

Recovery Of Fines From Drivers Of Foreign Vehicles

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Abstract

A fine for violating traffic safety rules is provided for the recovery of a foreign vehicle from the owner, driver or other person who practices it, in the amount recorded in the decision to impose a fine received in the database. The driver pays the amount of the fine, fixed in the decision to impose a fine, through bank cash desks at the border customs post or electronic payment systems or self-service terminals.

Keywords: rule of the road, fine, driver, vehicle, customs post, form of fine payment, administrative responsibility, legislation.

Introduction

It is known that the legislation on administrative responsibility sets itself the task of ensuring the rights and freedoms of citizens, property, state and public order, protecting the natural environment, ensuring social justice and legality, timely and objective consideration of cases of administrative offenses, as well as preventing such offenses, educating citizens in the spirit of observance of the Constitution and laws [1].

In order to fulfill these tasks, as well as to ensure unconditional compliance with traffic rules on the territory of the Republic of Uzbekistan and the inevitability of liability for violations of this kind, on August 5 of this year, by decision of the Cabinet of Ministers of the Republic of Uzbekistan, the regulation "On the procedure for collecting fines from drivers" was approved.

This provision largely determines the procedure for collecting fines from drivers of foreign vehicles that violate the rules of the road on the territory of the Republic of Uzbekistan.

Suppose that a foreign vehicle was introduced temporarily to move through the customs post of entry into the Republic of Uzbekistan for a period not exceeding ninety calendar days, filling out the corresponding obligation [2].

According to paragraph 15 of the Regulation approved by the Ministry of Justice of the Republic of Uzbekistan by Resolution No. 2156 dated November 19, 2010, the total duration of the stay of a foreign vehicle in the customs territory in total should not exceed ninety calendar days during a calendar year, with the exception of the vehicle used. It is allowed to temporarily import a foreign vehicle for a period exceeding this period, with the payment of the specified fee.

During this time, it was established that traffic rules were violated on the territory of the Republic of Uzbekistan in connection with foreign vehicles. But the foreign car and its driver left the Republic of Uzbekistan during the specified period. At this point, the question arises, how is the fine imposed for violation of traffic rules made?

Now, in the fight against such offenses, on the basis of this provision, a legal framework has been created for the implementation of a number of works in cooperation with the customs service and internal affairs bodies.

In particular, the driver of a foreign vehicle who has violated the traffic rules on the territory of the Republic of Uzbekistan or the corresponding fines from another person who accepts this in practice are charged by the customs authorities based on the information provided by the internal affairs authorities online when these vehicles are exported from the territory of the Republic .

When customs authorities collect fines for violation of traffic rules from the driver of a foreign vehicle or another person who exports it, in practice the basis is the decision to impose a fine received from the database of the Ministry of Internal Affairs to the database of the State Customs Committee.

It should be said that the decision of the internal affairs body to impose a fine is generated automatically in real time based on the information "Obligation to seize the vehicle" provided by the customs authorities online.

A fine for violating traffic safety rules is provided for the recovery of a foreign vehicle from the owner, driver or other person who practices it, in the amount recorded in the decision to impose a fine received in the database of the State Customs Committee.

The form of payment of the fine is simple and clear, that is, the driver of a foreign vehicle that violates the rules of the road, or another person who takes it out in practice, pays the amount of the fine fixed in the decision to impose a fine through bank cash desks at the border customs post or electronic payment systems or self-service terminals.

In case of non-payment of the amount of the fine for violation of traffic rules, the customs service body, together with the territorial internal affairs bodies, accepts vehicles for temporary storage in the manner prescribed by Article 291 of the Code of the Republic of Uzbekistan on administrative responsibility for violation of traffic rules. on the basis of an act of the appropriate form.

According to Article 291 of the Code of Administrative Responsibility of the Republic of Uzbekistan, the detention and inspection of vehicles can be carried out by authorized bodies (officials) until the cause of detention is eliminated and the case of an administrative offense is considered [3].

It should be noted that in places where the size of the fine for violating traffic rules is determined by an unpaid vehicle

It is kept for 60 calendar days. If the amount of the fine is not paid within 60 calendar days, measures will be taken to recover the amount of unpaid debt from the vehicle in cooperation with the mandatory executive and judicial authorities in accordance with applicable law [4].

At this stage, it should be noted that the requirements of this regulation are:

- Vehicles of diplomatic missions and consular offices of foreign states accredited in the Republic of Uzbekistan, as well as equivalent organizations;

- Foreign official delegations temporarily entering the territory of the Republic of Uzbekistan or in transit traffic do not apply to vehicles [5-7].

In addition, if it is not possible to pay the amount of a fine for violating traffic safety rules in the process of transporting export cargo, subject to subsequent payment, including in case of non-payment of a fine, this vehicle or another vehicle owned by the owner (driver) is allowed move through the exit from the customs post. In this case, the employee of the exit customs post makes an appropriate note in the database of the state customs committee that the driver of the vehicle has been warned in accordance with this paragraph [8,9].

When an unpaid vehicle or other vehicle belonging to the owner (driver) enters the territory of the Republic of Uzbekistan, the amount of the fine for issuing a warning is subject to temporary storage and measures are taken to recover the amount of the unpaid debt in accordance with applicable law. In this case, if foreign trade goods are being transported, it was found that measures to recover the amount of unpaid debt will be carried out at customs posts at the address where the border or foreign trade cargo will be delivered [10,11].

In our opinion, such an opportunity to pay the amount of a fine for violating road safety rules in the process of transporting export goods will not be an exaggeration if we talk about the continuation of reforms carried out in the Republic in order to increase export potential and encourage their effective use.

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