official translation

**REPUBLIC OF LITHUANIA**

**ROAD TRANSPORT CODE**

19 November 1996 No. I-1628

(As amended by 19 March 2002 No. IX-790)

Vilnius

**CHAPTER ONE**

**GENERAL PROVISIONS**

**Article 1. Purpose of the Code**

The Road Transport Code of the Republic of Lithuania (hereinafter - this Code) regulates organisation and effecting of carriage by road of passengers, luggage, goods and post, documents, documentation items as well as state management and control of carriage, liability for pecuniary damage.

**Article 2. Road Transport and Road Vehicles**

1. **Road transport** is a constituent part of the national economy and social infrastructure of the Republic of Lithuania, related to the carriage of passengers and goods by road.

2. **Road vehicles** are divided into passenger and commercial vehicles.

3. Motor and electric vehicles designed and produced for carrying passengers are attributed to **passenger vehicles**. These include buses, trolley-buses, passenger cars, taxi passenger cars.

4. **Bus** is a motor vehicle for carrying passengers and their luggage, in which the number of seating places in addition to the driver's seat is more than 9.

5. **Trolleybus** is a bus powered by electricity obtained by means of a trolley-wheel.

6. **Passenger car** is a motor vehicle with a maximum number of seating places not more than 9, the driver including, which is intended for carrying passengers and their luggage.

7. **Taxi car** is a motor vehicle intended for carrying passengers and their luggage, having not more than 7 seating places, the driver including, fitted with a taximeter and a taxi sign and meeting the technical requirements set for taxi passenger cars. The technical requirements for taxi passenger car shall be set by the Ministry of Transport and Communications.

8. **Group of passengers assembled in advance** is a group with which a transport contract is concluded in advance (when the passengers are going on tourist tours, on business, also on the occasion of such events as exhibitions, symposia, conferences, seminars, meetings, concerts, stage performances, weddings or on similar occasions).

9. Motor vehicles, vehicle combinations (road trains), constructed, equipped and used for the carriage of goods by road shall be attributed to **goods vehicles**. These are commercial vehicles, trailers and semi-trailers.

10. **Commercial vehicle** is a motor vehicle designed to carry goods, pull trailers or semi-trailers. Tractors and self-propelled (off-road) vehicles shall not be attributed to commercial vehicles.

11. **Trailer** is any vehicle pulled by a motor vehicle.

12. **Semi-trailer** is any vehicle coupled to a motor vehicle in such a way that a substantial part of its weight and of the weight of its load is born by the motor vehicle.

**Article 3. Ownership of the Objects of Road Transport**

1. Road vehicles, bus station and stops, goods carriage terminals, buildings and facilities directly pertaining to them may be owned by the state of Lithuania, municipalities, natural and legal persons of the Republic of Lithuania and foreign states, foreign states.

2. State roads may be owned only by the state of Lithuania by the exclusive right of ownership. Local roads may be owned by the nationals or municipalities of the Republic of Lithuania.

3. Tolls and charges may be levied for using main roads and roads built on the basis of a concession. The rate of tolls and user charges and the procedure of payment thereof shall be established by the Government.

**Article 4. State Management of Road Transport**

1. State management of road transport shall be effected by the Ministry of Transport and Communications and municipal institutions.

2. The Ministry of Transport and Communications shall, within the scope of its competence, issue legal acts regulating road transport activities and passenger and goods carriage, which shall be binding on the municipalities, natural and legal persons. The Ministry of Transport and Communications or the institution authorised by it shall manage and organise the provision of long-distance and international road passenger services.

3. Municipal institutions or offices authorised by them shall manage and organise the provision of local services and carriage of passengers by taxi cars. Municipal institutions shall issue, according to their competence, legal acts binding on the carriers.

**Article 5. Legal Acts on Road Transport**

Road transport relations shall be regulated by this Code, laws of the Republic of Lithuania and other legal acts and international treaties.

**Article 6. International Treaties**

If the international treaties to which the Republic of Lithuania is a party establish rules other than those laid down by the legal acts of the Republic of Lithuania regulating carriage by road transport, the rules of the international treaties shall apply.

**CHAPTER TWO**

**ORGANISATION OF CARRIAGE**

**Article 7. Concept of Organisation of Carriage**

1. Organisation of carriage means establishment of technical conditions and legal relations between the passenger, the consignor of goods, luggage, post, documentation items, postal items, the receiver and the carrier.

2. The carrier is the enterprise registered in the manner prescribed by law and having the right to carry passengers, goods, luggage, post, documentation items, postal items.

