

By the Judgement of 27 March 2023 No. 11-II the Constitutional Court assessed constitutionality of Part 2 of Article 2.1 and Article 12.32 of the Code of the Russian Federation on Administrative Offenses.

These legal provisions were the subject of consideration insofar as they served as basis to decide upon administrative liability of a legal entity (employer) for allowing a driver (employee) deprived of the driver's license in the event that the driver concealed this fact when concluding an employment contract and subsequently performing his work duties, having provided the employer with an unexpired tractor driver's license.

The challenged provisions were found not to be in conflict with the Constitution of the Russian Federation, since according to their constitutional and legal meaning when resolving the said issue they do not imply bringing a legal entity to administrative liability, unless during the administrative offence proceedings it was established that the legal entity was aware of the fact that the relevant person had been deprived of his driver's license or should have reasonably assumed such a fact and failed to use the legal opportunities available to everyone and depending solely on them to verify the validity of the driver's license presented.