



L'ATTUALITÀ DEL DIRITTO

Serie coordinata da Giuseppe Cassano

Maurizio De Giorgi
(a cura di)

MANUALE PRATICO DI INFORTUNISTICA STRADALE

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Manuale Di Infortunistica Stradale

Virginio Rivano



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Numerose le novità che dal 2013 coinvolgono la disciplina delle patenti soprattutto in virtù dell'entrata in vigore a partire dal 19 gennaio delle modifiche introdotte dal D Lgs n 59 2011 alle quali si aggiungono quelle ulteriormente apportate dal D Lgs 16 gennaio 2013 n 2 Modifiche ed integrazioni ai decreti legislativi 18 aprile 2011 n 59 e 21 novembre 2005 n 286 nonché attuazione della direttiva 2011/94/UE recante modifiche alla direttiva 2006/126/CE concernente la patente di guida. L'operatore di polizia stradale ad esempio dovrà essere in grado di distinguere in base alla categoria della patente e alla data di conseguimento se ammessa la guida di un veicolo dato che all'esito di questo controllo potrà scaturire l'accertamento di una violazione costituente reato inoltre sono state introdotte ben 15 nuove categorie di patenti ridefiniti i limiti di guida per i neopatentati introdotto il concetto di residenza normale ai fini del rilascio e del rinnovo modificata la disciplina in materia di validità delle patenti previste nuove disposizioni sanzionatorie per le patenti rilasciate da Stati UE ed extra UE e molto altro ancora. In sostanza una piccola rivoluzione in materia. L'opera offre agli operatori di polizia e a tutti coloro che si occupano di diritto della circolazione stradale una prima approfondita analisi della nuova disciplina delle patenti completa di schemi esemplificazioni e tabelle di raffronto in modo da offrire un supporto non solo giuridico ma essenzialmente pratico per lo studio l'aggiornamento professionale e la quotidiana attività operativa. Massimo Ancillotti Dirigente del Corpo di Polizia locale di Roma Capitale autore di numerose pubblicazioni e docente nei corsi di aggiornamento e nei convegni nazionali. Giuseppe Carmagnini Responsabile dell'Ufficio contenzioso e supporto giuridico della Polizia municipale di Prato Autore di numerose pubblicazioni e docente nei corsi di aggiornamento e nei convegni nazionali responsabile del servizio internet vigilaresullastrada.it

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problematiche giuridiche e processuali in materia di acquisto della proprietà mediante l'istituto dell'usucapione. Ogni capitolo si apre con i PRINCIPI giuridici a fondamento degli argomenti trattati segue il sommario del commento e la sezione CASISTICA dove si indicano alcune fattispecie concrete. Il COMMENTO strutturato con un intercalare di riferimenti sia giurisprudenziali che dottrinali a sostegno di quanto viene esposto. Si trattano argomenti quali ad esempio la TRASCRIVIBILITÀ delle domande che interrompono l'usucapione di beni immobili la SOSPENSIONE dei termini utili per conseguire l'usucapione l'animus possidendi la DETENZIONE la tolleranza nei casi di SERVITÙ. Vengono affrontati anche tutti gli ASPETTI PROCESSUALI come ad esempio la procedura specifica per il riconoscimento della proprietà basata sull'usucapione speciale ex articolo 1159 bis c.c. i rapporti processuali tra usucapione ordinaria e abbreviata la proposizione in appello dell'usucapione abbreviata Usucapione ed abusività edilizia dei manufatti Responsabilità e trascrizione Usucapione e sistema tabolare Le servitù non apparenti non possono essere acquistate per usucapione La servitù avente ad oggetto il mantenimento di una costruzione o piantagione a distanza inferiore a quella legale La servitù di elettrodotto La servitù di acquedotto La servitù di luce L'usucapione del diritto di enfiteusi L'usucapione dei diritti reali d'uso ed abitazione L'usucapione del diritto di custodire in un sepolcro familiare i resti mortali di congiunti c.d. diritto al sepolcro L'usucapione del diritto di stillicidio L'usucapione del diritto di servitù di parcheggio L'usucapione del diritto di servitù di riscaldamento L'usucapione del diritto di servitù di passaggio di conduttura Il comproprietario può usucapire la quota degli altri comproprietari L'usucapione dei beni mobili iscritti in pubblici registri Usucapione immobiliare abbreviata Accessione del possesso e usucapione decennale La procedura specifica per il riconoscimento della proprietà basata sull'usucapione speciale Universalità di mobili e beni mobili iscritti in pubblici registri Responsabilità tra possesso e detenzione Responsabilità e altrui tolleranza Tolleranza e servitù di passaggio La successione nel possesso L'accessione nel possesso Il rimborso delle spese conseguenti a riparazioni Indennità per miglioramenti apportati

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