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Fecha de presentación: enero, 2018

Fecha de aceptación: marzo, 2018

Fecha de publicación: abril, 2018

PROBLEMATIC ISSUES

OF THE DEFINITION OF DANGEROUS DRIVING

PROBLEMAS PROBLEMÁTICOS DE LA DEFINICIÓN DE CONDUCCIÓN

Ph. D. Kseniya E. Kovalenko¹

E-mail: kovalenko1288@mail.ru

MSc. Natalia E. Kovalenko¹

E-mail: kke@email.asu.ru

¹ Altai State University. Barnaul. Russian Federation.

Suggested citation (APA, sixth edition)

Kovalenko, K. E., & Kovalenko, N. E. (2017). Problematic issues of the definition of dangerous driving. *Universidad y Sociedad*, 10(3), 339-342. Retrieved from <http://rus.ucf.edu.cu/index.php/rus>

ABSTRACT

The relevance of the topic is due to the recent change in legislation, in terms of adding the definition of “dangerous driving”. The experience of assessing dangerous driving in the domestic legislation is limited in that it covers only the driver’s sphere of responsibility in one way or another, without taking into account their subjective factors: age, sex of drivers and others. It is necessary to analyze the causes of dangerous driving and to develop standards of reasonable behavior of drivers, which will be a positive example for both beginners and experienced drivers.

Keywords: Road traffic, dangerous driving, reasonable behavior, legislation, psychology of drivers.

RESUMEN

La relevancia del tema se debe al cambio reciente en la legislación, en términos de agregar la definición de “conducción peligrosa”. La experiencia de evaluar conductas peligrosas en la legislación interna es limitada, ya que solo cubre la esfera de responsabilidad del conductor de una manera u otra, sin tener en cuenta sus factores subjetivos: la edad, el sexo de los conductores y otros. Es necesario analizar las causas de una conducción peligrosa y desarrollar estándares de comportamiento razonable de los conductores, lo que será un ejemplo positivo tanto para los conductores principiantes como para los experimentados.

Palabras clave: Tráfico por carretera, conducción peligrosa, comportamiento razonable, legislación, psicología de los conductores.

INTRODUCTION

The scope of road safety is a set of diverse interacting functional elements, related to the overall goal of functioning - improving road safety, i.e. has signs of complex systems. It applies to all system attributes: the goal, structure, process (algorithm), quality (efficiency) of functioning, as well as technical, technological and other realizability. The objects of road safety include vehicles, road users, roads and roadside devices and equipment, technical equipment, traffic management and traffic management specialists, etc.

According to the general theory of systems, the functioning of the system is a process of achieving the set goal in the presence of resources, a certain organizational structure, technological processes and environmental conditions. Under ideal conditions with optimal organizational structure, compliance with all regulatory requirements and the absence of negative external influences (or rapid adaptation to the system) the goal will be achieved.

Current methods and information and analytical support are characterized by inconsistency and the lack of systematic uniform legislation and practice. Practically, the assessment of the psychological state of persons passing exams for the right to drive by a car is not carried out at an adequate level, and legislative initiatives in the field of road safety are not evaluated.

DEVELOPMENT

In traffic rules it is stated that dangerous driving is the repeated execution of one or several successive actions if these actions resulted in the creation by the driver in the process of traffic situation in which his movement and (or) movement of other road users in the same direction and with the same speed creates a threat of death or injury to people, damage to vehicles, structures, cargo or other material damage.

In the study of the psychological aspects of risky driving, Kabalevskaya and Dontsov considered road safety as a social attribute of the interaction of road safety actors.

Questions of the psychology of road traffic are considered in transport psychology (Bonkalo & Petrova, 2013; Ermolaev, Makushina & Chetverikova, 2013; Ermolaev, Makushina & Chetverikova, 2013), while the psychological aspect of road safety is not sufficiently investigated.

The experience of assessing dangerous (aggressive) driving in the domestic legislation is limited in that it covers only the driver's sphere of responsibility in one way or another, without taking into account their subjective factors, age, sex of drivers and others. It is necessary

to analyze the causes of dangerous (aggressive) driving and develop certain norms of reasonable behavior of drivers, which will be a positive example for both beginners and experienced drivers. Current methods and information and analytical support are characterized by inconsistency and the lack of systematic uniform legislation and practice. Practically, the assessment of the psychological state of persons passing exams for the right to drive by a car is not carried out at an adequate level, and legislative initiatives in the field of road safety are not evaluated.

The experience of such an assessment of dangerous driving in other countries (the United States, Great Britain, etc.) makes it possible to analyze the consequences of both the psychological qualities of the driver, the actions of legal norms and the implementation of government programs, while significantly reducing costs. Carrying out scientific and practical research in the field of assessing dangerous driving will make it possible to increase not only the quality of norm-setting activities, but also the legal culture of road users. It is most expedient to carry out such studies in the field of road safety, since current state policy is aimed at forming a healthy generation, preventing and suppressing deaths and injuries, including children, introducing new technologies and regulations, improving the quality of education and improving public spending.

Most authors study the activity of "the driver and psychological causes that reduce his professional reliability". The extreme nature of the actions of drivers is determined by the "personal factor" in ensuring road safety (hereinafter referred to as "road safety").

Denisova (2010); and Golubichina & Goncharova (2014), determine the personal abilities and abilities of the driver to react in extreme situations. According to N. Naritsyn, stability and discipline are the elements of safety on the road.

