

Decree No. 45/2020. (XI. 28.) of the Minister for Innovation and Technology

on motorways, expressways and main roads subject to toll payment and on the tolls payable

Based on the powers granted by Section 48 (3) (g) of Act I of 1988 on Road Transport, and acting in my competence under Section 116 (18) of Government Decree No. 94/2018 (V. 22.) on the functions and competences of members of the Government – in agreement with the Minister of Finance acting in their competence under Section 64 (1) (1) of Government Decree No. 94/2018 (V. 22.) on the functions and competences of members of the Government – I hereby order the following:

1. Toll payment obligation

Section 1 A user charge (hereinafter: road toll) and, where the user charge was not paid, a surcharge shall be paid for the use – under a relationship governed by civil law – of highway sections specified in Annex 1 by vehicles falling into a vehicle category as per this Decree and their trailers (hereinafter collectively: vehicle), with the exceptions set out in Section 2.

Section 2 (1) No road toll shall be paid for:

- a)* motor vehicles operated by the Hungarian Defense Forces, the Parliamentary Guard, and the law enforcement agencies of Hungary,
- b)* motor vehicles operated by foreign armed forces or international military organizations stationed, serving in or passing through Hungary,
- c)* motor vehicles with registration numbers issued in Hungary and entitled to use emergency lights and sirens, regardless of whether such signals are on when driving on the toll section,
- d)* motor vehicles – operated by the road operator managing the relevant toll sections – performing operator tasks,
- e)* motor vehicles – operated by the transport authority – performing roadside inspection,
- f)* motor vehicles not falling under the scope of *Subsection e)*, operated by toll enforcement organizations and performing toll enforcement functions,
- g)* motor vehicles ordered to perform transportation tasks in crisis situations caused by mass migration,
- h)* on the basis of the principle of reciprocity, motor vehicles operated by the diplomatic corps of countries that grant the same exemption to vehicles operated by the Hungarian diplomatic corps,
- i)* operators of motor vehicles transporting humanitarian aid, during the discharge of such duties,
- j)* operators of motor vehicles involved in the prevention or control of damage caused by disasters as specified within the meaning of the Disaster Relief Act, during the discharge of such duties, as well motor vehicles used by members of volunteer fire brigades, municipal and institutional fire departments, and voluntary or mandatory civil protection units, in the course of the exercise ordered.

(2) Authorized persons and entities under paragraph (1) shall only be exempted from toll payment on toll sections when using a vehicle whose registration number has been reported in advance in writing or by electronic means, verifying authorization, to the transport administration authority and which has been registered accordingly by the transport administration authority.

Authorized persons and entities under paragraph (1) shall report any and all changes to the authorization as per paragraph (1) to the transport administration authority without delay.

(3) The authorized persons and entities under paragraph (2) – with the exception of vehicles set out in paragraph (1) *c*) – are eligible for toll-free road use as long as the toll exemption under paragraph (1) applies in respect of the given vehicle, but no later than 31 January of the year following the year of notification as per paragraph (2). The toll payment exemption for a vehicle as set out in paragraph (1) *c*) applies as long as such vehicle is entitled to use emergency lights and sirens.

(4) If the authorized persons and entities under paragraph (1) have failed to fulfil their reporting obligations as per paragraph (2) and incur surcharge payment obligations as a result of failure to pay toll, they can be exempted from surcharge payment upon subsequent certification by the transport administration authority of the existence of the conditions set out in paragraph (1) and by paying the administrative fee as per Section 20 for each registration number, which is payable within the 90-day limitation period from the receipt of the first payment notice. This 90-day deadline shall be deemed observed if the authorized person or entity has submitted its request to the transport administration authority in due time.

(5) No surcharge shall be imposed for road use on an otherwise toll section as long as the public road is closed for traffic or traffic is restricted along and diverted from such road, if the toll road section concerned has been designated as a diversion by the bodies under Section 14 (1) *(a)* and *(b)* of the Act I of 1988 on Road Transport (hereinafter: Public Roads Traffic Act) and the road operator and the body entitled to control toll payment has been notified in advance or simultaneously where appropriate. Unless the body ordering the restriction or diversion otherwise notifies, vehicles without a road use authorization shall only use the toll road designated as a diversion between the point of entry to the toll section and the next exit to a road junction or, in the case of the closure of such exit to a road junction, the next open exit to a road junction along the toll road section concerned. The body ordering the road closure or traffic restriction or diversion shall inform road users, by way of media service providers, about the toll road sections designated as a diversion as well as about the duration of the closure, restriction or diversion.

(6) No surcharge shall be imposed if the body legally authorized to control traffic diverts road traffic or part thereof – without designating a diversion as per paragraph (5) – to a road section subject to toll payment in respect of road use justified by this measure.

(7) No road toll shall be payable for the duration of the prevention or control of damage by vehicles participating therein, if such vehicles perform these activities free of charge and their registration numbers have been reported to the public road operator or National Toll Payment Services Plc. (hereinafter: NTPS Plc.) in advance, or their registration numbers or the expected duration of such activities are reported to NTPS Plc. and the transport administration authority before the commencement thereof or on the second business days after at the latest by the body established in order to perform general police activities.

