До мотивувальної частини включається:

- обставини із посиланням на докази, встановлені судом;
- мотиви щодо неврахування деяких доказів;
- мотиви, яким слідував суд при прийняті постанови/ухвали, а також посилання на положення закону, якими він керувався.

Тобто в цій частині наводяться усі міркування суду, на яких вже будується саме рішення суду в адміністративній справі.

Резолютивна частина подається із зазначенням:

- висновку суду про задоволення адміністративного позову (клопотання, заяви, вимоги, скарги) або про відмову в його задоволенні повністю чи частково;
 - висновку суду по суті вимог;
 - розподілу судових витрат в постанові місцевого суду;
 - інших правових наслідків ухваленого рішення;
- строку і порядку набрання судовим рішенням законної сили та його оскарження [3].

Список використаних джерел:

- 1. Кодекс України про адміністративні правопорушення: Закон України від 07.12.1984 р. № 8073-X. URL : http:// http://zakon4.rada.gov.ua/laws/show/80731-10.
- 2. Манько Д. Г. Юридична техніка й технології. Херсон : Грінь Д. С., 2014. 191 с.
- 3. Кримінально-процесуальний кодекс України: Закон України від 13.04.2012 р. (зі змін. і доп.). *Відомості Верховної Ради України (ВВР)*, 2020, № 2, ст. 5.
- 4. Цивільні процесуальні документи. К.: Прецедент, 2011. 352 с.
- 2. Павлик П. М., Удовенко Ж. В., Кілічава Т. М., Райх Л. М. Процесуальна документація: навч. посібник (3-т ϵ вид., перероб. та доп.). К. : ЦУЛ, 2010. 560 с.

SIDOROVA Elvira Oleksandrivna,

Associate Professor of the Department of Legal Disciplines

Dnipropetrovsk State

University of Internal Affairs,

PhD of Law Sciences, Associate Professor

SYNKO Karina Vyacheslavivna,

student of the

Dnipropetrovsk State University of Internal Affairs

GENERAL CHARACTERISTICS OF ADMINISTRATIVE OFFENSES IN TRANSPORT

The problem of road safety on the roads of Ukraine affects every citizen, since we are all participants in road traffic as pedestrians, drivers of vehicles or passengers. Violation of traffic rules is often accompanied by traffic accidents, which can have serious consequences. According to the Constitution, Ukraine is a

democratic state governed by the rule of law. A person, his rights and freedoms are the highest value, and their protection is the duty of the state.

The need for the existence of special rules regulating road traffic safety is historically determined by scientific and technical progress, as a result of which ideas about the culture of movement were formed, vehicles of various types were created.

Such scientists as D. Boyko, O. Bandurka, N. Bortnyk, S. Yesimov, Yu. Vegera, S. Denisyuk, I. Golosnichenko, V. Humenyuk, E. Dodin, S. Kivalov, A. Komzyuk, D. Lukyanets, O. Ostapenko, O. Kucherenko, O. Salmanova and others.

The main one of the fundamental means used by the state to combat offenses in the field of road safety is administrative responsibility. The domestic theory of administrative law postulates a rule according to which any administrative offense has a destructive effect not only on the corresponding social relationship, but also on the macro system of social relations [1, p. 13-14]. Of course, the impact of a single administrative offense on such a system is practically imperceptible. However, on a general societal scale, administrative misdemeanors, the actual number of which reaches almost astronomical figures, definitely undermine the stability of the entire system of relations protected by administrative tort law.

Due to the commission of a large number of administrative offenses and crimes in the field of road traffic safety, society is greatly harmed. Because of this, there is a need to understand the components of offenses in the field of road traffic safety. The most common offenses in this area are exceeding the established speed limits, failure to comply with the requirements of road signs, markings, violation of the rules for transporting goods, stopping, parking, driving vehicles while intoxicated, and other violations. The main means of combating these offenses there is administrative responsibility as one of the components of legal responsibility. Social relations that arise during the provision of road safety are regulated by legal norms, namely: norms of administrative law, criminal law, civil law [2, p. 30].

The concept of "road safety" has seven thorough scientific approaches to its definition. It is considered as the road user's resistance to the threat of accidents in traffic accidents; termination of illegal types of economic activity; a condition for the implementation of the goals set by the state in the field of social and economic policy; component of national security; the priority of international security; system of social relations; the state of this process regarding the protection of its participants from traffic accidents. Road safety is ensured by the integrity of its components and is understood as a system of social relations that is formed in the field of road traffic [3].

The Criminal Procedure Code is one of the normative acts of domestic legislation that regulates the issue of administrative responsibility and ensures the protection of public relations from illegal encroachments. At the same time, it is common knowledge that administrative and tort norms provide protection and protection of public relations regulated by many different branches of law, in particular, administrative, civil, economic, criminal-procedural, criminal-executive,

transport, land, etc. All these relations suffer from the negative impact of administrative offenses, and therefore, in their totality, serve as their common object [4].

