

Enforcement in the EU – Vision 2020

This paper shortly outlines what action the EU and the Member States need to take to achieve a high level of enforcement of traffic law to save lives across the EU by 2020.

The European Commission adopted a new target to halve road deaths by 2020 and, in its Transport White Paper in 2011, a 'Vision Zero' for 2050. In order to achieve the 2020 target the EU will have to go above and beyond current reduction trends. Enforcement is a means to prevent collisions from happening by way of persuading drivers to comply with the safety rules. Deterrence is based on giving drivers the feeling that they run too high a risk of being caught when breaking the rules.

Why do we need improved Traffic Law Enforcement for the EU?

1. Progress towards the EU 2020 Target

According to the latest data published by the European Commission 28,000 people died on Europe's roads in 2012. This is an improvement compared with 2011 but much more must be done to achieve the EU 2020 target. Increased and well publicised enforcement targeting the main risks of speeding, drink/drug driving and non use of seat belts on the road forms a fundamental part of achieving this new goal.

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)¹. 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 survey².

3. The Road Safety Gap

The level of road safety enforcement varies between the Member States. (See tables in Annex 1 demonstrating the vast difference in levels of drink driving breath tests and speeding tickets – as indicators of enforcement). This includes both the level of police enforcement activity and the application of best practice. High common standards

¹ ICF Consulting (2003): Costs-benefit analysis of road safety improvements. Final Report

² Ewers U (2004) Changes over time. Presentation to the SARTRE 3 Final Seminar in Paris, France.

should be the norm. Although the EC Recommendation 2004/345³ has helped to raise the profile of traffic law enforcement in the EU and in some Member States, an effort is needed to achieve high standards in all countries.

4. Achieving Best Practice

Research should be used as a basis for achieving best practice exchange and this should be incorporated into 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, for example, be of real relevance to countries setting up new systems.

Directive facilitating the cross-border exchange of information on road safety related traffic offences 2011/82

ETSC strongly supported the adoption of Directive 2011/82. The objective of this Directive is to facilitate the enforcement of financial penalties against drivers who commit an offence in another Member State than the one where the vehicle concerned is registered. The Directive covers the main offences causing death and serious injury in the EU: speeding, drink/drug driving, non use of seat belts and mobile phone use. This new instrument will plug an important gap in the enforcement chain thus enabling the information exchange needed to follow through police's and enforcement authority efforts to achieve full compliance with traffic law and improve road safety.

Moreover, ETSC supported the incorporation of road safety guidelines (Revision Clause Article 11) into the Directive. This will significantly strengthen the Directive and lead to a more substantial contribution to reducing annual deaths on Europe's roads in the long-term.

According to the EC impact assessment study, the Directive will save between 350 and 400 road deaths a year. A major reduction could be achieved in mitigating the three most risky behaviour offences of speeding, drink driving and non use of seat belts. The Directive will also have a spill over effect which will increase its life-saving potential.

Towards High Quality Enforcement of Road Safety Related Offences Reinvigoration of the EC Recommendation 2004/345

The EC Recommendation 2004/345 on enforcement has made a difference to traffic law enforcement in the EU countries. In the years immediately after its publication the Recommendation stimulated discussion and best practice exchange. Member States should continue the implementation of the Recommendation. In this Recommendation EU 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. The

³ EC Recommendation on Enforcement in the Field of Road Safety 2004/345 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:111:0075:0082:EN:PDF>

Recommendation also stresses that the follow-up of detected offences should be “effective, proportionate and dissuasive”. Finally, the Recommendation includes the need to: “combine enforcement with information of the public, which will be given in the form of publicity campaigns aiming at making the public conscious of road safety”.

The Way Forward for Road Safety Related Traffic Law Enforcement in the EU.