(8) Vehicles involved in cross-border activities based on an international treaty entered into with a view to enabling cooperation on preventing cross-border crime and combatting organized crime shall, based on a certificate issued by the approving body under the treaty concerned, be exempt, for the duration of the operation, from the payment of the surcharge.

2. Method of toll payment

Section 3 (1) Pursuant to this Decree, the payment of the toll shall give rise to road use authorization (hereinafter: authorization) in respect of a vehicle falling into the given vehicle

category and with the vehicle registration number. The authorization shall be purchased in advance of starting the use of the toll section, for a period under paragraph (2) and a vehicle category under Section 8 (1). The authorization thus purchased shall give rise to road use authorization from the time of purchase for the subsequent period specified in paragraph (2), with the exceptions set out in Section 16 (1).

(2) The authorizations providing road use authorization for the toll sections specified in Annex 1 may be purchased for the following durations:

a) weekly authorization: for the starting day specified by the customer and for the following 9 days, until the 24th hour on the 9th day;

b) monthly authorization: from the starting date specified by the customer until the 24th hour of the same day (by number) of the following month. If there is no such day in the month of expiration, then until the 24th hour of the last day of the month;

c) annual authorization: from the first day of the given year until the 24th hour of 31 January of the following year.

(3) In respect of points *a)* and *b)* of paragraph (2), if the day of the purchase of authorization and starting day of the duration of authorization as specified by the customer falls on the same day, authorization shall be valid from the time of purchase. In respect of point *c)* of paragraph (2), in case of purchase during the year, the annual authorization provides road use authorization from the time of purchase, with the exceptions set out in Section 16 (1).

(4) An authorization valid for the toll road network of one or more counties (hereinafter: county authorization) may be purchased for vehicles falling into one of the vehicle categories set out herein. County authorization provides road use authorization from the first day of the given year until the 24th hour of 31 January of the following year. In the case of the purchase of county authorization purchased during the year, it provides road use authorization from the time of purchase. The scope of highways that may be used with county authorization is contained in Annex 1.

(5) The county authorization purchased for Pest County also provides authorization to use the toll road network within the administrative borders of Budapest. No county authorization may be purchased solely for the territory of the capital city.

(6) The authorizations are available to purchase at

a) NTPS Plc.'s own points of sale or

b) at the points of sale of resellers contracted with NTPS Plc.

(hereinafter: sellers), as well as through electronic sales channels.

Section 4 (1) NTPS Plc. shall enable resellers entering into an agreement with it to sell authorizations. No authorization shall be sold without such an agreement in place.

(2) The following data shall be recorded in the course of the sale of authorizations:

a) the registration number of the vehicle the authorization applies to,

b) the country code of the vehicle the authorization applies to,

c) the vehicle category specified by the customer in accordance with the vehicle registration certificate or other authentic document issued for the vehicle,

d) the duration of road use authorization established by taking the provisions herein into account, the end of road use authorization,

e) the start of road use authorization,

f) the time of the purchase of road use authorization,

g) specification of the point of sale.

(3) The customer shall verify and approve the data provided by them during the purchase.

(4) Concurrently with the sale, the seller gives the customer a copy of the counterfoil certifying the purchase of authorization, while the other copy – signed by the customer – is retained by the seller. The counterfoil includes the data recorded in the NTPS Plc. database.

Section 5 NTPS Plc. shall pay flat-rate reimbursement to the resellers entering into an agreement with it, the basis of which shall be the amount of authorizations sold exclusive of value-added tax. The rate of reimbursement is 1.9%.

Section 6 The Minister responsible for transport shall continuously check the system for collection of road tolls, in order to ensure the transparent and non-discriminatory operation thereof.

3. Conditions of the validity of authorization

Section 7 (1) Road use authorization is recorded electronically by the central system of NTPS Plc. The road use authorization shall only be valid if, following payment of the road toll, the customer has signed the seller's copy of the counterfoil and received the buyer's copy of the counterfoil, or – in the case of purchase made through electronic channels – has received the confirmation message. In the case of the signature or the electronic sales channels, the confirmation message serves to verify that the data registered in the central system of NTPS Plc. are true and accurate and in accordance with the customer's intentions.

(2) In addition to the provisions under Section 4 (2), the confirmation message or the counterfoil also contains the unique identification number of the authorization.

(3) The confirmation message of a purchase made through an electronic sales channel does not include the data of the time of the sale and the identity of the seller.

(4)¹ In respect of the conditions of the validity of the authorization, NTPS Plc. may enter into an individual agreement with the customer that departs from the provisions of paragraph (1) before the start of the validity period of the authorization.

4. Rate of the toll

Section 8 (1) In accordance with the information in the entry in the administrative permit for road traffic or in any other authentic document issued for the vehicle, the amount of the road toll shall depend on the vehicle category specified on the basis of the type and the technical parameters of the vehicle as follows:

a) vehicle category D1: motorcycles and passenger cars with a maximum authorized mass not exceeding 3,500 kg and designed for the carriage of no more than 7 persons including the driver, and their trailers;

b) vehicle category D2: any cars not falling into any other vehicle category and not subject to toll payment under any other legal regulations;

c) vehicle category B2: buses;

d) vehicle category U: trailers towed by vehicles falling into categories D2 and B2.

(2) The base of the price of the authorization determined in HUF and inclusive of value-added tax is contained in Annex 2.

