

Criminal Definition of Violating the Safety Rules of Vehicle Operation or Their Use

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Received 22-07-2022	Abstract: As our President Sh. Mirziyoyev said - We are always another important issue that comes to mind is related to the manners, behavior and, in a word, worldview of our youth. Today, times are changing rapidly. Young people are the ones who feel these changes the most. Let the youth be in harmony with the demands of their time. But at the same time, he should not forget his identity. Let the call of who we are and the descendants of great people always resonate in their hearts and encourage them to stay true to themselves. How can we achieve this? Education, education and only education.	Keywords: Juvenile law, crime, civil law, presumption of innocence, adults, legal consciousness, legal culture.
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INTRODUCTION

The concept of the crime of violating the rules of safety of mo

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- "On judicial practice in cases related to crimes against the safety of transport or its use", Plenum decision of the Supreme Court of the Republic of Uzbekistan, decision of June 26, 2015
- <https://nuqtainazar.uz/archives/7758.tor> vehicles or their use is one of the areas that need to be studied separately in the science of criminal law.

If the main direct object of the crime is the safety of road traffic and the use of vehicles, as an additional direct object - the life and health of citizens [1].

Traffic should be understood as a set of relations [2] that occur during the transportation of people and goods by means of vehicles or without such means, or during the movement of road users on the roads. It is a socio-technical system that includes pedestrians, drivers, passengers and vehicles whose movement is subject to certain rules. The movement is carried out mainly on roads and sometimes in off-road conditions (on the street, at railroad crossings, construction sites, production zones of enterprises, yards, fields, etc.).

The subject of the crime can be any vehicles - any cars (cargo, passenger cars, light cars, sports cars, etc.), trams, trolleybuses, tractors and other mechanical vehicles.

It does not matter whether the vehicle is a used or a training vehicle for the qualification of guilty actions, because in any case it remains a source of excessive danger. The crime provided for in Article 266 of the Criminal Code is objectively expressed in the violation of the safety rules of the movement of vehicles or their use by the person driving the vehicle, and as a result of this, moderate or severe injury to the body.

In order to hold a person criminally responsible under the article in question, in each specific case, it should be determined that he or she has violated one or another provision of the rule that has caused socially dangerous consequences. Investigative bodies should not limit themselves to pointing out violations of the Traffic Rules in the decision to involve a person as a defendant in the case, in the indictment, and in their verdict, they should clearly indicate what such violations consist of (for example, driving a vehicle under the influence of alcohol, speeding). increase in quality and so on [3].

Violation of the rules of use can be expressed, for example, by transporting heavy loads, parking the vehicle in an inappropriate place, handing over the control of the vehicle to a person who does not have such rights [4], taking the vehicle on a free cable, transporting passengers in an unequipped vehicle. It should be recognized as an accident if there was no violation of the safety rules of traffic or use of vehicles, but there were

consequences such as moderate or severe injury to the body.

In this type of crime, i.e. violation of the rules of traffic safety of vehicles or their use, it is recognized as complete from the time of occurrence of the consequences of moderate or severe injury to the body specified by the law.

A person who violates the safety rules of movement of vehicles or their use is responsible for the harmful consequences caused only if there is a causal link between the violation and the consequences. Such contact is excluded if the rule is not violated at all (for example, a pedestrian falls under the rear wheel of a car due to his carelessness or deliberately throws himself under the car with the intention of killing himself). The existence of a physical connection between the moving vehicle and the injured person does not indicate the existence of a causal connection that acquires a normative character in the category of crimes under consideration.

Causation due to normativity can exist even in cases where physical dependence does not occur at all. The driver is responsible for the damage caused even if the other participants of the movement are forced to harm third parties as a result of his wrong actions preventing the correct movement. For example, a driver who has entered the lane of the opposite direction creates an obstacle for the oncoming traffic driver, who, without having the opportunity to avoid a collision or stop, hits a pedestrian on the side of the road.

In this case, the first driver should be responsible for the consequences. In this case, the actions of the second driver are evaluated as causing damage according to the rules of last necessity or without fault. Sometimes the actions of the driver, which are directly related to harmful consequences, can act as the cause of these consequences, despite the fact that they are determined by the violation of other participants of the action.

The crime under consideration is characterized by the form of carelessness in relation to the consequences that occurred from the subjective side. A person violates the safety rules of traffic or their use and realizes that this can cause serious or moderate damage to human health, but unreasonably believes that they can be prevented (self-belief); the person driving the vehicle, while

violating the safety rules of the movement of vehicles or their use, was not aware of the possibility of socially dangerous consequences provided for by the law, but should have been aware of it and was possible (criminal negligence). This is caused by intentional or careless violations of the safety rules for the movement of vehicles or their use.

The motive and purpose of the crime are not important for the qualification of the act.

A sane individual who is driving a vehicle and has reached the age of sixteen can be the subject of a crime. It does not matter whether he drove the vehicle arbitrarily or with someone's permission, whether he has a license to drive the vehicle or not. But in this case, the car owners who let the control of the transport be transferred to other persons should be held responsible.

Violation of the safety rules of movement or use of a vehicle, if it leads to the death of a person, is a cause of responsibility according to part 2 of Article 266 of the Criminal Code. At the same time, taking into account that the crime is recognized as completed in the presence of the consequences specified in the disposition, it is necessary to qualify the traffic incidents committed at different times separately.

In case of violation of safety rules of movement of a vehicle or its use, causing death, destruction, or other serious consequences, in accordance with Part 3 of Article 266 of the Criminal Code, the right to drive the vehicle shall be deprived and punished with deprivation of liberty for up to ten years.

The object of the study is to prevent the crime of violating the safety rules of the movement of vehicles or their use by studying and analyzing these cases in depth, and with the participation of law enforcement officers, representatives of interested organizations and institutions, as well as the general public, it is appropriate to carry out propaganda work on the spot, and draw relevant conclusions.

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