

Administrative And Legal Methods Of Ensuring Road Safety In The Republic Of Uzbekistan

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Abstract – The article analyzes the issues of ensuring safe road traffic in the Republic of Uzbekistan on the basis of studying the norms of national legislation, opinions of domestic and foreign scientists. It is noted that road safety today is one of the strategic tasks of the republic. Further development and improvement of road safety in the country, regulation of relations in this area, suggest the need to improve legal and organizational measures to ensure road safety. On the basis of the study, scientifically grounded proposals and recommendations were formulated aimed at improving this area.

Keywords – Road Safety, Emergency Situations, Road Users, Road Traffic Accidents.

In the Republic of Uzbekistan, a purposeful policy is being pursued to reform the state-legal nature in the field of organizing and ensuring road safety, which are aimed at preventing and suppressing accidents on the roads, as well as making them really safe for all participants.

As the head of state noted, «... In the Canadian city of Calgary, which has more than 1 million vehicles, 10 people died in road accidents in 10 months of this year. For comparison, in our country, where in total there are more than 2.5 million units of road transport, over 1,600 people died on the roads during the same period. Isn't this a tragedy, a huge loss?»[1].

So, according to the Main Directorate of Traffic Safety of the Ministry of Internal Affairs, 2,388 accidents were recorded in the first half of 2020, which is 176 or 6.9% less than in the same period last year. The number of fatal accidents has also decreased - 642 (in the first half of 2019 - 777). However, the statistics remain disappointing so far, 3-4 people die on the roads every day[2].

One of the main regulatory legal acts regulating road safety is the Constitution of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan «On Road Safety»[3], the Law of the Republic of Uzbekistan «On Internal Affairs Bodies»[4], Resolution of the President of the Republic of Uzbekistan «On Measures to Further Improve the Safety System road traffic», the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan «On measures to further improve the road safety system in the Republic of Uzbekistan»[5], as well as the Code of the Republic of Uzbekistan on administrative responsibility, regulating measures of administrative responsibility and other measures of administrative and legal coercion that could be applied for traffic violation.

In accordance with article 4 of the Law of the Republic of Uzbekistan Law of the Republic of Uzbekistan «On road safety», the main principles of ensuring road safety are: the priority of protecting the life and health of citizens, protecting their rights and

legitimate interests, as well as the environment; priority of measures to ensure road safety; consistency of activities to ensure road safety.

It should be noted that state administration in the field of road safety is carried out by the Cabinet of Ministers of the Republic of Uzbekistan, local government bodies and specially authorized state bodies, specially authorized state bodies in the field of road safety include: Uzbek Agency for Automobile and River Transport; State Traffic Safety Service of the Ministry of Internal Affairs of the Republic of Uzbekistan.

The Main Traffic Safety Directorate of the Ministry of Internal Affairs of the Republic of Uzbekistan is a structural subdivision of the central office of the Ministry of Internal Affairs of the Republic of Uzbekistan, which ensures the organization of work on the prevention and prevention of offenses on the roads, ensuring road safety.

The main tasks of the Main Directorate are: a comprehensive and systematic analysis of information on ensuring road safety, taking into account the state of the road transport infrastructure, the dynamics of road accidents, violations of traffic rules, road congestion, the technical condition of vehicles, as well as eliminating the causes and conditions of occurrence problems and shortcomings in this area; organization and coordination of the activities of traffic safety units of the internal affairs bodies to combat road accidents and violations of traffic rules; organization of road safety, including prevention and suppression of traffic violations, prevention of road accidents and road congestion, identification and identification of persons involved in the commission of offenses; organizing interaction with other departments of the internal affairs bodies, government bodies, civil society institutions, as well as establishing an open dialogue with the population on road safety issues; development of proposals for further improvement of legislation, law enforcement practice, as well as forms and methods of ensuring road safety, etc. [6].

At the same time, as a foreign scientist noted, the problem of preventing road accidents is complex, requiring joint efforts of ministries, departments, other state bodies, many enterprises and organizations for its solution. Meanwhile, the road safety system is currently far from being optimal. This explains that even with a more or less effective work of individual entities included in the system, in general, activities aimed at preventing road accidents, reducing the severity of their consequences, in the country cannot be recognized as satisfactory [7, 91 P].

The organization of road traffic in its administrative and legal terms should be a complex of measures aimed at the implementation of the norms governing the procedure for the emergence, development and protection of social relations that form it in the field of road traffic.

The main goal of reforming the system of legal regulation of road transport relations in the Republic of Uzbekistan is to increase the degree of protection of road users, prevent road accidents and minimize their harmful consequences, as well as introduce legal responsibility for road accidents into effective legal recovery mechanisms in these relations. In this area, it is necessary to create adequate management and interaction mechanisms.

Ensuring road safety today rightfully belongs to the top priority tasks of the state, which are of national importance. The current situation with road safety, despite the measures taken in the state, continues to show negative dynamics.

According to the Main Directorate of Road Traffic Safety of the Ministry of Internal Affairs of the Republic of Uzbekistan, in 2020, the number of fatal accidents in road accidents amounted to 169 people, which is 12.9% less than in 1940 cases the year before last. 1962 people died in them, or 6.3% less than in 2019 [8].

The issues of the concept of road safety, its content and features have always been under the close attention of representatives of domestic legal science, however, despite this, the definition of road safety remains controversial. At the same time, at present, in administrative legal science, relatively stable ideas have developed about the main approaches to the definition of road safety, the aspects of which should be formulated as 1) a scientific and legal category, 2) a legal category, 3) a socio-legal category. Considering road safety in the first meaning, based on the analysis of the study of road safety, we came to the conclusion that it is necessary to formulate a definition of road safety, reflecting its socio-economic and technical nature. In this regard, it is believed that the study of this concept should be based on the analysis of two basic concepts «road traffic» and «safety».

In accordance with the Law of the Republic of Uzbekistan «On Road Traffic Safety», road traffic is understood as a set of relations arising in the process of moving people and goods with or without vehicles within roads, and ensuring road safety is understood as activities aimed at preventing the causes of road accidents, reducing the severity of their consequences.

Analyzing the above, road traffic should be understood as an activity to satisfy personal and social needs in the spatial movement of people, means and products of their labor, based on the use of the technical complex «vehicles – roads», consisting in controlling the movement of vehicles, moving on vehicles without control of them or natural pedestrian movement on roads, proceeding under the conditions of a constant risk of uncontrolled movement of motor vehicles and subsequent negative consequences in the form of death, injury of people, damage to material objects.

Continuing the study of the concept of «road safety», it is necessary to analyze the following aspects: 1) the interests of road users, 2) resistance to threat, 3) freedom of road users, in addition, there are several signs of road safety: the first is the state and the nature of the protection of public relations from the threat associated with the danger of road accidents that can lead to the death of people or cause them bodily harm of various severity, damage vehicles, roads, structures, cargo or cause other material damage. The second sign of road safety is the place of origin of social relations - the economic sphere of human activity.

Summing up the analysis of the concept of road safety as a scientific and legal category, the conclusion was determined for the concept of «road safety», which has an independent legal meaning, has specific features that indicate an independent legal nature and allow it to be distinguished as a separate legal category, which is necessary both for theory and for legal practice.

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