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| ***LAW OF UKRAINE*** |

**About modification of some legislative acts of Ukraine concerning reforming of sphere of parking of vehicles**

**(Vedomosti Verkhovnoi Rady (VVR), 2018, № 15, p.120)**

The Verkhovna Rada of Ukraine **resolves** :

I. Make changes to the following legislative acts of Ukraine:

1. In the [Code of Ukraine on Administrative Offenses](https://zakon.rada.gov.ua/laws/show/80731-10) (Vedomosti of the Verkhovna Rada of the USSR, 1984, appendix to № 51, art. 1122):

1) [Article 14 **- 2**](https://zakon.rada.gov.ua/laws/show/80731-10#n3865) shall be worded as follows:

" **Article 14 - 2.** Liability for administrative offenses in the field of road safety, recorded in automatic mode, and for violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video)

Administrative liability for offenses in the field of road safety, recorded in automatic mode, or for violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video recording) (using technical means that allow photography or video recording and function in accordance with the legislation on information protection in information and telecommunication systems), is the responsible person - a natural person or the head of the legal entity for which the vehicle is registered, and if the Unified State Register of Vehicles entered information about the appropriate user of the vehicle - proper user of the vehicle, and if in the Unified State Register of Legal Entities,natural persons - entrepreneurs and public formations are missing at the time of request information about the head of the legal entity for which the vehicle is registered - a person who performs the powers of the head of such legal entity.

If the vehicle is registered outside the territory of Ukraine and such a vehicle in accordance with the law is not subject to state registration in Ukraine, to administrative liability for offenses in the field of road safety, recorded automatically, or for violation of the rules of stopping, parking, parking vehicles recorded in the mode of photography (video recording), the person who imported such a vehicle into the territory of Ukraine is involved.

The responsible person referred to in part one of this article, or the person who imported the vehicle into the territory of Ukraine, shall be released from liability for administrative offenses in the field of road safety, recorded automatically, or for violation of the rules of stopping, parking, parking vehicles , recorded in the mode of photography (video recording), in the cases provided for in Articles 279 **- 3 of** this Code.

Note. The mode of photography (video recording) involves the authorized official photo / video recording of the circumstances of violation of the rules of stopping, parking or parking of vehicles, namely: date, time (moment), location of the vehicle in relation to fixed objects and / or geographical coordinates , other signs of the presence of an administrative offense under the relevant article of the Special Part of this Code. When taking photos, it is mandatory to have at least two images of the vehicle, obtained from different or opposite angles, and in case of fixing the violation, which is not to pay for the use of paid parking space within the settlement, which does not implement automated parking payment control system,

The Cabinet of Ministers of Ukraine shall establish the procedure for entering information on a proper user of a vehicle into the Unified State Register of Vehicles, the holder of which is the Ministry of Internal Affairs of Ukraine ";

2) [part two of](https://zakon.rada.gov.ua/laws/show/80731-10#n171) Article 33 shall be worded as follows:

"When imposing a penalty, the nature of the offense, the identity of the offender, the degree of his guilt, property status, mitigating and aggravating circumstances shall be taken into account, except in cases of imposition of a penalty for traffic safety, including recorded automatically, and for violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video recording) Features of imposing penalties in cases without the participation of a person prosecuted for traffic offenses, recorded in automatic mode, and for violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), are established by Articles 279 **-1** -279 **- 4 of** this Code ";

3) the text of the [note](https://zakon.rada.gov.ua/laws/show/80731-10#n3879) to Article 122 shall be worded as follows:

Note , violation of the rules of stopping, parking, as well as the ban on vehicles moving in the lane for route vehicles, sidewalks or footpaths, entering the oncoming lane, if the offense is recorded automatically, as well as in case of violation of the rules of stopping, parking means, if the specified offense is fixed in the mode of photographing (video recording), - the responsible person specified in part one of article 14 **-2 of** this Code, or a person who imported a vehicle into the territory of Ukraine. In the case of amendments to the decision to impose an administrative penalty on the grounds set out in paragraph three of the first part of Article 279 **- 3 of** this Code, the subject of this offense may be a person who drove a vehicle at the time of the offense recorded automatically or in mode photography (video recording) ";

4) to supplement Article 127 **- 2 with the** following content:

" **Article 127 - 2.** Violation of the order of temporary detention of vehicles and their storage, violation of the legislation in the field of payment of services on parking of vehicles

Violation of the order of temporary detention of vehicles and their storage, including the implementation of such activities without a policy of compulsory civil liability insurance of the entity providing such services, for damage that may be caused to the vehicle during its transportation and / or or storage, -

entails the imposition of a fine on the head of the business entity, an individual entrepreneur from seventy to one hundred non-taxable minimum incomes.

Acceptance by the parking inspector of cash in cash to pay for the services of vehicle parking and / or to pay fines imposed at the scene of the offense -

entails the imposition of a fine of fifty to seventy non-taxable minimum incomes.

