



Republika e Kosovës

Republika Kosova - Republic of Kosovo

Qeveria - Vlada - Government

*Ministria e Industrisë, Ndërmarrësisë dhe Tregtisë - Ministarstvo Industrije,
Preduzetništva i Trgovine - Ministry of Industry, Entrepreneurship and Trade*

ADMINISTRATIVE INSTRUCTION (MIET) NO. 12/2023 ON THE CONDITIONS AND CRITERIA FOR PROVIDING RENT-A-CAR SERVICES

Minister of the Ministry of Industry, Entrepreneurship and Trade

Pursuant to Article 39, paragraph 2, of Law No. 08/L-074 on Tourism (Official Gazette No. 15. 13.06.2022), 12 of Regulation (GRK) No. 14/2023 on Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, as well as Article 38, paragraph 6 of the Rules of Procedure of the Government No. 09/2011 (Official Gazette No. 15/ 12.09 March 2011) issues the,

Following:

ADMINISTRATIVE INSTRUCTION (MIET) NO. 11/2023 ON THE CONDITIONS AND CRITERIA FOR PROVIDING RENT-A-CAR SERVICES

Article 1 Purpose

This Administrative Instruction shall define the conditions and criteria for providing rent-a-car services through passenger vehicles.

Article 2 Scope

The provisions of this Administrative Instruction shall apply to commercial companies providing rent-a-car services.

Article 3 Definitions

1. For the purposes of this Administrative Instruction, the following definitions shall have the following meanings:

1.1. Passenger vehicle - a vehicle used for transporting people, which, in addition to the driver's seat, has a maximum of eight (8) seats.

1.2. Rent-a-car - a service of providing a vehicle for passenger rental, including camping vehicles, without a driver, under a rental contract, by business organizations providing such services to natural persons.

1.3. Camping vehicle - a vehicle or attached vehicle, specially constructed in such a way that it has reinforced equipment for the vehicle, some of which when not needed, are folded to take up less space, such as seats with table, the bed (obtained by pulling out the seats), the kitchen elements and the space for placing clothes, enabling its use as a camping vehicle;

1.4. Auto liability insurance - compulsory insurance of the owner's and possessor's liability for damages caused to third parties, as regulated by the Law on Compulsory Motor Liability Insurance.

2. Definitions and other terms used in this Administrative Instruction shall have the same meaning as defined in the Law on Tourism or the by-laws on its implementation.

Article 4

Conditions for providing rent-a-car services

1. Ren-a-car services may be provided by a business organization registered in accordance with the relevant law on business organizations, which meets the following conditions:

- 1.1. It has the provision of rent-a-car services registered as an activity;
- 1.2. Throughout the entire period, all vehicles are registered and insured in accordance with the relevant legislation on mandatory insurance liability;
- 1.3. Have at least 10 (ten) suitable vehicles for rent-a-car services;
- 1.4. Vehicles must not have more than 200,000 km (two hundred thousand kilometers) mileage;
- 1.5. Have at least one business premises where the business is conducted;
- 1.6. Ensure that the rent-a-car vehicles are suitable for roads and meet technical requirements;
- 1.7. Ensure the maintenance of vehicles in a safe and functional condition;
- 1.8. Keep records of the maintenance and repair history of vehicles;
- 1.9. Provide sufficient parking spaces for the return of vehicles;
- 1.10. Enter into a lease contract for the use of the vehicle with the passenger, containing the elements specified in Article 5 of this Administrative Instruction;
- 1.11. Inform the passenger of the general conditions for renting the vehicle, including the technical condition of the vehicle, the vehicle registration certificate, the insurance liability certificate, the results of the latest technical inspection, any possible restrictions on use, and provide the information available to the passenger in writing, in one of the official languages in the Republic of Kosovo and, for foreign nationals, at least in English;
- 1.12. Maintain a logbook, in which every vehicle rental contract, the time of delivery, and return will be recorded;
- 1.13. Ensure that the lessee has the right to drive the vehicle and holds a valid original driving license in the Republic of Kosovo;
- 1.14. Ensure that a foreign citizen has the right to rent the vehicle and holds a valid original driving license either locally or from a foreign country;

1.15. Have an internal policy on the protection of personal data, in accordance with the requirements of the relevant legislation on the protection of personal data.

1.16. Entities engaging in activities specified in this Instruction must register with the tourism registry, including the registration of the services they provide, in accordance with the rules outlined in the Administrative instruction for the tourism registry, according to Annex 1, Form for the registration of the travel agency in the tourism registry, where point 2 of the form is exempted for economic operators who must meet the criteria specified in this Article.

Article 5

Rent-a-car contract

1. Providers of rent-a-car services must enter into a contract for each instance of providing rent-a-car services, which must specify, inter alia:

1.1. The name and contact information of the business organization providing rent-a-car services and of the lessee;

1.2. Specific terms of the rental agreement, including the rental period, pick-up and return dates and location of the vehicle;

1.3. The rental rate and any applicable additional fees (e.g., taxes, insurance, etc.) and the method of payment for such fees;

1.4. Information regarding the undertaken insurance coverage, including cases of accident insurance, theft, liability insurance, and any deductible amounts for which the lessee may be liable in case of damage or loss of the vehicle, if applicable;

1.5. Explain the special conditions related to fuel, including whether the vehicle comes with a full tank and must be returned with a full tank or if there are alternative arrangements (e.g., prepaid fuel option);

1.6. Describe the rented vehicle, including the make, model, license plate number, and any distinguishing features or equipment, as well as the physical condition of the vehicle at the time of pick-up and return;

1.7. Describe any limitations or conditions for the use of the vehicle, such as mileage restrictions, prohibited activities (e.g., off-road driving), and possible penalties for non-compliance with these rules;

1.8. If applicable, state any restrictions on using the vehicle outside the territory of the Republic of Kosovo, and any applicable additional insurance, specifying whether the lessee is required to pay extra costs;

1.9. Specify the amount of the security deposit, how it will be held, and the conditions for its release upon the return of the vehicle;

1.10. Include provisions stating that the vehicle must be returned in the same condition, it was received and that the lessee is not allowed to make any modifications to the vehicle without prior notice to the lessor. At the same time, including actions the lessee must take in case of accidents and damage to the vehicle, whether caused by the lessee's fault or not;

1.11. The terms, procedures, and any possible fees or penalties associated with the cancellation or modification of a car rental reservation;

1.12. Any disputes between the economic operator and the lessee must be resolved in accordance with the applicable legislation in the Republic of Kosovo.

2. A copy of the rent-a-car contract must be provided to the traveller.

3. For other matters regarding the rent-a-car contract not covered in this Administrative Instruction, the provisions of the relevant Law on Obligational Relationships shall apply.

Article 6

Obligation to register with the tourism registry

1. Every business organization engaged in the activity of providing rent-a-car services must register with the tourism registry according to the requirements of the Administrative Instruction on the Tourism Registry within 30 days from the commencement of the activity.

2. The requirements under paragraph 1 of this Article shall apply from the moment the Tourism Registry becomes functional.

Article 7

Supervision

Supervision and inspection must be carried out by the competent market inspectorate for economic operators providing car rental services.

Article 8

Entry into force

This Administrative Instruction shall enter into force seven (7) days after its publication in the Official Gazette of the Republic of Kosovo.

Pristina, 16. 11.2023

Rozeta HAJDARI

Minister