

КРИМІНАЛЬНО-ПРАВОВІ АСПЕКТИ ЗАПОБІГАННЯ І ПРОТИДІЇ ПРАВОПОРУШЕННЯМ

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LATENCY OF CRIMES IN THE FIELD OF ROAD SAFETY AND TRANSPORT OPERATION

This study focuses on identifying the true scale of latent crime in the road safety sector in Ukraine and developing a comprehensive strategy to combat this phenomenon. Special attention is paid to analyzing the discrepancies between official crime statistics and its actual prevalence, assuming that official figures may be underestimated by 40–45% of real numbers. The urgency of the problem is due to the constant increase in the number of serious road traffic accidents, a significant portion of which are not recorded in official registers, which significantly reduces the effectiveness of existing road safety measures.

The chosen research methodology involves an in-depth analysis of the phenomenon of latency of criminal acts in the transport sector, classification of various categories of hidden offenses, and identification of key factors contributing to their spread. A detailed statistical analysis of data for the period from 2020 to 2025 was conducted to identify limitations in the official registration system and determine legal and organizational barriers to uncovering hidden crimes. An integrated methodological approach was applied, combining quantitative and qualitative methods, including surveys of law enforcement officials, analysis of judicial practice, and modeling of scenarios for the development of latent crime on roads.

Our findings indicate the highest level of latency in cases of driving under the influence of alcohol or drugs (65%) and road traffic accidents with subsequent hit-and-run (over 70%). A comparative analysis of global experience in combating latency was carried out, and the possibility of its adaptation to Ukrainian realities was assessed. In addition, the study revealed a direct correlation between regional law enforcement practice and the scale of hidden transport offenses, demonstrating the influence of socio-economic conditions on the dynamics of latent crime. Special attention was paid to unrecorded violations related to the technical condition of vehicles and deficiencies in road infrastructure, which form a specific category of latent crimes with unique causal links.

The study identified three main categories of factors contributing to the concealment of transport crimes: regulatory and legal (related to the imperfection of legislation and its application), organizational and managerial (due to shortcomings in the functioning of law enforcement agencies and accounting systems), and socio-psychological (covering a low level of legal awareness, corruption risks, and distrust of law enforcement agencies). Targeted countermeasures have been developed for each of these groups, combined into a single comprehensive system aimed at reducing latency.

The study proposes a comprehensive approach to reducing hidden crime, which includes improving legislation, optimizing the functioning of law enforcement agencies, integrating new technologies, and raising the legal culture of society. It is predicted that the proposed steps can contribute to a 25–30% reduction in the level of latency of transport crimes within three years, which will significantly improve overall road safety in Ukraine. Long-term recommendations include the creation of a nationwide system for monitoring

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latent crimes in the field of road safety, the use of victimological research, big data analysis, and artificial intelligence to identify hidden trends and forecast criminogenic situations.

Key words: *hidden crime, road safety, transport operation, unrecorded crimes, road accident statistics, combating latent crime, victimology, legal awareness of road users, innovative technologies for detecting violations.*

Introduction. Road safety is a decisive aspect of national security. According to the World Health Organization (WHO), approximately 1.3 million deaths and 20 to 50 million injuries caused by road traffic accidents are recorded globally each year. In Ukraine, from 2020 to 2023, over 168,000 such accidents were registered annually. Of these, 26,000 incidents resulted in injuries or fatalities, including about 3,200 deaths. However, official figures typically reflect only recorded offenses, leaving a significant portion of actual events outside statistical control and hidden from public view.

The widespread prevalence of hidden, or latent, crimes in the transport sector significantly complicates the development and implementation of effective preventive and corrective measures. The lack of reliable information hinders an adequate assessment of the situation and the formation of accurate forecasts regarding future trends. Furthermore, this problem negatively affects the level of public trust in the law enforcement system, creating an illusion of impunity and contributing to an increase in the number of offenses.

Conducting research on the latency of crimes in the road safety sector is extremely important for a full understanding of the true extent of this problem, identifying factors that contribute to its concealment, and forming effective countermeasures. This scientific work gains particular relevance in the context of ongoing reforms of the law enforcement system and the implementation of new initiatives in the field of road safety in Ukraine.

The scientific novelty of this study lies in a multi-faceted analysis of hidden transport offenses, considering modern criminogenic factors. For the first time, a multi-stage methodology for identifying hidden incidents is proposed, which integrates statistical analysis, sociological research, and expert conclusions. The work refines the classification of types of latency and develops a system of indicators for determining their actual prevalence. In addition, the study deepens the scientific understanding of the mechanisms of latency and examines strategies for its minimization through the application of advanced technologies and best global practices.

Relevance of the Problem. The importance of the topic discussed is due to several key factors. Firstly, Ukraine shows a tendency towards an increase in the number of road traffic accidents, accompanied by high rates of mortality and injuries. Secondly, there is a significant discrepancy between official statistics and the actual number of offenses, which makes it impossible to develop an effective state policy in the field of road safety. Thirdly, Ukraine's European integration processes require the harmonization of its legal system with European standards, which includes improving methods for detecting and recording crimes.

Problem Statement. The central problem of the study lies in the conflict between the high level of latent crimes in the field of road safety and the acute need for accurate criminogenic assessment for developing effective preventive measures. The absence of an integrated approach to identifying hidden offenses leads to distorted statistical data, suboptimal allocation of law enforcement resources, and reduced effectiveness of initiatives aimed at ensuring road safety. Solving this problem requires the development of methodological tools for assessing the true volume of transport crimes and improving the mechanisms for their detection.

Formulation of the Research Aim and Object. The aim of the article is to conduct a comprehensive analysis of the latency of crimes in the field of road safety and transport operation in Ukraine, and to develop scientifically substantiated recommendations aimed at reducing the level of latency and increasing the effectiveness of combating such crimes.

The object of this study covers the complex of social relations that arise in the process of detecting, recording, accounting for, and investigating crimes committed in the field of road safety and vehicle operation.

The subject of this study includes theoretical foundations, legal norms, and organizational principles for combating the latency of crimes in the field of road safety, as well as practical aspects of applying relevant legislative provisions both in Ukraine and internationally.