The action provided for in part two of this article is committed by a person who during the year was subjected to an administrative penalty for the same offense, -

entails the imposition of a fine of one hundred to one hundred and twenty non-taxable minimum incomes ";

5) in [Article 152 **- 1**](https://zakon.rada.gov.ua/laws/show/80731-10#n3599) :

the title shall be worded as follows:

" **Article 152 - 1.** Violation of rules of parking of vehicles and violation of rules of the equipment of platforms for paid parking of vehicles";

[parts one to four](https://zakon.rada.gov.ua/laws/show/80731-10" \l "n3600" \t "_blank) shall be worded as follows:

"Violation of the rules of parking of vehicles, including non-payment of the cost of services for the use of the paid parking area for each day of use, -

entails the imposition of a fine in the amount of twenty times the cost of one hour of service for the use of the site for paid parking of vehicles on which the vehicle is at the time of violation.

Parking of vehicles in places intended for free parking of vehicles, by persons who do not have the relevant benefits (except for the cases specified in part six of this article), or in places not intended for parking of appropriate vehicles, -

entails the imposition of a fine in the amount of thirty times the cost of one hour of service for the use of the site for paid parking of vehicles on which the vehicle is at the time of violation.

Violation by an official of an economic entity that maintains parking lots for vehicles, defined by the rules of parking of vehicles of the requirements for the location and operation of parking lots for vehicles -

entails the imposition of a fine of thirty to fifty non-taxable minimum incomes.

Lack of equipment for paid parking of vehicles in accordance with the requirements established by law -

entails the imposition of a fine on officials of economic entities that maintain areas for paid parking of vehicles, from forty to fifty non-taxable minimum incomes ";

in the first paragraph of the fifth part, the word "second" shall be deleted;

the text of the [note](https://zakon.rada.gov.ua/laws/show/80731-10#n3610) shall be supplemented with the third and fourth paragraphs of the following content:

"Non-payment of services for the use of a paid parking space should be understood as non-payment of the cost of services for the use of a paid parking space for vehicles for more than 10 minutes of use of a paid parking space for vehicles (except for sites equipped with automatic entry and exit terminals). which payment is made upon departure from the site).

The subject of the offense provided for in parts one and two of this article is the person who drove the vehicle at the time of the offense (parking), and in case of fixation of the offense in the mode of photography (video) - the responsible person specified in part one of the article 14 **- 2 of** this Code, or a person who imported a vehicle into the territory of Ukraine. In the case of amendments to the decision to impose an administrative penalty on the grounds set out in the third paragraph of the first part of Article 279 **- 3 of** this Code, the subject of the offense may be a person driving a vehicle at the time of the offense recorded in the mode of photography (video) " ;

6) [paragraph 2 of](https://zakon.rada.gov.ua/laws/show/80732-10#n11) Article 213 after the words "executive committees" shall be supplemented with the words "(and in settlements where no executive committees have been established - by executive bodies exercising their powers)";

7) in parts [one](https://zakon.rada.gov.ua/laws/show/80732-10#n35) and [two of](https://zakon.rada.gov.ua/laws/show/80732-10#n36) Article 218, the words and figures "parts one to five of Article 152 **- 1** " shall be deleted;

8) [Article 219](https://zakon.rada.gov.ua/laws/show/80732-10#n39) shall be worded as follows:

" **Article 219. Executive committees (executive bodies) of village, settlement, city councils**

Executive committees (and in settlements where executive committees have not been established - executive bodies exercising their powers) of village, settlement, city councils consider cases of administrative offenses under Articles 92, 99 (if the offense is committed by a citizen), Article 104, parts one and three of Article 122 (in terms of violation of the rules of stopping, parking of vehicles within the relevant settlement, recorded in the mode of photography (video), Articles 127 **- 2** , 141, 142, 152, parts one - five of Article 152 **- 1** , Article 159, Article 175 **- 1**(for violations committed in places prohibited by the decision of the relevant village, settlement, city council), Article 179, Article 180 (except for cases concerning parents of minors or persons replacing them), part four of article 181, part one of article 182, articles 183 , 186 **- 1** , 197, 198 of this Code.

On behalf of the executive committees (and in settlements where there are no executive committees - executive bodies that perform their powers) village, town, city councils to consider cases of administrative offenses under Articles 197, 198 of this Code (when imposing an administrative penalty in in the form of a warning in the center of administrative services), administrators of centers of administrative services have the right.

On behalf of executive committees (and in settlements where executive committees are not created - executive bodies performing their powers) of village, settlement, city councils to consider cases of administrative offenses provided by parts one and three of article 122, parts one and two of article 152 **- 1 of** this Code, and officials of executive bodies of village, settlement, city council - parking inspectors authorized by the executive committee (executive body) of the village, settlement, city council have the right to impose administrative penalties ";

9) [part one of](https://zakon.rada.gov.ua/laws/show/80732-10#n343) Article 249 shall be worded as follows:

"The case of an administrative offense is considered openly, except for cases of administrative offenses in the field of road safety, recorded automatically, violations of the rules of stopping, parking, parking vehicles, recorded in the mode of photography (video), and cases where it contradicts interests of protection of state secrets ";

10) in the second sentence [of the first part of](https://zakon.rada.gov.ua/laws/show/80732-10#n351) Article 251, the words "automatically used in monitoring the implementation of rules, norms and standards relating to road safety" shall be replaced by the words "automatically or in the mode of photography (video recording) used when supervising the implementation of rules, norms and standards relating to road safety and parking of vehicles, the act of inspection and temporary detention of the vehicle ";

11) in [part one of](https://zakon.rada.gov.ua/laws/show/80732-10#n367) Article 255:

in the [second](https://zakon.rada.gov.ua/laws/show/80732-10#n369) paragraph of item 1, the words and figures "parts three and four of Article 122" shall be replaced by the words and figures "part four of Article 122";