(3)² The price of the authorization determined in HUF and inclusive of value-added tax shall be determined in line with paragraph (4).

¹ Established by: Section 3(1) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

² Non-executable modification, see Section 3(2) of TIM Decree 19/2022 (19.IX.).

(4) If the consumer price index for August in the year preceding the subject year as published by the Hungarian Central Statistical Office increases relative to August of the year two years preceding the subject year, the price base established in Annex 2 will be adjusted at a rate corresponding to such increase, calculated with a HUF 10 rounding accuracy. The price thus established is published by NTPS Plc. on its website. A period of at least 30 days shall separate the date of publication and the effective date.

(5) When publishing the adjusted road toll rate, the responsible editor of the toll charger's website shall affix a qualified electronic signature to the electronic document and a time stamp issued by a service provider providing such service in the capacity of qualified service provider. The date of publication shall be indicated when publishing the adjusted road toll rate, which date shall not precede the calendar day indicated by the time stamp.

(6) The published documents pertaining to the adjusted toll rate shall not be removed from the toll charger's website, and shall be archived in accordance with the provisions of the legal regulation governing electronic archiving.

(7) The price of the authorization specified in Section 3 (2) *c*) and paragraph (4) is the prevailing price for the period of validity even in the event of sale preceding the start of validity.

(8) Where a vehicle falling into categories D2 or B2 tows a trailer falling into category U, the authorization to be purchased for the trailer may also be purchased for the towing vehicle. Authorization purchased for the trailer's registration number shall not give rise to road use authorization for the vehicle towing it.

5. Partial toll-exemption

Section 9 (1) If the operator of a vehicle falling into vehicle category D2 qualifies as

a) a person receiving a family allowance for 3 or more children under Act LXXXIV of 1998 on Family Support (this shall also include foster parents under a child welfare program),

b) a person holds a disabled parking permit on the basis of Section 2 of Government Decree No. 218/2003 (XII. 11.) on disabled parking permits, or

c) a relative, under Section 8:1 (1) 2) of Act V of 2013 on the Civil Code, of a person under paragraphs *a*) or *b*) above,

they are eligible for partial toll payment exemption for the same period and for solely a single vehicle in respect of a vehicle operated by them and falling into vehicle category D2.

(2) Pursuant to partial exemption, by purchasing authorization for vehicle category D1, the authorized party is exempted from paying the tariff difference between vehicle categories D2 and D1.

(3) The partial exemption shall apply vehicles that have been registered by the transport authority on the basis of a notification by the operator, setting out the data giving rise to their authorization, and to the period such vehicles are included in the register as being eligible for partial exemption.

(4) With the exception of the vehicles of persons under paragraph (1) *b*), the partial exemption shall remain in effect no longer than 31 January of the year following the year of registration.

(5) The authorization under paragraph (1) *b*) shall cease when the parking permit is withdrawn and the authorization is deleted from the register.

(6) Parties are exempted from surcharge payment if within 90 days from receipt of the payment notice

a) they subsequently comply with their reporting obligation as per paragraph (1),

b) they present the official decision certifying registration to NTPS Plc., and

c) pay the administrative fee as set out in Section 20.

(7) Pursuant to partial exemption, the vehicle as specified in Section 8 (1) *b*) shall be deemed to be a vehicle as per Section 8 (1) *a*) during the time of partial exemption.

6. Inspection

Section 10 (1) Pursuant to Section 33/B (8) of the Public Roads Traffic Act, the entity authorized to enforce payment of road toll (hereinafter: toll enforcement organization) shall inspect the compliance of authorization and the purchase thereof based on the registration number, country code and the vehicle category.

(2)³ Where a vehicle is required to stop for an inspection, the driver of the vehicle shall stop at the checkpoint in order to enable verification of their authorization and, if unauthorized road use is established, they shall hand over the vehicle's registration document certifying eligibility for road traffic and their personal identification documents to the inspector of the toll enforcement organization to verify toll payment until the related administrative activity is completed. If it is established at the roadside inspection that unauthorized road use has occurred, the driver of the vehicle shall pay the surcharge or surcharge difference on the spot or purchase, where appropriate, an authorization corresponding to the given vehicle category. If no authorization is purchased during roadside inspection, the provisions of Section 11 (3) shall not apply.

(3) During the validity of road use authorization, inspections may be conducted at any point and junction of the toll sections as specified in Annex 1.

(4)⁴ NTPS Plc. provides free of charge information on the period of validity and territorial scope of the valid road use authorization purchased for the vehicle with the given registration number, without justifying the purpose and legal basis of the data provision.

Section 11 (1) With the exceptions under paragraphs (2) and (3), where it is found during the inspection that the vehicle has no valid authorization, a surcharge corresponding to the vehicle category shall be payable on the grounds of unauthorized road use.

(2) No surcharge shall be imposed where it is based on an inspection carried out during the downtime of the central NTPS Plc. system as announced on NTPS Plc's website or within the 60 minutes thereafter.

(3) No surcharge shall be imposed on the vehicle where it is based on an inspection carried out within 60 minutes before the start of validity of the authorization purchased in accordance with the provisions herein.

