

Safety Monitor

ETSC's Newsletter on Transport Safety Policy Developments in the EU

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Editorial

Better traffic law enforcement? Up to you to support this!

With the newly opened public consultation on enforcement, stakeholders now have the possibility to support a more stringent and effective enforcement of road safety rules across the EU. Comments on the consultation paper "Respecting the rules: better road safety enforcement in the EU", published by the European Commission on 8 November 2006, can be submitted until 19 January 2007.

When the European Commission adopted a Recommendation on enforcement in 2003, it also committed to submitting a proposal to legislate further measures in case the EU objective of 50% less deaths on European roads by 2010 was unlikely to be achieved. It is time to face the facts: progress achieved is insufficient to reach the objective. More than 41,000 people still died last year from road crashes in the European Union, and a large number of crashes and deaths could be avoided with more effective policies.

Effective enforcement, combined with awareness raising activities, is the best measure to ensure maximum progress up to 2010. Police enforcement of rules covering speeding, drink driving and the use of seat belts can prevent 14,000 yearly deaths by 2010, according to the European Commission's estimates. Moreover, too many drivers do not respect traffic laws when driving in other EU countries, undermining efforts made at the national level to increase compliance with safety rules.

An earlier ranking by ETSC's Road Safety Performance Index (PIN) has proven that rapid progress in reducing road deaths is possible for every country, whatever its starting point. This ranking has also shown that raising compliance with traffic safety law has been key to improvement in those countries that recorded fastest progress over the last years.

ETSC urges all stakeholders to carefully consider the proposed options presented in the European Commission's consultation paper. It is crucial that as many organisations as possible support the more ambitious policy options, as these will pave the way to reaching the EU target of a 50% reduction in yearly road deaths by 2010.

Jörg Beckmann
ETSC Executive Director

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Road safety

EC consultation on enforcement

The European Commission has published a consultation to improve the application of road safety rules in the EU, particularly as concerns cross-border enforcement (see the Editorial). The document envisages five different possibilities which are all (bar the status quo option) founded on better exchange of information between the authorities in the different Member States. Some options also call for mutual recognition of fines.

By means of the new legislation, the Commission intends to: 1) set up a EU wide system for carrying out the cross-border application of road fines and 2) provide a reference framework for convergence towards high quality and fair enforcement practices for road safety - particularly in the areas of speeding, drink driving and the non-use of seat belt.

[EC consultation \(6 November 2006\)](#)

Strategy to reduce alcohol-related harm

On 24 October 2006, the European Commission published a Strategy on Alcohol-related Harm Reduction. The document focuses on preventing and cutting back heavy and extreme drinking patterns, as well as under-age drinking, and some of their most harmful consequences, in particular alcohol-related road accidents. The Strategy recognises that measures are needed in particular where there is a cross-border element. It proposes the dissemination of good practices already implemented in some Member States such as setting lower or zero BAC limits for young and professional drivers, unrestricted (random) breath testing for all drivers and application of dissuasive sanctions against all who are found to be driving over the BAC limit, and in particular for repeated drink drivers. So far, the Commission will limit its intervention to improving coordination between Member States. ETSC calls for concrete legislative action to raise police enforcement efforts ensuring that drivers are traveling soberly and safely across the EU.

[Strategy on Alcohol-related Harm \(24 October 2006\)](#)

[ETSC press release \(26 October 2006\)](#)

Road safety at the Parliament

An own-initiative report on road safety was adopted on 22 November 2006 by the European Parliament Transport Committee calling for essential European initiatives in reaction to the Road Safety Action Programme's mid-term review. The report will be discussed at the plenary session of the Parliament in January 2007.

The vote expressed the Committee's preferences for a more prominent role played by Member States in taking road safety actions. The Committee called on Member States to ensure the strict implementation of the legislation on driving licences, alcohol limits, speeding, the use of seat belts, child-restraint systems and respect for vulnerable road users, including motorcyclists.

