

Felling woody plants which grow outside of the forest and a transport infrastructure

Abstract

The subject of this diploma thesis is a legal regulation of felling woody plants located near road and rail transport infrastructure. It focuses mainly on the analysis and evaluation of the current legal regulation of this area, together with *de lege ferenda* proposals that could lead to the improvement of this legal regulation. This thesis is divided into three sections, which are further divided into individual chapters and subchapters.

The first section is focused on the description of the general legal regulation of felling woody plants which grow outside of the forest. This general legal regulation form the basis of special legal regulations of felling woody plants located near road and rail transport infrastructure. In this section there is an illustration of the central concept of woody plants which grow outside the forest, an exploration of three basic principles of this legal regulation and, above all, a description of the individual regimes under which it is possible to fell woody plants. Special protection regimes of woody plants which grow outside of the forest are also briefly discussed.

The second section is dedicated to the felling of woody plants which are located near road infrastructure and related issues. In this section, there is a description of specific terms related to road infrastructure, an illustration of the legal regimes under which woody plants located near road infrastructure can be felled, and *de lege ferenda* proposals that could lead to an improvement of the subject legal regulation. Chapter devoted to felling roadside trees is also included.

The third section, which focuses on the felling woody plants located near railway infrastructure, is made in a similar way as the second section, due to the similarities of their legal regulations. As in previous section, there is a description of specific terms related to railway infrastructure, exploration of the legal regimes under which woody plants located near railway infrastructure can be felled and an outline of the *de lege ferenda* possibilities. Controversial issues related to the interpretation of the subject legal regulation and the impact of recent amendments are also discussed.