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CRIMINAL OFFENSES AGAINST ROAD TRAFFIC SAFETY - A CRITICAL REVIEW THROUGH THE ANALYSIS OF COURT PRACTICE

Abstract: Criminal offenses against road traffic safety are included in Chapter XXVI of the Criminal Code of the Republic of Serbia under the heading Criminal offenses against public traffic safety. This paper consists of an analysis of criminal offenses against road traffic safety, as follows: Endangering public traffic Art. 289. CC, Endangering traffic by dangerous action and dangerous means, Art. 290. CC, Negligent exercise of supervision over public traffic, Art. 295. CC and Failure to provide assistance to a person injured in a traffic accident, Art. 296. CC and it is all performed through a theoretical approach and analysis of court practice. In the introduction, we pointed out the methodology of research and analysis of traffic accidents and their consequences. The second part of the paper refers to the theoretical approach, the analysis of criminal offenses against road traffic safety in the criminal legislation of the Republic of Serbia. The third part, the empirical part, includes three levels of research over a seven-year period. The first empirical part refers to reports, lawsuits and convictions for criminal offenses against road traffic safety in the territory of the Republic of Serbia, in a seven-year period (from 2015 to 2021). The results of the research performed in this part of this paper indicate extremely mild sentences imposed on the perpetrators of crimes against road traffic safety, among which suspended sentences dominate, while mild prison sentences were imposed in only 7,87% of cases. The second empirical part includes the analysis of traffic accidents and their consequences in relation to dead persons, lightly and seriously injured persons, as well as other traffic accidents that resulted only in material damage in a seven-year period (from 2015 to 2021). The purpose of this part of the research is important for monitoring the dynamics of the volume and movement of both traffic accidents and their consequences. Participants in traffic accidents, that is, drivers, passengers, pedestrians, cyclists, trucks, buses, were the subject of the third part of the research. This part of the research shows that drivers and passengers in passenger vehicles are the most vulnerable category, considering that among them are the most people killed in traffic accidents. In the concluding remarks, as a result of the research and analysis of traffic accidents and their consequences, we pointed out the necessary amendments and changes of the *de lege ferenda* incriminations of criminal acts against road traffic safety in the Criminal Code of the Republic of Serbia.

Key words: criminal acts, road traffic, endangerment, negligent supervision, traffic accidents, consequences, failure to provide assistance, penal policy, judicial practice.

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1. INTRODUCTORY CONSIDERATIONS AND METHODOLOGY RESEARCH OF TRAFFIC ACCIDENTS AND THEIR CONSEQUENCES

For the investigation of traffic accidents and their consequences significant is the addition and amendment of *de lege ferenda* incrimination of criminal offenses against road traffic safety in the Criminal Code of the Republic of Serbia. Through the analysis and research of traffic accidents and their consequences, we were able to obtain data on the number of traffic accidents, persons killed and persons seriously and lightly injured in traffic accidents, as well as data on material damages. The goal of the aforementioned research is to support the monitoring of the dynamics of the volume and dynamics of traffic accidents and their consequences. For research in this paper, data had been collected from the Federal Institute for Statistics of the Republic of Serbia and the Agency for Traffic Safety of the Republic of Serbia. The report method was used in the research, through the reports available at the mentioned institutions based on the data and records they are required to keep, as well as the statistical, historical and comparative method.

This paper is divided into theoretical and empirical part. The first part of the paper refers to the normative framework of criminal offenses against road traffic safety in the legislation of the Republic of Serbia. Through the second part of the paper, an analysis of the traffic accidents committed in the territory of the Republic of Serbia in the seven-year period, from 2015 to 2021, is provided.

Three types of research on traffic accidents and their consequences have been conducted. The first research refers to criminal offenses against road traffic safety in the territory of the Republic of Serbia in the period from 2015 to 2021 in relation to reported, accused and convicted persons. The second research includes the analysis, in the same time period, of the total number of traffic accidents and the resulting consequences related to persons killed, lightly and seriously injured persons, and accidents in which only material damage occurred. The third research, in the last five-year period from 2017 to 2021, refers to drivers, passengers, pedestrians, cyclists, trucks and buses as categories of participants in traffic accidents.

