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CHANGES IN PASSENGER TRANSPORTATION LAW ON A NATIONAL AND REGIONAL LEVEL IN BULGARIA

Teodor Kazandzhiev, PhD Candidate

Sofia University, Bulgaria

Abstract: Frequent amendments of laws and ordinances often cause problems in their application and interpretation. It is no different for the acts which regulate the transportation of passengers. The article aims to find a solution to these issues and attempts to answer the question: “How often should a legal act be changed in order to keep up with social and legal changes and without becoming unclear?” A comparison is made to Roman law, where amendments were seldom implemented, and to Common Law, where certain regulations have remained unchanged for a substantially long period of time which highlights the importance of balanced and well-prepared amendments. The importance of the discussed issue goes beyond the strict framework of Commercial or Roman Law. Nonetheless, the focus is on passenger transportation law, which is regulated by a multitude of laws, ordinances and various other legal acts.

Key words: Passenger transportation, amendment of legal acts, Roman law, Common Law Commercial law

ПРОМЕНИ В БЪЛГАРСКАТА НАЦИОНАЛНА И МЕСТНА УРЕДБА НА ПЪТНИЧЕСКИЯ ТРАНСПОРТ

докторант Теодор Казанджиев

Софийски университет, България

Резюме: Честите изменения в законите и подзаконовите актове често създават проблеми при тяхното прилагане и тълкуване. Не е по-различно и при нормативните актове, които регулират превоза на пътници. Статията има за цел да намери решение на тези проблеми и се опитва да отговори на въпроса доколко често трябва да се променя един нормативен акт, за да бъде в крак със социалните и правните промени, без да става неясен. Прави се сравнение с римското право, където измененията се правят рядко, и с англосаксонското общо право, където някои разпоредби са останали непроменени в продължение на значителен период от време. Значението на разглеждания въпрос излиза извън строгите рамки на търговското право или римското право. Въпреки това акцентът е поставен върху превоза на пътници, който се регулира от множество закони и подзаконови актове.

Ключови думи: превоз на пътници, изменение на правната уредба, римско право, общо право, търговско право

I. Introduction

Passenger transportation law is part of the legal system and regulates the transportation of human beings from one place to another. The main goal of most legal systems, even ancient ones, is to protect the rights of their subjects. For this reason, legal amendments are often made to improve this protection. However, when undertaking these changes, legislators often neglect legal clarity and sometimes create legislative problems. These problems are not specific to the transport law and affect all legal systems. However, there are various acts regulating passenger transportation in Bulgaria and the European Union (EU), as well as the United Kingdom (UK), they sometimes give rise to controversy, especially in the area of land passenger transport, which is the main focus of this article.

To find a solution to the above-mentioned problem, the twofold meaning of the term **“change”** must be taken into account. When analyzing the word, on one hand, we must consider its linguistic meaning, which is: “to make or become different”¹. This can apply to the social, economic, political or other significant changes, which create the **necessity** for adopting a brand-new legal act or the amendment of an existing one. These reasons must be substantial and well-motivated in order to justify the adoption or amendment of a legal act, as well as of related legal acts that need to be adapted in accordance with the new legal order. Considering this, the Bulgarian Normative Acts Act² requires in **article 28** that all future draft legal acts contain the reasons for the adoption of the act, the objectives that the act aims to achieve, and an impact assessment report. This requirement was set by the National Assembly of Bulgaria, but it is not unique for Bulgaria. Such rules, as well as specific regimes for certain types of actions, exist in many European countries, as well as in the United States of America (USA).³ The aim of these procedural rules is precisely to prevent arbitrary drafts amendments.

On the other hand, the analysis of change and law cannot ignore the changes in the law itself. In this sense, the term law does not refer only to legal acts adopted by the National Assembly, but to **all** legal acts. This is the **broad** meaning of the term as defined in legal theory.⁴ Once it has been established substantial reasons that require the adoption of a new legal act or the amendment of an existing one, the question is which legal acts must be amended and to what extent. In addition, it should be considered whether the changes will require amendment to other legal acts and whether they are in accordance with EU and international law.

¹ See Cambridge English Dictionary at <https://dictionary.cambridge.org/dictionary/english/change>.

² Закон за нормативните актове, in English – Normative Acts Act, promulgated Държавен вестник, бр. 27 от 3 април 1973 г. (Darzhaven vestnik, br. 27 ot 3 April 1973).