[paragraph 2](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n439" \t "_blank) shall be worded as follows:

"2) officials authorized to do so by executive committees (and in settlements where no executive committees have been established - by executive bodies exercising their powers) of village, settlement, city councils (parts one to four of Article 41, Articles 96 **to 2).** , 103 **- 1** , 103 **- 2** , 103 **- 3** , 104, part one of articles 106 **- 1** , articles 106 **- 2** , 127 **- 2** , 149-152, parts three - five of articles 152 **- 1** , articles 154, 155 , 155 **- 2** , 156, 156 **- 1** , 156 **- 2**, 159-160, Article 175 **- 1** (for violations committed in places prohibited by the decision of the relevant village, settlement, city council), Articles 183, 185 **- 1** , 186 **- 5** , 197, 198) ";

12) in [Article 258](https://zakon.rada.gov.ua/laws/show/80732-10#n509) :

[the second part](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n511" \t "_blank) shall be supplemented with the words "as well as violations of the rules of stopping, parking, parking of vehicles recorded in the mode of photography (video recording)";

[the fourth part](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n513" \t "_blank) shall be supplemented with the words "or there is a notice of bringing to administrative responsibility for violation of the rules of stopping, parking or parking of vehicles in case of their fixation in the mode of photography (video recording), except for cases of fixation in the automatic mode

in the first sentence [of the fifth part, the](https://zakon.rada.gov.ua/laws/show/80732-10#n514) words "and offenses in the field of road traffic, including those recorded in automatic mode" shall be replaced by the words "offenses in the field of road safety, including those recorded in automatic mode, or violations of the rules of stopping, parking , parking of vehicles recorded in the mode of photography (video recording) ";

13) in [Article 265 **- 2**](https://zakon.rada.gov.ua/laws/show/80732-10#n583) :

add the name with the words "employees of authorized units of the National Police";

in [part one](https://zakon.rada.gov.ua/laws/show/80732-10#n584) :

the first sentence after the words "obstructs traffic" to add the words "or poses a threat to traffic safety";

the second sentence shall be worded as follows: "In case of temporary detention of a vehicle, an act of inspection and temporary detention of the vehicle shall be drawn up, the form of which shall be approved by the Cabinet of Ministers of Ukraine";

in [part three](https://zakon.rada.gov.ua/laws/show/80732-10#n586) :

the first sentence after the words "does not significantly impede traffic" to add the words "or does not pose a threat to traffic safety";

to add the following sentences: "Cases of temporary detention of a vehicle and its delivery for storage to a special site are defined in part three of Article 265 **- 4 of** this Code. In case of temporary detention of a vehicle Information on the temporary detention of a vehicle shall be immediately transmitted to the mobile (mobile) subscriber number and to the e-mail address indicated by the relevant users or persons for whom the vehicles are registered, in accordance with Articles 279 **to 4.**of this Code. In case of damage to the vehicle during its transportation and / or storage, the damages are reimbursed at the expense of the business entity providing such services, and / or the corresponding insurance indemnity carried out under the legal relations of compulsory civil liability insurance of the business entity, providing services for transportation and / or storage of vehicles in case of their temporary detention ";

[Part six](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n589" \t "_blank) following sentence: "Return the vehicle detained by delivering storage in a special area or parking, is immediately at the request of the person referred to in Article 14 **- 2** of the Code, or the person who imported the vehicle into the territory Ukraine, or the person who was driving the vehicle at the time of the offense, after paying a fine for the offense and paying the cost of transportation and / or storage of the vehicle ";

[part seven](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n590" \t "_blank) shall be worded as follows:

"The procedure for temporary detention of vehicles and their storage by authorized units of the National Police of vehicles and their storage shall be established by the Cabinet of Ministers of Ukraine";

14) to supplement Article 265 **- 4 with the** following content:

" **Article 265 - 4** . **Temporary detention of vehicles parking inspectors**

Temporary detention of a vehicle by a parking inspector shall be carried out by delivery for storage to a special site or parking lot by means of a special tow truck and shall be permitted only in the cases established by this Article. In case of temporary detention of a vehicle, an act of inspection and temporary detention of the vehicle shall be drawn up, the form of which shall be approved by the Cabinet of Ministers of Ukraine.

Temporary detention of a vehicle by delivery for storage on a special site or parking lot is carried out in case of violation of part three of Article 122 (violation of stop rules, parking within the relevant settlement), part one of Article 152 **- 1 of** this Code, in cases provided part three of this article, as well as in case of violation of part two of article 152 **- 1 of** this Code.

