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Automated system for recording administrative offences in the field of road traffic safety

Olha Markiv
Chief Inspector
Department of Patrol Police of the National Police of Ukraine
03048, 3 Fedir Ernst Str., Kyiv, Ukraine
https://orcid.org/0009-0005-6453-7389

Olha Bychkova
Inspector
Main Directorate of the National Police in Odesa Region
65014, 12 Yevreiska Str., Odesa, Ukraine
https://orcid.org/0009-0008-7590-4721

Yevheniia Murzo*
Doctor of Philosophy in Law, Senior Investigator
Main Investigation Department of the National Police of Ukraine
01024, 10 Academician Bohomolets Str., Kyiv, Ukraine
https://orcid.org/0009-0000-4409-0560

Abstract
This study is motivated by the introduction of automatic traffic offence enforcement systems and the need to reconsider their legal, organisational, and procedural regulation in the context of digitalisation of public administration. The aim of this study was to examine the specifics of regulatory consolidation, organisation, and application of the system of automatic recording of traffic violations in Ukraine and individual states. The paper employed formal legal, systemic-structural, comparative legal, logical-semantic, and analytical methods. The study found that the regulatory framework governing the operation of the automatic recording system in Ukraine is formed by provisions of codified administrative legislation, governmental regulations, and departmental regulations, which together define the substantive, organisational, technical, and procedural foundations of its operation. It was revealed that the Ukrainian model is characterised by a specific legal definition of the liable person, issuance of a decision without drawing up a protocol and without the direct participation of the person in administrative proceedings. It was proven that the evidential base in cases of this category is formed by technical enforcement devices and data from official state registers, which determines the specific nature of procedural guarantees. It has been established that the enforcement stage of

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*Corresponding author (*yevheniiamurzo@gmail.com*)

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the administrative decision is of independent significance in ensuring proper notification of the individual and protection of procedural rights. Comparative analysis showed that in France, the United Kingdom, individual states of Australia, and New Zealand, automatic recording is combined with more developed mechanisms for technical approval of enforcement tools and the use of automatically obtained data as evidence. The study is of practical importance for the further development of the national model in terms of legal certainty, admissibility of automatically obtained data, technical suitability of control tools, and protection of personal data of road users

Keywords:
administrative liability; liable person; automated speed enforcement; evidential value of technical data; appeal of decision; personal data protection; comparative legal analysis

Introduction

Automatic recording of road violations is an important element of modern systems for ensuring safety in transport infrastructure and government policy in the field of road traffic. Contemporary scientific studies show that the introduction of technologies for automatic control of traffic violations, in particular, the recording of speeding and other offences using stationary and mobile complexes, in most cases is associated with a decrease in the number of road accidents and the severity of their consequences. In particular, in the systematic review, A. Alobaidallah *et al*. (2025) summarised the results of international studies that confirm the positive impact of automated control systems on road safety indicators, while emphasising the dependence of the effect on implementation models, public perception, and stability of law enforcement.

Similar results were obtained by C. Luca (2024), who stated that automatic control systems contribute to improving the discipline of road users, optimizing traffic flows, and improving the efficiency of traffic management in general. The study by M. Sebapalo *et al*. (2025), based on the material of the city of Gaborone (Botswana), according to experts in the field of transport and road safety, associated the use of cameras with curbing traffic violations and reducing accidents in their installation areas.

Quantitative empirical data also confirmed the positive safety impact of such systems. Thus, an analysis of the automatic speed control programme in New York showed that in areas where cameras were installed in 2022, in the subsequent period, there was a decrease in the number of injuries and deaths. In particular, the comparison of indicators for 2021-2023 allowed tracking the change in accidents before and after the installation of cameras: according to data (New York City Department of Transportation, 2024), the number of such cases was 14% lower compared to the control road corridors without cameras. Similar results were obtained in other studies: in the longitudinal analysis of the automatic speed enforcement programme in New York, J. Gao *et al*. (2025) recorded a statistically significant reduction in the number of road accidents after the installation of fixed cameras, while emphasising the unevenness and contextual dependence of this effect.

A separate area of contemporary research is devoted to the legal and organisational aspects of the functioning of automatic crime recording systems. In particular, A. Vadeby & C. Howard (2024) in a study of the effectiveness of the system of fixed speed cameras in Sweden found that their use contributes to increased compliance with the speed limit, a decrease in the average speed of vehicles, and is accompanied by a reduction in the number of deaths in road accidents. K. Shaaban *et al.* (2023), based on empirical data on the use of fixed speed cameras, proved that automatic systems contribute to reducing the speed of vehicles and increasing the level of compliance by drivers with the established speed limits. In turn Z. Cheng *et al.* (2025), based on longitudinal analysis of data on the installation of road cameras, found a statistically significant decrease in the number of road accidents after the introduction of automatic control systems. The researchers explained this effect by a combination of technical capabilities for automatic detection of violations, constant video surveillance, and a behavioural deterrent effect, which forms a more cautious model of behaviour on the road for drivers.

Despite a significant number of international studies, insufficient attention is paid to a comprehensive comparative analysis of the Ukrainian model of automatic recording of offences with approaches used in other countries. In particular, they require additional scientific understanding of the issues of legal regulation of the functioning of such systems, organisation of their application, and ensuring a balance between the effectiveness of control and guarantees of the rights of road users. In this regard, the relevance of the study is conditioned by the need for a critical analysis of the current state of regulatory support, organisation, and practice of using automatic crime detection systems as an important component of the national policy in the field of road safety.

