

Traffic Law Enforcement across the EU

Time for a Directive

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European Transport Safety Council

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Traffic Law Enforcement across the EU

Time for a Directive

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The European Transport Safety Council

The European Transport Safety Council (ETSC) is an international non-governmental organisation which was formed in 1993 in response to the persistent and unacceptably high European road casualty toll and public concern about individual transport tragedies. Cutting across national and sectoral interests, ETSC provides an impartial source of advice on transport safety matters to the European Commission, the European Parliament and, where appropriate, to national governments and organisations concerned with safety throughout Europe.

ETSC brings together experts of international reputation and representatives of a wide range of national and international organisations with transport safety interests to exchange experience and knowledge and to identify and promote research-based contributions to transport safety.
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Executive Summary

ETSC's new publication *"Traffic Law Enforcement across the EU - Time for a Directive"* responds to the European Commission's Public Consultation "*Respecting the Rules Better Road Safety Enforcement in the EU"* published in November 2006.
Only with a Directive the EU will be sure to introduce the minimal requirements to achieve high standards in the enforcement of legislation as set out in the Commission's Recommendation on traffic law enforcement (EC 2004). A legislative proposal should also include the cross border dimension and envisage legislation to ensure that drivers respect the traffic law in whichever EU country they are driving.

Traffic law enforcement measures in the three areas speeding, drink driving and seatbelt use, in combination with awareness raising activities, are the most important instruments to reach the EU target of halving annual road deaths by 2010. However 2010 is fast approaching and momentum to introduce increased enforcement is sorely needed in most EU member states.

The first part of the report surveys changes and trends in 2005 and 2006. In the area of speeding fixed camera networks continue to be rolled out in different countries. As a result of this, average speeds are coming down, but average compliance still tends to be way above the speed limit and this remains the main cause of all traffic deaths in the EU. As regards drink driving, only one country has changed its legislation to introduce random breath testing, namely Ireland. Drink driving checks in most of the countries surveyed have increased but not nearly enough to combat drink driving effectively. All EU countries have seen a change this year in seat belt and child restraint legislation introduced through the transposition and implementation of a new Directive. Its enforcement has caused some challenges to the enforcers such as ensuring the right child restraint for the right child. The level of seat belt wearing is increasing but the number of countries engaging in intensive seat belt and child restraint enforcement is still in the minority.

The second part of the report presents an update of road traffic enforcement in ten of the Member States. These countries aim to represent a geographical spread as well as different levels of road safety and include Cyprus, Czech Republic, Finland, France, Greece, Italy, the Netherlands, Slovenia, Spain and Sweden.

If current progress continues the EU will only reach a 35% reduction and not 50% by 2010 as planned in its recommendation on enforcement (EC 2004). The European Commission committed itself to proposing a Directive in case this objective was not achieved. The time is now ripe to adopt such a Directive to gain the necessary momentum needed to reach the 2010 target. .

Part I
Overview and analysis

1 Introduction

Traffic law enforcement, in combination with awareness raising activities, continues to be seen as the single most important measure to reach the EU target of halving annual road deaths by 2010. There is a clear correlation between the countries with good enforcement levels and those with a good performance on road safety. It can be demonstrated that improvements in enforcement lead to improvement in road safety.

The European Commission adopted a Recommendation in October 2004 (EC 2004) on how Member States should improve their traffic law enforcement policies. In this Recommendation EU countries have been asked to apply in a national enforcement plan what is known to be best practice in the enforcement of speed, alcohol and seat belt legislation. Since then the European Commission has published its public consultation "Respecting the Rules: Better Road Safety Enforcement in the EU" on the enforcement of road traffic law in November 2006.

Independently of the European Commission, ETSC continues to monitor enforcement practices in the EU in order to stimulate best practice exchange and identify further needs. This report is an update of the first publication entitled "Traffic Law Enforcement across the EU – An Overview" published in May 2006. It is the result of another year's intensive exchange with enforcement experts from the various EU countries, including representatives from police forces, ministries and road safety organisations.

There is a clear correlation between the countries with good enforcement levels and those with a good performance on road safety.

This report focuses primarily on police enforcement in the field of speeding, drink driving and seat belt use. Additionally, there are sections examining the follow-up of offences and information campaigns linked to enforcement. The first part provides an impression of the recently emerging trends across the EU including recommendations for EU decision makers on how to further progress. The second part presents an update of road traffic enforcement in ten Member States for 2004-2005 with specific recommendations for improvement.

1.1 THE EUROPEAN COMMISSION STILL WANTS BETTER ENFORCEMENT

The European Union has set itself the target of a 50% reduction in road deaths by 2010. It was proposed in its White Paper on the Common Transport Policy (EC 2001) and the Third European Road Safety Action Programme (EC 2003) which provided the appropriate framework for road safety policy planning in Europe. The Programme specifically outlined a key proposal to ensure the proper enforcement of the most important safety rules. This resulted in a Recommendation on Enforcement in the field of road safety (European Commission 2004). In this Recommendation Member States were asked to apply in a national enforcement plan what is known to be best practice in the enforcement of speed, alcohol and seat belt legislation.

If enforcement policies had not improved sufficiently across the Member States, the Commission would have reserved the right to propose more binding legislation.

In the most recent development, the European Commission published its public Consultation on the enforcement of road traffic law in November 2006. One of the key findings of its Consultation document entitled "Respecting the Rules: Better Road Safety Enforcement in the EU" cites the failure of the EU Member States to progress on an EU wide introduction of best enforcement methods. The Recommendation clearly stated that if enforcement policies had not improved sufficiently across the Member States, the Commission would have reserved the right to propose more binding legislation, such as a Directive.

Thus the European Commission continues to recognise the contribution that enforcement can make to saving lives. Building on the existing EU policy instrument in the form of an EC Recommendation,

the outcome of this stakeholder consultation could result in EU action that aims at both setting up an EU wide system for carrying out cross border enforcement and providing a reference framework for convergence towards high quality and fair enforcement practices for road safety.

1.2 "RESPECTING THE RULES: BETTER ROAD SAFETY ENFORCEMENT IN THE EU"

This section presents a short summary of the European Commission's Consultation Paper. This consists of five parts. The first part defines the problem. It notes the unsatisfactory progress to reaching the EU target of halving road deaths by 2010, the wide gap in best and worst road safety records and the problems of following up traffic offences committed by non-residents.

The second part of the Consultation paper presents the case for community action. It begins with a reminder of how road safety policy is part of the European common transport policy. This is followed by a number of arguments to support the need for complementary EU action on enforcement for certain types of traffic offences under the safety provisions of the Treaty.

As the Recommendation was not legally binding, it failed to lead to an EU-wide introduction of best enforcement methods.

This argument includes concerns about the difficulties of cross border enforcement and states the need to ensure that all drivers are treated equally and respect the traffic laws regardless of which country they are travelling in. The progress made since the publication of the 2003 EC Recommendation is acknowledged. However it is stated that, as the Recommendation was not legally binding, it failed to lead to an EU-wide introduction of best enforcement methods. Nor has the necessary cooperation to create an EU-wide system for effectively dealing with cross-border enforcement been set in motion. The relevance of the new Council Framework Decision of 24 February 2005 on the application of the principle of mutual recognition to financial penalties is recognised. Yet so are its shortcomings in not covering all traffic offences both under criminal and administrative law, nor non-financial penalties.

Of the three priorities, speed is singled out as an area where enforcement can work as a powerful means to encourage drivers to reduce speed based on experience in certain countries. The particular problem of following up speeding sanctions committed by non-residents within automatic systems is also presented. The context of the far from perfect patchwork systems of bilateral agreements for following up non-resident offences is also explained as well as the high level of non-resident offences and percentage of accidents. For example, in Luxembourg, non-resident drivers account for 30% of road traffic offences and 23% of fatal accidents. Lastly, the Directive 2006/22/EC on social legislation relating to professional drivers is cited as an example for defining standard enforcement in the EU.

Speed is singled out as an area where enforcement can work as a powerful means to encourage drivers to reduce speed based on experience in certain countries.

This is followed by the third part: an elaboration of the enforcement framework. The Enforcement procedure from the first step of registering the offence to the final one of executing the sanction is presented. Different penalties are listed ranging from fines to non-financial penalties such as points systems.

The main bilateral agreements and multilateral agreements that already exist are set out. There also follows an overview of how in the absence of an EU wide approach informal paths have been explored by traffic Police forces through different initiatives such as the European Traffic Police network (TISPOL) and under specific EU funded projects such as VERA. Here the Commission concludes that, although there are existing mechanisms, these instruments have been set up for cross border enforcement cooperation in different political and time-related horizons and they have limitations.

The fourth part includes the main elements of a tool box for a well-functioning cross border enforcement system. This section considers the need to improve the quality of enforcement in the three priority areas of speeding, drink driving and seat belt use along the lines of the EC Recommendation on Enforcement.

The consultation's fifth part considers five different policy options for possible Community action on enforcement. The first one constitutes "business as usual" which means leaving everything as it is. The second proposes a more structured exchange of best practice between Member States and more systematic cross border enforcement by all Member States on their territory. This would be through the collection and analysis of data, statistics and reports. The third option builds on the second but includes that with regards to offences committed by drivers of vehicles registered in another Member State, the owners of the vehicles are identified through a new information exchange system established at EU level. Sanctions would be executed in the country where the offence has been committed, under national legislation. The fourth option goes over and above the previous one by transferring the enforcement decisions to the competent authorities in the country where the offender is normally resident. The fifth option requires enforcement methods and measures implemented by Member Sates, to meet common standards and targets established by a regulatory framework. Sanctions are executed by the competent authorities in the country where the offender is normally resident.

1.3 ETSC SUPPORTS BINDING LEGISLATION ON TRAFFIC LAW ENFORCEMENT

ETSC strongly supports the preparation of a Directive that includes minimal requirements in the area of enforcement of road traffic law. In its recent publication "Traffic Law Enforcement across the EU: an Overview" (2006) ETSC stated that the EC Recommendation on enforcement has undoubtedly helped to raise the profile of traffic law enforcement in the EU countries. It has stimulated discussion and best practice exchange. Member States should therefore continue the implementation of the Recommendation. However in order to ensure that all Member States achieve high standards in enforcement, the European Commission should also prepare a Directive that includes minimal requirements in all areas covered by the Recommendation.

Effective enforcement of road safety rules would lead to a rapid and massive reduction in road deaths. Many drivers involved in traffic crashes do not comply with speed limits, blood alcohol levels and/or the EU-wide obligation to wear safety belts. The European Commission had a cost-benefit analysis carried out concerning the three enforcement areas of speeding, drink driving and seat belt use. It assessed that increased enforcement would result in a total annual reduction of 14,000 road deaths and 680,000 injuries in the EU 15, and in a net benefit of 37 billion Euro or 0.44% of GNP (ICF 2003). In detail, optimised enforcement would be a major contribution to reducing traffic deaths and injuries in Europe (EU 15)

The European Commission should also prepare a Directive that includes minimal requirements in all areas covered by the Recommendation.

- In the case of speeding, 5,800 deaths could be prevented.
- In terms of drink driving, 3,900 deaths could be prevented.
- More than 4,300 of those killed could survive if seat belt use was better enforced.

Enforcement is a means to prevent collisions from happening by way of persuading drivers to comply with the safety rules. It is based on giving drivers the feeling that they run too high a risk of being caught when breaking the rules, regardless of which country they are currently travelling in. Efficient enforcement strategies are therefore not in the first place about increasing the actual amount of enforcement activity but about increasing the risk of being caught as perceived by the drivers.

1.4 WHY DO WE NEED A DIRECTIVE ON TRAFFIC LAW ENFORCEMENT FOR THE EU?

If current progress continues the EU will only reach a 35% reduction in road deaths and not 50% by 2010 as planned.

1.4.1 Insufficient progress towards the EU Target

If current progress continues the EU will only reach a 35% reduction in road deaths and not 50% by 2010 as planned. The European Commission committed in its Recommendation on enforcement (2004), to propose a Directive in case this objective was not achieved.

1.4.2 Enforcement is an effective short term measure

While education and engineering improve safety in the longer term, effective enforcement leads to a rapid reduction in deaths and injuries. Moreover, sustained intensive enforcement that is well explained and publicised also has a long-lasting effect on driver behaviour. Traffic law enforcement is a very cost-effective means of enhancing road safety. The benefits of applying existing best practice in enforcement to the whole of the EU exceed the costs by a factor of 4 (drink driving) to 10 (seat belt use). Traffic law enforcement is supported by a large share of the European public. A total of 70% of European drivers are (strongly) in favour of more enforcement of traffic laws, according to an EU survey (Ewers 2004). According to a public opinion survey in France, 77% support automatic speed enforcement as a good tool to improve road safety (2005).

Effective enforcement leads to a rapid reduction in deaths and injuries.

1.4.3 Cross Border Enforcement: growing consensus for an EU wide approach

There is increasing evidence from different Member States that non-resident drivers flout traffic laws when travelling abroad as they do not fear punishment. The implications are twofold: firstly, their dangerous behaviour can lead to road accidents, and secondly it raises criticism in the country they are travelling as police are not always able to apply the sanctions fairly. For example in France, in 2005 one million of the 8.6 million offences registered by the automatic radars were committed by non-resident drivers, of which 25% were from Germany.

The recently completed research entitled "Common Application of Traffic Violations" (CAPTIVE) also concludes that: "the reality is that penalties are rarely enforced on non-resident violators, a situation which is in complete contrast to the principles of fair and consistent treatment of all European citizens and of proportionality as enshrined in the Treaty of the European Union" (CAPTIVE 2006).

The EC Recommendation also includes requirements on addressing these cross-border aspects. Member States are asked to set up Enforcement Co-ordination Points to ensure that serious or repeated offences committed by non-resident drivers are reported and followed up by the competent authority of the Member State in which the vehicle is registered. Moreover, countries are working to transpose the Council Framework Decision on the Application of the Principle of Mutual Recognition to Financial Penalties (2003) (COPEN 24). This Decision applies to traffic offences carrying penalties over 70 Euros. It will be particularly important as countries across Europe move to introduce more safety cameras as police do not follow up such offences on the spot, rather a letter for payment of a fine is sent to the offender. There is a clear consensus that a common EU approach is needed to tackle non-resident offenders. ETSC recommends that this should form a key part of a Directive on traffic law enforcement.

1.4.4 The Road Safety Gap

The level of road safety enforcement varies between the Member States. This includes both the level of police enforcement activity and the application of best practice. High common standards should be the norm. Although the EC Recommendation has helped to raise the profile of traffic law enforcement in the EU and in some Member States, a Directive is needed to achieve high standards in all countries. The European Commission should note the correlation between a low take up of enforcement best practice and high level of deaths as in Lithuania and Hungary.

1.4.5 Achieving Best Practice

Research should be used as a basis for achieving best practice exchange and this should be incorporated into binding legislation. There is no need to reinvent the wheel and Member States could very much benefit from learning from one another's best practice approaches. Experience of setting up and managing safety camera networks can be of real relevance to countries setting up new systems. Sweden has for example taken on the French model of automatic follow up of offences for speeding. In Sweden research has shown that so far deaths on road stretches covered by fixed cameras have been reduced by up to 60%.

Research should be used as a basis for achieving best practice exchange and this should be incorporated into binding legislation.

1.4.6 Legal basis for European legislation

Legislation should be drafted on the basis of Article 71 of the Treaty of the European Union which states that the Council shall, lay down measures to improve transport safety. This will then complement the recently adopted Regulation (561/2006) and Directive 2006/22 on the harmonisation of certain social legislation relating to professional road transport. Just as the social legislation was extended to all roads, new proposed legislation should also be applied beyond the Trans-European Road Network to all EU roads. This is also important in terms of ensuring clarity and the application of the same enforcement to all types of roads.

Legislation should be drafted on the basis of Article 71 of the Treaty of the European Union which states that the Council shall, lay down measures to improve transport safety.

1.4.7 ETSC supports elaboration of binding legislation on enforcement best practice

For the aforementioned reasons 1-6, ETSC supports the **fifth option** presented by the European Commission in its Consultation. This option requires enforcement methods and measures implemented by Member States to meet common standards and targets established by a regulatory framework. ETSC would see this as the implementation of best practice on enforcement in the three priority areas in all EU Member States as included in the EC Recommendation on enforcement. The measures proposed in the Recommendation are based on the results of different EC funded research in this area (ESCAPE 2003, SUNflower 2002, GADGET 2000, VERA 1998).

This fifth option is also supported by the Common Application of Traffic Violations (CAPTIVE) report which concludes that a new agreement is required to implement the elements of the common approach. This common approach has been defined as cross-border enforcement which aims to ensure fair and equal treatment of all road users to help improve road safety and includes common operational procedures, interface procedures and common (minimum) operational standards. The research considered the existing legal instruments including the Convention on driving disqualifications and financial penalties of criminal road traffic offences in the cross-border enforcement of penalties imposed on non-resident violators of road traffic laws. The final report concludes that a new Directive under the first pillar is required to provide a legal basis for the elements of the common approach which are outside of the scope of the 3rd Driving Licence Directive, the Convention on driving disqualifications and COPEN the Council Framework Decision 2005/214/JHA on the application of the principle of mutual recognition to financial penalties. (CAPTIVE 2006).

ETSC is of the opinion that option 5 could be valuable and have clear returns even in countries that already have good levels of road traffic law enforcement. It would also help them to plug the gaps they currently face on the cross border enforcement challenge. For countries with lower levels of road traffic law enforcement, the application of firm legislation would lead to the implementation of life saving best practice in the enforcement of traffic law.

Option 5 could be valuable and have clear returns even in countries that already have good levels of road traffic law enforcement.

ETSC would especially support the adoption of the fifth option which would take on the Best Practice presented in the EC Recommendation in the three areas of speeding, drink driving and seat belt use as well as information campaigns and the follow up of offences. These so-called "big three" main

causes should be the start of a more co-ordinated approach, but closer co-operation on other traffic offences, such as drug-driving, should not be ruled out in the medium to long term. ETSC clearly supports the elaboration of the fifth option as this is the only legislative proposal which will ensure both the quality and quantity of enforcement practice is introduced in all 27 EU Member States in the three priority areas of speeding, drink driving and seat belts. We urge the European Commission to prepare a Directive that includes minimal requirements in all areas covered by the Recommendation. This should aim to improve the quality of enforcement throughout the EU. This legislation should also incorporate the cross border enforcement of traffic law and thus ensure that drivers respect traffic law in whichever EU country they are driving.

