

Ridesharing in the light of private and public law

Abstract

The diploma thesis deals with the legal regulation of ridesharing in the Czech Republic. For the purposes of thesis, ridesharing is defined as any carriage of several natural persons within one car. The thesis analyzes and evaluates the legal aspects of the most common forms of ridesharing, namely carpooling characterized by non-commercial sharing of empty seats in a car and commercial carriage of persons represented by a taxi service. The legal issue of transport applications and carriage of persons, which is realized through them, is also addressed. In order to fulfill the aim of the thesis, it was necessary to analyze pieces of legislation both of public and private law.

The first part shows the different usage and meaning of term ridesharing as well as traditional forms of ridesharing. For easier orientation, the relevant legal regulation concerning road passenger transport is also presented.

The second part is dedicated to carpooling. The possible legal relationship between persons who participate in carpooling is analyzed in detail. Emphasis is placed on possible contracts which passengers can enter into, especially the contract for the carriage of a person and the mandate contract. The thesis highlights the differences in the rights and duties that individual contractual regimes can bring. As far as public law is concerned, the thesis examines which legislation applies to carpooling and under what conditions.

In the third part, the legal differences that taxi service as the commercial carriage of persons can bring are highlighted. Emphasis is placed on pieces of legislation of public law, especially on the Road Transport Act, including its approved amendment. Price regulations and regulations concerning road traffic are not neglected either. In regard to private law, the changes that are brought by the current Czech Civil Code into the legal relationship between the carrier who is an entrepreneur, and the passenger are examined.

The fourth part briefly discusses transport applications and the phenomenon of the so-called sharing economy. The carriage of persons realized through transport applications is legally qualified based on the previous parts.