



## **On Approval of the Rules for Medical Examination of Persons Applying for the Right to Operate Vehicles, Medical Re-Examination of Drivers of Motor Vehicles**

### *Unofficial translation*

Order of the Acting Minister of Healthcare of the Republic of Kazakhstan No. KR DSM-172/2020 dated October 30, 2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 30, 2020 under No. 21557.

### *Unofficial translation*

Pursuant to sub-paragraph 73 of Article 7 of the Code of the Republic of Kazakhstan dated July 7, 2020 “On Public Health and Healthcare System”, sub-paragraph 2) of Article 12 of the Law of the Republic of Kazakhstan dated April 17, 2014 “On the Road Traffic” and paragraph 1 of the Law of the Republic of Kazakhstan dated April 15, 2013 “On Public Services”, **I HEREBY ORDER:**

1. That the Rules for Medical Examination of Persons Applying for the Right to Operate Vehicles, Medical Re-examination of Drivers of Motor Vehicles according to Annex 1 hereto shall be approved.

2. That certain orders of the Minister of Healthcare of the Republic of Kazakhstan shall be deemed to have lost force in compliance with Annex 2 hereto.

3. That in obedience to the legislation of the Republic of Kazakhstan, the Department of Organization of Medical Care of the Ministry of Healthcare of the Republic of Kazakhstan shall ensure:

1) state registration hereof with the Ministry of Justice of the Republic of Kazakhstan;

2) placement hereof on the website of the Ministry of Health of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration hereof, submit to the Legal Department of the Ministry of Health of the Republic of Kazakhstan information on the implementation of the measures stipulated in sub-paragraphs 1) and 2) of this paragraph.

4. That the supervising Vice-Minister of Health of the Republic of Kazakhstan shall be charged with control over execution hereof.

5. That this order shall be put into effect ten calendar days after the date of its first official publication.

*Acting Minister of Healthcare of  
the Republic of Kazakhstan*

*A. Giniyat*

**AGREED BY**

Ministry of Digital Development,  
Innovation and Aerospace Industry

of the Republic of Kazakhstan  
AGREED BY  
Ministry of Internal Affairs  
of the Republic of Kazakhstan

Annex 1 to order  
of the Acting Minister  
of Healthcare  
of the Republic of Kazakhstan  
No. KR DSM-172/2020  
dated October 30, 2020

## **Rules**

### **for Medical Examination of Persons Applying for the Right to Operate Vehicles, Medical Re-Examination of Drivers of Motor Vehicles**

#### **Chapter 1. General provisions**

1. Rules for Medical Examination of Persons Applying for the Right to Operate Vehicles, Repeated Medical Examination of Drivers of Motor Vehicles (hereinafter – the Rules) have been developed in compliance with sub-paragraph 73) of Article 7 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On Public Health and Healthcare System", sub-paragraph 2) of Article 12 of the Republic of Kazakhstan dated 17 April 2014 "On Road Traffic" and paragraph 1 of Article 10 of the Republic of Kazakhstan dated 15 April 2013 "On Public Services".

2. These Rules shall determine the procedure for medical examination of persons applying for the right to drive motor vehicles (hereinafter - medical examination), as well as medical re-examination of the driver of motor vehicles (hereinafter - medical re-examination of the driver).

3. Medical examination of persons applying for the right to drive motor vehicles ( hereinafter referred to as "Applicants") shall be carried out in medical health care organisations licensed to carry out medical activities of professional aptitude testing ( hereinafter referred to as "healthcare organisations").

#### **Chapter 2: Procedures for medical examinations of persons applying for the right to drive vehicles**

##### **Section 1. Procedures for medical examinations.**

4. In order to carry out a medical examination of the Applicants, a Medical Commission ( hereinafter referred to as the Commission) shall be established in medical organisations.

5. The composition of the Commission is approved by the head of the medical organization. The commission includes: a district doctor or a general practitioner, a

psychiatrist, an ophthalmologist and an otolaryngologist. In the absence of these specialists in the staff of the medical commission, specialists of the relevant profile are included in the commission in agreement with the heads of medical organizations.

