

Abstract

My diploma thesis deals with the addictive substances in road transport, especially with alcohol and other narcotic drugs used by drivers of motorized and non-motorized vehicles. The thesis is divided into three main parts. First chapter provides the definition and clarification of the terms. Second chapter, Substantive law, contains two subchapters, Criminal law and Administrative law. The subchapter Criminal law analyzes crimes that can be committed in conjunction with the addictive substances in road transport, namely endangerment under influence of an addictive substance according to § 274 TZ, general endangerment and general endangerment alleging negligence according to § 272 TZ and § 273 TZ and inebriation according to § 360 TZ. The most attention is paid to the offence of endangerment under the influence of an addictive substance, which is, as the most frequently committed crime in connection with the addictive substances, analyzed in terms of elements of crime, complicity and participation, stages of the commission of the crime, qualified elements of crime and sanctions. The second subchapter, Administrative law, examines three mostly committed minor offences related to the addictive substances in road transport. These are minor offences according to § 125c odst. 1 písm. b), písm. c) and písm. d). The third chapter, Procedural adjustment, deals mainly with the methods that determine the influence of driver by an addictive substance. The most attention is paid to the examination, as so-called “objective finding” of influence of driver by an addictive substance. The conclusion briefly describes drivers’ and police’s possibilities in case the control and examination on influence of an addictive substance is performed.

The thesis is multidisciplinary and analyzes both criminal law and administrative law, in particular minor crime law. The goal of the thesis is not to provide with a detail explanation of individual offences, but to define the boundaries between crimes and minor crimes and problems associated with. The procedural part of the thesis lays down