Modern Methods And Priorities For The Development Of The Field Of Forensic Transport Research Expertise

Yuldashev Laziz Olimovich

State court expert of the Fergana Regional Department of the Republican Forensic Expertise Center named after H. Sulaimanova under the Ministry of Justice of the Republic of Uzbekistan, 2nd level lawyer.
Republic of Uzbekistan, 150103, Fergana city, 121 B. Margilani str.
Phone: *+998-90-570-70-15*

ABSTRACT

To develop the field of judicial transport expert examination, to increase the expertise of experts, to provide citizens with clear, reliable and transparent information on the field, to inform about the content and procedure of transport expert examination

Keywords: Forensic transport expertise, auto technical expertise, expert opinion, identification, reproducibility, comparability.

Introduction.

In this thesis, all the information about the judicial transport scientific expertise, the theoretical bases of the judicial transport scientific expertise, objects, and knowledge about all its types are fully embodied. a complete and clear understanding is provided, as well as information necessary for expert practice that meets the requirements of the present time.

The Main Part.

In the Republic of Uzbekistan, the rule of law is recognized as one of the main principles of the country's development. Therefore, in some cases, there is a need to solve issues related to medicine and biology in the activities of law enforcement agencies. According to the current legal documents, in such cases, forensic medicine can be used to reduce losses from traffic accidents, improve traffic conditions, improve the construction of vehicles and their technical condition, improve the skills and discipline of drivers, and organize the organized movement of participants. requires the implementation of a set of measures. Among the preventive measures, the study of the causes of the traffic accident and the factors accompanying it occupies a special place. It will be possible to determine these reasons and the factors contributing to the occurrence and development of accidents only with a detailed study of the state of the road and its changes.

Accident examination is a collective scientific and technical study of all aspects of the phenomenon by persons with special knowledge in science, technology and the field.

The actions of the expert in the case of the accident are focused on identifying a number of cases in which the legal assessment of the actions of the accused will depend on them.

Situations that are considered to be the main elements of the accident include:

The mechanism of the accident;

dangerous and emergency situations;
moment of occurrence of danger;
driver's sensorimotor reaction;
place of occurrence;
causal links between the actions of the driver and the consequences of the accident;
technical and psychophysiological possibility (impossibility) of preventing the incident;
psychological state of the driver at the moment of the accident;
the technical condition of the vehicle and the condition of the road at the scene of the accident;
a number of other derivative factors.

The mechanism of an accident is a dynamic aspect of the event characterized by the interaction of the elements involved in it, and it appears to be the interconnection of causes and conditions that affect the emergence, development and completion of the event. it is determined that appropriate forensic examination should be appointed.

Forensic criminal investigation is a procedural action that examines the circumstances of a criminal case in order to identify facts that can be used as evidence to determine the truth in a criminal or civil case. Such practical information may be useful in verifying information obtained on the basis of other evidence. Forensic examination of the Criminal Investigation Department is conducted by the employees of the State Forensic Examination of the Republic of Uzbekistan according to the assignment of investigators, investigators and other persons with special knowledge - provided for by the law. In some cases, investigative and judicial bodies entrust the conduct of expertise to freelance experts - employees of scientific-research institutes and laboratories, higher educational institutions, various economic entities. Special knowledge in the field of forensic medicine, automotive technology and criminalistics is necessary for the examination of a car accident. The purpose of the forensic autotechnical examination is to determine the scientifically based descriptions of the accident in all phases, to determine the objective causes of the accident and how all its participants behaved. As a result of the examination, the person investigating this accident should be able to answer the main question: did the incident occur as a result of the wrong actions of its participants who did not follow safety rules? To achieve this goal, several special tasks that arose during the examination are solved. Depending on the circumstances of the accident, these tasks can be met in different combinations. In general, they are expressed as follows:

