



THE CONCEPT, CLASSIFICATION, AND SPECIFIC FEATURES OF ENSURING ROAD SAFETY

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Abstract: In this article, the author examines the opinions of legal scholars on the concept, classification, and specific features of ensuring road safety, as well as advanced foreign experience, and develops proposals and recommendations.

Keywords: Internal Affairs bodies, road safety, railways, construction.

According to the Law of the Republic of Uzbekistan "On Internal Affairs Bodies" dated September 16, 2016, one of the main areas of activity of internal affairs bodies is ensuring road safety. Their main tasks include: maintaining records of vehicles, traffic rule violations, and road accidents; registering these incidents; processing documents related to road accidents; ensuring the suspension of a person from driving if there are grounds to believe they are intoxicated and conducting an inspection in the prescribed manner to determine intoxication; prohibiting the use of vehicles whose technical condition does not meet established safety requirements; restricting or prohibiting repair, construction, and other works on streets and roads if road safety requirements are not met; as well as prohibiting the use of roads and railway crossings that do not comply with traffic safety standards, rules, and norms[1].

Also, Article 10 of the Law of the Republic of Uzbekistan "On Road Traffic"[2] defines the following tasks of the State Road Safety Service:

- participates in the development and implementation of state programs in the field of road traffic;
- develops, within its competence, draft normative legal acts and regulatory documents in the field of road traffic;
- carries out, within its competence, state control over compliance with road traffic legislation;
- participates in determining the routes of vehicles carrying heavy, oversized, dangerous, and special cargo;
- considers and approves projects for the construction, reconstruction, and overhaul of roads, railway crossings, as well as gas stations and other structures located along roads and in roadside territories, in terms of traffic organization;
- participates in the work of commissions for the commissioning of completed construction (reconstruction) and major repairs of road facilities, railway crossings;
- carries out control over the technical condition of operating vehicles, conducts mandatory technical inspection of vehicles (except for category M1 vehicles belonging to individuals);
- organizes and carries out road traffic monitoring;

- exercises control over the technical condition of technical means of organizing road traffic, as well as the maintenance of roads and railway crossings, their equipping with means of traffic regulation;
- prohibit, in the prescribed manner, the use of roads and railway crossings that do not comply with the requirements of regulatory documents in the field of road traffic;
- carries out activities for the organization of road traffic;
- gives instructions to road owners on the installation or removal of technical means of traffic organization, exercises control over the timing and quality of their implementation;
- restricts or prohibits the movement of vehicles on the road (road section) in accordance with Article 23 of the Law "On Road Traffic";
- implements information and communication technologies in the field of road traffic;
- considers proposals for carrying out work on roads and roadside territories, agreed upon with the relevant organizations;
- within its competence, submits to state bodies or other organizations, their officials, mandatory for execution submissions on the elimination of deficiencies in the activities of installing and operating technical means of traffic organization, on the elimination of deficiencies when a situation arises on any road section that threatens traffic safety, contributes to violation of the Traffic Rules, and in case of failure to take measures to comply with these written submissions, applies administrative penalties;
- organizes the design, installation (installation), replacement, and removal of technical means of traffic organization, and monitors the implementation of these works;
- carries out the installation (installation), replacement, removal, and maintenance of technical means of traffic organization on the streets of the cities of Tashkent and Nukus, regional, district (city) centers;
- maintains the location of technical means of traffic organization on the streets of the cities of Tashkent and Nukus, regional, district (city) centers, and carries out state control over their compliance with the location and technical condition;
- keeps records of vehicles, traffic violations and road accidents, and carries out their registration;
- issues national driver's licenses, certificates of registration of motor vehicles, and state registration plates for motor vehicles and their trailers (semi-trailers);
- considers cases of administrative offenses within its competence[3].

In accordance with the Decree of the President of the Republic of Uzbekistan dated April 4, 2022 No. PP-190 "On Measures to Reliably Ensure Human Safety and Sharply Reduce Mortality on Highways," in order to guarantee the protection of human life and health from any accidents on highways in the conditions of New Uzbekistan, the following are defined as urgent areas for ensuring road safety in our country:

improvement of road infrastructure and improvement of its quality, creation of reliable conditions for the safe movement of road users based on the priority of "pedestrian - public transport - cycling - motor transport";

bringing the educational process to a qualitatively new level with the introduction of innovative pedagogical technologies into the system of training, retraining, and advanced training of drivers;

raising the culture of observance of traffic rules by drivers and pedestrians, ensuring the inevitability of punishment for any violation;

Establishing the introduction of the basics of traffic rules from childhood, introducing this practice in preschool educational organizations and general education schools;

complete digitalization of traffic organization, implementation of new management and control systems with the introduction of advanced information and communication technologies[4].

In recent years, the need to regulate the road safety service system in the country has become one of the main directions of state policy. Therefore, at the initiative of the head of state, important measures have been taken to stabilize the security system and ensure peace and tranquility in the republic.