(4) Surcharges may only be imposed once per registration number and calendar day. The surcharge imposed on the grounds of unauthorized road use shall be imposed on a single occasion even if multiple successive unauthorized road uses are detected, if not more than 60 minutes have elapsed between the first and last detections made on different calendar days, and no further unauthorized road uses were established by the toll enforcement organization on either of the days of the first and last detections.

(5) As a result of the inspection, with a view to establishing the surcharge payment liability, the toll enforcement organization shall establish the data of the obliged party and the vehicle

a) by way of their documents suitable for personal and motor vehicle identification or data obtained from an certified register,

b) in the case of vehicles with a foreign registration number, where no other means are available, by way of an intermediate body.

³ Modified by: Section 4(d) of TIM Decree 19/2022. (IX. 19.)

⁴ Modified by: Section 4(e) of TIM Decree 19/2022. (IX. 19.)

(6) The non-owner operator or, in the absence of an operator the owner of the vehicle (in the case of vehicles with Hungarian registration numbers, as registered by the road transport registration body at the time of the unauthorized road use) (hereinafter: operator) shall be responsible for the subsequent payment of the surcharge. In the case of a combination of vehicles, if the trailer falls into vehicle category U and the toll enforcement organization establishes unauthorized road use by the trailer, the surcharge shall apply to the combination of vehicles and shall be payable by the operator of the towing vehicle.

(7) Surcharges shall be collected by NTPS Plc., in the course of which NTPS Plc. or the intermediate body employed by it may also charge their costs demonstrated to have been incurred in connection with the collection of the surcharge.

Section 12 (1)⁵ Until proven otherwise, a payment notice under Section 33/B (5) of the Public Roads Traffic Act, posted as a registered mail item, return receipt requested, shall be deemed to have been delivered on the day of attempted delivery if the addressee refused acceptance. If delivery failed due to the fact that the item was returned to NTPS Plc. from the address of the natural person addressee or from the address of the legal person operator registered in the Road Transport Register marked “mail unclaimed” or “moved”, until the contrary has been proven the document shall be deemed to have been delivered on the twentieth day following postal collection. Having obtained knowledge of the assumed delivery, NTPS Plc. shall notify the addressee thereof within eight business days by way of a simple mail item, notifying the addressee of the rules governing objections against the assumed delivery.

(2) NTPS Plc. and the party obliged to pay a surcharge may also agree on the method of communication and the rules on delivery in deviation of the provisions of paragraph (1).

(3) The addressee may lodge a complaint with NTPS Plc. within 15 days of obtaining knowledge of the assumed delivery or within 150 days of the date of the assumed delivery at the latest. If in their objection the addressee conclusively demonstrates that they were unable to accept a consignment sent at the place of address for reasons beyond their control, an additional deadline of 60 days shall be granted for the payment of the base surcharge as per Annex 3. If the notification is made by post, the provisions under paragraph (1) shall apply.

(4) Unless otherwise provided herein, the surcharge shall fall due from the time of gaining knowledge thereof, but from delivery of the notification under paragraph (1) at the latest. The basis for the rate of the surcharge is contained in Annex 3.

Section 13 (1)⁶ If, at the time of inspection, the vehicle has a valid authorization for a lower vehicle category than that of the vehicle, a surcharge difference shall be paid. The basis for the rate of the surcharge difference is contained in Annex 3. If, at the time of inspection, the vehicle has a valid authorization for a higher or the same price category than that which would otherwise apply to the vehicle, no surcharge shall be payable.

(2) The rate of the surcharge and the surcharge difference shall be determined in line with paragraph (3).

(3)⁷ If the consumer price index for August in the year preceding the subject year as published by the Hungarian Central Statistical Office increases relative to August of the year two years preceding the subject year, the price base established in Annex 3 will be adjusted at a rate corresponding to such increase, calculated with a HUF 10 rounding accuracy. In the years following the first establishment of the adjusted rates of surcharge and surcharge difference, the

⁵ Established by: Section 3(5) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

⁶ Modified by: Section 4(f) of TIM Decree 19/2022. (IX. 19.).

⁷ Established by: Section 3(6) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

price base shall be the rate of surcharge and surcharge difference established in the year preceding the subject year. The rate of the surcharge and the surcharge difference thus established is published by NTPS Plc. on its website. A period of at least 30 days shall separate the date of publication and the effective date.

(4)⁸ When publishing the adjusted surcharge and surcharge difference, the editor in charge of the toll charger's website shall affix a qualified electronic signature and a time stamp issued by a service provider that provides this service as a qualified service provider to the electronic document. The publication of the adjusted surcharge and surcharge difference shall indicate the date of publication, which shall not be earlier than the calendar day indicated in the time stamp.

(5)⁹ The published documents of the adjusted surcharge and surcharge difference may not be removed from the toll collector's website, and the provisions of the legislation on electronic archiving shall apply to their archiving.

Section 14 (1) Where – also taking Section 11 (4) into consideration – unauthorized road use in respect of the same operator's same vehicle is established on multiple occasions, within 75 days of the day of delivery of the first payment notice on the grounds of unauthorized road use, the operator may request that the surcharge payment liability incurred up until the receipt of the first payment notice be maximized to the sum of two base surcharges or surcharge differences applicable to the vehicle.

(2) The request shall be assessed by NTPS Plc. or – based on an agreement concluded with NTPS Plc. – its contributor partner (hereinafter: contributor partner) within 30 days. NTPS Plc. or its contributor partner may only reject the request if it fails to comply with the provisions of paragraph (1). NTPS Plc. or its contributor partner sends notification thereon to the applicant.

