

FEDERAL STATE-FUNDED EDUCATIONAL INSTITUTION OF HIGHER  
EDUCATION  
RUSSIAN PRESIDENTIAL ACADEMY OF NATIONAL ECONOMY AND  
PUBLIC ADMINISTRATION

*Preprint*



**ULYANA ALEXANDROVNA SKVARKO**

**THE SYSTEM OF CONTRACTS FOR THE TRANSPORTATION OF INDIVIDUALS  
BY MOTOR VEHICLES USING DIGITAL SERVICES IN THE RUSSIAN  
FEDERATION**

Specialty 5.1.3 – Private Law (Civil Law) Sciences

**Abstract**

of the dissertation for the degree of Candidate of Legal Sciences

**Scientific Supervisor**  
Tatyana Nikolaevna Ivanova  
Candidate of Legal Sciences,  
Associate Professor

Moscow, 2025

**Relevance of the Research Topic.** Global transport digitalization determines the technological sovereignty of the state, which in turn defines strategic directions of national policy. In particular, a digital transformation of the transport sector is underway, with the accelerated implementation of new technologies<sup>1</sup>. A digital transport infrastructure is being formed, and the scope of application of digital services is expanding<sup>2</sup>. The integration of «mobility as a service» (MaaS) digital services into transport activities facilitates the introduction of «new business models in the market» and prompts «a rethinking of the role of the state as a dominant subject in the transport services sector»<sup>3</sup>. The projected monetary volume of these new digital services is expected to grow annually by 15% through 2030<sup>4</sup>. In this context, «on-demand transportation» services are developing rapidly. Alternative modes of passenger transportation by motor vehicle – such as carsharing, peer-to-peer carsharing, and carpooling – are gaining popularity. At the same time, there is no consensus at either the legislative or doctrinal level regarding the legal nature of these emerging legal relationships.

At the same time, the legislator has introduced an independent subject into passenger transportation by taxi – the taxi ordering service – along with two contractual frameworks aimed at organizing transport-related relations: the contract between the taxi ordering service and the taxi carrier, and the contract for ensuring the performance of activities related to the transportation of passengers and luggage by taxi. However, these legislative innovations also remain insufficiently studied and require further research to uncover their legal nature and impact on transport activities.

---

<sup>1</sup> On the Transport Strategy of the Russian Federation until 2030 with a forecast period until 2035: Decree of the Government of the Russian Federation dated November 27, 2021 No. 3363-r // Collection of Legislation of the Russian Federation. 2021. No. 50, Part IV, Article 8613.

<sup>2</sup> On the Approval of the Strategic Direction for the Digital Transformation of the Transport Sector of the Russian Federation until 2030: Decree of the Government of the Russian Federation dated November 3, 2023 No. 3097-r // Collection of Legislation of the Russian Federation. 2023. No. 46, Article 8274.

<sup>3</sup> On the Transport Strategy of the Russian Federation until 2030 with a forecast period until 2035: Decree of the Government of the Russian Federation dated November 27, 2021 No. 3363-r // Collection of Legislation of the Russian Federation. 2021. No. 50, Part IV, Article 8613.

<sup>4</sup> On the Approval of the Strategy for the Development of the Automotive Industry of the Russian Federation until 2035: Decree of the Government of the Russian Federation dated December 28, 2022 No. 4261-r // Collection of Legislation of the Russian Federation. 2023. No. 1, Part III, Article 422.

Given these circumstances, the practical implementation of the strategic goals and objectives of the state in the road transport sector gives rise to numerous doctrinal issues. A comprehensive study of the emerging contractual legal relations will make it possible to structure the system of contracts governing the movement of individuals by motor vehicle using digital services, identifying missing elements within this system and clarifying the purpose of each legal construction. The classification of a contractual relationship as part of this system influences the specific features of its legal regulation. This task first requires a rethinking of the participants involved in transport relations and of the concept of «transport activity», as well as the identification of criteria for classifying a contract as a transport contract. It is necessary to determine the legal essence of the newly designated contracts – the contract between the taxi ordering service and the taxi carrier, and the contract for ensuring the performance of taxi passenger and luggage transportation. Furthermore, it is essential to define the legal nature of contractual models that mediate legal relations within the frameworks of carpooling, carsharing, peer-to-peer carsharing, and on-demand transportation services.

Thus, the study of the system of contracts governing the transportation of individuals by motor vehicles using digital services is significant for the development of scholarly knowledge on transport-related activities. Identifying the nature of emerging legal relationships affects the quality and safety of transportation and is an essential element in the development of judicial practice and the creation of legal regulations that consider the interests of the state, business, and consumers.

