

# SAFETY MONITOR

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

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### SUMMARY

#### The Council of Ministers

- Decided on the headquarters of the new agencies (p.1)
- Adopted the proposed Directive on speed limiters for light commercial vehicles (p.2)
- Started discussing the proposed Directive on road charging for heavy goods vehicles (p.3)
- Secured a political agreement with the European Parliament on the proposed Directive on third countries aircraft (p.4)

#### The European Commission

- Launched the 2004 campaign for the European Road Safety Charter (p.2)
- Proposed to make the International Safety Management Code mandatory for all ships (p.2)
- Signed a Memorandum of Co-operation with Eurocontrol (p.4)

#### The European Parliament

- Is preparing a resolution on the Commission's monitoring reports for the accession countries (p.1)
- Adopted the Commission's proposals to make seatbelts mandatory in all new vehicles in first reading (p.2)
- Reached a conciliation agreement with the Council on the Single European Sky package (p.5)
- Opened the conciliation procedure with the Council on the Second Railway package (p.5)

#### The European Transport Safety Council

- Started its new three year project "The SEC Safety Belt" (p.6)



## ACROSS THE MODES

### COUNCIL

#### Headquarters of new agencies

The European Council decided on 13 December 2003 that the European Maritime Safety Agency (EMSA) will be based in Lisbon (Portugal), the European Aviation Safety Agency (EASA) will be established in Cologne (Germany) and the European Railway Agency will have its headquarters in Lille-Valenciennes (France).

### EUROPEAN PARLIAMENT

#### Exchange of views with Irish transport minister

On 21 January, the RETT committee held an exchange of views with Seamus Brennan, the President-in-office of the Transport Council. The Presidency will strive to complete the 2<sup>nd</sup> Railway Package (*see below*) and make sure the second reading on the tunnel safety Directive can be concluded in this parliamentary legislature, the minister said (*see Safety Monitor 50*).

#### Accession countries

Parliament is preparing a resolution on the report on the state of preparedness for EU membership of the accession countries, issued by the Commission in November 2003.

Regarding road safety, the Commission gave worst marks to the Czech Republic saying the country needs to take "immediate action" to

address its shortcomings in the implementation of the EU's social and technical acquis. The three Baltic countries, Slovakia and Slovenia also have to increase the number of checks of driving times and rest periods of professional drivers.

According to the Czech Transport Research Centre, CDV, the Czech government only recently approved the amended Traffic Code. It introduces, among other changes, increased police enforcement and a penalty point system.

In the maritime sector, it is Malta and Cyprus that still have the poorest records. Their flags continue to be on the blacklist of the Paris Memorandum of Understanding, and the Commission calls for "urgent improvement" in that area.

The Commission is also concerned about the safety standards of Polish and Estonian ships. Currently, not very many ships are detained after port state control, but their numbers are rising sharply.

Speaking to the Parliament's MARE Committee on 21 January (*see below*), European Transport Commissioner Loyola de Palacio warned that Malta and Cyprus had only four months to implement EU legislation, and that there would be no transitional period for the accession countries.

## EUROSTAT

### Transport statistics, second edition

The EU's statistical office has released a DVD including public documents and data related to transport statistics in the EU and its main partner countries, in particular in the fields of air, maritime and road transport. The DVD contains about 20 million statistical data and more than 850 documents. Compared to the first edition, the DVD carries much more information related to candidate or Mediterranean countries. It can be ordered from Eurostat's website for 700 Euros (<http://europa.eu.int/comm/eurostat>).



## ROAD SAFETY

### COUNCIL OF MINISTERS

#### Speed limiters for small buses and vans

On 20 January, the EU Council of Ministers adopted without a debate the new Directive for

the assembly requirements of speed limiters for light commercial vehicles, such as small buses and vans.

The Directive is linked to another Directive (2002/85/EC) adopted at the end of 2002, which makes speed limiters compulsory for all passenger vehicles with more than eight seats and for all goods vehicles over 3.5 tonnes (*see Safety Monitor 43*). In order to cover all the vehicles and speed limiters under this Directive, it was ultimately necessary to amend the scope of Directive 92/24/EEC, in terms of speed limiter construction.

The Parliament had approved the European Commission's proposal in October 2003 without making any amendments.

## EUROPEAN COMMISSION

### European Road Safety Charter

The 2004 campaign for the European Road Safety Charter will be launched officially on 29 January in Brussels. A conference on the Charter including an official signatory event is planned for April 2004, in the context of the world road safety week (*see Safety Monitor 50*).

### Video on road safety

In the context of its Road Safety Action Programme, the European Commission has produced a video about road safety measures, including enforcement of safety legislation, awareness-raising campaigns, data exchange and the promotion of good practice. Its title is "Let's start by respecting the rules..." and it can be downloaded from the Commission's website or ordered free of charge from [tren-publications@cec.eu.int](mailto:tren-publications@cec.eu.int).