- Identification, systematization and critical analysis of the factors contributing to the accident. Such factors usually include: technical condition of vehicles and roads, traffic parameters of vehicles and pedestrians, organization of road traffic and related technical means;
- Analysis of the factors that can contribute to the emergence and development of the YTH, their theoretical and experimental research;
- to determine the technical causes of the accident under investigation and whether individual participants of the incident could have prevented it;
- to determine how the researched accident participants behaved and how their behavior complies with traffic rules and other regulatory documents; Each case is accompanied by "silent witnesses" - physical evidence. Expert's knowledge and experience make them "speak". The expert will find answers to special questions that arise during the investigation process and when the case is considered in court. It helps the investigator and the court to study the mechanism of the accident, to make a correct legal assessment of the participants of the incident, to comprehensively and critically interpret its circumstances, and to determine their significance for a specific criminal case. According to the composition of the participants, expertises are divided into commission, collective and expertises with the participation of one expert. In relatively simple cases, where the nature of the accident does not call for contradictions in the interpretation of its circumstances, the examination is conducted by a single expert. Commissioned expertise is appointed in the study of complex events involving a large number of participants and vehicles, as well as in cases where their interpretation raises doubts or calls for

contradictions. The commission includes several experts with the same specialty. The members of the commission analyze the same objects and find answers to the same questions. The commission of experts shall present a general conclusion agreed with all its members or a statement on the impossibility of giving a conclusion. In case of disagreements, each member of the commission can present his opinions in writing, based on them (Article 266 of the Criminal Code of the Republic of Uzbekistan). Collective expertise is appointed in cases where the issues that arise cannot be solved by one type of specialists and persons with different specialties are required. In the collective examination, the commission may include medical personnel, criminalists and other specialists, in addition to the expert-auto technician. The commission studies the same objects and finds answers to questions that are common to experts from different fields of knowledge. In the conclusion of the collective expertise, it is shown what kind of research each expert conducted and what conclusion he reached. Each expert shall sign the part of the summary containing his research and conclusions. If the examination is entrusted to an expert institution, then the organization of collective research is entrusted to its head.

Primary, additional and repeated expertises are divided according to the order of transfer. During the primary examination, the expert auto technician finds answers to the specific questions contained in the decision of the investigator or investigator. Additional expertise is assigned in cases where the expert's conclusion is not clear enough and not complete enough, as well as in cases where new questions arise regarding previously investigated cases. Additional research clarifies the previously given conclusion, clarifies the process of researching the accident and the content of the conclusion. The answers to the previous questions will be further substantiated. A repeated examination can be appointed in cases of doubts about the expert's qualifications, whether the examination was carried out correctly, whether the expert's conclusions are objective, the reliability of the information on which the conclusion is based, as well as when the requirements of the JPK are violated (Article 239 of the JPK article). Re-examination is often a commission and is appointed only with a new composition. The composition of the new commission does not include experts who participated in primary or additional expertise. Repeat examination always answers the same questions asked in primary and additional examinations. If new questions are asked, then the examination is considered repeated only in the part of repeated questions and objects, and in the remaining parts the examination is considered a primary examination. In the Republic of Uzbekistan, legal evidence is defined by the law, and the body conducting the criminal process determines the presence (or absence) of actions dangerous to society, the guilt of the person who committed these actions, and the correctness of the case. is any valid information that identifies other circumstances that are important for decision-making (Article 88 of the Criminal Code of the Republic of Uzbekistan). Such evidence includes: witnesses, the accused (suspect), the testimony of the victim, the opinion of an expert, material evidence, reports of investigation and court proceedings and other documents provided for in the BR JPK. An expert's opinion is an important tool in proving crimes committed by vehicles. it contains supporting information. It is obtained on the basis of researches based on scientific data, as well as actual cases recorded in criminal cases. The expert examines the presented evidence with the help of special knowledge in accordance with the tasks assigned to him and determines other evidence in the case. Thus, the evidentiary information determined by the forensic examination is the result of the generalizing learning process and has the character of a conclusion. The conclusion of an expert auto technician is not considered binding for the investigation and the court, but their disagreement with the expert's conclusions must be reflected and justified in the condemnation charge, sentence or decision to conduct a repeated examination.