(3)¹⁰ The payment deadline for the maximized-amount surcharge is 30 days from delivery of notification. If paid by the deadline, any unpaid surcharges affected by the capping will be cancelled for the part exceeding the capped amount. Failure to observe the deadline shall be deemed as if the request had not been submitted at all.

(4)¹¹ The decision made on the basis of the application shall not impact the legal grounds for claims that have arisen prior to the period specified in paragraph (1). NTPS Plc. is entitled to unilaterally deviate from the request submitted by the customer in favor of the customer. The provisions of this paragraph do not affect the reimbursement claims of NTPS Plc. or the contributor partner involved by it for the reimbursement of certified costs arising in the course of claim enforcement.

Section 15 (1) Where – also taking Section 11 (4) into consideration – unauthorized road use in respect of the same operator's same vehicle is established on multiple occasions, the operator may submit a request for the preferential payment of the surcharge imposed on account of unauthorized road use detected on the day of submission and the preceding 180 days.

(2) The rate of the preferential surcharge as per paragraph (1) is six times the amount of the base surcharge as applicable and imposed on the vehicle.

(3) The request shall be assessed by NTPS Plc. or its contributor partner within 30 days. NTPS Plc. or its contributor partner may only reject the request if it fails to comply with the provisions of paragraph (1). NTPS Plc. or its contributor partner sends notification thereon to the applicant.

⁸ Established by: Section 3(6) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

⁹ Enacted by: Section 3(6) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

¹⁰ Modified by: Section 4(g) of TIM Decree 19/2022. (IX. 19.).

¹¹ Established by: Section 3(7) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

(4)¹² The payment deadline for the maximized-amount surcharge is 30 days from delivery of the decision. Other unpaid surcharges for the subject period shall be deemed to have been paid if the reduced surcharge is paid on time.

(5) The decision made on the basis of the request shall not impact the legal grounds for claims that have arisen prior to the period specified in this paragraph. The provisions of this paragraph do not affect the reimbursement claims of NTPS Plc. or the contributor partner involved by it for the reimbursement of certified costs arising in the course of claim enforcement.

Section 16 (1)¹³ If – within 75 days of the receipt of the payment notice sent on account of unauthorized road use – the operator of the vehicle certifies to NTPS Plc. the fact of the purchase of authorization as per Section 3 (2) c) and initiates the establishment of the period of validity in line with this paragraph, the surcharge imposed for unauthorized road use – previously unpaid – as incurred between such unauthorized road use and the purchase of authorization as per Section 3 (2) c) shall be deemed to have been paid. The right of representation of the applicant for the payment of the authorization pursuant to Article 3(2)(c), proof of payment and the determination of the period of validity of the authorization pursuant to this paragraph shall be presumed, if the application is submitted during an on-the-spot stop-over toll enforcement and the applicant is the driver of the vehicle checked, provided that the authorization pursuant to this paragraph is purchased at the latest at the time the application is submitted. During the period of validity established in line with the provisions of this paragraph, the vehicle with authorization shall be deemed to have had authorization. For the purposes of this paragraph, authorizations transferred pursuant to paragraphs (1) and (2) of Section 18 shall not be taken into account, and paragraphs (1) and (2) of Section 18 and paragraph (3) of Section 19 shall not apply in respect of the authorization under this paragraph. The provisions of this paragraph do not affect the reimbursement claims of NTPS Plc. or the contributor partner involved by it for the reimbursement of certified costs arising in the course of claim enforcement.

(2) At the request of the party obligated to pay a surcharge, NTPS Plc. may allow instalment payment. Late payment of the surcharge by the party obligated to pay a surcharge shall prevent the maintenance of the preferential instalment payment option and the debt shall thus fall due as a lump sum, with the proviso that no interest shall be charged in this case either.

(3) The procedure aimed at enforcing overdue surcharge debts may only be opened in respect of a party against whom there is a claim overdue for more than 180 days. The provisions of this paragraph are not applicable if the delay in opening the procedure would exclude the enforcement of the claim or make it disproportionately difficult.

Section 17 (1) The deadlines defined in Sections 11-16 shall rest if:

a) the operator of the vehicle used during the event giving rise to the surcharge certifies with a police report that prior to the unauthorized road use their vehicle or its official marking was unlawfully appropriated from them,

b) the operator of the vehicle used during the event giving rise to the surcharge proves with an official certificate issued by the transport authority that prior to the unauthorized road use the official marking of their vehicle was unlawfully appropriated from them, or

c) the operator of the vehicle presumably used during the event giving rise to the surcharge has filed a police report after receipt of the payment notice on the grounds of suspicion of abuse of the individual identifier of the vehicle.

¹² Modified by: Section 4(h) of TIM Decree 19/2022. (IX. 19.).

¹³ Established by: Section 3(8) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

(2) No surcharge shall be imposed if the operator of the motor vehicle in question certifies that

- a) the vehicle used during the event giving rise to the surcharge or its official marking was unlawfully appropriated from him prior to the unauthorized road use, or

- b) the individual identifier of the vehicle presumably used during the event giving rise to the imposition of the surcharge was abused,

and presents to NTPS Plc. the final decision or a copy thereof issued by the authority conducting the procedure within 15 days of its entry into force.