2 Progress in the Countries

In the second round of its Enforcement Programme ETSC selected ten countries from across the EU. These countries aim to represent a geographical spread as well as different levels of road safety and include Cyprus, Czech Republic, Finland, France, Greece, Italy, the Netherlands, Slovenia, Spain and Sweden. To evaluate current enforcement practices ETSC has continued to look both at the extent to which existing laws are being enforced (input) and the extent to which these laws are complied with (output). As input indicators ETSC used, where available, the level of checks, level of offences and whether or not best practice methods are being applied. As output indicators ETSC used levels of compliance[1] and/or levels of deaths linked to non-compliance. On the basis of this information ETSC aimed to point out countries that successfully apply 'best practice' methods but also those countries that have been less successful ('worst practice'). This second review aims also to evaluate any progress made in the countries in changing legislation and enforcement practices in the three priority areas.

2.1 SPEEDING

Speeding is the single most important cause of traffic death and injury across Europe. Better enforcement of speed limits could prevent 5,800 road deaths and 185,000 injuries in the EU 15 according to a study by ICF Consulting (2003). But available data shows that legal limits are often insufficiently enforced. This is especially the case in urban areas. For example, in the Czech Republic the non-compliance with urban speed limits has increased from 29% (2004) to 35% (2005).

Speeding is the single most important cause of traffic death and injury across Europe.

2.1.1 Types of checks – traditional and new

There are different methods available to enforce speed limits. **Traditional methods** rely on radar and laser measurements by mobile police patrols. Traditional methods have the advantage that drivers are stopped and apprehended by police officers personally and immediately following the offence. But it is difficult with limited police resources to ensure high levels of continuous and widespread enforcement. Traditional methods therefore usually focus on the most severe speeding offences and take place mainly at high risk sites.

To raise the likelihood of speeding offences being detected, traditional methods are therefore increasingly complemented by **automated methods.** "Automated speed enforcement" as recommended by the EC Commission entails that a technical recording device is triggered automatically by a speed violation, so that information about the violating vehicle is recorded. Automated methods include the use of stationary equipment as well as mobile devices that are used in police patrol cars.

[1] Behavioural indicators such as observed levels of speeding, drink driving and seat belt use are not collected by all countries (ETSC 2001, SafetyNet 2005).

Stationary devices include safety cameras that take a (film or digital) picture of the car either from the front or the back, depending on what kind of evidence is needed for follow-up. In section control systems, two cameras are used. These systems measure the average speed over a certain distance, which is felt to be much fairer than measuring speed at one moment only. Section control is used especially to control speeds in tunnels and on motorways in some countries. For example, between 2005 and 2006, the section control system in Italy has been extended to 24 high risk stretches of the Italian motorways.

Mobile devices, on the other hand, are operated from a police car at the roadside and can be deployed to different locations according to need. Video devices such as ProVida that are installed in (marked or unmarked) police patrol cars can also be used to record the speed of a target vehicle. This type of technology is also increasingly used in EU countries. It is however cost- and time-intensive, which limits widespread use (PACTS 2005).

2.1.2 Levels of enforcement and effects

As was shown in ETSC's last traffic law enforcement overview (ETSC 2006), levels of speed checks vary across the EU. Given that the number of vehicles checked for speed is not available for most countries, ETSC looked at the number of speed enforcement devices to indicate the level of enforcement. When looking at the number of enforcement devices, it is important to distinguish between fixed and mobile equipment in terms of the effective checks. It is assumed that automated fixed cameras check in real terms many more vehicles than automated mobile cameras due to the permanent installation of the former.

Automated methods really contribute to road safety as seen from the example of France. A first set of digital cameras was introduced in 2003. By the end of 2005, 700 fixed and 300 mobile cameras had been installed. This was planned to be extended to 1000 fixed and 500 mobile by the end of 2006. New research has shown that improved speed management, based on the new camera system, has contributed about 75% of the massive overall reduction in fatal accidents between 2002 and 2005. Moreover, the proportion of vehicles traveling at 10 km/h and more above the legal limit decreased from 35% to 20%.

In Sweden too the Automatic Speed Control System using speed cameras has proven to have had very positive effects on road safety. Sweden employs a mixture of mobile laser and fixed camera devices to enforce speed limits. The automated camera system was extended to 700 fixed cameras in 2006, compared to approximately 400 in 2005. The cameras are clearly conspicuous and are directly connected to the National Police Board. Tests between 2001 and 2002 showed that the road death rate on some road stretches was reduced by up to 60%.

Finland has also extended its camera system further from covering 800 km road network in 2005 to 1400 km by the end of 2006. The Finnish results are equally remarkable: camera surveillance on the non-urban areas new enforcement sections has led to a permanent reduction of 80% in extremely serious speeding and 70% in speeding of over 10 km/h.

In Spain moves are underway to dramatically step up the fixed speed camera system. Between 2004 and 2005 the number increased from 5 cameras to 378 cameras. A second wave of cameras is being introduced between 2005 and 2007. First results indicate that driver behaviour is changing, probably in part due to a new penalty point system introduced in July 2006. In fact, during July and August the average traffic speed dropped between 3% and 4%. In August 2005, 3% of the controlled vehicles were reported for speeding while this figure dropped to 2.4% in August 2006.

In sum, these recent examples have shown that well-designed speed enforcement schemes continue to bring down speeding across the network. Especially the deployment of speed cameras can help to substantially reduce casualties from speeding. Key is also informing drivers of the speed enforcement efforts.

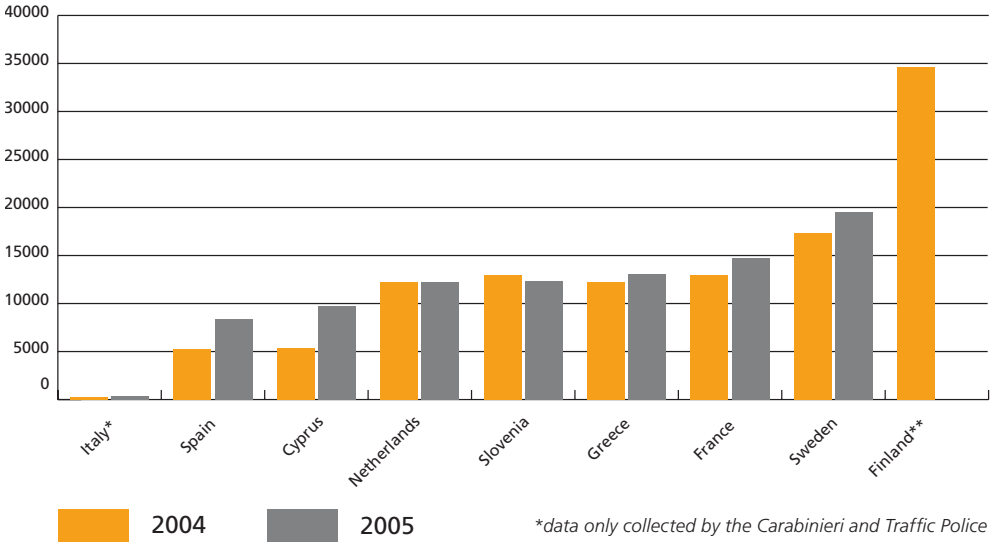
2.2 DRINK DRIVING

Drink driving is the second greatest cause of road deaths in the EU, often mixed with speeding. In the EU as a whole, around 2-3% of journeys are associated with an illegal BAC, resulting in 30-40% of driver deaths (ESCAPE 2003, ETSC 2003). Better enforcement could prevent approximately 4000 deaths and 15,0000 injuries in the EU 15.

In the EU as a whole, around 2-3% of journeys are associated with an illegal BAC, resulting in 30-40% of driver deaths (ESCAPE 2003, ETSC 2003).

High levels of checks are found in Finland, Sweden, France, Greece, Slovenia and the Netherlands. In these countries, the police have been empowered to check drivers at random (i.e. without the driver giving any cause for suspicion through his/her behaviour). These random breath tests may focus on times and places where drinking drivers are likely to be found (targeted testing). Forerunners such as Sweden and the Netherlands also continue to insist on an alcohol test every time a driver is stopped for whatever reason.

Figure 1: Drink driving checks per 100,000 inhabitants

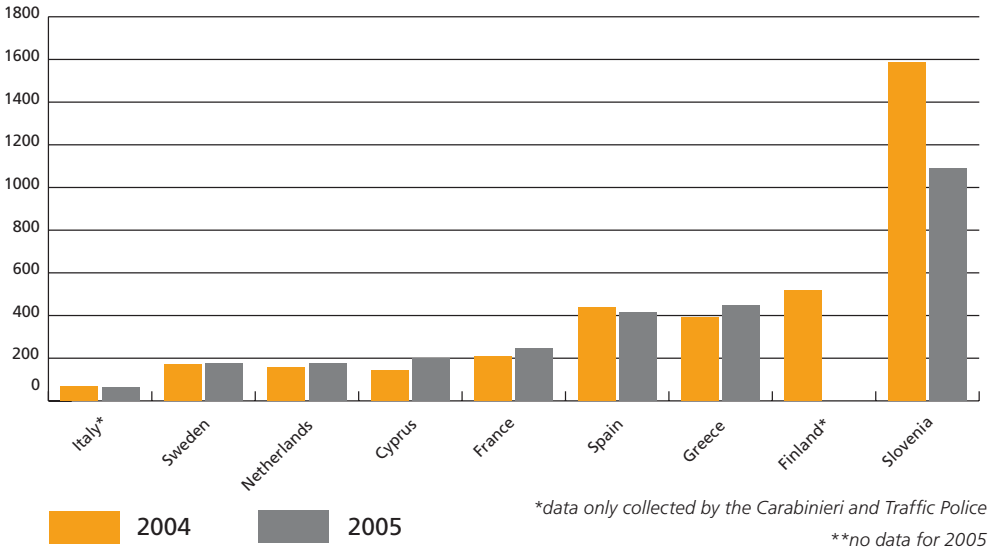


**data only collected by the Carabinieri and Traffic Police*

***no data for 2005*

Cyprus massively increased its drink driving enforcement activities and almost doubled its alcohol checks per capita between 2004 and 2005. This led only to a marginal increase in offences in the same time. The enforcement activities were combined with a reduction of the legal blood alcohol level from 0.9 mg/ml to 0.5 mg/ml in March 2006. Moreover, the example of Greece shows the impact of an intensified drink driving enforcement: while the number of checks has been increased by 581% since 1998, the number of offences has only gone up by 235% in this timeframe, with a peak in offences in 2001, indicating a much lower offending rate per stopped driver.

Figure 2: Drink driving offences per 100,000 inhabitants



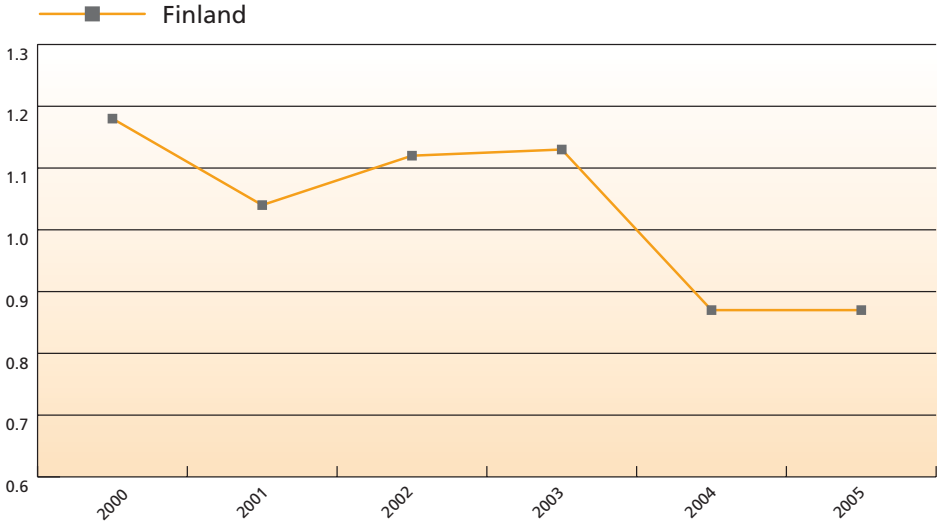
**data only collected by the Carabinieri and Traffic Police*

***no data for 2005*

Among those countries that have high levels of checks, Sweden, the Netherlands and France report fairly low levels of offences. In Slovenia, on the other hand, the numbers of offences are still relatively high, but decreasing. This can be explained by the fact that Northern and Western European countries introduced random breath testing earlier and offences declined in the long term as a result. Central European countries – such as Slovenia – introduced this more recently and the levels of offences started to drop later. The example of Slovenia shows that drivers increasingly feel the risk of being tested: while the number of drink driving checks between 2004 and 2005 remained almost stable, the number of offences detected dropped by nearly one-third. This can be explained by the high visibility of alcohol checks, which are undertaken at road blocks. Special efforts have been made to increase these so that by "word of mouth" the feeling of being detected works to deter risk drivers from intoxicated driving.

Data on the prevalence of drink driving are available only for very few countries. The example of Finland shows that this country has indeed brought back drink driving below the estimated EU average of 2-3%. This is even more remarkable as alcohol consumption in Finland constantly increased in the past decades (Figure 3).

Figure 3: Drink driving as proportion in the traffic flow (in %)



In Ireland, the government introduced mandatory breath testing of motorists as a new measure to crack-down on drink driving in July 2006. The legislation will allow for random breath testing to be carried out at certain times and in certain areas where the statistical likelihood of road deaths is greater, such as on weekend nights. In the past, the Gardaí (Irish police) have needed to show that they had reasons to suspect that a driver had consumed excess alcohol before testing. The Irish National Safety Council has said such tests could save 150 lives every year. It was first promised by the government in 1999.

2.2.1 Evidential breath testing

Random testing, due to the large number of drivers tested, is typically done with the help of screening devices, which cannot usually serve to produce legal evidence. As a second step, evidential testing is carried out. To cope with large numbers of offences, devices have been introduced that are based on breath rather than blood samples. Sweden, the Netherlands and France have used these devices for some time already. But other countries such as Cyprus, Finland, Italy and Spain have also introduced them.

Best results are achieved in countries that run random alcohol screening tests in conjunction with evidential breath testing.

In conclusion, best results are achieved in countries that run random alcohol screening tests in conjunction with evidential breath testing. In France, Sweden and the Netherlands this has helped to reduce road traffic casualties significantly. Good results have also been achieved in some Central European countries such as Slovenia where the fight against drink driving has been a priority. Apart from the increase in checks in some countries there have not been any great changes in drink driving legislation.

2.3 SEAT BELT USE

One of the areas which continues to be given lowest priority across the EU is enforcement of seat belt wearing: this is despite the fact that the life saving potential of wearing a seat belt or a proper child restraint is great. Universal seat belt use could prevent 6,000 deaths and 380,000 injuries every year in Europe according to a study by ICF Consulting (2003). A legal obligation to use safety restraints exists for both adults and children, yet usage rates still vary greatly across Europe.

However its profile was raised in May 2006, as a new Directive (Directive 2003/20/EC) came into force that extends the obligatory use of seat belts to occupants of *all motor vehicles*, including trucks and coaches. This legislation has in some countries also provided a catalyst for change going beyond the requirements of the Directive. This includes the end of exemptions for seat belt wearing for the police, in Italy. In Cyprus, new legislation introduces retrofitting of seat belts in buses and coaches as well as the enforcement of their use.

In May 2006, as a new Directive (Directive 2003/20/EC) came into force that extends the obligatory use of seat belts to occupants of all motor vehicles, including trucks and coaches.

The new Directive also mandates the use of appropriate (UN-ECE standard) child restraint systems for all children traveling in passenger cars and light vans. There are different types of child restraints appropriate for different child ages, sizes and weights. According to our information, nearly all the countries have transposed this legislation into their national legislation.

2.3.1 Enforcing the legislation

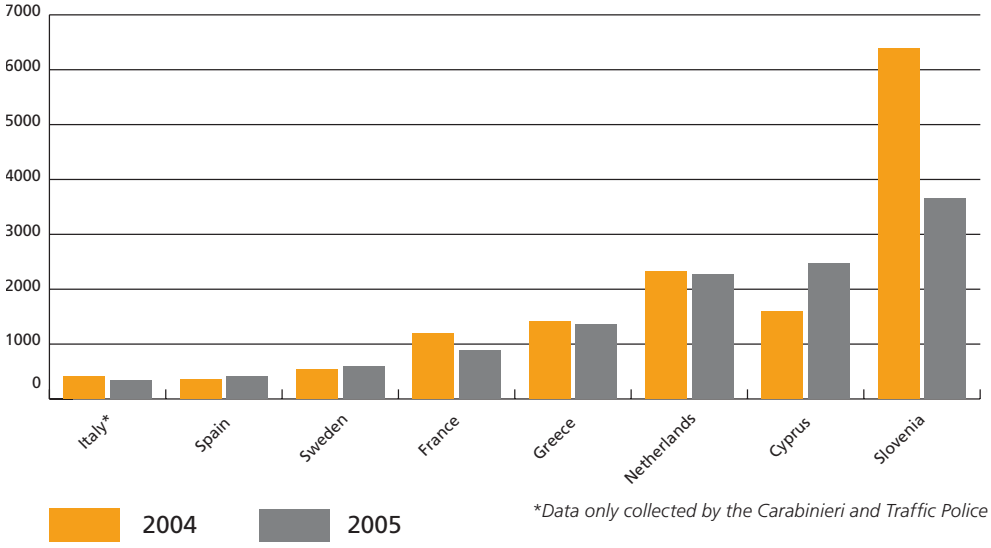
Seat belt wearing rates can be improved through a mixture of measures including police enforcement linked to education and information campaigns. According to the European Commission Recommendation, enforcement actions concerning seat belt use should be intensive, highly visible and well publicised. High levels of publicity are crucial for optimising the effects of enforcement. Enforcement actions should be carried out at least three times a year, with each action lasting at least two weeks. They should be carried out predominantly in those places where there is an increased

accident risk. Actions can be combined with other enforcement actions, e.g. concerning drink driving or speeding. It is important that every detected offence is properly followed up and that sanctions are appropriate and dissuasive.

