision of the exam in Regional Unit for Driving Licenses (hereinafter RUDL).

**Article 2**

**Scope**

The provisions of this Administrative Direction are applied by the employees of the Department of Driving License – RUDL, persons assigned for testing the candidates in theoretical and practical part, as well as persons for supervising the exam.

**Article 3**

**Signing up for exam in RUDL**

1. RUDLs are obliged to electronically submit on Friday, no later than 12:00, the list containing the number of candidates according to the groups that sign up for testing for the following week.
2. In case of discrepancy of requests with the number of tests with the lists of candidates, the Head of RUDL bears the responsibility, and the same applies in case the order is not conducted within the time provided for in paragraph 1 of this Article.

**Article 4**

**Schedule of conducting the exams from theoretical and practical part**

1. The exam of the theoretical part in RUDL shall be held during four days of the week (Tuesday, Wednesday, Thursday and Friday) in two schedules, at 09:00 and 13:30h, with the exception of any RUDL which according to capacities and requests of candidates may organize exams during every working day.
2. Notwithstanding paragraph 1 of this Article, in special cases due of the large number of candidates, additional exams might be organized, according to the requests of RUDLs with the approval of the Director of Department for Driving License.
3. Tests will be supplied on Monday. If there is a holiday on Monday, then the tests will be supplied in the following working day.
4. The practical test shall be held during each working day.

**Article 5**

**Content and preparation of tests**

1. Tests preparation, combination and distribution shall be performed by Division for the Development and Preparation of Tests for Driving License of the Ministry of Infrastructure (hereinafter MI).
2. Division for the Development and Preparation of Tests for Driving License shall prepare combinations of tests and templates for testing the candidates for passing the exam for:
	1. Driver
	2. Driving instructor
	3. Professional lecturer
	4. Trainer, and
	5. Replacement of the foreign driving license with driving license of the Republic of Kosovo.

**Article 6**

**Order for supplying with tests**

1. The order for supplying test shall be made electronically (e-mail), in case of inability due to the non-functioning of electronic network, the order shall be done via telephone, and upon supply with tests, the Head of RUDL shall bring an official letter with the reasoning.
2. Responsible Officer and Head of RUDL, upon the supply of tests, shall sign the handover of tests and templates.
3. Responsible Officer is obliged to keep records on the number of distributed tests.

**Article 7**

**Realization of the order for supplying with tests**

1. Pursuant to the submitted lists of candidates for driving licenses, the tests will be placed in closed envelopes for each day foreseen for testing, stamped and signed by the Responsible Officer of the Division for the Development and Preparation of Tests for Driving License.
2. Tests and answer sheets (templates) will be in separate envelopes, according to the days foreseen for testing by RUDLs.

**Article 8**

**Persons responsible for conducting the driver’s exam**

1. Engagement in locations (RUDL) of examiners for the theoretical part and practical part shall be done based on a plan drafted in advance and approved by the Director of the Department for Driving License.

**Article 9**

**Opening the envelopes containing the tests and the process of testing the candidates**

1. The group (permanent commission), composed of three members of RUDL, shall open the envelope containing the tests and will verify their regularity.
2. The group (commission) responsible for opening the envelope is composed of:
* Head of RUDL
* Examiner that will conduct the exam
* An official from administration, assigned by the Head of the Division for Driving License.
1. The group (commission) assigned pursuant to Article 9, paragraph 2, opens the envelopes with tests for the day that is foreseen for testing. All members of the group (commission) shall be present.
2. After verifying the regularity, the group (commission) signs the minutes for the regularity of the content of the envelope (signature and stamp not touched, there is no sign that the envelope was preliminarily opened, etc.).
3. In case of eventual irregularity, it will be compiled the minutes which will contain the irregularities found and it will be signed by all members of the group (commission), and heads shall be notified and it will be proceeded with further procedures pursuant to instructions.
4. When everything is according to the rules, the group (commission) shall handover the tests to examiner, who continues with the further process for testing the candidates.
5. Following the end of the testing, the same group (commission) shall convene, the group that opened the envelopes of tests, and together shall open the envelopes of answer sheets (templates). The examiner shall start controlling the tests in the presence of two other members of the group (commission), the list containing the results of candidates shall be compiled and the theoretical testing and controlling process shall be completed for this group, and will continue with other groups in compliance with this Article.