³ See Друмева, Е. Конституционно право. С., Сиела (Drumeva, E. Konstitutionno pravo. S., Ciela), 2018, 385 – 387.

⁴ Пак там (Ibid.), p. 381; For the broad sense of the term “law” within Civil law see Павлова, М. Гражданско право. Обща част, С., Сиела (Pavlova, M. Grazhdansko pravo. Obshta chast, S., Ciela), 2023, 490 – 492.

There are **three** different answers to the aforementioned question regarding how often legal acts should be changed, which are examined below:

Firstly, Roman law used a rigid structure and defined contracts and other legal forms based on the existence or absence of actions. Roman law played an important role in establishing legal order in European states. From the Roman Republic and Empire to the Middle Ages and the 18th century national legislations adopted Roman law, while gradually creating their own provisions, especially in the field of civil and contract law.⁵ Roman law itself had many distinct periods, but for the purposes of this article and the passenger carriage contract, the main focus is on the Code of Justinian. In Roman law changes were seldom made to legal acts, but Roman jurists added interpretations case by case.

Secondly, common law judicial decisions and legal rules, especially in the UK, differ from Roman law, but offer a way of keeping otherwise old legal acts applicable today. This is done mostly through the practice of the courts, as well as through legal custom. A characteristic feature of common law is that some legal acts, including statutes, are quite old and have not been fully amended for over a century, but are still applicable to this day. Although not as rigid as Roman law, this system still has a stable structure.

The third point of view is that of contemporary Bulgarian law, which regulates the transport of passengers by land through a series of acts that are regularly amended. If Roman law rarely allows for **any change**, then Bulgarian law does so very often. At the same time, Common law neglects changes in its legal order, instead relying on judicial precedents, contract law and acts of other institutions to provide the necessary protection.

Each of the above-mentioned approaches has its pros and cons, all of which vary between too much **rigidity** and too much **fluidity** of the legal system. Reviewing these three legal orders through historical, comparative and positivistic analysis will allow the adoption of legal acts that take into account social, economic and political changes.

II. Roman law

⁵ **Потье, Р.-Ж.** Трактат за задълженията. С., Сиби (Pothier, R.-J. Traktat za zadalzheniyata, S., Sibi), 2023, 32 – 33, translation from French to Bulgarian.

As briefly highlighted above, Roman law has been adapted to certain cases by the interpretations of the respected jurists and the praetor's activity. When analyzing the regulation of passenger transport, it can be found that the legal rules were not systematically coordinated, moreover in the Code of Justinian many cases and forms of transport were not regulated at all. The contract for passenger transportation itself, which in contemporary law is separate from other civil and commercial contracts, falls under the regulation of the *locatio-conductio operis facciendi*, which was a form of leasing contract for providing all forms of services involving a particular **work**.⁶ The *operis facciendi* variant of the *locatio-conductio* contract was used not only in maritime transport, but was a common practical and later theoretical distinction between the leasing of **objects**, **labor** and the **hiring** of a person to complete a specific **work**.⁷ This shows that unlike contemporary law, where multiple separate contracts exist, in Roman law the legal framework was quite extensive, so that **all** contracts that were essentially a form of service fell under a singular *contractus*. This facilitated legal procedures, as the praetor had to deal with two actions, rather than many. The first action, named *actio locati*, was against the person providing the service, for damages caused by his actions or by the actions of the persons with whom he worked or whom he used for his work. The second action, named *actio conducti*, was against the person hiring the services.⁸ On the other hand, the prevailing generalization did not allow for a fine distinction between different services, which is clearly shown in several passages of the **Digests**, such as D.14.2.2.1. According to this norm, damage to a ship caused by loading is compared to a broken anvil

⁶ For a detailed analysis of this contract when carriage of goods is concerned see **Ignjatovic, M.** Carriage Of Goods By Sea As A Special Form Of Locatio-Conductio Operis Faciendi In Roman Law. – In: Facta Universitatis, Series: Law and Politics, Vol. 16, № 2, 2018, Nis, University of Nis, 2018, 101 – 108.

⁷ **Венедиков, П.** Записки по Римско право. С., ИК „Петко Венедиков“ (Venedikov, P. Zapiski po Rimsko pravo. S., IK “Petko Venedikov”), 2023, с. 129; **Венедиков, П.** Кратък курс по Римско право, С., ИК „Петко Венедиков“ (Venedikov, P. Kratak kurs po Rimsko pravo, S., IK “Petko Venedikov”), 2018, 234 – 235.