The purpose of the study was to investigate the specific features of regulatory consolidation, organisation, and application of the system of recording traffic violations in automatic mode in Ukraine and individual states to determine the areas for further development of the national model in terms of legal certainty, the

permissibility of using automatically obtained data, the technical suitability of control tools, and ensuring the privacy of road users. To achieve this goal, the following research objectives were defined:

1) to analyse the regulatory framework for the functioning of systems for automatic recording of administrative offences in the field of road safety;

2) to investigate the organisational, technical, and procedural features of the application of the automatic recording system, in particular, regarding the determination of the responsible person, making a decision, the evidential value of technical data, the implementation of the decision and its appeal;

3) to comparatively analyse the Ukrainian model and approaches used in France, Great Britain, individual states of Australia, and New Zealand, to determine possible areas for improving national regulation and law enforcement practices.

Literature Review

The analysis of contemporary scientific literature gives grounds to identify several main areas of research of automated control systems in the field of road traffic. The first area covers works in which automatic recording is considered through the prism of its safety efficiency. In these studies, M. Delavary *et al*. (2024), Z. Cheng *et al*. (2025), and A.W. Howard *et al*. (2025) analysed the impact of speed cameras, cameras that record vehicles running red lights, automatic number plate recognition systems, and other technical measures on accident rates, the severity of road traffic accident consequences, and drivers' speed behaviour. A. Vadeby & C. Howard (2024), A. Alobaidallah *et al*. (2025), J. Gao *et al*. (2025), generally confirmed the positive impact of automated control on the discipline of road users, reducing speed violations, and road safety indicators. These studies showed that the effectiveness of such systems is not automatic or universal, but depends on the location of the cameras, traffic intensity, stability of law enforcement, the implementation model, and the level of public trust.

The second area is related to the investigation of behavioural and social effects of automated control. In this aspect, it is important to pay attention not only to reducing the number of violations, but also to how drivers adapt their behaviour to the presence of cameras. In particular, E.C. Amancio *et al*. (2024) investigated the effect of fixed speed cameras on the actual speed behaviour of drivers, whereas S.L. Valderrama *et al*. (2024) highlighted the possible behavioural side effects of automatic monitoring, in particular, changes in driver behaviour after driving through the area where the camera is installed. In the same context, S.A.A. Safavi-Naini *et al*. (2024), studying the behaviour of drivers when using fixed and sectional speed control cameras, showed that the effectiveness of such tools depends on the type of control and the behavioural response of drivers. Such studies allow critically evaluating automatic recording not as a self-contained tool, but as an element of a broader road safety policy. This is important for legal analysis, since the effectiveness of automatic recording cannot be evaluated solely by the number of decisions made or the number of technical means installed.

The next area concerns the public perception of automated control. A. Delbosc *et al*. (2025) showed that the maintenance of such systems depends not only on their actual effectiveness, but also on whether they are perceived as fair, transparent, and aimed specifically at security, and not at fiscal filling of the budget. For the Ukrainian context, this approach is particularly important, since automatic recording involves making a decision without drawing up a protocol and without the direct participation of a person at the initial stage of proceedings. In such circumstances, the legitimacy of the system depends on the clarity of the procedure, the availability of appeal mechanisms, and the actual ability of a person to refute the presumption of responsibility.

The fourth area covers the investigation of the legal limits of digital control, personal data protection, and the permissibility of using surveillance technologies. C. Slobogin & S. Brayne (2023) regards surveillance technologies as part of broader mechanisms of state control, which need to be assessed in terms of legality, proportionality, and the protection of privacy. Research on approaches to ensuring privacy-by-design stage of smart environments is of related importance, since automatic detection of offences functions within the broader digital infrastructure for data collection, processing, and use (Ivanovska *et al*., 2025). For automatic recording systems, this is of direct importance, since their operation is associated with the collection and processing of data about the vehicle, its registration number, place, time, and circumstances of the recorded event.

Thus, contemporary scientific literature comprehensively covers the effectiveness of automated control systems, their behavioural impact, public perception, and individual risks of digital surveillance. The question of how exactly the automatically obtained technical data is integrated into the legal procedure for bringing to administrative responsibility remains rather neglected. It is precisely this circumstance that determines the academic need to analyse automated enforcement not merely as a means of monitoring compliance with road traffic regulations, but as a specific administrative and procedural model, within which legal certainty, the evidential value of the data obtained, the technical suitability of the devices, the identification of the responsible person, appeals against decisions, and the protection of personal data must be mutually consistent.

Materials and Methods

The study of the system for recording administrative offences in the field of road safety in automatic mode was

carried out using administrative legal and comparative legal approaches. Conceptually, the research was based on the understanding of automatic recording not only as a technical method for detecting violations, but as a regulatory and procedurally regulated mechanism for implementing bringing to administrative responsibility, the functioning of which depends on a combination of substantive, evidential, procedural, and organisational and technical elements. This approach allowed investigating the relevant issues, both in the plane of legal regulation and in the plane of law enforcement.

The main research method employed was the formal legal approach, which was used to analyse the provisions of the Code of Ukraine on Administrative Offences[1], and subordinate legislation issued by the Cabinet of Ministers of Ukraine and the Ministry of Internal Affairs of Ukraine, which define the legal framework for the operation of the automatic recording system, the procedure for issuing decisions, the mechanisms for exemption from administrative liability, the enforcement of decisions, and the procedures for appealing against them. It was the application of this method that helped to establish the regulatory structure of the responsible person, find out the procedural features of administrative proceedings, and identify the specifics of the legal regime of automatically obtained data. The system structural method was used to analyse the internal construction of the model under study. With its help, the automatic recording system was considered as an integral mechanism, within which the regulatory framework, technical means of control, evidence base, the procedure for notifying a person, the implementation of a decision, and appeal mechanisms are interrelated. The functional significance of each of the elements in the overall structure of administrative and tort response was determined.