Territorial internal affairs bodies in the field of road safety service perform the following functions:

- obtaining, summarizing, analyzing, and evaluating information from lower levels related to ensuring road safety, determining and implementing measures to ensure road safety, taking into account the dynamics of road transport infrastructure and road accidents, traffic violations, road congestion, and the technical condition of vehicles;

- organization of preventive measures to ensure road safety and prevent road accidents, generalization, analysis of their results and development of measures to increase their effectiveness;

- ensuring traffic safety and providing assistance to participants in traffic, protecting their life, health and property, and protecting their legal rights and interests;

- control over the condition of roads, streets, artificial structures on them, and railway crossings, their equipping with traffic control devices, and compliance with traffic safety requirements during construction and repair work;

- implementation of technical supervision over the technical condition of motor vehicles and ensuring compliance with the requirements of safety and legislation during their operation, organization of mandatory technical inspection of motor vehicles;

- organization and control over the implementation by ministries, departments, and organizations of measures to improve the technical condition of vehicles, strengthen driver discipline, and increase the efficiency of traffic safety services;

- implementation of measures to protect the environment from the harmful effects of motor vehicles and control over the implementation of legislation;

- state registration, re-registration and deregistration of motor vehicles and their trailers, issuance of vehicle registration certificates and state license plates, taking exams on traffic rules and issuing certificates for the right to drive vehicles based on the results;

- identification of administrative offenses committed in the transport and communications system, conducting, formalizing, and reviewing pre-investigation checks on them;

- promotion of traffic rules, coverage in the mass media of measures taken to prevent road accidents and ensure road safety, as well as holding events aimed at raising the legal culture of citizens on issues of ensuring road safety.

The nature of the tasks and functions performed by the subdivisions of the State Road Safety Service determines their organizational structure. This structure is based on the subordination of lower levels to higher levels and represents a system of apparatus and subdivisions of the State Road Safety Service, which are interconnected, as well as the internal

structure of individual apparatuses and subdivisions, a list of positions of its employees. Organizational structure, excluding tasks and functions. The state of road safety is influenced by factors such as the national-state and administrative-territorial division of the Republic of Uzbekistan, the size and socio-demographic composition of the population living in a given territory, the development of the economy, and the crime rate.

The apparatus of the State Road Safety Service of the first and second levels mainly carries out organizational activities, focusing on ensuring daily organizational and methodological guidance of the apparatus and subdivisions of subordinate services on the ground. They perform the functions of ensuring traffic safety and maintaining public order in practice on roads in cases of complicated operational situations (emergencies, natural disasters, etc.). These units mainly perform management functions, managing the units of the road traffic safety service under their operational subordination - the line units of the road patrol service, as well as other services and units.

Departments (divisions, groups) of road safety of district (city) departments (divisions) of the third level of the system in the field of ensuring road safety perform the following functions:

- registration and study of road accidents and traffic violations in the assigned territories, taking measures to improve the technical condition of vehicles and road transport infrastructure, as well as the level of road congestion, based on the analysis, preparing relevant information and proposals and submitting them to the governing internal affairs bodies;

- submitting proposals to local khokimiyats on the organization of road traffic and the elimination of traffic jams on the territory of cities and districts, ensuring a uniform distribution of traffic flows on the streets and improving road conditions;

- conducting a critical analysis of road traffic accidents, including cases of material damage, committed in the territory, conducting organizational and practical measures to prevent road traffic accidents in cooperation with line units and other services of internal affairs bodies;

- identification, based on a critical analysis, of the most frequent places of road accidents on roads, taking measures to eliminate them in cooperation with the relevant road and communal services, as well as taking into account the organization of the activities of formation units in the service area;

- conducting investigations into road traffic accidents related to traffic safety and administrative offenses in the process of using vehicles and carrying out work to prevent road traffic accidents and traffic violations, as well as combating them, identifying persons involved in the commission of offenses, organizing on the basis of an analysis of the service activities of personnel of line units in the service area, submitting proposals to line units in this regard;

- conducting, in cooperation with other services of internal affairs bodies, a search for abducted, stolen vehicles, and vehicles with drivers hiding from the scene of the road accident, and solving crimes related to vehicles in a short time;

- acceleration of search operations to locate vehicles in motion for the purpose of identifying vehicles transferred for detention by various law enforcement agencies;

- consideration of cases of administrative offenses in the manner prescribed by law, as well as submitting representations to officials on the elimination of the causes and conditions for the commission of offenses;

- technical inspection of motor vehicles and special and seasonal inspections of roads, railway crossings;
- implementation of preventive measures aimed at improving the technical condition of vehicles, strengthening driver discipline at enterprises, departments, associations and organizations, monitoring the implementation of measures to increase the effectiveness of traffic safety services in them;
- interaction with other systems of internal affairs bodies, state bodies, civil society institutions in carrying out work to ensure road safety, exchange information and data with them;
- conducting conversations and meetings at enterprises, in departments and organizations, in mahallas, educational and other institutions, conducting open dialogues with the population in order to raise the legal culture of citizens on issues of ensuring road safety;
- organization of preventive and awareness-raising work aimed at preventing traffic violations by drivers, pedestrians, and especially minors, with the involvement of representatives of the public, coverage of the ongoing activities in the mass media.

References:

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