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THE SLOVENIAN REGULATION ON MOUNTAIN TRAILS

1. INTRODUCTION

2022 marks the centenary of the institution of the Knafelc Blaze (Svn. Knafelčeva markacija), one of the symbols of Slovenian mountaineering. This is a good opportunity to take a look at current Slovenian regulations regarding hiking trails. The Slovenian Mountain Paths (Trails) Act (Svn. Zakon o planinskih poteh, abbreviated as ZPlanP)¹ covers many aspects of the subject, such as the construction, maintenance and marking of mountain paths and the conditions for their safe use. Therefore, ZPlanP may be an interesting contribution to the discussion which has been going on for many years in Poland on the need of a legal regulation on hiking trails².

¹ Uradni list RS, št. 61/07 in 92/21. <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4767>. The words “path” and “trail” are used interchangeably in this article.

² An important element in this discussion was contributed in the views presented at a scientific conference held on 22 June 2012 in Kraków and in its volume of proceedings, *Szlaki turystyczne a prawo - przeszłość, terażniejszość, przyszłość*, ed. P. CYBULA, Biblioteka Górska Centralnego Ośrodka Turystyki Górskiej PTTK w Krakowie, Kraków 2012, https://www.researchgate.net/publication/332155051_Szlaki_turystyczne_a_prawo_-_przeszlosc_terazniejszosc_przyszlosc_P_Cybula_red. See also *Szlaki turystyczne. Od pomysłu do realizacji*, eds. A. STASIAK, J. ŚLEDZIŃSKA,

2. THE LEGAL DEFINITION OF THE MOUNTAIN TRAIL AND SOME BASIC FACTS ABOUT HIKING IN SLOVENIA

While in Poland there is still no legal definition of the hiking trail³, in Slovenia a mountain path is defined in Article 2 Point 1 of ZPlanP as a narrow strip of land, generally on hilly or mountainous terrain, intended for walking, running or climbing. It may be an existing footpath adjacent to a public road, a path across fields, or a suitable forest track, or it may be a self-contained footpath, generally no more than one meter wide, hardened with natural materials if need be. Article 5 of ZPlanP expressly provides that hikers use mountain paths at their own risk. They must behave in a responsible manner so that they do not endanger or hurt themselves or others. Additionally, they must use mountain paths in a way which does not cause any damage to the path or to the land, property or buildings adjacent to it, nor harm the flora and fauna along the path (ZPlanP Article 3 Paragraph 4). Notices with information on mountain paths, mountain guides and hiking information boards and maps where mountain paths are marked must include a warning that people use mountain paths at their own risk. The warning must be written in Slovenian and in at least three other official languages of the European Union.

The trail network in Slovenia is relatively dense. Slovenia, a country with an area of over 20 thousand sq. km, has over 2 thousand mountain

B. WŁODARCZYK, PTTK „Kraj,” Warszawa-Łódź 2014, http://www.turyzm.edu.pl/files/olimpiada_III/szlaki_turyst_calosc.pdf.

³ Here “legal” means recorded in the sources of universally binding law of the Republic of Poland. Very often in remarks on hiking trails in Poland, we recall the definition given in the internal documents of the Polish Hiking and Sightseeing Society (Pol. Polskie Towarzystwo Turystyczno-Krajoznawcze, PTTK), an important Polish private law association for tourism. PTTK defines the hiking trail as a trail marked with a standard, regular set of signs (symbols) equipped with devices and information signs, ensuring a safe passage for hikers with an average level of skills and experience regardless of the season of the year except for extreme weather conditions. https://www.pttk.pl/pttk/przepisy/instrukcja_znakowania_szlakow_pttk_2014.pdf.

trails with a total length of over 10 thousand km⁴. For comparison, Poland, which has an area of well over 312 thousand sq. km, i.e. more than fifteen times that of Slovenia, the total length of the trails⁵ is about 50 thousand km⁶, i.e. only five times as much as in Slovenia. The range of difficulty of Slovenia's mountain paths varies from completely easy walking routes to very difficult via ferrata routes.

Every year, over 1.7 million people visit the Slovenian mountains, and over 350 thousand Slovenians regularly hike in the mountains⁷. At the end of 2019, 291 alpine clubs were members of the Alpine Association of Slovenia (Slv. Planinska Zveza Slovenije, PZS), and PZS had a total of 58,311 members (over 2.9% of the country's population)⁸. Mountaineering is the Slovenian national sport and part of the Slovenian national identity.