For the purposes of this Code, the placement of a vehicle is such that it significantly obstructs traffic or poses a threat to traffic safety if the vehicle:

1) placed on the roadway in two or more rows;

2) located in places of stopping or parking prohibited [by the Rules of the Road](https://zakon.rada.gov.ua/laws/show/1306-2001-%D0%BF#n16) , namely:

a) at railway crossings;

b) on tram tracks;

c) on overpasses, bridges, overpasses and under them, in tunnels;

d) at pedestrian crossings and closer than 10 meters to them on both sides, except in cases of stopping to give preference to traffic;

e) at intersections and closer than 10 meters from the edge of the crossed carriageway in the absence of a pedestrian crossing, except for a stop for preference in traffic and a stop against a side passage at T-shaped intersections, where there is a solid marking line or dividing strip;

e) on the carriageway, where the distance between the solid marking line or the opposite edge of the carriageway and the stopped vehicle is less than 3 meters;

f) closer than 30 meters from the landing sites for stopping route vehicles, and in their absence - closer than 30 meters from the road sign of such stop on both sides;

g) closer than 10 meters from the marked place of road works and in the area of ​​their performance;

g) in places where it will be impossible to cross or bypass the stopped vehicle;

h) closer than 10 meters from the exits from the adjacent territories and directly at the place of departure;

3) by its location makes it impossible for other vehicles to move or creates an obstacle for the movement of pedestrians, including persons with disabilities in special vehicles and pedestrians with prams;

4) located on a dedicated lane for public transport;

5) is located on a cycle path marked by appropriate road signs and / or road markings;

6) impedes the movement or operation of snow removal and other technological public transport in the event of a state of emergency or in the case of declaring a separate area an ecological emergency zone;

7) violates the vehicle parking scheme in such a way that it blocks the passage of two or more lanes.

In case of temporary detention of a vehicle, the location of such a vehicle must be recorded in the mode of photography (video recording).

Parking inspectors are obliged to immediately inform the relevant units of the National Police about the temporary detention of the vehicle, indicating the state number of the detained vehicle, the exact time of its detention and storage (address and telephone numbers of a special site or parking lot), post this information on the official website executive body of the relevant local council, as well as to transmit a notice of temporary detention of the vehicle to the mobile (mobile) subscriber number and e-mail addresses specified by the relevant users or persons (on behalf of persons) for whom the vehicles are registered, in accordance with Article 279 **- 4 of** this Code.

Return of a vehicle detained by delivery for storage to a special site or parking lot to the responsible person specified in part one of Articles 14 **- 2 of** this Code, or to the person who imported the vehicle into the territory of Ukraine or to the person driving the vehicle at the time offense, occurs immediately at the request of such person after payment of a fine for the offense and payment of the cost of transportation and / or storage of the vehicle.

In case of damage to the vehicle during its transportation and / or storage, the damages are reimbursed at the expense of the business entity providing such services, and / or the corresponding insurance indemnity carried out under the legal relations of compulsory civil liability insurance of the business entity, providing services for transportation and / or storage of vehicles in case of their temporary detention.

The procedure for temporary detention by inspectors of parking of vehicles and their storage shall be established by the Cabinet of Ministers of Ukraine ";

15) [the first part of](https://zakon.rada.gov.ua/laws/show/80732-10#n609) Article 268 shall be supplemented with the following sentence: are established by articles 279 **- 1** -279 **- 4 of** this Code ";

16) [the second part of](https://zakon.rada.gov.ua/laws/show/80732-10#n656) Article 277 the following sentence: "The cases on administrative offenses provided by parts one, three of article 122 (regarding traffic rules violation, parking), first and second parts of Article 152 **- 1** of the Code, captured in the image mode ( video recordings), are considered by the authorized person immediately after detection of the offense and receipt of information about the subject of this offense ";

17) [Articles 279 **- 1**-279 **- 4**](https://zakon.rada.gov.ua/laws/show/80732-10#n677) shall be [worded](https://zakon.rada.gov.ua/laws/show/80732-10#n677) as follows:

" **Article 279 - 1** . **The cases of administrative violations in the field of road safety, recorded automatically, and the traffic rules violation and parking of vehicles registered in the image mode (video)**

If an administrative offense in the field of road safety is recorded automatically or if the violation of the rules of stopping, parking, parking of vehicles is recorded in the mode of photography (video), an official of the authorized unit of the National Police or a parking inspector according to the Unified State Register of Transport funds, as well as if necessary - according to the Unified State Register of Legal Entities, Individuals - Entrepreneurs and Public Associations establishes the responsible person specified in part one of Article 14 **- 2 of** this Code.

At the request of officials of authorized units of the National Police, parking inspectors in writing or electronically (including the identification of these officials by electronic digital signature), the relevant bodies (units) of the Ministry of Internal Affairs of Ukraine, the Ministry of Justice of Ukraine are obliged to provide information on the proper user of the vehicle, individual, head of the legal entity for which the vehicle is registered, the person acting as head of such legal entity, with mandatory compliance with the [Law of Ukraine](https://zakon.rada.gov.ua/laws/show/2297-17) "On Personal Data Protection".

If an administrative offense provided for in parts one and three of Article 122 (in terms of violation of the rules of stopping, parking), parts one and two of Article 152 **- 1 of** this Code is recorded in the mode of photography (video), an official of the authorized unit of the National Police or parking inspector are obliged to place on the windshield of the vehicle a copy of the decision on bringing to administrative responsibility (if technical capabilities allow to establish the responsible person specified in part one of Article 14 **- 2**of this Code, at the scene of the offense) or notice of administrative liability (if technical capabilities do not allow to establish the responsible person specified in part one of Articles 14 **- 2 of** this Code, at the scene of the offense).

The notice of bringing to administrative responsibility shall contain the information provided for in parts two to four of Article 283 of this Code, in addition to information on the person in respect of whom the case is being considered. The notice of administrative prosecution must also contain information on the procedure for execution of the administrative penalty, including details for payment of 50 percent of the fine within 10 banking days from the date of the offense, which will be considered the execution of the administrative penalty in full.