2. CRIMINAL OFFENSES AGAINST ROAD TRAFFIC SAFETY IN THE CRIMINAL LEGISLATION OF THE REPUBLIC OF SERBIA

Criminal offenses against public transport safety are included in Chapter XXVI of the Criminal Code of the Republic of Serbia (Criminal Code of the Republic of Serbia „Official Gazette of RS”, no. 85/2005, 88/2005 - corrected, 107/2005 - corrected, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019, Božić, Simović 2021: 288-298). The listed crimes include Endangering public traffic (Art. 289 of the CC), Endangering traffic with a dangerous act and dangerous means (Art. 290 of the CC), Endangering the safety of air traffic (Art. 291 of the CC), Endangering the safety of air or maritime traffic or immovable platforms (Art. 292 of the CC), Hijacking of aircraft, ships and other means of transport (Art. 293 of the CC), Piracy (Art. 294 of the CC), Negligent supervision of public traffic (Art. 295 of the CC),

Failure to provide help to a person injured in a traffic accident (Art. 295 of the CC) and Serious offenses against the safety of public traffic (Art. 298 of the CC) (Simović, Božić 2020: 87-97).

For the purposes of this paper, the criminal offenses against road traffic safety in the criminal legislation of the Republic of Serbia are of importance, as follows: *Endangering public traffic*, *Endangering traffic with a dangerous act and a dangerous means*, *Negligent supervision of public traffic*, *Failure to provide assistance to a person injured in a traffic accident* and *Serious acts against the safety of public transport*, which we will draw attention to in the following text.

Endangering public traffic is a criminal offense that can be committed by any road traffic participant if he does not comply with traffic regulations and therefore endangers public traffic in such a way that his behavior endangers the life or body of people or property on a large scale (Milanović, 2004). An essential characteristic of the perpetrator of a criminal offense is that he must be a participant in road traffic. A traffic participant is a person who participates in traffic in any way (art. 7. par. 1. item 67. Law on road traffic safety, „Official Gazette of RS”, no.41/2009, 53/2010, 101/2011, 32/2013, 55/2014, 96/2015, 9/2016, 24/2018, 41/2018, 41/2018, 87/2018, 23/2019 i 128/2020).

In order for this offense to become a criminal act, a *causal nexus* must be established, that is, a slight physical injury to another person or property damage in the amount of over two hundred thousand dinars.

Therefore, the objective condition of incrimination is slight physical injury to another person or property damage in the amount that exceeds 200,000 dinars. The action of the criminal offense of endangering public traffic is lack of observance of traffic regulations, and this makes it clear to us that this criminal offense is of a blanket nature because it refers to other regulations regulating road traffic safety.

The consequence of jeopardizing public traffic manifests itself in a concrete danger to the life or body of people, as well as large-scale property. According to the legal understanding of the Supreme Court of Justice, since April 17, 2006, property whose value exceeds 1,200,000 dinars is considered a larger property. The perpetrator of this criminal offense may be sentenced to imprisonment for up to three years (Art. 298. CC). If a natural person fails to comply with traffic regulations in railway, ship, tram, trolleybus or bus traffic, as well as cable car traffic, and by such behavior puts the life or body of people or property at risk on a larger scale, he also commits the criminal offense *Endangering public traffic* from Art. 289, paragraph 2 of the CC, for which a prison sentence of six months to five years is prescribed (Božić 2019: 91-105, Božić, Simović 2020: 129-142.). The criminal offense referred to in paragraph 2 is considered a more serious criminal offense, as indicated by the threatened punishment, precisely because of the type of traffic.

The perpetrator can commit these two forms of crime (para. 1 and para. 2) with intent (Gruber 1996: 57-67), however, the legislator provided that it is possible to commit the criminal offense of endangering public traffic through negligence (Risimović 2007: 83-96, Šeparović, 1969), for which a fine or imprisonment of up to

one year is prescribed, as a privileged form of this criminal offense due to the form of guilt (Art. 289, paragraph 3 of CC).

Endangering traffic with a dangerous act and a dangerous means is committed by a person who, by destroying, removing or seriously damaging traffic devices, means, signs or signaling devices or protective and repulsive fences that serve the safety of public traffic on roads, giving wrong signs or signals, setting up obstacles on traffic lanes, stopping a means of transport in railway traffic contrary to regulations or another similar way endangers public traffic in such a way that it endangers the life or body of people or property of a larger scale (Art. 290, paragraph 1, CC). The law stipulates a prison sentence of up to three years for the perpetrator of this criminal act. A criminal offense can also be committed negligently, for which a fine or a prison sentence of up to one year is threatened (Art. 290, paragraph 1, CC).