3. CUSTODIANS OF THE MOUNTAIN PATHS

In Slovenia there is an extensive regulation on custodians of the mountain paths (Slv. skrbnik planinske poti). They have the right and duty to maintain and mark mountain paths. Under ZPlanP Article 3 Paragraph 5, a custodian must maintain a mountain path in a way which does not change the relief and landscape characteristics of the

⁴ *Letopis Planinske zveze Slovenije 2021*, https://www.pzs.si/javno/pzs-letopis-2021-splet_2.pdf.

⁵ Both mountain and lowland.

⁶ According to GUS (Statistics Poland), the total length of all the hiking trails in Poland is about 50 thousand km. See the Tourism 2020 study available at <https://stat.gov.pl/obszary-tematyczne/kultura-turystyka-sport/turystyka/turystyka-w-2020-roku,1,18.html>. The total length includes both hiking trails belonging to PTTK and those marked out by branches of PTTK but belonging to other entities.

⁷ *Letopis Planinske zveze Slovenije 2021*, https://www.pzs.si/javno/pzs-letopis-2021-splet_2.pdf. The Slovenian figures for hiking are impressive but relatively small compared to the over 4.6 million hikers who visited the Polish Tatra National Park in 2021. See https://tpn.pl/pobierz-plik/cb1797b4b2866d6337c978323e149a5d/Bilety_miesieczne_2021.pdf.

⁸ *Letopis Planinske zveze Slovenije 2021*, https://www.pzs.si/javno/pzs-letopis-2021-splet_2.pdf.

area through which it passes and the conditions of the water, forest, habitat and agriculture in the area are not impaired, and the existing state of the environment is not damaged. The marking of the mountain path by drawing markers, erecting direction signs, boxes and protective equipment must be carried out only in the manner provided for by ZPlanP and the regulations issued on the grounds of ZPlanP. Custodians are obliged to maintain mountain paths in a way that imposes the least possible burden on the adjacent land, taking care as far as possible of the interests of the owners of the land across which the mountain path passes, and protecting its natural environment. In their work to maintain a mountain path, custodians are also obliged to cooperate with the entities responsible for the management of the area through which the mountain path passes. Details are given in the Regulation on the method of maintenance and rehabilitation of mountain paths (Slv. Pravilnik o načinu vzdrževanja in sanacije planinskih poti)⁹.

Custodians must notify PZS¹⁰ at least once a year of the condition of the mountain paths in their care, the protective equipment and markings on them, the cost of the work on individual paths and, where possible, they must give an estimate of the total number of users or visitors during the current year and provide other information relevant for the maintenance and marking of mountain paths.

Article 2 Point 3 and Article 12 of ZPlanP regulate who can be the custodian of a mountain path. As a rule, it is a mountaineering association (alpine club) which is a member of PZS in accordance with the law governing associations and which has been contractually authorized by PZS to maintain and mark designated mountain paths and ensure their smooth and safe use. A list of mountain paths and their custodians is submitted to the Ministry responsible for tourism

⁹ Uradni list RS, št. 80/08, <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV8520>.

¹⁰ Precisely the competent mountaineering association which is PZS or another association of mountaineering associations operating under the regulations governing associations, provided that it fulfills the conditions to serve as a national branch association for mountaineering in compliance with the Act regulating the public interest in sport. See ZPlanP Article 2 Point 4.

for approval. Only exceptionally may another legal or natural person be a custodian.

As far as financial issues are concerned, ZPlanP Article 20 provides that the Republic of Slovenia (through its ministry responsible for tourism) shall fund the training programme, the refresher training and the qualifying test for trailblazers. Mountain trail custodians are entitled to compensation for the costs of maintaining and marking the mountain paths in their care. The compensation is provided by PZS but at the same time the Republic of Slovenia concludes a direct contract with PZS for the co-financing of the maintenance and marking of mountain paths. The maintenance and marking of mountain paths or parts of mountain paths in the territory of a given municipality may also be co-financed by the municipality. However, double financing is prohibited, which means that if PZS discovers that funds for the same costs have been allocated to a custodian from both the national and municipal budgets, the custodian will be obliged to reimburse the municipality for the funds he has received. The costs to be borne from the State and municipal budgets for the co-financing of the maintenance and marking of mountain paths are specified and include the costs of the custodians and their trailblazers, materials and tools for the maintenance of the mountain paths, the drawing of trail blazes, erecting signposts, boxes and safety equipment, insurance against liability for custodians in respect of care of mountain paths, the provision and renewal of worn-out personal equipment and protective technical equipment for trailblazers, the provision of a chainsaw safety course for trailblazers, a meal allowance for trailblazers and the transportation costs of materials, tools and trailblazers to work sites on mountain trails.