As mentioned above, ETSC supported the development of road safety guidelines linked to the revision clause in Article 11 of the Directive. This is also relevant when considering action on looking at road safety related enforcement. New work should be based on the exchange of best practice by Member States in the field of enforcement and take place in these priority areas. Adopting Guidelines based on the EC Recommendation on Enforcement in the field of Road Safety 2004⁴ would be a welcome step forward. Moreover they should link into plans outlined by the European Commission in its new Communication under Objective 2: “Towards a European road safety area: policy orientations on road safety 2011-2020” and the road safety enforcement strategy it foresees within it. TISPOL’s EC funded Lifesaver programme which ran from 2008 to 2011 promoted a best practice exchange amongst EU Member States on road safety related policing⁵. This project covered for example traffic police officer exchanges, regular capacity building seminars for strategic and operational level officers and joint enforcement linked to media campaigns. Yet this project came to an end in 2011.

The time is ripe to engage the newly formed Expert Group on Enforcement to ensure that enforcement in the EU reaches its full potential as one of the most important tools in road safety.

Future Enforcement in the EU Member States

The EU should strive to achieve high levels of enforcement in all of the EU Member States.

Recommendations to Member States

General

- Prepare enforcement plans with yearly targets for enforcement and compliance in the areas of speeding, drink and drug driving and seat belt use.
- Adopt a ‘Zero Tolerance’ approach to enforcing the three priority areas of road safety legislation.
- Ensure greater convergence in enforcement of road safety related road traffic rules and develop common minimum standards.

⁴EC Recommendation on Enforcement in the Field of Road Safety 2004/345

⁵ TISPOL Lifesaver <https://www.tispol.org/lifesaver/lifesaver>

Speeding

- Conduct mobile checks to deter speeding across the network.
- Use stationary camera equipment in places where speeding causes a high level of collisions.
- Channel revenues from camera enforcement back into road safety work.
- Collect speeding rates for all types of road three times a year.
- Improve enforcement of speeding of PTWs by improving number plate visibility and accuracy of speed detection.
- Share international best practices in the enforcement of speed limits, including experience in using safety cameras and 'section control' cameras.
- As well as fixed safety cameras, introduce 'section control' cameras in places where speeding over appreciable distances is a problem.
- Promote the introduction of owner or keeper liability as opposed to driver liability to facilitate enforcement of speed limits.
- Install safety cameras able to detect speeding riders and enforce their compliance with speed limits.
- Incorporate speeding offences in penalty point systems, and make sure that levels of penalty escalate as the level of speeding above a speed limit increases.
- Monitor development of speed patterns (mean speed and 85 percentile) and publish regular overviews of change for different road users.

Drink driving

- Introduce targeted breath testing to complement enforcement based on suspicion.
- Intensify enforcement of drink driving laws by setting targets for minimum level of alcohol checks of the motorist population, e.g. 1 in 5 motorists should be checked each year.
- Implement a roadside evidential breath testing procedure, which will allow the police to test more suspected drink drivers.
- 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.

Drug Driving

- Introduce random drugs testing with a zero-tolerance approach for illicit drugs (testing for presence of a drug) with a blood/urine/saliva tester. Combine this with an impairment approach for other psychoactive substances.

Seat belt use

- Conduct intensive seat belt use 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).

Follow-up of offences

- Work towards a low level of appeals for fixed penalties for speeding violations.
- Set up and implement a demerit system which includes 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.
- Introduce rehabilitation programmes to address recidivism in case of drink driving and speeding.

Information

- Publish the results of dedicated enforcement actions on the relevant Police websites.
- Prepare and implement an annual enforcement and information campaign and calendar with all key actors including actions in all areas (speeding, drink and drug driving, seat belt use). Make use of new social media to inform citizens.