2.3.2 Levels of enforcement and compliance

It is impossible to tell how many car occupants have been checked for the use of restraint systems by the police. But the proportion of inhabitants sanctioned for not wearing their seat belts can serve as a basis of comparison. The enforcement of the new legislation has reportedly posed problems. For the countries reviewed, the seat belt wearing rates have either increased or have remained constant. For the number of checks the picture is a rather more mixed for those countries that we have reviewed: in Sweden offences increased, in Cyprus quite dramatically — by half. In Greece and Slovenia offences dropped slightly. In the Netherlands the level remained the same, whereas France saw an 18% drop in offences.

Figure 4: Seat belt offences per 100000 inhabitants in selected countries



**Data only collected by the Carabinieri and Traffic Police*

2.3.4 Good practice in enforcement

In our last Traffic Law Enforcement publication we reported that few countries report that they are undertaking rigorous and frequent checks as suggested by the Recommendation. Countries which were conducting such checks included Cyprus, Slovenia, the Netherlands, Austria and the region of North Rhine Westphalia in Germany. Since our last review Finland, Spain, Sweden and Italy have joined this list. Police highlight the difficulty of checking both the front and the back as well as checking vehicles such as buses and coaches whose height is much higher than their view point, normally from a low police car. In the case of child restraint legislation, police also face the problem of explaining the application of the correct child restraint use to the user. Success has been seen in a number of different countries.

Results from the first part of the Austrian "Seat Belts Save Lives: Life has priority" education and enforcement campaign focussing on child seat belt wearing have led to an impressive increase of wearing rates. Prior to the campaign the child restraint on the back seat was 75%. After the campaign this increased to 90% on rural roads and on motorways even up to 99%.

Also on the topic of child safety restraints the Belgian Road Safety Institute (IBSR/BIVV) published a new information brochure on the proper use of safety restraints aimed at parents. Police enforcement will accompany the new law. Drivers were first informed during a brief 'period of grace' and then any non-compliance was followed up with sanctions in the following months.

A concerted action to raise the level of seat belt wearing and use of child restraints was being run in the county of Buckinghamshire, UK. The county's road safety team identified 6 sites around schools where observations had shown that up to 40% of drivers and passengers were not wearing their seat belts. Average seat belt wearing figures for the UK from 2004 show a much higher 93% average front seat and a 83% rear seat rate.

Following observations, an education phase took place, involving children and their parents in the local schools. Next, police officers stopped and diverted non-compliant drivers and passengers to speak with a Council Road Safety Officer who offered them the opportunity to have the £ 30 fine waived by attending a two-hour seatbelt awareness workshop. The seat belt awareness course explored the benefits of using a seat belt and discussed counter arguments as to why they are not worn. Overall, figures show that seat belt wearing compliance has gone up 6% from an average of 70% before education to 76% after.

In France, new legislation for the differentiated use of child restraints and introduction of the rule of complying with new EU legislation of "one child, one place, one restraint system" has come into place on the 1st of January 2007. The French Prévention Routière has prepared material to inform parents about ensuring the correct child restraint for their child. Also in France, following an increase in sanctions for non-seat belt use in 2003, seat belt wearing rates continued to rise slightly into 2005 in both the front (97%) and back (77%). In 2005, the number of detected offences dropped by 18%. This can be evaluated as a positive proof of more compliance due both to enforcement efforts and information campaigns.

In Ireland, a cross-border seat belt campaign was launched jointly by the Road Safety Authority in the Republic of Ireland and the Department of Environment in Northern Ireland. The campaign uses two television advertisements entitled 'Selfish' and 'Get it on', press and radio advertising. The campaign was aimed at improving seat belt wearing, particularly by back seat passengers, who are still less likely to use a restraint. The campaign was accompanied by intensive Police checks on the use of seat belts, which led to a significant risk of detection.

2.3.5 Sanctions

Other countries have managed to substantially increase wearing rates through higher sanctions or rigorous application of fines. Many countries have also introduced new sanctions for the non use of child safety restraints to take the new legislation into account. In the Czech Republic the new penalty point system introduced in July includes loss of two penalty points and a higher fine of approximately 50-83 EUR. Some countries such as France have also introduced driver responsibility with the application of penalties for unbelted youngsters up to the age of 18, previously 13.

In Austria, penalty points for the misuse or absence of child safety restraints were introduced as part of the new penalty point system on the 1st of July 2005. Responsible adults also face a fine up to 5,000 EUR and with less serious offences a fine of only 36 EUR. A case of a collision where the child is injured due to insufficient securing can lead to a criminal sanction. A huge proportion of the total penalty points, namely 41% of the recorded 18,179 penalty points were for wrongly or not sufficiently secured children. In Austria, 11 drivers have already been sanctioned three times for this offence and have subsequently lost their driving licences as a result of not improving their record of securing their children properly. Analysis from the year 2005 shows that 14% of children were not transported safely. Especially babies are at risk where belts were either observed to be too loose, twisted or even that the babies had managed to wriggle out. A total of 22% of the killed and seriously injured children in 2005 were not safely secured.

2.3.6 EU wide actions

The role of the European Traffic Police network (TISPOL) with their annual campaigns has also been very important at raising the profile of this particularly low priority issue. It has encouraged countries to set up separate seat belt wearing campaigns. A seat belt campaign was conducted by TISPOL for

a two week period during May 2006 across 19 European states namely Cyprus, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Ireland, Netherlands, Norway, Poland, Portugal Romania, Slovenia, Spain, Sweden, Switzerland and the UK. It uncovered widespread low levels of seat belt use. In total 171,458 drivers and passengers were found not to be wearing seat belts in checks that included all vehicle types. One of the disturbing findings of the police was the fact that thousands of child passengers were found not to be wearing correct safety restraints.
In conclusion, more attention must be paid to this often neglected area of enforcement, particularly as the seat belt is the most important safety device in a vehicle. A special effort must also be made with the entry into force of the new Directive on seat belt and child safety restraint use.

2.4 FOLLOW UP OF OFFENCES

The impact of police enforcement does not end with the detection of the offence. In fact the follow up is just as important, as research shows (ESCAPE 2003). This is recognised in the EC Recommendation on enforcement which stresses that the follow up of detected offences should be "effective, proportionate and dissuasive and not, as is currently the case, for instance with respect to non-use of seat belts, with only a warning".

"effective, proportionate and dissuasive and not, as is currently the case, for instance with respect to non-use of seat belts, with only a warning".

2.4.1 Types of Follow Up

The last year has seen some changes in the follow up of traffic offences in the EU. Offenders face a variety of sanctions ranging from a verbal or written warning to giving on-the-spot fines, penalty points, driving bans and more. Moreover traffic law offences fall into both administrative and criminal law. The criminal system follows the three separate stages: detection, prosecution and sanctions. Sanctions are linked by the police, public prosecutor and judge's intervention. In the administrative system these three sanctions are combined into one and the responsibility rests with the police to deal with offences leading to fines or loss or restriction of the driving license (ESCAPE 2003).

Automatic speed enforcement, i.e. the automated detection of a violation, identification of the vehicle and the owner (and/or driver) - is being used increasingly. Researchers explain that there are various advantages of using automatic enforcement methods. The EC recommendation stresses the importance of using these systems. They can provide support to systematically increase the probability of detection of a violation without requiring a substantial increase in police man power. Also as regards public support, they may be perceived as more objective by road users, thus increasing the perceived fairness and acceptance of police enforcement (ESCAPE 2003).

2.4.2 Examples of Best Practice:

In the Netherlands, statistically every one of the ten million driving license holders received an administrative fine in 2005, including sanctions for all types of traffic offences. Most procedures are dealt with by a single national agency, the Central Fine Collecting Agency (CJIB) which was established in 1990 and employs some 900 staff.

In the Netherlands, statistically every one of the ten million driving license holders received an administrative fine in 2005, including sanctions for all types of traffic offences.

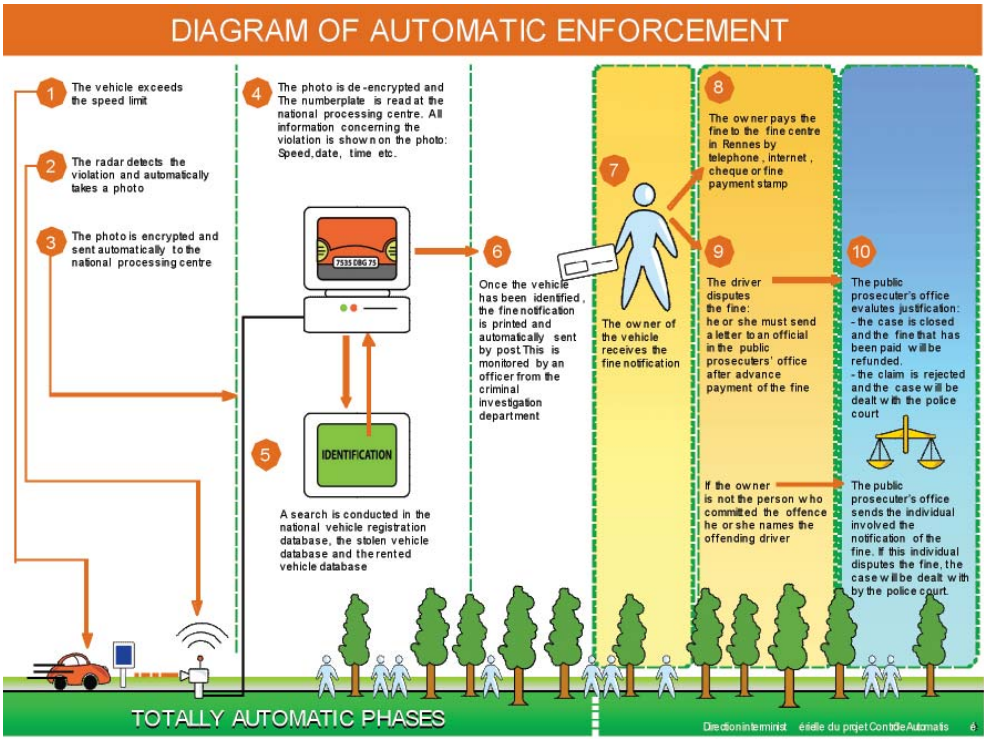
The introduction of the new administrative law enforcement system under the so-called Mulder law led to a shift in workload from the already overworked police and prosecution offices of the county courts to the CJIB. Many offences (e.g. low speeding and seat belt offences) are regarded as small transgressions which can be dealt with administratively without going to court. Once the police have passed on the details of an offence to the CJIB a giro collection form is sent to the offender's home address. In the event of a failure to pay the due amount even after a bailiff is engaged, the CJIB can resort to one of a number of means of coercion. It can withdraw the person's

driving licence (approximately 3% per year), take the person's car out of service or – through a court- have the person sanctioned for failure to pay a fine. The CJIB can also collect out of court settlements for a number of traffic offences. Furthermore the CJIB collects fines once a court has fined an accused person for more serious traffic offences, such as driving under the influence of alcohol or excessive speeding. In this instance the Public Prosecutor's Office sends the particulars of the case to the CJIB, which then collects the fines in question.

In 2005, 10.9 million administrative sanctions for traffic offences were turned over to the CJIB. A total of 85% were dealt with fully automatically and were paid at once, whereas about 5% where paid after the second request. In comparison: in 1990, the first year of the CJIB's existence, 250,000 administrative sanctions were turned over to the CJIB; in 2005, 7.96 million fines were charged for speeding. This increase has also been the result of intensive police surveillance, especially along motorways (SWOV 2005).

Another EU Member State, France, introduced automatic speed enforcement in October 2003, in order to combat the common non-compliance with speed limits. Since then, the manual processing of each fine notification has been replaced by computerised processing. Its main components are: digital video cameras, automated number plate recognition, telecommunications systems for secure image transmission, systems for the automatic consultation of remote database (vehicle registration database to identify the vehicle owner and driving licence database in order to deduct driving licence points). A national processing centre situated in Rennes, run by the Ministry of Interior, was set up in 2004 in order to process the fines issued by all automatic control equipment according to a standardised procedure.

Figure 5: Automated enforcement system in France



Source: Directorate Interministérialle du projet Contrôle Automatiseé France

In France the total of detected traffic offences increased by about 30% between 2003 and 2004, essentially due to the increasing number of speeding offences. Speeding tickets issued on the basis of automated methods more than doubled, those issued on the basis of other methods increased by 16%. As a result, both the level of fines paid and the number of penalty points that were withdrawn have risen dramatically. In 2004 alone, 106 million EUR in fines were paid for speeding offences detected by automated control. While in 2003, 4.5 million points were withdrawn, resulting in 21,000 invalid licences, this figure was 6.4 million points in 2004, resulting in 39,000 invalid licences.

In France the total of detected traffic offences increased by about 30% between 2003 and 2004, essentially due to the increasing number of speeding offences.

2.4.3 Driver or Owner Liability

The main challenge for the follow up of speeding offences continues to be that the owner of the vehicle that can be identified on the basis of the number plate, may not be the driver. In the Netherlands, 100% of fines are paid as the owner has to pay the fine no matter who was driving the car (full owner liability). In other countries such as Poland, follow up relies on driver liability. If the driver differs from the owner of the car, police have to undertake an investigation. Although the appeal rate is under 10% in Germany, those cases take up valuable police time. According to data reported from the Region Baden Württemberg, two-thirds of proceedings are stalled (including non-residents and motorcyclists).

2.4.4 Levels of sanctions

The degree of sanction is also important in deterring traffic offenders. The EC Recommendation states: "sanctions are more severe in the case of repeated serious violations committed by the same offender and that sanctions include the possibility of suspension or withdrawal of the driving license and of immobilisation of the vehicle for serious violations". It is important that the level of sanctions is set according to the risk related to non-compliance. Research has however found that higher sanctions have less of an impact on safety than the level of enforcement (SUNflower 2002). In many EU countries, sanctions are still inappropriate, especially as regards the non-use of seat belts and speeding.

It is important that the level of sanctions is set according to the risk related to non-compliance.

2.4.5 Rehabilitation Courses

In some cases it can also be more effective to impose a remedial measure in combination with a sanction. This is especially true in cases where the offender has a drinking problem and where traditional sanctions would not be sufficient to solve this problem. Some countries run alcolock rehabilitation programmes such as in the region of Haute Savoie in France where the programme is being extended in 2006-2007. The past programme saw a 0 recidivism rate after the end of the programme. If there is no recidivism then there is no judicial sanction and no prison, yet if the offence is repeated the driving license is confiscated and a prison sentence ensues. A further 200 participants took part in the programme in 2006. It lasted six months and took place in the two French regions of Haute Savoie and Savoie. Other departments in France are also being encouraged to participate in taking up this measure. Time and sufficient resources are needed in order to train and manage the technical and psychological parts of the programme.

An in-depth qualitative field trial on alcolocks in four European countries (Belgium, Germany, Norway and Spain) has been conducted. The project, co-ordinated by the Belgian Road Safety Institute (IBSR/BIVV) studied the psychological, sociological, behavioural and practical impact of alcolocks on five groups of thirty drivers including Belgian recidivist drink drivers and Belgian alcohol dependent patients. The data collected and analysed in the project provides an in-depth exploration of people's real life experiences with alcolocks in a European context. All together, the results revealed that it is possible to apply alcolocks in a European context.

Speed awareness courses are being offered to drivers in the UK detected speeding at a limit set by individual forces, as an alternative to prosecution and a likely £ 60 fine and three penalty points on their driving licence. The scheme allows the police to take into account driver history and their risk to others and offers an alternative to prosecution where appropriate. Any driver detected driving at the speed identified as suitable for an alternative to prosecution is offered a course, provided they have not already attended a course in the previous three years.

In some areas of the UK drivers not complying with seat belt obligations have also been able to have the £ 30 fine waived by attending a two-hour seatbelt awareness workshop. The seat belt awareness course explores the benefits of using a seat belt and discusses counter arguments as to why they are not worn.

2.4.6 Penalty Point Systems

With some drivers enforcement will not have the effect of deterring non-compliance with safety rules. These drivers will continue breaking the law unless they are stopped. To single out and discourage repeat offenders, many countries have set up penalty point systems (19 of the 25 EU Member States). Spain and the Czech Republic were the latest countries to introduce a penalty point system in 2006. Both countries report impressive drops in road deaths rates following the introduction of the new systems. Both countries accompanied the introduction of their new systems with an increase in enforcement.

To single out and discourage repeat offenders, many countries have set up penalty point systems (19 of the 25 EU Member States).

However, problems with their implementation still remain to be overcome in different EU countries. In Belgium for example, there is still no central register and no penalty point system. There is no effective system in place to discourage repeat offenders. In Belgium, repeat offenders will not even be recognised unless they have been caught and fined in the same district. In Cyprus problems exist in applying the withdrawal of the licence once all points have been lost. Here there are reports of overly lenient judges who do not enforce the loss of a driving licence due to them being too receptive to the plea of drivers needing their cars for travelling to work for example. This has led to a serious undermining of the functioning of their penalty point system and legislation to make this stricter is currently under consideration.

In conclusion, some countries are moving towards setting up effective follow up systems especially to tackle the priority area of speed. Changes in legislation have also resulted in changes to seat belt and child restraint sanctions. Two new countries have also introduced new penalty point systems. However, a priority must be set in addressing problems such as court backlogs and the difficulties posed by driver liability.

2.5 INFORMATION CAMPAIGNS

The EC Recommendation includes the need to accompany police checks with information campaigns. The EC Consultation also includes this in the section on improving the quality of enforcement. As stated previously, researchers also stress that enforcement must be highly visible and publicised and indicates that it is the drivers' subjective risk of being caught that must be increased if enforcement is to be successful (ESCAPE 2003).

A special campaign was launched "It is Better if I Check Myself Rather Than to be Checked by the Police!

Countries in the EU have continued to be active in this field. In particular countries which have used the impetus provided by new legislation to increase both enforcement and launch an information campaign. In the Czech Republic a special campaign was launched "It is Better if I Check Myself Rather Than to be Checked by the Police!" to raise the issue of the new road safety legislation and introduction of the penalty point system in 2006. The Police Force, Traffic Police Branch increased enforcement activities from when the new legislation came into force. Before that they informed drivers during regular checks by distributing leaflets on the amendments of the Highway Code.