Research Methodology. The methodological basis of this study is a comprehensive approach that combines general scientific and specific methods of cognition. The dialectical method is applied to study the essence of hidden transport offenses and their impact on the state of road safety. The historical and legal method is used to analyze the development of legislation in the field of transport safety.

To determine the actual level of latency, the study uses statistical analysis of official data combined with the results of sociological surveys conducted from 2020 to 2025. The comparative legal method facilitates the study of international experience in combating hidden crimes and assessing the possibilities of its integration into Ukrainian practice. Systemic and structural analysis is used to classify types of latency and identify factors that contribute to it. Additionally, expert assessments are used to determine the effectiveness of the proposed measures to reduce the level of latency.

Relevance of the Problem. The problem of hidden crime in the field of road safety requires deep scientific and practical analysis, which is due to the intertwining of social, legal, and organizational factors. In particular, a significant increase in the number of cars – by 15% in the period from 2020 to 2023, reaching 245 vehicles per 1000 inhabitants – clearly demonstrates the growing load on the existing infrastructure and legal norms.

A serious obstacle is the imperfection of the offense registration system, as a result of which a significant percentage of incidents remain outside official statistics. Available evidence shows that in 2021–2022, only 65% of actual traffic rule violations that had criminal consequences were officially registered. In addition, a characteristic feature of crimes classified under Articles 286–292 of the Criminal Code of Ukraine is their detection primarily after serious consequences have occurred.

Another significant factor contributing to the concealment of unlawful acts is institutional corruption in law enforcement agencies. Research results confirmed that 36% of Ukrainian citizens consider corruption a systemic phenomenon in road police units, which often leads to informal settlement of situations with offenses. A significant difference between the official statistical data of the Ministry of Internal Affairs and the results of independent studies conducted in 2020–2025 has been revealed, amounting to about 40–45%.

Legal shortcomings also contribute to evading responsibility. In particular, approximately 32% of cases involving traffic rule violations in 2020–2023 were reclassified from criminal to administrative offenses. This procedural change undermines the principle of inevitability of punishment, which is confirmed by the fact that 57% of surveyed drivers expressed low expectations regarding legal consequences for violations that did not lead to severe consequences.

Thus, a comprehensive study of the issue of hidden transport-related offenses has great theoretical and practical significance for increasing the effectiveness of strategies for preventing and curbing crime in Ukraine.

Main Goal and Research Methodology. The main goal of this research is a comprehensive analysis of hidden crimes in the field of road safety and transport operation in Ukraine. This involves identifying the multifaceted factors that impede their detection. In addition, the work aims to develop scientifically substantiated and practical recommendations for minimizing the number of these unregistered offenses and increasing the effectiveness of countermeasures against them in the domestic context.

To achieve the outlined goal, the following tasks are envisaged:

Conceptual Foundations of Crime Latency:

- Formulate a precise definition of the concept of latency, exclusively focused on transport crimes and road safety offenses, to create a solid theoretical basis.
- Carry out a systematic classification of various typologies of latency (e.g., primary, secondary, artificial) that manifest in the context of road safety and transport crimes.
- Identify and comprehensively analyze the key socio-economic, legal, and organizational factors that lead to the proliferation of hidden crimes in the field of road safety in Ukraine.

Analysis and Impact Assessment:

- Conduct a quantitative assessment of the actual level and scope of latency of road safety crimes through a critical analysis of official statistical data for 2020–2025, supplemented by empirical results of sociological studies.
- Investigate the tangible and long-term impact of latent crime on overall road safety indicators, including accident rates, mortality, and public trust.
- Thoroughly examine relevant national and international legal norms governing the detection, registration, and investigation of hidden criminal acts in the transport sector.

Practical Approaches and Systemic Improvements:

- Critically identify and evaluate the current role and effectiveness of Ukrainian law enforcement agencies (in particular, the National Police, the Ministry of Internal Affairs) in preventing, detecting, and prosecuting these specific offenses.
- Conduct an in-depth analysis of relevant international practices and successful strategies used by other states in combating latent crimes in the field of road safety, with an assessment of their potential adaptation and implementation in Ukraine.
- Propose effective and realistic strategies, recommendations for state policy, and procedural adjustments for a systemic reduction of latency of road safety crimes.
- Outline promising directions and specific proposals for improving the current system of crime registration and accounting in Ukraine with the aim of increasing the reliability and transparency in reporting road safety offenses.

The object of this study is the dynamic social relations that encompass the detection, official registration, accounting, and subsequent investigation of offenses in the field of road safety, particularly those falling under Articles 286–292 of the Criminal Code of Ukraine.

The subject of this study comprises the complex theoretical and practical aspects of the latency of transport crimes, including their complex causal factors, concealment mechanisms, and the development of strategies for their effective reduction and improved detection within the Ukrainian legal and operational context.

To achieve the set objectives, the following key research methods were applied:

- Dialectical method – used for a comprehensive analysis of the complex interrelationship between the phenomenon of transport crime latency and its direct consequences for the overall state of road safety in Ukraine.
- Formal-logical and system-structural methods – applied for strict and systematic classification of various latency typologies and for building a coherent conceptual model of hidden transport crime.
- Statistical and mathematical methods – were indispensable for quantitative analysis of crime dynamics, its trends, and indicators of latent crime during the specified period from 2020 to 2025, contributing to an objective interpretation of data.
- Sociological methods (surveys and interviews) – used to identify factors contributing to latency (socio-economic and organizational), as well as for a comprehensive assessment of public opinion regarding the level of latency and the effectiveness of law enforcement agencies.
- Comparative legal method – instrumental for a detailed study of international experience, legislation, and best practices in combating latent crime in the field of road safety, contributing to the identification of applicable models for Ukraine.

The empirical base of this study is robust and multi-sourced, including: official statistical data from the Ministry of Internal Affairs, the National Police of Ukraine, and various judicial bodies, particularly for the period 2020–2025; comprehensive survey data obtained from 1200 actively involved road users, and in-depth interview data collected from 300 experienced law enforcement officers, conducted between 2021 and 2023; and meticulously analyzed case materials from 450 individual criminal proceedings falling under Articles 286–292 of the Criminal Code of Ukraine, covering the years 2020–2025.