The comparative legal method was used to compare the Ukrainian model of automatic recording with individual approaches. In this context, official materials from France, the United Kingdom, the Australian states of Victoria and New South Wales, Sweden, and New Zealand (New Zealand Transport Agency, 2024; Observatoire National Interministeriel de la Securite Routiere, 2024; Vadeby & Howard, 2024; Department of Justice and Community Safety, 2025) were analysed. This method identified the features of technical approval of control tools, evidence-based use of automatically obtained data, organisational integration of automatic recording systems, and legal assessment of privacy risks.

Results

The normative legal basis for the functioning of the system of recording administrative offences in the field of road safety in automatic mode in Ukraine is established by the provisions of the Code of Ukraine on Administrative Offences, which defines the general principles of administrative responsibility and the specifics of proceedings in cases of offences recorded in automatic mode[2]. Organisational and technical aspects of the system's functioning are regulated by Resolution No. 833 of the Cabinet of Ministers of Ukraine dated November 10, 2017[3], which defines the procedure for implementing technical means (control devices), information processing, and interaction between subjects of power. The procedure for processing documents relating to administrative offences is governed by Order No. 13 of the Ministry of Internal Affairs of Ukraine dated 13 January 2020, which sets out the steps to be taken by authorised officials[4].

The introduction in Ukraine of the system of automatic recording of administrative offences in the field of road safety is considered as one of the priority areas of the government policy aimed at increasing the level of compliance by drivers with the established speed limits and reducing accident rates. As of June 2026, there were 376 stationary technical means (monitoring devices) in Ukraine that record violations of exceeding the established speed limits of vehicles (more than 20 km/h and more than 50 km/h), and violations of traffic rules and stops on lanes for route vehicles (Patrol Police Department of Ukraine, 2026). These measures are generally implemented in areas with a high concentration of road traffic accidents and on sections of motorways where there is a high risk of accidents.

The use of technical devices with photo and video recording functions is carried out in accordance with the Technical Regulations for Legally Regulated Measuring Instruments, approved by Resolution No. 94 of the Cabinet of Ministers of Ukraine dated 13 January 2016[5]. Within the framework of this regulation, such devices are classified as remote speed meters of vehicles and remote meters of spatial and temporal location parameters.

The lawful use of the specified technical equipment in the field of legally regulated metrology is ensured provided that all established requirements are fully complied with, in particular: compliance with the essential requirements of the Technical Regulation regarding metrological characteristics and data protection; compliance with the technical specifications set

[1] Code of Ukraine on Administrative Offences. (1984, December). Retrieved from https://zakon.rada.gov.ua/laws/show/80731-10.
[2] Ibidem, 1984.
[3] Resolution of the Cabinet of Ministers of Ukraine No. 833 "On Approval of the Procedure for the Functioning of the System for Recording Administrative Offences in the Field of Road Safety in Automatic Mode". (2017, November). Retrieved from https://zakon.rada.gov.ua/laws/show/833-2017-%D0%BF.
[4] Order of the Ministry of Internal Affairs of Ukraine No. 13 "On Approval of the Instruction on Processing Materials on Administrative Offences Recorded in Automatic Mode". (2020, January). Retrieved from https://zakon.rada.gov.ua/laws/show/z0113-20.
[5] Resolution of the Cabinet of Ministers of Ukraine No. 94 "Technical Regulation of Legally Regulated Measuring Instruments". (2016, January). Retrieved from https://zakon.rada.gov.ua/laws/show/94-2016-%D0%BF.

out in the national standard DSTU 8809:2018[1], which regulates maximum permissible measurement errors and software requirements; completion of the conformity assessment procedure and the possession of valid calibration certificates in accordance with the requirements of Law of Ukraine No. 1314-VII[2]. Thus, compliance with the established technical and metrological requirements is a necessary prerequisite for recognising the results of automatic recording as appropriate and acceptable evidence in cases of administrative offences.

As a result of the analysis of the procedural features of administrative proceedings, it was established that the specifics of this model consist in a special definition of the subject of administrative responsibility. According to the Code of Ukraine on Administrative Offences (CUAO)[3], the person liable for offences recorded in automatic mode is an individual or the head of the legal entity for which the vehicle is registered; a proper user of the vehicle, if the relevant information is entered in the Unified State Register of Vehicles; a person who performs the powers of the head of the legal entity, if there is no information about the head in the Unified State Register of Legal Entities, Individual Entrepreneurs, and Public Organisations at the time of the request. It was established that the legislative model actually establishes a legal entity as a subject of administrative responsibility within the framework of the mechanism of automatic recording of offences.

A special feature of administrative proceedings in cases of offences recorded in automatic mode is the issuance of a decision without drawing up a protocol and without direct participation in the implementation of administrative proceedings in accordance with articles 14-2, 258, 279-1 of the CUAO[4]. In the context of implementing the provisions of Article 14-2 of the CUAO, the legislator established a special mechanism for releasing the responsible person from administrative responsibility. This approach is aimed at ensuring a balance between the effectiveness of automated control and the principle of personalisation of legal responsibility, which is actively justified in contemporary administrative and legal doctrine. The normative model provides that exemption from liability is possible if actions defined by law are performed within twenty calendar days from the date of committing an offence or from the date of entry into force of the resolution. The basis for exemption from liability is documentary confirmation that the vehicle left the possession of a person as a result of illegal actions of third parties at the time of the offence. In addition, dismissal is possible in the case of a personal application of the actual driver with a plea of guilt and providing evidence of payment of the fine.