Rapporteur Ewa Hedkvist Petersen (PES, Sweden) was disappointed that her proposal to bring forward a Directive setting a limit of 0.5 g/l of blood for drivers was rejected at the vote by the other MEPs. However, the Committee voted in favour of a 0,0 g/l alcohol limit for young and professional drivers. The Committee supported the proposal that backward-facing child car seats should be required for children up to 3-4 years and that there should be more stringent joint minimum standard for the examination and certification of driving instructors. As well, MEPs agreed that the European Commission should make EU funding available to support twinning projects between new and old Member States to reduce the increasing gap in road safety risk.

As MEPs can still submit amendments until the January plenary, ETSC hopes that the following priorities will be taken on in priority: 1) the adoption of road safety legislation in the field of infrastructure; 2) the improvement of traffic law enforcement in Member States and across borders with the support of a Directive that does not only apply to the TENs; 3) the launch of an EU wide campaign on speed tackling the main cause of death on European roads.

[EP draft report \(21 September 2006\)](#)

[ETSC response \(20 November 2006\)](#)

Verona 2006

Transport Ministers met in Verona for their annual road safety meeting in November. The outcomes were unfortunately rather weak. The focus was set on the following areas: child mobility, motorcyclists, road safety in planning policies, road safety innovation and technology. ETSC regrets the lack of commitment from Transport Ministers while the majority of the EU countries will have difficulty contributing their share of reaching the EU 50% target by 2010. Among the countries that have progressed least over the last years are Lithuania, Hungary, Ireland and Poland.

[Verona conclusions \(not yet available\)](#)
[ETSC press release \(3 November 2006\)](#)

Car manufacturers use safety as excuse for not reducing car emissions

A report published by the European Federation for Transport and Environment (T&E) on 25 October 2006 showed that cars, especially new ones, still pollute too much. The European Automobile Manufacturers association (ACEA) claims that growing safety requirements are one of the reasons why the industry will have trouble to fulfill its voluntary target to reduce average CO₂ emissions by new vehicles to 140 g/km between 1998 and 2008.

In response, ETSC stresses that safety does not offset efforts to cut emissions as shown by the performance of smaller and lighter cars at the Euro New Car Assessment Programme (EuroNCAP). The added weight due to additional body materials and an optimised structure for car safety is negligible. Heavier vehicles are rather the result of an increase in size for comfort, more luxury features and more powerful engines to achieve higher speeds.

[ETSC press release \(13 November 2006\)](#)

The EC calls eCall back on track

In a Communication adopted on 23 November 2006, the European Commission announced two new

measures which will help rolling out eCall more effectively. Firstly, Member States have been given clear actions with deadlines for solving the remaining legal, technical and socio-economic issues and proceeding with the necessary 112, E112 and eCall infrastructures. Secondly, Industry is asked to renew its commitment to eCall. With this new Communication, the European Commission hopes to reach all Member States' signature by mid-2007. The following ten countries have so far signed the agreement: Iceland, Finland, Sweden, Greece, Italy, Lithuania, Slovenia, Cyprus, Switzerland and Norway.

[EC Communication \(23 November 2006\)](#)
[Memorandum of Understanding](#)

Blind spot mirrors

On 12 December 2006 the EU Council reached political agreement on the fitting of the new anti-blind spot rear view mirrors in lorries registered as of 1 January 2000. The Member States will have 3 years following the entry into force of the Directive in which to comply with its provisions. Pending the European Parliament's opinion, Commissioner Jacques Barrot, indicated that he would show flexibility if needed to facilitate the adoption of the proposal in first reading. He referred to the proposals made by the UK and several other countries to propose mirrors removing blind spots at the front of lorries.

European driving licence

On 14 December 2006 the Parliament adopted the proposal in second reading for a European driving licence. The new driving licence, which will be issued as of 2012, will take the form of a plastic card-credit-card style, with or without an electronic chip containing the data printed on the card. Previous national licences will be phased out between 2012 and 2032. The normal period of validity will be 10 years for cars drivers and motorcycle riders, but Member States will be allowed to choose to extend this to 15 years if they want. The rules relating to motor bike licences will also be tightened up.