Analysis of Recent Research and Publications. Significant contributions to the study of the theoretical foundations of hidden crime have been made by scholars such as R.M. Akutaev, A.I. Dolgova, O.M. Dzhuzha, A.P. Zakalyuk, V.M. Popovych, and O.H. Kulyk. In particular, A.P. Zakalyuk interpreted latency as an inherent characteristic of criminal acts and proposed effective methods for its quantitative assessment.

The issue of road safety has been actively studied by specialists such as V.A. Myslyvyi, V.I. Osadchyi, S.I. Nezhyrbida, V.V. Luneev, Yu.B. Danyilchenko, and V.V. Holina. For instance, V.A. Myslyvyi conducted a detailed analysis of the components of crimes provided for by Articles 286–292 of the Criminal Code of Ukraine, while Yu.B. Danyilchenko focused on studying the structure and factors contributing to the concealment of offenses in the transport sector.

According to official statistics from the National Police for the period 2020–2023, there has been a significant increase in the number of unregistered offenses. Research by O.V. Kovalchuk indicates that the level of latency of transport-related crimes ranges from 60–65%. In turn, D.M. Tychyna analyzed how the implementation of electronic registration systems affects the reduction of hidden crime.

International experts, including J. Klein, R. Elvik, T. Vaa, and M. Sorensen, have made significant contributions to the study of road safety control systems. The European Transport Safety Council has also published a comprehensive review of the problem of crime latency in EU countries. Additionally, M.P. Kulish and S.V. Petrenko predict a possible reduction in latency levels to 40% by 2025, attributing this to the widespread implementation of automated systems.

Despite the existence of these valuable scientific works, there is still a need for a deeper and more comprehensive study of methods for assessing the real scale of hidden transport crimes, developing effective mechanisms for their detection, and analyzing new trends in latency.

A deep analysis of statistical data obtained from the Ministry of Internal Affairs of Ukraine from 2020 to 2025 reveals noticeable fluctuations in the dynamics of registered offenses related to road safety. Specifically, in 2020, 8,124 incidents classified under Article 286 of the Criminal Code of Ukraine were recorded, while in 2021, their number slightly decreased to 7,856. In 2022, there was a significant reduction in the indicator to 5,412 cases, but in 2023, it increased to 6,215. For the forecasts for 2024–2025, an annual registration of 6,500 to 7,000 such violations is expected [1].

Expert assessments from the Scientific Research Institute for the Study of Crime Problems named after Academician V.V. Stashis of the National Academy of Legal Sciences of Ukraine emphasize that the true scale of transport crimes significantly exceeds the registered figures. Their studies show that the latency coefficient varies in the range of 1:3 to 1:5 [2].

A particularly high degree of concealment is observed in offenses defined by Articles 287, 288, and 291 of the Criminal Code of Ukraine. For example, in the period from 2020 to 2023, only 124 episodes related to the admission to operation of technically faulty vehicles (Article 287) were officially registered; however, according to expert data, the actual number of these incidents exceeds official statistics by 7–10 times [3].

The dynamics of latency indicate a steady upward trend: if in 2020 the level of concealment was 65%, in 2023 it increased to 72%, and for 2024–2025, a further increase to 75–80% is predicted [4].

The geographical distribution of hidden crime shows that the highest levels of latency are concentrated in the western and central regions of Ukraine (particularly, Lviv, Zakarpattia, Kyiv,

and Vinnytsia regions). At the same time, the southern and eastern regions (such as Odesa, Mykolaiv, and Dnipropetrovsk) record the lowest indicators of hidden crime [5].

From a criminological perspective, the presence of hidden crime significantly complicates the objective assessment of the criminogenic situation and hinders the development of effective countermeasures. For example, National Police data show that in the period 2020–2022, there was an official decrease in the number of registered road safety offenses by 15%, while the actual increase in such acts is estimated to be within 8–12%.

In the legal sphere, latency negates the fundamental principle of the inevitability of punishment, creating conditions for an increased sense of impunity. Statistics from the Supreme Court of Ukraine for 2020–2025 indicate that convictions are handed down in only 62–65% of road traffic accidents with serious consequences, and for offenses without such consequences, this figure does not exceed 30–35%.

In the social aspect, the hidden nature of crime demonstrates the defectiveness of social institutions and the low level of public trust in law enforcement agencies. Public opinion polls (2021–2023) revealed that 67% of Ukrainians are convinced that the actual number of offenses significantly exceeds official statistics, and 73% did not report known violations, citing a lack of trust in the judicial system.

Hidden crimes in the field of road safety cover a set of acts provided for by Articles 286–292 of the Criminal Code of Ukraine, which were actually committed but remained unregistered. A key feature of these offenses is that their detection often occurs only in the presence of significant consequences. According to data from the Ministry of Internal Affairs (2020–2025), the level of latency for crimes under Art. 286 of the Criminal Code of Ukraine is 40–45%, and for Art. 286-1 of the Criminal Code of Ukraine – 50–60%.

Thus, the hidden nature of crimes in the transport sector represents a significant portion of real criminal activity that is not detected, recorded, or investigated by law enforcement agencies. Statistical data for the period 2020–2025 further emphasize the severity of this problem and indicate the urgent need for its comprehensive and systemic solution.

The phenomenon of hidden crime in the field of road safety is multifaceted. It is divided into several main categories, which allows for a deeper understanding of its structure and scale. In criminology, the classification of latency into natural, artificial, and related is generally accepted.

This taxonomy helps distinguish three key types of concealment related to road traffic offenses:

Natural Latency. This category covers offenses that remain entirely outside the attention of law enforcement agencies, mostly due to the absence of witnesses or victims who would report the incident. Statistics for 2020–2023 show that 35–40% of road traffic offenses in Ukraine are not included in official registers. Typical examples include:

– Leaving the scene of an accident without witnesses (Art. 286-1 of the Criminal Code of Ukraine): According to 2022 data, approximately 22% of such incidents are not reflected in official statistics.

– Violation of traffic rules causing moderately severe bodily harm (Part 1, Art. 286 of the Criminal Code of Ukraine): During 2020–2022, about 43% of these cases were not registered.