Other countries have involved the local communities in enforcement activities. The Dutch government has launched a new road safety campaign entitled "Travel with your heart". The annual campaign's first phase coincides with the return to school and the second follows up to remind shortly afterwards. Police will be running specific speed enforcement activities focusing on speeding in urban areas on 30 km/h and 50 km/h roads. The main target is the safety of child pedestrians and cyclists and specific high risk sites. The campaign is running TV and radio spots, and a poster campaign. The Dutch road safety organisation *Veilig Verkeer Nederland* is coordinating the running of different campaigns by schools via their regional offices. The 2,000 participating schools are working together with relevant stakeholders such as the local politicians, Police, parents and pupils and raise the interest of the press. The schools are supported with educational materials for children specially developed by *Veilig Verkeer Nederland*. Children will be able to award a sticker to drivers who are keeping to the speed limits and respecting pedestrian crossings.

Campaigns were run in the different EU countries on all three priorities. This includes speed. In Spain a speed campaign was run during a two week period in August. The campaign included a doubling of speed controls by Police and focussed on 2 lane roads. Its slogan was: "Two lanes: twice the care". During this period the Guardia Civil of traffic controlled 1,900 stretches of road and detected 684,706 offences. According to research 75% of fatal crashes occur on the road, this was also disseminated to the public. TV and radio spots, billboards, use of variable message signs and a press campaign supported the work of the Police.

Another speed campaign was run in the UK where the Road Safety Campaign "Think!" launched an anti-speeding campaign to tackle speeding within the 30-40 mph margin and its impact on pedestrians. The slogan is: *'It's 30 for a reason'*. The campaign was developed to counteract the widespread public perception that smaller increases in speed will not have the same repercussions as larger ones. The television ad featured an eight year old girl talking directly to the audience and illustrates the differences between hitting her whilst driving at 40 mph versus hitting her at 30 mph. Ads ran on TV, radio and in the cinema over the summer.

In 2006, the new speed camera system was accompanied by an information campaign called "Sweden's new life-saver"

Sweden communicated the important message about the new fixed cameras that their aim was to save lives and not catch speeders. In 2006, the new speed camera system was accompanied by an information campaign called "Sweden's new life-saver" by the Swedish Road Administration and the police. It consisted of nationwide TV and radio spots, various advertisements and publications.

As well as separate information campaigns, the publication of regular public opinion surveys is also key to gauging public support. In France an opinion survey was commissioned at the end of 2005 that also showed the support for the police's increased speed enforcement. The results of this survey were also disseminated to the media. According to the survey;

- 77% of the French think that automatic speed enforcement is a good tool to improve road safety;
- 72% think that the possibility of making a mistake with the automatic speed enforcement system is zero;
- 80% think that receiving a ticket after being flashed is systematic.

77% of the French think that automatic speed enforcement is a good tool to improve road safety.

The results of this survey show that the automatic speed enforcement system is now well accepted in France and perceived as fair and efficient.

The Eurobob on drinking and driving is still run at a European level. For example in June 2006, Austria launched a new campaign "0.0 for friends" targeting drink driving of young drivers. The aim of the programme is the reduction of fatal weekend-accidents after visits of clubs and bars. Collisions – often caused by drink driving – are the number one cause of death among 18-26 year old drivers.

Another anti-drink driving campaign variation can also be found in Slovenia where it lasts for two months from November to December. This is launched to coincide with the St. Martin's Celebrations

which traditionally are centered on wine. The 2005 campaign was entitled "Waiter, Taxi please" and also included media and police co-operation. Local Police officers spent time going door to door to local pubs to raise the level of understanding of the dangers of drinking and driving with their owners as well as attempting to encourage them to tackle this by for example stopping to serve drunk customers or hiring a mini bus to take them home. Local public transport providers were also encouraged to provide a night service to get revelers home safely. The campaign of enforcement was also launched the day before.

Finland has a similar message with a drink driving campaign carrying the slogan "If you drink alcohol, then take a chauffeur for the trip home". It started in 2004 and will last until the end of 2007. It uses radio and TV spots, the internet, newspapers and outdoor advertising. The slogan was also disseminated in pubs and cafes.

As the new European legislation on seat belt and child restraint use came into force across the EU in 2006, thirteen EU countries (Slovenia, Czech Republic, Poland, Portugal, Finland, Germany, Spain, Austria, The Netherlands, Lithuania, Italy, Luxemburg and Belgium) have participated for the second year running in the armadillo campaign. The Belgian Road Safety Institute which is coordinating the EU armadillo campaign stresses the importance of multiplication and exchange of best practice between different EU countries.

Plenty of countries continue to run excellent information campaigns which are linked to increased and targeted enforcement by the police. However not all countries run campaigns and those that do, do not necessarily run them on all priority topics. This area has plenty of best practice examples in other countries from which inspiration can be drawn.

2.6 CONCLUSIONS AND RECOMMENDATIONS

In conclusion the EC recommendation continues to make some impact in the EU countries that ETSC has surveyed and summarized in the last year. However the progress that needs to be made in order to contribute to reaching the EU target is not high enough.

In the area of speeding fixed camera networks continue to be rolled out in different countries. As a result of this, average speeds are coming down. Particularly impressive is the analysis from France of their reduction in deaths directly due to the installation of speed cameras. Different countries such as Sweden are doing their best to publicize the introduction of new fixed cameras. New practices such as section control continue to be extended as a way to tackling speeding especially in motorways and in tunnels.

As regards drink driving, only one country has changed its legislation to introduce random breath testing, namely Ireland. The only change in the past year has been the increasing number of checks in most of the countries surveyed. In some of these countries the increase has been substantial.

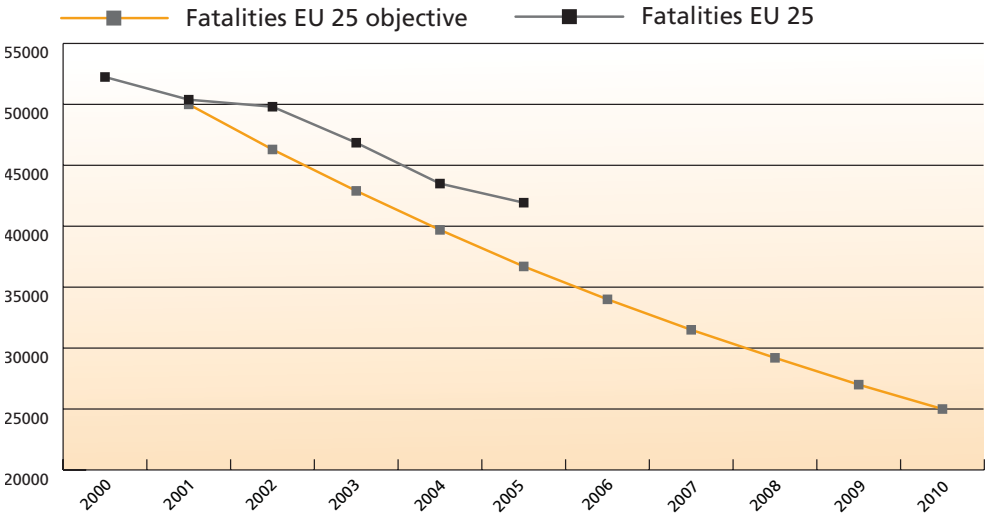
All EU countries have seen a change this year in seat belt and child restraint legislation introduced through the transposition and implementation of a new Directive. Its enforcement has caused some challenges to the enforcers such as seeing into a truck cab and ensuring the right child restraint for the right child. Moreover, the number of countries participating in applying best practice seat belt enforcement is increasing. The level of seat belt wearing is tending to increase.

As far as the follow up of offences some countries have been setting up effective follow up systems especially to tackle the priority area of speed. Sweden is the latest country to introduce a fully automated system to follow up speeding offences. Several countries have also introduced penalty point systems which will contribute to tackling recidivists. The levels of sanctions have also changed in many countries, particularly in light of the changes to seat belt and child restraint legislation. Yet as previously, a priority must still be set in addressing court backlogs and the difficulties posed by driver liability.

Countries continue to run innovative information campaigns which are linked to increased and targeted enforcement by the police. Yet the quality and focus of the campaigns are not all uniformly right or necessarily targeted. This is an area where countries can definitely learn from best practice examples in other corners of the EU.

If current progress continues the EU will only reach a 35% reduction and not 50% by 2010 as planned. In its Recommendation on enforcement (2004), the European Commission committed itself to proposing a directive in case this objective was not achieved.

Figure 6 Road death reductions in the EU-25 compared with the target.



Source: CARE

Finally, in light of the recent EC consultation on possible legislation from the EU, ETSC would especially support the adoption of Best Practice as presented in the EC Recommendation in the three areas of speeding, drink driving and seat belt use as well as information campaigns and the follow up of offences.

In particular ETSC continues to support the following recommendations directed at Member States.

2.6.1 General

- Prepare enforcement plans with yearly targets for compliance in the areas of speeding, drink driving and seat belt use.
  In the long run Member States should strive to achieve 100% compliance with the legislation. According to ETSC "there need be no contradiction between a far-reaching long-term vision or philosophy and a challenging but achievable, and thus necessarily more modest, shorter-term target associated with a strategy for the foreseeable future" (ETSC 2003).
- Ensure that enforcement through new technologies does not diminish the important role of the police officer as a deterrent presence on the roads.
- Stick to a '0 Tolerance' approach to enforcing the three priority areas of road safety legislation, as in France.

2.6.2 Speeding

- Conduct mobile checks to deter speeding across the network.
- Use both stationary camera equipment and section control in places where speeding causes a high level of accidents.

- Channel revenues from camera enforcement back into road safety work.
- Collect speeding rates for all types of road three times a year, based on the example of France.

2.6.3 Drink driving

- Set a legal BAC limit of no more than 0.5 mg/ml.
- Introduce targeted breath testing to complement enforcement based on suspicion. This would allow roadside breath testing of anyone driving within a defined location for a defined period of time. This would give the Police extra scope to target drink-driving hotspots, and would increase the perceived likelihood of getting caught, which is a major deterrent to drink driving. This should also be supported by the introduction of evidential roadside breath testing.
- Systematically allow for the testing of drink driving in all Police checks relating to driver behaviour.
- Introduce obligatory testing for alcohol in all collisions dealt with by the Police.
- Collect quarterly rates of drink driving, based on the example of Finland and Estonia, and/or rates of traffic deaths from accidents involving drivers over the limit.

2.6.4 Seat belt use

- Conduct intensive actions of 1-4 weeks, which must take place at least twice a year.
- Collect yearly seat belt wearing rates for the various road and occupant categories (driver, front and rear passengers).

2.6.5 Follow-up of offences

- Work towards a low level of appeals for fixed penalties for speeding violations.
- Introduce a set of fixed penalties for minor speeding and seat belt offences.
- Include speeding and seat belt wearing offences in penalty point systems, where they exist.
- Promote the introduction of effective penalty point systems.
- Introduce rehabilitation programmes to address recidivism in case of drink driving and speeding.

2.6.6 Information

- Publish the results of dedicated enforcement actions on the relevant Police websites.
- Prepare an annual enforcement and information campaign calendar with all key actors including actions in all three areas (speeding, drink driving, seat belt use).

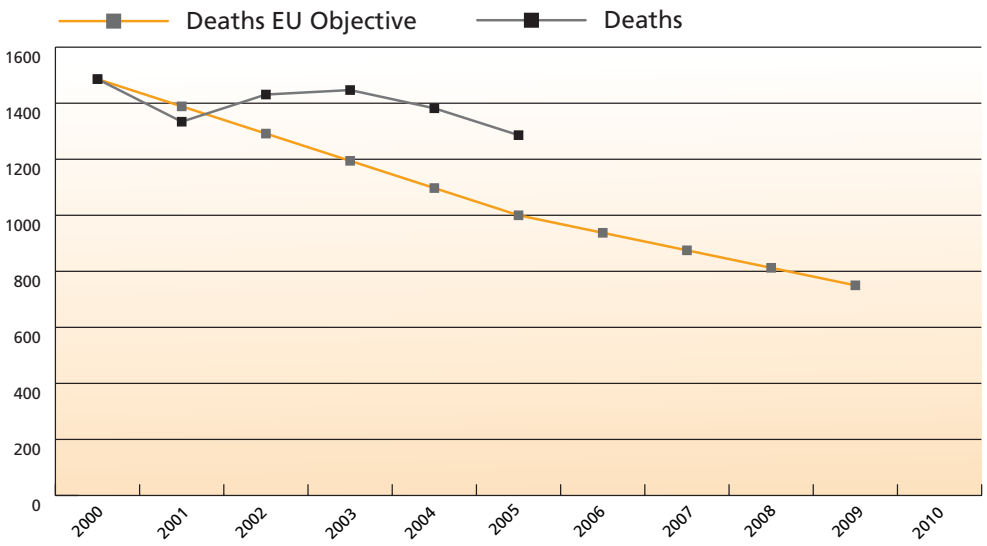
2.6.7 Cross Border Enforcement

- Continue the implementation of the Recommendation and set up Enforcement Co-ordination Points to ensure that serious or repeated offences committed by non-resident drivers are reported and followed up accordingly.
- Transpose the Council Framework Decision on the Application of the Principle of Mutual Recognition to Financial Penalties (2003) (COPEN 24).

Part II
Country Files

The second part of this report presents an update of road traffic enforcement in ten of the Member States including Czech Republic, Cyprus, Italy, Finland, France, Greece, the Netherlands, Slovenia, Spain and Sweden. This covers changes in legislation, enforcement and data where available for 2004-2005 with specific recommendations for improvement.

3 Czech Republic



General Road Safety: Stronger enforcement has been attributed to the falling trend of road deaths in the Czech Republic. This has reached the level of 1286 deaths in 2005. The rate has been dropping since 2003, but there is still a way to go to reach the 2010 target set in the National Road Safety Strategy in 2004 to "have no more than 650 fatalities on Czech roads in 2010". New legislation that came into force on 1st of July 2006 has led to further progress. An expert group on road safety was set up in 2003 under chairmanship of the Ministry of Transport and developed the National Road Safety Strategy. At present the Ministry of Transport is responsible for drafting new legislation in the field of road safety. The Ministry of Interior is responsible for implementation of the road traffic law.

Traffic law enforcement is undertaken by the police at a regional, district and municipal level. Broad outlines as to priorities are included in the National Road Safety Strategy. A National Enforcement Plan is drawn up by the Ministry of Interior which includes general actions and specific outlines for the following year. The Police Enforcement Plan takes the priorities of the National Road Safety Strategy into account. These priorities are then assessed and implemented by a total of eighty District Commanders. Enforcement priorities include drink driving, speeding checks and seat belt wearing. The Municipal Police, which is not part of the national police force body, also have new limited rights to enforce traffic laws and local regulation.

Further progress has been made in reducing deaths with the introduction of a new 12 point demerit system which came into force on 1st July 2006. Penalty points were set for speeding, drink driving and non seat belt use offences. Much higher fines were introduced with the lowest fine being set at 1,500 crowns (approximately 50 EUR). Police are also able to confiscate the driving license on the spot for serious offences. Other changes involved making driving under the influence of alcohol of over 1.0 a criminal offence. The new act also proposed a number of additional safety measures such as the mandatory daytime running lights throughout the year and the compulsory use of child restraint systems on all types of road. The Czech Republic saw a significant increase in the number of sanctions but also a decrease of fatalities for the period following the introduction: July-September from 298 deaths in 2005 to 246 deaths in 2006.

Speed: Speeding is one of the main issues treated in the National Road Safety Strategy. Speed limits are supported through infrastructure and enforcement. Municipalities are responsible for setting their own local speed limits. Speed enforcement will also change with the new legislation. This includes the greater use of safety cameras. Municipalities may place fixed and mobile safety cameras. The responsibility will also be introduced for the municipal police to stop and fine for speeding offences in urban areas. Collected revenue from the fines will not be ear-marked for road safety work. Problems

are more than likely to arise as there is currently no system to enable co-ordination between the municipal police and national police for speed enforcement activities. Moreover guidelines as to where to place fixed cameras and conduct mobile controls are not in place either. Careful efforts must be made to ensure mutual support of efforts in urban areas where both police forces will be active.

National police currently use 300 speed measuring radars and three section control systems to check speed. They focus their speed enforcement activities on high risk accident sites, stretches of roads where speeding occurs as well as at times when speeding occurs. There is currently no clear overview of the number of planned speed measurement devices (fixed and mobile) to be used by the Municipal authorities. Speeding continues to be a priority for enforcement as it was responsible for 461 road deaths in 2004 and 481 in 2005. Drivers continue to speed: 29% non-compliance with urban speed limits in 2004 and 34% in 2005. Offences increased to 477095 in 2005. There was a 17% non-compliance (2004) over 90 km/h on rural roads in 2004 and 21% in 2005.

Alcohol: A 0.0 level has been in force for all drivers since before the 1970s. New legislation will see a steep increase in fines and introduction of penalty points for drink driving. Alcohol checks are undertaken randomly and on suspicion by the traffic police. These checks are taken at high risk accident sites close to bars and restaurants at all times including prime times such as at night and at the weekend but also in the week and in the mornings. Drink driving offences dropped by about 5000 to 15 077 in 2005. Alcohol was responsible for 98 road deaths in 2005.

Seat belts: Seat belt wearing is one of the enforcement priorities in the Czech Republic. New legislation came into force which also included provisions for enforcing the use of child restraints. The Road Safety Plan also indicates a new priority that particular attention should be paid to seat belt wearing in urban areas, to rear seats and to child restraints. A special campaign involves being in touch with the pregnant women via the hospital about child restraint and seat belt requirements. This contact is maintained via the family doctors and information is continued to be given about proper restraint methods.

Enforcement of seat belt wearing is undertaken in combination with other checks and not separately. If a non seat belt wearing offence is identified alongside another traffic offence, the driver is charged with the offence carrying the highest sanction. Non use of a seat belt carries a new fine of approximately 50-83 EUR and the loss of two penalty points. Seat belt use has increased in all areas between 2004 and 2005 (urban roads: drivers 68%, passengers 69%, rural roads: drivers 75%, passengers 75%).