Maritime and Inland Waterway Safety

Port State control

The Council agreed on a general approach on a proposal for Port State control on 11 December 2006, while waiting for the first reading in the European Parliament. The proposal is one of the seven proposals contained in the Commission's third maritime safety package and aims at tightening and better targeting port controls in order to reinforce the effectiveness and quality of inspections on ships. The Directive establishes a new inspection regime with the aim of ensuring that 100% of ships calling at ports of Member States are inspected. The focus shall be put on substandard vessels. The Ministerial discussion was based on a Presidency compromise proposal concerning the following issues: 1) Member States shall perform inspections on any ship and its crew calling at one of their ports or anchoring in areas under the jurisdiction of one of their port; 2) Member States are allowed to miss a small percentage of inspections (5% of ships with a high risk profile and 10% of other ships); 3) Ships that at various occasions have proven not to comply with international standards on safety, health and environment, will be refused access to Member States' ports; 4) the Directive will apply in all Member States on the same day after a transposition period of 36 months. The Maltese delegation indicated that it would vote against the proposal. The European Parliament's first-reading opinion is expected for April 2007.

First proposal (23 Novembre 2005)

Liability for passenger shipping

At the Transport Council on 11 December 2006, the Council took note of a progress report on a proposal for a regulation on the liability of carriers of passengers by sea and inland waterways in the event of accidents.

This proposal is also one of the seven proposals contained in the Commission's third maritime safety

package and aims at establishing a Community regime of uniform liability for the carriage of passengers by sea and inland waterways. To this end, the proposal integrates the Athens Convention relating to the carriage of passengers and their luggage by Sea of 1974, as amended in 2002, into Community legislation. It also extends the application of this Convention to cover domestic traffic, not only international traffic, as well as inland waterway navigation. Lastly, the proposal provides for indemnity in case of passenger injuries, deaths or loss of luggage. The report was transmitted by the Commission to the Council in February 2006. The work on the proposal in Council's preparatory bodies will continue under the forthcoming German Presidency. The European Parliament's first-reading opinion is expected by February 2007.

First proposal (23 Novembre 2005)

Ban of single-hull oil tankers

On 14 December 2006 the Parliament adopted the report to regulate on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers. The European Commission presented a legislative proposal in March 2006 to put an end to an incongruous situation: so far single hull tankers flying an EU flag were only banned when sailing to or from EU ports, but not when flying the flag of a Member State and transporting heavy fuel oil outside of Community waters. Greece is the only country within the EU Council of Ministers to oppose this initiative. The country argues that the existing international MARPOL convention already covers the situation by enabling third countries to refuse access to their ports to single hull tankers carrying heavy fuel oil.

First proposal (27 March 2006)

Aviation Safety

A regulatory framework for aviation

A high-level group started on 8 November 2006 to work on the harmonisation and simplification of aviation regulations in Europe. The group is composed of selected high level representatives from the national authorities, air navigation service providers, airspace users, airports, aviation industry, the European Aviation Safety Agency (EASA) and Eurocontrol. This initiative will enable the European Commission to define the roadmap towards reforming the regulatory framework while successfully including the stakeholders. The tasks, roles and position of the European Aviation Safety Agency (EASA) and Eurocontrol will also be redefined. Also, the newly created group will address the possibilities to involve the private sector into European initiatives (public-private partnership approach and SESAR initiative). The input will be used by the European Commission for its Single European Sky mid-term review to be presented by mid-2007.