**Article 8. Licence to Engage in Carriage**

1. The economic commercial activities of carriage by road transport of passengers and goods for reward shall be subject to licensing.

2. A licence for carrying passengers shall be required when they are carried by:

1) taxi cars;

2) passenger cars providing regular passenger services - until 30 June 2002;

3) passenger cars providing occasional services;

4) buses.

3. A licence shall be required for:

1) international carriage of goods by road vehicles whose load capacity, including the trailer, does not exceed 3.5 tonnes or maximum permissible weight, including the trailer, does not exceed 6 tonnes - until 31 December 2003;

2) national and international transport operations by vehicles whose load capacity, including the trailer, exceeds 3.5 tonnes - from 1 January 2003.

4. A licence to engage in passenger carriage on long-distance routes and in international carriage of passengers and carriage of goods by road shall be issued by the State Road Transport Inspectorate under the Ministry of Transport and Communications (hereafter - State Road Transport Inspectorate).

5. A licence to engage in local carriage of passengers and carriage by taxi cars shall be issued by the municipal institutions or the institutions authorised by them.

6. The rules for licensing road transport activities shall be approved by the Government.

**Article 9. Classification of Carriage**

1. Carriage shall be divided into national and international carriage.

2. National carriage is carriage by road vehicles in the territory of the Republic of Lithuania.

3. International carriage is carriage when road vehicles cross the state border.

**Article 10. Crew of the Road Vehicle**

1. The crew of a road vehicle shall consist of one or several drivers and other persons assigned by the carrier.

2. The rights and duties of the crew members shall be established by this Code and appropriate passenger and goods carriage rules approved by the Ministry of Transport and Communications.

3. The work and rest of the crew members shall be regulated by the characteristics of work and rest time in road transport approved by Government resolution and other legal acts.

**Article 11. Stations and Stops**

1. Bus stations shall be established in towns and larger settlements for providing passengers with regular, long-distance and international carriage services.

2. The establishment and maintenance of bus stations shall be performed by municipalities.

3. The bus stations use and operation shall be regulated by the Bus Stations Regulations subject to the approval by the Ministry or Transport and Communications.

4. Construction and maintenance, in towns, settlements and on the road, of bus stops for providing services to passengers shall be regulated by the Rules of Carriage of Passengers and their Luggage approved by the Ministry or Transport and Communications.

**Article 12. International Carriage**

The procedure and conditions of international carriage by road transport of passengers and their luggage shall be established by international conventions, treaties between the Republic of Lithuania and other states and relevant rules approved by the Ministry or Transport and Communications.

**CHAPTER THREE**

**ROAD TRANSPORT CONTROL**

**Article 13. Road Transport Control Services**

1. Road transport control is state supervision of carriers' activities seeking to ensure compliance with the requirements set for road transport by laws and other legal acts.

2. Control over road transport activities shall be exercised by:

1) the State Road Transport Inspectorate;

2) control services of municipal institutions or offices authorised by them;

3) other state institutions granted the right of control by laws.

**Article 14. Powers of Road Transport Control Services**

1. The powers of road transport activities control of the State Road Transport Inspectorate shall be defined by this Code, the Passenger Road Transport Control Regulations approved by the Ministry of Transport and Communications and the Regulations of the State Road Transport Inspectorate.

2. Officers of the State Road Transport Inspectorate shall have the right to stop commercial and passenger vehicles, to weigh them, check their measurements, inspect their exterior design, technical condition, regularity of state technical inspection, mandatory documents of the crew as well as documents required for the carriage of passengers, luggage and goods, including passenger and luggage tickets and bills of lading. The above-mentioned officers shall also be authorised to check compliance with the driving and rest regimen prescribed for the crew.

3. The powers of road transport activities control services of municipal institutions or the institutions authorised by them shall be defined by this Code, the Passenger Road Transport Control Regulations as well as the regulations of the said services.

4. The officers of the road transport activities control services of municipal institutions or the offices authorised by them shall have the right to stop and inspect, in their territory and in the territory of the neighbouring municipalities, taxi cars and passenger vehicles operating on internal and long-distance routes as well as the documents of the crew of the vehicles and documents mandatory for the carriage of passengers and luggage, including passenger and luggage tickets, and compliance with the work and rest regimen by the crews.

5. Other institutions which control road transport activities shall operate according to their powers.

**CHAPTER FOUR**

**STATE CHARGES AND RATES**

**Article 15. State Charges**

State charges of the set amount shall be payable for vehicle registration, issuance of documents, licences for engaging in passenger and goods carriage.