The Deputy Head of the medical organization for clinical work is appointed as the Chairman of the Commission.

**Footnote. Paragraph 5 - as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 07.12.2021 No. ҚР ДСМ-125 (shall be enforced ten calendar days after the day of its first official publication).**

6. Medical examination of Applicants includes examination by a therapist, specialists specified in paragraph 5 of these Rules, examination of biological environments for the use of psychoactive substances.

**Footnote. Paragraph 6 - as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 11.05.2021 No. ҚР ДСМ -38 (shall be enforced ten calendar days after the day of its first official publication).**

7. The data of the medical examination of Applicants shall be recorded in an outpatient medical card in the form approved in accordance with Article 7 (31) of the Code, which shall reflect data on the state of health.

8. The issue of admission to management of persons who are (or are not) registered with an organization providing medical care in the field of mental health and persons with the presence of metabolic products of psychoactive substances in the body based on the results of the study, is decided by the medical advisory commissions of organizations providing medical assistance in the field of mental health with a mandatory indication of the period for a second medical examination, at least after one year.

**Footnote. Paragraph 8 - as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 07.12.2021 No. ҚР ДСМ -125 (shall be enforced ten calendar days after the day of its first official publication).**

9. Each specialist shall submit the conclusion on the Applicants' fitness for driving individually.

10. Persons declared fit to drive shall be issued a certificate. Persons declared fit to drive with glasses shall be issued a certificate with a note after the word "Medical Statement": "Glasses are Compulsory".

## **Paragraph 2: Procedures for medical re-examinations**

11. Repeated medical examination shall be carried out for the following cohort of persons:

- 1) drivers of motor vehicles transporting passengers, dangerous goods;
- 2) drivers of motor vehicles who have reached sixty-five years of age;
- 3) drivers with disabilities;

4) persons deprived of the right to operate motor vehicles for operating them in a state of intoxication or for giving over the right to operate a motor vehicle to a person in such a state or for evading from medical examination to find out whether the driver is intoxicated.

12. The time limit for drivers to undergo a medical re-examination shall be stipulated by paragraph 5 of Article 29 of the Law of the Republic of Kazakhstan “On the Road Traffic”.

### **Chapter 3: Procedure for issuing a certificate allowing to operate a transport vehicle"**

13. The public service “Issuance of a Certificate Allowing to Operate a Vehicle” shall be rendered by the service provider.

14. The list of basic requirements for the provision of the public service “Issuance of a Certificate Allowing to Operate a Vehicle” including the characteristics of the process, form, content and result of provision, as well as other information, with due account for the specifics of public service provision shall be envisaged in the standard of public service in obedience to Annex 2 to these Rules.

15. Acceptance of documents and issuance of the results of the provision of a public service is carried out through the service provider (medical organizations) or through the web portal of the "Electronic Government" (hereinafter referred to as the portal).

When submitting an application in electronic form, the service provider receives information about the identity document from the digital document service (for identification) through the implemented integration, subject to the consent of the owner of the document provided through the user's mobile subscriber number registered on the e-government web portal by transferring one-time password or sending a short text message as a response to the notification of the e-government web portal.

To receive public services in electronic format, the service recipient forms a request for public services on the portal, signed with an electronic digital signature (hereinafter referred to as EDS). The service provider sends the result of the provision of public service to the service recipient's "Personal account" in the form of an electronic document.

When the service recipient submits all the necessary documents, a notification is sent to the “personal account” about setting the date for issuing the result of the provision of the public service in the form of an electronic document signed by the EDS of the authorized person of the service provider or a reasoned response to refuse to provide the public service in the form of an electronic document.

In cases where the service recipient submits an incomplete package of documents in accordance with the list provided for in paragraph 8 of the standards for provision of public service, and (or) expired documents, inaccurate information, the service provider refuses to provide public services in the form of a reasoned refusal, on the grounds provided for in paragraph 9 of the standard for the provision of public service.

**Footnote. Paragraph 15 - as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 11.05.2021 No. ҚР ДСМ -38 (shall be enforced ten calendar**

days after the day of its first official publication); as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 07.12.2021 No. ҚР ДСМ -125 (shall be enforced ten calendar days after the day of its first official publication).

