HIGHWAY TRANSPORTATION LAW

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PART 1
Preliminary Provisions

CHAPTER 1
Objective, Scope and Definitions

Objective
ARTICLE 1 –
The objective of this Law is to regulate road transport activities in accordance with the needs of the national economy, to ensure order and safety in transportation, to determine the conditions applicable to carriers, agencies, freight forwarding agents, warehouse and cargo operators and similar service providers; to define the qualifications, rights and responsibilities of persons employed in transportation activities; and to ensure that road transport services operate in an integrated and complementary manner with other modes of transport, thereby enabling the more efficient use of existing resources.

Scope
ARTICLE 2 –
This Law covers the carriage of passengers and goods by motor vehicles on public roads, the carriers, transport agencies, freight forwarding agents, warehouse and cargo operators, persons working in transport services, and all types of vehicles, equipment, structures and similar elements used in transportation.

However, the provisions of this Law shall not apply to transportation carried out by private automobiles and their trailers; transportation by vehicles belonging to general and annexed budgeted administrations, provincial special administrations, municipalities, universities, and state economic enterprises; transportation by motor vehicles and trailers owned by the Turkish Armed Forces, the Gendarmerie General Command, the Coast Guard Command, and the General Directorate of Security; and transportation by trailers towed by rubber-wheeled tractors.

The regulation of intra-provincial and short-distance intercity transportation (up to 100 kilometers) may be delegated to governorates in coordination with provincial and district traffic commissions. Urban transportation may be delegated to municipalities, in accordance with the regulations to be issued under this Law..

The provisions to be applied under international agreements, as well as in times of war, state of emergency and natural disasters, shall remain applicable.

Definitions
ARTICLE 3 –
In the context of this Law:

Ministry: Refers to the Ministry of Transport.

Transportation services: Include carriage, agency, freight forwarding, freight warehouse operations, and cargo handling.

Transportation service operator: Refers to carriers, agents, freight forwarders, warehouse and cargo operators engaged in transportation services.

Liability insurance: Refers to the compulsory motor third-party liability insurance defined under the Highway Traffic Law No. 2918.

Transportation: Refers to the carriage of passengers from the point of boarding or goods from the point it is delivered to the carrier to the point of destination.

Carrier: A natural or legal person holding a transportation authorization certificate and undertaking transportation on their own behalf for a fee.

Goods (freight): Any animate or inanimate object other than human beings that can be transported.

Departure point: The location where the passenger boards the vehicle or the goods are delivered to the carrier.

Destination point: The location stated on the passenger ticket or consignment note to which the passenger or goods are intended to be transported.

Sender: The person who delivers the goods to the carrier, designates the recipient, and signs the consignment note.

Recipient: The person to whom the goods are to be delivered as indicated on the waybill, transport invoice, or consignment note.

Agent: A person, not acting as a commercial representative, proxy, sales clerk, or employee, who engages in the profession of intermediating contracts relating to one or more carriers within a certain place or region under a contract, and concludes transportation contracts on their behalf.

Freight forwarder: A person who undertakes, as a profession and for remuneration, to have goods transported in their own name but on behalf of a principal.

Freight warehouse: A facility where goods from one or more consignors are received for the purpose of loading, unloading, storage, stacking, transshipment, and delivery under the supervision and control of the operator.

Freight warehouse operator: A person who has the right to use an independent workplace, takes delivery of goods, performs services such as loading, unloading, storage, stacking, transshipment, and delivery under their own supervision and control, and undertakes the responsibility arising therefrom, whether by transporting the goods themselves or having them transported.

Cargo: Small-sized packages, crates, or parcels typically packaged and weighing no more than one hundred (100) kilograms per item.

Cargo operator: A person who has the right to use an independent workplace, takes delivery of cargo, performs services such as loading, unloading, storage, stacking, transshipment, and delivery under their own supervision and control, and undertakes the responsibility arising therefrom, whether by transporting the cargo themselves or having it transported.

Passenger: Persons in the vehicle other than the driver and staff.

Dangerous goods: Goods considered hazardous as defined in the regulations to be issued under this Law.

Piece-based transportation: The transportation of goods belonging to one or more consignors and consigned to one or more recipients.

Passenger ticket: A mandatory document to be issued to the passenger, containing the obligation to transport the passenger, and including the format and conditions stipulated in the relevant regulations.

Intercity transportation: Transportation starting from any location or settlement within a province and ending at any location or settlement in another province.

International transportation: Transportation performed by road either from or to Turkey; in transit through Turkey; or from Turkey to third countries by road after arrival via sea, rail, or air.

Regular service: Transportation carried out between designated settlements along a specified route at predetermined times and according to a fixed fare schedule.

Occasional service (charter): Non-scheduled transportation involving round trips for a specific group of passengers, or trips with one leg operated with or without passengers.

Shuttle service: Transportation of pre-grouped passengers between the same departure and destination points across multiple trips.

Carrier's Liability
ARTICLE 6 –
The carriage of passengers and goods shall be conducted in accordance with the laws and the contracts concluded between the carrier and the passenger or the consignor. No passenger may be transported without a ticket or transportation contract; similarly, no goods may be transported without a consignment note.

The carrier shall be jointly and severally liable for the activities and transactions carried out by its agency within the scope of this Law in its capacity as an agent.

The carrier shall be responsible for the safe transportation of passengers and goods. Passengers and consignors are also obliged to comply with the safety measures taken by the carrier.

The carrier shall comply with the provisions of the legislation enacted for the purpose of preventing environmental pollution and protecting human and environmental health.

Obligations of the Carrier
ARTICLE 7 –
The carrier is obliged to take all necessary measures to ensure that passengers travel in a healthy, comfortable, and safe manner, and to transport passengers and goods to the destinations undertaken.

The carrier must exercise due care and diligence to dispatch vehicles that comply with the relevant legislative provisions, to provide qualified drivers and service personnel for the journey, to verify the possession of valid driver's licenses, to prevent vehicles that do not meet technical standards from entering into traffic, to assign a sufficient number of drivers in consideration of the route distance, and to prohibit the operation of vehicles that do not have vehicle cards or the liability insurance required under this Law.

In cases where unforeseen circumstances—such as road infrastructure, operations, traffic, natural disasters, weather conditions, mechanical failures, or accidents—prevent the continuation of transportation and result in either an indefinite delay or a delay exceeding twice the time normally required to reach the destination, the carrier shall, if possible, complete the transportation by following an alternative route. If continuation is not possible, the carrier shall, upon the passenger's request, transport them to another location on the route or return them and the goods to the point of departure.

In such cases, all rights of the passenger and the consignor shall be reserved, and carriers shall not demand any additional payment or similar compensation.

The provisions of the consignment note shall apply in respect of the carriage of goods.

Carriers shall request and review information on driver demerit points from the General Directorate of Security at six-month intervals and take appropriate internal audit and training measures for high-risk drivers.