**Article 16. Fares**

1. The fares for the provision of regular services along long-distance routes shall be set by the carrier upon agreeing the maximum amount thereof with the State Prices and Energy Control Commission.

2. The fares for the regular services along local routes shall be set by municipal councils.

3. Other fares for the carriage of passengers and goods shall be set by agreement between the parties. Fare rates for ancillary services connected with passenger and goods carriage shall be set by the service providers, except for the fares specified in paragraph 4 of this Article.

4. At bus stations the fare rates for the carriers shall be set by the service providers after agreeing the maximum fare amounts according to the station categories with the State Prices and Energy Control Commission. The bus stations shall apply equal service rates with respect to all carriers.

**CHAPTER FIVE**

**PASSENGER AND LUGGAGE CARRIAGE**

**Article 17. Passengers, Luggage and Parcels**

1. The passenger is a natural person using a vehicle under contract or on other legal grounds.

2. Luggage means the passenger's belongings which he carries by vehicle.

3. Parcels means things or goods which a natural or legal person sends by a passenger vehicle.

4. The maximum size and weight of luggage and parcels shall be determined by the Rules of Carriage of Passengers and their Luggage.

**Article 171. Organisation of Provision of Public Services**

1. The Government or the institution authorised by it and municipal institutions shall ensure the provision of the necessary passenger road transport services to the public even under the conditions which are not in the carrier's commercial interest. The losses sustained by the carriers due to the provisions of the above-mentioned services shall be compensated in the manner established by the Government or the institution authorised by it. The Government or the institution authorised by it as well as municipal institutions shall select the carriers for the performance of public service obligations on the basis of competition and award the contract for the provision of public services to the successful bidders. Contracts for the supply of public service shall be concluded for a period not exceeding 5 years.

2. A public service contract shall cover notably:

1) the nature of the service to be provided, notably the standards of continuity, regularity, capacity and quality;

2) the price of the service to be provided and details of financial relations between the two parties;

3) the rules concerning amendment and modification of the contract, in particular taking account of unforeseeable changes;

4) the period of validity of the contract;

5) the penalties in the event of failure to comply with the contract.

3. Upon passing a decision to terminate the public service contracts, the Government or the institution authorised by it as well as the municipal institutions must provide for the introduction of an alternative transport service.

**Article 18. Carriage of Passengers**

1. Passengers shall be carried by passenger vehicles manufactured for passenger carriage - buses, trolleybuses, passenger cars, taxi cars. The carriage of passengers shall be regulated by the Rules of Carriage of Passengers and their Luggage and the Regulations for the Carriage of Passengers by Taxi Cars, approved by the Ministry of Transport and Communications.

2. Passengers shall be provided regular, special and occasional transport services along local (urban and suburban), long-distance and international routes.

3. Regular services are services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points according to the timetable and rates set in advance. Regular services shall be organised provided the condition of roads and streets meets the requirements set by the Ministry of Transport and Communications. As of 1 July 2002, passengers shall be provided with regular services of carriage only by buses, trolleybuses and taxi mini-buses.

4. Occasional services are services when groups of passengers previously assembled are brought to their destination and are brought to their place of departure or where the passengers are not brought back to their place of departure and the vehicle returns to the place of departure empty. Groups of passengers previously assembled shall be carried provided that a passenger carriage contract or a passenger waybill is carried on the vehicle. Passenger waybills shall not be required if passenger groups are carried around the city in which the events specified in this Law, Article 2, paragraph 8 are held. The form of the waybills, the procedure for their accounting, ordering, manufacture, technological security, distribution, acquisition, use and destruction shall be established by the Ministry of Transport and Communications.

5. Special services include the carriage of special passenger groups (carriage of workers between home and work, carriage to and from the educational institution for school pupils, etc.).

6. Local (urban) services mean the carriage of passengers within the city territory along the specified street (road) routes.

7. Local (suburban) services shall mean the carriage of passengers within the territory of a municipality (the city municipality not inclusive). In individual cases the route may extend, upon agreement with the State Road Transport Inspectorate, along the territories of two neighbouring municipalities (the territories of city municipalities not inclusive).

