

## Road Safety: Search for Optimal Organizational Forms of Interaction

Yuri Nikolaevich Kalyuzhny<sup>1</sup>; Evgeny Vladimirovich Kirichek<sup>2</sup>

<sup>1</sup>Academy of Management of the Ministry of Internal Affairs of Russia, Russian Federation, Russia.

<sup>2</sup>Academy of Management of the Ministry of Internal Affairs of Russia, Russian Federation, Russia.

### Abstract

*The authors conduct a comprehensive analysis of public relations related to the implementation of administrative reform of public administration in the Russian Federation, the transformation of socio-economic, political and legal relations that affect road safety; examine certain theoretical concepts, and conduct a comparative analysis of foreign forms of service by police squads with the possibility of their adaptation to the Russian reality. The novelty of the research consists in a comprehensive analysis of certain theoretical concepts, legal and organizational aspects related to the search for optimal organizational forms of interaction and the development of modern forms of road safety, consideration of debatable views, ideas, and value orientations related to the safety in question.*

**Key-words:** Administrative Reform, Unified Police Service, Traffic Police, Municipal Authorities.

### 1. Introduction

The quality of public administration is one of the key factors for the successful development of Russia in modern conditions (Mayorov: 2017). In the Russian Federation, administrative reform is ongoing. In accordance with the author's position of Professor B. V. Rossinsky (2018), this process began with the formation of the state and, accordingly, its management, and the reform under consideration will never stop, due to the need to improve the organizational and legal foundations of management activities in the most important areas of public relations, including the sphere of road safety.

In our country the administrative reform has overcome many stages, was carried out search for new models of public administration, public relations, relevant Russian domestic management

culture, improved organizational and functional model of the state apparatus at the Federal level. Implementation of public administration reform in Russia is impossible without effective, joint activities of Federal and regional Executive authorities, correlated with the General approaches of the public administration system. Thus, the unity of goals and objectives of administrative reform can not be "closed" exclusively at the Federal level and creates the need to include a regional component (Naryshkin, Khabrieva: 2008).

In this regard, the President of the Russian Federation, Vladimir Putin, points out that our society has clearly identified the demand for change, the need to solve major social, economic and other problems facing our state and society. Their content and guidelines show the need for a new quality of public administration, the activities of Executive authorities at all levels, and direct dialogue with citizens (Message of the President of the Russian Federation V.V. Putin to the Federal Assembly of the Russian Federation: 2020).

The development of public relations and their modernization requires improving public administration and road safety in order to minimize the consequences of car accidents, save human lives and reduce the economic damage from them, estimated in billions (Vorobieva et al.: 2019).

## **2. Methods**

The methodological basis of the research is a set of General scientific and private scientific methods of cognition (formal legal, analytical, system method, analysis, synthesis, modeling, comparison, etc.).

The hypothesis of the research is expressed in the fact that the ongoing reform of public administration, socio-economic, political and legal transformations in society that affect road safety, in connection with which the formation of new approaches to the development of modern forms of road safety, consideration of debatable views, ideas, values related to ensuring the safety in question and their testing will contribute to reducing the number of deaths and injuries in car accidents, thus, the implementation of the tasks of further socio-economic development of the Russian Federation.

## **3. Results**

Public relations in the field of traffic as a result of social diversity are subject to significant changes, to which the state does not always have time to fully respond within the framework of administrative and legal regulation (Kalyuzhny: 2019).

The transformation of the social, economic and technological components of public relations is fully reflected in the sphere of road safety. Improving the legislation of our country, conducting administrative reform of control and supervision activities and reducing the administrative burden on individual entrepreneurs and legal entities allows us to establish a trend towards expanding their administrative and legal status in the field of ensuring the security in question.

There is a gradual expansion of the powers of business representatives in the field of road safety and, as a result, a reduction in the competence of state bodies and the state traffic Inspectorate of the Ministry of internal Affairs of Russia, or their joint participation in the implementation of administrative procedures, the implementation of the main activities of the state road safety policy.

This trend is not difficult to detect when business representatives implement such areas as professional training of drivers of vehicles by driving schools; conducting technical inspections of vehicles by legal entities and individual entrepreneurs; issuing official dealers of state registration signs of vehicles, carrying out activities for medical traffic safety, taking part in registration of road accidents, etc.

Thus, in the sphere of ensuring road traffic safety in those areas that were previously the exclusive competence of the state, with the development of economic reforms in Russia, the administrative reform of public administration and the reform of the structural building units of the MIA of Russia is increasingly a backseat to business representatives, under the control (supervision) of the state.