Due to the wide spread of many types of transport in the 21st century, the types of traffic injuries will increase dramatically. The

number of casualties from these injuries can be compared to the average scale of wars that continue from year to year. Especially important among these are car accidents. Currently, about 300,000 people die on the roads of the world and more than 10 million are injured, but we are witnessing that this injury is constantly increasing. In our country, despite the fact that many measures are taken to prevent traffic injuries, the death rate remains high. That is why traffic injuries occupy an important place in the practice of forensic medical expertise. From the point of view of forensic medicine, traffic injuries are defined as mechanical injuries sustained from external and internal parts of a moving vehicle, as well as from a fall from a moving vehicle.

Depending on the type of transportation, injuries are divided into the following types:

1) injury from a car;
2) injury from a motorcycle;
3) injury from a tractor;
4) injury from tram and subway transport;
5) injury from rail transport;
6) injury from aviation transport;
7) injury from water transport. Such division is characterized by specific damage caused by the impact of different means of transport. It is important to carefully examine each incident, to study the causes and conditions that lead to injury in the prevention of transport accidents. 70-75% of road traffic safety violations occur due to non-observance of technical safety rules by drivers, pedestrians, rarely passengers, and only 1/3 of all traffic accidents. Part of this is the unsatisfactory state of the road and the technical failure of the vehicle. The main types of traffic accidents that lead to death are pedestrians being hit by motor vehicles in cities and being hit by vehicles. That is why pedestrians and people in cars are often injured. However, earlier pedestrians were twice as injured from traffic than passengers, but later the number of passengers inside the car increased significantly. In today's traffic injuries, the most common and combined injuries are observed, which affect all or several parts of the victim's body, up to 50% of severe brain injuries. noticeable. Such a structure of injuries is considered the main cause of death, in which two or more parts of the human body can be injured together, or the victim usually dies from head and brain injuries. Fighting drunkenness is very important in the prevention of road traffic safety. As we know, about 50% of road accidents occur due to alcohol consumption. In cities, as a rule, victims of traffic are drunken pedestrians. Drunken drivers are the main cause of accidents in rural areas. The result of a special investigation shows that even when there is 0.5% alcohol in the blood, the driver's critical attitude towards others changes and, as a result, he overestimates his ability. All of the above reduce the ability to control traffic in difficult road conditions. A driver is 5-10 times more likely to have an accident during mild alcohol poisoning (when the blood alcohol content is 1.5%), and 25- It will be more than 50 times. In this regard, it is very surprising that in Eastern Europe it is allowed to drive a car with a blood alcohol content of 0.8% and even 1%. Many traffic accidents and accidents happen in a very short period of time (within seconds), often in the absence of witnesses, which creates significant difficulties in the search for the occurrence of the accident. That is why the court and investigative bodies make great demands on the forensic medicine expert, and this, in turn, is of great importance for the result of the examination in determining the state of the case. Forensic Examination of Car Injuries Car injuries make up the majority of traffic injuries. According to some foreign countries, death from car injuries ranks third after cardiovascular diseases and cancer. If we take into account the period of youth, 24-25-year-olds take the second place in the occurrence of death. The number of injuries from a car depends on the size of the car, the condition of the road, the professional level of the driver, the state of road safety and others. In our country, injuries from cars make up a large percentage of injuries from external impressions, and are more common in the practice of forensic medicine.

Today, the most common situation in which the conclusion of the transport scientific examination is necessary is the investigation and investigation body, because the solution to

many questions asked at the scene of this traffic accident is obtained precisely through the transport scientific examination.

This expertise solves the following issues:

- to determine the mechanism of formation of injuries in vehicles;
- to determine the position of the vehicles in relation to each other at the time of the collision;
- to determine at what angle the longitudinal axes of the vehicles were at the time of the collision (relative to each other);
- determining which parts of the vehicle collided initially and later;
- to determine how the incident started according to the traces at the scene;
- to determine where the place of collision was on the road;
- to determine on which side of the road the collision occurred;
- to determine the angle at which the vehicles were in relation to the road axis at the time of the collision;
- determining the direction of movement of vehicles before, during and after the collision;
- to determine whether the vehicles were in motion or one of them was stationary at the time of the collision.

