

## **Section 1 paragraph (1)**

Section 1 (1) <sup>1</sup> The scope of this Act shall extend to the toll charger, the toll service provider, contracted toll payers as well as the operators and users of tolled motor vehicles circulating on unit tolled sections, regardless of their nationality or country of registration, respectively, as well as the bodies involved in control.

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## **Section 2 point 2**

2. <sup>2</sup> “*toll declaration operator*” means a provider used for the fulfilment of the toll declaration obligation during road use as set out in this Act;

3. <sup>3</sup> “*vehicle category*” means the grouping — applied in a manner set out in the Decree adopted for the implementation of this Act — in setting the toll rate based on specific motor vehicle properties;

4. <sup>4</sup> “*EETS*” means the European Electronic Toll Collection Service, which enables persons liable to toll payment to use one on-board unit per vehicle to pay, via the toll service provider, the consideration for using the unit tolled sections involved in the service for the vehicles using the service;

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## **Section 2 point 6**

6. <sup>5</sup> “*EETS provider*” means a legal person toll service provider registered in its home Member State within the EU, which enables EETS users to access EETS, and as part of that, to the UD Toll System, and which forwards tolls to the appropriate toll charger;

7. <sup>6</sup> “*bound service provider*” means the toll service provider obliged to grant any person liable to toll payment the possibility to acquire a road use authorization in the UD Toll System;

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<sup>1</sup> Established by: Section 56 of Act LIX of 2021 Effective from: 19.10.2021

<sup>2</sup> Amended by: Section 67 a) of Act LIX of 2021

<sup>3</sup> Amended by: Section 67 b) of Act LIX of 2021

<sup>4</sup> Established by: Section 57 (1) of Act LIX of 2021 Effective from: 19.10.2021

<sup>5</sup> Amended by: Section 67 c) of Act LIX of 2021

<sup>6</sup> Amended by: Section 67 c) of Act LIX of 2021

## **Section 2 point 15**

15. <sup>1</sup> “*contracted toll payer*” means the person or entity which concludes an agreement to pay toll for one or more tolled motor vehicles to enable the use of any unit tolled section;

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## **Section 2 point 27**

27. <sup>2</sup>

28. <sup>3</sup> “*operator*” means the non-owner operator of the vehicle (in the case of a vehicle with a Hungarian registration number, as registered by the road transport registration body at the time of road use) or, in the absence of thereof, the owner of the vehicle, or the operator (or in the absence thereof the owner) indicated in the document issued by the country of establishment;

29. <sup>4</sup> “*reseller*” means a contracted operator engaged by the toll service provider for the discharge of its toll collection duties;

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## **Section 3 paragraph (5)**

(5) <sup>5</sup> The use of a single road section by the same motor vehicle shall not give rise to concurrent obligations to pay a user charge and a toll. If the amount of the toll paid for the vehicle on a given calendar day exceeds the user charge for the shortest validity period determined in the otherwise prevailing vehicle category, there shall be no legal consequences for failure to pay user charge on the given calendar day.

(6) <sup>6</sup> Except as provided for in paragraph (7), the operator of the motor vehicle shall be responsible for ensuring compliance with the requirements of this Act in respect of the motor vehicle which they operate.

(7) <sup>7</sup> Where the identity of the road user is established at the scene in the course of a traffic check, the road user shall be responsible for compliance with the requirements in paragraph (1).

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<sup>1</sup> Established by: Section 57 (2) of Act LIX of 2021 Effective from: 19.10.2021

<sup>2</sup> Repealed by: Section 68 a) of Act LIX of 2021 Ineffective from: 19.10.2021

<sup>3</sup> Established by: Section 57 (3) of Act LIX of 2021 Effective from: 19.10.2021

<sup>4</sup> Established by: Section 57 (3) of Act LIX of 2021 Effective from: 19.10.2021

<sup>5</sup> Established by: Section 58 of Act LIX of 2021 Effective from: 19.10.2021

<sup>6</sup> Amended by: Section 67 e) of Act LIX of 2021

<sup>7</sup> Amended by: Section 67 f) of Act LIX of 2021

#### **Section 4 paragraph (2)**

(2)<sup>1</sup> The toll shall include the infrastructure charge and — in line with the provisions stipulated by the Government in a Decree — it may include an external-cost charge. Specifically, infrastructure charges shall be established on the basis of the costs involved in the construction, operation, maintenance and development of the infrastructure network concerned. Weighted average infrastructure charges may also include a return on capital or profit margin based on market conditions.