⁸ Ibid., p. 235.

or blacksmith's hammer, demonstrating that all services for a given result were considered similar. This prevents making a fine distinction.⁹ Furthermore, the Romans did not regulate all forms of transport, but focused mainly on **maritime transport**, dedicating most texts to the carriage of **goods**. This brings us back to the main reason for change, namely: significant social, economic, political and/or other reasons. As a result, changes to the law itself followed. It is clear that in Roman times, up to the era of Justinian the Great and beyond, there were no significant reasons for changes in the acts and opinions of the jurists of the classical period regarding passenger transportation by land and transportation by land, in general. The main reason for this can be found in the economic structure of the Roman family. All political, economic and legal power laid within the **pater familias**¹⁰. When undertaking a journey, the pater familias and his family most often used their own wagons, horses, slaves and clients to complete the task of travelling to a certain destination. It must be remembered that an **obligation** arose only between two Roman citizens, subjects of **ius civile**. There was no contractual relation or other form of obligation between master and slave or between patron and client.¹¹

Nonetheless, the Digests did have a single fragment devoted to land transportation, namely D.19.2.13.pr. (Ulpianus libro 32 ad edictum) according to which there is an action for compensation for the death or injury of a slave if a driver of a vehicle causes these injuries when overturning another vehicle.¹² The cited text does not indicate

⁹ D.14.2.2.1 (Paulus libro 34 ad edictum) "If the merchandise is saved, and the ship is damaged, or has lost part of her equipment, no contribution should be made, for the condition of the things provided for the use of the ship is different from that on account of which the freight has been received; since, if a blacksmith breaks an anvil or a hammer, this will not be charged to him who hired him to do the work. (English Translation by Scott, S.P., The Civil Law, IV, Cincinnati, 1932; https://droitromain.univ-grenoble-alpes.fr/Anglica/D14_Scott.htm#II).

¹⁰ A term designating a male roman citizen who was the head of the family, see **Венедиков, П.** Кратък курс по Римско право..., с. 67.

¹¹ For the meaning of obligation and the latin term *obligare* see **Plessis, P., Cl. Ando, K. Tuori**, The Oxford Handbook of Roman Law and Society. Oxford, Oxford University Press, 2016, 569 – 571.

¹² D.19.2.13.pr. (Ulpianus libro 32 ad edictum) (English) "The question is also asked, where the driver of a vehicle, while trying to pass others, overturns one, and

whether the driver of a vehicle is a merchant carrying goods, or a person transporting passengers. It must be accepted that, in absence of further context, **all** drivers of vehicles, including those **transporting passengers**, are liable under this passage.

The analysis above shows that despite the exceptional legal system of the Romans, they neglected important aspects of social and economic life. They dedicated legal texts solely to the most lucrative aspects of the economy, such as maritime transport of goods and slaves, while the passenger transport by sea was barely regulated and did not explicitly refer to land transport. Obviously, such an approach cannot be accepted as it neglects essential social relations which are of great importance, considering that the damages incurred during the transportation of people can be substantial, including death or bodily injury.

III. Common law

The above-mentioned imperfections of Roman law were slowly overcome in Europe and the USA. The law of the UK offers an interesting approach to transportation by land. At the same time, it represents a “living connection” between transportation by carriage and transportation by automobile, showing that, in their economic and – to an extent – legal essence the two types of transport are almost identical.

The London Hackney Carriage Act 1853¹³ regulated so-called “hackney carriages”, which are a form of taxi service requiring drivers to carry passengers and their luggage. Section 7 of this act envisioned that the driver shall drive within a distance of six miles or no more than one hour from the time of hire unless a reasonable excuse is presented. The reasonable excuse in question applies to various situations where the passengers are aggressive, drunk or dangerous. In these cases, the driver can refuse hire, as well as when a certain situation requires driving beyond the specific time or distance (i.e. a pregnant woman going to a hospital). The term “reasonable excuse” is very general - the specific reasons were not standardized. Interestingly, in London Cab Act

injures or kills a slave, what course must be pursued? I think that an action on hiring will lie against him, for he should have been more careful. Moreover, a praetorian action under the Lex Aquilia will be granted him” (https://droitromain.univ-grenoble-alpes.fr/Anglica/D19_Scott.htm#II).