[Terms of reference \(8 November 2006\)](#)

[EC Press release \(8 November 2006\)](#)

Operational rules for air carriers

On 23 October 2006 the Council of Ministers formally adopted in second reading the [Regulation on the harmonisation of technical requirements and administrative procedures](#) in the field of civil aviation. The proposal was submitted in February 2004 by the European Commission to transpose the non-binding JAR-OPS (Joint Aviation Requirements Operational Standards) of the Joint Aviation Authorities into binding Community law. A prior compromise had been struck by the Council and the European Parliament, whereby they agreed that crews can fly 13 consecutive hours (with scope for a one-hour extension twice week) or 11.45 hours where flight duty periods start at night.

The European Cockpit Association (ECA) is satisfied with the fact that existing more favourable collective agreements in certain Member States can be upheld. Moreover, a scientific and medical evaluation assessment will be carried out within two years following

the entry into force of the Regulation as concerns the provisions on flight and duty time limitations and rest requirements, and where relevant, on cabin crews.

[The Role of EU FTL Legislation in Reducing Cumulative Fatigue in Civil Aviation \(ETSC, 2003\)](#)

SESAR

When the European Parliament adopted the SESAR report on 14 November 2006 in first reading, it rejected the amendments that limit the number of votes available to the European Commission and Eurocontrol on the joint undertaking's board of administration.

At the same plenary session, Commissioner Barrot made it clear that the European Commission would reject out of hand Parliament's amendments concerning its participation on the joint undertaking's board of administration of SESAR. Likewise, the European Parliament will not be consulted on the appointment of the joint undertaking's executive director. Other than this, the European Commission supports the amendments proposed which clarify the role of the various stakeholders or the restriction of the existence of the joint undertaking to the development phase (2013).

SESAR was tabled by the European Commission on 25 November 2005 to develop a new-generation European air traffic management system (SESAR) and establish a related joint undertaking as air traffic is expected to double in the next twenty years. The programme's definition phase is due to be completed by 2007.

[EP draft report \(30 May 2006\)](#)

EASA competences extended

The EU Council has agreed on 12 December 2006 to extend the competences of EASA also to the certification of third-country aircraft operating services to the EU. The new rules will permit the introduction of genuine evaluation in all EU Member States. So far, only few countries applied the certification of third country aircraft and it generally only involved a "simple" checking of papers.

Railway Safety

Certification of train drivers

The European Parliament and the Council differ strongly on the scope of the future Directive on the certification of train personnel. This proposal is part of the 3rd railway package presented by the European Commission in 2004. The Council excludes train personnel other than train drivers from any kind of certification. On the other hand, the European Parliament's rapporteur, MEP Gilles Savary (PES, France) insists to include all on-board personnel as they play a crucial role in the event of accidents, although the level of qualification does not have to be the same as for train drivers.

The rapporteur proposes that certification be included in the Directive under the form of general competences. The European Rail Safety Agency would then have one year to confirm them or not, basing its decision on an agreement reached within the framework of sectorial social dialogue. If no decision is reached, the European Commission would adapt the competences at the latest 18 months after the adoption of the Directive.

Other points of controversy between the European Parliament and the European Council concern the funding for this training and the professional requirements needed to drive passenger and good trains. In first reading in September 2005, the Parliament adopted an amendment requiring train drivers to have three years of experience in domestic services before being allowed to drive cross-border services. The European Commission and the Council of Ministers regard this measure as an unnecessary hurdle for new entrants into the rail transport market. If the deadlock does not end with the Council of Ministers on that question, Mr. Savary fears the proposal will end with a conciliation procedure between the Council and the Parliament.

[EP draft report \(not yet available\)](#)

[Council common position \(14 September 2006\)](#)

Rail interoperability

Following the entry into force in April 2004 of Directive 2004/50/EC on the interoperability of the trans-European rail system, the European Commission has issued a second report evaluating the progress made under the second railway package as concerns the development of new Technical Specifications for Interoperability (TSIs) and the review of TSIs already adopted with a view to covering the lines and rolling stock not yet covered. The report concludes that interoperability has improved and now covers both high-speed and conventional rail networks. But as it is not yet fully in place for conventional rail systems, it will be necessary to undertake an in-depth study at a later stage to determine the impact of TSIs on the network in question. Thirteen Countries still have failed to notify the Commission of their transposition of this Directive into national law since the deadline was reached in April 2006.

