

Law on Amendments of the Law on Transport Agreements in Road Traffic

Article 1

In the Law on Transport Agreements in Road Traffic ("Official Gazette of Montenegro", number 53/09) in Article 4 after item 15, three new items are being added which read as follows:

"16) the delay is the difference between the time of departure of the bus determined by the transport schedule and its real departure in the line transport of passengers;

17) the cancellation is the non-performance of the transport of passengers in accordance with the transport schedule in the line transport of passengers;

18) the ticket with the open date of travel is the transport ticket which makes possible that the passenger subsequently makes a reservation of the date of travel".

Article 2

After Article 7, a new Article is added which reads as follows:

"Transport of disabled persons

Article 7a

(1) The Carrier shall not refuse the issuance of the reservation and the travel ticket and the transport of disabled persons.

(2) Exceptionally from paragraph 1 of this Article, the Carrier may refuse to issue the reservation and travel ticket and to transport the disabled person in case the vehicle doesn't suit with its construction for a simple and safe entrance, exit and transport of disabled person.

(3) The disabled person may be accompanied by the person who shall offer to him/her the necessary help when entering, exiting and transport.

(4) For the accompanying person from paragraph 3 of this Article the transport is free of charge and he/she shall be provided the seat next to the disabled person should the vehicle construction allow this."

Article 3

Article 13 is being amended and it reads as follows:

"(1) If the transport doesn't start at the time determined by the transport schedule or agreement, the passenger i.e. the party ordering the transport may waive the passenger transport agreement and may request the refund of the transportation fee in full amount from the Carrier.

(2) If the line transport of the passengers is cancelled or in delay in departure from the bus station for more than 120 minutes or if the Carrier expects that the line transport shall be cancelled or be in delay in departure from the bus station for more than 120 minutes, the Carrier has the obligation to offer to the passenger the alternative transport to the point of destination or to return the transportation fee in full amount and transport free of charge the passenger to the first alternative point of departure.

(3) The Carrier has the obligation to pay the fee from paragraph 1 and 2 of this Article within 14 days from the day of submitting the indemnity request.

(4) In case the Carrier doesn't act in accordance with paragraph 2 of this Article, the passenger is entitled to indemnity in the amount of 50% of the ticket price with the refund of the transportation fee in full amount.

(5) The Carrier has the obligation to pay the indemnity and fee from paragraph 4 of this Article within 30 days from the date of submitting the indemnity request."

Article 4

After Article 13, a new Article is being added which reads as follows:

"Obligations of the Carrier in case of cancellation or delay

Article 13a

(1) For the travelling time lasting more than three hours, in case of cancelling or delaying the transport on departure from the bus station for more than 90 minutes, the Carrier has the obligation to provide free of charge to the passengers as follows:

- meals and refreshing drinks;
- hotel or other accommodation and assistance in organizing the transport between the bus station and the accommodation place in case when the stay is necessary for one or more nights.

(2) In case when the weather conditions or bigger hazardous weather have been the cause for cancellation or delay of transport from paragraph 1 of this Article, the Carrier doesn't have the obligation to act in accordance with paragraph 1 indent 2 of this Article.

(3) In case from paragraph 1 indent 2 of this Article, the Carrier may limit the total expenses of accommodation to the amount of 80 euro per night for each passenger maximum for two nights.

(4) the obligations of the Carrier from Article 13 paragraph 2 of this Law and paragraph 1 of this Article don't apply for the passengers who have the tickets with the open date of travel."

Article 5

In Article 15, after paragraph 4, two new paragraphs are added which read as follows:

"(5) In case of trip interruption due to traffic accident, the Carrier has the obligation to provide to the passengers the appropriate accommodation, food, clothes, transport and first aid assistance.

(6) In case from paragraph 5 of this Article, the Carrier may limit the total expenses of accommodation to the amount of 80 euro per night for each passenger for maximum two nights."

Article 6

In Article 23 after paragraph 4, the new paragraph is being added which reads as follows:

"(5) The Carrier responds for the damage caused due to the loss or damage of the equipment of disabled person (wheelchair and other equipment for movement), up to the amount of expenses for the acquisition of lost equipment or repair of the damaged equipment."

Article 7

This Law becomes effective on the eighth day from the day of its publishing in the "Official Gazette of Montenegro".

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Podgorica, 9th July 2013

The Parliament of Montenegro of 25th calling

Chairman,
Ranko Krivokapić, m.p.