8. Carriage of passengers by taxi mini-buses shall mean the carriage of passengers by motor vehicles having, until 31 December 2004, from 6 to 17 seating places, and from 1 January 2005 - by buses having from 10 to 17 seating places, the driver including, and a yellow roof lamp with a taxi sign. Only passengers in seating places shall be carried by taxi mini-buses providing local (urban and suburban) regular services according to the approved timetable. The passengers shall be picked up and set down at the predetermined stopping points or at request at the points where stopping is not prohibited by the Road Traffic Regulations.

9. Long-distance service is the carriage of passengers along specified street and road routes in the territory of the Republic of Lithuania when passengers are carried across the territories of more than two municipalities (the territories of urban municipalities not inclusive).

10. International service is the carriage of passengers along the specified street and road routes crossing the state border.

11. Provision of passengers with regular services shall be subject to authorisation. Authorisation for operating a local service shall be issued by municipal institutions or the offices autorised by them, for operating services along long distance routes or international services - by the Ministry of Transport and Communications or the institutions authorised by it. The conditions for the issue of authorisations shall be set by the Ministry of Transport and Communications.

**Article 19. Contract of Passenger Carriage**

By the contract of passenger carriage the carrier undertakes to provide the passenger with the road carriage service to the point of destination by the vehicle, at the time and along the route specified in his transport ticket or in a certain order, whereas the passenger obligates himself to pay for the carriage a set fare.

**Article 20. Passenger Ticket**

1. A passenger ticket is a document confirming the passenger contract of carriage. Passengers using a regular service shall be required to have passenger tickets.

2. The particulars of the tickets, the procedure for their sale and return shall be established by the Rules of Carriage of Passengers and their Luggage.

**Article 21. Rights and Duties of the Passenger**

1. The passenger shall have the right to:

1) take the seat indicated on the ticket;

2) in the manner prescribed by the Rules of Carriage of Passengers and their Luggage carry free of charge luggage of the specified weight and size;

3) carry free of charge two children who are 7 years of age or younger, if they do not occupy a separate seating place on the buses and trolleybuses providing local (urban and suburban) services as well as buses carrying passengers along long-distance routes;

4) be carried by the same carrier or, by agreement, by another vehicle with the same ticket and to the same point of destination, if the vehicle specified on the ticket cannot be driven for any reason and not be required to pay a surcharge for a more comfortable vehicle, but be paid the difference in the ticket price if the vehicle is replaced by a less comfortable one than that specified on the passenger ticket and, in case of failure by the carrier to provide another vehicle, be paid an appropriate compensation in the manner prescribed by the Rules of Carriage of Passengers and their Luggage;

5) before the start of the journey terminate the contract for passenger and luggage carriage, return the ticket and receive back the amount paid or a part of it in the manner prescribed by the Rules of Carriage of Passengers and their Luggage.

2. The passenger must:

1) pay the fare;

2) possess the ticket and luggage receipt throughout the journey and produce them at the request of the crew or any inspecting officer;

3) comply with the established procedure.

3. Privileges to the users of passenger transport and the procedure of compensation for them shall be established by laws. The persons shall be entitled to the aforementioned privileges upon presenting documents confirming their entitlement.

**Article 22. Rights and Duties of the Crew**

The crew shall have the right to:

1) set down the passengers who refuse to pay the fare;

2) refuse to load or set down at the closest stop of any type passengers who are under the influence of alcohol, wear soiled clothing, carry luggage that is forbidden to transport, or in any other way violate the Rules of Carriage of Passengers and their Luggage;

3) suspend regular bus services under unfavourable road and meteorological conditions or in times of disaster upon notifying the stations indicated in the timetable and the authorising authority thereof.

2. The crew shall:

1) ensure safe carriage of passengers and luggage;

2) carry the crew documents on the vehicle throughout the journey;

3) keep to the valid service and traffic timetables;

4) without breaching the seating capacity limits of the vehicle, pick up the passengers of another carrier if his vehicle broke down along the route or for any other reason cannot deliver the passengers to the stop or station which is the point of destination.

**Article 23. Contracts for Carriage of Passenger Luggage and Small Parcels**

1. By the contract for the carriage of passenger luggage the carrier obligates himself to carry the passenger's luggage to the point of destination indicated on the passenger's ticket or luggage receipt and to issue it to the passenger, whereas the passenger obligates himself to pay the amount specified in the contract.

2. The passenger's ticket or the luggage receipt shall be the document confirming the contract for the carriage of the passenger's luggage.

3. In the contract for the carriage of small parcels the carrier undertakes to carry the parcel to the point of destination specified in the receipt and the sender obligates himself to pay the set amount.