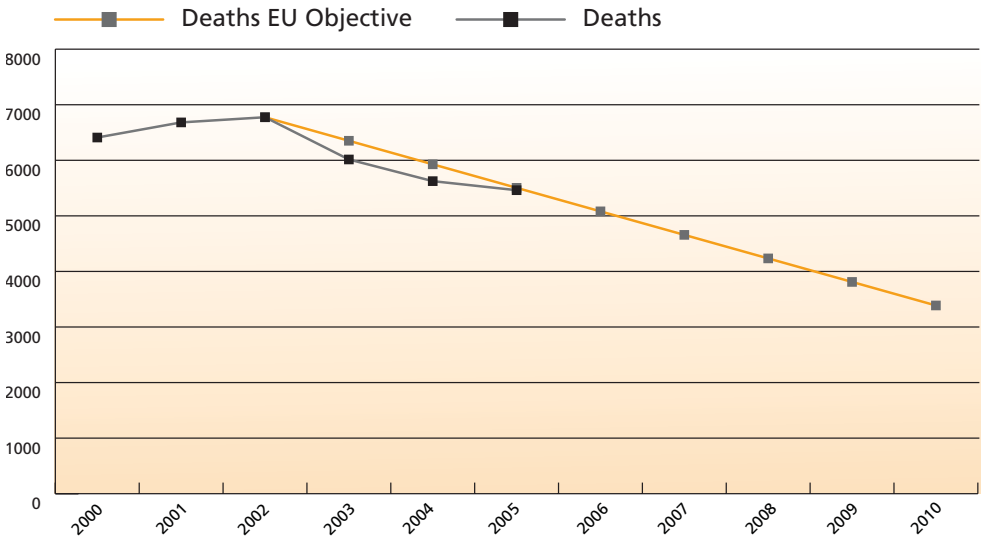
Information: Nationwide campaigns on drink driving, speeding and non-seat belt use are conducted annually by the Ministry of Transport, the Ministry of Interior and the Police. These campaigns are run in conjunction with increased police enforcement. These include winter "Do not drink while you drive" campaigns, "For a Life on the Road – Buckle Up!" seat belt wearing campaigns focusing on the rear seats and child restraints and speeding campaigns including : "50 makes sense". In 2005 a campaign was run targeting child seat belt and restraint use as part of the EU Euchires campaign. Also in 2005 the first designated driver campaign was launched promoting the idea that one person should not drink anything. A follow up anti drink drive campaign was launched in 2006 run under the slogan: 'Let's Agree on' ('Domluvme se').

A special campaign was launched "It is Better if I Check Myself Rather Than to be Checked by the Police!" to raise the issue of the new legislation and introduction of the penalty point system. The Police Force, Traffic Police Branch increased enforcement activities from when the new legislation came into force. Before that they informed drivers during regular checks by distributing leaflets on the amendments of the Highway Code.

Recommendations:

- Keep up the profile of the penalty point system well after it has been introduced with police enforcement linked to campaigns to ensure that the momentum is kept high.
- Implement a new national and municipal co-ordination mechanism to manage the fixed camera network.
- Conduct separate blitz campaigns to enforce seat belt and child restraint use.
- Ensure that all fines, including unpaid ones are followed up through the judicial system.
- Introduce full owner responsibility for the follow up of speed enforcement offences.

4 Cyprus



General Road Safety: Cyprus has introduced two new important changes in legislation and enforcement practice in 2006 in the areas of speeding and drink driving. A new limit of 0.5mg/ml was introduced taking the level down from 0.9mg/ml. Also a new speed management system with fixed cameras was rolled out.

Enforcement continues to be coordinated through the Traffic Department of the Police who have the main responsibility in Cyprus. Cyprus also has a Council of Road Safety which meets every 2-3 months to co-ordinate road safety activities. The Council is chaired by the Minister of Communications and Works and comprises of: Police, Ministries of Health, Education, Finance, Internal Affairs, the Department of Road Transport, the Department of Public Works and the Cyprus Scientific and Technical Chamber. The Minister of Justice and Public Order attends the meetings. The Council has six sub-committees of which one deals with enforcement. Cyprus's second strategic Plan for Road Safety for the period of 2005-2010 is being implemented.

Enforcement in all three priority areas has increased substantially between 2004 and 2005. Enforcement has doubled for speeding, nearly doubled for drink driving and has increased by half for seat belt checks.

Every year an enforcement plan is drafted by the Police Traffic Department with guidelines on enforcement priorities. This is then implemented within the six provinces of Cyprus by the local traffic branches. Increased enforcement activities for speeding, drink driving and seat beat and crash helmet use were launched in 2002. Enforcement particularly targets young drivers due to high accident rates.

Speed: New legislation which enabled the roll out of new fixed and mobile camera system was introduced in autumn 2006. The new legislation also demands warning signs ahead of the camera.

In autumn 2006, Cyprus introduced 27 fixed red light cameras, 6 fixed speed cameras and 7 mobile speed cameras. The red light cameras also monitor speed violations. This is the first pilot phase of a five year project during which about 440 units will be installed. The fixed cameras have been installed at high accident risk locations mainly in urban areas. The mobile speed cameras will be used at high accident risk locations on the main road network in urban areas and in the country. Speeds were monitored at points where cameras were introduced. Difference in speeds will also be communicated to the public after the installation of the cameras. The introduction of the camera

scheme was accompanied by a speed enforcement campaign as well as a two week grace period before enforcement commenced. Cameras not only monitor speed limits but also speed and red light violations at intersections. The legislation demands that warning signs are placed ahead of the cameras. It also states that the owner of the vehicle violating the law is responsible to identify the driver who committed the violation.

One Variable Message Sign is currently in use, however the potential to communicate on road safety issues such as speeding is not being maximised. More are planned with new motorway development. Enforcement is targeted to high risk accident sites.

Speeding offences doubled between 2004 (57,946) and 2005 (106,217). A total of 17 deaths were attributed to speeding in 2004 and 20 to speeding in 2005.

Alcohol: In Cyprus the legal blood alcohol level was reduced to 0.5 mg/ml from 0.9 mg/ml in March 2006. A special 0.2 mg/ml BAC limit for new drivers (first three years), HGV drivers, drivers of vehicles carrying dangerous goods, drivers of taxis and motorbikes will be considered in a second phase.

With the introduction of the new BAC limit drink driving enforcement was massively increased by 150%. The new limit was preceded by a one month long information campaign. This was then followed by intense enforcement. Random and evidential breath testing is undertaken. The Police also have three new roadside testing devices at their disposal. Drink driving enforcement is carried out at all times but is more frequent during evening, night time and early morning and at high risk accident sites, especially on Friday and Saturday nights. A bill has been proposed to double on-the-spot fines for alcohol and is still pending in the House of Representatives at the time of writing.

The number of drink driving checks nearly doubled from 39060 in 2004 to 71149 in 2005. Offences detected went up from 1059 in 2004 to 1470 in 2005. The percentage of deaths attributed to drink driving was 7.3% (8 deaths) in 2004 and 21.3% (20 deaths) in 2005.

Seat belts: Cyprus is preparing to adopt the requirements of the new EC Directive on the extension of the compulsory use of seat belts on trucks and buses as well as the compulsory use of child safety restraints. It will also add the obligation for all bus companies to install safety belts where this is technically possible, thus going beyond the EU requirement.

Currently, between two and four penalty points can be given for non use of seat belts and in exceptional circumstances the police officer may also use their discretion to issue a warning.

Seat belt checks are undertaken separately and in combination with other checks on all roads at all times. The shift in focus is now to enforcing rear seat belt wearing rates.

Seat belt offences also increased from 11,706 in 2004 to18,042 in 2005. A total of 30 of 62 deaths in 2004 were linked to non seat belt use and a total of 40 of 54 deaths in 2005.

Follow-up of offences: All detected alcohol and seat belt offences are followed up. Sanctions are given according to severity and previous convictions are taken into account. For speeding offences detected by safety cameras, the legal responsibility will rest with the owner of the vehicle where recognition problems arise. Speeding sanctions in the form of a letter are handed over personally to the offender by the Police which currently take up a lot of police time. A bill has been proposed for allowing the posting of the letter and the approval by the House was imminent at the time of writing.

Road safety lectures have been organised by the Police for young traffic offenders with 9 or more penalty points. At the time of writing a bill was being drafted by which road safety lectures would be offered to offenders with 8 or more points in exchange of penalty points.

Another part of the new drink driving legislation allows police to arrest those who are over old legal BAC limit of 0.9 mg/ml (now 0.5 mg/ml) and take them into overnight police custody. A new proposal is being developed for the automatic withdrawal of the driving licence after the maximum of 12 points are lost. This should address the increasingly urgent problem of overly lenient judges who do not enforce the loss of a driving licence on the plea of drivers needing their cars for travelling to work for example. This has led to a serious undermining of the strength and functioning of the penalty point system.

A bill has been proposed to double the fixed fine for non use of seat belt, alcohol, helmets, mobile phone use and speeding. At the time of writing, it was still pending in the House of Representatives.

Cyprus faces a problem in following up the traffic behaviour of tourists. With a population of 750,000 there are 2.3 million visitors every year. In 2004, 8.5% of the deaths fatalities were tourists while in 2005 they were 4.9%.

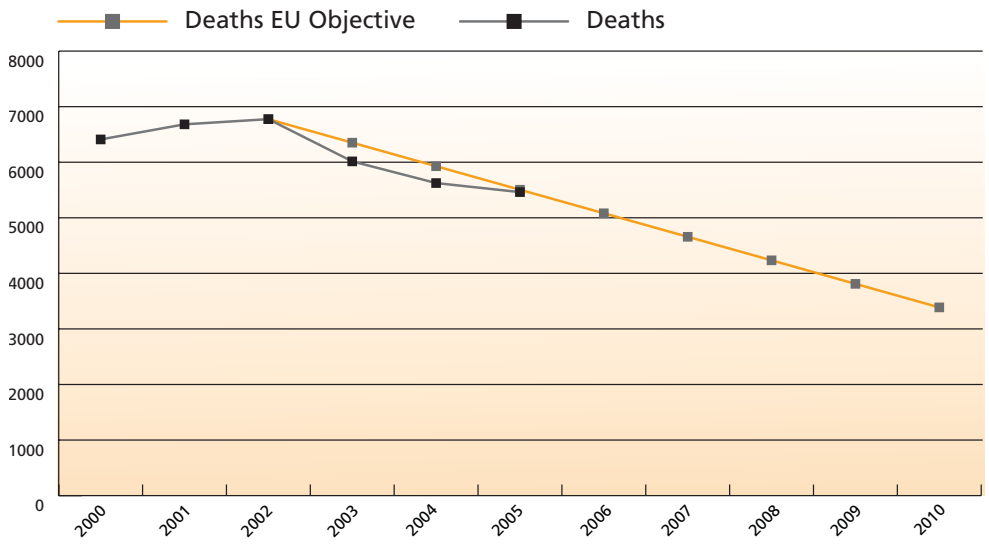
Information: Campaigns are run by the Traffic Department of the Police with the media. Since the start of 2005 regular twice yearly campaigns focusing on seat belt use, especially the rear, speeding and drink driving are ran in conjunction with increased enforcement by the police. TV spot campaigns are run on the priority topics. Spots are also shown in the cinemas and also within the framework of driver education. In addition, short and long term publicity campaigns are launched in cooperation with NGOs. The themes of those publicity campaigns concern various road safety issues such as children restraint systems and measures for improving young driver behaviour. Furthermore, the police organises lectures and presentations on a daily basis for schools and organised groups.

Enforcement campaigns are also linked to the European calendar of campaigns co-ordinated by TISPOL. Drivers are informed by appropriate warning signs of the presence of fixed safety and red light cameras. Cyprus has a Road Safety Park, which is located next to the Police Headquarters in Nicosia, inaugurated in autumn 2004. A mobile unit reaches primary schools in distant rural areas.

Recommendations:

- Further extend the fixed camera network and increase speed checks at high risk sites.
- Maximise the impact of the new speed enforcement devices in communicating the difference in speeds and casualty reductions to the public after the installation of the cameras.
- Introduce a new special 0.2 mg/ml BAC limit for new drivers (first three years), HGV drivers, drivers of vehicles carrying dangerous goods, drivers of taxis and motorbikes in a second phase to the reduction to 0.5 mg/ml.
- Ensure the automatic withdrawal of the driving licence after the maximum of 12 points are lost to ensure homogeneity in the enforcement of following up of traffic law offences and strict application of the penalty point system.
- Focus police enforcement to sanctioning disqualified drivers if they have lost their licence, to ensure the strict application of the traffic law and support of the public.
- Invest in public transport to ensure an alternative to private car transport.
- Maximise the impact of the new drink driving limit of 0.5 mg/ml BAC by communicating the casualty reductions to the public.
- Introduce a system to deter tourists from committing traffic offences and to encourage them to comply with the traffic law.

5 Italy



General Road Safety: Italy set a target in 2002 for 2007 to reduce the number of deaths by 40% as compared to the average over the previous three years. This was then revised to take up the EU objective of a 50% reduction in deaths by 2010 based on the year 2002 (6,739 deaths; 341,660 injuries).

Central government retains the responsibility of planning for the road network, developing traffic regulation, guidelines and public information concerning reduction of accidents. The Ministry of Transport and Infrastructure, the Ministry of Interior and the Ministry of Justice are responsible for road traffic legislation, enforcement regulation and traffic police forces management. As part of devolution a large part of the management of the national road network and enforcement of road safety has been transferred to the regions.

A National Road Safety Plan was established in 2002-2007 (the plan was adopted in November 2002) to integrate organizational capabilities of both national and decentralized subjects responsible for road traffic and safety. A National Road Safety Council including the Ministry of Transport and the National Council of Economics and Labour was set up and its secretariat is co-ordinated by RST[2]. It is responsible for following up the implementation of the Road Safety Plan. An evaluation of the implementation of the National Plan is being prepared by RST in 2007.

The in 2002 elaborated priorities for road safety also included a separate priority on enforcement both in general and in particular areas such as speeding. However there has been little progress in the planned establishment of sectoral monitoring centres. There has been progress at a secondary level as the police has been investing in new technical instruments (equipment). The municipal and local traffic police have not as of yet been either strengthened or re-organized.

Annual programmes to implement the objectives set out in the 2002-2010 plan were elaborated for the years 2003 and 2004. However the plan for 2005 and 2006 has not been realised due to serious lack of budget. In case of an allocation of sufficient budget the programme could be adopted for 2007 and implemented by 2008. This slowdown in momentum due to budgetary restraints and lack of political will to allocate resources is resulting in a loss of valuable momentum which had been achieved with the introduction of new road safety legislation.

[2] RST is a consultancy realizing studies, analysis and developing projects on behalf of public bodies in the field of transport and mobility.

There has been no change in the police structures in Italy. The national police in Italy are made up of the State Police, including the National Traffic Police, the *Carabinieri* (body of the Italian army) and Municipal Police. Outside of urban areas the National Traffic Police are responsible for road traffic enforcement, analyzing accidents, regulating traffic and are managed by the Ministry of Interior.

At present reliable data only exist for checks and offences collated by the National Police. These are analyzed by the Italian National Institute for Statistics (ISTAT) on an annual basis. A Convention has been agreed with ISTAT and the counties on collection and contribution of data to ISTAT. So far 20 of the 104 counties have signed. The Road Safety Council has set up a Working Group charged with considering how to improve data collection in Italy and deal with underreporting. Municipal police forces fill out their own sanctions register but a common databank to collect these does, as of yet, not exist. A project is being prepared to realize both the software and co-ordination of such a database by the Ministry of Interior. The Superior Institute of Health collects and analysed drink driving accident data which is then also used in campaigns. The new National Health Programme launched in 2006 requires the collection of cause of death on entry into the hospital, in case of the coronary report and also recording the details as to the crash based on information given during the emergency call (118 in Italy). Data is collected from emergency rooms from the hospitals. There is a particular focus in collecting data about young drivers and their use of alcohol and drugs.

As in previous years, annual guidelines are published by the Ministry of Interior for the National Police and the *Carabinieri* providing targets for increasing enforcement activities in the field of road safety with the aim of reducing fatalities. These set an operational framework and prescribe the use of different enforcement technologies. No national enforcement plan for all of Italy's police forces exists nor is planned.

Speed: During the summer of 2006 the newly elected Minister for Transport, Alessandro Bianchi, suggested that the Government reduce the current speed limit of 130 km/h on the most dangerous stretches of the motorway network and during the night hours. There has been no concrete follow up so far.

Italy employs a mixture of mobile, laser and fixed camera devices to enforce speed limits. The State Police currently use approximately 700 mobile and fixed camera systems, 166 on-board patrol cars and 190 lasers. The National Traffic Police work with a total of 94 fixed cameras. Although this is not the total number as fixed speed cameras continue to be installed by local authorities as well. There is still no record of how many fixed cameras are currently in use throughout the different municipalities in Italy.

Section speed control by the State Police and Autostrade per l'Italia S.p.A. (the private company responsible for Italy's motorways) has been extended in summer 2006 to 24 other high risk stretches of the Italian motorways. The system checks a vehicle's average speed in a section of approximately 15 km. If the average speed indicates a violation of the speed limit a speed ticket is issued. Section control is now in operation on 360 km of the Italian motorway network. In addition to the extension of the section control, the summer has also witnessed the introduction of speed cameras in road work zones, areas that had shown a higher than average accident rate. Both in the case of section control and of work zones, the presence of speed cameras is communicated to the drivers in order to encourage them to slow down.

A new automated follow-up system for speed offences on the motorways has been set up by the company managing Italy's motorway system Autostrade per L'Italia. State Police need only be used in the back office function in checking the identity of the driver with the driving licence database. This has freed up police capacity for checking other offences.

State Police now regularly communicate to the local and national media where and when speeding checks will take place. They also explain to the press the rationale for speed enforcement with the aim of deterring offenders and encouraging speed compliance.

Offences for speed remained quite constant at 918,634 in 2005 down from 959,082 in 2004.

Alcohol: There has been no recent change in drink driving legislation. In Italy, the legal blood alcohol level is 0.5 mg/ml. The new penalty point system attributes the highest sanction possible to a drink driving offence. Moreover the driving licence can be suspended for between 15 days and three months. Re-testing is necessary to retrieve the driving licence. This process also includes checking to determine alcohol dependency.

Alcohol Enforcement: There has been no change in the enforcement of drink driving which is undertaken both random and on an evidential basis. Random breath testing was introduced in 2003. Drink driving enforcement is carried out during evening, night time, early morning and at other times as well. Enforcement focuses on high-risk roads near discos and bars and on other roads. In the absence of breath testing devices the report of a policeman based on the driver's drunken behaviour is sufficient to charge an offender for drink driving. An increase is planned in the number of devices so that they are available for every patrol car for random tests.