The concept of administrative responsibility of subjects for committing offenses in the field of road safety can be considered taking into account the categories of legal responsibility developed in scientific research. Legal responsibility as a method of influence on the offender may have a different legal nature: disciplinary, civil, criminal, administrative. In legal science, the general concept of legal responsibility is highlighted, which provides in the law for the application of state coercion measures to the offender, the negative reaction of the state to the committed offense.

It is possible to form the concept of an administrative offense in the field of traffic, defining it as an illegal, culpable act or inaction that affects the health and safety of citizens, the preservation of vehicles, roads and road structures, traffic or the established management procedure, for which the legislative administrative responsibility is established at the same level. The composition of an administrative offense in the field of traffic, as well as the composition of any other offense, contains a set of objective and subjective elements that characterize a specific socially harmful act as an administrative offense: object, objective party, subject object and subjective side of the offense. The object of any administrative offense is the social relations to which the illegal act is directed. The objective side in each specific case is determined by the disposition of one or another article of the Code of Administrative Offenses, which provides for responsibility for an illegal act, which is an administrative offense in the field of traffic. As a subject of an administrative offense in the field of traffic, any person subject to liability for the acts (actions or inaction) provided for by the legislation in the field of traffic, related to the violation of the rules that are included in his established by law or other normative should be considered legal act of obligations in the field of road traffic. The subjective side of the composition of the offense is characterized by guilt, which is the mental attitude of a person towards his illegal behavior and its consequences and can be expressed both in the form of intent and in the form of carelessness. Along with mandatory signs of the subjective side of an administrative offense, which are intent and carelessness, there may also be optional ones: motive and purpose.

In most cases, administrative responsibility is implemented by imposing a certain type of administrative penalty on the offender, which is a sanction for committing an administrative offense provided for by the Code of Criminal Procedure. The authority to impose administrative fines is given to many bodies and officials who are given such a right by legislation.

Thus, it can be noted as a conclusion that administrative offenses in the field of traffic safety are the most common. It should be noted that the common feature of the vast majority of offenses in the field of road traffic safety is the generic object of the offenses committed. It is also an important feature that the features of the objective and subjective sides have much in common. All offenses in the field

of traffic safety are committed as a result of the interaction of a person with a vehicle. Reasons and conditions should be attributed to the factors that determine the grounds for administrative liability for offenses in the field of road traffic safety.

References:

- 1. Гуржій Т. О. Логіко-філософські категорії і класифікація об'єктів адміністративного делікту. *Право України*. 2003. № 1. С. 13-17.
- 2. Лихолоб В. Г. Правопорушення: правова і моральна оцінка: навч. посібник. К. : УАВС, 1994. 172 с.
- 3. Колпаков В. К., Кузьменко О. В. Адміністративне право України: підручник. К. : Юрінком Інтер, 2003. 544 с.
- 4. Нефедова А. В. Об'єкт адміністративних проступків на автомобільному транспорті. *ICI Journals Master List*. URL: https://journals.indexcopernicus.com/api/file/viewByFileId/915927.pdf.

СТЕПАНЕНКО Кирило Володимирович,

доцент кафедри загальноправових дисциплін Дніпропетровського державного університету внутрішніх справ, кандидат юридичних наук, доцент

РОМЕНСЬКА Катерина Ігорівна,

здобувач вищої освіти Дніпропетровського державного університету внутрішніх справ

МІЖНАРОДНІ ТА НАЦІОНАЛЬНІ СТАНДАРТИ ЗАБЕЗПЕЧЕННЯ ПРАВ І СВОБОД ЛЮДИНИ

В умовах сучасності захист та забезпечення основних прав та свобод людини перестали бути компетенцією лише конкретної країни, а стали справою всього міжнародного співтовариства, адже вже досить тривалий час визначаються важливішим завданням багатьох держав світового співтовариства. На сьогодні нараховується досить велика кількість декларацій, конвенцій, хартій, що несуть в своєму змісті мету закріплення на глобальному світовому рівні основоположні права та свободи людини, їх забезпечення та захист, а також способи та засоби їх відновлення у випадку порушення.

Зауважимо, що міжнародні-правові акти, які закріплюють захист та забезпечення прав та свобод людини, зазвичай, розглядаються як міжнародні стандарти, адже безпосередньо засновані на звичаєвих нормах, що попередньо сформувалися внаслідок визнання державами юридичної сили правил поведінки, які буди проголошені Генеральною асамблеєю ООН у вигляді декларацій чи рекомендацій [1, с. 124]. Так, міжнародні стандарти у сфері забезпечення прав людини являють собою загальновизнані міжнародно-правові норми, які самі по собі закріплюють на загальнолюдському рівні статус