

RÉSUMÉ

This thesis deals with the public law regulation of roads in Czech law. It explains how roads are categorised into the four legal types (motorway, main road, local road and service road) and what the criteria for the categorisation of roads are according to the Road Traffic Act – the main law governing the legal aspects of roads. The thesis also provides a demonstrative overview of other acts, regulations and technical norms governing roads in the Czech Republic. On the basis of applicable case law, the thesis deals in detail with the coming into existence of individual types of roads and with the cessation of the existence thereof.

This thesis deliberately does not deal with the construction of roads and the structure of the relevant administrative bodies and their administrative procedural powers as this is beyond the scope hereof. Other topics, which are also related to the topic of this thesis, have been described in the relevant chapters only to the extent which was considered necessary for the reader's understanding of the main topics of the chapters.

An important part of this thesis is the chapter on the ownership of roads, which partially overlaps into the sphere of private law. Statutory road ownership rules are explained and their overview is given in a synoptic table. The case law of the Supreme Court, the Supreme Administrative Court and the Constitutional Court regarding road ownership and practical application problems resulting from the application of the statutory ownership rules are analysed in this chapter and significant developments in and shifts of the Courts' opinions are demonstrated upon selected judgements.

The chapter on the public usage of roads describes briefly the theoretical premises whereupon the public usage of roads is based and the theoretical distinctions between the general usage and special usage of roads. It further analyses the law governing the public usage of roads, the constitutional implications and connotations of the public usage of roads and its cessation to exist.

The conclusion of this thesis summarises the problematic parts of the law governing the regulation of roads and the accompanying case law, divides them into two categories and outlines the possible and likely solutions to them.