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Article



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PROBLEM ASPECTS OF THE INVESTIGATION OF ROAD AND TRANSPORT CRIMES COMMITTED IN RURAL AREAS

Abstract: In the article, the author examines the forensic characteristics of road traffic crimes committed in rural areas, reveals the circumstances to be established in the investigation of road traffic crimes committed in rural areas, and analyzes the forensic problems of organizing the investigation and disclosure of road traffic crimes committed in rural areas.

Key words: Road traffic crimes, investigation of road traffic crimes, forensic characteristics of road traffic crimes committed in rural areas, circumstances to be established in the investigation of road traffic crimes committed in rural areas, forensic problems of organizing the investigation and disclosure of road traffic crimes, committed in the countryside.

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Introduction

Taking into account the conditions of the countryside, the objective factors influencing the course of the investigation, in our opinion, include the significant remoteness of the scene of the incident from the location of the internal affairs body; untimely receipt of information about the accident; intensive high-speed flow of vehicles on federal highways passing through rural areas, etc.

Subjective factors include the lack of protection of the scene of an accident; untimely arrival at the scene of the investigative-operational group and its incomplete staffing; improper qualification of employees; leaving the crime scene by the driver due to the need to deliver the victim to a medical institution; etc. The forensic characteristics of road accidents [1], committed in rural areas, according to some scientists, can be defined as a set of features characteristic of rural areas, features and relationships of this category of crimes, expressed in a specific setting and mechanism for committing a crime, personality traits of a criminal, as well as in individual personality traits of the victim.

The main elements of road accidents committed in rural areas, in our opinion, are: the situation at the scene of the crime; accident mechanism; characterization of the personality of the perpetrator of the crime; information about the identity of the victim [2]. A characteristic feature of the situation at the scene of an accident committed in a rural area is the fact that the streets and roads of settlements and their environs are little loaded with vehicles, the speed of movement is low. The streets of settlements often do not have roadsides and sidewalks.

They are not well lit; the surface of such roads, as a rule, has significant damage; road signs are missing. At the same time, high-speed roads with intensive traffic flow often pass through the territory of vast rural areas, which can have a pronounced direction (on Friday - from the city to the village; on Sunday - from the village to the city).

The situation at the scene of the accident, depending on where the accident occurred, is different. When studying the situation of an accident in a village, the investigator must take measures to detect signs of the past state of the environment, since

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a significant distance from the place of the accident from the location of the internal affairs body can mislead the investigator about the true picture of what happened [3]. In the course of a practical analysis of the situation of an accident committed in a rural area, the investigator must take into account other circumstances.

The specificity of the personality of the driver guilty of an accident is primarily determined by his age. In rural areas, due to the migration of young people to the city, older drivers are the majority. In addition, in our opinion, one can single out such a feature of a rural driver as a blunted sense of vigilance. Quite a calm and measured way of life in the village has a negative impact on the driver's reaction when driving a vehicle in rapidly changing traffic conditions [4]. On the other hand, a city dweller who has left the city on a fairly free highway or country road can relax (lower the seatback, turn on music, etc.), as a result of which the reaction time to the danger that has arisen will be slowed down. Among the features that affect the reaction time, we can also highlight the state of extreme fatigue of drivers going on vacation, who spend a large amount of time driving their cars. Wishing to get to a place of rest faster (sanatorium, sea, mountains, etc.) [5], they exceed the speed of movement, neglect stops along the way, which can lead to an accident.

The lack of proper control in rural areas by local law enforcement agencies significantly reduces the level of training of rural drivers and their knowledge of the Rules of the Road; often vehicles are driven by people who do not have driver's licenses at all [6].

Important for the characterization of road users in rural areas is their tendency to abuse alcohol and irresponsible attitude, which fully allows driving while intoxicated [7].

So, a specific circumstance that needs to be established in a collision involving agricultural machinery equipped with a trailer is the study of the possibility of deviation from the rectilinear direction of movement, which significantly affects the lateral interval. These vehicles may not have turn signals, or they may be so splattered with mud that they cannot be seen when turned on. If there was a collision with an agricultural machine, one should pay attention to the attachments and equipment protruding beyond the dimensions of the vehicle, take into account the degree of its illumination, etc. [8]. When investigating road accidents committed in rural areas, in our opinion, it is important to clarify such circumstances of the commission of a crime as the state of road conditions and vehicle.

For rural areas, among the well-known factors that determine road conditions, the most specific and significant are the accounting and assessment of weather conditions. So, in the winter season, it must be taken into account that in the village road work is usually carried out by agricultural machinery that does

not have special devices. When wetting the road surface in rural areas, it should be taken into account that the roadway can be covered not only with an abundant layer of dust, but also with layers of soil, which significantly impairs the quality of adhesion. It is quite typical for rural areas with a steppe landscape to assess the possibility of influencing the conditions of vehicle movement by gusty and side winds [9]. One of the circumstances to be established during the investigation of an accident is the determination of the technical condition of vehicles. It should be borne in mind that most accidents in rural areas occur due to malfunctions of the brake system, the condition of lighting fixtures, tires and steering.

In order to ensure road safety, we consider it expedient for domestic manufacturers to take into account foreign experience and equip vehicles with anti-blocking devices that allow drivers to use the brake system more efficiently in emergency situations [10]. It is proposed to provide for a different degree of incandescence of the filaments of the lamps of the reversing lamps, depending on the intensity of braking. When establishing the state of lighting devices, it must be taken into account that a rural resident often adjusts the headlights of his vehicle, depending on the features of its operation, without adhering to the prescribed standards. The study of the condition of vehicle tires is of particular importance in rural areas, as drivers have to move along the roadway with different surfaces. In this case, the degree of loading often exceeds the permissible. For agricultural machinery, in order to ensure safety, in our opinion, it is necessary to provide for the installation of rear-view mirrors that display the status of attachments, as well as the regulatory fixation of the minimum limit of steering wheel play for all types of vehicles.

Given the large distances for timely response and prompt inspection of the scene of an accident committed in rural areas, in the opinion of the dissertator, it is advisable to introduce the position of an investigator at the checkpoints of the traffic police serving highways. This officer must be specially trained and live in an area close to the duty station. If complex agricultural machinery is to be inspected, it is advisable to include an auto technician specialist in the investigative team who will help sort out technical issues, as well as invite representatives of the affected farm, who can assist in organizing the subsequent evacuation of the damaged vehicle. Before leaving for an inspection, especially at night, it is necessary to decide on witnesses. It is not advisable to invite persons passing through the territory in transit as witnesses, since the inspection can drag on for a long time. In addition, later sometimes there is a need for their interrogation [11]. In this regard, it seems possible to invite as witnesses any persons not interested in the outcome of the case.

In some cases, when there is a medical institution on the way to the scene of the accident, where the

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victims were taken, it is advisable to promptly interrogate them about the circumstances of the accident. This is of particular importance when there are no eyewitnesses left at the scene of the incident and it is quite difficult for the employees of the investigative-operational group to recreate the picture of the incident on the spot. In addition, victims may be sent for surgery, given anesthesia, taken to another medical institution, they may die, etc. When

conducting such interviews, in our opinion, it is advisable to make an audio recording of the explanation received. Subsequently, such a record can be used as one of the evidence in the event of the death of the victim, if it is impossible for him to sign this explanation, if the testimony is changed subsequently.

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