Contact traces of vehicles are an important source of information about traffic accident situations, according to which not only the process of direct interaction of a vehicle with another vehicle or another obstacle, but also mechanism can also be restored.

The task of the forensic traffic expert is to perform a complete and consistent examination of the vehicle to identify and correct all traces and, if necessary, to reconstruct them for the subsequent establishment of the mechanism of the traffic accident.

One of the tasks of transport trasology is the development of techniques and means of identification of vehicles and their parts, their identification is an evidentiary fact in the investigation of crimes. However, the main task is to develop a methodology for solving diagnostic issues related to the mechanism of a traffic accident.

When solving these diagnostic tasks (determining the direction of movement of the vehicle, the place and angle of the collision of vehicles, their mutual location during the collision, etc.), the specific features of traffic trasology are manifested, in which the classification of tracks, methods of their identification and evaluation, forensic knowledge related to knowledge of the functional characteristics of vehicles, in particular, cars and motorcycles, which are the main object of transport trasology. Transport trasology deals with very limited (in terms of diversity) traces of trace-forming objects classified into large groups. The first main features in the trasological classification are the features of the external structure of such objects (wheels, bumpers, headlights, etc.). These signs are reflected in their general shape and size, as well as in the macro and micro structure of the surfaces.

The method of determining the relative location and direction of movement of vehicles, roads and obstacles along roads is generally universal and does not depend on which vehicle they are in. When evaluating the results of the experiments, of course, the measurements, the purpose of the studied objects, the circumstances of the incident and the information about the situation in which the formation of traces took place are taken into account.

Other issues may be raised before transportation and trasological examination. The main thing is that these issues are within the authority of a specialist in transport trasology.

Conclusion.

In short, through the development of the field of transport science expertise, road traffic incidents are analyzed and their reduction is achieved, at the same time, identification of modern methods and priorities of transport science expertise, development of the field, thereby promoting peace and stability in society. ensure, the priority of justice can be achieved.

The class of engineering-technical expertise includes forensic transport science, horse and

auto technical expertise, as well as security, construction-technical, fire-technical, engineering-technological, explosion expertise.
Before: questions arise related to the study of auto technical expertise:
a) condition of vehicles;
b) traffic accident situation;

Expert opinion

Expert opinion, as a rule, consists of three parts: introduction, research and conclusion.
The fashionable part of the summary shows the following: examination institution: the criminal case where the examination is being conducted; the body that appointed the expertise; dates of submission of materials and conclusion; questions; the list of received materials and the state of packaging; information about the expert (position, specialty, degree, title, expert experience); was present during the inspection. In some cases, the introduction contains a brief history of the case, as well as information about the questions sent by the expert and the answers received to them. Re-examination summaries also list primary examination summaries, and complex examination summaries show how the questions were distributed among experts in different specialties. The structural and research part sequentially reflects the stages of the examination, starting with a detailed examination. The specialist, as a rule, is not limited to one technique and seeks to create a set of data from general characteristics to specific data. The summary shows the methods used and those that are not so well known are described in sufficient detail based on the source, as well as the equipment used, the case materials to be studied are listed.
Evaluation of the expert opinion as evidence is carried out by the investigator (court) on a general basis.
In the process of getting acquainted with the summary, the following questions are clarified: are the presented materials sufficient, are the expert requests satisfied, are the presented materials fully and objectively studied, are the methods used in the research sufficiently effective? is it suitable? Next, the investigator (court) compares expert conclusions with other evidence collected in the case, determines the place and content of each identified fact in the evidence system, and evaluates the conclusion as a whole. The investigator can question the expert to get clarifications or additions to the conclusion.
The expert's report and the report of the interrogation must be presented to the accused for perusal, he can give his explanations and raise objections. If the objections are considered important, the issue of appointing an additional or repeated expertise will be considered.
According to the composition of expertise, there is an individual (one expert), a commission (two or more experts in the same field). In practice, commission examinations usually occur in repeated research (each of the experts conducts the research in its entirety, after which they draw a conclusion together. In the production of a complex forensic examination by experts of various specialties, each of them within the scope of their special knowledge conducts research. The expert report shows how and to what extent each expert conducted research, what facts he determined and what conclusion he came to. signs the part containing it and is responsible for it. The general conclusion is made by experts who have the authority to evaluate the obtained results and form this conclusion. If the basis for the general conclusion is the facts determined by one or more experts, this should be indicated in the conclusion.Experts conducting a complex or commission examination draw up a single conclusion. In case of disagreement between experts, each of them or an expert who disagrees with others will give a separate opinion. The correct selection of samples necessary for the comparative study of objects is of decisive importance in the appointment of expertise.
All samples sent for examination must meet the following requirements:
reproducibility (complete and clear display of identification marks in them);
comparability (possibility of using samples for comparison based on general and partial characteristics);
constancy (the stability of the characteristics shown during the period of identification);