**Degree of Scientific Development of the Research Topic.** The doctrinal analysis of transport legal relations aimed at satisfying the needs of individuals – consumers – under the conditions of global digitalization remains fragmented. Issues related to the legal regulation of the digital transformation of the transport sector and its reform, the analysis of legal constructions such as carsharing and carpooling, the legal nature of organizational agreements, as well as

the classification and systematization of transport contracts, are addressed in the textbook «Current Problems of Transport Law» edited by A.V. Gabov and S.Yu. Morozov (Moscow, 2023). At the same time, T.N. Ivanova, in her monographs «Essays on Transport Law» (Moscow, 2021) and «Transport Law and Legislation: Content and Prospects for Development» (Moscow, 2022), analyzes the legal foundations of the activities of aggregator owners in the transport sphere and the impact of the sharing economy on transport legal relations. Among the scholars focusing on the legal regulation of the activities of owners (operators) of digital services, special mention should be made of V.A. Vaipan, M.A. Rozhkova, N.A. Dorokhova, L.A. Chegovadze, A.A. Ivanov, S.A. Dolgov, S.A. Krasnova, E.L. Sidorenko, E.D. Suvorov, V.A. Belov, T.V. Deryugina, S.M. Mironova, D.V. Kozhemyakin, and others. Legal relationships arising in the context of carsharing have been explored in the works of S.A. Muratova, Yu.N. Boyarskaya, T.A. Bubnovskaya, Yu.B. Suvorov, S.R. Deryugina, I.V. Pogodina, K.B. Koraev, and others. The legal essence of carpooling has been studied by M.A. Rozhkova, A.I. Bychkov, T.A. Bubnovskaya, A.A. Zatolokin, S.R. Deryugina, and others. Contractual regulation of joint activities by service providers involved in the transportation of passengers and luggage, as well as specific issues related to the implementation of “transport sharing contracts,” has been addressed in the dissertation research of D.S. Fedotova. The system of organizational transport contracts was examined by S.Yu. Morozov in his doctoral dissertation. In his dissertation, V.V. Toshchenko systematized contracts for taxi transportation by motor vehicle. Nevertheless, the fragmented nature of the analysis demonstrates the absence of a systematic approach within private law doctrine to the contractual legal relationships concerning the transportation of individuals by motor vehicle using digital services. This also highlights the insufficient degree of scientific elaboration of the current research topic.

**The Object of the Dissertation Research** is the legal relationships arising between the owners (operators) of digital services and/or carriers and/or vehicle owners and/or consumers (passengers, charterers, etc.) in the process of

concluding, executing, amending, and terminating contracts that govern the transportation of individuals by motor vehicle. **The Subject of the Research** consists of domestic legal norms regulating legal relationships in the field of transporting individuals by motor vehicle using digital services, as well as the Russian doctrine of civil, business, and transport law, judicial practice in the Russian Federation related to the application of the studied legal norms, and the practice of contract work in the researched field.

**Purpose and Objectives of the Research.** The purpose of the research is to solve a scientific problem – namely, the development of a comprehensive understanding of the system of contracts governing the transportation of individuals by motor vehicle using digital services in the Russian Federation.

To achieve this goal, the following objectives were formulated and addressed: to analyze the features of the activities of digital service owners (operators) in the motor transport sector; to structure the system of contracts governing the transportation of individuals by motor vehicle using digital services; to analyze the foundations of state regulation of activities related to the transportation of individuals by motor vehicle; to determine the structure of contractual legal relationships in the context of carsharing and peer-to-peer carsharing; to analyze the features of contractual legal relationships in on-demand transportation services; to identify the legal nature of legal relationships between individuals within carpooling; to define the legal essence of the contractual relationship between a taxi ordering service and a taxi carrier; to establish the specific characteristics of legal relationships related to ensuring the provision of passenger transportation services by taxi.

**Methodological Framework of the Research** includes general scientific methods such as analogy, induction and deduction, analysis and synthesis, generalization, and abstraction.

The central place in the dissertation is occupied by the systematic approach, which was applied to identify the elements of the contract system governing the

transportation of individuals by motor vehicle using digital services, and to define their properties and interrelationships.

The formal legal method was employed in the study of legal definitions and constructions, clarifying the meaning and significance of legal norms. The comparative legal method was used for the fragmented study of foreign legislation, while the economic analysis method was applied to the examination of specific economic processes and phenomena affecting transport activity.