Cross Border Enforcement

- Apply the Directive that would lead to the cross border enforcement of the most important traffic offences.
- Raise awareness of EU citizens as regards the road safety traffic rules in force through organising regular information campaigns using multipliers such as NGOs and other road safety stakeholders linked to police enforcement.
- Regularly inform the European Commission on any changes on road safety related legislation so that this can be communicated at a reliable EU level.
- Follow through the enforcement chain and initiate follow up proceedings for sending the information letter for payment under Article 5. In case of non-payment apply the Council Framework Decision 2005/214.
- Support the recast of the Framework Decision 2005/214, especially if this provides the opportunity to include civil/administrative offences as this would provide an important final part in the enforcement chain.
- Support the preparation of best practice guidelines on road safety enforcement and the review of strengthening sanctions, as foreseen under Article 11.
- The few remaining Member States who have not yet opted in to the Directive are encouraged to do so as soon as possible.

Measuring Enforcement

- Collect and monitor the number of offences over time and percentage change of cause of death in order to be able to set targets and evaluate progress.



ETSC's Contribution to Improving EU's Road Safety Enforcement Policy Making

ETSC ran a three year programme to monitor progress made in EU Member States in terms of improving traffic law enforcement⁶. The programme assessed and compared national efforts and continues to report on its findings regularly to keep the item on the agenda. ETSC also prepared a questionnaire based on the EC Recommendation and compiled Country Page Reports which examined enforcement activity in the EU Member States⁷. ETSC regularly published a newsletter, the 'Enforcement Monitor', and two policy papers: "Enforcement Across the EU: an Overview" (2006) and "Traffic Law Enforcement Across the EU – Time for a Directive" (2007).

Since then ETSC has continued to advocate for evidence based traffic law enforcement across the EU. Its projects and programmes and newsletters⁸ have been monitoring enforcement especially in the priority areas of speed and drink driving enforcement.

Under the Road Safety Performance Index PIN programme two important reports that deserve being highlighted are the PIN Report on 'Tackling the Three Main Killers'⁹ (published in May 2010) which also gathered levels of enforcement. The more recent PIN Report on Road Safety Management in the EU Member States¹⁰ (June 2012) updated the enforcement data was and contextualised it within the Member State level road safety management.

For more information:

ETSC (2012) 6th Road Safety PIN Report: A Challenging Start towards the EU 2020 Road Safety Target Chapter 2 Road Safety Management

ETSC (2011) ETSC Position on Cross Border Enforcement Directive

ETSC (2011) ETSC's Response to the Road Safety Policy Orientations 2011-2020

ETSC (2011) Traffic Law Enforcement Across the EU: Tackling the Three Main Killers

ETSC (2010) 4th PIN Road Safety PIN Report Chapter 2 Tackling the 3 Main Killers on the Road

ETSC (2009) ETSC 3rd PIN Report 2010 on the Horizon.

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

ETSC (2006) Enforcement in the EU.

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⁶ ETSC Enforcement Programme <http://www.etsc.eu/enforcement-etscprogramme.php>

⁷ ETSC Enforcement Programme Country Page Reports
http://www.etsc.eu/Countrys_Compedium.php

⁸ <http://www.etsc.eu/documents.php?did=2>

⁹ ETSC (2010) 4th Road Safety PIN Report

¹⁰ http://www.etsc.eu/documents/PIN_Report_6_web.pdf

Annex 1

Country	Yearly speed tickets per 1000 population (both Police roadside checks and speed cameras)					Points allocated in Q15a
	2011	2010	2009	2008	2007	
AT	587	497	495	457	459	3
NL	445	501	552	558	595	3
FR	n/a	161	158	156	136	2
CY	118	107	90	137	165	2
EE*	80	58	35	65	37	2
MT	80	103		n/a		1
FI	62	61	64	52	44	1
IE	59	35	39	40	45	1
HU*	54	66	35	23	n/a	1
DK	51	50	47	45	48	1
RO	50	44	46	51	49	1
SI	49	59	79	72	73	1
ES*	42	46	49	44	27	1
LV	44	45	50	49	45	1
NO	41	44	44	48	54	1
PL	40	35	38	34	32	1
IL	n/a	26	29	29	22	0
SE	22	24	24	23	23	0
PT	22	18	16	20	20	0
IT	16	15	16	20	19	0
CH	n/a	n/a	n/a	n/a	335	0
LU	n/a	n/a	44	42	49	0
EL	21	23	29	31	32	0
BG	n/a	n/a	n/a	20	18	0
CZ	n/a	n/a	19	17	21	0
GB*	n/a	n/a	18	20	24	0
SK	n/a	n/a	0	24	21	0
LT	17	16	14	10	20	0
BE			n/a			0
DE			n/a			0