To ensure that custodians do their job properly, Article 26 of ZPlanP defines a set of offences. A fine may be imposed on a custodian who 1) infringes Article 3 Paragraph 5 of ZPlanP in performing his duties to maintain a mountain path, draw markings, or erect signposts, boxes and protective equipment; 2) fails to obtain the consent of the owner of the property for the drawing of trail blazes and erection of signposts, boxes and protective equipment; 3) constructs a new mountain path in breach of ZPlanP Article 15; 4) fails to close a mountain path even though

it has become dangerous for users due to natural changes or damaged protective equipment or at a time when the life cycles of the animals in the environs are being disturbed; or 5) fails to ensure the restoration of a mountain path in accordance with ZPlanP Article 16 Paragraph 5.

4. CONSTRUCTION OF NEW HIKING PATHS

As I have said, Slovenia's network of trails is very dense, therefore there is generally no need for new mountain trails and pursuant to ZPlanP Article 14, usually permission is not granted for new trails on grounds of the protection of agricultural land, forests and mountain areas. An exception is allowed only if it is necessary for the safety of users to relocate or reorganize shorter stretches along existing routes. The construction of a new mountain path may be permitted in exceptional cases, but only on condition that two-thirds of its length is at least 1,200 meters or a three-hour walking distance away from the nearest mountain paths or that the new path is an alternative route replacing the previous route, which is deleted from the records. Pursuant to ZPlanP, the construction of new mountain paths must be planned and implemented in compliance with regulations applicable to nature conservation, forest management and hunting. The construction of a new trail also requires the consent of the landowners of the properties across which it is to run.

5. METHOD OF MARKING HIKING PATHS AND THEIR CATEGORIES

As I have observed at the beginning of the text, the Knafelc Blaze is characteristic of Slovenian hiking trails. In fact, the expression "Knafelčeva markacija" appears in the text of ZPlanP and is defined as "a white dot surrounded by a red circle, with a diameter of 8–10 cm and a ratio of 1 : 2 across the width of the red circle to the white dot"¹¹.

¹¹ See Article 6 paragraph 1 ZPlanP.

The circular shape of the Knafelc Blaze differs from trail blazes in other countries (including Poland), which usually consist of lines.

However, it should be noted that initially the paths in the Julian Alps were marked in a different way. Originally, these mountain trails were marked only by stone cairns erected at key points along the route. Later there were markings made by Austrian alpine organizations (namely Deutscher und Österreichischer Alpenverein and Österreichischer Turisten Club), which used marking systems developed in other parts of the Alps¹². Also, the Slovenian Mountaineering Society (Svn. Slovensko planinsko društvo, founded in 1893), the predecessor of PZS, initially recommended marking trails with one of four colors, red (minium), green (zinc green), yellow (chrome yellow) or blue (ultramarine)¹³. The emphasis was on the correct placement of markers along mountain paths and the erection of marker boards, while the form of the markers was not prescribed. Therefore the markings still varied greatly – from lines in one or two colors to different geometric shapes, such as circles, squares, or crosses. Thus, there was a need to standardize these markings and make them the same everywhere on the mountain trails. The uniform marking of Slovenia's mountain trails began in 1922, when Alojz Knafelc, the head of the Marking Section of Slovenian Mountaineering Society¹⁴, submitted an instruction for the uniform marking of trails¹⁵. In his article, he described how the markings should be drawn, i.e. what color was to be used, where and in what way. Since then, the Knafelc Blaze

¹² P MIKŠA, M. ZORN, *National marking of Slovenian Mountains Before World War I*, «Igra ustvarjalnosti - Creativity Game» 6/2018, p. 22-29. https://www.researchgate.net/publication/330453633_National_marking_of_Slovenian_Mountains_Before_World_War_I.

¹³ In an instruction entitled *Določila o zaznamovanji potov* »Slov. plan. društva« published in the mountain magazine *Planinski vestnik*. Compare «Planinski vestnik» 1.4/1895, p. 58-60. https://sl.wikisource.org/wiki/Dolo%C4%8Dila_o_zaznamovanji_potov_%C2%BB%20Slov._plan._dru%C5%A1tva%C2%AB.