¹³ <https://www.legislation.gov.uk/ukpga/Vict/16-17/33/contents>

1968, section 2¹⁴, mentions the same distance of 6 miles or 1 hour, indicating that despite advances in technology, the legal criteria of the Act 1853 still applied long after that. On the other hand, similarly to Roman law, the definitions and legal structures did not change. Within legal acts the term “reasonable excuse” is never defined as a list, nor are any criteria specified. Although Common law is clearly more advanced in regulating separate legal relations and contracts than Roman law, it still suffers the same problems. Mainly because definitions are rarely precise, some legal acts still in force have not been amended for **decades, even centuries**, despite the need for regulation due to technological development and social needs. The juxtaposition of 19th or early 20th century acts with 20th century acts, as well as municipal acts, is jarring. Certainly, this does not mean that every part of a legal act must be amended or repealed. Definitions, stable constructs and rules must remain the same. The problem, however, arises when, despite the existing reasons and needs for change, this is not done for the sake of stability. If Roman jurists approached each issue individually and avoided over-generalization, the Common law system, particularly in the UK, has no problem regulating many social relations, applying general terms and definitions, but then giving specific cases and case examples. Although it is impossible to set out every situation in a legal act, it is useful to provide a non-exhaustive list to **illustrate** the abstract criteria. The need for such illustrations is present throughout British law, and passenger transportation is no exception. Certain municipal authorities provide guidelines to better prepare both transport operators and drivers, as well as the passengers. Such guidelines **explicitly** state that valid reasonable excuses include situations where the passenger is drunk, unable to pay, or may put the driver in danger. They also exclude situations that constitute discrimination in cases of refusal to provide services to people with disabilities.¹⁵ This presents the problem as not all authorities will have the same criteria or lists. This causes legal uncertainty and puts forth the question of whether some of them should be amended in order to include universal standards.

¹⁴ <https://www.legislation.gov.uk/ukpga/1968/7/section/2>

¹⁵ See Conditions applicable to private hire car driver licenses (<https://www.aberdeencity.gov.uk/services/services-for-business/licences-and-permits/conditions-applicable-to-private-hire-car-driver-licences>).

IV. Bulgarian law

Having seen the examples of legal systems that have historically maintained a high level of stability and rigidity, relying on the practice of the courts and jurists, it is time to examine Bulgarian transportation law. I have to remind you that Bulgarian law is a part of the continental legal family. It is impossible to analyze every legal act in detail, as there are many such acts. Therefore, similarly to the analysis of Common law, only the most characteristic examples are given. In the UK these were the iconic hackney carriage, which later evolved into the equally iconic “black cabs” in London. Although there are no such distinct forms of land transport, the analysis must go through several levels.

First, the Bulgarian Commercial Act (BCA)¹⁶, the Bulgarian Act for Automobile transportation (BAAT)¹⁷ and the Bulgarian Railway Transport Act (BRTA)¹⁸ are relevant for the study and are characterized by considerable stability with minor amendments. In this respect, there is a similarity with the Roman law and Common law, analyzed above. Specifically, Art. 367-379 of the BCA have not been amended since 1996, when they were adopted.¹⁹ Although these texts are not as old as those in the UK acts, similar problems are observed. First, a huge number of texts are dedicated to the transportation of goods, while only Articles 367, 369 and 378, para. 2 mention the carriage of passengers. In fact, only Art. 369 regulates any form of obligations of the transport operator to ensure **comfort and safety** of the passenger during transport.

Although it theoretically covers all possible forms of comfort and safety, without a precise definition of these obligations there is a risk of different, even contradictory, interpretations by the court. In practice, the same problem exists as with the above-mentioned “reasonable excuse” in the Hackney Carriage Act 1853. The legal rule is generalized, so it does not provide sufficient clarity on the scope of the obligations. This is a case, where there are substantial social reasons that justify amending the article

¹⁶ In Bulgarian Търговски закон (Targovski zakon) promulgated in DV (Darzhaven vestnik), issue 48 of 18 June 1991.

¹⁷ In Bulgarian Закон за автомобилните превози (Zakon za avtomobilnite prevozi) promulgated DV, issue 82 of 17 September 1999.

¹⁸ In Bulgarian Закон за железопътния транспорт (Zakon za zhelezopatnia transport) promulgated DV, issue 97 of 28 November 2000.