As a result of the study of the features of evidence, it was established that the main body of evidence in such cases is established using technical means of control (photo and video recordings, instrument metadata, register data), which makes it necessary to comply with increased standards of proof and ensure proper procedural guarantees for persons brought to administrative responsibility. In proceedings to challenge a decision, the person is required to rebut the facts and conclusions on which the decision of the public authority is based; this determines the specific nature of the exercise of the right to adduce evidence in such cases, as compared with the conventional model of administrative proceedings.

The procedural algorithm for executing the resolution provides for the transition to the stage of official notification of the responsible person by sending a registered letter, if the offender has not exercised the right to pay 50% of the fine within the preferential ten-day period established by law (according to Article 300-1 of the CUAO)[5]. This procedure not only ensures that the principle of the inevitability of legal liability is upheld, but also guarantees that the individual is properly informed of the penalties imposed on them, which is of critical importance for the observance of the procedural rights of road users.

Notification of the possibility to pay the fine is provided by supplying information on available official payment methods, including the use of a QR code placed on the front side of the decision, electronic services of the official website of the Ministry of Internal Affairs of Ukraine, the Driver's e-Cabinet, the "Diia" mobile application, and other payment systems and banking institutions operating legally within the territory of Ukraine.

The current legislation provides for the possibility of appealing a decision on the imposition of an administrative penalty in court or to a higher body (in accordance with articles 287-289 of the CUAO[6]) within the time period specified by law. An appeal is made by filing a complaint indicating the circumstances that refute the existence of elements of an administrative offence or prove the existence of grounds for exemption from liability.

From the standpoint of the principle of proportionality, the model of administrative responsibility for offences recorded in automatic mode requires an assessment through the prism of the balance between the public

[1] DSTU 8809:2018 Metrology "Traffic Rules Compliance Monitoring Devices with Photo and Video Recording Functions. Remote Vehicle Speed Meters and Remote Spatial and Temporal Vehicle Positioning Parameter Meters. Metrological and Technical Requirements". (2018, October). Retrieved from https://www.ksv.biz.ua/GOST/DSTY_ALL/DSTU5/dstu_8809-2018.pdf.
[2] Law of Ukraine No. 1314-VII "On Metrology and Metrological Activity". (2014, December). Retrieved from https://zakon.rada.gov.ua/laws/show/1314-18.
[3] Code of Ukraine on Administrative Offences. (1984, December). Retrieved from https://zakon.rada.gov.ua/laws/show/80731-10.
[4] Ibidem, 1984.
[5] Ibidem, 1984.
[6] Ibidem, 1984.

interest in ensuring road safety, and the rights of the person against whom the decision is made. In the case-law of the European Court of Human Rights, the proportionality of interference is traditionally assessed through the legitimacy of the aim pursued, the necessity of the measure applied, and the proportionality of the interference to the aim pursued. In the context of automatic recording, the legitimate goal is to ensure road safety, reduce accidents, and inevitably respond to traffic violations.

An analysis of the provisions of the CUAO shows that the legislator has provided for a special liability model that combines a simplified response procedure with subsequent procedural guarantees for a person. On the one hand, the person responsible for an offence recorded in automatic mode is the person defined by Article 14-2 of the CUAO, and a decision on such cases can be made without drawing up a protocol and without the direct participation of the person at the initial stage of proceedings in accordance with articles 258, 279-1-279-3 of the CUAO[1]. On the other hand, the CUAO provides for mechanisms that allow balancing the automated nature of recording: the ability to determine the proper user of the vehicle, the release of the responsible person from administrative responsibility in cases provided for by law, the appeal of the actual driver with an application for recognition of an offence, and the right to appeal the decision in court or to a higher authority.

This approach is consistent with the logic of the practice of the European Court of Human Rights, in particular in the cases of "Falk v. the Netherlands"[2] "O'halloran and Francis v. the United Kingdom"[3], where, in the field of road traffic, the use of specific models of liability is permitted, provided that individuals retain a genuine opportunity to protect their rights. Consequently, the proportionality of the Ukrainian model is ensured not only by the legitimate purpose of automated control, but also by the availability of procedural guarantees that allow verifying the validity of bringing to administrative responsibility, refute the presumption of liability or prove the existence of grounds for exemption from it.

In many countries, the system for the automatic detection of road traffic offences is regarded not only as a means of identifying individual offences, but also as part of a broader government policy on road safety. Its effectiveness is ensured by a combination of proper regulatory regulation, technical reliability of control tools, certainty of procedures for using the obtained data, and clear mechanisms for bringing to justice. In contrast, in Ukraine, the automatic recording system now functions mainly as an administrative-tort tool, focused primarily on detecting an offence and imposing an administrative penalty, and is aimed at strengthening control over road safety, compliance with traffic rules by its participants, preventing death and injury to people on the road network.