(3) If the requirements described in paragraph (2) are not met or not met on time, the amount of the surcharge shall be equivalent to the surcharge payable beyond 60 days.

(4) If no surcharge is to be imposed pursuant to paragraph (2) on the operator of the vehicle and the identity of the person driving the car when the event giving rise to the surcharge occurred becomes known, the surcharge will be imposed on such person in accordance with the general rules. If the identity of the person driving the vehicle cannot be determined, but the identity of the persons participating in the acts serving as the basis for the exempting circumstances included in paragraph (2) can be determined, then all participants shall be jointly and severally liable for payment of the surcharge.

7. Modification of the authorization, replacement of the counterfoil or the confirmation message

Section 18 (1)¹⁴ Where the owner transfers the title to the vehicle mid-year or the legal relationship giving rise to its use terminates, the enforcement of the authorization may be claimed to be transferred to another vehicle falling into the same vehicle category or a vehicle category subject to equivalent pricing (hereinafter referred to as “transfer”) during the period of validity of the authorization, against payment of an administrative fee set out in Section 20. In order to register a change of registration number arising from transfer

- a) the counterfoil received at purchase must be submitted or the confirmation message must be presented to NTPS Plc.,

- b) the new vehicle registration certificate must be presented in order to verify that its vehicle category is the same as the vehicle category of the former authorized vehicle, and

- c) a document certifying the sale of the vehicle which held previous authorization, the receipt of which has been confirmed by the transport administration authority, or a document demonstrating the lapse of any other legal relationship enabling the use of the vehicle proving the termination of the legal relationship enabling the use of the vehicle must be presented.

(2) In addition to the provisions under paragraph (1), the authorization may also be transferred if the applicant conclusively demonstrates that they are entitled to simultaneously make a statement with regard to both vehicles concerned by the transfer, presents the counterfoil certifying purchase or confirmation message certifying purchase through electronic channels, and pays the administrative fee as per Section 20. In the case of weekly authorization, the transfer shall only be carried out prior to the start of validity.

(3) Where the two vehicles under paragraphs (1) or (2) fall into different vehicle categories, payment of the category difference is a prerequisite of the transfer, with the proviso that the difference shall be paid for the entire duration of validity.

(4) In the event of the change of registration number, upon request the authorization shall be transferred by NTPS Plc. to the new registration number against the administrative fee specified

¹⁴ Modified by: Section 4(i) of TIM Decree 19/2022. (IX. 19.).

Section 20. The procedure shall be governed mutatis mutandis by the provisions of paragraph (1), with the proviso that the applicant shall also be obligated to certify the fact of replacement. Where a universal change of the registration number, regardless of the country of the owner or the registration, is provided for by law, the transfer of authorization shall be free of charge.

(5) Where the vehicle has been stolen or suffered economic total loss, upon presentation of a certificate issued by the police or the insurance company, the customer may request at the customer service office of NTPS Plc. or its contributor partner, upon payment of the administrative fee as per Section 20, that the authorization be transferred to another vehicle falling into the same vehicle category or a vehicle category with equivalent pricing for the validity period of the original authorization. The procedure shall be governed mutatis mutandis by the provisions of paragraph (1), with the proviso that the applicant shall certify the fact of theft or economic total loss. Destruction or loss of the original counterfoil shall not prevent the procedure.

(6) In the event that an incorrect vehicle category is established, the vehicle category may be amended – in the case of the payment of tariff difference or a request for the refund thereof – within the period of validity of the authorization against payment of the administrative fee set out in Section 20. During the procedure, the counterfoil or confirmation message certifying the purchase of authorization and the vehicle registration certificate must be presented in order to establish the correct vehicle category. The registration number newly issued for an authorization of the appropriate vehicle category must be identical to the registration number entered in the vehicle registration certificate registered for the previous authorization. The rectification of the vehicle category subsequent to the imposition of a surcharge shall not provide exemption from the obligation to pay the surcharge or the surcharge difference already imposed.

(7) If an incorrect registration number has been entered (up to a difference of 3 characters), the correct registration number may be registered from the start of authorization, within 60 days of receipt of the payment notice to pay the surcharge on account of the erroneously entered registration number. During the procedure, the vehicle registration certificate and the counterfoil or confirmation message certifying the purchase of the authorization must be presented. The rectification fee is the administrative fee set out in Section 20. In such cases, the authorization shall apply to the amended registration number for the entire validity period. No administrative fee shall be charged for amending the registration number due to confusing the characters “0” and “O” or “1” and “I”.

(8) The country code may be rectified within 60 days of the receipt of the payment notice sent on account of the indication of an incorrect country code. During the procedure, the vehicle registration certificate and the counterfoil or confirmation message certifying the purchase of authorization must be presented. The administrative fee set out in Section 20 shall be paid for the rectification. In such cases, the authorization shall apply to the amended country code for the entire validity period.

Section 19 (1)¹⁵ If the customer copy of the counterfoil or the confirmation message certifying purchase of authorization is destroyed, lost or damaged, verification of the existing authorization may be requested at the customer service office of NTPS Plc. upon payment of the administrative fee specified in Section 20 and presentation of the vehicle registration certificate.