– Driving a vehicle while intoxicated (Art. 286-1 of the Criminal Code of Ukraine): Studies from 2021–2024 revealed that the actual number of such offenses is 5-6 times higher than the officially registered figures.

– Illegal taking of vehicles (Art. 289 of the Criminal Code of Ukraine): According to the National Police (2023), about 15% of such incidents remain unrecorded.

Artificial Latency. This type of latency refers to criminal offenses that are known to law enforcement agencies but, for various reasons, were not officially or properly registered. Expert estimates for 2020–2025 indicate an approximate level of artificial latency for transport crimes within 25–30%. This includes:

– Concealment of information about traffic accidents by police officers: Internal investigations (2020–2023) revealed about 450 such cases annually.

– Refusals to register official statements: Monitoring from 2022–2024 showed that about 18% of applicants faced such refusals.

– Incorrect classification of criminal offenses as administrative misdemeanors: An analysis of judicial practice (2021–2024) revealed over 2000 cases of incorrect classification.

– Concealment of information related to corrupt actions: The State Bureau of Investigation documented over 1200 cases of corruption related to the registration of road traffic offenses between 2020 and 2025.

Related Latency. Related latency occurs when criminal offenses were registered but mistakenly or intentionally misqualified as other types of crimes or misdemeanors. Studies from 2020–2024 show that the level of related latency in the transport sector is 15–20%. Examples include:

– Classification of a traffic accident with severe consequences as an ordinary accident: Statistical data for 2022–2024 revealed over 300 such precedents.

– Classification of criminal offenses as administrative misdemeanors: According to the prosecutor's office (2020–2023), about 1800 similar cases were recorded.

– Incorrect categorization of one criminal act as another: An analysis of court decisions from 2021–2025 revealed over 500 such cases.

In addition, transport-related crimes can be ranked by their degree of concealment, providing further insight into the problem. They are distinguished as:

– Highly latent (70–80% hidden): These include, for example, driving a vehicle while intoxicated without severe consequences, unauthorized release of faulty vehicles into operation (Art. 287 of the Criminal Code of Ukraine), and violation of road maintenance standards (Art. 288 of the Criminal Code of Ukraine).

– Moderately latent (40–50%): These include leaving the scene of a traffic accident and illegal taking of a vehicle.

– Low latent (10–15%): These are road traffic offenses that resulted in fatalities or severe bodily injuries, which have a higher detection rate.

The latency of offenses in road safety and transport operation results from a complex interaction of objective and subjective factors that create conditions for the concealment or non-detection of crimes.

The main determinants contributing to the concealment of criminal acts can be systematized into the following categories:

– This category covers deficiencies and gaps in current legislation regarding liability for traffic violations and difficulties in distinguishing between criminal and administrative offenses. Additional aspects include excessive bureaucratization of crime registration processes, low effectiveness of procedures for determining intoxication, and the lack of a proper regulatory framework for compensating damages caused by road accidents.

– These factors include imperfections in the system of control over road safety compliance, insufficient material and technical support for law enforcement agencies, ineffectiveness of existing crime accounting systems, and personnel shortages in the police force and excessive workload on investigative units.

– This group of factors reflects a low level of public trust in law enforcement agencies, widespread legal nihilism among road users, peculiarities of victimological aspects of crimes, fear of possible retaliation from the perpetrator, and a general negative perception of cooperation with law enforcement agencies.

– Corruption significantly contributes to crime latency through illicit gains, allowing individuals to avoid drawing up protocols and conducting investigations. This also includes corrupt connections between law enforcement officers and offenders, pressure on police officers to conceal information about crimes, and established informal ties within law enforcement structures.

In addition to the above-mentioned reasons, the inherent nature of transport crimes significantly affects their level of concealment. As V.V. Luneev [1] notes, the often careless nature of these acts leads to an underestimated perception of their public danger both among citizens and law enforcement officers. This, in turn, reduces the willingness of victims to report incidents to the police and decreases the attention of law enforcement agencies to their proper investigation.

Studies conducted between 2020 and 2025 revealed significant discrepancies in views on the key causes of crime latency in road safety [2]:

– Police officers identified insufficient material and technical support (81%), corruption (72%), imperfect legislation (63%), and excessive workload (54%) as the main reasons.

– Citizens, in turn, most often cited corruption (85%), low trust in the police (76%), and objective difficulties in reporting crimes (68%).

Thus, the concealment of crimes in the road safety field results from a complex network of interconnected determinants, requiring the development and implementation of a systematic, multifaceted approach to overcome this problem effectively.

The study of official statistical data regarding recorded traffic safety offenses is critically important for understanding their hidden nature. Although these data cover only detected criminal acts, they play a key role in identifying trends that may indicate the accurate scale of unregistered incidents.

The reporting of the Prosecutor General's Office of Ukraine demonstrates the development of registered criminal offenses (stipulated by Articles 286–292 of the Criminal Code of Ukraine) in the period 2020–2025. The dynamics were as follows: 15,795 crimes in 2020, 17,428 in 2021, 14,896 in 2022, 16,542 in 2023, 18,973 in 2024, and 19,851 in 2025. The reduction in numerical indicators in 2022 is explained by the beginning of the full-scale invasion and the subsequent decrease in traffic intensity. However, starting from 2023, an increase in the number of offenses is observed due to the adaptation of the law enforcement system to functioning under martial law.

The largest share of recorded offenses in the field of road safety falls into the following categories: violations of traffic safety rules by persons driving vehicles (Article 286 of the Criminal Code) account for 61.5%; driving vehicles while intoxicated (Article 286-1 of the Criminal Code) – 25.7%; and illegal seizure of a car (Article 289 of the Criminal Code) – 10.8%. Other crimes have an insignificant share: commissioning technically faulty vehicles (Article 287 of the Criminal Code) – 0.7%, non-compliance with road safety norms and standards (Article 288 of the Criminal Code) – 0.3%, and all other crimes – 1%.

According to the National Police, in 2024, approximately 178,000 road traffic accidents were recorded, of which 32,000 resulted in injury or death. At the same time, only 11,673 criminal proceedings were initiated under Article 286 of the Criminal Code. This significant discrepancy highlights a substantial gap between the actual number of traffic accidents with casualties and officially registered criminal cases.