Unconscionable supervision of public transport can be done by an official or a responsible person¹ who is entrusted with the supervision of the condition and maintenance of roadways and facilities on them, means of transport or public transport, or with the fulfillment of the prescribed conditions of work of drivers, or who is entrusted with the management of driving, who, by negligent performance of his duty, causes danger to the life or body of people or to the property of a greater scope (Art. 295, paragraph 1), therefore this criminal offense is a real criminal offense *delictum proprium*. The law prescribes a prison sentence of six months to five years for negligent supervision of public traffic.

The same penalty shall be imposed on a responsible person who issues a driving order or allows driving, even though he knows that the driver is not able to drive the vehicle safely due to fatigue, the influence of alcohol or other reasons, or that the vehicle is not working properly and thus causes danger to the life or body of people, or for larger assets (Art. 295, paragraph 2). The legislator prescribed punishment for negligent execution of this criminal act, with a prison sentence of up to three years.

Failure to provide assistance to a person injured in a traffic accident is a criminal offense that can be committed by the driver² of a motor vehicle or other means of transport who leaves without assistance a person who was injured by that means of

1 An official person is considered to be:

- 1) a person who performs official duties in a state body;
- 2) an elected, appointed or appointed person in a state body, a local self-government body or a person who permanently or occasionally performs official duties or official functions in those bodies;
- 3) public notary, public bailiff and arbitrator, as well as a person in an institution, company or other subject, who is entrusted with the exercise of public powers, who decides on the rights, obligations or interests of natural or legal persons or on the public interest;
- 4) an official is also considered a person who is actually entrusted with the performance of certain official duties or tasks;
- 5) military person.

A responsible person in a legal entity is considered to be a person who, on the basis of laws, regulations or authorization, performs certain tasks of management, supervision or other tasks from the activity of a legal entity, as well as a person who is actually entrusted with the performance of those tasks.

2 Any motor vehicle in land, water and air transport is considered a motor vehicle, Art. 112, par. 25. CC.

transport or whose injury was caused by that means of transport (Art. 296, paragraph 1). The driver may be fined or imprisoned for up to three years. The more serious form of this criminal offense (qualified form) will be considered if, as a result of failure to provide assistance, serious physical injury to the injured person occurred (para. 2), therefore, the penalty is higher, imprisonment from six months to five years. Another serious form of the criminal offense of failure to provide assistance to a person injured in a traffic accident is provided for the case when the failure to provide assistance results in the death of the injured person (para. 3), with a threatened prison sentence of one to eight years.

Serious crimes against the safety of public traffic will be considered if, as a result of the criminal acts of endangering public traffic and negligent supervision of public traffic, committed with intent, serious bodily injury to a person or large-scale property damage occurred. Damage of 6,000,000 dinars is considered property damage of a large scale, according to the legal understanding of the Supreme Court of Justice from 2006.

A serious crime against the safety of public traffic is considered, provided that it involves serious bodily injury or large-scale property damage, and the criminal offense of Endangering traffic by a dangerous act and a dangerous means, whether it was done intentionally or negligently. A prison sentence of one to eight years is prescribed for the perpetrator of a serious crime against public traffic safety.

If the death of one or more persons occurred, the legislator provided for a higher punishment for the perpetrator, a prison sentence of two to twelve years. In case of committing a serious crime against the safety of public traffic, the imposition of a safety measure of banning the operation of a motor vehicle is mandatory (Art. 297, paragraph 5).

3. CRIMINAL OFFENSES AGAINST ROAD TRAFFIC SAFETY IN THE TERRITORY OF THE REPUBLIC OF SERBIA IN THE SEVEN-YEAR PERIOD (FROM 2015 TO 2021) IN RELATION TO REPORTED, ACCUSED AND CONVICTED PERSONS

The highest number of criminal charges filed in the analyzed seven-year period was in 2019 (8701), and the least in 2016 (7805). If we look at the relationship to other reports for criminal offenses, then we can say that in the mentioned years, the representation of criminal reports for criminal offenses against public traffic safety was 9,4% in 2019, and 8,1% in 2016.