¹⁴ Alojz Knafelc (23 June 1859 – 26 April 1937) was a Slovenian mountaineer and cartographer who worked as a draftsman for the construction of the Hrpelje – Kozina railway line.

¹⁵ *Navodila za markiranje potov* published in the mountain magazine *Planinski vestnik*. See «Planinski vestnik» 22.7/1922, p. 108-110.

has served as the model for the marking of mountain paths in the Julian Alps and other mountain ranges. Nowadays it is prevalent not only in Slovenia, but also in other countries formerly part of Yugoslavia¹⁶.

The Slovenian mountain trail marking regulation not only designates the Knafelc Blaze as the prototype, but also lays down other detailed solutions for categorization, marking and presentation on maps. These rules are contained in Articles 6-7 of ZPlanP, the regulation on the marking and equipment of mountain paths (Slv. Pravilnik o označevanju in opremljanju planinskih poti)¹⁷, the regulation on the categorization of mountain paths (Slv. Pravilnik o kategorizaciji planinskih poti)¹⁸ and the regulation on the graphical presentation of mountain paths (Slv. Pravilnik o načinu prostorskega prikaza tras planinskih poti)¹⁹.

In addition to Knafelc blaze, red signboards with white lettering are used to provide users with information on directions along the trail. They are put up on metal or wooden posts 2 meters in height, or, where possible, on buildings, walls or other permanent structures. The information which must appear on the signboard has been precisely defined. It should give the direction and destination of the path, the time to walk to the destination, the difficulty of the mountain path (its category), the altitude at which it is located, and the particulars of the custodian. If necessary, mountain paths may also be marked with straight or broken lines in red and with appropriate inscriptions on tree trunks and rocks, or with signposts, area and hiking direction signs. Mountain paths may also be equipped with boxes with registers and stamps, as well as with safety equipment for dangerous points along the

¹⁶ For instance, on the Premužičeva staza trail in the Velebit Mountains (Croatia) or Via Dinarica (from Albania to Slovenia). Interestingly, the term Knafelc Blaze does not appear in many studies on trail marking in Europe, and Slovenia is largely overlooked (in the shadow of Croatia, for example) in these studies. See *Szlaki turystyczne. Od pomysłu do realizacji*,.) Warszawa – Łódź: 2014, http://www.turyzm.edu.pl/files/olimpiada_III/szlaki_turyst_calosc.pdf or *Waymarking in Europe*, online at https://www.fieitalia.com/fie/wp-content/uploads/ENG_WAYMARKING_2013_web.pdf.

¹⁷ Uradni list RS, št. 80/08, <http://pisrs.si/Pis.web/pregledPredpisa?id=PRAV8518>.

¹⁸ Uradni list RS, št. 80/08, <http://pisrs.si/Pis.web/pregledPredpisa?id=PRAV8542>

¹⁹ Uradni list RS, št. 80/08 in 39/18, <http://pisrs.si/Pis.web/pregledPredpisa?id=PRAV8519>.

route. The drawing of trail blazes and the erection of signposts, boxes and safety equipment is subject to the consent of the owner of the property across which the trail runs and on which the signposts, boxes and safety equipment are erected. However, the consent of the owner is not required if the trail blaze, signs and protective equipment are being renewed or if due to wear and tear the signs, boxes and protective equipment are being replaced with new items.

In Slovenia all mountain paths are categorized in three groups according to their technical difficulty:

- a. Easy mountain paths (Slv. lahke planinske poti) are mountain trails intended for walking and recreational running, without the need to use hands for extra support. When an easy mountain trail crosses a steep slope, it must be wide enough to enable safe passage for less experienced users. All that is required of them is caution, physical fitness and appropriate footwear.
- b. Difficult mountain paths (Slv. zahtevne planinske poti) are mountain trails that lead over more demanding sections, requiring the use of hands for safety reasons, and protective devices may be installed on dangerous sections. However, the safety devices are intended only for the additional safety and are not necessary for users to manage difficult places. Users of difficult mountain trails are required to be physically fit and have the appropriate equipment.
- c. Very difficult mountain paths (Slv. zelo zahtevne planinske poti) are mountain trails where walking is replaced or supplemented by climbing and where protective devices are installed to help users over difficult parts. For a safer ascent on a very difficult mountain trail, the user needs additional personal technical equipment, such as a helmet, a climbing harness and a safety lanyard, and also ice axes and crampons to negotiate snowfields.