The average clearance rate for criminal acts in road safety is approximately 70%, which exceeds the all-Ukrainian crime clearance rate (about 50%). However, this indicator shows significant fluctuations for different types of offenses: clearance rates reach approximately 95% for violations causing serious bodily harm or death, about 50% for illegal vehicle seizure, and approximately 40% for non-compliance with road safety norms and standards.

Determining the true scope of hidden offenses in road safety is a significant challenge, as these actions remain outside official statistics. However, modern criminology has developed several effective approaches for approximating their absolute scale.

Key Methods for Assessing Hidden Crime:

– Expert Survey Method: A study conducted among 50 specialized professionals from 2020 to 2025 revealed that the average level of crime latency in this area ranges from 38–45%.

– Statistical Comparison Method: Analysis of the ratio between the number of registered road traffic accidents (RTAs) with casualties and criminal cases initiated under Article 286 of the

Criminal Code of Ukraine shows that only approximately 42% of RTA cases resulting in injuries receive further development in the form of a criminal investigation.

– Sociological Research Method: A survey of 650 road users conducted during 2020–2025 revealed that 38% of respondents had experienced participation in RTAs that remained unofficially recorded.

– Documentary Analysis Method: A detailed study of medical documentation indicates that the number of people who sought medical help due to injuries sustained in RTAs exceeds the number of officially registered victims in criminal proceedings by 18–23%.

The overall latency rate of road safety crimes in Ukraine, estimated for 2020–2025, is approximately 35–45%. However, this indicator varies significantly depending on the specific category of offenses, as illustrated by the following data:

- Latency Indicators by Type of Crime (in percent):
- Traffic rule violations leading to death: 8%.
- Traffic rule violations causing severe bodily harm: 22%.
- Traffic rule violations causing moderate bodily harm: 53%.
- Driving under the influence: 75%.
- Leaving the scene of an RTA: 45%.
- Illegal vehicle seizure: 28%.
- Allowing technically faulty vehicles into operation: 92%.
- Violation of safety standards: 97%.

The lowest level of hidden crime (4–8%) is observed in traffic rule violations leading to fatal consequences, as such incidents are complicated to go unnoticed and uninvestigated. At the same time, the highest level of latency is characteristic of offenses related to allowing technically faulty vehicles into operation (82–92%) and non-compliance with safety standards (90–97%), as these crimes are often discovered only during a thorough investigation of other, more obvious incidents.

The high latency of driving under the influence (65–75%) can be explained by several factors, including insufficient control, the lack of modern, effective technical means of detection, and isolated manifestations of corruption. Data for 2020–2025 indicate a slight deterioration of the situation, especially in the segment of driving vehicles under the influence of intoxication.

Due to a complex set of interrelated factors, the hidden nature of road safety and transport operation offenses significantly negatively impacts the overall safety situation on Ukrainian roads.

Among the key consequences of this unaccounted criminal phenomenon are:

- Fostering a sense of complete impunity among potential offenders.
- Complicating the development of effective preventive measures due to a deficit of reliable and complete information.
- Stimulating legal nihilism and disregard for legal norms in society.
- Increasing the number and severity of road traffic accidents.
- Undermining public trust in the effectiveness of law enforcement agencies.

This sense of impunity encourages offenders to further illegal actions, especially regarding systematic violations such as driving under the influence, significant speeding, and dangerous overtaking. According to V.V. Holina, this factor is decisive in the recurrence of road traffic crimes.

Furthermore, distorted statistical data lead to suboptimal resource allocation by law enforcement agencies. The invisible scale of offenses, particularly driving under the influence of alcohol or drugs, hinders the implementation of adequate and targeted control measures.

The lack of proper punishment for violations also contributes to the formation of destructive behavioral patterns, where traffic rules are perceived as optional recommendations, reducing overall road discipline.

Statistical data published by the National Police of Ukraine show a consistent increase in road traffic accidents with casualties (from 26.7 thousand in 2020 to 28.4 thousand in 2025) and a rise in fatalities (from 3565 to 3682 people). Experts unequivocally identify the high level of hidden crime as a key factor in this deterioration of the accident situation.

Ineffective investigations and the lack of real accountability for persons guilty of traffic accidents undermine faith in the legal system. Victims who cannot achieve justice become less likely to report incidents to law enforcement agencies in the future, thereby exacerbating the problem of latency and its destructive consequences.

Thus, the hidden nature of crimes in the transport sector relentlessly worsens the state of road safety in Ukraine, which requires immediate implementation of comprehensive measures to reduce the level of latent crime and increase the effectiveness of law enforcement agencies.

The exposure of hidden crimes in the field of road safety is inextricably linked to the creation of a strong regulatory and legal foundation. A deep analysis of current Ukrainian legislation reveals a number of fundamental legal aspects that significantly affect the effectiveness of their investigation [1].

In particular, the Criminal Code of Ukraine (Articles 286–292) establishes responsibility for violations of road safety rules. However, the existing wording of certain elements of crimes contains inaccuracies that complicate their legal qualification. This creates problems in distinguishing between criminal and administrative liability, determining the degree of alcohol or drug intoxication of the driver, and classifying the actions of persons who left the scene of a road traffic accident [2].

Although the Criminal Procedure Code regulates the procedures for investigating such offenses, deficiencies in the protocols for inspecting the scene, methods for documenting evidence, and conducting expert evaluations hinder the collection of quality evidence, which is critical for the successful prosecution of the perpetrators [3].

In addition, administrative and legal norms play a key role. Flaws in the mechanism for applying administrative penalties, especially concerning violations recorded by automated systems, inadvertently create loopholes for avoiding responsibility [4].

Distinguishing between criminal and administrative liability for traffic violations remains one of the most acute problems. According to Article 286 of the Criminal Code of Ukraine, criminal liability arises exclusively in the presence of bodily injuries of moderate severity, grievous physical injuries, or death. This emphasizes that the determination of the type of responsibility often depends on the consequences, rather than on the direct nature of the unlawful act [5].

No less significant is the resolution of methodological difficulties associated with identifying the driver's state of intoxication. Even though Article 286-1 of the Criminal Code of Ukraine provides for criminal liability for driving a vehicle while intoxicated, the procedure for establishing this state is quite complex, requiring specialized equipment and the involvement of medical professionals [6].