As for accusations of criminal offenses against the safety of public transport, the most were raised in 2015 (3018), and the least in 2020 (2070). In relation to accusations for all criminal acts, criminal acts against the safety of public traffic represented in the observed seven-year period from 6,2 to 7,7%.

The year 2015 (2,616) recorded the highest number of persons convicted for criminal offenses against public transport safety, and the lowest in 2020 (1,917). In relation to the total number of convictions for all criminal offences, convictions for criminal offenses against public traffic safety are represented by 6,6 to 8,3%.

Table No. 1. The total number of criminal reports, charges and convictions in the period from 2015 to 2021

Criminal acts against public transport safety	2015 number %	2016 number %	2017 number %	2018 number %	2019 number %	2020 number %	2021 number %
Criminal charges against adults	7856 7,2%	7805 8,1%	7724 8,5%	8437 9,1%	8701 9,4%	7302 9,8%	7852 9,7%
Accused adults	3018 7,2%	2518 6,4%	2492 6,6%	2162 6,2%	2299 7,1%	2070 7,0%	2452 7,7%
Convicted adults	2616 7,9%	2176 6,7%	2250 7,1%	1974 6,6%	2134 7,6%	1917 7,5%	2287 8,3%

Source: Adult offenders in the Republic of Serbia, 2015-2021, Republic Statistical Office, 2022.

As for convictions and sentences imposed in the last year of the observed period, in 2021, 2,287 convictions were handed down for criminal offenses against public traffic safety. Of that number, 2,272 convictions were handed down for the criminal offense of endangering public traffic, (12) convictions were handed down for failure to provide assistance to a person injured in a traffic accident, two (2) for negligent supervision of public traffic and one (1) for endangering traffic with a dangerous act and a dangerous means.

Only 180 people were sentenced to prison, 177 of them for the criminal offense of endangering public traffic, 2 people for failing to provide assistance to a person injured in a traffic accident, and 1 person for negligent supervision of public traffic.

Fines were imposed for 345 criminal offenses against the safety of public traffic, of which 344 fines were for the criminal offense of endangering public traffic, and only one for the criminal offense of failure to provide assistance to a person injured in a traffic accident.

A suspended sentence was imposed in 1552 convictions, of which 1544 were for the criminal offense of endangering public traffic, one sentence on a suspended sentence for the criminal offense of endangering traffic with a dangerous act and a dangerous means, and seven suspended sentences for the criminal offense of failure to provide assistance to a person injured in a traffic accident.

4. ANALYSIS OF THE TOTAL NUMBER OF TRAFFIC ACCIDENTS AND CONSEQUENCES (DEATHS, SLIGHTLY AND SERIOUSLY INJURED PERSONS AND ACCIDENTS WITH MATERIAL DAMAGE ONLY) IN A SEVEN-YEAR PERIOD (FROM 2015 TO 2021)

In the Republic of Serbia in the seven-year period, from 2015 to 2021, a total of 143.653 people suffered in traffic accidents, of which 116.489 people were slightly injured, 23.284 people were seriously injured, and 3.880 people died. A total of 269.563

traffic accidents were registered, of which 146.092 were traffic accidents with material damage,³ 93.858 traffic accidents with injured persons and 3.550 traffic accidents with died persons.

The above data are shown in table no. 2. and No. 3.

Table No. 2. Traffic accidents in the RS (deaths, injured, casualties, material damage) in the period from 2015 to 2021

Year	Deaths	Injured	Casualties	Material damage	TOTAL TRAFFIC ACCIDENTS
2015	548	13107	13655	20513	34168
2016	551	13864	14415	21557	35972
2017	525	14286	14811	21664	36475
2018	491	13744	14235	21583	35818
2019	494	13735	14229	21541	35770
2020	459	11849	12308	18410	43026
2021	482	13273	13755	20824	48334
IN TOTAL	3550	93858	97408	146092	269563

Source: Agency for Traffic Safety

Table No. 3. Victims of traffic accidents in the RS (deaths, seriously and lightly injured) in the period from 2015 to 2021