(2) If multiple authorizations have been purchased for the same vehicle for partly or entirely the same period, the customer may request a buyback of the unnecessary authorization upon payment of the administrative fee specified in Section 20. If the starting dates or validity periods of the authorizations do not match, buyback is only possible if the validity period of the authorization

¹⁵ Modified by: Section 4(j) of TIM Decree 19/2022. (IX. 19.).

with a later starting date has not yet started or, if it has already started, the other authorization was valid throughout the whole period elapsed. Buyback of county authorization is only possible where multiple purchases were made for the same vehicle and the same county.

(3) Buyback of the road use authorization can be requested upon payment of the administrative fee specified in Section 20 prior to the validity period of the authorization, for which the vehicle registration certificate must be presented, the counterfoil received upon purchase must be submitted or the confirmation message must be presented. If the validity period has already started, the authorization may only be bought back if an authorization with a shorter validity covering the period from the start of validity to the time of buyback is first purchased for the vehicle in question.

(4)¹⁶

Section 20 (1) The administrative fee – inclusive of value-added tax – of the services regulated herein is HUF 1,470.

(2)¹⁷ If the procedure is carried out for the same vehicle during the same purchase session and affects multiple authorizations purchased for such vehicle, the administrative fee shall be paid once for each.

(3)¹⁸ No service under this Section shall be provided if, simultaneously with the submission of their request or within 90 days from notice by NTPS Plc. at the latest, the applicant fails to submit all documents required for the use of the service.

8. Closing provisions

Section 21 (1) This Decree – with the exception set out in paragraph (2) – shall enter into force on the 3rd day following its promulgation.

(2) Sections 12 and 24, and Annex 4 shall enter into force on 1 January 2021.

Section 22 (1) The provisions of this Decree – with the exceptions set out in paragraphs (2)-(4) – shall also be applicable to the legal relationships relating to road use authorization at the time of entry into force and unauthorized road use.

(2) Section 8 (3)-(6) shall be applied for the first time for the determination of the price of road use authorization purchased for 2021. The price of road use authorization for 2020 is the price base is as per Annex 2.

(3) Section 13 (2)-(4) shall be applied for the first time for the determination of the rate of the surcharge and surcharge difference valid for 2021. The rate of the surcharge and surcharge difference applicable for 2020 is a surcharge base and surcharge difference base as per Annex 3.

(4) Sections 14 and 15 shall be applicable to unauthorized road use after 1 November 2020.

(5)¹⁹ Pursuant to Section 3(4), the price of the revised county level authorization on the toll road network of Jász-Nagykun-Szolnok County for the year 2022 shall be refunded by NTPS Plc. - upon the customer's request - until 31 December 2022, without charging an administrative fee, or - in the case specified in Section 7(4), at the customer's option - settled with the customer on the basis of an individual agreement.

Section 23 This Decree serves compliance with

1. Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures,

¹⁶ Repealed by: Section 5(c) of TIM Decree 19/2022. (IX. 19.). Ineffective from: 15 October 2022

¹⁷ Modified by: Section 5(d) of TIM Decree 19/2022. (IX. 19.)

¹⁸ Enacted by: Section 3(9) of TIM Decree 19/2022. (IX. 19.). Effective: 15 October 2022

¹⁹ Enacted by: Section 1(1) of ITM Decree 6/2022. (II. 17.). Effective: from 18 February 2022.

2. Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures,

3. Directive 2011/76/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures.

Section 24 ²⁰

Section 25 ²¹

²⁰ Section 24 was repealed pursuant to Section 12(2) of Act CXXX of 2010.

²¹ Section 25 was repealed pursuant to Section 12(2) of Act CXXX of 2010.

Annex 1 to Decree No. 45/2020. (XI. 28.) of the Minister for Innovation and Technology²²

Highway sections subject to toll payment

	A	B	C	D	E	F	G	H
	Designation of county authorization	Highway number	Start of section		End of section			
			Section number	Junction number	Designation of junction	Section number	Junction number	Designation of junction
1.	Bács-Kiskun	M5	52+680	53	Örkény junction	139+300	140	Kistelek junction
2.	Baranya	M6	161+967	163	Bátaszék junction	189+867	191	M6-M60 junction
3.	Baranya	M60	0+000	-	M60-M6 junction	29+174	30	Pécs North junction
4.	Borsod-Abaúj-Zemplén	M3	113+350	114	Füzesabony junction	174+850	175	Polgár junction
5.	Borsod-Abaúj-Zemplén	M30	1+550	2	M30-M3 junction	23+390	24	Miskolc South junction
6.	Borsod-Abaúj-Zemplén	M30	32+050	33	Miskolc North junction	88+546	-	Tornyosnémeti, country border
7.	Csongrád-Csanád	M5	113+500	114	Kiskunfélegyháza South junction	173+894	-	Röszke, country border
8.	Csongrád-Csanád	M43	0+800	-	Szeged North junction	57+727	-	Csanádpalota, country border
9.	Fejér	M1	26+400	27	Herceghalom junction	55+975	56	Tatabánya-Óváros junction
10.	Fejér	M6	24+000	25	Százhalombatta North junction	97+300	98	Paks North junction
11.	Fejér	M7	23+000	23	Pusztazámor junction	90+000	90	Balatonvilágos junction
12.	Győr-Moson-Sopron	M1	93+580	94	Bábolna junction	171+1406	-	Hegyeshalom, country border
13.	Győr-Moson-Sopron	M15	0+708	-	M15-M1 junction	14+505	-	Rajka, country border
14.	Győr-Moson-Sopron	M19	0+000	-	Győr East junction	9+761	-	Győr Centre junction
15.	Győr-Moson-Sopron	M85	0+000	-	Győr North junction	88+510	89	Sopron-North junction
16.	Győr-Moson-Sopron	M86	115+554	116	Répcelak junction	148+481	-	Csorna North junction
17.	Hajdú-Bihar	M3	164+250	164	Hejőkürt junction	220+937	221	Nyíregyháza North junction
18.	Hajdú-Bihar	M4	211+025	211	M4-M35 junction	242+031	-	Nagykereki, country border