Figures are only available for the checks undertaken by the Traffic Police and the Carabinieri. A total of 148,127 checks were taken in 2004 and this increased to 188,540 in 2005. A total of 39641 offences were detected for 2004 and 35703 in 2005.

Seat belts: The new EU directive has been transposed and has been in force since May 2006. This includes compulsory seat belt wearing in buses and coaches in rural areas and on motorways. This also is extended for truck and taxi drivers in all areas. Exemptions for other services such as police, army, firemen and ambulance drivers no longer exist apart from in emergencies, such as high speed pursuits. In the case of buses and coaches in rural areas and on the motorways the responsibility for seat belt use rests with the driver apart from if the vehicle is part of public transport. A problem has arisen with commuter buses forming part of the public transport network which travel on different roads from rural areas into the urban areas. Here it is unclear which law applies. The extension of child restraints has also been introduced according to the provisions of the EU directive. The responsibility lies with the parents.

Seat belt checks are undertaken in combination with other checks on all roads at all times. Separate blitz actions continue to be carried out annually. Numbers of seat belt offences dropped from 233,470 in 2004 to 35,703 in 2005 (figures only available for the Carabinieri and the Traffic Police). However no special enforcement actions accompanied the introduction of this new legislation. Seat belt wearing rates are not monitored regularly due to budgetary deficiencies.

Follow-up of offences: Both criminal and administrative sanctions apply. All detected alcohol and seat belt offences are followed up. Sanctions are linked to the seriousness of the offence. For speeding offences, the legal responsibility rests with the driver where recognition problems arise.

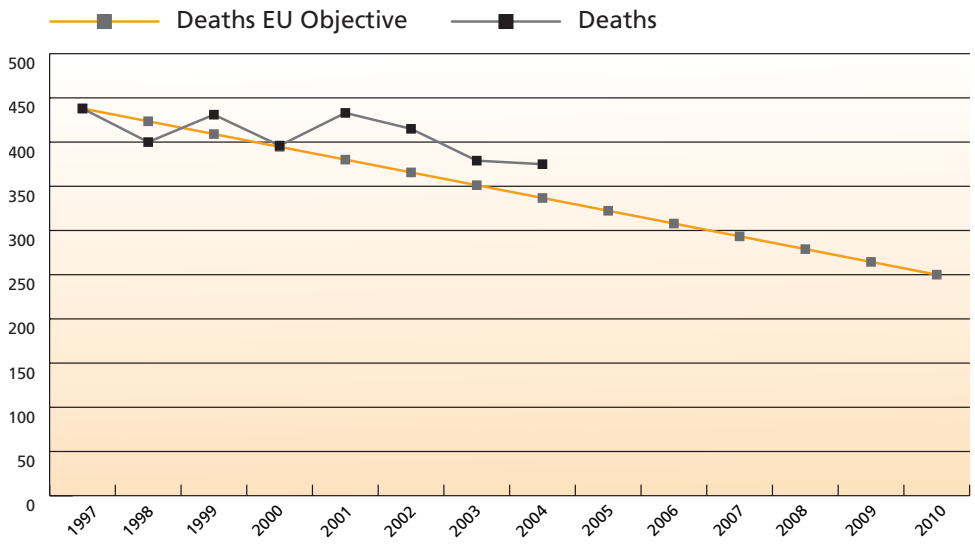
Information: The presence of automated speeding cameras and mobile camera speed checks are indicated on the roadside. State Police now regularly communicate to the local and national media where and when speeding checks will take place No special campaign was carried out in conjunction with the introduction of the new seat belt legislation. A new drink driving campaign was run in 2005 and 2006 targeting young drivers (the name of campaign is "Guido con Prudenza"). As an

incentive for not drinking and driving free entry to discos was given (by State Police) in exchange for evidence of being sober after a breath test. The Italian National Traffic Police and Carabinieri also participate in TISPOL's increased enforcement campaigns. Some local authorities also carry out road safety campaigns but their frequency, focus and intensity depends on the local government. TV spots from other EU countries which were collected at the Austrian EU presidency's informal Council on road safety in March 2006 focussing on speeding, drink driving and seat belt use have been shown on the public TV channel during summer 2006. However, these spots have not been run in conjunction with increased enforcement.

Recommendations:

- Allocate sufficient budget to implement the Italian Road Safety National Plan.
- Coordinate data collection to enable data-led enforcement on the three priorities: speeding, drink driving and seat belt use.
- Increase fixed camera network on non motorway network.
- Monitor speed compliance.
- Increase drink driving checks.
- Run new national campaigns linked to enforcement related to the three areas of speed, drink driving and seat belt use.

6 Finland



General Road Safety: Finland has a Vision Zero policy and sets targets for a minimum number of deaths. In 1997, under the chairmanship of the Ministry of Transport the "Consultative Committee on Road Safety" was set up to develop the new "Road Safety Programme 2001-2005". This Committee was also made up by members of the Ministries of Justice, Interior, Environment, Education and Health; the National Road Association and other actors. In 2005, a new "Road Safety Programme 2006-2010" was published. It states that "road safety has not improved to the extent desired" and sets a target to reduce the number of people killed in traffic to 250 in 2010.

Enforcement is carried out by the local police, the National Traffic Police and by other authorities, customs and border control. There are two national enforcement plans linked together: one strategy plan for the coming four years which covers speeding, drink driving and seat belt use as well as an annual operative plan which coordinates the country wide enforcement actions.

Speed: In Finland a mixture of mobile and fixed camera devices as well as in-car/hand held radars and laser guns are used to enforce speed limits. Measures to increase automatic traffic surveillance are contained in the traffic surveillance development programme for 2005-2007 published jointly by the Ministry of Transport and the Ministry of Interior. In the recent years, the automated camera system was further extended from covering 800 km road network in 2005 to 1400 km by the end of 2006. This would be 2% of the main roads. Camera surveillance on the non-urban areas new enforcement sections has led to a permanent reduction of 80% in extremely serious speeding, and 70% in speeding of over 10 km/h. Speeding offences are being penalised by both fixed fines (70-115 EUR) and day-fines. In the last-mentioned case the number of the day-fines (from 1 to 120) is based on the seriousness or severity of the offence while the amount of one day-fine depends on the income of the offender. This results in some cases, when a high income driver commits a very serious offence, in high fines of up to 100,000 EUR or more. Currently there is also a debate in the Parliament to simplify the procedure for fixed fines in order to accelerate the sanction process. Moreover, since April 2006 the police is allowed to send a ticket to the owner of the vehicle in terms of speeding offences. If the owner was not the driver at the time of offence, he/she must inform police about that. Then the police have to start normal criminal investigation and solve out who the driver was. Moreover, Finland is one of Europe's pioneers in giving trials on Intelligent Speed Adaptation (ISA) and building up a digital database on speed limits.

Alcohol: Random testing is undertaken on all types of roads and mainly at times and places with increased risk. Evidential breath testing equipment has been tested but is not yet in general use

in Finland. However; checks are also carried out irrespective of the risks, i.e. truly "randomly". Approximately 1.4 million tests are undertaken annually. In 2005, altogether 0.15% of drivers drove under the influence of alcohol (i.e. BAC >0.5 mg/ml), compared to 0.21% in 2003; which is one of the lowest rates in Europe. Approximately 1/5 of road deaths are related to drink driving. Moreover, Finland has started an alcohol-interlock rehabilitation programme for drink driving offenders in summer 2005. Drink driving offenders are offered the possibility of taking part in the trial and then receive a temporary "alcolock driver's licence". In July 2005, a three year trial on alcolocks started. In case of a drink driving offence, the court may impose a one year period of alcolock controlled driving instead of a driving ban. The police monitor the driver's progress by downloading the data from the alcolocks memory.

Seat belts: Seat belt checks are undertaken both separately and in combination with other checks and are mainly carried out on secondary and urban roads. There have also been some special periods for safety belt enforcement where the communication of the police activities are combined (e.g. TISPOL operations). In November 2005, a proposal on the use of seat belts was presented to Parliament. The proposal is an implementation of the corresponding EU-directive on the use of seat belts. Seat belt wearing rate is about 92% for front seats of passenger cars and 78% for rear seats in 2005. This percentage has remained relatively stable since the 1990s.

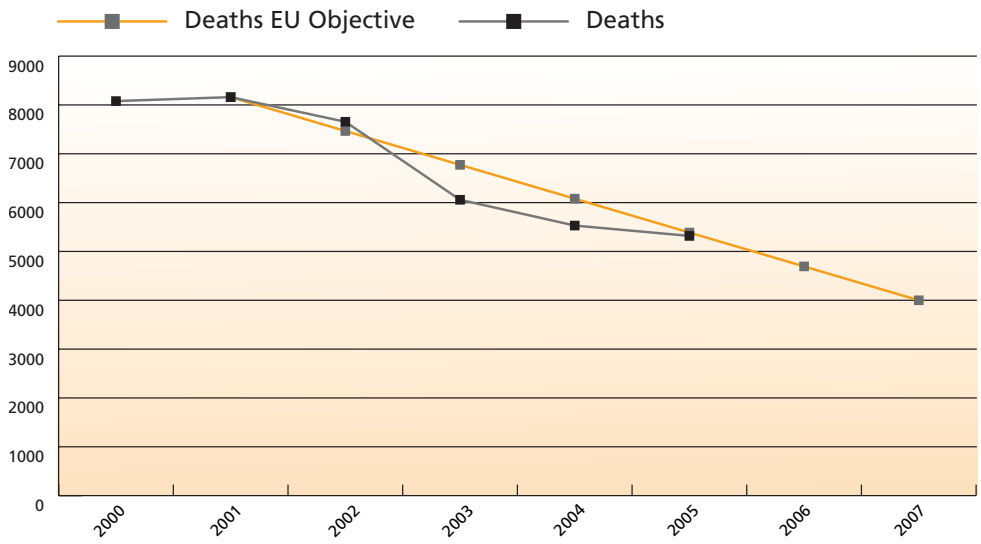
Follow-up of offences: In Finland all traffic offences are registered. If drivers receive three fines for traffic offences within one year or four offences within two years, they will be disqualified from driving for a maximum period of six months. Novice drivers who have had their driving licences less than two years have stricter limits. If young drivers receive two fines for traffic offences within one year or three offences within two years, they will be disqualified from driving for a maximum of six months.

At present, there is no owner liability in Finland.

Information: In 2005/2006 road safety campaigns targeting young drivers and their speeding and seat belt use habits were carried out. The campaigns use the internet, print advertising and TV and radio spots.
Moreover, a drink driving campaign with the slogan "If you drink alcohol, then take a chauffeur for the trip home" is carried out. It started in 2004 and will last until end of 2007. It uses radio and TV spots, the internet, newspapers and outdoor advertising. The slogan was also disseminated in pubs and cafes.

Recommendations:
- A full owner liability should be implemented.

7 France



General Road Safety: In France, it was the President of the Republic Chirac who declared road safety one of the three top priorities of his second term in office (2002-2007). A new road safety strategy was worked out, which prominently featured measures to end drivers' "feeling of impunity" regarding road traffic offences. The inter-ministerial committee (CISR) responsible for road safety has since met twice a year to monitor and ensure the continuation of progress. France faces a Presidential election in 2007 and the high priority that road safety has enjoyed under Chirac's tenure may shift with a new President in office.

Although France has not adopted a road safety target officially, Internal Affairs Minister Nicolas Sarkozy has announced a new objective for 2007 to reach no more than 4,000 deaths[3].

France, which was amongst the below average performing EU countries in 2001, has seen a rapid improvement of road safety over the past years. The number of road deaths has dropped by more than 1/3 within the last five years (2001-2005). Between 2002 and 2005, deaths on the roads reduced by 34.9%, from 8 160 (end 2001)[4] to 5,318 (end 2005)[5]. 1,747 deaths (-11,1%) were registered for the first 5 months of the year 2006.

The success has mainly been attributed to improved road user behaviour in the areas of speed, alcohol and seat belts - the key focus of French road safety policy since 2002. Road safety experts call this nothing less than a "revolution". The strict application of "0 Tolerance" linked to the introduction of speed management devices is due to take the number of cameras up to 2000 by 2007. This is despite the special conditions that France faces in controlling traffic on the longest road network in the EU. This task in hand can be seen with a comparison: in France there is one police officer per 120 km, whereas in neighbouring Spain this figure is one police officer to 20 km.

The gendarmes (Ministry of Defence, strength: 105,000) act as road police for about 95% of France; they have the main responsibility for the road network. The department-level gendarmes (numbering 65,306) are grouped into territorial units and include specialized road police units (strength: 8,102).

[3] Figure to be considered within 6 days and for metropolitan France only, as this announcement was made prior to the official change of definitions.

[4] Metropolitan France only.

[5] Figures calculated within 30 days and for metropolitan France only. France changed its definitions of seriously injured and killed to fit with those adopted by its European neighbours, harmonisation of the definitions came into force on 1st January 2005 (deaths within 30 days instead of 6 days as before). Since 1st January 2005 KSI data include not only metropolitan France but overseas French departments: French Guyana, Guadeloupe, Martinique, La Réunion).

The mobile gendarmes (numbering 17,079) can be called in as reinforcements for the departmental gendarmes and carry out some traffic police duties. The aerial gendarmerie also patrols road safety with 48 helicopters monitoring speed and tailgating. The priorities set in enforcement plans prepared by the Gendarmes and the police at national and regional level are interrelated.

Speed: Fully automated speed control has been at the heart of France's new road safety strategy. A first set of digital cameras was introduced in late 2003, and 1,000 cameras (700 fixed and 300 mobile) were in use by the end of 2005. There are plans to extend this number to 1,500 (1,000 fixed and 500 mobile) by the end of 2006 and 2000 (1300 fixed and 700 mobile) by the end of 2007. The use of fixed and mobile speed controls focus on high risk accident spots. As of yet there are no section control points but during special peak times and during bank holidays a sort of section control is undertaken with the air support of the aerial gendarme's helicopters.

France faces a problem common to other countries that have rolled out camera schemes: vandalism of cameras placed in isolated rural areas. In the case of Corsica, after repeated vandalism of fixed cameras police only employ mobile speed management. Nevertheless improved speed management, based on the new camera system, has contributed about 75% to the massive overall reduction in fatal accidents between 2002 and 2005. From 2003 to 2005, the proportion of vehicles traveling at 10 km/h and more above the legal limit decreased from 35 to 20%. The number of vehicles exceeding the limit by more than 30 km/h went down by 80% and average speeds decreased by 5 km/h. Speeding offences from both manual and automatic enforcement jumped from just over 3 million in 2005 to 5.9 million in 2005.

Since the start of 2006 tackling speeding motorbikes is also underway as more than 50% of the camera devices in use are configured to control also motorbike speeds by taking photos from the back. This has contributed to an immediate reduction of deaths of 15%.

Drivers' attitudes towards speeds have changed drastically. In a survey of March 2005, 68% of drivers declared that they had reduced their speed on motorways during the past 2 years. And in the SARTRE survey of 2005, only 10% of French drivers admitted to breaking the speed limit "often" or "very often", compared with 22% in previous surveys carried out in 2002 and 1996.

From January 2006, drivers travelling in excess of the speed limit of more than 50 km/h face confiscation of their vehicles. However this will only be possible if the owner of the car was driving at the time of the offence. Another imminent change during 2006 is a speed limit audit being undertaken by the French local authorities. This is to ensure that a more coherent speeding signage and classification is in place. Stakeholders will also be invited to participate in this.

Alcohol: Breath tests are taken randomly, during large scale awareness police operations and on suspicion, following an accident or traffic offence. Every traffic police officer (in the Police and the Gendarmerie) is dedicated to the enforcement of drink-driving. The number of preventative breath tests increased from 7.9 million in 2004 to just over 9 million in 2005. Offences went up from 127,000 in 2004 to 150,200 in 2005. The level, of approximately 2.4%, of all kilometres travelled in France with an illegal BAC level between 2004 and 2005 has remained constant. Following the big changes to drink driving sanctions in 2003 a new 0.2 mg/ml BAC limit was introduced for buses and coaches: this was extended to providers of public transport in 2005. In 2005, the number of drink driving controls was increased by another 11%, and targeted actions delivered a higher score of detections. This follows an increasing number of alcohol testing devices available to the police, including the easily transportable model. France also conducted the Belgian-modelled "Capitaine de soirée" campaign. Other anti-drink driving campaigns including TV spots, posters, stickers and leaflets are also organised during the year. Self-testing devices are distributed as part of campaigns. Locally drink driving enforcement activities are announced in the press, they often target young people exiting discos, bars, raves and clubs.

Seat belts: Following an increase in sanctions for non seat belt use in 2003 seat belt wearing rates continues to rise slightly into 2005 in both the front to 97% and back to 77%. In 2005, the number of detected offences dropped by 18% to 536 086. Seat belt checks are undertaken at a local, regional and national level also in combination with EU-wide TISPOL campaigns. The Police are now using more EUROLASER binoculars which enable police to be able to check seat belt wearing at a distance of up to 500 m. A difficulty still exists in having good visibility in order to check the rear. However blitz campaigns which last as long as prescribed in the EU Recommendation are not undertaken.

New legislation for the differentiated use of child restraints and introduction of the rule of "one child one restraint system" has come into place on the 1st of January 2007. This is likely to pose problems for large families as it is impossible to place three child restraints next to one another on one back seat and this will thus have serious monetary implications. In 2005 the responsibility of the driver to also ensure belting up of children up to the age of 18, as opposed to 13, or to face penalties has also been extended.

Follow-up of offences: Since 2002, sanctions for all types of offences have been tightened and the possibility of "getting away with it" has diminished. Most notably, speeding procedures are fully digitalised so tickets arrive in the car owner's mailbox within 48 hours after the infringement. Both the level of fines paid and the number of penalty points that were withdrawn have continued to rise dramatically. In 2005, 3,600,000 drivers lost 7,500,000 points resulting in about 54,300 licences lost.

In the case of following up a drink driving offence in the court there are variations. The level of fine and possible confiscation of the car depends on the interpretation of the judge, although a driver will always lose 6 points. Some Police officers and gendarmes with broader judicial power ("officiers de police judiciaire") have extended power to carry out random drink-driving checks on the road.

