ADMINISTRATIVE PENALIZATION THROUGH AN ELECTRONIC TICKET

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The dissertation examines administrative penalization through an electronic ticket as a specific and comparatively new form of administrative sanctioning in Bulgarian law. Although the electronic ticket is currently applicable only in cases expressly provided by law, legislative developments demonstrate a clear tendency toward the gradual expansion of its scope of application. This development is driven by the practical advantages of the procedure, including speed, procedural economy, efficiency in establishing mass administrative violations, and optimization of the resources of administrative authorities.

At the same time, despite its effectiveness and simplified nature, the procedure must remain consistent with the fundamental principles of the rule of law and the protection of individual rights. The dissertation emphasizes that the accelerated procedure should not become an instrument of excessive state repression at the expense of procedural guarantees and the right of defense of sanctioned persons.

The main objective of the research is to identify and analyze the general characteristics of administrative penalization through an electronic ticket, distinguishing it from the general administrative penal procedure under the Bulgarian Administrative Violations and Sanctions Act. The study further aims to identify the major practical and theoretical problems arising in legal practice and judicial application, and to formulate proposals de lege ferenda for improving the existing legal framework.

The dissertation contributes to legal scholarship by systematizing the characteristics of the electronic ticket procedure and by examining the historical development and gradual expansion of its application in Bulgarian law. For the first time in Bulgarian legal doctrine, a comparative analysis is conducted between the concepts of the “electronic ticket” and the traditional “ticket” procedure. Particular attention is devoted to the practical problems arising in the enforcement of violations established through automated technical means and systems.

The study also addresses key theoretical and practical issues concerning the legal nature of the electronic ticket, its relationship with the traditional administrative penal procedure, the evidentiary value of data obtained through automated technical

systems, and the procedural safeguards ensuring the protection of sanctioned individuals. Special emphasis is placed on the balance between the efficiency of administrative control and the observance of the principles of legality, proportionality, equality of arms, and the right to judicial protection.

The dissertation is structured in three chapters. The first chapter examines the theoretical foundations of administrative penalization and analyzes the legal nature of the electronic ticket as a specific form of administrative liability. The second chapter focuses on the practical application of the electronic ticket in relation to various categories of administrative violations and explores the problems identified in judicial practice. The third chapter analyzes the procedures for challenging electronic tickets and examines the procedural guarantees for the protection of sanctioned persons. The conclusion summarizes the principal findings of the research and formulates specific proposals de lege ferenda.

The research applies a complex methodological approach combining historical, comparative-law, and critical analysis. On the basis of the conducted study, several legislative recommendations are proposed. These include clarification of the legal definition of the electronic ticket, introduction of mandatory requirements regarding authorship, signature, and date of issuance, establishment of statutory time limits for issuance and service, and clearer regulation of appeal procedures. Additional proposals concern specific categories of violations, such as toll payment obligations, compulsory motor liability insurance, and speeding violations, with the aim of ensuring greater proportionality and fairness in sanctioning.

The dissertation concludes that administrative penalization through electronic tickets has become a stable and dynamically developing institution within Bulgarian administrative law. From a theoretical perspective, the research contributes to a deeper understanding of the electronic ticket as a legal act combining ascertainment, accusatory, and sanctioning functions. From a practical perspective, the study aims to support the unification of judicial practice and the improvement of legislation by strengthening the principles of legality, legal certainty, efficiency, and effective judicial protection. Ultimately, the dissertation seeks to provide both a theoretical and practical foundation for the future development of this institution in accordance with the principles of the rule of law and the protection of fundamental human rights.