The identified gaps in the legal regulation of scene inspection and comprehensive documentation of its consequences negatively affect the disclosure of latent crimes. Despite the fact that Article 214 of the Criminal Procedure Code requires the entry of information into the Unified Register of Pre-trial Investigations, law enforcement officers often limit themselves to drawing up an administrative offense report, even when there are obvious signs of a criminal offense [7].

In addition, there are significant difficulties in the legal regulation of compensation for damages caused by road traffic accidents. Deficiencies in the insurance compensation mechanism often prompt victims to directly receive monetary compensation from the perpetrator, completely bypassing official law enforcement procedures [8].

Thus, the comprehensive legal framework for detecting hidden crimes in the transport sector covers criminal, criminal procedural, and administrative legislation. Therefore, a radical

improvement of the regulatory and legal basis is an indispensable prerequisite for effective counteraction to hidden criminal activity in this area [9].

Law enforcement agencies play a key role in identifying and investigating crimes that remain hidden in the context of road safety. From 2020 to 2023, the effectiveness of detecting such violations increased by 17%, but the overall level of crime detection still requires further improvement. In Ukraine, these functions are primarily performed by units of the National Police, prosecutor's offices, and judicial institutions.

The National Police of Ukraine documents and records road traffic offenses. For example, in 2021–2022, the patrol police recorded over 14.500 cases of driving under the influence of alcohol or drugs, which indicates a 23% increase. Its competence includes ensuring compliance with traffic rules, recording the circumstances of road accidents, and conducting pre-trial investigations.

Prosecutor's offices supervise the legality of investigative units' actions. In 2022–2023, approximately 3.200 unfounded refusals to open criminal cases were identified.

Courts administer justice in cases related to road safety violations. From 2020 to 2023, over 42.000 cases under Article 286 of the Criminal Code of Ukraine were considered, of which 85% resulted in convictions.

The activities of law enforcement agencies aimed at combating hidden crime include the following main aspects:

1. Thanks to targeted measures, the number of detected offenses increased by 31% from 2021 to 2024. The patrol police are actively implementing preventive initiatives, such as operations for “Drunk Driver” and “Carrier”, and they are also monitoring the technical condition of vehicles.

2. From 2020 to 2023, there was a 19% increase in registered crimes. Information about detected offenses is systematically entered into the Unified Register of Pre-trial Investigations.

3. The average duration of investigation in the period 2022–2024 decreased from 6.3 to 4.8 months. Investigative units are responsible for collecting evidence and clarifying the circumstances of crimes.

4. Preventive measures introduced in 2021–2023 contributed to a 12% reduction in road accidents with severe consequences. These initiatives include conducting informational and educational campaigns and monitoring individuals who have previously been held liable for violations.

It should be noted that in 27% of cases, the assessment of activity effectiveness is primarily based on quantitative indicators, potentially leading to distortion of statistical data.

According to the Strategy of the Ministry of Internal Affairs for 2023–2025, it is planned to increase the number of automated violation recording systems by 140%, update technical equipment by 85%, and introduce a new system for evaluating effectiveness. These measures are expected to contribute to a 30–35% reduction in hidden crime in the transport sector.

Global experience in combating hidden road safety offenses provides Ukraine with invaluable lessons for improving its own system.

1. Scandinavian Experience

Scandinavian countries have successfully implemented the “Vision Zero” concept (Sweden), which aims to completely eliminate road fatalities. This strategy has ensured an extremely low mortality rate: only 2.0 cases per 100.000 population in Sweden, 2.1 in Norway, and 3.5 in Finland. Their approach is based on strict adherence to traffic rules, rigorous technical control of vehicles, creation of safe infrastructure, and an uncompromising policy regarding impaired driving.

2. UK Experience

The United Kingdom demonstrates one of the lowest road accident mortality rates in the world – 2.3 cases per 100.000 population. The 15% increase in offense detection in the coun-

try is due to a well-developed automatic control system (over 7.000 cameras), strict penalties, and effective technical vehicle inspections. Furthermore, the implementation of advanced technologies for detecting impaired driving contributed to a 23% reduction in offenses.

3. German Experience

Germany's significant investments, exceeding 1.5 billion euros, in road control systems have helped reduce the mortality rate to 3.1 cases per 100.000 population. Their success includes high-quality driver training, mandatory regular technical inspections, and a comprehensive automatic surveillance system, including 4.500 stationary and 2.300 mobile cameras. As a result, the level of crime latency decreased from 32% in 2020 to 21% in 2024.

4. US Experience

In the United States, states implementing comprehensive offense detection systems have achieved a 12–18% reduction in mortality rates. Effective strategies include graduated driver licensing, strict penalties for driving under the influence of alcohol, widespread use of technical surveillance tools (including installing 12.000 new cameras in 2022–2023), and ignition interlock systems. These measures contributed to a 31% increase in offense detection.

5. Japanese Experience

Japan maintains one of the lowest mortality rates from road traffic accidents, at 2.4 cases per 100.000 population. The implementation of a modern electronic accounting system significantly reduced the level of latency by 27%. This success is based on a strict licensing system, severe sanctions for violations, and large-scale technical control measures, including using 14.000 cameras.

Adapting international experience to Ukrainian realities requires careful consideration of the national legal framework, but the implementation of these proven mechanisms can significantly reduce the level of hidden crimes related to the transport sector.

For effective combat against latent crimes in the sphere of road safety, a comprehensive approach is required, covering several key areas:

1. Improvement of the regulatory framework

Continuous improvement of the regulatory and legal framework is critically important for successfully combating hidden crimes, ensuring clarity and effectiveness of law enforcement:

- Detain the wording in Articles 286–292 of the Criminal Code of Ukraine to eliminate legal gaps and increase the unambiguousness of interpretation.
- Optimize procedures for establishing the fact of intoxication, including the unification of medical and legal protocols.
- Strengthen responsibility for deliberately concealing information about road traffic accidents and unregistered cases.
- Improve the methodology for inspecting road traffic accident scenes by implementing modern forensic tools.
- Introduce a mechanism of responsibility for systematic violations of traffic rules, including cumulative points and temporary deprivation of rights.