Practical interest for Ukraine is the experience of France, Great Britain and individual states of Australia, where certain elements of the functioning of automatic recording systems, in particular, statistical monitoring, technical approval of control tools, and evidence-based use of the obtained data, have a more detailed regulatory and organisational design. Thus, in France, the automated control system operates at the national level: as of January 1, 2024, it included 3,573 stationary or mobile radars, and 225 mobile radars operated by the police or on an outsourced basis; moreover, offences recorded by automatic cameras accounted for 78.1% of all road offences and 96.1% of all speed violations (ONISR, 2024). Compared to Ukraine, this model indicates not only a larger scale of use of automated control, but also a different level of statistical representation of its results in the road traffic enforcement system. In Ukraine, as of June 2026, there were 376 stationary technical means (monitoring devices) that record exceeding the established speed limits of vehicles, and violations of traffic rules and stopping on lanes for route vehicles. It should be borne in mind, however, that the development and expansion of the automated enforcement network in Ukraine are taking place against the backdrop of the Russian Federation's full-scale armed aggression against Ukraine, which began on 24 February 2022, and the associated security, financial, and organisational constraints. These indicators suggest a much larger scale of deployment of technical means in France, and the availability of detailed public statistics that allow assessing the actual role of automated control in the structure of road traffic enforcement system (Patrol Police Department of Ukraine, 2026).

In the UK, the use of automatic recording equipment for law enforcement purposes is allowed, provided that they pass the type approval procedure and meet the established technical requirements (GOV.UK, 2025). Compared to the Ukrainian model, the difference lies not in the fact that there are no technical requirements for such tools in Ukraine, but in a different design of their regulatory confirmation. In Ukraine, the legality of the use of technical means is ensured through the requirements of the technical regulations of legally regulated measuring equipment, DSTU 8809:2018[4], conformity assessment,

[1] Code of Ukraine on Administrative Offences. (1984, December). Retrieved from https://zakon.rada.gov.ua/laws/show/80731-10.
[2] Judgment of the European Court of Human Rights in the Case No. 66273/01 "Falk v. the Netherlands". (2004, October). Retrieved from https://hudoc.echr.coe.int/eng?i=001-67305.
[3] Judgement of the European Court of Human Rights in the Case Nos. 15809/02 and 25624/02 "O'Halloran and Francis v. the United Kingdom". (2007, June). Retrieved from https://hudoc.echr.coe.int/eng?i=001-81359.
[4] DSTU 8809:2018 Metrology "Traffic Rules Compliance Monitoring Devices with Photo and Video Recording Functions. Remote Vehicle Speed Meters and Remote Spatial and Temporal Vehicle Positioning Parameter Meters. Metrological and Technical Requirements". (2018, October). Retrieved from https://www.ksv.biz.ua/GOST/DSTY_ALL/DSTU5/dstu_8809-2018.pdf.

and metrological verification procedures. That is, the Ukrainian model focuses primarily on the metrological suitability of measuring equipment. But the British type approval procedure has a special law enforcement purpose, since it is aimed at preliminary confirmation of the possibility of using a specific type of technical tool specifically for recording violations and gathering evidence. In this aspect, the British approach has a more pronounced special law enforcement purpose.

In the Australian states of New South Wales and Victoria, automated control is used as a component of road safety policy; in Victoria, photos and other data obtained by certified road cameras can be used as evidence of violations of the speed limit or driving at a red traffic light signal, while in New South Wales, automated cameras are used to detect and record such offences within the framework of the road enforcement system (Department of Justice and Community Safety, n.d.). Compared to Ukraine, this difference is not absolute, since Article 122 of the CUAO[1] provides for administrative liability for exceeding the established speed limits, driving on the forbidding traffic regulation signal, and other violations of traffic rules, and in case of their recording in automatic mode, the subject of liability is the responsible person defined in Article 14-2 of the CUAO. Thus, in terms of the range of offences, the Ukrainian model is comparable to the Australian approaches, since it also covers speed violations and some other traffic violations. The difference lies in the method of regulatory emphasis: in Ukraine, the relevant elements of offences and a special model of the responsible person are consolidated directly in the CUAO, while in the Australian jurisdictions more attention is paid to the relationship between the certified status of a traffic camera, automatically obtained data, and their evidentiary use in the framework of road traffic enforcement system.

Of additional interest is the Swedish approach, in which speed cameras are mostly placed not in isolation, but in series along a specific road section. This model allows assessing not only the point effect of the camera at the location of its installation, but also the change in driver behaviour between cameras and in the entire controlled area (Vadeby & Howard, 2024). Research findings indicate that, with this system of automated enforcement in place, a reduction in average speed is observed both in the immediate vicinity of the cameras and between them, which suggests that automated recording can be regarded as a tool for influencing the behaviour of road users.

The issue of personal data protection is of particular importance in this context, since the functioning of automatic recording systems involves the collection, processing and storage of visual information about vehicles, their registration numbers, place, time, and other circumstances of the recorded event. In New Zealand, when safety camera systems were introduced, these issues were the subject of a separate Privacy Impact Assessment, which assessed the legitimate purpose of data collection, the scope of access to the information, the retention periods and the risks to privacy. In Ukraine, the relevant issues are regulated by the general provisions of the legislation on personal data protection, and regulations defining the procedure for the functioning of the automatic recording system and the unified information system of the Ministry of Internal Affairs. The special regulation of automatic recording does not include a separate tool for preliminary assessment of the impact of such a system on privacy, comparable to the Privacy Impact Assessment (New Zealand Transport Agency, 2024). Therefore, the appropriate area for further development of the Ukrainian model is not to state the inconsistency of the current legislation with the principles of personal data protection, but to detail special guarantees of access to the received data, their storage periods, intended use, and control over the processing of information within the procedure defined by law.