Year	Deaths	Serious bodily injury	Minor bodily injury	Injured	Total casualties
2015	599	3448	15901	19349	19948
2016	607	3362	17308	20670	21277
2017	579	3514	17849	21363	21942
2018	548	3338	17508	20846	21394
2019	534	3322	17068	20390	20924
2020	492	2953	14297	17250	17742
2021	521	3347	16558	19905	20426
IN TOTAL	3880	23284	116489	139773	143653

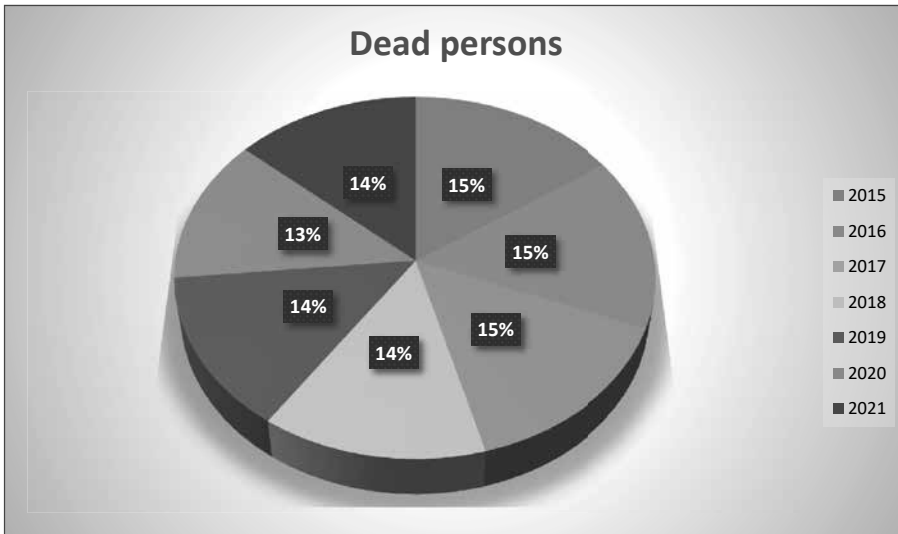
Source: Agency for Traffic Safety

3 The total number of traffic accidents with material damage is not complete due to the fact that accidents with minor damage were registered through the European Report on Traffic Accidents.

Graph No. 1. shows the number of traffic fatalities in the specified observed period. The lowest number of people deaths was recorded in the last year of the observed period, 2020 (492), and the highest number of people died in 2016 (607).

From 2017 to 2020, a linear decrease in the number of fatalities is visible (579 in 2017, 548 in 2018, 534 in 2019 and 492 in 2020). In 2021, a slight increase in the number of people killed in traffic accidents was recorded again (521).

Graph No. 1. The number of people died in traffic accidents in the period from 2015 to 2021



Source: Agency for Traffic Safety

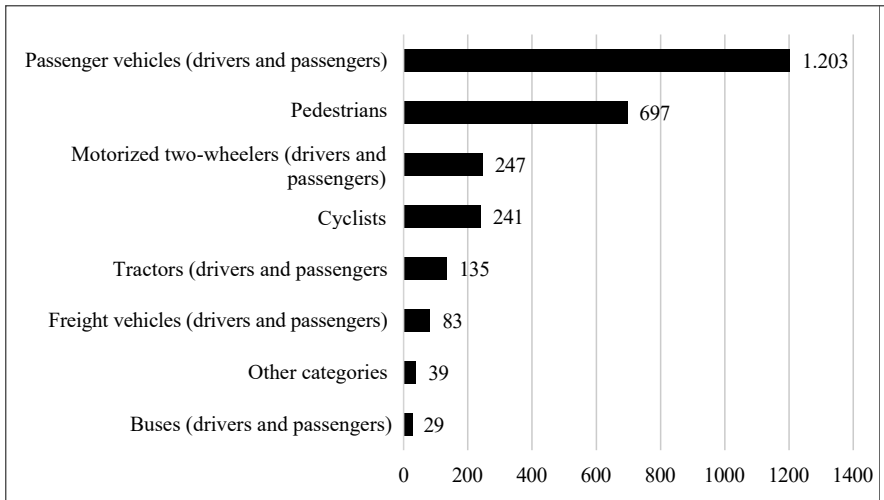
Graph no. 2. shows the persons killed in relation to the mode and means of movement in traffic: passenger vehicles (drivers and passengers), pedestrians, cyclists, motorized two-wheelers, tractors (drivers and passengers), buses (drivers and passengers) and other categories.

