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## ***PECULIARITIES OF LEGAL REGULATION OF ROAD TRANSPORT IN UKRAINE***

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Transport is one of the most highly regulated spheres of social relations due to its increased danger to human life and health, its significant impact on the environment, and its key role in the functioning of the economy and national security of the state. Accordingly, the legal regulation of transport has a pronounced public-law character and is primarily aimed at ensuring transport safety, establishing legal norms for the proper technical condition of vehicles, and minimizing the negative consequences of transport activities.

A distinctive feature of transport regulation is the combination of general legal norms of administrative, commercial, and environmental law with special norms that establish mandatory technical requirements for vehicles, infrastructure, and operational processes. Through such norms, the state specifies safety requirements and translates them from general declarations into legally binding rules of conduct for participants in transport activities.

The relevance of studying transport regulation is driven by systemic problems in this field, including the fragmentation of the regulatory framework, the persistence of outdated technical standards, insufficient effectiveness of state control over the technical condition of vehicles, and a high level of road traffic injuries. These problems indicate the need to rethink approaches to legal support for transport safety and to shift from a reactive regulatory model to a preventive one.

In this context, the Vision Zero concept becomes particularly important. It has emerged as a modern strategy of state policy in the field of transport safety and is based on the principle of the inadmissibility of fatalities and serious injuries resulting from road traffic accidents. From a legal perspective, Vision Zero directs the state toward forming a system of legal mechanisms aimed at preventing transport risks, including through mandatory technical requirements, effective control, and legal liability.

The legal regulation of transport in Ukraine is a complex, multi-level phenomenon encompassing a set of legal norms, institutions, and mechanisms aimed at organizing, conducting, and ensuring transport activities. Transport is inherently associated with increased danger, which necessitates active state involvement in establishing mandatory rules of conduct, monitoring compliance, and applying legal sanctions.

The public-law nature of transport regulation is primarily due to the need to protect public interests, especially the safety of human life and health. Unlike private-law relations, where the dispositive method prevails, the transport sector is characterized by the dominance of imperative norms that define mandatory requirements for vehicle admission to operation, conditions of transportation, technical condition of rolling stock, and procedures for its inspection.

The system of transport regulation is formed through the combination of norms from various branches of law. Administrative law norms define the powers of state authorities, procedures for state supervision and control, and mechanisms for imposing liability for violations of transport legislation. Commercial law norms regulate the activities of business entities in the transport sector, conditions of access to the transport market, and rules of entrepreneurial activity. Environmental

law norms establish restrictions related to the negative impact of transport on the environment and define ecological standards for vehicle operation.

A significant place in transport regulation is occupied by special norms that establish technical requirements for vehicles and their operation. These norms specify general legal provisions and create a legal basis for assessing compliance with established safety standards. Through technical requirements, legal regulation acquires a practical dimension, as it translates abstract legal norms into clearly defined and controllable criteria.

In line with modern approaches to transport safety, legal regulation is increasingly oriented toward a preventive model. This model involves not only responding to violations or the consequences of accidents but primarily creating legal conditions that minimize risks at the stages of vehicle design, production, and operation. This approach aligns with Vision Zero, which views transport safety as the result of a comprehensive legal and organizational system.

Thus, transport regulation should be regarded as a key instrument for implementing state policy in the field of safety. Its effectiveness depends on the coherence of legal acts, clear delineation of powers among state authorities, effective control mechanisms, and the ability of legislation to adapt to modern challenges and European standards. These aspects require further analysis, particularly regarding the role of technical requirements and mechanisms for their implementation.

One of the key features of transport regulation is the combination of general legal provisions with technical requirements that establish specific safety parameters for vehicles and operating conditions. Technical requirements are not an autonomous element but a component of the legal mechanism through which the state performs its safety function in the transport sector.

Technical requirements in transport regulation are established primarily through technical regulations, vehicle operation rules, technical condition standards, and mandatory inspection procedures. Their legal nature lies in establishing binding criteria, compliance with which is a prerequisite for vehicle admission to transportation activities. Thus, technical requirements specify the general duties of participants in transport relations and create legal grounds for assessing the legality of their behavior.

Legal mechanisms for ensuring compliance with technical requirements include conformity assessment and state control. Conformity assessment determines whether a vehicle or other regulated object meets established standards, while state control verifies compliance during operation. The combination of technical requirements and control procedures ensures the real effectiveness of transport regulation.

From a legal-theoretical perspective, technical requirements perform a preventive function, as they aim to prevent dangerous situations before negative consequences occur. This approach aligns with the modern model of transport safety, which emphasizes eliminating causes and conditions of accidents rather than punishing consequences. In this sense, technical requirements are a key tool for implementing Vision Zero, which calls for zero tolerance for fatalities and serious injuries in road accidents.

Legal mechanisms for enforcing technical requirements also include legal liability. Violations of technical norms may result in administrative, commercial, or other types of liability depending on the nature and consequences of the offense. Clearly defined sanctions strengthen the regulatory impact of technical requirements and encourage compliance.

However, the effectiveness of these mechanisms depends heavily on the coherence of legal acts, clear distribution of powers among state authorities, and adequate institutional capacity. Poor coordination, regulatory gaps, or a formal approach to control significantly reduce transport safety and contradict the declared goals of state policy.

In the context of European integration, harmonization of technical requirements and legal mechanisms with EU law becomes particularly important. The European approach includes clear safety standards, transparent conformity assessment procedures, and effective control. For Ukraine,

this requires not only adopting European norms but also creating a functional legal system capable of reducing transport risks in line with Vision Zero principles.

Thus, technical requirements and legal mechanisms for their implementation form the core of the transport safety system. They connect strategic policy goals with concrete legal tools and create a foundation for further development of transport regulation based on prevention and systemic state responsibility.

Modern approaches to transport safety increasingly rely on Vision Zero, which sets zero tolerance for fatalities and serious injuries as a strategic policy goal. In legal terms, this concept shifts the focus from responding to violations to forming preventive legal mechanisms.

Implementing Vision Zero in transport regulation requires recognizing the leading role of the state in creating a safe transport environment. Responsibility for safety cannot rest solely on road users or transport operators; the state must ensure a proper legal framework with mandatory technical requirements, safety standards, effective control procedures, and legal liability mechanisms.

Vision Zero is reflected in norms aimed at preventing transport risks: requirements for vehicle design and technical condition, mandatory active and passive safety systems, regulation of operating modes, and enhanced control standards. These norms create a legal environment where safety takes precedence over economic convenience.

A key element of Vision Zero implementation is integrating technical requirements into the overall system of transport regulation. Technical regulations, operating rules, and conformity assessment procedures serve as legal tools enabling the state to influence safety at the stage of vehicle admission to operation rather than post-factum.

However, implementing Vision Zero in Ukraine faces legal and organizational challenges, including fragmented regulation, insufficient alignment between strategic documents and legislation, and limited effectiveness of control mechanisms. As a result, declared goals of reducing mortality and injuries are not always supported by concrete legal instruments.

In the context of European integration, Vision Zero aligns with EU approaches to transport regulation and road safety. Harmonization requires not only adopting norms but also adapting the legal system to the principle of systemic state responsibility for safety.

Thus, Vision Zero in transport regulation serves not only as a strategic goal but also as a methodological foundation for shaping a modern transport policy model. Its effective implementation requires comprehensive development of regulation that integrates technical requirements, control mechanisms, liability, and coherence of legal acts into a unified transport safety system.

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