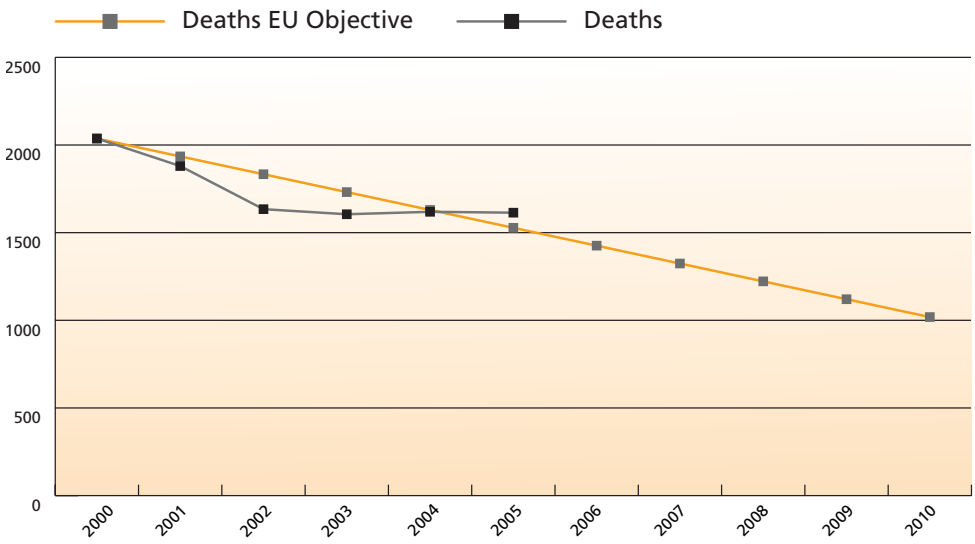
Another development influencing the follow up of automatic speed enforcement is the outlawing of customised licence plates. Legislation came into force in January 2006: this will enable easier reading of the car number plate during speeding checks by automatic fixed cameras.
Follow up of speeding offences by non-residents is taking place only with Luxembourg. A new agreement has been prepared with Germany which is due to come into force at the end of 2006. This cross-border agreement between France and Germany was signed on 14 March 2006 in Berlin and is based on the Schengen agreement (article 39 authorizing data sharing between police services). This should help to tackle the current trend of German offenders in France. In 2005 1 million of the 8.6 million offences registered by the automatic radars were committed by non-resident drivers, of which 25 % were from Germany.
Information: Hard hitting awareness campaigns are run by different governmental and non-governmental bodies on speeding, drink driving and seat belt use, and the implementation of the new enforcement strategy has been accompanied by extensive media coverage.

According to a Survey carried out end of 2005;
- 77% of the French think that automatic speed enforcement is a good tool to improve road safety ;
- 72% think that the percentage of making a mistake with the automatic speed enforcement system is zero ;
- 80% think that receiving a ticket after being flashed is systematic.

The results of this survey show that the automatic speed enforcement system is now well accepted in France and perceived as fair and efficient.

Recommendations
- Continue increasing levels of speed enforcement as even a planned 1,000 fixed cameras will not yet deliver a density equal to that of the UK whose road network length is only about half that of France's.
- Strengthen road safety education from the youngest age to increase public acceptance of safety rules and their enforcement
- Tackle recidivism in the realm of repeated drink driving amongst alcoholics.

8 Greece



General Road Safety: A second "National Strategic Plan 2006-2010" has been issued by the Department of Transportation Planning and Engineering of the Ministry of Transport and Communications. It includes a target of a 50% reduction of the number of road deaths (baseline 2001) to 2010. To achieve this, six ministries will be involved within an Inter-ministerial committee: the Ministry of Public Works (responsible for road environment), the Ministry of Transport (responsible for vehicle and road user safety), the Ministry of Public Order (responsible for enforcement), the Ministry of Public Health (responsible for effective post-crash treatment), the Ministry of National Education and the Ministry of Justice. The level of coordination and supporting mechanisms of the Committee is expected to be sufficient enough, since it is going to be chaired by the Prime Minister. This action has only been unofficially announced.

The Ministry of Public Order sets up an "Effective Road Safety Enforcement Programme", which is one out of four main Road Safety Programmes. The Ministry's targets are to check one in eight drivers in terms of speeding, to check one in five drivers in terms of drink driving and to achieve a seat belt wearing rate of 80%. The Ministry is also responsible for the Traffic Police. Each region has its own police department and each municipality also has its own local police department. The Traffic Police started intensified enforcement in May 1998, and checks were increasing until 2004, especially in the areas of drink driving and speeding. But since 2004 enforcement activities have been lower than before.

Speed: Greece's national police employs mobile speed guns, in-car radars and speed guns with tripods. New fixed speed camera sites have been introduced at a high risk section along the Athens-Thessaloniki National Road. The long term target is to install 400 cameras on the whole national motorway network. Since 2004 the number of speeding offences decreased from 382970 to 374712 (2005).

Alcohol: Drink driving enforcement has been intensified since 1998. The number of checks has been increased by 581% in the timeframe, while the number of offences has only gone up by 235% with a peak in offences in 2001. Nowadays, most drivers in Greece believe that there is a higher probability of being controlled for alcohol than it was the case before. The number of drink driving checks increased from 1,281,102 (2004) to 1,376,307 (2005), while the number of offences detected went up from 40,986 (2004) to 46,938 (2005).

Seat belts: The application of the penalty points system was extended to seat-belt offences as of August 2003. Transposition of the new Directive has extended obligatory seat belt wearing to buses. At the time of writing new legislation is planned to increase fines for non use of seat belt from 166 EUR to 366 EUR. Seat belt checks are undertaken in combination with other checks on all roads at all times. Enforcement is concentrated at city borders and on inter-urban networks. Enforcement activities linked to seat belt wearing campaigns only occur infrequently. Blitz actions are not undertaken. Seat belt wearing data is currently not collected. The number of seat belt offences decreased between 2004 and 2005 from 148,878 to 142,227.

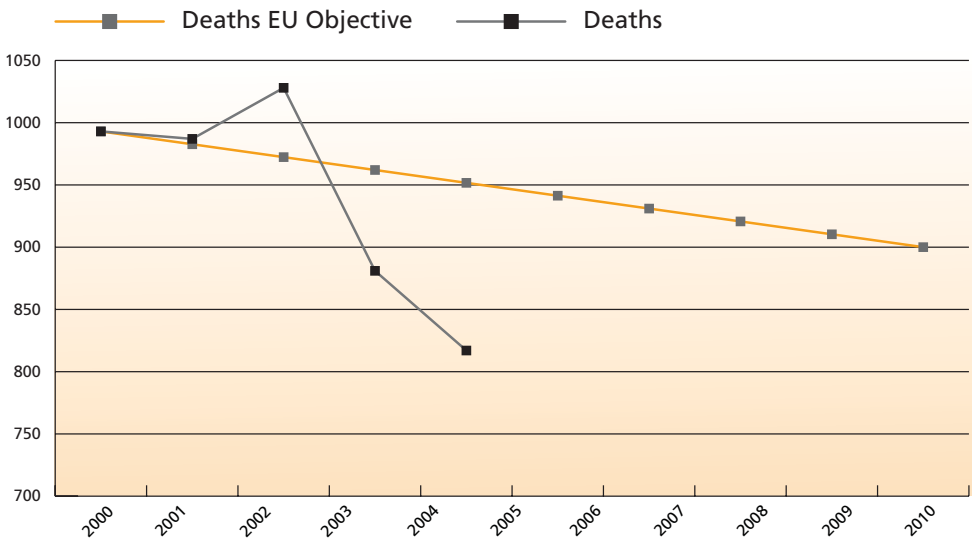
Follow up of offences: In the case of automated speed enforcement, the owner is primarily responsible. If the owner contests the charge then the offence is taken to court. Sanctions are followed up according to the offence committed.

Information: Campaigns are very scarce with one big national campaign organized every two years. A specific localized campaign on drink driving was run in the Thessaloniki area in 2003/2004 as part of the EU wide "Bob" designated driver campaign. The last known campaign at nation-wide level was organized by the Road Safety Institute Panos Mylonas which distributed 400,000 booklets with road safety instructions followed by voice-message transmitted by radio stations. Increased checks on speed and drink driving linked to press work are also undertaken before, during and after the six main national Greek holidays. The Ministry of Public Order, Ministry of Transport and Communications, and sometimes private bodies such as insurance companies, associations, etc. undertake specific campaigns. The police send monthly figures on speeding offences, alcohol checks and offences to the press.

Recommendations:

- Implement the plan for extensive new fixed camera network along high risk stretches of inter-urban roads.
- Conduct regular "blitz" seat belt enforcement checks.
- Collect and analyze seat belt wearing rates and speed compliance data to plan enforcement activities.
- Organize more frequently nationwide campaigns on speed, drink driving and seat belt wearing linked to enforcement.

9 Netherlands



General Road Safety: Road Safety has been a major priority for a long time in the Netherlands. The current National Transport Plan of 2001 adopted the target to decrease the number of deaths to no more than 750 by 2010. Figures for 2005 show a further drop of road traffic deaths taking the number down from 804 in 2004 to 750 in 2005. Dutch Transport Minister Karla Peijs proposed to lower the road safety target for 2010. This further reduction has also been attributed to the continued level of traffic law enforcement. According to new research undertaken by SWOV, better compliance with key road safety rules contributed at least 25% to the spectacular progress of 2004/2005.

Enforcement continues to be undertaken on a large scale, with many road users checked and penalised every year. An impressive system has been set up to deal with as many offences as possible. Enforcement is carried out by the police, which is financed and coordinated by the Ministry of the Interior. There are yearly regional policing plans for all 25 police regions (which do not coincide with the provinces). There is no national enforcement plan for the Netherlands. Between 2000 and 2003, special traffic enforcement teams (so-called "Spee teams") were set up in all 25 police regions. This means that about 20-25 traffic police teams were included in the regional forces, which are paid by the Ministry of Justice. The 26th police force is the National Police Services Agency (KLPD) responsible for motorways and railways. The road traffic police is a specialised team within the KLPD.

Speed: The Netherlands is a forerunner in automated speed enforcement. A central bureau exists which co-ordinates all camera enforcement and supervise the monitoring of speed behavior. There are approximately 1700 fixed speed cameras in the Netherlands. Approximately 600-700 mobile devices are also used. Fixed cameras are usually announced by traffic signs and visible, whereas mobile checks are always hidden. Moreover police cars are fitted with onboard calibrated speedometers which are used to identify and prosecute the most serious speeding offenders.

In 2005, 7.96 million fines were levied for speeding. This was achieved even though the number of vehicles checked was raised through new section control systems and increased speed checks on high risk sites. There are currently 13 Section Control Systems in operation on various motorways. In 2005 750 deaths were caused by speeding.

A new sanction regime was introduced for speeding fines which differentiates between speeding on different roads. This means that the higher the level of speed over the limit, the higher the fine. At one end driving 4 km/h over the limit in an urban area carries a 16 EUR fine. Whilst at the other end driving 31 km/h over the limit on a motorway carries a 157 EUR fine.

Alcohol: The Netherlands have introduced a new BAC limit of 0.2 mg/ml for novice drivers (during their first five years) in 2006. The Dutch Institute for Road Safety (SWOV) has calculated that the safety benefit would be a reduction of 12 deaths and 100 serious injuries each year provided a high level of enforcement is maintained.

Drink driving sanctions were also increased to new levels that range between EUR 220- for BAC mg/ml of between 0.54-0.08 mg/ml, to EUR480 for levels between 1.16-1.30 BAC mg/ml.

Both random and suspicious checks are undertaken. Random checks are organised nationwide about 4-5 times a year on the same day. All drivers are stopped. About 2 million are checked and approximately 1.5% of drivers are found to be over the limit in those tests. Professional drivers (truck and bus drivers) face higher sanctions than normal drivers. All drivers involved in an accident are tested for alcohol. A total of 62 drivers were killed due to drink driving in 2005. In 2005, 3% were found to be over the 0.5 mg/ml BAC level, 7.4% over 0.2 mg/ml and 0.6% over 1.3 mg/ml.

Seat belts: A new law came into force in March 2006 for securing children in a car in line with the requirements of the EC Directive 2003/20. The fixed fine for the non use of seat belts was increased from 45 EUR to 75 EUR. Intensified checks are carried out. There is no follow-up of repeat offences. There were 370 000 offences in 2005 for not wearing seat belts. Seat belt wearing rates are at 92% for the driver and 64% in the rear.

Follow-up of offences: About 90% of all traffic violations and crimes registered are processed under the so-called Mulder Law (administrative procedures). Penalties are collected by the Central Fine Collection Agency, an independent implementation authority operating under the Ministry of Justice. The owner responsibility is only for the lower speeding violations. The Mulder Law does not apply when a speeding violation is more than 40 km/h on motorways (no work in progress, then 30 km/h), and more than 30 km/h on other roads. For higher speeding violations the driver is responsible and those violations are registered for one year. For example when somebody drives more than 70 km/h too fast, the public prosecutor will ask the judge to punish this person with a fine from about EUR 750 and to forbid him to drive a car for a period of 4 months. The next (not Mulder) speeding violation the punishment will even be higher. This enables progressive stonger punishment of repeat serious speeding offences. The owner is obliged to identify the driver when the case is not a Mulder offence. When he does not identify the driver without an accepted reason (for example the car is stolen), the owner can be punished with the same sanction that can be imposed to the driver, who committed the violation.

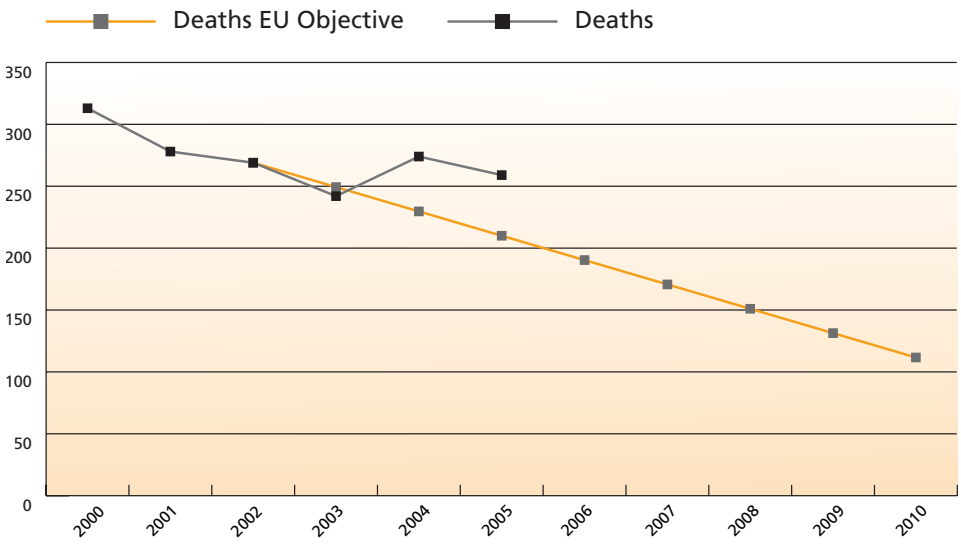
A new penalty point system is being developed and is currently under discussion in the Dutch parliament. It will focus on collisions with serious consequences, drink driving and speeding. If a driver receives one negative hearing from a judge they risks a two year driving license ban. A second decision carries a two years ban followed by the need for a new driving test to be passed.

Information: There is a campaign calendar for national actions. Campaigns are run regularly for seat belts and child restraints and drink driving. Special campaigns linked to enforcement accompanied the changes in law on child safety restraints and the new 0.2 limit for novice drivers. The government also launched a new road safety campaign entitled "Travel with your heart". Police will be running specific speed enforcement activities focusing on speeding in urban areas on 30 km/h and 50 km/h roads. The main target is the safety of child pedestrians and cyclists and specific high risk sites. The campaign is running TV and radio spots, and a poster campaign. A national campaign focusing on tailgating ("2 seconds") also addresses speeding. Other speed campaigns are organized and carried out by the regional road safety authorities. Regarding actions at regional level, information is sent to the local press by the police press services. The Ministry of Transport also conducts extensive annual evaluations of their road safety campaigns.

Recommendation:

- Focus seat belt enforcement efforts on the rear due to lower than average wearing rates.

10 Slovenia



General Road Safety: The new Road Safety Programme is currently up for adoption in Slovenia. The Programme is due to run for the period 2007-2011 and is entitled "Together for a safer future". The Programme aims to set a new target to halve its roads deaths by 50% by 2011 compared with 2001. The Programme also aims to adopt and implement a "Vision Zero". Urgent measures include the groups of measures that are expected to yield positive results soon. These include increasing the use of safety belts and child safety restraints, the reduction of speeding and abuse of alcohol, providing safety to pedestrians and especially to children. Passive protection is also a priority and includes the promotion of ISA and alcolocks. The programme also picks out traffic law enforcement, especially the enforcement of speeding, drink driving and seat belt legislation, in combination with awareness raising activities, as the most important measure to achieve the general goal of halving annual road deaths by 2011.

There has been no recent change in Slovenia's enforcement planning. The Road Traffic Section of the Ministry of Interior still prepares an annual police road safety operational plan with specific targets and measures in the areas of drink driving, speeding and seat belt use. The plan is also prepared in conjunction with the priorities set out in the National Road Safety Plan. The plan is drawn up annually with input from regional and local police sections to ensure its operability and implementation. The police's database enables them to track and analyse road traffic collisions every quarter, this is linked to the planning of enforcement efforts to high risk areas and meeting the set targets.

At a local level Road Safety Councils continue to be active in Slovenia's 200 communities. They are made up of local police, council, roads administration and school representatives and also organise road safety awareness activities. Legislation stipulates that now 10% of all traffic enforcement time be dedicated to enforcing in speed limits in areas identified by local communities as problem areas.

Speed: There have been no recent changes in legislation relating to speed. The aim of Slovene Police enforcement is to deter drivers from speeding. It is the top priority for the police who focus their speeding enforcement activities on related accident sites, stretches of roads and times when speeding occurs. This prioritisation approach is being extended to all of Slovenia. Police use laser devices and onboard police car devices and mobile cameras. There has been further investment in increasing this equipment in the past two years. More fixed cameras, as well as empty boxes have been installed at sites where speeding occurs. Further section control using fixed cameras were also introduced in the autumn of 2005. 15 more additional boxes and 4 cameras are planned to be introduced by end of 2006. Speeding offences have been reduced from 259,225 in 2004 to 120,663 in 2005. Speed-related deaths were at 129 in 2004; this decreased to 114 in 2005.