Since the establishment of a democratic legal state in the Russian Federation and economic reforms, there has been a trend to expand the range of functional involvement of legal entities and individual entrepreneurs in the field of road safety, along with the reform of internal Affairs bodies and the reduction of the number of personnel of the state traffic Inspectorate of the Ministry of internal Affairs of Russia in order to effectively implement strategic objectives of road safety and strive for zero death rates in car accidents by 2030 (Passport of the national project “Safe and high-quality highways”: 2018), it involves the development of new forms and methods of ensuring this security. In this respect, entirely correct is the statement of the Deputy head of the Ministry of internal Affairs of Russia O. E. Panarina expressed at the seminar-meeting with heads of the state traffic Inspectorate of MIA of Russia of subjects of the Russian Federation, held on 15-18 October 2019 in Yekaterinburg, the need to find new forms and methods of carrying road patrol service in connection with personnel reduction (All-Russian seminar-meeting: 2019).

Of course, the formation and development of effective conditions for interaction between the police and civil society institutions and business representatives in this area in the context of internal

Affairs reform is unthinkable without the use of various forms of interaction, including public-private partnership (Kalyuzhnyi: 2017), but it is necessary to maintain a balance between the influence of the state and business on the state of road safety, as a necessary condition for achieving priority goals and objectives, striving for a zero death rate (Decree of the President of the Russian Federation: 2015).

In matters of road safety, it is necessary to follow current trends and changes in the socio-economic, political (Kirichek: 2019) and legal transformations taking place in our society and state.

In modern society, the legal foundations of the Constitution of the Russian Federation are being modernized, which is associated with the formation of a unified public authority, represented by local self-government bodies and state authorities, the purpose of which is effective interaction between them to achieve goals in the interests of the population (Draft law No. 885214-7: 2020).

#### **4. Discussion**

The indicated legal changes related to the formation of a single public authority are nothing more than legal transformations that entail the subsequent reform of administrative legislation, administrative reform of public administration as a whole.

Administrative reform should be understood as a set of measures to improve the organization, forms and methods of activity of the Executive power implemented by the state (Soldatenkov: 2007). As a result, improving the efficiency of public administration depends on a well-founded system of Executive power, the structure of its bodies, and a clear differentiation of their legal status (Vishnyakov: 2003).

At the same time, it is necessary to move away from the traditional ideas of administrative reform, as a reform of only Executive authorities, and approach this issue from the position of compliance of public relations with modern organizational and structural transformations taking place in the conditions of formation of a single public authority.

Based on the laws of logic, given that the municipal authorities will act as a lower level of state authorities, in connection with the need to achieve strategic goals and objectives to ensure road safety, thereby achieving goals in the interests of the population of the relevant municipalities, it is possible to form divisions in the structure of municipalities – traffic police, which are designed to partially reduce the burden on the state traffic Inspectorate units, by performing certain powers in the field of ensuring the safety in question.

In this regard, it should be noted that certain areas related to ensuring the security in question, depending on the functional distribution of powers between municipalities and Federal Executive authorities, are performed in different ways in the subjects of the Russian Federation.

In some regions of our country, there are specialized divisions created by municipalities that perform functional duties related to road safety.

In accordance with the distribution of competences between the Federal authorities and the municipal formation – the city of Moscow, the Moscow administrative road inspection carries out control over observance of rules of a stop and Parking (Parking) of vehicles, although in the majority of subjects of the Russian Federation the specified activity is within the competence of divisions of the state traffic Inspectorate of MIA of Russia. The city Parking management center of Saint Petersburg has a similar competence.

The current legal framework does not prohibit municipalities from creating bodies and divisions that allow them to administer certain types of offenses. In addition, the possibility of state compensation to municipalities for the financial burden caused by the implementation of public powers of state significance (Federal law No. 131-FZ: 2003) shows the additional powers of municipalities defined by normative legal acts that act as a legal mechanism for the development of local government institutions in Russia (Solovev et al.: 2018), including in matters of road safety.

Thus, socio-economic, political and legal changes in our country related to the consolidation of a single vertical of power will create additional conditions for municipalities to create road police units.

The forms and methods of activity of traffic police units should combine a set of techniques for the administration of offenses using photo and video recording devices and then sending them to the centers for automatic recording of administrative offenses for registration on the transport owners. Testing the activities of road police units formed under municipalities over time will allow them to expand their administrative and legal competence related to road safety.

Legislative initiatives aimed at the formation of municipal police (militia) units (Draft Federal law No 385-7: 2015) in General have not found their confirmation in the structures of state power. However, current trends caused by administrative reform, existing strategic goals and objectives to reduce the death rate in car accidents, statistics on road traffic accidents and reduced staffing of the state traffic Inspectorate as a result of the reform of the Ministry of internal Affairs of Russia, emphasize the need to search for new forms and methods of ensuring road safety, one of which may be the possibility of municipalities forming road police units.