The decision to impose an administrative penalty for an offense in the field of road safety, recorded in automatic mode, or for violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), may be made without the participation of a person prosecuted .

Information on administrative offenses in the field of road safety, recorded in automatic mode, violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), and issued decisions on imposing administrative penalties no later than the next working day the person referred to in the first part of Article 14 **- 2**of this Code, is entered in the Register of administrative offenses in the field of road safety. An official of the authorized unit of the National Police or a parking inspector when entering into the Register of administrative offenses in the field of road safety information about violations of the rules of stopping, parking, parking of vehicles, as well as when issuing a decision to impose an administrative penalty the commission of such an offense shall verify whether the relevant circumstances have not been recorded previously, as well as whether the relevant person has not been held administratively liable for this offense by another authorized official.

The decision to impose an administrative penalty shall be sent to the responsible person specified in part one of Articles 14 **- 2 of** this Code within three days from the date of its issuance by registered mail with notification to the address of registration (residence) of the individual (location of the legal entity).

The day of receipt of the resolution is the date specified in the postal notice of service on the responsible person specified in part one of Article 14 **- 2 of** this Code, or an adult family member of such person.

If the responsible person specified in part one of Articles 14 **- 2 of** this Code refuses to receive the resolution, the day of receipt of the resolution shall be the day of affixing in the postal message a mark of refusal to receive it.

In case of non-delivery of the resolution to the addressee at the address indicated in the Unified State Register of Vehicles, the day of receipt of the resolution shall be the day of return of the postal item with the indication of non-delivery to the body (subdivision).

**Article 279 - 2** . **Peculiarities of consideration of the case on an administrative offense in the field of road safety, recorded in automatic mode, and on violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), committed on a vehicle registered outside Ukraine**

If the vehicle is registered outside Ukraine, information about the committed administrative offense, recorded in automatic mode, or violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), is entered by an authorized official in the relevant electronic registers of the Ministry of Internal Affairs. Affairs of Ukraine and the State Border Guard Service of Ukraine.

Relevant bodies (subdivisions) of the State Border Guard Service of Ukraine at the request of officials of authorized subdivisions of the National Police, parking inspectors in writing or electronically (including if these officials are identified by electronic digital signature) are obliged to provide information about the person, which imported a vehicle into the territory of Ukraine, with mandatory compliance with the [Law of Ukraine](https://zakon.rada.gov.ua/laws/show/2297-17) "On Personal Data Protection".

Delivery to the person who imported the vehicle on the territory of Ukraine, a copy of the decision to impose an administrative penalty for violations in the field of road safety, recorded automatically, and / or for violations of the rules of stopping, parking, parking vehicles, recorded in the mode of photography (video ), is entrusted to the bodies of the State Border Guard Service of Ukraine, and if the vehicle is imported into the territory of Ukraine by a citizen (resident) of Ukraine, consideration of relevant cases and bringing to administrative responsibility of the person are carried out in accordance with Articles 279 **- 1** , 291, 300 **- 1 of** this Code.

The refusal of a person who has imported a vehicle into the territory of Ukraine to comply with the decision to impose an administrative penalty or its appeal is grounds for entering relevant information about foreigners and stateless persons in the database of persons who are not allowed to enter Ukraine. , stored until the execution or cancellation of the specified resolution.

**Article 279 - 3** . **Exemption of the responsible person specified in part one of Article 14 - 2 ofthis Code, the person who imported the vehicle into the territory of Ukraine, from administrative liability for an offense in the field of road safety, recorded automatically, or for violation of the rules of stopping, parking, parking of vehicles recorded in the mode of photography (video recording)**

The responsible person specified in part one of Articles 14 **- 2 of** this Code, or the person who imported the vehicle into the territory of Ukraine, shall be released from administrative liability for an offense in the field of road safety, recorded automatically, or for violation of the rules of stopping, parking , parking of vehicles, recorded in the mode of photography (video recording), if within 20 calendar days from the date of the relevant offense or from the date of entry into force of the decision on the case of an administrative offense:

this person has provided a document confirming that at the time of the offense the vehicle was taken out of his possession due to illegal actions of other persons, or regarding the illegal use by others of license plates belonging to his vehicle;

the person who drove the vehicle at the time of the offense, personally appealed to the body (official) authorized to consider cases of administrative offenses, with a statement recognizing the said fact of an administrative offense and consent to administrative prosecution, and provided a document ( receipt) on payment of the corresponding penalty.

In cases of release of the responsible person specified in part one of Article 14 **- 2 of** this Code, or the person who imported the vehicle into the territory of Ukraine, from administrative liability on the basis of:

paragraph two of the first part of this article - issued in respect of the responsible person specified in part one of Article 14 **- 2 of** this Code, or a person who imported a vehicle into the territory of Ukraine, the decision to bring to administrative responsibility is revoked by the body (official) took out;

paragraph three of the first part of this article - to the decision on the responsible person specified in part one of Article 14 **- 2 of** this Code, or the person who imported the vehicle into the territory of Ukraine, changes are made to determine the subject of the offense the person who actually drove the vehicle means at the time of the offense, recorded in automatic mode or in the mode of photography (video).

