

New EU proposal on Police Traffic Law Enforcement: Road Safety Crosses Borders

19 March 2008, Brussels – The European Commission today adopted a new proposal⁽¹⁾ for a Directive on the cross border enforcement of traffic laws. The Directive will pave the way for an effective working of the Framework Decision on the Mutual Recognition of Financial Penalties from 2005⁽²⁾.

ETSC⁽³⁾ welcomes this new proposal which will certainly contribute to reducing road deaths on Europe's roads. European legislative action is sorely needed especially given the worrying performance during 2007 when for the first time in a number of years there has been no reduction in the number of road deaths in the EU. The main objective of the new legislation is to set up a system for exchanging information (e.g. owner data) and procedures for the proper notification of offenders, so that road safety enforcement measures can be applied to non-resident traffic offenders. At present effective and efficient follow up of cross-border offences hardly exist. A further complication is the trend where an increasing number of countries employ automatic enforcement systems (e.g. Austria, France and the Netherlands). Although a number of bi-lateral agreements exist, there has been no common EU approach so far to tackle non-resident drivers who believe they are above the law.

The proposed Directive is an important step to tackle non-resident drivers who in many countries pose a particular risk to road users. At present they are more likely to take risks and break the law due to their feeling of impunity. According to available data, non-residents represent around 5% of road traffic in the EU, whereas the share of non-resident drivers in speeding offences is around 15% on average⁽⁴⁾. The proposal will hopefully bring an end to this flagrant disregard for traffic rules and make them equally enforceable throughout the EU. Research shows that it is sustained and intensive enforcement that has a long-lasting effect on driver behaviour⁽⁵⁾.

This proposal will build on previous initiatives by the European Commission where Member States had to identify enforcement co-ordination points to ensure the effective reporting to the competent authority of the Member State in which the vehicle has caused an offence is registered⁽⁶⁾.

A note of disappointment has been, however, expressed by ETSC's Executive Director Antonio Avenoso: *"Although this proposal is a step in the right direction, it would have had an even greater life saving potential if it had included an EU wide reference framework for convergence of enforcement best practices, such as the use of fixed safety cameras in combination with mobile controls for speed, targeted alcohol breath testing."*

ETSC hopes that the incorporation of these best enforcement practices into the legislative proposal will significantly strengthen it and help to reduce 42,000 annual deaths on Europe's roads.

Notes to Editors:

⁽¹⁾ “More Safety on our roads – equal treatment of resident and non-resident drivers”
<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/464&type=HTML&aged=0&language=EN&guiLanguage=en>

⁽²⁾ Framework Decision on the Mutual Recognition of Financial Penalties from 2005
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32005F0214:EN:NOT>

⁽³⁾ The European Transport Safety Council (ETSC) is a Brussels-based independent non-profit making organisation dedicated to the reduction of the number and severity of transport crashes in Europe. The ETSC seeks to identify and promote research-based measures with a high safety potential. It brings together 39 national and international organisations concerned with transport safety from across Europe. www.etsc.be

⁽⁴⁾ Impact assessment on road safety enforcement and cross-border cooperation, Ecorys, March 2007

⁽⁵⁾ ETSC, 2007. Traffic Law Enforcement across the EU: Time for a Directive.

ETSC, 2007. Raising Compliance with Road Safety Law, 1st Pin Road Safety Report

ETSC, 2006 Enforcement in the EU.

ETSC, 2005 Cross Border Enforcement Factsheet

ETSC, 2004 Traffic Law Enforcement Factsheet

⁽⁶⁾ EC Recommendation on Enforcement in the field of Road Safety (2004)

http://eurlex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!CELEXnumdoc&g=en&numdoc=32004H0345