4. The receipt shall be a document confirming the contract for the carriage of small parcels.

**Article 24. Acceptance and Issue of Passengers' Luggage**

1. The passengers' luggage shall be accepted into the vehicle and shall be issued at the point of destination upon producing the luggage receipt or passenger's ticket.

2. The list of goods carriage and storage of which is prohibited shall be established by the Rules of Carriage of Passengers and their Luggage.

**Article 25. Lost Articles**

1. Articles found on the vehicle or in the station territory shall be delivered to the crew or the administration of the bus station.

2. The procedure for keeping and sale of found articles shall be established by the Rules of Carriage of Passengers and their Luggage.

**CHAPTER SIX**

**CARRIAGE OF GOODS AND POST**

**Article 26. Carriage of Goods**

1. Carriage of goods (products, minerals, waste, parcels, containers and other articles) is their transportation by vehicles for reward from the of dispatch by the consignor to the consignee's point of destination.

2. The consignor shall be a natural or legal person who transfers goods for carriage to the consignee specified by him.

3. The consignee shall be a natural or legal person entitled to receive the goods.

4. Carriage of goods shall also mean carriage of goods belonging to the carrier from one point of destination to another point of destination by means of a vehicle belonging to the carrier and on his own account.

5. The procedure and conditions of carriage of goods shall be regulated by the Rules of Carriage of Goods approved by the Ministry of Transport and Communications.

**Article 27. Contract for the Carriage of Goods**

In the contracts for the carriage of goods the carrier shall undertake, upon the receipt of an order, to take over the goods, to offer a vehicle, to carry, in accordance with the consignment note, the goods entrusted to him to the point of destination and to deliver it to the consignee, whereas the consignor undertakes to present the goods and to pay a reward in the amount fixed in they contract for the carriage of the goods.

**Article 28. Order**

1. Order means the consignor's offer to the carrier to provide a necessary vehicle on the terms desired by the consignor for the carriage of goods specified in the order.

2. The way in which the order is put in shall be chosen by the consignor.

3. The following particulars shall be indicated in the order:

1) the name of the consignor of the goods when the consignor is a legal person or the name and surname of the consignor who is a natural person; address;

2) the address of the consignee of the goods when the consignee is a legal person or the name and surname of the consignee who is a natural person; address;

3) addresses of the place of taking over of the goods and the place designated for delivery;

4) name, weight and quantity of the goods;

5) time of provision of the vehicle;

6) time limits of loading, unloading and carriage;

7) special conditions of carriage of goods.

4. The carrier may also request other additional information necessary for the carriage of goods.

5. The order shall be deemed accepted when the carrier gives a notification of acceptance in writing or by other means of communications.

**Article 29. Consignment Note**

1. Consignment note is a document confirming the contract of carriage. The irregularity of the consignment note shall not affect the validity of the contract of carriage.

2. The consignment note shall contain the following particulars:

1) the date of the consignment note and the place at which it is made out;

2) the name of the consignor who is a legal person or the name, surname of the consignor who is a natural person; address;

3) the name of the consignee who is a legal person or the name, surname of the consignee who is a natural person; address;

4) the name and address of the carrier;

5) the type and state registration number of the vehicle provided by the carrier;

6) the name of the goods;

7) the weight or quantity of the goods;

8) the place and date of loading of the goods;

9) the place of unloading of the goods;

10) carriage charges and supplementary charges;

11) in case of carriage of dangerous goods - their class and assigned number.

3. Where applicable, the consignment note shall also contain other particulars relating to the time limit for delivery, declaration of the value of the goods, packaging of the goods or other conditions of carriage. The mandatory particulars of the consignment note shall be specified by the Ministry of Finance.

4. The accounting of consignment notes shall be carried out by the State Tax Inspectorate in the manner prescribed by the Ministry of Finance. The Ministry of Finance may lay down the requirement to use special consignment note forms of certain goods. The procedure for accounting, ordering, manufacture, technological security, distribution, acquisition, use and destruction of special consignment note forms shall be established by the Ministry of Finance.

**Article 30. Handing the Consignment Notes**

1. The consignor shall hand the signed consignment note to the carrier together with the goods.

2. The consignment note shall be made out in three copies. The first copy shall be handed to the consignor, the second shall accompany the goods and the third shall be retained by the carrier. Upon agreement between the parties more copies of the consignment note may also be made out.

3. The carrier shall have the right to require a separate consignment note to be made out for each vehicle used and for each consignment of goods. If goods of the same type are carried along the same distance from one consignor to the same consignee, one consignment note may be made out for the carrier's entire shift, to be supplemented by an additional document of loading and unloading.

