



TRANSPORT LAW AS AN INDEPENDENT BRANCH OF LAW

Yuldashev Djakhangir Khayitovich

Professor of the Department,
Doctor of Legal Sciences (DSc)

Tashkent State Transport University

<https://doi.org/10.5281/zenodo.18681449>

Abstract. The article examines the formation of transport law in Uzbekistan as an independent branch of law, highlighting its subject matter, methods, and legal characteristics on a scientific basis. It substantiates that transport law constitutes a complex branch encompassing civil, administrative, international, and financial legal relations. The regulation of transport relations through both imperative and dispositive methods, as well as the legal harmonization and integration within the framework of a unified transport system, are emphasized. The article is devoted to the development of transport legislation in Uzbekistan and its scientific and practical significance as an independent legal branch.

Keywords: transport law, transport infrastructure, unified transport system, imperative method, dispositive method, transport safety, licensing, Uzbekistan, international transit, legal regulation.

In the context of globalization, the transport sector represents a strategic branch of the state economy, national security, and international cooperation. The stable functioning of transport infrastructure plays a decisive role in enhancing a country's transit potential, integrating the domestic market, and developing international economic relations. For this reason, in recent years Uzbekistan has implemented large-scale reforms aimed at modernizing transport infrastructure, increasing transit capacity, and digitalizing the logistics system. In particular, strategies for the development of the transport and logistics sector adopted at the initiative of President Shavkat Mirziyoyev require a comprehensive and systematic legal regulation of transport relations¹.

In legal scholarship, transport law remains a relatively less elaborated legal category. Initially, transport-related legal relations were regulated within the framework of civil law, administrative law, and international law norms². However, industrial development and the rapid expansion of railway, road, air, and maritime transport have generated specific and complex legal relations within the transport sector. Consequently, there is a growing need to study transport relations as a distinct legal system.

Scholars express differing views regarding the status of transport law as an independent branch. In some cases, it is regarded as part of civil law (particularly transport contracts) or administrative law (state administration and licensing). Nevertheless, contemporary legal doctrine increasingly recognizes transport law as an independent branch, since it possesses its own specific subject matter and methods of regulation.

¹ Decree of the President of the Republic of Uzbekistan dated January 27, 2025 No. PQ-28 "On Measures to Further Develop the Transport-Logistics System of the Republic of Uzbekistan" // <https://lex.uz/en/docs/7342148> (accessed: 14 February 2026).

² Транспортное право. Общая часть: Учебник / отв. ред. Н.А.Духно, А.И.Землин. — М.: Юридический институт МИИТа, 2017. — 259 с.

The subject matter of transport law is complex and multifaceted. It encompasses social relations arising in the transport sector, including the carriage of passengers, baggage, and cargo; the use of vehicles; road traffic safety; management of transport infrastructure; and state supervision. Thus, it simultaneously includes civil, administrative, and financial legal relations.

Analysis demonstrates that the subject matter of transport law comprises the following relations:

- carriage of goods and passengers;
- management of transport infrastructure;
- safety and environmental requirements;
- international transport relations;
- licensing and supervisory relations;
- administrative and property liability in transport.

As a complex branch, transport law applies a mixed method of legal regulation. It primarily combines imperative (mandatory) and dispositive (voluntary/contractual) methods.

Under the imperative method, the state establishes binding rules from which parties may not deviate. This method is especially dominant in the fields of transport safety and licensing. It covers areas such as state registration of vehicles, licensing and permit procedures, traffic safety rules, as well as sanitary, technical, and environmental requirements.

Under the dispositive (contractual) method, parties are legally equal and determine their relations based on mutual agreement. This method is widely applied in contracts for the carriage of goods and passengers, as well as in freight forwarding and logistics services.

It should be emphasized that the combination of these two methods defines the specific nature of transport law as an independent branch.

The study of legal sources indicates that the distinctive features of transport law include:

1. a special type of state coercion as a legal regime ensuring safety and order;
2. establishment and removal of legal restrictions conditioned by the technical characteristics of vehicles and infrastructure;
3. close interaction with international standards and legal norms;
4. enforcement by judicial and administrative bodies (the Ministry of Transport, the Road Safety Service of the Ministry of Internal Affairs, licensing authorities).