The largest number of traffic fatalities in the period from 2017 to 2021 were drivers and passengers in passenger vehicles (1,203), 44,98% of the total number of fatalities. In second place are pedestrians (697), which represents 1/4 of the dead (26%).

The number of fatalities is significantly lower among motorized two-wheelers (drivers and passengers), 247 of them, who are in third place, and among cyclists (241), who are in fourth place.

The World Health Organization classified pedestrians and cyclists and drivers and passengers on motorcycles and mopeds in the vulnerable category of road users because there is a very high probability that they will be injured in traffic accidents (if they occur). Persons killed in this category of road users (vulnerable category) make up 44% of the total number of persons killed in traffic. In fifth place are drivers and passengers in tractors (135), while in sixth place are drivers and passengers of cargo vehicles (83). The least amount of people killed in traffic is among passengers and bus drivers (29) and among other unspecified categories (39).

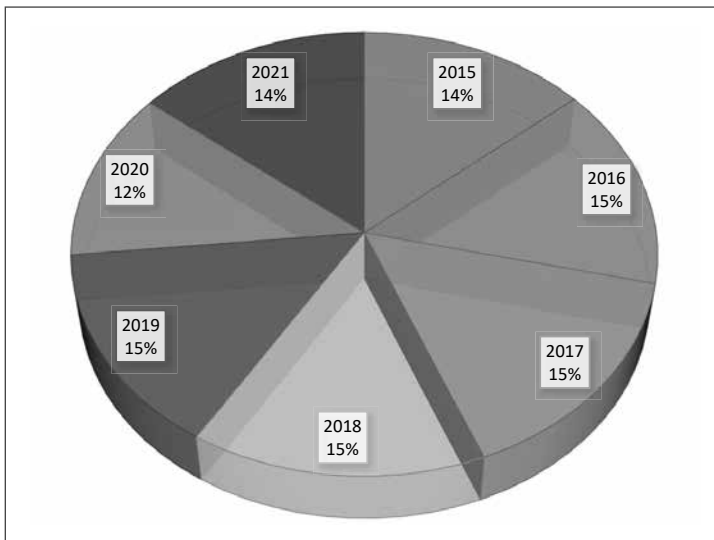
Graph no. 2. Persons died in traffic in relation to the mode/means of movement in the period from 2017 to 2021



Source: Statistical report on the state of traffic safety in the Republic of Serbia, 2022, Traffic Safety Agency

Graph no. 3. shows people injured in traffic in the period from 2015 to 2021. The most injured persons were recorded in 2017 (21,636), in second place was 2018 with 20,846 injured persons, and in third place was 2016 with 20,670 injured persons. The fewest number of people injured in traffic accidents in the period from 2015 to 2021 were in 2020 (17,250) and in 2015 (19,349).

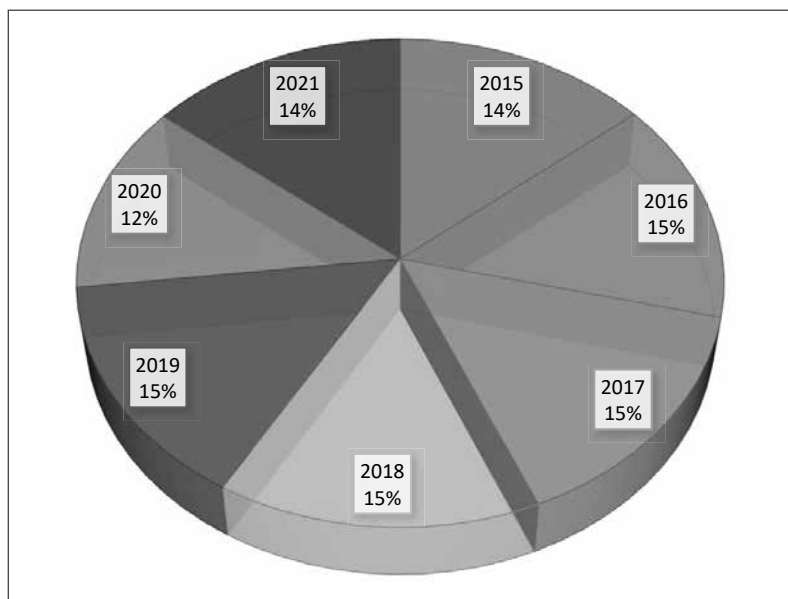
Graph no. 3. Injured persons in traffic in the period from 2015 to 2019