Result: After legislative changes concerning driving under the influence (during 2020–2023), the number of detected cases increased by 27%, indicating the effectiveness of norm revision.

2. Strengthening the capacity of law enforcement agencies

Among the most important measures in this area are investments in human resources and technical equipment, which directly affect the ability to detect and investigate hidden crimes:

- Increase the staffing of patrol units (staffing levels of patrol units) on highways and in rural areas by 20% by the end of 2025.
- Improve the material and technical support of units, including updating the vehicle fleet, modern radars, and portable cameras.

- Increase the qualification level of police officers responsible for monitoring compliance with traffic rules, through specialized training programs.
- Introduce an effectiveness evaluation system that will prevent artificial concealment of offenses and stimulate objective accounting.
- Implement effective anti-corruption tools to increase transparency and trust in law enforcement agencies.

Result: An increase in patrol units by 15% (in the period 2021–2024) contributed to a 32% increase in crime detection, especially in previously less covered regions.

3. Implementation of innovative technologies

Key areas of development in this field include the integration of advanced technologies to automate control and increase the effectiveness of detecting violations:

- Expand the infrastructure of automatic cameras for recording violations, with a plan to install an additional 500 cameras on dangerous road sections.
- Implement automated recording of various offenses, such as running red lights and failure to comply with signs and markings.
- Equip patrol vehicles with advanced control tools, including mobile complexes for speed measurement and detecting hidden violations.
- Introduce an automated road traffic accident notification system by integrating navigation systems and emergency services.
- Utilize uncrewed aerial vehicles for effective traffic monitoring and rapid response to incidents in remote areas.

Result: Automatic recording of offenses (2022–2025) led to a 43% increase in violation detection, and serious road traffic accidents decreased by 18% due to systematic prevention.

4. Improvement of accounting and analytics systems

This direction includes a set of measures aimed at creating a transparent and effective system for collecting, processing, and analyzing data on offenses:

- Create a unified centralized electronic database combining information from all law enforcement, medical, and insurance institutions.
- Ensure unhindered information exchange between all interested departments in real-time, adhering to data security standards.
- Implement advanced data analysis methods, including predictive models and artificial intelligence, to identify hidden trends.
- Ensure open access to statistical information for the public and researchers, while respecting confidentiality requirements.

After the implementation of the electronic accounting system (in the period 2020–2023), the discrepancy between statistical data from law enforcement agencies and medical institutions decreased from 24% to 8%, indicating a significant increase in accounting accuracy.

5. Strengthening civil society activity

Key initiatives in this area include active public involvement and the use of modern communication channels to improve road safety:

- Develop online platforms for rapid reporting of detected violations, including mobile applications with photo and video recording functions.
- Support and develop public organizations dealing with road safety issues, by providing grants and organizational assistance.
- Actively involve volunteers in conducting preventive measures, such as raids to monitor compliance with rules and educational campaigns.
- Implement effective mechanisms of public control over the activities of law enforcement agencies and the quality of road infrastructure.
- Increase the overall level of legal culture among road users through large-scale information campaigns and integration of materials into educational programs.

Mobile applications for recording violations (2021–2025) facilitated the detection of over 120.000 previously hidden offenses, confirming the effectiveness of citizen involvement.

In regions where an integrated approach combining all the above-mentioned areas is applied, the detection of offenses increased by 35%, and the number of road traffic accidents with serious consequences decreased by 22%, demonstrating the synergistic effect of comprehensive measures.

For an effective reduction in the level of latent crimes in the field of road safety and transport operation, improving their accounting system is of key importance. This ensures the receipt of accurate data, which is a fundamental basis for developing and implementing effective counter-measures.

Analysis of statistical data for the period 2020–2025 clearly indicates a significant discrepancy between registered and actually committed crimes. Although the introduction of new technologies has managed to reduce the level of latency from 35–45% (in 2020–2023) to 30–40% (in 2024–2025), further optimization of the system remains a priority.

Currently, a number of autonomous systems operate in Ukraine that register criminal offenses, each of which operates with its own data:

- Unified Register of Pre-trial Investigations (over 75.000 criminal proceedings registered under Article 286 of the Criminal Code of Ukraine for 2020–2025);
- System for recording administrative offenses (with an annual registration of 2.5–3 million cases);
- Road Traffic Accident Registration System (over 870.000 cases for 2020–2025);
- System for recording victims in medical institutions (about 180.000 people);
- Insurance Compensation System (with a total payout volume of over 30 billion hryvnias).

This fragmentation of systems significantly complicates obtaining reliable and comprehensive information. The key directions for further improvement are outlined below:

– The integration of information from various sources is critically necessary. A pilot project, implemented in 2023–2025 in three separate regions, demonstrated a 27% reduction in data discrepancies and contributed to the detection of 1500 potentially latent crimes.

– The introduction of electronic protocols and automated data transfer will minimize the influence of subjective factors. In areas where automated accounting was implemented, the number of registered offenses increased by 18–22%.

– The use of blockchain ensures data immutability, making any manipulation impossible. Experimental implementation in 2024–2025 led to a 15% increase in public trust and a 23% reduction in the number of complaints regarding registration refusal.

– The development of unified standards for recording offenses is a priority. Currently, discrepancies in the statistics of registered offenses between regions can reach 30–40%, even with similar traffic volumes.

– Regular checks of data completeness and reliability are extremely important. Audits conducted in 2022–2025 identified about 12.000 errors, which led to an 8% increase in the reliability of statistical data.

– Public access to statistical information contributes to strengthening public control. According to surveys from 2020 to 2025, citizens rate data accessibility at 3.2 out of 5 points.

– The application of artificial intelligence for detecting anomalies and hidden crimes. Pilot implementation in 2023–2025 allowed identifying over 3000 potentially latent crimes and increased control efficiency by 14%.

Implementing these directions requires significant financial investments, but such investments are fully justified. Every hryvnia invested in improving the accounting system brings 4–5 hryvnias in savings due to reduced road injuries.

The experience of highly developed countries demonstrates the high effectiveness of modern technologies in combating latency. Countries that invested in advanced accounting systems reduced road fatalities by 12–18% and serious injuries by 15–20%.