²² The text of Annex 1 is specified by Section 1 of Decree 62/2021 (XII. 22.) ITM of the Minister for Innovation and Technology.

19.	Hajdú-Bihar	M35	0+550	-	M35-M3 junction	67+140	67	M35-M4 junction
20.	Heves	M25	0+000	-	M25-M3 junction	18+568	19	Eger
21.	Heves	M3	38+950	39	Bag junction	127+750	128	Mezőkövesd junction
22.	Komárom-Esztergom	M1	47+975	48	Szárliget junction	111+692	112	M1-M19 junction
23.	Komárom-Esztergom	M19	0+000	-	Győr East junction	5+381	5	Győrszentiván junction
24.	Pest	M0	30+779	31	M0-M5 junction	41+155	42	M0-M4 junction
25.	Pest	M0	68+193	69	M0-M3 junction	74+050	75	Dunakeszi Centre junction
26.	Pest	M1	7+680	-	Budapest, city limits	38+625	39	Bicske junction
27.	Pest	M2	17+300	17	M2-M0 junction	47+477	-	Vác North junction
28.	Pest	M3	10+121	11	Budapest, Szentmihályi út junction	54+540	55	Hatvan junction
29.	Pest	M4	20+518	21	Budapest Ferenc Liszt International Airport junction	98+380	99	Jászberény / Szolnok-North junction
30.	Pest	M5	13+000	13	Budapest, Szentlőrinci út junction	67+260	67	Lajosmizse junction
31.	Pest	M51	25+300	-	M51-M0 junction	28+607	-	M51-M5 junction
32.	Pest	M6	14+000	15	Budapest, Barackos út junction	33+500	34	Ráckeresztúr junction
33.	Pest	M7	7+680	-	Budapest, city limits	30+000	30	Martonvásár junction
34.	Somogy	M7	90+000	90	Balatonvilágos junction	190+200	191	Zalakomár junction
35.	Somogy	M76	0+000	-	Hollád junction	8+363	-	Keszthely-Fenekpuszta junction
36.	Szabolcs-Szatmár-Bereg	M3	203+000	203	Hajdúnánás junction	279+823	280	Vásárosnamény junction
37.	Tolna	M6	74+750	75	Dunaújváros South junction	172+552	173	Pécsvárad junction
38.	Vas	M86	80+950	81	Szombathely junction	123+582	124	Beled junction
39.	Veszprém	M7	80+000	80	Polgárdi junction	97+500	98	Siófok East junction
40.	Zala	M7	182+805	183	Sávoly junction	234+264	-	Letenye, country border
41.	Zala	M70	0+200	-	M70-M7 junction	21+264	-	Tornyiszentmiklós, country border

Annex 2 to Decree No. 45/2020. (XI. 28.) of the Minister for Innovation and Technology

The basis of the price of road use authorization containing value-added tax, expressed in HUF

	A	B	C	D	E
1.	Vehicle category	Weekly	Monthly	Annual	County
2.	D1	3,500	4,780	42,980	5,000
3.	D1 - motorcycles	1,470	2,500	42,980	5,000
4.	D2	7,000	9,560	42,980	10,000
5.	B2	15,500	21,975	199,975	20,000
6.	U	3,500	4,780	42,980	5,000

Annex 3 to Decree No. 45/2020. (XI. 28.) of the Minister for Innovation and Technology

The basis of the rate of the surcharge and surcharge difference payable for unauthorized road use

I. Rate of the surcharge			
	A	B	C
1.	Vehicle category	if paid within 60 days (base surcharge)	if paid beyond 60 days (increased surcharge)
2.	D1, D2	HUF 14,875	HUF 59,500
3.	B2	HUF 66,925	HUF 267,700

II. Rate of the surcharge difference				
	A	B	C	D
1.	Vehicle category selected	Vehicle category applicable to the vehicle or combination of vehicles	Amount of the surcharge difference if paid within 60 days	Amount of the surcharge difference if paid beyond 60 days
2.	D1	D2	HUF 7,500	HUF 30,000
3.	D2	D2 + U	HUF 7,500	HUF 30,000
4.	B2	B2 + U	HUF 7,500	HUF 30,000
5.	D1, D2, U	B2	HUF 52,050	HUF 208,200

*Annex 4 to Decree No. 45/2020. (XI. 28.) of the Minister for Innovation and Technology*²³

²³ Annex 4 was repealed pursuant to Section 12(2) of Act CXXX of 2010.