

и др.) осуществляется с учетом обеспечения безопасности движения, сохранности перевозимого груза и транспортного средства.».

В случае невыполнения водителем возложенных на него обязанностей в соответствии со статьей 12.20 Кодекса Российской Федерации об административных правонарушениях к нему могут быть применены предупреждение либо административный штраф в размере ста рублей (в Германии размер штрафа за такое нарушение составляет от 50 до 100 евро). Административная ответственность владельца транспортного средства и грузоотправителя не установлена.

Очевидно, что разработку и внедрение в практику требований о креплении грузов на транспортных средствах следует рассматривать как неиспользуемый резерв повышения уровня безопасности дорожного движения.

The issue of ensuring road traffic safety presumes the activity aimed at preventing road accidents and mitigating consequences of road accidents. This activity also involves the arrangement and technology of transit of passengers and cargoes.

The problem is that sometimes the major principles of this activity are not in line with the reality. Each participant in the road accident, be it a driver, pedestrian or a passenger, can give a good deal of examples when the economical activity results prevail over the safety requirements established.

Competing in speed, transit of children in cars not properly equipped for this, loading vehicles with cargoes of too high capacity and non-authorized transits of heavy and dangerous cargoes produce a wide resonance only when an irreparable emergency takes place.

This is equally true for the securing of cargoes in vehicles. This is the topic that was discussed at the meeting held in the Department of Road Safety of Russia's Ministry of Internal Affairs in November 2009. Mr. Lemmer, a Police Officer from the German county "Nordrhein-Westfalen", delivered a report emphasizing that cargoes do not have reliable securing in three out of each inspected eight vehicles. This means that the transit of such cargoes is rather dangerous for other participants in the road traffic.

The Police abroad use the relevant European standards in exercising control over the cargo securing. Methodological papers and measurement instruments are employed for the inspections. The policemen engaged in the inspections have a special training. The driver, owner of the vehicle and the consignor are made answerable for the failure to comply with the requirements still in force.

What is the situation around Russia?

The road traffic rules valid in Russia impose the responsibility on the driver to monitor the stowage, securing and condition of the cargo prior to and during delivering it to the destination to avoid the tumbling of the cargo down and creating thus some obstacles for vehicular traffic.

The draft Regulations of transit of cargoes by vehicular transport stipulate that it is the consignor that loads the cargo. The requirements to the securing of cargoes are not specific: "The tooling to secure the cargoes inside the trailer (belts, chains, ropes, wooden bars, supports, nonslip mats, etc.) is selected, taking into consideration the need to ensure road traffic safety and provide a safe delivery of the cargo and the vehicle".

If the driver fails to fulfill the obligations stipulated in Russia's Code of Administrative Law Violations (Clause 12.20), the notice or the penalty of 100 rubles can be imposed on him (in Germany the penalty for a similar violation amounts to 50 -100 euro). No administrative responsibility of the vehicle owner or the consignor has been determined so far.

It is quite evident that the issue of developing and putting in practice the requirements to securing the cargoes in vehicles should be considered as a reserve to improve the road traffic safety level.