In the scientific literature, there are various ways to improve road safety and develop new forms of its provision. Despite the further development of digital technologies, artificial intelligence and their implementation in the field of traffic (Zhankaziev et al.: 2017), which allows us to improve the method of forming and redistributing traffic flows, to make the process of traffic safer, yet no state in the world can do without police units.

One of the scientific positions of a number of scientists, related to the development of modern forms of road safety, is based on the use of foreign experience in the organizational and legal construction of the order of service by road police squads on the example of the United States, Japan, Germany, the Republic of Kazakhstan (Zeidullaev: 2017; Kurakin et al.: 2015; Mayorov, Dunaeva: 2018).

In particular, Professor V.V. Golovko and V.M. Sergeev (2019), considering the problems and prospects of administrative reform of the Ministry of internal Affairs of Russia, associated with the peculiarities of the protection of public order, justify the necessity of joining the patrol police, road patrol service of state traffic Inspectorate (traffic police) and district police officers in a single service – traffic police for the effective management, engagement, placement of the police and cooperation on implementation of the tasks entrusted to the Ministry of internal Affairs of Russia. In addition, in their opinion, the differences in competence and specificity of the tasks facing each service do not allow to implement in practice the complex nature of their activities, expressed in the implementation of the powers to protect public order and ensure public safety, performing specific tasks, actually on the same patrol routes.

This author's position in the context of reforming the internal Affairs bodies and reducing the number of personnel is justified for performing General police tasks assigned to police units for the protection of public order and security, which is already fully implemented by the police patrol and post service units and partially by the service of precinct police commissioners, in relation to public places, including in the residential sector. At the same time, this Association is unlikely to increase the density of orders on the streets and other public places, in the presence of the previous staff strength of police units, except for the relocation of traffic police to the residential sector, thereby effectively leaving without control (Supervisory) traffic on the road network.

Considered combining outfits and police services that implement specific tasks, will help to ensure law and order in public places at the expense of ensuring traffic safety, and administrative and service activities of the police officer performing specific powers in relation to regulated persons in administrative area and Vice-versa, depending on the concentration of wear on the performance of specific tasks.

At the same time, further, more detailed study of the foreign opyat of the practice of functioning of the unified patrol service and its adaptation to the Russian reality does not exclude the considered direction for implementation, as one of the forms of ensuring road safety.

In a different plane of involvement of forces and means of orders of internal Affairs bodies, the issue was considered by S. N. Dmitriev (2003), who, in order to improve road safety, made a statement about the need to change the approach to the perception of the state traffic Inspectorate as an exclusive division of the Russian Ministry of internal Affairs system engaged in the implementation of road safety tasks and the need to use the potential of other services and divisions of internal Affairs bodies in this area.

The specifics and uniqueness of the organizational and legal structure of police units in the Russian Federation are predetermined by the legislation of our country. Thus, article 2 of Federal law No 3-FZ (February 7, 2011) defines law enforcement in public places and road safety as independent main areas of police activity.

This is evidenced by the social experiment, associated with the execution of the functional tasks of a single police service in St. Petersburg and the Leningrad region, which allowed to conclude that the unformed legal basis and inexpediency of such enterprises to the Russian reality.

Thus, the complex concentration of police squads, with the existing staff strength, on the implementation of one of these areas will contribute to the negative dynamics of weakening control and Supervisory activities in the other and Vice versa.

The study of the potential for the implementation of powers related to road safety by legal entities and individual entrepreneurs, as well as the involvement of the public in this area, has shown positive results. Conducting of reform of the MIA of Russia and reduction of regular number of the state traffic Inspectorate of MIA of Russia, aspirations of to the zero mortality rate by the year 2030, show the necessity of search of new forms and methods of ensuring road safety.

## **5. Conclusion**

The study suggests that changes in public relations caused by administrative reform, high rates of traffic accidents, as well as reduced staff numbers of the state traffic Inspectorate as a result of the reform of the Ministry of internal Affairs of Russia clearly show the need to develop new forms and methods of ensuring road safety. The main directions related to the search for optimal organizational forms of interaction and the development of modern forms of road safety in the light of socio-political transformations in the Russian Federation and the modernization of public

administration can be: the development of a partnership model of relations with society and public-private partnership; the possibility of municipalities forming road police units; changes in the organizational and structural structure of police units related to the possibility of forming a unified police patrol service.