**Article 279 - 4** . **Informing the responsible person specified in part one of Article 14 - 2 ofthis Code about the offense in the field of road safety, recorded automatically, and about violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video)**

At the request of the responsible person specified in part one of Articles 14 **- 2 of** this Code, information on recording in automatic or photo mode (video recording) of an administrative offense in the areas of road safety and parking of vehicles committed on a vehicle belonging to that person shall be transmitted. using mobile and / or e-mail messages.

To obtain such information, the responsible person specified in part one of Articles 14 **- 2 of** this Code shall apply free of charge to the authorized body (subdivision) of the Ministry of Internal Affairs of Ukraine with a statement stating the desired method of obtaining information and subscriber number of the mobile and / or e-mail address.

On the basis of the application submitted by the responsible person specified in part one of Article 14 **- 2 of** this Code, the authorized body (subdivision) of the Ministry of Internal Affairs of Ukraine shall enter information on the subscriber number of the mobile and / or e-mail address of such person free of charge. to the Unified State Register of Vehicles.

Procedure for providing free of charge (including via the Internet) information on administrative offenses in the field of road safety, recorded in automatic mode, and on violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), persons by which vehicles are registered, and / or direct users of these vehicles shall be established by the Cabinet of Ministers of Ukraine ";

18) [Article 280](https://zakon.rada.gov.ua/laws/show/80732-10#n702) shall be supplemented with the second sentence to read as follows: Articles 279 **- 1** -279 **- 4 of** this Code ";

19) in [Article 283](https://zakon.rada.gov.ua/laws/show/80732-10#n719) :

in [part three](https://zakon.rada.gov.ua/laws/show/80732-10#n728) :

in the first paragraph, the words "in the field of road safety" shall be replaced by the words "in the field of road safety and parking of vehicles";

the fourth paragraph shall be worded as follows:

"(technical means by which the photo or video was made) (if such recording was made)";

[part four](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n735" \t "_blank) shall be worded as follows:

"Resolution on the case of an administrative offense in the field of road safety, recorded in automatic mode, or violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), except for the data specified in parts two and three of this article, must contain information about the address of the website on the Internet, where the person can see the image or video of the vehicle at the time of the administrative offense, the identifier for access to this information and the procedure for exemption from administrative liability ";

20) in [part nine of](https://zakon.rada.gov.ua/laws/show/80732-10#n759) Article 285, the words "in the field of road safety, recorded in automatic mode" shall be replaced by the words "in the field of road safety, recorded in automatic mode, and violation of the rules of stopping, parking, parking of vehicles, captured in photo (video) mode ";

21) in [part one of](https://zakon.rada.gov.ua/laws/show/80732-10#n769) Article 288:

in paragraphs 1 and 2, the words "executive committee" in all cases shall be replaced by the words "executive committee (and in settlements where no executive committees have been established - executive bodies exercising their powers)" in the appropriate case;

include paragraph 4 to read as follows:

"4) the decision of the parking inspector on the imposition of an administrative penalty (parts one and three of Article 122, parts one and two of Article 152 **- 1 of** this Code) - in the district, district in the city, city or city district court in the manner prescribed [by the Code of Administrative Procedure of Ukraine](https://zakon.rada.gov.ua/laws/show/2747-15) , taking into account the features defined by this Code ";

22) in the first sentence of [Article 289 the](https://zakon.rada.gov.ua/laws/show/80732-10#n781) words "in the field of road safety, including those recorded in automatic mode" shall be replaced by the words "in the field of road safety, recorded in automatic mode, and / or violation of the rules of stopping, parking, parking vehicles recorded in the mode of photography (video recording) ", and the words" service of such a resolution "- the words" entry into force of the resolution ";

23) in [Article 291](https://zakon.rada.gov.ua/laws/show/80732-10#n784) :

[the first part](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n785" \t "_blank) after the words "in automatic mode" to add the words "on violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video)";

[the second part](https://zakon.rada.gov.ua/laws/show/80732-10" \l "n786" \t "_blank) shall be worded as follows:

"The decision on the case of an administrative offense in the field of road safety, including recorded in automatic mode, or violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), takes effect after its delivery to a person or receipt of a postal notification of service or refusal to receive it, or return of a postal item marked with non-delivery ";

24) [part three of](https://zakon.rada.gov.ua/laws/show/80732-10#n913) Article 299 after the words "in automatic mode" to add the words "and on violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video recording)";

25) [Article 300 **- 1**](https://zakon.rada.gov.ua/laws/show/80732-10#n921) shall be worded as follows:

" **Article 300 - 1** . **The execution of the imposition of an administrative penalty of a fine for violations in the field of road safety recorded automatically or violation of rules of stop and parking of vehicles registered in the image mode (video)**

In case of payment by the responsible person specified in part one of Article 14 **- 2**of this Code, or a citizen (resident) of Ukraine who imported into the territory of Ukraine a vehicle registered outside Ukraine, 50 percent of the fine within 10 banking days from the date of entry into force of the decision to impose an administrative penalty for traffic offenses, recorded in automatic mode, or for violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video recording), such a decision is considered executed. The decision to impose an administrative penalty for violation of stopping, parking and parking of vehicles, recorded in the mode of photography (video), is also considered executed in the case of payment of a fine upon notification of administrative liability,

In case of non-payment of the fine by the persons specified in part one of this article, within 30 days from the date of entry into force of the decision to impose an administrative penalty for offenses in the field of road safety and parking of vehicles, such decision shall be enforced.