**The Information Base of the Dissertation** consists of sources and literature, including: 217 sources of Russian academic literature, including monographs, textbooks, teaching aids, articles, dissertations, and abstracts; 37 legal acts of the Russian Federation; 3 foreign legal acts; 5 foreign-language sources; 39 decisions of Russian judicial practice; 7 sources containing statistical materials and relating to electronic resources.

**Scientific Novelty of the Research** lies in the fact that the author is among the first to systematize the contracts related to the transportation of individuals by motor vehicle using digital services. The author has studied a set of «transport sharing contracts» and determined their place within the framework of transport relations. The researcher proposes new legal constructions: the contract for the organization of personal mobility and the contract for joint activity between fellow travelers. The legal nature of relationships in on-demand transportation services has been defined, and a new legal construction has been proposed: the charter contract for the transportation of a passenger and luggage upon request. In addition, the author is among the first to identify the legal nature and content of the contractual relationship between a taxi ordering service and the charterer, as well as the contractual relationship between a person ensuring the operation of passenger transport by taxi and the charterer.

#### **Provisions Submitted for Defense:**

1. It is substantiated that the system of contracts governing the transportation of individuals by motor vehicles using digital services in the Russian Federation consists of two subsystems.

The first subsystem includes agreements directly aimed at transporting an individual from the point of departure to the point of destination via motor vehicles. These include: the contract of carriage of passengers and baggage; the contract of chartering a vehicle for the carriage of passengers and baggage on demand; the contract of chartering a taxi for the carriage of passengers and baggage; the contract of chartering a vehicle for the carriage of a passenger and baggage upon request.

The second subsystem includes agreements aimed at organizing the transportation process using digital services. These include: the contract for organizing the carriage of passengers and baggage by taxi; the contract for ensuring the provision of passenger and baggage transportation services by taxi; the contract for organizing personal mobility; the contract of joint activity among fellow travelers.

*This provision corresponds to clauses 2, 16, and 19 of the passport of scientific specialty 5.1.3 Private Law (Civil Law) Sciences.*

2. It is proposed to introduce into scientific circulation a new legal construction: the «contract for organizing personal mobility», under which the owner (operator) of a digital service undertakes to perform a set of actions aimed at organizing the transportation of an individual using shared motor vehicles through the functionality of the digital service, and the consumer undertakes to comply with the established conditions when using the vehicles and functionality of the digital service.

This contract is characterized as organizational, framework-based, gratuitous, consensual, public, and has features of an adhesion contract.

*This provision corresponds to clauses 2, 7, 16, and 19 of the passport of scientific specialty 5.1.3 Private Law (Civil Law) Sciences.*

3. It is proposed to introduce into scientific circulation a new legal construction: the «contract of chartering a vehicle for the carriage of a passenger and baggage upon request», under which the charterer undertakes to provide a vehicle at a specific time and place for passenger pick-up and transportation to the

destination, and may also reserve a number of seats in public transport. The client (charteree) undertakes to indicate the number of passengers and baggage (if any), territorial boarding and drop-off boundaries along the route, and to pay the fare according to the tariff (with the possibility of including discounted categories of citizens).

This contract is public, bilateral, consensual, onerous, and has features of an adhesion contract.

*This provision corresponds to clauses 2, 7, 16, and 19 of the passport of scientific specialty 5.1.3 Private Law (Civil Law) Sciences.*

4. It is proposed to introduce into scientific circulation a new legal construction: the «contract of joint activity among fellow travelers», under which individuals may share expenses and/or take turns driving the vehicle and/or use a vehicle that belongs to none of them for the purpose of a joint trip to a common destination. The agreement is considered concluded once mutual consent is reached on all essential terms through the functionality of a digital service. The contributions of fellow travelers may include their professional knowledge, skills, abilities, financial resources, as well as the right to temporarily use the vehicle without transferring it into shared ownership.

This contract is organizational, multilateral, consensual, fiduciary, and onerous.

*This provision corresponds to clauses 2, 7, 16, and 19 of the passport of scientific specialty 5.1.3 Private Law (Civil Law) Sciences.*

5. It is demonstrated that the legal relationship between a taxi ordering service and a taxi carrier should be regarded as a «contract for organizing the carriage of passengers and baggage by taxi», under which the parties act jointly to generate profit from subsequent taxi charter contracts. Contributions of the participants include their professional knowledge and skills, business reputation, and the right to use the digital service functionality. The parties do not transfer the rights to engage in professional business activity or to use the taxi vehicles.



This contract is organizational, consensual, multilateral, onerous, and has features of an adhesion contract.