Source: Statistical report on the state of traffic safety in the Republic of Serbia, 2022, Traffic Safety Agency

Graph no. 4. shows traffic accidents only with material damage in the period from 2015 to 2021. In 2017, the most traffic accidents with only material damage were recorded (21363). Please note that the highest number of injured persons was recorded in the same year. The second year in the observed period for the highest number of traffic accidents with only material damage is 2018 (21,583). In the same year, it ranks second in the number of injured persons. In third place is 2016 with 21,557 traffic accidents with only material damage, while in fourth place is 2019 with 21,541 accidents and in fifth place is 2015 with 20,513 accidents with only material damage.

Graph no. 4. Traffic accidents with only material damage in the period from 2015 to 2021

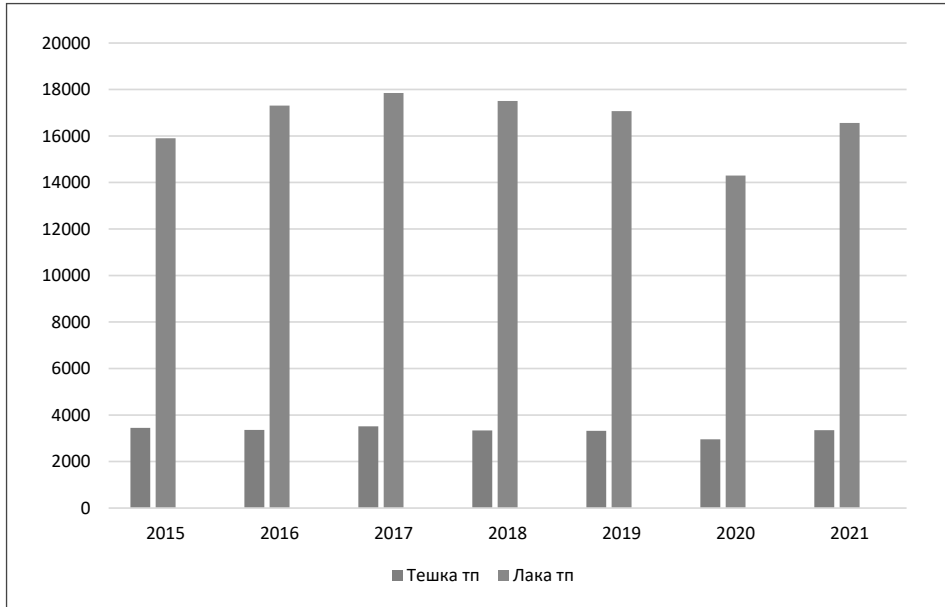


Source: Statistical report on the state of traffic safety in the Republic of Serbia, 2022, Traffic Safety Agency

Graph no. 5 shows seriously and lightly injured persons in traffic in the period from 2015 to 2021. We can notice that in the observed seven-year period from 2015 to 2021, the number of seriously injured persons is similar on an annual basis (from 2953 to 3514). The highest number of seriously injured persons occurred in 2017 (3514), and the lowest in 2020 (2953).

The number of persons who suffered minor bodily injuries in the observed seven-year period is significantly higher, on an annual basis from 15,901 to 17,849. The lowest number of persons with minor injuries was recorded in 2020 (14,297), while the highest number was recorded in 2017 (17,849).

Graph no. 5. Severely and slightly injured persons in traffic during the period from 2015 to 2021



Source: Statistical report on the state of traffic safety in the Republic of Serbia, 2022, Traffic Safety Agency

5. CONCLUDING REMARKS

The aforementioned research shows that the penalties for the analyzed crimes against the safety of public transport are extremely mild. Of the total number of convictions, only 7,87% were sentenced to prison terms (of the total number of convicted persons in 2021, 2287, 180 persons were sentenced to prison terms). In relation to all criminal offenses against the safety of public transport, the most frequent convictions occur regarding the criminal offense of endangering public transport (2272 convictions). Suspended sentences are largely present in the statistics of sanctions imposed in the last year of the observed period (out of 2287 sentences, 1552 were suspended sentences), 67.86%.