In 2005 for the first time a new Speed Reduction Awareness Week was organised whereby police encouraged the media, especially the local and regional press, to cover their increasingly visible speed enforcement

efforts and stress the personal impact of speed related traffic deaths on a small community in a country with a low population. During this week "Open Days" were also organised at the Police stations and the public could take a closer look at speed enforcement equipment and discuss their use with the police.

Alcohol: There have been no recent changes in legislation relating alcohol. The legal limit for most drivers remains at 0.5 mg/ml BAC; a 0.0 mg/ml BAC alcohol level applies to professional drivers and to other specific groups such as drivers transporting children.

Alcohol checks continue to be undertaken at random and on suspicion as well as following every road traffic violation and collision. Drink driving checks are run along the lines of the "Promil" methodology where high visibility alcohol checks are undertaken at road blocks. This is done by either blocking off one road and checking everyone, or blocking one road and also checking on parallel roads, or by blocking an entire town. Special efforts have been made to increase these so that by "word of mouth" the feeling of being detected further works to deter those who consider risking drinking and driving. There has also been an investment in the number of evidential breath testing equipment. Currently a Police officer is now no further than 20-30 km away from a Police Station which has a evidential breath tester. Alcohol checks have gone down slightly from 259,225 in 2004 to 246,611 in 2005 and offences have also gone down from 31,740 to 21,823 in 2005. Alcohol related deaths were reduced from 95 in 2005 to 82 in 2005.

An annual anti-drink driving campaign that lasts for two months from November to December is held in Slovenia. This is launched to coincide with the St. Martin's Celebrations which traditionally are centred on wine. The 2005 campaign was entitled: "Waiter, Taxi please" and also included media and police co-operation. Local Police officers also spent time going door to door to local pubs to raise the level of understanding of the dangers of drinking and driving with their owners as well as attempting to encourage them to tackle this by for example stopping to serve drunk customers or hiring a mini bus to take them home. Local public transport providers were also encouraged to provide a night service to get revellers home safely. The campaign of enforcement was also launched the day before.

Seat belts: Slovenia continues its seat belt enforcement campaign entitled: "Buckle Up Slovenia!" which consists of intensive high visibility enforcement linked to media work. The two week long action, carried out three times a year consists of preventative work which is then followed up by enforcement of non-compliance with the issuing of fines. There are three different kinds of approaches for enforcing seat belt use. Either drivers are selected by police observers who use cameras and are then stopped. Or approximately 20 cars are taken out of the traffic circulation and then checked on a car park. Others are checked at a police check point of slow moving traffic. A total of 127,568 seat belt offences went down to 73 173 in 2005. In 2004 74 of those who died were not wearing their seat belts. In 2005 86 of those died were not wearing their seat belts. Seat belt wearing rates have also increased slightly between 2004 and 2005 to 85.7% in the front and 43.3% in the rear.

In 2005 a media campaign ran together with police enforcement informing drivers about ensuring the proper use of their seat belts and head-rest and their role in protection in case of a collision. Slovenia also participated in the EU co-funded "Euchires" enforcement and information campaign focussing on children's use of proper child restraints or seat belts. This has proved to be very successful with a positive spill-over effect of children also encouraging their parents to belt.

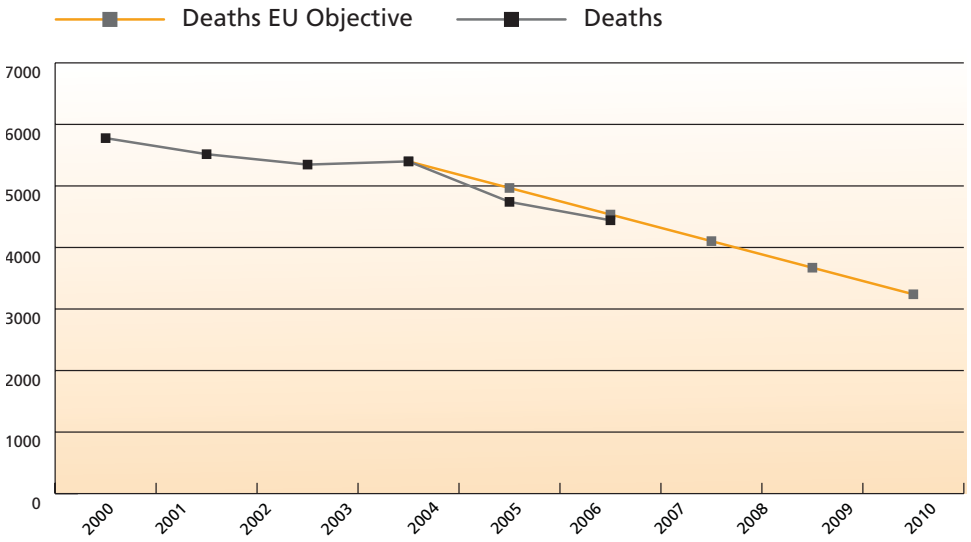
Follow-up of offences: A new simplified administrative law on traffic offences came into force in June 2006 which enabled police officers to give on the spot sanctions including fines and penalty points. This allowed offenders to be dealt with more swiftly and counters the backlog at the courts. Offenders receive their tickets much more quickly between 3 days to one month. If the fine is paid within 8 days then the fine level is halved. Non-payment of a fine now results in a prison sentence. Most offenders pay immediately. In the case of automated speed enforcement, the owner is responsible and they must prove in court if they were not driving at the time.

Information: Nationwide campaigns on drink driving, speeding and seat belt use are conducted by the National Council for Prevention and Education in Road Traffic in conjunction with the police force.

Recommendation:

- Focus seat belt enforcement efforts on the rear due to lower than average wearing rates.

11 Spain



General Road Safety: Spain's road deaths rate has been continuing to drop over the past years between 2003 and 2004 there was a further 13% reduction. This reduction continued between 2004 and 2005 by another 5% to 3,329 deaths[6]. The Ministry of Transport and the Ministry of the Interior are responsible for elaborating legislation on road traffic and safety. The General Directorate for Traffic is housed in the Ministry of the Interior and is responsible for traffic control and law enforcement. The Ministry of Transport is responsible for infrastructure. A Road Safety Strategic Plan has been prepared for the period 2005-2008. This strategy set a clear aim to reduce deaths by 40% (based on the 2003 baseline) by 2008. At present Spain is ahead of its 2008 target to reduce road deaths. This target was reiterated as a priority by President Zapatero in his "State of the Union" address on 29th May 2006. This is the first time a Spanish President included road safety as a priority in his address to Parliament. Catalonia and the Basque country assumed full autonomous powers on traffic safety including managing their own police agencies on traffic law enforcement.

Traffic law enforcement is carried out by Spain's different police bodies. This includes the local police, who are in charge of law enforcement in urban areas and the "Guardia Civil", who are in charge of law enforcement on the national road network and on minor roads outside urban areas. The Basque Police and the Catalonia Police are in charge of law enforcement in interurban roads into the areas of the Basque Country and Catalonia. The Traffic General Directorate manages and exploits traffic control centres and co-ordinates overall traffic management of the "Guardia Civil". Yearly Traffic Safety Action Plans and the aforementioned Road Safety Strategic Plan (2005-2008) include permanent enforcement actions covering alcohol, speed and safety belts. They also include special programmed campaigns and targeted ad-hoc actions. Enforcement campaigns are organised in conjunction with the TISPOL timetable as much as possible.

Speed: Moves are underway to dramatically step up fixed speed enforcement networks in Spain. A second wave of cameras will be introduced as part of Spain's plan to increase its fixed safety camera network with 500 new radars between 2005 and 2007. The plan aims to reduce excess and average speed and to increase speed enforcement. Speed offences have increased from 647 000 in 2004 to 771 666 in 2005. The government announced the introduction of more fixed safety cameras last December, bringing the total number of new radars up to 300 since July 2005. Their use has so far been evaluated positively. In areas where safety cameras are active the number of vehicles traveling at over 140 km/h was reduced by 40%. There are also 300 mobile cameras in use in un-marked and marked cars. A new automatic follow up structure as in place in France is also being planned. Panels

6 This is based on a 24-hour count outside built-up areas.

inform drivers that the area they are traveling along is being controlled.
Alcohol: Both random and evidential tests are carried out to enforce the legal BAC limit of 0.5 mg/ml and the lower 0.3 mg/ml limit for professional and novice drivers. Although nearly 3.3 million random and evidential breath tests were carried out in 2005 this does not represent a high enough proportion of the drivers in this large country. The problem still persists that 30.3% of all of drivers involved in fatal collisions in 2004 had a BAC limit of over 0.5 mg/ml. Numbers of drink driving tests have increased to 3,602,000 in 2005[7]. Detected offences also increased to 106,086 (including Catalonia). Urban Police conduct daily drink driving checks. Special enforcement campaigns take place during holiday times and festivals.

Two urban public transport bus companies in Catalonia are experimenting with alcolocks.

Seat belts: Blitz actions are carried out as part of campaigns on seat belts. In Catalonia enforcement has also been focussing particularly recently on the use of child safety restraints. Most recent data for 2005 shows that driver seat belt wearing rates are at 74% for the driver, 67% for the front passenger and rear rates are at 31.9%. The number of non-belted road deaths dropped slightly from 32.7% in 2004 to 30.5% in 2005.

Follow-up of offences: A new penalty point scheme started operating in July 2006. The system is modelled on the French one. Drivers received an initial credit of 12 points and loose between 2 and 6 points for different types of traffic offences. They can recover up to 4 points by attending a 12-hour road safety risk awareness course. To recover a driving license that has been withdrawn, offenders have to undergo 24-hour risk awareness training. They can re-apply for a new license only after six months. Professional drivers will be able to accelerate the timing for participating in the course, but penalty points will be the same as for other drivers. Speeding will result in the loss of between 6 and 2 points depending on the level of driving over the limit. Drink driving over 0.5 mg/ml BAC will result in the loss of 6 points. Driving without a seat belt will result in the loss of 3 points. The first accident data for the three month period of July, August, and September after the system's introduction showed a drop of 16.6% (159 fatalities less)[8]. According to the Traffic General Directorate the system will substantially contribute, together with other measures, to the national target of reducing accidents by 40% in 5 years.

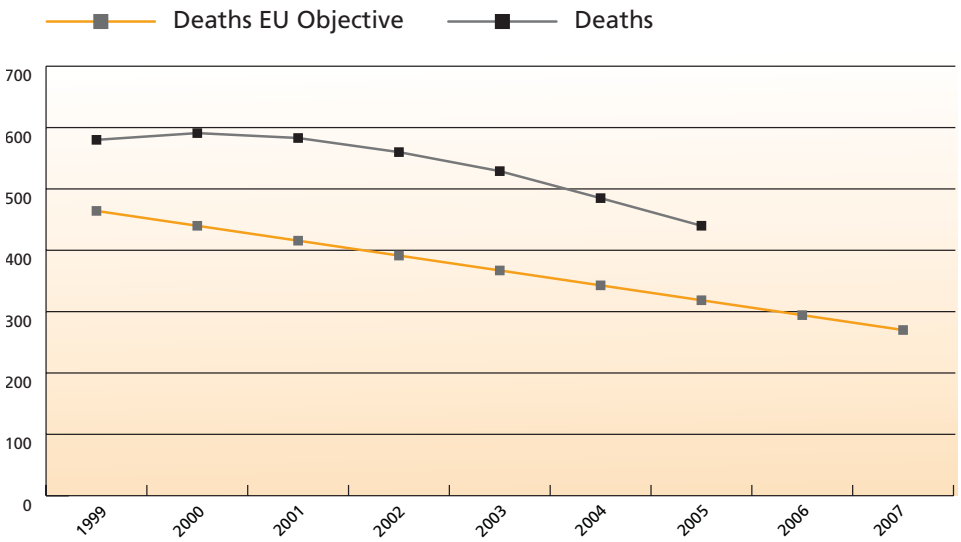
Information: Bi-annual nationwide campaigns are run in the media on seat belt use, speeding and drink driving. These are run with the Traffic General Directorate, the police, local and regional safety councils. Campaigns are linked to increased checks. Spain is also participating in both the BOB and Euchires campaigns. Information about speed cameras is at the roadside and also exists on the Internet. However the exact position is not given. Special campaigns have been aimed at addressing this serious issue, such as the special drink drive campaign run over Christmas: "If you drink don't drive". This was accompanied by increased enforcement by police.

Recommendations:
- Modify the Penal Code to work more as a deterrent against serious offences and re-offenders.

[7] Screening tests are those performed by the Agrupacin de Trafico de la Guardia Civil and exclude those of the autonomous regions of Basque Country and local police of all regions.

[8] These data must be seen in the context of a falling trend of traffic deaths: 16.5% drop during summer 2004 (140 fatalities less) and a minor fall of 6.2% during summer 2005 (44deaths less). This is put within the longer period trend of a fall in average deaths.

12 Sweden



General Road Safety: Sweden's deaths continue to drop although it will be difficult to reach the 2007 target. Sweden has one of the lowest death rates per million population in the EU at 440 in 2005. The National Road Administration has the overall sectoral responsibility for the entire road transport system. Its Road Safety Office has sectoral responsibility for speed, seat belt use, drink-driving and road building. An 11 point programme on improving road traffic safety was published in 1999 and set a 2007 target for reducing road deaths and accidents. It also included a priority on "handling of traffic offences". "Vision Zero" has provided the long-term guidelines for Swedish Road Safety policy since 1997. A bill on continued action for road safety proposed that the long-term goal of road safety initiatives remain the same. One of the measures included in the bill was the need to develop support systems and more effective surveillance to encourage compliance with road traffic laws.

The police are vested with the authority to develop new strategies and modify existing ones for the enforcement of traffic rules. In April 2006, a new Swedish National Police Plan was presented. The so-called "Police Accident Prevention Measures" act as an enforcement guideline to harmonize the activities of the police in the 21 counties. Since then, each county has started to set up more detailed regional plans.

Speed: The Automatic Speed Control System using speed cameras has proven to have very positive effects on road safety and will therefore be continued. Speed limits are currently being reviewed by the National Road Administration in order to adjust them on Vision Zero. For example, on nearly all roads without a median barrier the speed limits have been reduced. Sweden employs a mixture of mobile laser and fixed camera devices to enforce speed limits. The automated camera system was extended to 700 cameras in 2006, compared to approximately 400 in 2005. The cameras are clearly conspicuous and directly connected to the police. Every driver detected by the system will be informed within 10 days. So far as a result the road deaths rate on some road stretches was reduced by up to 60%. Moreover, approximately 20 mobile cameras are used. Enforcement is targeted on high risk accident sites, around sensitive areas such as schools and on secondary roads. 180,350 speeding offences were registered in 2005, compared to 170,528 in 2004. There is no data available that shows the number of fatalities related to speeding.

Alcohol: Sweden has a long tradition of testing a high percentage of its drivers for drinking. Every driver who is stopped for whatever reason is automatically breath tested. In Sweden, the legal blood alcohol level is 0.2 mg/ml. A special provision exists for drivers who have passed their driving license for

less than two years. In case of suspension they must re-take both the theory and practical driving tests. The Road Safety Bill (2003) proposed granting the police the right to confiscate property (car-keys) to prevent an alcohol-related offence. Every driver who is stopped for whatever reason is automatically breath tested. Improvements have been made recently with better technology for roadside checks which have been introduced to some police patrol cars. Currently approximately 50 mobile evidential breathalysers exist. In 2005, 7,400 new breathalysers were bought for the police. The aim for 2006 is to undertake 2 million tests, compared to 1,563,091 in 2004 (VTI Statistics 2006) and 1,761,851 checks in 2005. To achieve this, extra financial means from the Swedish Road Administration were allocated. The number of offences changed from 15,549 (2004) to 15,771 offences in 2005.

In 2004 it was estimated, that 8.7% of drivers drive under the influence of alcohol. In 2005, 125 of the 440 road deaths were related to drink driving.

An inquiry team has been appointed to examine the possibility of introducing a requirement that all new cars will be equipped with alcolocks by 2012. The possibility of introducing alcolocks earlier for certain categories of vehicles is also under consideration. Moreover, it is planned to examine whether alcolocks can be used for rehabilitation for drivers with alcohol-related problems.

Seat belts: Seat belt checks are not the main priority of the police due to the high level of wearing rates in Sweden. An enhanced enforcement operation was carried out in 2002 which combined with information and a doubling of the on-the-spot fine. Further seat belt campaigns linked to enforcement have led to further increases in wearing rates. Driver seat belt wearing rates increased from 91.8% (2004) to 92.4% (2005). Seat belt checks are undertaken in combination with other checks on all roads at all times. Enforcement is concentrated in urban areas where the seat belt wearing rate can be as low as 60%. So-called "blitz" enforcement actions of one week are repeated in Sweden every 6 months. Currently higher fines for seat belt offences are being discussed (from 600 SEK to 1,500 SEK). Moreover a driver responsibility for passengers is under discussion as well as to follow-up all seat belt offences. In 2005, 53,322 seat belt offences were detected, compared to 48,344 in 2004. There is no data on the number of road death related to the non use of seat belts. But an in-depth study undertaken by the Swedish Road Administration showed that 39% road deaths between 1997 and 2003 had not used seat belts.

Follow-up of offences: All detected alcohol and seat belt offences are followed up. Sanctions are set according to severity. For speeding offences, the legal responsibility rests with the driver where recognition problems arise. There are discussions about shifting the responsibility to the owner. A committee of inquiry will be appointed to review the level of fines for road traffic offences.

Information: Campaigns are run by the National Society for Road Safety, Road Administration, the police and local authorities. A "Don't Drink and Drive Campaign" has been run by the Swedish National Road Administration 2003-2007 targeting young people. The Swedish Police join in on the annual TISPOL enforcement campaigns. The Police also conduct two seat belt wearing campaigns linked to enforcement annually. The Police communicated the impact of their enforcement activities and results in, for example, higher seat belt wearing rates and saved lives to the media. Sweden has also participated in the EU Euchires campaign aimed at increasing safety restraint use of young children.

In 2006, the extent of the new speed camera system has been accompanied by an information campaign called "Sweden's new life-saver" by the Swedish Road Administration and the police. It has consisted of nationwide TV and radio spots, different advertisements and publications.

Recommendations:

- Introduce owner responsibility in following up offences.

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