## References

- All-Russian seminar-meeting of regional heads of the state traffic Inspectorate started with a master class on the implementation of strategic projects.* (October 15, 2019). Official website of the Ministry of internal Affairs of the Russian Federation. <https://мвд.рф/news/item/18622413>
- Decree of the President of the Russian Federation No. 683. (December 31, 2015). “*On the national security Strategy of the Russian Federation*”. Collection of Legislation of the RF 04.01.2016, No. 1 (Part 2), Item 212.
- Dmitriev, S.N. (2003). *Legal, organizational and tactical problems of the road patrol service of the State road safety inspection*: Ph.D. thesis. Academy of Management of the Ministry of Internal Affairs of the Russian Federation, Moscow.
- Draft Federal law No 385-7. (October 5, 2015). “*On municipal police in the Russian Federation*”. Official website of the State Duma of the Federal Assembly of the Russian Federation. <https://sozd.duma.gov.ru/bill/385-7>
- Draft law No. 885214-7. (January 20, 2020). “*On improving the regulation of certain issues of organization and functioning of public authorities*”. Official website of the State Duma of the Federal Assembly of the Russian Federation. <https://sozd.duma.gov.ru/bill/885214-7>
- Federal law No. 131-FZ. (October 06, 2003). “*About the General principles of the organization of local self-government in the Russian Federation*” (ed. from 23.05.2020). Collection of Legislation of the RF 06.10.2003, No. 40, Item 3822.
- Federal law No. 3-FZ (February 7, 2011). “*On the police*” (ed. from February 6, 2020). Collection of Legislation of the RF 14.02.2011, No. 7, Item 900. Rossiiskaia Gazeta [Ros. Gaz.] February 10, 2020.
- Golovko, V.V., & Sergeev, M.V. (2019). Administrative reform in the Ministry of internal Affairs system: problems and prospects. *Altai legal Bulletin*, 1(25), 35-38.
- Kalyuzhnyi, Yu. N. (2017). The interaction of the state traffic Inspectorate of MIA of Russia with the civil society institutions and citizens in the sphere of ensuring road safety. *NB: Administrative law and administration practice*, 6, 33-40.
- Kalyuzhny, YU.N. (2019). Modern problems of legislative regulation of the use of certain types of electric transport. *NB: Administrative law and practice of administration*, 5, 27-33.
- Kirichek, E.V. (2019). Some reflections on justice, legal law and human rights in the context of modernization processes in the Russian Federation. *Constitutional and municipal law*, 5, 27-30.
- Kurakin, A.V., Kostennikov, M.V., & Myshlyayev, N.P. (2015). Legal regulation of police activities for the prevention of offenses in foreign States. *Police activity*, 1, 24-34.

- Mayorov, V.I. (2017). Administrative reform in Russia: improving public administration based on the concept of a new state management. *Legal science and law enforcement practice*, 3(41), 109-116.
- Mayorov, V.I., & Dunaeva, O.N. (2018). Formation and development of the state policy of Japan to ensure the safety of road users. *Legal science and law enforcement practice*, 3(45), 156-163.
- Message of the President of the Russian Federation V.V. Putin to the Federal Assembly of the Russian Federation. (January 15, 2020). Rossiyskaya Gazeta, January 16, 2020.
- Naryshkin, S.E., & Khabrieva, T.YA. (2008). Administrative reform in the subjects of the Russian Federation. *Journal of Russian law*, 10, 3-14.
- Passport of the national project "Safe and high-quality highways"* (approved by the Presidium of the Council under the President of the Russian Federation for strategic development and national projects, Protocol No. 15 of December 24, 2018). <http://government.ru/projects/selection/733/35558>
- Rossinsky, B.V. (2018). Implementation of administrative reforms. *Bulletin of the University named after O.E. Kutafin*, 1(41), 31-38.
- Soldatenkov, A.G. (2007). *System of Federal Executive authorities of the Russian Federation in the context of modern administrative reform*: Ph.D. thesis. Peoples' Friendship University of Russia (RUDN), Moscow.
- Solovev, S.G., Mayorov, V.I., & Petrov, A.Y. (2018). Legal construction of the 'municipal filter' for developing local self-government in Russia. *Journal of Advanced Research in Law and Economics*, 9(5), 1771-1775.
- Vishnyakov, V.G. (2003). Administrative reform in Russia: from the crisis of public administration to an effective state. *Journal of Russian law*, 10, 11-23.
- Vorobieva, E.I., Burkaltseva, D.D., Blazhevich, O.G., Betskov, A.V., Kilyaskhanov, KH.SH., Mashyanova, E.E., & Deriglazova, T.D. (2019). Technology for compensating economic damage to injured or aggrieved victims of road traffic incidents. *Amazonia Investiga*, 8(22), 475-484.
- Zeidullaev, M.Z. (2017). Foreign experience of the system of protection of public order and prevention of offenses in localities. *Journal of foreign legislation and comparative law*, 2(63), 42-47.
- Zhankaziev, S.V., Vorobyev, A.I., Morozov, D.Y., Novikov, A.N., & Kulev, A.V. (2017). Efficiency of operation and functioning of the system of an indirect transport flow regulation and control. *International Journal of Applied Engineering Research*, 12(13), 3645-3652.