¹⁹ DV issue 83 of October 1st 1996.

by adding two new sections defining the terms “safety” and “comfort”. This will significantly contribute to providing a clear framework for all types of passenger transport, which go far beyond transportation by automobile, or even transportation by land, as the BCA applies to other legal acts.²⁰ It also applies to the BAAT, which provides a detailed regulation of passenger transport by automobile in Art. 35-48. The articles in question were gradually amended to establish the function of tickets and the various required documents that the transport operator must issue (Art. 36), the liability of the operator (Art. 42 and 44) and others relating to licensing, transferring the fulfillment of some obligations from the transport operator to the driver (Art. 41) and compliance with EU regulations (Art. 36, section 5)²¹.

Although they seem quite frequent, the number and intensity of these changes are dictated by European regulations, as well as by necessary changes to ensure clarity and better applicability of the legal texts. For example, Art 41 which transfers the fulfillment of the obligation for giving the luggage of the passengers to the **driver** who acts on behalf of the **transport operator** which is legally and logically sound because the transport operator can be a natural person-sole proprietor, but also a company and a company cannot physically give luggage or drive the vehicle itself, which requires the person who is physically present (**the driver**) to fulfill this obligation on behalf of the operator, despite only acting as an **employee**. In this sense, the BAAT provides a detailed framework for transportation by land with automobiles. Despite this, it is not ideal if there is no coherency with other laws, especially with municipal and other regional acts. In the latter case, the municipal or regional act must be in accordance with the law. Otherwise, under the Art. 185-196 of the Bulgarian Administrative Procedural Code, it may be repealed.²² Unlike acts of lower hierarchy, contradictions in laws cannot be resolved by this procedure. Despite the fact that the main focus of this paper is on passenger transport by

²⁰ For the different types of transportation see **Владимиров, И.** Транспортно право. С., Ромина (Vladimirov, I. Transportno pravo. S., Romina), 2001, 13 – 48.

²¹ For the largest scale amendments see DV issue 60 of July 7th 2020 (<https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=149452>).

²² In Bulgarian Административнопроцесуален кодекс (Administrativnoprocesualen kodeks) promulgated DV issue 30 of 11 April 2006, in force since 12 July 2006; See also **Лазаров, К., И. Тодоров**, Административен процес. С., Сиела (Lazarov, K., I. Todorov, Administrativen proces. S., Ciela), 2020, 425 – 431.

automobile, other types of land transport are also relevant, in particular railway transport. An interesting comparison can be made between Art.42 of BAAT and Art. 74 of BRTA. Both are dedicated to the liability of the transport operator, but for no apparent reason have a **slightly** different form. Art. 42 BAAT stipulates that the operator is liable for the life and for any physical or psychological injury of the passenger **due to an accident** in relation to the transport, while the passenger was in the vehicle or was getting on or off it, or if the damages were caused by the loading or unloading of the luggage. Art. 74 BRTA stipulates the same thing, except for the words “due to an accident”. It still applies to all the same cases, as is evident from the linguistic analysis, except that the cause is not limited to an accident.²³ This not only causes unnecessary differences, but also hinders the codification and consolidation of the relevant legal acts.

Nevertheless, the laws governing passenger transport are well-balanced. They are changed often enough to keep up with social, economic and political shifts in society. Unfortunately, there are too many normative acts regulating land transport. Contradictions between lower and higher-ranking acts in the law hierarchy can be resolved through the above-mentioned administrative procedure. It must be clarified that in addition to the regulations of the Minister of Transport, each municipality issues numerous regulations governing taxi services and public transport.

Three ordinances are of a particular importance. Firstly, Ordinance for the order and conditions for traveling by public city transport on the territory of the Municipality of the capital (Transliterated from Bulgarian: Naredba za reda i usloviyata za patuvane s obshtestvenia gradski transport na teritoriyata na Stolichna obshtina)²⁴, which has been amended an astonishing **12 times** in the past seven and a half years. Secondly, Ordinance of the Municipality (Municipality Council) of Plovdiv for the order and conditions for traveling by public city transport on main autobus lines on the territory of the Municipality of Plovdiv (Transliterated from Bulgarian: Naredba na Obstinskia suvet na Plovdiv za reda i usloviyata za patuvane s obshtestvenia gradski

²³ Contrary to this **Владимиров, И.** Цит. съч., 34 – 35, who claims that that Art. 74 of BRTA applies to the time when the passenger was getting on and off which he claims is not the case with Art. 42 of BAAT.

