

By the Judgement of 13 December 2022 № 54-П the Constitutional Court assessed constitutionality Article 2.6.1. (Part 2) of the Code of the Russian Federation on Administrative Offenses.

This provision was the subject of consideration since it served as basis to determine the subject of administrative liability for commission, using a vehicle owned (possessed) by a legal entity, of an administrative road traffic offence recorded by special technical means operating in automatic mode and possessing the functions of photography, filming , video recording, or by means of photography, filming, video recording, which based on its objective side was committed while driving a vehicle if this vehicle was driven by a person, who at the material time was an employee of the legal entity.

The Constitutional Court found the contested not to be in contravention with the Constitution of the Russian Federation since according to its constitutional and legal meaning within the current legal framework in the above situation it does not imply release from administrative liability of a legal entity – owner (holder) of a vehicle on the grounds that at the time of the offense it was driven by its employee.