**Article 31. Taking over the Goods**

1. At the agreed time the carrier shall provide vehicles for loading the goods while the consignor shall provide the goods.

2. The goods shall be taken over according to their weight or quantity indicated in the consignment note. If defective packaging of goods is noticed when taking over the goods or where the carrier has no reasonable means to check the information given in the consignment note, the carrier shall make a notice to the effect in the consignment note.

3. Should it transpire when taking over the goods that their weight or quantity does not correspond with the particulars entered by the consignor in the consignment note or does not meet the requirements set for the carriage of goods, the carrier may refuse to take over the goods or enter his reservation in the consignment note.

4. The goods shall be deemed to have been taken over after the carrier has received the goods and signed in the consignment note.

5. The consignor shall be responsible for the correctness of the statements in the consignment note as regards the goods. The consignor is bound to compensate for the losses sustained by the carrier or third persons due to incorrect, inaccurate or incomplete statements.

**Article 32. Loading and Unloading of Goods**

1. Unless otherwise specified in the contract, the goods shall be loaded by the consignor and unloaded by the consignee. The carrier shall check whether the fastening and stowage of the goods meets the road safety requirements and other terms and conditions of carriage of goods.

2. The devices required for fastening the goods, which belong to the consignor shall be delivered to the consignee together with the goods or, following the consignor's instruction given in the consignment note, the carrier shall deliver the fastenings to the consignor on the latter's account.

**Article 33. Time Limits of Loading, Carriage and Unloading of Goods**

1. Time limits of loading, carriage and unloading of goods shall be set by agreement between the parties.

2. The carrier must deliver the goods to the place designated for delivery at the time set in the contract.

3. Where such time limit is not set, the goods must be delivered to the consignee within the reasonable time normally accepted for such type of carriage.

**Article 34. Redirecting Goods**

When goods are still in transit, the consignor may, without changing the point of destination, change the consignee indicated in the consignment note. The procedure for changing the consignee shall be laid down in the Rules for the Carriage of Goods. The carrier shall comply with the consignor's instructions only provided the goods have not yet been delivered to the consignee indicated in the consignment note.

**Article 35. Delivery of Goods to the Consignee**

1. Having brought the goods to the place designated for delivery, the carrier shall deliver to the consignee the goods and the accompanying second copy of the consignment note.

2. The goods shall be deemed delivered from the moment the consignee signs the consignment note.

3. Taking delivery of the goods, the consignee shall check the weight of quantity, packing, condition of the goods. Upon establishing deficiencies or damage, the consignee shall enter a notice to the effect in the consignment note or a separate document. Should a dispute arise while determining the amount of deficiencies or damage, an expert may be called.

4. The consignee may refuse to take delivery of the goods if, after damage caused to them, the goods may not be used for their purpose.

5. If the consignee refuses to take delivery of the goods or where the consignee is not indicated in the consignment note, the carrier shall notify the consignor thereof. Having been issued no instructions by the consignor, the carrier shall bring the goods back to the consignor or may accept the goods for temporary storage for account of the consignor.

**Article 36. Marking and Packing of Goods**

1. According to their technical conditions and standards, the goods must be prepared, packed and marked in the appropriate manner so as not to endanger during their carriage the crew, third persons, the environment, the goods carried or the vehicles.

2. The goods shall be marked in the manner prescribed by road traffic rules and other regulations.

**Article 37. Carriage of Dangerous Goods**

1. International carriage of dangerous goods shall be effected according to 1957 European Agreement concerning the International Carriage of Goods by Road (ADR).

2. In the Republic of Lithuania the carriage of dangerous goods by road shall be regulated by the laws of the Republic of Lithuania, resolutions of the Government of the Republic of Lithuania and other legal acts.

**Article 38. Carriage of Goods Effected on own Account**

1. When carrying his own goods by his own vehicle on his own account, the carrier must have a consignment note or any other document certifying that he is carrying his own goods.

2. The consignment note made out for the carried goods shall contain the following particulars:

1) the date of the consignment note and the place at which it was made out;

2) the name and address of the consignor;

3) the name of the goods;

4) the weight or quantity of goods;

5) the place of loading of the goods;

6) the place of unloading of the goods;

7) the brand and state registration number of the vehicle;

8) the signature and stamp of the carrier;

9) in the case of dangerous goods, their class and assigned number.

3. When carrying the goods on own account, the carrier shall comply with the driving and rest regimen, other legal acts regulating carriage of goods.