[EC press release \(12 October 2006\)](#)

Implementation of railway safety

The other Directive (2004/49/EC) part of the second railway package has also failed to be implemented into national legislation by the same thirteen countries as for Directive 2004/50/EC.

This Directive, which aims at strengthening rail safety by ensuring full transparency in relation to safety procedures in force, lays down a procedure for granting the safety certificates every railway company must obtain before it can run trains on the European network. The objective is to bring the national safety systems to the highest common European standards, which would be set by the Commission after preparatory work carried out by the European Railway Agency at the technical level. It also requires Member States to set up an independent safety authority and an accident investigation body for rail transport.

[EC press release \(12 October 2006\)](#)

ETSC News

European Transport Safety Lunch and Policy Paper on seat belt reminders

ETSC hosted a Transport Safety Lunch "Save yourself!" on 25 October 2006 to discuss the contribution of seat belt reminders to safety. Panelists included: Anders Lie (Swedish Road Administration), Franziska Achterberg (Road Safety Performance Index (PIN), ETSC), Pablo López (FITSA), Tjark Kreuzinger (Toyota Motor Europe), and Peter Schmitz (European Commission). The discussion showed that the majority of stakeholders - including ETSC - strongly supports further promotion of seat belt reminders across Europe. According to ETSC, the EU should pass a Directive making seat belt reminders mandatory in all cars and on all seats. See the [Report on the European Transport Safety Lunch](#).

On the same day, ETSC launched its publication "[Seat belt reminders - implementing advanced safety technology in Europe's cars](#)" to bring together evidence on how the development and introduction of seat belt reminders can contribute to saving lives in Europe. Free copies can be obtained at [ETSC Secretariat](#).

PIN Flash 3

On the occasion of the Transport Safety Lunch, ETSC published a second PIN country ranking ([press release](#) and [PIN Flash 3](#)) on seat belt reminders penetration in the EU Member States. Sweden, Luxembourg and Germany have high rates of new passenger cars equipped with seat belt reminders for the driver seat, on the contrary to the Czech Republic, Slovakia, Hungary, Poland, Lithuania, Italy and Greece, which have low rates. According to ETSC, Euro NCAP provides a great incentive for manufacturers to install seat belt reminders on the best-sold models in Europe. But to reach also the upper and lower priced segments of the market, there is a need for EU legislation mandating seat belt reminders in all new cars.

First Road Safety PIN Talk held in Greece

A first and successful national road safety debate was held in the frame of the Road Safety Performance Index (PIN) in Athens on 15 November 2006. Participants included a member of the Hellenic Parliament, the Director of Traffic Police, the President of the emergency services, the President of the Union of Insurance Companies, the President of Hellenic Institute of Transportation Engineers and renowned road safety experts. Greece ranks 3rd worst country of the EU-25 and the worst of the EU-15 in terms of road deaths per million of inhabitants in 2005. ETSC Director Jörg Beckmann said that politicians should "stop pretending and start implementing the Strategic Plan without delay". See [ETSC press release](#). More information on the Road Safety Performance Index can be found on the [ETSC website](#).

Drink driving and road safety

On 22 November 2006 ETSC launched a new programme together with DIAGEO which will establish Europe's first dedicated 'Drink Driving Policy Network'. According to ETSC, drink driving is still a major cause of fatal crashes. This new policy network will allow to collect and communicate further approaches on how to best avoid alcohol-related road accidents (see [press release](#)). ETSC also reacted to the Strategy on Alcohol Harm Reduction launched by the European Commission on 26 October 2006. See under "road safety" section.

VOICE country sheet

VOICE published a new country sheet on vulnerable road users in the Czech Republic. The country sheet can be downloaded in [English](#) or in [Czech](#).



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