In the seven-year period, there were a total of 269,563 traffic accidents, in which 3,550 people died and 93,858 were injured. The year 2015 recorded the fewest traffic accidents (34,168), and the year 2021 recorded the highest number of traffic accidents (48,334). The most people died in traffic accidents in 2016 (607), and the least in 2020 (492).

Regarding more serious consequences, 23,284 people suffered serious injuries, and 116,489 people suffered minor injuries. Herewith we observe a slight downward trend in the number of fatalities, from 607 fatalities in 2016 to 492 in 2020. However, we wish to point out that the year 2021 again records a smaller increase in the number of people killed in traffic accidents (521).

It should be emphasized that in the last five-year period from 2017 to 2021, passengers in passenger vehicles are still the most vulnerable category among people killed in traffic accidents (45%). The second place is occupied by the pedestrians (26%), and in the third place there are motorized two-wheelers (9.24%) and cyclists (9.01%).

We wish to emphasize that the punishments are extremely mild for crimes against the safety of public transport, and in accordance with the above, in the following period the authorities should affect the improvement of the penal policy, and therefore affect the increased level of safety of citizens as well as the strengthening of awareness in the context of preventive measures and compliance with traffic laws.

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КРИВИЧНА ДЕЛА ПРОТИВ БЕЗБЕДНОСТИ ДРУМСКОГ САОБРАЋАЈА
- КРИТИЧКИ ОСВРТ КРОЗ АНАЛИЗУ СУДСКЕ ПРАКСЕ

РЕЗИМЕ

Кривична дела против безбедности друмског саобраћаја смештена су у глави XXVI Кривичног законика Републике Србије под насловом Кривична дела против безбедности јавног саобраћаја. Рад обухвата анализу кривичних дела против безбедности друмског саобраћаја и то: Угрожавање јавног саобраћаја чл. 289. КЗ, Угрожавање саобраћаја опасном радњом и опасним средством чл. 290. КЗ, Несавесно вршење надзора над јавним саобраћајем чл. 295. КЗ и Непружање помоћи лицу повређеном у саобраћајној незгоди чл. 296. КЗ кроз теоријски приступ и анализу судске праксе. У уводном делу указано је на методологију истраживања и анализе саобраћајних незгода и њихових последица. Други део односи се на теоријски приступ, анализу кривичних дела против безбедности друмског саобраћаја у кривичном законодавству Републике Србије. Трећи, емпиријски део, обухвата три нивоа истраживања кроз седмогодишњи период. Први емпиријски део односи се на пријаве, оптужења и донете осуђујуће пресуде за кривична дела против безбедности друмског саобраћаја на подручју Републике Србије, у седмогодишњем периоду (од 2015. до 2021. године). Резултати истраживања у овом делу рада указују на изразито благе казне које су изречене учиниоцима кривичних дела против безбедности друмског саобраћаја, међу којима доминирају условне осуде, док су благе казне затвора изречене у свега 7,87% случајева. Други емпиријски део обухвата анализу насталих саобраћајних незгода и њихових последица у односу на погинула лица, лако и тешко повређена лица као и друге саобраћајне незгоде које су за последицу имале само учињену материјалну штету у седмогодишњем периоду (од 2015. до 2021. године). Сврха овог дела истраживања значајна је за праћење динамике обима и кретања како саобраћајних незгода тако и њихових последица. Учесници у саобраћајним незгодама, дакле, возачи, путници, пешаци, бициклисти, теретна возила, аутобуси, били су предметом трећег дела истраживања. Овај део истраживања показује да су возачи и путници у путничким возилима најугроженија категорија с обзиром да је међу њима највише погинулих лица у саобраћајним незгодама. У закључним разматрањима, а следствено спроведом истраживању и анализи саобраћајних незгода и њихових последица, указано је на нужну допуну и измену *de lege ferenda* инкриминација кривичних дела против безбедности друмског саобраћаја у кривичном закоником Републике Србије.

Кључне речи: кривична дела, друмски саобраћај, угрожавање, несавесно вршење надзора, саобраћајне незгоде, последице, непружање помоћи, казнена политика, судска пракса.