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#### **Section 6 paragraph (4)**

(4)<sup>2</sup> The toll charger shall establish the amount of the toll and shall collect that amount in respect of the given unit tolled section from the toll service provider which submits the toll declaration under this Act. The toll charger is entitled to collect the determined amount of the toll even if this is contested by the toll service provider. This provision shall not affect the right of the toll service provider to propose a settlement of accounts with the toll charger and to reclaim the toll collected in an unjustified fashion. Payment of the toll to the toll charger shall not be conditional on the corresponding amount having been received by the toll service provider from the person subject to toll payment. The contractual payment of the amount equivalent to the toll by the person liable to toll payment to the toll service provider excludes unauthorized road use as defined herein, provided that the fact of payment is certified such person.

(5)<sup>3</sup> In the course of the operations relating to toll collection, the toll service provider shall, in respect of the circulation on unit tolled sections of the motor vehicles specified in the agreement with the contracted toll payer for access to the UD Toll System which are subject to this Act, submit toll declarations to the toll charger in the manner and at the intervals set out in its agreement with the toll charger; additionally, the toll service provider shall pay to the toll charger the toll established by the toll charger pursuant to paragraph (4). In accordance with the provisions of the agreement with the contracted toll payer as effective from time to time, as well as with applicable legislation, the toll service provider may collect the toll from the person subject to toll payment, or charge its amount to the toll balance previously paid by the person subject to toll payment. The toll charger shall pay toll service providers a flat-rate reimbursement corresponding to a share of the collected toll amount specified in the decree adopted pursuant to the powers conferred by this Act. The rate of reimbursement payable to the toll service provider shall be established according to the same methodology as applied for the establishment of the rate of reimbursement payable to the bound service provider.

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<sup>1</sup> Amended by: Section 67 g) of Act LIX of 2021

<sup>2</sup> Established by: Section 59 of Act LIX of 2021 Effective from: 19.10.2021

<sup>3</sup> Established by: Section 59 of Act LIX of 2021 Effective from: 19.10.2021

## **Section 6 paragraph (10)**

(10)<sup>1</sup> The toll service provider may accept fuel cards from road users for the payment of the road use authorization. The bound toll service provider shall be obliged to enter into agreements with the fuel card issuers, including the same conditions, in accordance with the provisions specified in the rules related to the enforcement of this law.

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## **Section 7 paragraph (4)**

(4)<sup>2</sup> If a tolled motor vehicle has multiple on-board units, it is the liability of the contracted toll payer — or in the absence thereof the road user — to operate the appropriate on-board unit as per the applicable contracts, in line with the provisions of such contracts.

(5)<sup>3</sup> During the process of contracting with the toll service provider and for the term of such contract, the contracted toll payer shall disclose correct and accurate data to the toll service provider. Damages arising from incorrect or inaccurate data reporting shall be borne by the contracted toll payer.

Section 8<sup>4</sup> Other than the toll amount set in accordance with the Decree adopted pursuant to this Act, neither the toll charger, nor the toll service provider or the toll declaration operator shall charge the person subject to toll payment additional fees or unjustified expenses for access to the UD Toll System.

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## **Section 9 paragraph (2)**

(2)<sup>5</sup> Unless otherwise provided for by this Act, the exemption under paragraph (1) shall apply to the free-of-charge use of unit tolled sections and public roads charged with a toll in the absence of authorization by the public road operator, based on entry in the register of persons/entities authorized to use vehicles exceeding the permissible gross weight or the maximum permitted axle load (hereinafter: “the exemption register”). The scope of exemption shall extend only to the period of no more than one year specified in the notification.

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<sup>1</sup> Enacted by: Section 25 of Act CCXXVIII of 2013 Effective from: 26.12.2013 Amended by: Section 67 h) of Act LIX of 2021

<sup>2</sup> Enacted by: Section 60 of Act LIX of 2021 Effective from: 19.10.2021

<sup>3</sup> Enacted by: Section 60 of Act LIX of 2021 Effective from: 19.10.2021

<sup>4</sup> Established by: Section 61 of Act LIX of 2021 Effective from: 19.10.2021

<sup>5</sup> Established by: Section 62 of Act LIX of 2021 Effective from: 19.10.2021

## **Section 10**

Section 10<sup>1</sup> Operators of vehicles shall have no toll payment and toll declaration obligations following a prior notification of the transport administration authority for vehicles specified in Section 9 paragraph (1) points *a*), *e*) and *g*) or electronically with direct access for vehicles specified in point *a*), to the authority responsible for public road transport registration for vehicles specified in points *b*) to *d*), *h*), *j*) and *k*), and to the disaster relief authority for vehicles specified in points *f*) and *i*), following acknowledgement of such notification and registration in the exemption register.