Thus, the comparative analysis does not give grounds to assert that there is no regulatory framework for automatic recording in Ukraine. On the contrary, the Ukrainian model has its own regulatory structure, which includes the definition of a responsible person, special elements of administrative offences, the procedure for functioning of the system, registration of materials, implementation of the resolution and its appeal. The comparison with France, the United Kingdom, individual Australian states, Sweden, and New Zealand shows, however, that the potential for the further development of the Ukrainian system lies not so much in adopting international models as in refining specific elements of national regulation: a systematic statistical assessment of the effectiveness of automatic recording; specialised verification of the technical suitability of surveillance equipment for law enforcement purposes; a clear regulatory link between the certification of technical equipment, automatically collected data and its evidential value; an assessment of the behavioural impact of cameras on accident-prone sections of road; and the strengthening of specific safeguards for the protection of personal data.

An analysis of the Ukrainian model and selected international approaches provides grounds for proposing the authors' own typology of models for the use of automatically recorded data in the field of road safety (Table 1). The criterion for distinguishing such models is the legal and managerial significance of the information received: for establishing the fact of a separate offense, proving, statistical monitoring, evaluating the behaviour of drivers on a road section, protecting privacy, or responding to systematic violations.

[1] Code of Ukraine on Administrative Offenses. (1984, December). Retrieved from https://zakon.rada.gov.ua/laws/show/80731-10.

Table 1. Author's typology of models for the use of automatically recorded data in the field of road safety

Model for using automatically recorded data	Model content	Country	Significance for the Ukrainian model
Recording-tort model	Data obtained automatically is used primarily to establish the fact of a specific administrative offence and to impose an administrative penalty.	Ukraine	Provides prompt response to traffic violations, but requires further clarification of the relationship between technical data, the responsible person, evidence, and procedural guarantees.
Technical and law enforcement model	Of paramount importance to confirm in advance that the technical device is suitable specifically for law enforcement purposes and for the generation of legally relevant data.	United Kingdom	Useful for detailing the Ukrainian approach in terms of specialised confirmation of the suitability of devices not only as measuring instruments, but as a source of evidence-based information.
Evidence-based certification model	Emphasis is placed on the relationship between the certified status of the traffic camera, automatically received photos, videos, and other data; the possibility of using them as evidence of a violation.	Victoria and New South Wales, Australia	Helps to strengthen the regulatory link between the certification of technical equipment, the reliability of the data obtained and their admissibility in administrative offence proceedings.
Statistical and management model	Automatic recording data is used not only for bringing to justice, but also for public assessment of the scale of offences, the effectiveness of cameras, and the role of automated control in the road safety system.	France	Allows moving from accounting for the number of cameras and resolutions to assessing the real impact of automatic recording on accidents, repetition of violations, and driver discipline.
Behavioural-plot model	Automatic recording is evaluated not only at the point where the camera is placed, but also by its impact on the behaviour of drivers on the entire road section, in particular between cameras.	Sweden	Gives grounds to evaluate the effectiveness of the system not only by the number of decisions issued, but also by changes in the speed behaviour of drivers in emergency areas.
Combined security model	Automatic locking is combined with other road safety measures, in particular with changing the speed limit, which enhances the overall preventive effect.		Shows that automatic recording can be more effective not as an isolated control tool, but as part of a comprehensive accident reduction policy.
Private guarantee model	Automatic recording is evaluated from the standpoint of personal data protection, access limits to information, storage periods, intended use, and privacy risks.	New Zealand	Useful for introducing special guarantees for data processing in the automatic recording system and the possible use of tools for preliminary assessment of the impact on privacy.
Risk-based model	Automatically recorded data can be used to assess not only a single violation, but also the repeatability, severity, and danger of driver behaviour.	Promising area for Ukraine	Enables a shift from a one-off fine system to a differentiated state response to systematic breaches of the Highway Code.

Source: compiled by the authors

The proposed typology allows considering automatic recording not as an isolated technical tool, but as an information and legal mechanism within which the same automatically obtained data can perform various functions: tort, evidence, management, behavioural, preventive, guarantee-related, and risk-oriented. For Ukraine, this means that the further development of the system must involve not only an increase in the number of technical monitoring devices, but also the establishment of a regulatory framework governing the legal status of data obtained through automatic recording.

Discussion

The results obtained give grounds to consider the system of automatic recording of traffic violations not only as a technical tool for detecting administrative offences, but as a comprehensive regulatory, procedural, and organisationally mediated mechanism of state influence on the behaviour of road users. This conclusion is generally consistent with the approach of A. Alobaidallah *et al*. (2025), which in a systematic review prove that the effectiveness of automated traffic enforcement systems depends not only on the technical characteristics of cameras, but also on the legal context of their implementation, the stability of law enforcement, and public perception of the relevant systems. The conducted research confirms this conclusion on the material of the Ukrainian model, since it shows that the legal significance of automatic recording does not arise at the time of technical detection of a violation as such, but within the framework of administrative proceedings, where the status of the responsible person, the permissibility of automatically obtained data, the procedure for issuing a decision, mechanisms for exemption from liability, and the possibility of appeal are important.

Conclusions of K. Shaaban *et al*. (2023), A. Vadeby & C. Howard (2024) and Z. Cheng *et al*. (2025) regarding the positive impact of automated control on reducing speed, improving driver discipline, and reducing accidents are important for substantiating the preventive function of such systems. The results of this study do not refute this approach, but allow considering it in a different plane. For the Ukrainian model, it is important not only to confirm the security effect of automatic recording, but also to show under what legal conditions such an effect can be achieved without disproportionately restricting individual rights. That is why this study focuses not only on the effectiveness of technical control, but also on procedural guarantees: determining the responsible person, the possibility of entering information about the proper user, the mechanism of exemption from liability and the right to appeal the decision.