In the works of Ermolaev, Makushina & Chetverikova (2013), reveals the problem of aggression as a means of resolving an intrapersonal conflict. Lobanova studies the style of driving, V.E. Petrov conducts a psychological analysis of the style of driving a vehicle. Bulygina, Dubinsky, Shport & Kalinkin (2016), are studying high-risk driving.

Bonkalo & Petrova (2013), distinguishes and describes the driving styles: 1) reliable or safe; 2) polite or adaptive; 3) aggressive or selfish; 4) anxious or unstable.

The most understandable crime criteria and methods of punishment for inadequate driving behavior are in many US states, where three violations of the rules in a row

committed in front of a policeman are considered dangerous driving. For example, speeding, sloppy rebuilding and non-compliance with a safe distance. Such a complex violation is not only punishable by a fine in the amount of 500 to 2500 dollars, but it can also lead the driver behind bars in case of a relapse. At the same time, the violator may lose the right to drive the vehicle for a period of one month to six months. Moreover, US law describes the concept of road rage (Road rage), for which also provides for criminal punishment. You can go to prison for aggressive driving and openly boorish behavior, including rude gestures, insults and threats against other road users, as well as attempts to inflict damage or to teach someone a lesson using your own car.

In the list of forbidden there are elements of sport driving - you can not pass turns with a "hand" on public roads.

The UK legislation is very strict and the list of dangerous maneuvers is wider than American ones. The official wording is this: "Driving is considered dangerous in such a manner that the risk of serious injuries or property damage becomes evident to the competent driver". A competent driver is, for example, a policeman. To careless driving here are even eating at the wheel and studying navigational charts while driving. And still in the list of forbidden there are elements of sports driving - it is impossible to pass turns with "hand" on public roads. The fine reaches 5000 pounds, and the guilty more will be sent to training trainings. The aggressive driver is not only deprived of the right to manage, but is also sent to re-take the exam for rights. And in the event of causing death or injury to other road users, an inadequate driver will go to jail for up to five years.

In Australia, for an aggressive style of driving a driver can be fined up to \$ 5,500 dollars or deprived of a driver's license for a period of three years. For a repeated violation of the driver can wait for the deprivation of a driver's license for a period of five years or administrative arrest. But in traditionally motorized Germany and Japan, the legislation is more liberal. In Germany, aggressive driving style is estimated at 250 euros, but the driver at the same time risks losing the rights for three months. Dangerous driving costs more - 600 euros. The penalty for dangerous driving in Japan does not exceed \$ 400, but it is often added to corrective work for up to six months.

A dangerous management style is advisable to define as a set of actions of the driver for driving a vehicle associated with the intentional creation of interference that threatens the life and health of others or increases the likelihood of traffic accidents. Examples of this are: frequent maneuvering, sudden braking after acceleration, non-observance

of distance or interval, etc. However, aggressiveness in the style of management should be seen not only as an activity aspect, but also as a characteristic of the personality of the driver. In it, as in many other extreme situations, there is a wide range of latent personality traits.

In contrast to dangerous driving, you can identify the reliability of vehicle management as an integral quality of the individual and the style associated with accident-free operation and reducing the risk of a dangerous traffic situation, with the exclusion of interference for other drivers, their respect, predictability of behavior on the road, etc. Reliability is associated with presence (including degree of severity) or lack of certain individual psychological characteristics of the driver. Despite the absence at present of a single point of view on the list of such qualities, it is legitimate to single out the personality characteristics that constrain or contribute to dangerous driving.

Depending on the activity of the driver, the position he occupies when choosing the features of driving should be distinguished:

- Active style - this is a driver's activity, which is consciously displayed by the driver when choosing the style of driving.
- Reactive style is the driver's behavior when driving a vehicle, which is the adaptation or response to a particular traffic situation, as well as the behavior of other road users.

Thus, by the majority of authors driving like activity, behavior and style characteristic. In turn, diagnostics of the driving style is important first of all for conducting preventive work with regard to probable road accidents (road accidents), since to a certain extent it allows predicting the safety-insecurity of a particular driver.

CONCLUSIONS

It is possible to consider the driving style as typical, well-established features of the driver's road behavior, the system of ways and means to carry out his activities, as well as emotional feelings and interactions with other road users that predetermine the driver's safety level and are determined by a number of factors.

Driving style is a habitually-peculiar to the driver's road behavior (in which the attitude towards other road users, in particular, the level of the driver's transport culture in general) is manifested, including the established system of ways and means of driving as a combined multicomponent activity, predetermining the level of safety (or accident) of the driver, on the one hand, and determined by a number of stable and variable factors.

Driving style can be considered as a style of behavior, which includes the style of activity. The style of driving is also manifested in the driver's attentiveness, in the degree of his confidence in himself, and also in the general system of personal values that manifest themselves in the peculiarities of road behavior.

Thus, by the majority of authors driving as an activity, behavior and style characteristic. It is necessary to analyze how the style of driving depends not only on the individual characteristics of the driver, but also largely depends on the relationship of the individual to the norms in legal consciousness. The legal consciousness of the driver can lead to the consolidation of certain combinations of dynamic stereotypes necessary for the implementation of control actions (that is, the formation and a certain style of driving).

ACKNOWLEDGMENT

This study was supported by the Ministry of Education and Science of the Russian Federation, grant MK-5088.2018.6 of the President of the Russian Federation for State Support of Young Russian Scientists.

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