

Roads from the Perspective of the Environmental Law

Abstract

In this Thesis, in light of amendment of the Line Act which severely dampens the concerned authorities' means of protecting the environmental public interests, I present a brief introduction to the environmental protection legislation in relation to roads, road construction and road traffic, showing the state of related present-day legislation and means through which the environmental public interests are protected during the road construction process as of today.

To this end, I present a brief description of negative effects of roads on the environment, i. e. environmental fragmentation, land annexation, pollution of land and air, noise and artificial lighting. Next, I am showing an in-depth analysis of means through which the Czech law deals with these negative effects and which means of protection against them it offers. I show the road construction process, means of environmental public interest protection in this process and administrative-legal acts through which the means of protection are applied. Here I mostly focus on the environmental public interests in environmental protection, limiting the environmental fragmentation and protection of land.

Next, I present the current state of legislation dealing with the negative aspects of road traffic, i. e. noise, air pollution and light pollution. I focus on protection against air pollution, which is a popular topic both on the local and Union level, and I show the means of protection against air pollution coming from roads. Then I focus on the Czech legislation on protection against noise generated by road traffic, which is, in my opinion, too generous with allowing exceptions. It also leaves only a few means of protection to those living or owning land close to roads where most of the time the noise levels are dangerously elevated above the safe levels, thanks to the obsolete and questionable legislation. I deal with the light pollution only briefly, for it is a relatively new and unexplored topic in our environment and this topic is more related to urbanization than to roads.

Key Words: environmental protection, road construction, road traffic.