In the event of an appeal against the decision to impose an administrative penalty in the form of a fine for offenses in the areas of road safety and parking of vehicles, the period specified in this article shall be suspended until the complaint is considered. "

2. In the [Law of Ukraine](https://zakon.rada.gov.ua/laws/show/3353-12) "On Road Traffic" (Vidomosti Verkhovnoi Rady Ukrainy, 1993, № 31, p. 338, as follows):

1) [Article 6](https://zakon.rada.gov.ua/laws/show/3353-12#n69) after the first part shall be supplemented with a new part of the following content:

"The competence of city councils and their executive bodies in the field of traffic also includes:

approval of requirements for the arrangement of parking lots for vehicles, taking into account the norms, standards, standards in the field of improvement of settlements, state building codes, technical conditions, [traffic rules](https://zakon.rada.gov.ua/laws/show/1306-2001-%D0%BF#n16) and other regulations;

introduction within the relevant settlement of an automated system of control over the payment of the cost of parking services, approval of technical requirements and tasks for this system;

authorization of parking inspectors to carry out, in cases specified by law, consideration of cases of administrative offenses and to carry out temporary detention of vehicles;

identification of ways to stimulate the use of electric vehicles and other environmentally friendly modes of transport. "

In this connection, the second part shall be considered as the third part;

2) [Article 7](https://zakon.rada.gov.ua/laws/show/3353-12#n94) after the eighth paragraph shall be supplemented with four new paragraphs as follows:

"approval of requirements for the arrangement of parking lots for vehicles, taking into account the norms, standards, standards in the field of improvement of settlements, state building codes, technical conditions, [traffic rules](https://zakon.rada.gov.ua/laws/show/1306-2001-%D0%BF#n16) and other regulations;

introduction within the relevant settlement of an automated system of control over the payment of the cost of parking services, approval of technical requirements and tasks for this system;

authorization of parking inspectors to carry out, in cases specified by law, consideration of cases of administrative offenses and to carry out temporary detention of vehicles;

identification of ways to stimulate the use of electric vehicles and other environmentally friendly modes of transport. "

In this connection, the ninth to twelfth paragraphs shall be considered as the thirteenth to sixteenth paragraphs, respectively;

3) [the second part of](https://zakon.rada.gov.ua/laws/show/3353-12#n231) Article 16 shall be supplemented with the thirteenth paragraph as follows:

"pay the cost of services for the use of the site for paid parking of the vehicle";

4) in parts [five](https://zakon.rada.gov.ua/laws/show/3353-12#n394) , [six](https://zakon.rada.gov.ua/laws/show/3353-12#n396) and [eight of](https://zakon.rada.gov.ua/laws/show/3353-12#n419) Article 34, the words "the Unified State Register shall be maintained" shall be replaced by the words "and the Unified State Register of Vehicles shall be maintained for appropriate users";

5) [Article 34 **- 1**](https://zakon.rada.gov.ua/laws/show/3353-12#n596) shall be worded as follows:

" **Article 34 - 1.** Provision of information on registered vehicles from the Unified State Register of Vehicles

Information on registered vehicles and their owners, proper users, contained in the Unified State Register of Vehicles, which is held by the Ministry of Internal Affairs of Ukraine, is open and publicly available.

For individuals and legal entities, information from the Unified State Register of Vehicles is provided by searching for the subject (owner of the vehicle) in electronic form through the official website of the executive body implementing the state policy in the field of vehicle registration and accounting, provided identification of such a person (physical or legal) using an electronic digital signature or other alternative means of identification, or in paper form by submitting an application in person or sending it by mail to the Ministry of Internal Affairs of Ukraine. Information from the Unified State Register of Vehicles is provided in the manner and form established by the Cabinet of Ministers of Ukraine.

At the request of officials of public authorities, local governments, courts, National Police, prosecutors, Security Service of Ukraine, lawyers, notaries, parking inspectors information from the Unified State Register of Vehicles in connection with the exercise of their powers defined by law, provided by the subject (owner, proper user of the vehicle) or by state license plate in writing or electronically by direct access to the Unified State Register of Vehicles, subject to identification of the relevant official with an electronic digital signature. The procedure for access to the Unified State Register of Vehicles shall be established by the Cabinet of Ministers of Ukraine.

At the request of the owner or other right holder, the body of registration and accounting of vehicles provides information about persons who have received information about the registered vehicle that belongs to him.

Information on a registered vehicle or its owner, proper user, received in electronic or paper form in accordance with the law with the help of software of the Unified State Register of Vehicles, is official and used in accordance with the law ";

6) the [tenth paragraph of](https://zakon.rada.gov.ua/laws/show/3353-12#n627) Article 52 **- 1** shall be worded as follows:

"maintaining the Register of administrative offenses in the field of road safety, providing access to the resources of this register on violations of the rules of stopping, parking and parking of vehicles recorded automatically or in the mode of photography (video), officials authorized to consider cases for such offenses" ;

7) [Articles 52 **- 2**](https://zakon.rada.gov.ua/laws/show/3353-12#n569) and [53 **- 1**](https://zakon.rada.gov.ua/laws/show/3353-12#n590) shall be worded as follows:

" **Article 52 - 2.** Payment for vehicle parking services and control over such payment

When placing vehicles on a paid parking area, persons who place vehicles on such a site pay the cost of services for the use of the paid parking area of ​​the vehicle in accordance with the tariff set by the local government in accordance with the procedure for setting tariffs for paid parking. parking of vehicles approved by the Cabinet of Ministers of Ukraine. Parking inspectors are prohibited from accepting cash in cash to pay for such services and / or to pay fines imposed at the scene of the offense.