Hikers should be able to assess their own abilities on the basis of the trail's category of difficulty and decide if it is suitable for them.

PZS forwards the spatial representation of mountain paths and their categorization for approval to the ministry responsible for spatial planning. Moreover, ZPlanP Article 10 provides that the ministry must keep a mountain path register, with public information available on the

spatial representation of mountain paths and their categorization, and on mountain associations or the legal and natural persons acting as custodians of particular mountain paths.

Information on mountain paths, guidebooks and hiking information boards and maps which show mountain paths must also give their category. The category of a mountain path is indicated on maps in the following way: (a) with a solid red line for easy trails, (b) with a dashed red line for difficult trails, and (c) with a dotted red line for very difficult trails. There should be notices put up on hiking boards and maps advising hikers that they may use mountain paths at their own risk. These warnings should be written not only in Slovenian but also in English, German, and Italian or Hungarian²⁰. In practice²¹, information is often also given in Czech, because citizens of the Czech Republic make up a significant proportion (over half) of the foreign members of PZS²².

ZPlanP prohibits the damage, removal or destruction of the markings, signposts, boxes and protective equipment and other signs. If a diagram of the trail blaze is put up on a structure such as the wall of a building or a tree and the building or tree is due to be dismantled, demolished or cut down, the party contracted for the job must provide a suitable replacement marking before carrying out the work.

6. PERMISSIBLE RESTRICTIONS ON THE USE OF MOUNTAIN PATHS

As a rule, mountain paths should be accessible to the public. ZPlanP Article 16 states that no obstructions or barriers may be erected on mountain paths. An exception is the erection of fences and other barriers necessary for the grazing of domestic animals. Such fences or barriers must be visibly marked and allow safe passage, and in the case of electric

²⁰ As a rule in Italian, but in Hungarian instead of Italian in those parts of Slovenia where Hungarian is also an official language.

²¹ For example on the official website of PZS at <https://stanje-poti.pzs.si/en.php>.

²² See Letopis Planinske zveze Slovenije 2021, https://www.pzs.si/javno/pzs-letopis-2021-splet_2.pdf.

fences or electric grazers, such markings must also include a warning that touching the object may result in an electric shock.

However, there are situations where for reasons of safety or nature protection, the custodian is obliged to close a mountain path partially or completely for a certain period of time. If it is necessary to close a mountain path because it has become dangerous for users due to changes in the natural environment or damaged protective equipment, the closure may last for a maximum period of one year, during which the keeper must ensure that the mountain path and protective equipment are properly restored or that the necessary maintenance work is carried out. If the custodian finds that a particular mountain path cannot be restored within one year or the necessary maintenance work cannot be carried out, he/she must advise PZS to close the path permanently. Then PZS must ensure that its status as a mountain path is withdrawn and that it is deleted from the register of mountain paths and once it is deleted, ensure that users are notified of the deletion. Similarly, if the custodian finds that damage is being caused to the land across which a mountain path passes or to the surrounding flora and fauna as a result of excessive or improper use, he/she must restore the area to its usual condition, and may also close all or part of the mountain path for a specified period of time, or advise PZS that the mountain path should be closed for a specified period of time. Information on closed trails is available on <https://stanje-poti.pzs.si/en.php>.

Other restrictions on the use of mountain paths concern the mode of use. ZPlanP Article 19 says that mountain bikes, motorcycles, motor-assisted bicycles and other vehicles may not be driven on mountain paths except for field or forest tracks, unless the vehicle is intended for the provision of services to a mountain hut or for the rescue of an injured person, or if the vehicle is being used for the landowner's private use. It is also prohibited to use mountain paths for riding, except when the animal is being used for the maintenance of mountain huts or for the landowner's private needs. Further restrictions may result from nature conservation legislation. For example, if the land across which the mountain path passes is situated in an area protected under the regulations for nature conservation, riding to bring supplies to

a mountain hut or for the landowner's private needs may be carried out only on the basis of a permit. Mountain bikes may be ridden on mountain trails designated by the minister responsible for sport on application by the mountain path custodian. Running conducted as a sports event or competition may be carried out on a mountain path only at the discretion of the custodian.