Table 1: Number of speeding tickets (per 1000 population from both Police roadside checks and speed cameras) and points allocated in phase 3 for question 15a.

Source: PIN Panellists based on national Police data.

In ETSC (2012) 6th PIN Report, A Challenging Start towards the EU 2020 Road Safety Target

EE Speed camera checks started in 10.05.2010.*

HU Number of completed speed-related administrative procedures.*

ES Data not available from Basque Country, Catalonia and urban areas.*

GB England and Wales only. Scottish data not included*

Country	2010		2009		2008		2007		Points allocated in Q15b
	Roadside police tests per 1,000 population	% above legal limit	Roadside police tests per 1,000 population	% above legal limit	Roadside police tests per 1,000 population	% above legal limit	Roadside police tests per 1,000 population	% above legal limit	
FI*	429	0.9%	421	1.0%	385	1.7%	318	1.6%	3
NO*	367	0.2%	333	0.3%	336	0.3%	382	0.2%	3
SE	287	0.6%	293	0.7%	256	0.8%	283	0.7%	3
CY	217	5.3%	196	6.2%	182	5.9%	149	6.8%	2
SI	198	4.7%	212	4.7%	202	5.8%	191	7.2%	2
FR	173	3.4%	181	3.3%	189	3.3%	182	3.3%	1
EL	161	2.1%	147	2.8%	135	3.1%	143	2.9%	1
IE	126	1.9%	119	2.6%	128	3.2%	113	4.1%	1
AT	122	3.7%	102	4.8%	87	5.8%	77	7%	1
IL	122	1.0%	83	1.7%	67	2.2%	24	5.1%	1
HU	120	3.6%	127	3.3%	130	3.1%	143	3.2%	1
ES*	114	1.8%	128	1.8%	112	1.8%	96	2.2%	1
PT*	106	3.8%	81	4.3%	63	5.9%	57	5.6%	1
EE	105	0.7%	98	0.8%	95	11%	68	1.0%	1
PL	88	4.9%	60	7.5%	47	9.5%	n/a		1
LT	39	2.7%	21	5.0%	40	1.7%	34	1.6%	1
IT*	27	2.5%	27	2.9%	23	3.4%	13	6%	1
DK			n/a		36	5.7%	n/a	n/a	0
GB*	n/a	n/a	15	11.6%	13	12.9%	11	16.3%	0
MT	0	46.6%	0	73%					0
LU			n/a		0	n/a	0	n/a	0
BE					n/a				0
CZ					n/a				0
DE					n/a				0
LV					n/a				0
NL					n/a				0
RO					n/a				0
SK					n/a				0
CH					n/a				0

Table 2 Roadside alcohol breath tests per 1000 population and percentage of those tested found to be above the legal limit and points attributed in phase 3 for question 15b.

Source: PIN Panellists based on national Police data.

In ETSC (2012) 6th PIN Report, A Challenging Start towards the EU 2020 Road Safety Target

*FI** It is estimated that national traffic police makes 50% of all tests. Tests made by traffic police have been multiplied by two.

*NO** Number of positives tests is the number of drivers convicted for drink driving.

*ES** Data not available from Basque Country, Catalonia and urban areas.

*PT** Source: ANSR.

*IT** Data from Traffic police forces and Carabinieri (data from local police forces are not included).

*GB** England and Wales only. Scotland data not included