Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

18 May 2021 [shall come into force on 21 May 2021].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 541

Adopted 19 November 2019

**Regulations Regarding Providers of Website or Mobile Application Services in Taxi Service and Commercial Passenger Car Service**

*Issued pursuant to*

*Section 35.2, Paragraph seven of the Law on Carriage by Road*

**I. General Provision**

1. The Regulation prescribes:

1.1. the procedures for registration of the provider of a website or mobile application service (hereinafter – the service provider), cancellation of the registration, and blocking of a website or mobile application;

1.2. the functionality of a website or mobile application and the information to be indicated therein;

1.3. the procedures for supervising the operation of the service provider;

1.4. the procedures by which the service provider provides information to the State Revenue Service and the scope of such information.

**II. Registration of the Service Provider**

2. In order to register with the Informative Database of Road Transport Operators maintained by *valsts sabiedrība ar ierobežotu atbildību “Autotransporta direkcija”* [State limited liability company Road Transport Administration] (hereinafter – the Road Transport Administration), the service provider shall submit the following documents to the Road Transport Administration:

2.1. an application. It shall include the name of the service provider, legal address, registration number, electronic mail address, website address or the name of the mobile application thereof, and also the place where the data on carriage of passengers for reward offered on the website or mobile application by the service provider, refused and performed by the carrier in the territory of Latvia, drivers, and motor vehicles will be processed and stored;

2.2. if the service provider is not the owner of the website or mobile application – the document which certifies the representation rights of the owner of the website or mobile application;

2.3. if the service provider is a merchant registered in another European Union Member State – a copy of the registration certificate of the merchant issued by the authority which registers foreign commercial activity and which certifies that the service provider is registered in accordance with the procedures laid down in laws and regulations of the relevant country;

2.4. the description of the functionality of the website or mobile application referred to in Chapter III of this Regulation and the information to be indicated.

3. The Road Transport Administration shall verify the conformity of the service provider with the registration requirements laid down in Section 35.2, Paragraph one of the Law on Carriage by Road with the Enterprise Register of the Republic of Latvia, the Consumer Rights Protection Centre, and the State Revenue Service.

4. If the service provider conforms to the registration requirements referred to in Paragraph 3 of this Regulation, the Road Transport Administration shall take the decision to register the service provider, send the information on the decision taken in writing to the service provider, and indicate the following information in the Informative Database of Road Transport Operators:

4.1. the name of the service provider;

4.2. the registration number in the Commercial Register;

4.3. the legal address;

4.4. the address of the website or the name of the mobile application;

4.5. the registration date of the service provider in the Informative Database of Road Transport Operators.

5. If the service provider fails to comply with the registration requirements referred to in Paragraph 3 of this Regulation, and also if the website or mobile application has been registered by or the owner thereof is another service provider registered with the Informative Database of Road Transport Operators, the Road Transport Administration shall take the decision to refuse registration and send the information on the decision taken in writing to the service provider.

6. If there are changes to the information referred to in Sub-paragraph 2.1 of this Regulation, the service provider shall, within five working days, submit the relevant application to the Road Transport Administration. If it is not possible to verify the changes in public registers, the copies of the documents confirming the changes shall be appended to the abovementioned application.

**III. The Functionality of a Website or Mobile Application and the Information to be Indicated Therein**

7. The website or mobile application of the service provider shall conform to the requirements referred to in Section 35.2, Paragraph one, Clause 5 and Paragraph four of the Law on Carriage by Road and the following functionality shall be ensured:

7.1. the possibility for the carrier to register a driver and road vehicle on the website or mobile application;

7.2. the possibility for a passenger to choose the type of payment for the carriage service before a service request:

7.2.1. online on the website or mobile application of the service provider;

7.2.2. cash or non-cash payment after the journey on the basis of the reading on the taximeter;

7.3. the possibility for a driver to indicate for a passenger the reason for refusal of the carriage for reward in conformity with the terms of service;

7.4. the possibility for a driver to read the information on the website or mobile application on all carriage services for reward performed during the previous three months;

7.5. the possibility for a carrier to access the data on all carriages accepted, refused, and performed by the drivers of the carrier for at least the last five years.

8. The service provider shall indicate the information on the website or mobile application which ensures the possibility for the recipient of the service to acquire the information on the carriage service (offer, request, and approval), including information on:

8.1. the possibility to select the type of payment for the carriage;

8.2. the carrier (the name and registration number in the Commercial Register) and the driver who performs the carriage service (the given name, surname, and registration number in the Register of Taxi Drivers);

8.3. the State registration number of the road vehicle;

8.4. the tariff for hiring, the tariff per one kilometre, and the tariff per one minute, additional services, and their charge in comprehensive and well-visible way;

8.5. the possible total fare for the carriage service if the beginning and destination of the route is known at the time of the request;

8.6. the beginning and destination of the route;

8.7. the procedures for the carriage of passengers and luggage;

8.8. the offered road vehicle which is suitable for the persons with disabilities;

8.9. the beginning and end time of the carriage service;

8.10. the type of processing of the payment for the carriage service and approval of the payment in the end of the provision of the carriage service;

8.11. the contact information for the submission of consumer complaints and information on the out-of-court dispute resolution of consumers.