4. Carrying the goods on own account, the consignor's and consignee's rights, duties and liability shall lie with the carrier.

**Article 39. International Carriage of Goods**

1. The relations pertaining to international carriage of goods for reward shall be regulated by 1956 Geneva Convention on the Contract for the International Carriage of Goods by Road.

2. International carriage of goods on own account shall be regulated by international agreements.

**Article 40. Contract for Carriage of Post, Consignments with Documents**

1. Under the contract for the carriage of post, consignments with documents the carrier undertakes to carry post, consignment with documents taken over by him to the place assigned for delivery and to deliver the goods to the consignee, whereas the consignor obligates himself to pay a reward specified in the contract for the carriage of post, consignments with documents.

2. The procedure of handing over for carriage post, consignments with documents shall be specified in the contracts of postal service providers and carriers.

**Article 41. Carriage of Goods under the Contract of Forwarding**

1. Under the contract of forwarding the consignor or consignee of the goods may instruct the forwarding agent to perform actions relating to consignment and taking over of the goods.

2. The activities of forwarding shall be regulated by law.

**CHAPTER SEVEN**

**LIABILITY**

**Article 42. Liability for Damage to the Passenger's Health or Damage Resulting from Loss of Life**

1. The carrier shall be liable for damage caused to the passenger's health or for damage resulting from loss of life in the course of carriage, unless there is evidence that the damage was caused through the passenger's fault.

2. The carrier having control over the major source of danger must compensate the passenger for the damage caused by the major source of danger unless there is proof that the damage was caused by *force majeure* or due to the intent or gross negligence of the injured person.

3. The carrier shall be liable for the damage caused to the passenger while in the vehicle or getting into or getting out of it, regardless of whether or not the vehicle effected carriage.

**Article 43. Compensation for the Damage Caused to the Passenger's Health or Life**

Damage caused to the passenger's health or life in the course of carriage shall be compensated in accordance with the Civil Code. A higher degree of liability than that prescribed by law may be established upon agreement between the parties.

**Article 44. Liability for Damage Caused to Crew Member's Health or for Damage Resulting from Loss of Life of Vehicle Crew Member**

1. The carrier shall be liable for the damage caused to the health or life of the vehicle crew member. The damage shall be compensated for according to the procedure established by the Law on Labour Protection.

2. The share of damage that is not subject to compensation under the above laws shall be compensated by the user of the vehicle according to the Civil Code.

**Article** **45. Liability for Total or Partial Loss of or Damage to the Goods or Luggage**

1. Having taken over in the prescribed manner the goods or luggage from the consignor, the carrier shall be liable from the moment the goods or luggage were accepted for carriage until the moment of delivery thereof for the damage caused due to the total or partial loss of or damage to the goods or luggage, unless there is evidence that the damage was caused through no fault of the carrier.

2. Carriage shall mean the time period when the goods or luggage were in the carrier's custody, regardless of whether in the vehicle, station, storage or any other place.

3. If the carrier performed the loading, transhipment or transfer of the goods or luggage accepted for carriage, the damage caused in the process shall be considered as having been caused during carriage.

4. Failure to deliver the goods or luggage to the place assigned for delivery within the set time limit shall be considered as loss thereof; reduction in the amount or quantity of the goods or luggage shall be considered as partial loss thereof; deterioration in the qualitative condition of the goods or luggage shall be viewed as damage caused thereto.

**Article** **46. Determining the Extent of Liability**

1. The carrier shall compensate, in the amount of the declared property value, for the damage caused to the goods or luggage, the value whereof has been declared and charges have paid by the passenger or consignor, unless there is proof that the amount exceeds the actual amount of damage caused to the passenger or consignor.

2. If the value of the goods or luggage has not been declared and charges have been paid, the carrier shall be liable for compensation: in respect of total or partial loss of property in the amount equal to the value of totally or partially lost property or, in case of damage to goods, luggage or postal parcel - in the amount by which the property has diminished in value.

3. The carrier shall be liable for the passenger's hand luggage only if the luggage has been lost or damaged in a road accident involving the vehicle, provided the passenger or the person entitled to compensation for damage presents proof of the possessed and lost luggage and of its value.

4. Unless otherwise provided in the contract, the value of the goods shall be fixed at the place at which they were accepted for carriage according to the commodity exchange price or current market price or, where there is no such price, by reference to normal value of goods of the same kind and quality.

5. Compensation for the lost goods or loss of part of the consignments may not exceed the maximum amount of compensation set in 1956 Geneva Convention on the Contract for the International Carriage of Goods by Road.