²⁴ Accepted with Решение № 178 по Протокол № 51 от 5.04.2018 (Reshenie № 178 to Protokol № 51 from 5 April 2018 (<https://sofia.obshtini.bg/doc/3526687>)).

transport po osnovni avtobusni linii na teritoriyata na obshtina Plovdiv)²⁵ which has only 3 changes since 2015 and finally Ordinance for the order and conditions for traveling by the public transport of the Municipality of Varna (Transliterated from Bulgarian: Naredba za reda i usloviyata za patuvane v obshtestvenia transport na Obshtina Varna)²⁶, which has been amended 3 times, twice in this year. The importance of these acts is not so much within their provisions, since they all regulate public transportation with bus, tram, subway in Sofia, including transportation documents (tickets and cards), preferential conditions for certain groups of people as well as liability, including administrative penalties. Rather, in the light of the present paper topic these acts are fascinating in a way because they illustrate the other extreme of regulations. If Roman law was exceptionally rigid and Common law has some acts which are not amended for a very long time and are barely applicable, which also demonstrates rigidity, then these ordinances are **too fluid, too unstable** and **threaten** predictability and legal security.

In fairness, it must be stated that the Ordinance of the Municipality (Council of) Plovdiv has a rather stable nature and has maintained certain legal rules for over a decade. It has a similar text to the abolished Ordinance of the Municipality of Sofia of the **same name** adopted in 2013 with Decision № 520 to Protocol № 48 from 26.09.2013 г (transliterated from Bulgarian: Reshenie № 520 po Protokol № 48 ot 26.09.2013)²⁷. This illustrates some measure of stability.

The most extreme cases are the two already mentioned Ordinances of the Municipality of Sofia, the capital of Bulgaria and the only city with a subway (metro). The latter requires a more extensive legal framework and its amendments **when needed**. This brings us back to the idea of motives and goals in the adoption of legal acts, mandatory only for laws. Amendments, of course, **cannot** precede actual social changes. If a legal act is changed too often, this takes away from its

²⁵ Accepted with Решение № 407, взето с Протокол № 21 от 17.12.2015 г (Reshenie № 407, vzeto s Protokol № 21 from 17 December 2015 (<https://plovdiv.obshtini.bg/doc/3877441>)).

²⁶ Accepted with Решение № 433-2(10)/16.12.2020 г. на Общински съвет – Варна, в сила от 2.01.2021 г. (Reshenie № 433-2(10)/16.12.2020 г. на Obshtinski savet – Varna, v sila ot 2.01.2021 – <https://varna.obshtini.bg/doc/4510680>).

²⁷ <https://sofia.obshtini.bg/doc/1743757>

regulative function, makes its applicability difficult, creates legal uncertainty and requires the intervention of the court. It is particularly bizarre when certain terms or institutes are changed. For example, in one of the versions of Art. 6 and 7 of the Ordinance of Sofia the term “ticket” **was removed** and for a while there were only **short-term and long-term cards**. This contradicted the terminology of the BAAT and created difficulty in understanding the role of these documents. Municipal authorities sometimes claim that the valid transport document/card **is** the contract for passenger transport itself. Their statements contradict with Art. 36, section 2 of BAAT which does not link the **validity of the contract** to issuing, validity or loss of the ticket or subscription card.²⁸ This is a question of fulfillment of contractual obligations of passengers, not of its validity. All these **symptoms** of legal negligence and too many ill-considered amendments could easily be avoided with systemic, deliberate reforms that regulate social relations, allowing predictability and security for passengers.

V. Conclusion

Change is the driving force of the world. Legislators must acknowledge this and adapt their acts accordingly. The Romans, despite their advanced legal system, suffered from too much rigidity, not even separating the contract of land transport as a distinct legal relation. This is also observed in other legal systems based on Roman law. British law is much more detailed, but it also suffers from a certain rigidity, expressed in their unwillingness to repeal some extremely old legal acts or to adapt them fully to modern times. This offers an extremely dangerous confusion for practitioners.

It must be maintained that in every matter, not just in passenger transport law, balance must be struck and although legal acts must be open to change and amendment, this must never be done hastily. Following the strict procedure for the application of laws, accompanied by actual and deliberate discussion of the motives, which will increase the guarantees for the adoption of precise, effective and detailed legal acts. Only then can the rights of all parties involved be protected.

²⁸ See **Владимиров, И.** Цит. съч., 31 – 32.