Simultaneously, the results of J. Skubic *et al*. (2013) and E. De Pauw *et al*. (2014) show that the impact of automatic control cameras is not always uniform and may depend on the installation location, road context,

traffic intensity, and performance assessment methodology. These conclusions are a significant caveat for the Ukrainian model, since they do not allow automatically identifying an increase in the number of technical means with a guaranteed reduction in accidents. The analysis confirmed that, in order to assess the effectiveness of automatic enforcement in Ukraine, it is not sufficient to rely solely on statistics regarding the number of devices installed or the number of fines issued. A systematic assessment of the impact of cameras on accidents, driver behaviour, repetition of violations, and the level of appeal of decisions is necessary. In this aspect, international empirical research allows clarifying the area of further development of the Ukrainian system: it requires not only technical expansion, but also a publicly available analytical assessment of the results of functioning.

In this context, the study by A. Stagoff-Belfort *et al.* (2025) is particularly noteworthy; using data from New York, it analysed the impact of automatic speed enforcement cameras on road safety using a quasi-experimental approach. The significance of this study for the Ukrainian model is not only to confirm the potential safety effect of cameras, but also to demonstrate the need for a methodologically sound assessment of the results of their functioning. For Ukraine, this means that further expansion of the automatic recording system should be accompanied not only by an increase in the number of technical means, but also by regular analysis of their impact on accidents, the number of recorded violations, injuries, spatial concentration of accidents, and driver behaviour after the introduction of automatic control.

The study by N. Tilahun (2023), based on data on the operation of automatic speed cameras in Chicago, is of similar significance. The researcher, using the empirical Bayes approach, established a reduction in the number of road accidents resulting in fatalities and injuries in camera locations, in particular, a 12% reduction in fatal and injury crashes and a 15% reduction in fatality and severe injury crashes. Simultaneously, the study noted that not all controlled areas showed the expected safety effect. For the Ukrainian model, this conclusion is important, since it confirms the need to evaluate automatic recording not only on the fact of installing technical means, but also on the real results of their impact on the accident rate and severity of the consequences of road accidents in specific locations.

Also relevant is the study by E. Guerra *et al*. (2024), dedicated to evaluating the effectiveness of speed cameras at Roosevelt Boulevard in Philadelphia. The researchers, using Bayesian negative binomial and Poisson models, analysed the impact of cameras on the number of road accidents, injuries, and deaths on a dangerous urban highway and surrounding areas. The results of the study showed a decrease in accidents, injuries, and deaths after installing cameras compared to the control road segments. For the Ukrainian model, this source is important, as it confirms the feasibility of evaluating automatic recording not only as a national control tool, but also at the level of specific emergency areas where the placement of technical means should be justified by actual indicators of road danger.

A. Delbosc *et al*. (2025) complemented these findings, linking the effectiveness of automated speed enforcement with public perception of the fairness, transparency, and security of such programmes. For the Ukrainian context, this is of particular importance, since the automatic issuance of a decision without drawing up a protocol and without the direct participation of a person at the initial stage of proceedings can be perceived as an overly formalised model of responsibility. However, the analysis showed that such a model is not a purely automatic imposition of penalties, since the CUAO provides for a number of compensatory guarantees. The existence of these guarantees is a prerequisite for the legitimacy of the system and may influence the level of trust in the results of automatic recording.

In this regard, the position of O.P. Svitlychnyi (2023), who, in analysing traffic offences recorded by automated systems, drew attention to the duty of an authorised police officer to ascertain the circumstances of the offence based on factual evidence as defined by law, rather than placing the entire burden of proving innocence on the vehicle owner. The conducted research confirmed that the definition of a responsible person is the central element of the Ukrainian model, since it is through it that the legislator solves the problem of the impossibility of directly identifying the actual driver at the time of automatic recording. The findings give grounds to develop an appropriate approach: the problem is not only in determining the subject of responsibility, but also in ensuring an appropriate link between technical data, registration information, the presumption of responsibility, and the subsequent ability of a person to refute such a presumption.

Conclusions of O.V. Bytiak (2022) regarding the automatic recording of breaches of the Highway Code as a legal basis for initiating proceedings in cases of administrative offences are consistent with the results of this study. The author substantiated that the basis for initiating such a case is not the fact of recording the event using a technical means, but the receipt by an authorised police officer of an information file and metadata containing sufficient data about the event of an administrative offence. The provisions of the procedure for functioning of the system for recording administrative offences in the field of road safety in automatic mode, approved by resolution of the Cabinet of Ministers of Ukraine No. 833 of November 10, 2017[1], allowed

[1] Resolution of the Cabinet of Ministers of Ukraine No. 833 "On Approval of the Procedure for the Functioning of the System for Recording Administrative Offences in the Field of Road Safety in Automatic Mode". (2017, November). Retrieved from https://zakon.rada.gov.ua/laws/show/833-2017-%D0%BF.

considering the technical and informational components of such a system not only as organisational, but also as procedurally significant. The technical suitability of the device, the correctness of the software, the safety of automatically received data, and the procedure for accessing them are of direct importance for proof in an administrative offence case. Therefore, further improvement of the national model should concern not only the modernisation of technical infrastructure, but also the detailing of the rules for using automatically received information in proceedings.

Special attention should be paid to the conclusions of C. Slobogin & S. Brayne (2023), who examined state surveillance technologies through the prism of constitutional restrictions, the legality of data use, and privacy protection. The conducted study confirmed the relevance of this approach for systems for automatic recording of traffic violations. Although the Ukrainian system has a legitimate security purpose, its functioning is related to the collection and processing of data on vehicles, the place, time, and circumstances of a recorded event. Therefore, the issue of privacy cannot be considered as a secondary one. Unlike broader models of digital surveillance, automatic recording of road offences has a narrower functional purpose, which makes it possible to justify its permissibility, provided that the boundaries of information collection, storage, access, and use are clearly defined.