6. By agreement between the parties a higher value that the actual value of the goods may be fixed when accepting the goods for carriage.

**Article 47. Liability for Delay in the Carriage of Passenger, Luggage, Goods or Postal Parcel**

1. The carrier who fails to deliver the passenger, luggage or goods within the agreed time limit (except for provision of urban or suburban passenger services) must compensate the passenger, sender or consignee of the goods or post, documents for the losses incurred as a result of the carrier's failure to comply with the agreed time limit, unless the contract provides for the payment of penalty. Income not received shall not be compensated for.

2. Delay in delivery shall not be considered to have occurred if the carrier was prevented from performing his obligation by a case of *force majeure*, an attempt to eliminate a breakdown of the vehicle posing a risk to the life and health of passengers or other circumstances beyond the carrier's control.

**Article 48. Liability of Several Carriers**

In case of total or partial loss of the goods or damage to the goods through the fault of several carriers, the carrier with whom the contract of carriage has been concluded shall be liable to compensate the consignor or consignee of the goods for the damage caused. Having compensated for the damage, the carrier shall be entitled to claim compensation from other carriers.

**Article 49. Liability for Damage Caused by Vehicle Collision**

1. Damage caused to the passenger, luggage, goods or postal parcel in the event of vehicle collision shall be compensated for by the user of the vehicle through the fault whereof the collision occurred.

2. If damage is caused in a collision of several vehicles which occurred through the fault of several users of vehicles, they shall be jointly and severally liable for the damage caused to the injured party. The extent of the carrier's liability shall be established taking into account the character of the committed violations.

**Article 50. Liability for Damage Caused to Third Persons**

Damage caused by road vehicles to third persons or their property shall be compensated by the carrier through whose fault the damage occurred. The amount of damage and the procedure of compensation for it shall be established by the Civil Code.

**Article 51. Relieving of Liability or Reducing the Extent of Liability**

1. The carrier shall be relieved of liability for total or partial loss of or damage to the luggage, goods or postal parcel, unless there is proof that all necessary measures have been taken to avoid damage or that he could not apply such measures. If the carrier proves that damage was caused or influenced or increased by the acts of the consignor or consignee of the goods, taking into account the person's culpability, the extent of liability may be reduced or the carrier may be relieved of liability.

2. The carrier shall be relieved of liability for total or partial loss of or damage to the goods if the consignor (consignee) fails to prove his fault in the following circumstances:

1) the goods are delivered by a vehicle without mechanical defects and with the consignor's seals intact or there is no insufficiency or inadequacy of the consignor's or producer's security markings, seals on the delivered packages;

2) there is partial loss of or damage to the goods due to natural causes through the carriage of goods by vehicles (desiccation, rust, wastage, etc.);

3) the goods have been accompanied by the consignor's or consignee's agent;

4) partial loss of the goods does not exceed natural wastage rates or allowable error limits of measuring devices applicable in cases of carriage of goods by road vehicles.

**Article 52. Invalidity of Agreement on Relieving of Liability for the Damage Caused**

An agreement between the carrier and the passenger, consignor or consignee of goods or luggage on relieving the carrier of liability for the damage caused or limiting the liability shall be invalid. Invalidity of such agreement shall not invalidate the contract of carriage.

**Article 53. Liability for Vehicle Idle Time**

The parties may impose penalties for vehicle idle time owing to delay in loading or unloading or due to failure of execution or timely presentation of documents related to carriage and other violations resulting in vehicle idle time. Penalties shall be imposed in writing.

**Article 54. Liability for Damage Caused to the Carrier**

Passengers, consignors and consignees of goods shall compensate the damage caused to the carrier in accordance with the Civil Code.

**Article 55. Liability for Violations of Road Transport Rules and Regulations**

Violation of regulations of safe carriage of passengers, luggage and goods as well as other road transport rules and regulations shall render the person liable under the laws of the Republic of Lithuania.

**Article 56. Claims and Actions**

1. Actions for claims arising out of contract of carriage shall be brought in court. Before bringing an action, the plaintiff may file a claim against the carrier. The carrier shall notify of the satisfaction of the claim or refusal to satisfy the claim within one months from the receipt thereof. In case no response is received within the above time limit, the carrier shall be deemed not to have met the claim.

2. The period of limitation for an action arising out of contract of carriage shall be two years. The filing of a claim shall suspend the period of limitation for one month.

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC ALGIRDAS BRAZAUSKAS