Section 10/A<sup>2</sup>

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## **Section 19 paragraph (5)**

(5)<sup>3</sup> If the supervisory authority determines that — on account of the practices of the toll charger or as a result of other circumstances — the UD toll system fails to comply with the specified technical and procedural interoperability criteria, it calls upon the toll charger to make the system suitable to fulfil the technical and procedural interoperability criteria set out in the EETS directive within six months at the latest. If the toll charger fails to meet this deadline, in addition to imposing the toll fine specified in Section 20 paragraph (2) point *b*), the supervisory authority will require the toll charger to fulfil its obligations as stipulated in the directive.

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## **Section 20 paragraph (2) point c)**

c)<sup>4</sup> the volume of the toll charger's or toll service provider's annual Hungarian sales revenue;

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<sup>1</sup> Established by: Section 63 of Act LIX of 2021 Effective from: 19.10.2021

<sup>2</sup> Repealed by: Section 68 b) of Act LIX of 2021 Ineffective from: 19.10.2021

<sup>3</sup> Enacted by: Section 64 of Act LIX of 2021 Effective from: 19.10.2021

<sup>4</sup> Amended by: Section 67 i) of Act LIX of 2021

### **Section 21 paragraph (1)**

Section 21 (1) <sup>1</sup> In Hungary, the activities of toll service providers or EETS providers may only be performed by entities registered in line with Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union. The supervisory authority shall register the EETS provider if it meets the criteria set out in the Decree adopted pursuant to this Act.

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### **Section 21 paragraph (3)**

(3) <sup>2</sup> In addition to what is provided for in paragraph (2), the supervisory body shall, for the purposes set out in paragraph (1), maintain an electronic register of the following:

- a) EETS providers registered in Hungary;
  - b) the names of entities acting as toll chargers on the unit tolled sections;
  - c) the tolling technology employed on unit tolled sections;
  - d) toll context data in respect of unit tolled sections (in particular, the vehicle categories and other characteristics affecting toll payment, and the tariffs);
  - e) the full text of the domain statement by the toll charger as set out in the Decree adopted for the implementation of this Act.
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### **Under Chapter VI, Subheading "15/A"**

15/A <sup>3</sup>

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<sup>1</sup> Established by: Section 65 (1) of Act LIX of 2021 Effective from: 19.10.2021

<sup>2</sup> Established by: Section 65 (2) of Act LIX of 2021 Effective from: 19.10.2021

<sup>3</sup> Repealed by: Section 68 c) of Act LIX of 2021 Ineffective from: 19.10.2021

Section 29/A <sup>1</sup>

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<sup>1</sup> Repealed by: Section 68 c) of Act LIX of 2021 Ineffective from: 19.10.2021

**Section 31 paragraph (1) point 5**

5.<sup>3</sup> with Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union.

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<sup>1</sup> Repealed by: Section 68 d) of Act LIX of 2021 Ineffective from: 19.10.2021  
<sup>2</sup> Repealed by: Section 68 d) of Act LIX of 2021 Ineffective from: 19.10.2021  
<sup>3</sup> Enacted by: Section 66 (1) of Act LIX of 2021 Effective from: 19.10.2021

**Section 31 paragraph (2) point c)**

c) <sup>1</sup> Commission Delegated Regulation (EU) 2020/203 of 28 November 2019 on classification of vehicles, obligations of European Electronic Toll Service users, requirements for interoperability constituents and minimum eligibility criteria for notified bodies;

d) <sup>2</sup> Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 on detailed obligations of European Electronic Toll Service providers, minimum content of the European Electronic Toll Service domain statement, electronic interfaces, requirements for interoperability constituents and repealing Decision 2009/750/EC

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<sup>1</sup> Enacted by: Section 66 (2) of Act LIX of 2021 Effective from: 19.10.2021

<sup>2</sup> Enacted by: Section 66 (2) of Act LIX of 2021 Effective from: 19.10.2021