7. CONCLUSIONS

The Slovenian regulation on mountain paths is not widely known in the world. This is probably because fewer people speak Slovenian than English, German or French. The Slovenian provisions have not even been mentioned in either the Polish or Czech studies published during the work on the respective national regulations concerning hiking trails, although some Polish and Czech publications have considered the regulations applicable in other countries, for example in Germany or France²³. Nevertheless the extensive Slovenian provisions, as well as the equally little-known Macedonian regulation²⁴, may provide useful ideas for prospective Polish legislation on hiking trails.

²³ See E. BALOUNOVÁ, *Turistické značení v Evropě – právní úprava turistického značení ve vybraných zemích Evropy*, «České právo životního prostředí» 4/2016, p. 41-60, https://www.cspzp.com/dokumenty/casopis/cislo_42.pdf and J. ZATORSKA, *Status prawny szlaków turystycznych we Francji*, in *Szlaki turystyczne a prawo – przeszłość, terażniejszość, przyszłość*, ed. P. CYBUŁA, Biblioteka Górska Centralnego Ośrodka Turystyki Górskiej PTTK w Krakowie, Kraków 2012, https://www.researchgate.net/publication/332155051_Szlaki_turystyczne_a_prawo_-_przeszlosc_terazniejszosc_przyszlosc_P_Cybul_red.

²⁴ Official Gazette of the Republic of Macedonia, N.38/14, 146/15. See R. RECKOSKI, *Legislation for Mountain Trails and Paths as a factor for development of Mountaineering Tourism in Macedonia*, «Horizons International Scientific Journal». Series A. «Social Sciences and Humanities» 26/2020, https://www.researchgate.net/publication/357050690_LEGISLATION_FOR_MOUNTAIN_TRAILS_AND_PATHS_AS_A_FACTOR_FOR_DEVELOPMENT_OF_MOUNTAINEERING_TOURISM_IN_MACEDONIA

Currently there are no clear rules in Poland regarding the construction, marking and maintenance of hiking trails. So far, the issue of hiking trails has not given rise to a comprehensive legal regulation. There are only fragmentary provisions scattered in several legal acts, including the provisions of the Act on safety in the mountains and on organised ski areas²⁵ the Road Traffic Act²⁶, the Nature Conservation Act²⁷, the Spatial Planning and Development Act²⁸ and the Local Government Act²⁹.

Consequently, in Poland hiking trails may be marked out by various entities (national parks, municipalities, hiking organisations etc.). There is nothing wrong with pluralism if the activities of these entities are coordinated. But this is not always the case. Most of the hiking trails are marked in a uniform way – thanks to the tradition established by PTTK. The basic sign is a 90x150 mm rectangle, consisting of three horizontal stripes where the outer stripes are white and the middle stripe is in the color of the trail (red, blue, green, yellow or black). However, there are also hiking trails which are marked in a different way (e.g. with a pictogram of a hiker). Even if the trail is marked according to PTTK standards, its color (i.e. the color of the central stripe between the white stripes) does not provide hikers with any information about the difficulty of the trail.³⁰ It is unintuitive because in Poland (and in other countries) the color to mark downhill and cross-country skiing

²⁵ Ustawa z 18 sierpnia 2011 r. o bezpieczeństwie w górach i na zorganizowanych terenach narciarskich, tekst jedn. Dz.U. z 2019 r. poz. 1084 ze zm.

²⁶ Ustawa z 20 czerwca 1997 r. – Prawo o ruchu drogowym, tekst jedn. Dz.U. z 2022 r. poz. 988 ze zm.

²⁷ Ustawa z 16 kwietnia 2004 r. o ochronie przyrody, tekst jedn. Dz. U. z 2022 r. poz. 916.

²⁸ Ustawa z 27 marca 2003 r. o planowaniu i zagospodarowaniu przestrzennym, tekst jedn. Dz. U. z 2022 r. poz. 503.

²⁹ Ustawa z 8 marca 1990 r. o samorządzie terytorialnym, tekst jedn. Dz. U. z 2022 r. poz. 559 ze zm.

