

<b>THEMATIC TITLE</b>	LEGAL PROBLEMS RELATING TO PUBLIC TRANSPORT PASSENGERS' RIGHT
<b>KEYWORDS</b>	RIGHTS PROTECTON OF PUBLIC CARRIER PASSENGER
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<b>YEAR</b>	2018

### **ABSTRACT**

The purpose of this thematic paper is to study legal problem regarding rights protection of public carrier passenger in 3 cases that is; firstly, the legal status of controller of public carrier service point should register legal person. Secondly, the person who has responsibilities with public carrier driver in case of the damages cause from public carrier service. Thirdly, the enforcement of every kind of public carrier driver must do insurance under the Covering the Protection of Victims of the Car Act B.E. 2535 as nowadays the public carrier has an important role play in voyages of people whereas the existent law does not provide the rights protection of public carrier especially.

From this study, it found that the measure which government provided register for controller at public carrier service point who is a private public carrier in some kind of public carrier but they did not specify the liabilities of controller at public carrier service point. It resulting to condition or status of controller was being only a person or group of person, did not being a legal person which reliable and the law did not specify the controller at public carrier service point shall be liability with public carrier driver when an accident occurred along journey under employment contract including luggage and service company which offer service via online that the users call a public carrier through application, they have to pay fee for this company. In contrast, the status of company is merely application facilitator. Therefore, they did not take responsibilities with public carrier driver which it did not fair for passenger since both the controller at public carrier service point and the application facilitator company got the benefit from the service of public carrier. Thus, it should be have a clearly legal status and must take responsibilities with public carrier driver. According to the Protection of

Victims of the Car Act B.E. 2535, in part of compensation regarding life damages and body, not cover to compensation as a result of the deprivation of such support and the lack of benefit as well as the announcement of department of land transport on topic the determination of category of car and money scope which the person who get a permission license or the owner must do more insurance under the Protection of Victims of the Car Act B.E. 2560 , the law did not provide sanction for public carrier to do insurance. As a result, if the passenger shall take the right of claim under the Civil and Commercial Code in part of tort or the Passenger Carrier Act, they may not get the compensation from drivers because of the economic position of driver and may be have some complex problem of execution.

In conclusion, the writer has a suggestion to solve these problems that is; Firstly, it should provide the provision for the controller at public carrier service point must register legal person due to make a clearly legal status for controller at service stop. Secondly, the writer has an opinion that the controller at service stop which already register legal person and the application facilitator company must take responsibilities with public carrier driver as the person who get benefit from passenger. Lastly, the writer recommend that it should provide every kind of public carrier driver must do insurance according to the Protection of Victims of the Car Act and part of life damages and body for covering to the compensation of lack of benefit and the compensation as a result of the deprivation of such support.