The provisions of part one of this article shall not apply in the cases specified in parts six and seven of Article 30 of the [Law of Ukraine](https://zakon.rada.gov.ua/laws/show/875-12) "On Fundamentals of Social Protection of Disabled Persons in Ukraine" regarding free parking spaces, as well as to persons and vehicles the relevant city, settlement, village councils are exempted from paying the cost of services for the use of sites for paid parking of vehicles in specially designated (marked) places on these sites.

City, town, village councils may decide to implement in the village of an automated system of control over the payment of parking services, the software and hardware of which provides an online control over the payment of services for the use of paid parking.

In case of introduction in the corresponding settlement of the automated system of control of payment of cost of parking services payment of services on use of platforms for paid parking of vehicles is carried out by transfer of money through establishments of banks, payment devices (ATMs, payment terminals), parking machines, means of mobile communication. with the help of other software and hardware systems designed for automated crediting of funds to the appropriate accounts.

Persons who place vehicles on the site for paid parking within the settlement, which does not have an automated parking payment control system, but the circumstances of violation of the rules of parking vehicles are fixed by parking inspectors in the mode of photography (video), are obliged to pay the cost services for the use of the paid parking area of ​​the vehicle and leave for the time of parking under the windshield of the vehicle the relevant document on the payment of services for the use of the paid parking area ";

" **Article 53 - 1.** Liability for offenses in the field of road safety, recorded in automatic mode, and for violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video)

The responsibility for offenses in the field of road safety, recorded in automatic mode, or violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), is the individual or the head of the legal entity for which the vehicle is registered. if the Unified State Register of Vehicles contains information about the proper user of the vehicle - the proper user of the vehicle, and if the Unified State Register of Legal Entities, Individuals - Entrepreneurs and Public Associations does not have information about the head of the legal entity. registered vehicle - a person who performs the powers of the head of such a legal entity.

The responsible person specified in part one of this article, in case of prosecution for offenses in the field of road safety, recorded in automatic mode, or violation of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), has the right of recourse to the person who was driving the vehicle at the time of the offense.

The procedure and features of bringing to administrative responsibility for offenses in the field of road safety, recorded in automatic mode, and violations of the rules of stopping, parking, parking of vehicles, recorded in the mode of photography (video), are determined [by the Code of Administrative Offenses](https://zakon.rada.gov.ua/laws/show/80731-10) .

3. In the [Law of Ukraine](https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80) "On Local Self-Government in Ukraine" (Vidomosti Verkhovnoi Rady Ukrainy, 1997, № 24, p. 170 with the following changes):

1) in [part one of](https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80#n171) Article 26:

paragraph 56 shall be worded as follows:

"56) identification of ways to stimulate the use of electric vehicles and other environmentally friendly modes of transport";

add paragraphs 56 **- 1 to** read as follows:

"56 **- 1** ) approval of requirements for the arrangement of parking lots for vehicles, taking into account the norms, standards, standards in the field of landscaping, state building codes, technical conditions, [traffic rules](https://zakon.rada.gov.ua/laws/show/1306-2001-%D0%BF#n16) and other regulations";

2) [subparagraph 7 **- 1 of**](https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80#n1134) paragraph "a" of the first part of Article 30 shall be supplemented with paragraphs two and three of the following content:

"introduction within the relevant settlement of an automated system of control over the payment of the cost of parking services, approval of technical requirements and tasks for this system;

authorization of parking inspectors to consider cases of administrative offenses and to temporarily detain vehicles in cases specified by law. "

4. [Part one of](https://zakon.rada.gov.ua/laws/show/85/96-%D0%B2%D1%80) Article 7 of the Law of Ukraine "On Insurance" (Vidomosti Verkhovnoi Rady Ukrainy, 2002, № 7, Art. 50 as amended) shall be supplemented with clauses 9 **- 1 of the** following content:

"9 **- 1** ) insurance of civil liability of an economic entity that provides services for transportation and / or storage of vehicles in case of temporary detention of vehicles, for damage that may be caused to the vehicle during its transportation and / or storage."

II. final provisions

1. This Law shall enter into force 180 days after its publication.

2. The Cabinet of Ministers of Ukraine to ensure the revision of regulatory requirements, as well as the practical application of road signs "no stopping" and "no parking" to increase the area of ​​carriageways of streets of settlements of Ukraine, which can be allocated (arranged) parking spaces.

3. To the Cabinet of Ministers of Ukraine before the date of entry into force of this Law:

to ensure the development and revision of normative legal acts arising from this Law;

bring their regulations in line with this Law;

ensure that ministries and other central executive bodies bring their regulations in line with this Law.

4. To recommend local governments:

not later than the day of entry into force of this Law to take the relevant decisions provided by this Law, as well as to bring their decisions in accordance with this Law;

to introduce an automated parking payment control system;

take measures to increase the number of local government officials to recruit parking inspectors for local government.

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| **President of Ukraine** | **P.POROSHENKO** |
| **Kyiv** **, December 21, 2017** **№ 2262-VIII** |  |