16. The grounds for refusal to provide public services are:

1) establishing the unreliability of the documents submitted by the service recipient for the receipt of the public service, and (or) the data (information) contained in them;

2) provision by the service recipient of an incomplete package of documents in accordance with the list provided for in paragraph 8 of this public service standard, and (or) expired documents;

3) a negative result of a medical examination in accordance with the Rules.

Refusal to provide a public service is executed by a letter signed by the head of the service provider or a person performing his/her duties, indicating the grounds for the refusal.

**Footnote. Paragraph 16 - as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 11.05.2021 No. ҚР ДСМ -38 (shall be enforced ten calendar days after the day of its first official publication).**

17. The Service Provider shall ensure entering of data on the stage of rendering a public service into the information system for monitoring the provision of public services in conformity with the procedure established by the authorized body in the field of informatization.

18. The addresses of places of public service delivery shall be available on the internet resources of the Public Health Office of the city of Nur-Sultan, the Public Health Office of Almaty, of Turkestan Oblast, Public Health Office of Regions, of Shymkent city, as well as on the internet resources of healthcare organisations providing primary health care.

#### **Chapter 4. Procedure for appealing decisions, actions (inaction) of the service provider and (or) its officials on provision of a public service**

**Footnote. Chapter 4 - as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 07.12.2021 No. ҚР ДСМ-125 (shall be enforced ten calendar days after the day of its first official publication).**

19. A complaint against decisions, actions (inaction) of the service provider and (or) their employees on provision of public services is filed in the name of the head of the service provider.

20. The complaint of the service recipient received by the service provider directly providing the public service, in accordance with paragraph 2 of Article 25 of the Law "On Public Services" is subject to consideration within five working days from the date of its registration.

21. The complaint of the service recipient received by the authorized body for assessment and control over the quality of provision of public services is subject to consideration within fifteen working days from the date of its registration.

When applying through the portal, information on the procedure for appealing can be obtained by calling the single contact center for provision of public services.

Pre-trial consideration of a complaint on the provision of public services is carried out by a higher administrative body, an authorized body for assessment and control over the quality of public services (hereinafter referred to as the body considering the complaint).

The complaint is submitted to the service provider, whose decision, action (inaction) is being appealed.

The service provider, whose decision, action (inaction) is being appealed, no later than three working days from the date of receipt of the complaint, sends it and the administrative file to the body considering the complaint.

At the same time, the service provider, whose decision, action (inaction) is being appealed, has the right not to send a complaint to the body considering the complaint if it makes a decision or other administrative action within three working days that fully meets the requirements specified in the complaint.

Unless otherwise provided by law, the appeal to the court is allowed after an appeal in the pre-trial procedure.

Appendix to the Rules

#### **Public service standard "Issuance of a certificate of admission to driving a vehicle"**

**Footnote. Appendix - as amended by the order of the Minister of Health of the Republic of Kazakhstan dated 07.12.2021 No. KP ДСМ -125 (shall be enforced ten calendar days after the day of its first official publication).**

State service "Issuance of a certificate of admission to driving a vehicle"		
1	Name of the service provider	Medical organizations
2	Ways to provide a public service	1) the service provider; 2) the web portal of "Electronic Government" (hereinafter referred to as the portal).
3	The term for provision of a public service	1) the service provider; from the moment the service recipient submits the documents to the service provider - within 1 working day; the maximum allowable waiting time for the delivery of a package of documents by the service recipient to the service provider is up to 5 minutes; the maximum allowable service time for the service provider is within 1 working day; 2) through the portal - no more than 30 (thirty) minutes from the moment the document is submitted.