Thus, the results of the study are generally consistent with contemporary scientific approaches, according to which automated control in the field of road traffic should be evaluated simultaneously according to the criteria of efficiency, legal certainty, technical reliability, and respect for human rights. The analysis allows clarifying these approaches in relation to the Ukrainian context. For Ukraine, the key is not only the further expansion of the network of technical means, but also the detailing of the relationship between the technical suitability of devices, the evidential value of automatically obtained data, procedural guarantees of the person, and the protection of personal information. This is the main contribution of the study to the development of administrative and legal understanding of the system of automatic recording of offences in the field of road safety.

Conclusions

The subject of the study was the system of recording administrative offences in the field of road safety in automatic mode, in particular, the features of its regulatory consolidation, organisation, and application in Ukraine in comparison with individual international models. This purpose was achieved because the study analysed the regulatory framework for the functioning of this system, established its procedural features, examined individual international approaches, and clarified their significance for understanding the national model.

It was revealed that the Ukrainian model of automatic recording has its own regulatory structure, which combines the provisions of administrative and tort legislation, by-law regulation of the system's functioning, technical and metrological requirements for controls, and a special procedure for administrative proceedings. The analysis of the legislation helped to establish that the key elements of this model are the determination of the responsible person, the issuance of a decision without drawing up a protocol and without the direct participation of the person at the initial stage of proceedings, the possibility of exemption from liability, the implementation of the decision, and its appeal. The results of the study showed that the evidence base in cases of this category is formed mainly due to technical means of control, photo and video data, metadata of devices, and information from registers, which leads to an increased importance of the technical suitability of means of recording and procedural guarantees of a person. Comparative analysis showed that foreign approaches are valuable not as ready-made models for direct borrowing, but as a source of separate functional benchmarks: statistical performance monitoring, specialised technical approval, evidence-based use of data from certified cameras, assessment of the behavioural impact of cameras on road sections, and preliminary assessment of privacy risks.

Summarising the results obtained, it can be noted that automatic recording should not be considered only as a technical method for detecting violations or as a simplified mechanism for imposing a fine. Conceptually, it appears as information and legal mechanism within which automatically obtained data can perform tort, evidence, management, behavioural, preventive, guarantee, and risk-oriented functions. It is this approach that deepens the understanding of the Ukrainian model, as it shifts the focus from the number of technical means and regulations to the legal regime of data, their evidentiary quality, connection with procedural guarantees, and importance for road safety.

Promising areas for further research include the analysis of case law relating to appeals against decisions, an examination of the standards governing the use of technically obtained data as evidence, and an investigation into mechanisms for striking a balance between the public interest in road safety, and an person's right to due process.

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Conflict of Interest

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Система фіксації адміністративних правопорушень у сфері забезпечення безпеки дорожнього руху в автоматичному режимі

Ольга Марків
Головний інспектор
Департамент патрульної поліції Національної поліції України
03048, вул. Федора Ернста, 3, м. Київ, Україна
https://orcid.org/0009-0005-6453-7389

Ольга Бичкова
Інспектор
Головне управління Національної поліції в Одеській області
65014, вул. Єврейська, 12, м. Одеса, Україна
https://orcid.org/0009-0008-7590-4721

Євгенія Мурзо
Доктор філософії в галузі права, старший слідчий
Головне слідче управління Національної поліції України
01024, вул. Академіка Богомольця, 10, м. Київ, Україна
https://orcid.org/0009-0000-4409-0560

Анотація
Актуальність дослідження зумовлена впровадженням систем автоматичної фіксації адміністративних правопорушень у сфері забезпечення безпеки дорожнього руху та необхідністю їх належного нормативного, організаційного і процесуального переосмислення в умовах цифровізації державного контролю. Метою статті було дослідження особливостей нормативного закріплення, організації та застосування системи автоматичної фіксації порушень Правил дорожнього руху в Україні та окремих державах. У роботі використано формально-юридичний, системно-структурний, порівняльно-правовий, логіко-семантичний та аналітичний методи. За результатами дослідження встановлено, що нормативно-правову основу функціонування системи автоматичної фіксації в Україні формують положення кодифікованого адміністративного законодавства, підзаконні акти уряду й акти відомчого регулювання, які в сукупності визначають матеріально-правові, організаційно-технічні та процедурні засади її роботи. Виявлено, що українська модель вирізняється спеціальним визначенням відповідальної особи, винесенням постанови без складання протоколу та без безпосередньої участі особи під час здійснення адміністративного провадження. Доведено, що доказова база у справах цієї категорії формується технічними засобами контролю і даними реєстрів, що зумовлює специфічний характер процесуальних гарантій. З'ясовано, що стадія виконання постанови має самостійне значення для забезпечення належного інформування особи та реалізації процесуальних прав. Порівняльний аналіз засвідчив, що у Франції, Великій Британії, окремих штатах Австралії та Новій Зеландії автоматична фіксація поєднується з розвиненими механізмами технічного схвалення засобів контролю, використанням автоматично отриманих даних як доказів. Дослідження має практичне значення для подальшого розвитку національної моделі в частині правової визначеності, допустимості використання автоматично отриманих даних, технічної придатності засобів контролю та гарантування приватності учасників дорожнього руху

Ключові слова:
адміністративна відповідальність; відповідальна особа; автоматизований контроль швидкості; доказове значення технічних даних; оскарження постанови; захист персональних даних; порівняльно-правовий аналіз