**IV. Information to be Provided to the State Revenue Service**

9. [30 June 2021 / See Paragraph 22]

10. Upon the request of the State Revenue Service, the service provider shall, within 10 working days, ensure access for the authorised representatives of the tax administration to the information processed or stored in electronic form regarding the website or mobile application services provided to carriers in Latvia and the carriage services provided by these carriers in the territory of Latvia, and also the possibility for the tax administration to read the necessary data on the abovementioned services from the relevant data carrier for the performance of the control measures. If the data are protected by using passwords, enciphering, encryption or other means of logical protection, the service provider shall submit the information which is necessary for access and data use (for example, enciphering key) to the tax administration in electronic form.

11. The service provider shall, immediately after the end of the carriage for reward, send the following information to the State Revenue Service:

11.1. the registration number of the carrier in the Commercial Register;

11.2. the personal identity number of the driver or a taxpayer registration code granted by the State Revenue Service if the driver does not have a personal identity number assigned by the Office of Citizenship and Migration Affairs;

11.3. the State registration number of the road vehicle;

11.4. the date and time of the beginning of the carriage service;

11.5. the date and time of the end of the carriage service;

11.6. the number of kilometres driven;

11.7. the fare;

11.8. the reward (commission fee) calculated by the service provider;

11.9. the payment method.

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12. The service provider shall send the information referred to in Paragraph 11 of this Regulation to the State Revenue Service in conformity with the data structure and format published on the website of the State Revenue Service.

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**V. Supervision of the Operation of the Service Provider**

13. The Road Transport Administration shall, once a year or upon the request of the institutions controlling the field of carriage by road laid down in the Law on Carriage by Road or other control institutions, inspect the conformity of the service provider and the website or mobile application thereof with the requirements referred to in the Law on Carriage by Road and in this Regulation.

14. In order to ascertain the conformity of the website or mobile application of the service provider with the requirements referred to in Chapter III of this Regulation, the Road Transport Administration is entitled to request and receive information from the service provider, and also implement supervision activities, including to carry out supervision journeys by using the carriage service organised by the service provider. The Road Transport Administration shall draw up an inspection report on the results of supervision activities.

15. If the Road Transport Administration establishes that the service provider or its website or mobile application fails to comply with the requirements laid down in the Law on Carriage by Road or in this Regulation, the Road Transport Administration shall send a written notification to the service provider to rectify the non-conformities within the laid down time period.

**VI. Cancellation of the Registration of the Service Provider and Blocking of a Website or Mobile Application**

16. The registration of the service provider shall be cancelled if:

16.1. the service provider has submitted an application for the cancellation of the registration to the Road Transport Administration;

16.2. the service provider has not rectified non-conformities referred to in Paragraph 15 of this Regulation within the time period laid down in the written notification of the Road Transport Administration.

17. If the Road Transport Administration takes the decision to cancel the registration of the service provider, it shall accordingly update the information included in the Informative Database of Road Transport Operators and shall publish the information on the registration cancellation on the website of the Road Transport Administration, and also shall send the information on the decision taken to the service provider in writing. The information on the decision taken shall be sent also to the electronic mail addresses of the drivers registered in the Register of Taxi Drivers. The decision shall come into effect from the moment of taking it.

18. In the case laid down in the Law on Carriage by Road the Road Transport Administration shall take the decision to block a website or mobile application in the territory of Latvia and send the abovementioned decision to the electronic communications merchants for execution.

19. Electronic communications merchants shall, within five working days after receipt of the decision referred to in Paragraph 18 of this Regulation, restrict (block) access to the website or mobile application which is not registered in the Informative Database of Road Transport Operators.

20. If the decision of the Road Transport Administration to revoke restriction (blocking) is received, the electronic communications merchant shall, within five working days, renew access to the relevant website or mobile application.

**VII. Closing Provisions**

21. Paragraph 9 of this Regulation in respect of the obligation of the service provider to provide the information on carriage for reward to the State Revenue Service once a month shall come into force on 1 January 2020.

22. Paragraph 9 of this Regulation shall cease to be in effect on 30 June 2021.

23. Paragraphs 11 and 12 of this Regulation in respect of the obligation of the service provider to provide the information on carriage for reward to the State Revenue Service shall come into force on 1 July 2021.

24. The State Revenue Service shall, by 1 January 2020, publish the data structure and format referred to in Paragraph 12 of this Regulation.

[*18 May 2021*]

Prime Minister A. K. Kariņš

Minister for Transport T. Linkaits