In recent years, the process of modernizing Uzbekistan's transport sector and aligning it with international standards has stimulated the development of the scientific foundations of transport law. The formation of a unified transport system in the Republic of Uzbekistan and the systematic improvement of transport legislation objectively condition the emergence of transport law as an independent legal field. This process is closely connected with the state's comprehensive policy in the transport sector, infrastructure integration, and the modernization of legal regulation mechanisms.

The unified transport system of Uzbekistan implies the functioning of various modes of transport (railway, road, air, inland waterway, and urban transport) within a single economic and organizational framework. For example, in the railway sector, "Uzbekistan Railways"; in the aviation sector, "Uzbekistan Airways"; and in the management of road infrastructure, the Ministry of Transport of the Republic of Uzbekistan operate in interconnection. This necessitates the legal regulation of transport relations not separately, but within a unified systemic framework.



Normative legal acts adopted in the transport sector, including the Laws of the Republic of Uzbekistan “On Road Transport”³, “On Transport”⁴, “On Road Traffic”⁵ and “On Railway Transport”⁶ define the general principles of transport activities, mechanisms of state administration, safety requirements, and the rights and obligations of participants. These legislative acts have laid the foundation for the formation of transport as an intersectoral legal institution. Furthermore, the Civil Code of the Republic of Uzbekistan contains provisions on contracts of carriage; administrative legislation establishes licensing and supervisory procedures; and criminal legislation provides for liability measures related to transport safety. This demonstrates the complex nature of transport relations.

At the same time, the dispersion of these norms across different legal sources complicates study, practical implementation, and supervision. In this regard, the adoption of a Transport Code of the Republic of Uzbekistan would consolidate all regulatory provisions into a single systematic document, thereby:

- facilitating understanding and application of legislation;
- eliminating contradictory or duplicate norms;
- creating a unified legal framework for regulating transport activities.

From a scientific perspective, three main factors are essential for the formation of an independent branch of law:

- 1.the existence of a distinct subject matter of legal regulation;
- 2.the presence of a specific system of legal methods;
- 3.the internal unity and systematic nature of legal norms.

These characteristics are currently taking shape in Uzbekistan’s transport sector. First, relations related to transport activities (carriage, logistics, use of infrastructure, ensuring safety) constitute a distinct and stable subject of legal regulation. Second, there is a clear combination of imperative and dispositive methods. Third, transport-related laws and subordinate acts are interconnected and developing within the framework of a unified state policy.

The formation of a unified transport system is also closely linked to economic integration, international transit potential, and digitalization processes. This requires the development of transport law not merely within the framework of civil or administrative law, but as a comprehensive and independent scientific and practical field.

In conclusion, the institutional and infrastructural formation of a unified transport system in Uzbekistan, along with the systematic improvement of transport legislation, creates the necessary scientific and practical foundation for the emergence of transport law as an independent branch of law. This process reflects the objective regularity of the formation of a new complex branch within the legal system.

³ Law of the Republic of Uzbekistan dated August 29, 1998 No. 674-I “On Automobile Transport.” Available at: <https://lex.uz/acts/22964> (accessed: 14 February 2026).

⁴ Law of the Republic of Uzbekistan dated August 9, 2021 No. O’RQ-706 “On Transport.” Available at: <https://lex.uz/docs/5563039> (accessed: 14 February 2026).

⁵ Law of the Republic of Uzbekistan dated January 19, 2024 No. O’RQ-900 “On Road Traffic.” Available at: <https://lex.uz/docs/6764454> (accessed: 14 February 2026).

⁶ Law of the Republic of Uzbekistan dated November 27, 2024 No. O’RQ-1006 “On Railway Transport.” Available at: <https://lex.uz/uz/docs/7239390> (accessed: 14 February 2026).

Based on the above analysis, transport law can be defined as an independent branch of law that regulates social relations in the transport sector by combining state-coercive and contractual methods. It is applied to ensure safety, promote economic activity, and prevent legal violations