**Article 10**

**The procedure for practical part of driver exam**

1. The Head of the Division for Examiner, in cooperation with the Head of the Division for Driving License, shall assign the official who will be responsible for distributing the materials for the practical part, for each RUDL, shall submit to the examiner the file of the candidate that will undergo the exam of practical part, as well as the work order.
2. Pursuant to paragraph 1 of this Article, the examiner is not allowed to have more than one candidate file. Upon completion of test, the completed file shall be submitted to the relevant officer for further processing. Upon verifying the regularity of the file of tested candidate, the examiner is provided with another file.
3. The work order must contain all information of the driving licence candidate, who is tested in the practical part, as well as other additional information.
4. The officer responsible for distributing the materials of the practical part cannot give to the examiner more than one work order.
5. Upon completion of the practical part of the test, the examiner shall submit to the responsible officer the file of the candidate and work order. The result is then communicated to the candidate, and is provided with a copy of the report of practical test. For candidates of categories C, CE, D, DE, should be attached for each candidate the tachograph sheet for the testing time.

**Article 11**

**Report of the practical test exam**

1. The responsible officer is obliged, upon submission of the "block with report of practical test", to note the serial numbers. The examiner is not allowed to be provided with more than one "block with report of practical test" at the same time.
2. Upon receipt of the "block with report of practical test", the examiner shall sign in the acceptance sheet.
3. The "block with report of practical test" will be used until it is completely filled by the examiner who is tasked with it, and upon submission must be complete and must contain all sheets of the last copies.

**Article 12**

**Monitoring the cameras**

1. Testing of the candidates in the theoretical and practical part in RUDL is under camera surveillance.
2. Director of the Department of Driving License and Heads of the Divisions of the Department of Driving License shall have direct access to monitoring, surveillance, video-recording at any time, upon their request, without any preliminary procedure.
3. The Head of the Division for Examiner, in cooperation with the Head of the Division for Driving License shall appoint a responsible official in RUDL for monitoring and surveying the cameras of the testing site.
4. Prior commencement of theoretical part of the test, the responsible officer (coordinator) for monitoring and surveying the cameras is obliged to ensure that the surveillance system through cameras is operational.
5. In case of non-functioning of cameras during the theoretical part of the test, the responsible officer shall notify the Head of the Division for Driving License, and in this case the test must be held in the presence of three-member commission, under the same composition according to Article 9, Paragraph 2.
6. The responsible officer (coordinator) for monitoring and surveying the cameras for the theoretical part of the test shall be obliged to monitor each group through the cameras from his office, during the entire time of testing.
7. The Head of the Division for Driving License, in cooperation with the Head of RUDL, shall appoint in each RUDL an officer that will be responsible for distributing and monitoring the cameras for the practical part.
8. The officer of RUDL assigned to monitor and observe the cameras for the practical part is responsible for the number and the security of cameras, their distribution to the examiner, ensuring data storage and security of video-recordings.
9. The practical testing shall take place only under camera surveillance, otherwise testing shall be interrupted until the camera is functional again (restart or change of the camera).
10. In case of eventual identification of any irregularity during testing, the persons responsible shall be obliged to notify their managers in due time.
11. Any form of publication, broadcasting and distribution of video-recordings is strictly forbidden.

**Article 13**

**Usage of phones during the test**

The examiner shall not be allowed to use a mobile phone while testing the candidates in the theoretical and practical part.

**Article 14**

**Professional supervision**

1. Persons appointed with the decision of the Secretary General shall supervise the exam in theoretical and practical part.
2. Examiners shall be obliged, at any time during working hours, to provide information requested by persons appointed for supervision.
3. Persons appointed for professional supervision shall prepare reports and proposals in order to improve the quality and eliminate deficiencies encountered during their work, whereby they will notify the Director of Department of Driving License through the Head of the Division for Examiners.
4. Persons appointed for professional supervision are not entitled to give orders.

**Article 15**

**Responsibility for implementation**

1. Employees and other persons shall perform tasks and duties in accordance with the provisions of this direction and other legal acts.
2. Employees who fail to comply with the provisions of this direction and other legal provisions shall be subject to disciplinary measures.

**Article 16**

**Repeal**

This Administrative Direction repeals the Administrative Direction No. 02/2015, as well as all previous decisions that are in contradiction with this Administrative Direction, on the Manner of Organizing and Conducting the Exam for Driving License and engagement of examiners for driving licence in RUDL.

**Article 17**

 **Entry into force**

This Administrative Direction shall enter into force on the date of its signing.

Sent to:

cabinet of the Minister

Cabinet of the Secretary General

Department of Driving License

Regional Units for Driver Licence

Office of the Archive