4	Form of provision of public service	Electronic (partially automated)/ paper
5	Result of provision of a public service	Medical certificate of admission to driving a vehicle, issued in the form No. 073 / y, approved by the order of the acting Minister of Health of the Republic of Kazakhstan dated October 30, 2020 No. КР ДСМ -175 /2020 “On approval of the forms of accounting documentation in the field of healthcare” (registered in the Register of State Registration of Regulatory Legal Acts under No. 21579) or a reasoned response to refuse to provide the public service on the grounds specified in paragraph 9 of this standard.
6	The amount of payment charged from the service recipient in the provision of a public service, and methods of its collection in cases provided for by the legislation of the Republic of Kazakhstan	on a paid basis, the cost of providing a public service is determined in accordance with Article 202 of the Code
7	Schedule	1) the service provider - from Monday to Friday from 9:00 to 18:30 without a lunch break, on Saturday from 9:00 to 13:00, day off - Sunday and holidays, in accordance with the labor legislation of the Republic of Kazakhstan; 2) portal - around the clock, except for technical breaks due to repair work.
8	List of documents required for provision of a public service	1) to the service provider: - an identity document or an electronic document from the digital document service (for identification) ; - the results of a medical examination, in accordance with the rules for conducting a medical examination of persons applying for the right to drive vehicles; - a document confirming payment for provision of a public service; 2) to the portal: an application in the form of an electronic request. Information about identity documents is obtained by the service provider from the digital document service (for identification) through the implemented integration, subject to the consent of the owner of the

		document, provided by means of the user's mobile subscriber number registered on the "electronic government" web portal by transmitting a one-time password or by sending a short text message as a response to the notification of the e-government web portal.
9	Grounds for refusal to provide a public service, established by the legislation of the Republic of Kazakhstan	<p>1) establishing the unreliability of the documents submitted by the service recipient for the receipt of the public service, and (or) the data (information) contained in them;</p> <p>2) provision by the service recipient of an incomplete package of documents in accordance with the list provided for in paragraph 8 of this public service standard, and (or) expired documents;</p> <p>3) a negative result of a medical examination in accordance with the Rules.</p>
10	Other requirements, taking into account the specifics of provision of a public service	<p>The service recipient has the opportunity to receive the state service in electronic form by means of the service recipient's mobile subscriber number registered on the portal by transmitting a one-time password or by sending a short text message as a response to the notification of the portal.</p> <p>The service recipient has the opportunity to receive public service in electronic form through the portal, subject to the availability of an EDS.</p> <p>To form a complete package through the e-Government web portal, the service recipient needs to undergo a medical examination at a medical institution in order to generate / have an electronic certificate "Issuance of a certificate of admission to driving a vehicle" when receiving a public service.</p> <p>For persons with disabilities, the presence of a ramp, a call button, a tactile track for the blind and visually impaired, a waiting room, a rack with sample documents.</p> <p>The service recipient has the opportunity to obtain information about the procedure and status of the provision of a public service in the</p>



	information services of the service provider, as well as the Unified Contact Center "1414", 8-800-080-7777.
--	---

Annex 2 to the order

### **List of certain repealed legal acts in the field of health**

1) Order of the Minister of Healthcare of the Republic of Kazakhstan No. 166 of March 20, 2013 "On Approval of the Rules for Medical Inspections of Persons Applying for the Right to Drive Vehicles" (registered with the Register of State Registration of Regulatory Legal Acts under No. 8437, published on December 20, 2013 in the newspaper "Yurydychna Gazeta" No. 190 (2565));

2) Order of the Minister of Healthcare of the Republic of Kazakhstan No. 350 of June 26, 2014 "On Amendments to Order of the Minister of Healthcare of the Republic of Kazakhstan No. 166 of March 20, 2013 "On Approval of the Rules for Medical Inspections of Persons Applying for the Right to Drive Vehicles" (registered with the Register of State Registration of Regulatory Legal Acts under No. 9619, published on August 6, 2014 in Adilet, the information and legal system);

3) sub-paragraph 1) of paragraph 1 of Order No. KP DSM -106 of the Minister of Healthcare of the Republic of Kazakhstan of July 19, 2019 "On Amending Certain Orders of the Ministry of Healthcare of the Republic of Kazakhstan" (registered with the Register of State Registration of Regulatory Legal Acts under No. 19072, published on July 31, 2019 in the Reference Data Bank of Regulatory Legal Acts).