

THESIS TITLE	LEGAL MEASURE OF TAKING CONTROL OF THE PASSENGER VAN OPERATORS
KEYWORD	VAN OPERATORS, PASSENGER VAN
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ABSTRACT

This thesis is aimed at studying measures of taking control of the passenger van operators in Thailand since the Acts being applicable to take a control of the operators of this type are lack of appropriate legal measure to regulate safety of their services provided to the public and not in compliance with nature of problems in current Thai society. As a result, legal problems arise in taking control of the passenger van operators, drivers and protection of passenger's safety. This thesis is also aimed at studying fundamental concept and legal measures of foreign countries in relation to a control of the passenger van operators.

The study finds that major laws being applied to operation of passenger vehicles are the Land Transport Act B.E. 2522 (1979) and the Land Traffic Act B.E. 2522 (1979) in taking control of the passenger van operators. Certain problems are found as follows: a definition of "Operator" of the passenger van operator is neither definitely stipulated and not enforceable efficiently as it should be, an inappropriate liability and criminal penalty e.g. penalty imposed to any operator contravening limit of working or driving hours of the operator or the driver of passenger van. Moreover, there are existing problems of standard, imprecision and distinctive direction of law

enforcement in respect of penalty imposed to any driver of passenger van who is found illegal drinking liquor or partaking other inebriants.

The researcher, accordingly, suggests an amendment to the law by adding definition of “Operator” in the Land Transport Act B.E. 2522 (1979) and the Land Traffic Act B.E. 2522 (1979) to be more inclusive and definite, by increasing penalty in contravening limit of driving hours to be liable to a penalty of not exceeding one year of imprisonment or not exceeding one hundred thousand Baht or both and by separating a standard of testing or measuring alcohol level in the driver of passenger van’s body from a standard used in the same purpose for the driver of personal car as well as by increasing harsher penalty imposed to the violating driver of passenger in appropriate manner.