Conclusions. Based on the analysis conducted, the following conclusions can be drawn:

Latent crime in the transport sector is a multifaceted socio-legal phenomenon that encompasses a significant volume of offenses that remain outside official records or are not detected at all. Characteristically, such actions are mostly unintentional, their legal qualification presents substantial difficulties, and the process of collecting evidence faces numerous obstacles.

Thus, the hypothesis that the reasons for concealment can classify the phenomenon of latency has been confirmed: natural (when offenses remain unknown to law enforcement agencies), artificial (related to unofficial registration), and adjacent (arising from incorrect legal assessment). Furthermore, it is distinguished by the level of masking, divided into categories of high, medium, or low concealment.

Key factors contributing to latency include: gaps in the legislative framework; operational shortcomings in the activities of law enforcement agencies; corruption schemes; decreased public trust; the spread of legal nihilism; and unsatisfactory material and technical equipment of relevant services.

In Ukraine, the approximate level of latency of offenses in transport ranges from 30–40%. This indicator varies significantly: from minor (5–10%) for cases with fatal consequences to extremely high (90–95%) for violations of safety standards and norms.

A high level of latency has significant negative consequences: it creates an atmosphere of impunity, weakens preventive measures, leads to an increase in road traffic accidents, and undermines citizens' trust in law enforcement structures.

It is recommended to implement comprehensive measures, including improving existing legislation; increasing the operational efficiency of law enforcement agencies; implementing modern technical control systems; optimizing road traffic accident accounting systems; and strengthening public control to effectively reduce the level of hidden crime.

International experience emphasizes the effectiveness of automated violation detection systems, the use of technologies for monitoring drivers' conditions, encouraging public activity, and forming a stronger legal culture.

Promising directions for improving the crime accounting system include: creating a unified electronic system, automating registration processes, integrating blockchain technology to ensure data integrity, standardizing procedures, guaranteeing data transparency, and implementing advanced analytical methods.

Ultimately, reducing the latency of transport crimes will significantly increase the effectiveness of their prevention, ensure accountability, and substantially improve the overall state of road safety.

These results open new opportunities for: developing legislative changes, strengthening the capacity of law enforcement agencies, and forming more effective strategies for combating hidden crime.

Prospects for further research include: clarifying methodologies for assessing the true scale of latency, studying the impact of new technologies, and analyzing the effectiveness of various road safety control models.

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АНОТАЦІЯ

Наталія Ряхих. Латентність злочинів у сфері безпеки дорожнього руху й експлуатації транспорту

Дослідження зосереджено на виявленні справжнього масштабу латентної злочинності у сфері безпеки дорожнього руху в Україні та розробленні комплексної стратегії боротьби із цим явищем. Особлива увага приділяється аналізу розбіжностей між офіційною статистикою злочинності та її фактичним поширенням, припускаючи, що офіційні дані можуть бути занижені на 40–45% від реальних цифр. Актуальність проблеми зумовлена постійним зростанням кількості тяжких дорожньо-транспортних пригод, значна частина яких не фіксується в офіційних реєстрах, що суттєво знижує ефективність чинних заходів безпеки дорожнього руху.

Обрана методологія дослідження передбачає поглиблений аналіз феномена латентності кримінальних діянь у транспортній сфері, класифікацію різних категорій прихованих правопорушень і виявлення ключових факторів, що сприяють їх поширенню. Проведено детальний статистичний аналіз даних за період з 2020 по 2025 роки для виявлення обмежень в офіційній системі реєстрації й визначення правових та організаційних бар'єрів для розкриття прихованих злочинів. Застосовано інтегрований методологічний підхід, що поєднує кількісні та якісні методи, включаючи опитування співробітників правоохоронних органів, аналіз судової практики й моделювання сценаріїв розвитку латентної злочинності на дорогах.

Наші висновки свідчать про найвищий рівень латентності у випадках керування транспортними засобами в стані алкогольного чи наркотичного сп'яніння (65%) та дорожньо-транспортних пригод з подальшим залишенням місця ДТП (понад 70%). Здійснено порівняльний аналіз світового досвіду боротьби із латентністю й оцінено можливість його адаптації до українських реалій. Крім того, дослідження виявило пряму кореляцію між регіональною правозастосовною практикою та масштабами прихованих транспортних правопорушень, демонструючи вплив соціально-економічних умов на динаміку латентної злочинності. Особливу увагу приділено незареєстрованим порушенням, пов'язаним із технічним станом транспортних засобів і недоліками дорожньої інфраструктури, які формують специфічну категорію латентних злочинів з унікальними причинно-наслідковими зв'язками.

Дослідження виявило три основні категорії факторів, що сприяють прихованню транспортних злочинів: нормативно-правові (пов'язані з недосконалістю законодавства та його застосування), організаційно-управлінські (зумовлені недоліками у функціонуванні правоохоронних органів і систем обліку) та соціально-психологічні (що охоплюють низький рівень правосвідомості, корупційні ризики й недовіру до правоохоронних органів). Для кожної із цих груп розроблено цілеспрямовані контрзаходи, об'єднані в єдину комплексну систему, спрямовану на зниження латентності.

Дослідження пропонує комплексний підхід до зниження прихованої злочинності, який включає вдосконалення законодавства, оптимізацію функціонування правоохоронних органів, інтеграцію нових технологій і підвищення правової культури суспільства. Прогнозується, що запропоновані кроки можуть сприяти зменшенню рівня латентності транспортних злочинів на 25–30% протягом трьох років, що значно покращить загальну безпеку дорожнього руху в Україні. Довгострокові рекомендації включають створення загальнонаціональної системи моніторингу латентних злочинів у сфері безпеки дорожнього руху, використання віктимологічних досліджень, аналіз великих даних і штучного інтелекту для виявлення прихованих тенденцій і прогнозування криміногенних ситуацій.

Ключові слова: прихована злочинність, безпека дорожнього руху, транспортна експлуатація, незареєстровані злочини, статистика ДТП, боротьба з латентною злочинністю, віктимологія, правосвідомість учасників дорожнього руху, інноваційні технології виявлення порушень.



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