*This provision corresponds to clauses 2, 7, 16, and 19 of the passport of scientific specialty 5.1.3 Private Law (Civil Law) Sciences.*

6. It is substantiated that the agreement on ensuring the provision of passenger and baggage transportation services is an independent type of contract, under which the contractor is obliged to provide the client, for a fee, with a package of rights including temporary possession and use of a taxi, regular medical check-ups, and technical inspection of the vehicle. The client undertakes to use the granted rights independently as intended. The allocation of responsibility for maintenance and repair of the vehicle should be excluded from the essential terms of the agreement.

This contract is synallagmatic, consensual, and onerous.

*This provision corresponds to clauses 2, 7, 16, and 19 of the passport of scientific specialty 5.1.3 Private Law (Civil Law) Sciences.*

**Theoretical significance of the research** lies in the fact that the substantiated propositions form a comprehensive understanding of the impact of digitalization in the transport industry on contractual relations arising from the movement of individuals by motor vehicles, as well as on the accompanying legal relationships. The study presents conclusions on the necessity of systematizing the relevant contracts, including through the author's proposed legal constructs: the contract for chartering a vehicle for passenger and baggage transport on demand; the contract for the organization of personal mobility; and the contract for joint activity of fellow travelers. The research modernizes the scientific understanding of the legal nature of the contractual relations between taxi dispatch services and taxi carriers, as well as the contractual relations involved in ensuring the operation of passenger transport services by taxi. It identifies the influence of digital service owners (operators) on the examined legal relations. The set of conclusions presented is significant for the further development of civil law doctrine and contributes to a holistic academic understanding of transport activities.

**Practical significance of the research** is reflected in the potential use of the conclusions and proposals to improve the provisions of Chapter 40 of the Civil Code of the Russian Federation, the Charter of Motor Transport and Urban Land Electric Transport and other specialized regulatory legal acts governing the relations related to the movement of individuals by motor transport using digital services. The proposed contractual constructs will help fill legal gaps and improve the safety and comfort of transport services for end users.

In addition, the results of the study may also be used in the development of a uniform approach in law enforcement practice by judicial bodies. The classification of the analyzed contractual relations as transport-related, in the absence of their specific legal regulation, will allow the application of the analogy of law.

**Degree of reliability and approbation of the research results.** Certain proposals of the dissertation author have been tested in presentations at the following scientific and practical conferences and congresses: the 10th International Scientific and Practical Conference «Value Foundations of Russian Legal Culture», dedicated to the memory of Professor, Corresponding Member of the Russian Academy of Sciences Gennady Vasilievich Maltsev; the 11th International Scientific and Practical Conference «Law under Global Challenges», also in memory of Professor Maltsev; the 3rd International Scientific and Practical Forum «State Security and Human Well-being: New Strategies and Challenges»; the Volga Legal Congress, dedicated to the 50th anniversary of legal education in the Ulyanovsk region.

**The main theses and results of the dissertation research** have been published by the author in scientific articles, including in journals recommended by the Higher Attestation Commission (VAK) of the Ministry of Science and Higher Education of the Russian Federation: Skvarko U.A. «Problems of Legal Regulation of Motor Freight Transport in the Russian Federation» // Law and Economics, 2021, No. 8, pp. 64–69; Skvarko U.A. «Transport Security Gaps: A Temporary Phenomenon or a Deliberate Policy?» // Law and Economics, 2022,

No. 8, pp. 44–51; Skvarko U.A. «The Legal Nature of Relations Between Taxi Dispatch Services and Taxi Carriers» // *Law and Economics*, 2024, No. 6, pp. 51–55; Skvarko U.A. «Leasing as an Element of Legal Relations in the Provision of Taxi Passenger and Baggage Transport Services» // *Legal World*, 2024, No. 11, pp. 24–27; Skvarko U.A. «Digital Transport Services as an Element of Information Infrastructure» // *Law and Economics*, 2024, No. 12, pp. 48–51; Skvarko U.A. «Features of Legal Regulation in Carpooling Relations» // *Academy of Law*, 2024, No. 1, pp. 61–67; Skvarko U.A. «Legal Issues of Ensuring Safety in Taxi Passenger and Baggage Transport» // *State Security and Human Well-being: in 2 volumes. Volume 1: Monograph / Collective of Authors: N.V. Arieu, K.M. Bobrov, O.E. Buzhenko [et al.]*. — Moscow: Delo Publishing House, RANEPa, 2024. pp. 83–93.

**The structure of the research** is determined by its subject, goal, and objectives. The work consists of an introduction, three chapters, a conclusion, and a bibliography. The first and second chapters contain three sections each, while the third chapter includes two sections.