

CRIMINAL LAW AND CRIMINAL PROCEDURE

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SOME PROBLEMATIC ISSUES CONCERNING PREVENTION OF ROAD TRAFFIC INJURIES IN UKRAINE CAUSED BY DRUNK DRIVING

The author of this article highlights some of the problematic issues concerning prevention of injuries and fatalities on the roads of Ukraine and peculiarities of criminal responsibility of drivers both for drunk driving, which led to the road accident with serious consequences, and for the very fact of such driving. The aim of the article is an attempt to identify and analyse the features of the criminal responsibility of drivers who cause traffic accidents especially in the state of alcoholic intoxication, as well as to criminalize the fact of drunk driving.

Among a variety of legal provisions aimed at preventing the negative consequences, particularly due to drunk driving, the author considers it necessary to criminalize the mere fact of drunk driving and to increase the responsibility for the grave consequences of road accidents caused by drunk drivers.

According to the author, the relevance of the study should be noted. The author notes that there are gaps in the criminal law with regard to the establishment of criminal responsibility for the fact of drunk driving, and equating punishment for road accidents caused by drunk drivers, upon the occurrence of serious consequences with the punishment for murder and intentional corporal injury. This fact, in the author's opinion, necessitates immediate amendments to the Criminal Code of Ukraine. The possibility of vehicle confiscation for drunk driving and causing the road accident even without the victims (the dead or injured) needs further study.

The author proposes to enhance responsibility by introducing life imprisonment if the offence results in the death of several human beings. Besides, the author advocates the position to increase the additional penalties, such as vehicle confiscation and deprivation of the right to drive a vehicle for life.