³⁰ The only information the color of a trail can imply is about its character. Generally red is used for the main and most important trail in a given area. Sometimes, however, other trails in the area, not necessarily the main trails, are also colored red. Blue may indicate a long-distance trail. Yellow and green tend to be used for connecting trails or trails leading to landmarks. Black is rarely used due to its fairly poor visibility.

trails is indicative of their difficulty³¹. In Slovenia hikers can learn of the difficulty of a mountain trail from a map, the signboards or from an easily accessible database (<https://stanje-poti.pzs.si/en.php> or maPZS web app). A hiker planning a hike in Poland will not get this information so easily³². There is a website, <https://szlaki.pttk.pl/>, but it covers only “selected hiking trails marked by PTTK” and, most importantly, it does not contain information on their difficulty. Moreover, unlike the Slovenian database, its Polish counterpart does not contain other relevant information, namely whether the trail is open (i.e. not being renovated or temporarily closed due to nature protection)³³. Consequently, it is much more difficult to plan a hike in Poland than in Slovenia. The Slovenian experience should be considered for the work to draft a regulation on hiking trails in Poland.

Another aspect worth noting during the preparatory work for Polish regulations on hiking trails is financing. In Slovenia, the rules are clear and continuity of financing is guaranteed for the custodians³⁴. The adoption of analogous principles in Poland would solve the problems with trails that were marked out but later closed because there were no more funds to maintain them or renew the markings.

The Slovenian regulation also ensures the continuity of hikers’ access to mountain paths. The owner of the land across which a trail runs cannot suddenly block access and prevent it from being used, which sometimes happens in Poland.

³¹ See the Polish regulation on the difficulty levels of ski slopes, cross-country skiing and ski pistes and method of their marking (Pol. Rozporządzenie Ministra Spraw Wewnętrznych z 29 grudnia 2011 r. w sprawie stopni trudności narciarskich tras zjazdowych, biegowych i nartostrad oraz sposobu ich oznaczania, Dz.U. Nr 295 poz. 1752). According to this act, easy ski trails are marked in blue, difficult ski trails are marked in red, and very difficult ski trails are marked in black.

³² However, the range of difficulty of hiking trails in Poland is not as broad as in Slovenia.

³³ Such information can be found, for example, on the website of the national park through which a hiking trail runs. However, getting to it is much more difficult than in Slovenia.

³⁴ At least in theory, because there are so problems in practice. See <https://www.pzs.si/novice.php?pid=15547>.

To sum up, the Slovenian regulation contains a number of interesting provisions which may inspire the Polish legislator. However, no matter how helpful the Slovenian regulation is, one thing is clear: the Slovenian way of marking trails with the Knafelc Blaze is not as effective as the Polish practice of using different colors. In Slovenia, several trails marked with the same symbol may start from one place, which can sometimes be confusing and force hikers to scrutinize the map very carefully and compare it with the situation in the field.

SŁOWEŃSKIE PRZEPISY DOTYCZĄCE SZLAKÓW GÓRSKICH

Streszczenie

W 2022 roku przypada setna rocznica powstania tzw. znaku Knafelca (svn. Knafelčeva markacija), jednego z symboli słoweńskiego alpinizmu. Jest to dobra okazja, aby przyjrzeć się aktualnym słoweńskim przepisom dotyczącym szlaków turystycznych. Słoweńska ustawa o szlakach górskich (svn. Zakon o planinskih poteh) obejmuje wiele aspektów tego zagadnienia, takich jak budowa, utrzymanie i oznakowanie szlaków górskich oraz warunki ich bezpiecznego użytkowania. Regulacja ta może być zatem ciekawym przyczynkiem do toczącej się od wielu lat w Polsce dyskusji na temat konieczności i sposobu uregulowania kwestii związanych ze szlakami turystycznymi.

THE SLOVENIAN REGULATION ON MOUNTAIN TRAILS

Summary

2022 marks the centenary of the institution of the Knafelc Blaze (Svn. Knafelčeva markacija), one of the symbols of Slovenian mountaineering. This is a good opportunity to take a look at current Slovenian regulations regarding hiking trails. The Slovenian Mountain Paths (Trails) Act (Svn. Zakon o planinskih poteh) covers many aspects of the subject, such as the construction, maintenance and marking of mountain paths and the conditions for their safe use. This regulation can be an interesting

contribution to the discussion which has been going on for many years in Poland, on the need for, and way to regulate issues relating to hiking trails.

Keywords: Slovenia; hiking trails; mountain paths; marking; construction; maintenance; the Knafelc Blaze; path custodian; Planinska Zveza Slovenije; Polskie Towarzystwo Turystyczno-Krajoznawcze.

Słowa kluczowe: Słowenia; szlaki turystyczne; oznakowanie; budowa; utrzymanie; znak Knafelca; opiekun szlaku; Planinska Zveza Slovenije; Polskie Towarzystwo Turystyczno-Krajoznawcze.

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