authenticity of origin.

The conclusions drawn by the expert can be categorical and probabilistic (positive and negative). The firm opinion of the expert is the source of evidence, and the factual information indicated in the opinion is the evidence in the case. Probabilistic inference is not a source of evidence; it only sets the direction of further investigation. Probable conclusion plays an operational-tactical role and, of course, cannot be used as a basis for judgment.

In conclusion, it is possible to determine the modern methods and priorities for the development of the field of forensic expertise, to develop the field, thereby ensuring peace and stability in the society, and achieving the priority of justice.

References:

1. Sh.M.Mirziyoyev “Yangi O‘zbekiston taraqqiyot strategiyasi” asari.
2. Gromov A.P. Kurs lektsiy po sudebnoy meditsine. – M.: Meditsina, 1970, 312 s.
3. Jalolov J.J. Sud tibbiyoti. – Toshkent, 1996.
4. Iskandarov A.I. Murdani topilgan joyida ilk bor ko’zdan kechirish: O’quv-uslubiy qo’llanma. – T., 1993, 46 s.
5. Iskandarov A.I. Sud tibbiyot fanidan test nazarati. I qism: O’quv-uslubiy qo’llanma. – T., 1994, 133 s.
6. Iskandarov A.I. Sud tibbiyot fanidan test nazarati. II qism: O’quv-uslubiy qo’llanma. – T., 1994, 114 s.
7. Iskandarov A.I., Eshmuradov B.A., Iskandarov A.R. To’mtoq va o’tkir jismlardan shikastlanishlarining sudga oid transport izshunoslik ekspertizasi: O’quv-uslubiy qo’llanma. – T., 1998, 10 s.
8. Kryukov V.N. Sudebnaya meditsina. – M.: Medgiz, 1998.
9. Sudebnaya meditsina: Uchebnik dlya vuzov. /E.Shamsiev, A.I.Iskandarov, R.Zufarov, V.Talimbekova. – T., 2003, 439 s.
10. Shamsiev E.S., Iskandarov A.I., Zufarov R.A., Talimbekova V.K. Sudtibbiy fanlari: Oliy o’quv yurtlari uchun darslik. – T., 2004. – 528 s.
11. Iskandarov A.I., Eshmuradov B.A. Mexanik asfiksiyaning sudga oid transport izshunoslik ekspertizasi: O’quv-uslubiy qo’llanma. – T., 1998, 13 s.
12. Iskandarov A.I., Eshmuradov B.A. Murdaning sudga oid transport izshunoslik ekspertizasi: O’quv-uslubiy qo’llanma. – T., 1998, 22 s.
13. Iskandarov A.I., Eshmuradov B.A. Nozo’raki o’limning sudga oid transport izshunoslikot ekspertizasi: O’quv-uslubiy qo’llanma. – T., 1999, 13 s.