## EUROPEAN PARLIAMENT

### Seat belts package

On 17 December 2003, the European Parliament approved the three Commission proposals aimed at making seat belts compulsory in all new motor vehicles from 2004. Currently, this is the case only for passenger cars (*see Safety Monitor 50*).

Based on the report by Dieter Koch (EPP-D), Parliament rejected the Commission's proposal to ban side-facing seats in buses and coaches on safety grounds. Instead, Parliament asked the

Commission to supply reliable data on the risk of such seats by 31 December 2004.

### Road user charging for heavy goods vehicles

The RETT Committee has started discussions on the Commission's proposal to amend the "Eurovignette" Directive 1999/62/EC on the charging of heavy goods vehicles to better reflect the external costs of road transport in the level of tolls charged.

MEPs are highly divided over the issue. While some argue that the Directive should apply also to private cars, others oppose the proposal as a whole. Discussions revolve not only around the scope of the Directive in terms of vehicle types and roads, but also about the kind of external costs that should be taken into account, and the use of the revenues raised.

The Council of Ministers on 5 December held first talks on the issue. Delegations agreed on the general principle of introducing a common methodology, but differed radically in their comments on the most sensitive points mentioned above.

The European Commission has urged Parliament to conclude its first reading before the end of the legislature.

ETSC believes that the cost of accidents should be taken into account in defining the level of charges, as proposed by the Commission. Revenues from charging must be spent on measures to improve the level of safety on European roads.

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**MARITIME & INLAND  
WATERWAY SAFETY**

### EUROPEAN COMMISSION

#### International Safety Management Code

The Commission has tabled a new proposal to make the International Safety Management

Code mandatory for all ships. Until now, it has been compulsory only for ro-ro passenger ferries.

The ISM Code, adopted by the IMO in 1993, provides a number of procedures aimed at enhancing maritime safety and pollution prevention. This includes crew training, emergency responses, ship maintenance, etc. Shipping companies and vessels that meet these provisions can obtain a safety certificate.

If the Council of Ministers approves the current proposal, EU Member States will be able to stop ships that are not in possession of an ISM certificate from using their ports.

### EUROPEAN PARLIAMENT

#### European Maritime Safety Agency (EMSA)

The RETT Committee approved on 21 January the Commission's proposal to extend the tasks of the Maritime Safety Agency (*see Safety Monitor 49*).

MEPs largely followed the Council's compromise on the issue, which was agreed on 5 December 2003. They were keen to stress that the agency should provide purely technical assistance to the Commission in its security inspection missions, and that it should support Member States in their pollution response actions only upon their request.

#### Temporary Committee on maritime safety

On 21 January, the so-called MARE Committee held an exchange of views with European Transport Commissioner Loyola de Palacio and IMO Secretary-General Efthimios Mitropoulos.

Commissioner Loyola de Palacio said she deplored the fact that most Member States had made no progress in designating zones of refuge for ships in distress, as they are required to do under EU law. She would not hesitate to bring these Member States before the Court of Justice if they did not meet their obligations by 5 January 2005, the Commissioner warned.

Mr Mitropoulos told MEPs that the training and skills of seafarers were key issues in maritime safety. Unfortunately, he said, fewer and fewer young people were interested in a career in the merchant navy. With 16,000 vacancies, he warned that in the near future there would be

modern and well-equipped ships but no one to operate them. He also said that most major accidents happen in the bulk cargo shipping sector and not with oil tankers.

The Committee will continue on 18 February to hear evidence on maritime safety issues from representatives of the industry, trade unions, NGOs and maritime authorities.

## INTERNATIONAL MARITIME ORGANISATION

### Double-hull tankers

The IMO has amended the MARPOL Convention on the prevention of pollution from ships to introduce a regime similar to the stricter EU rules on single-hull tankers that have been in force since October 2003.

The new timetable for the phase-out of single-hull tankers gives the year 2010 as the principal cut-off date for this type of vessel, in line with European legislation. The carriage of heavy fuel oil by single-hull tankers will be banned for all categories from the year 2008. In the EU, this ban took immediate effect.

The decision was preceded by intense diplomatic efforts from the EU. Commenting on the move, European Transport Commissioner Loyola de Palacio indicated: "I am delighted that the European proposals for safety, security and environmental standards will now be established and applied globally. The IMO has proved itself able to develop and implement these important proposals".



## AIR SAFETY

### EUROPEAN COMMISSION

#### Information on airlines chosen by tour operators

During the parliamentary debate on air safety on 12 January (*see below*), European Transport Commissioner Loyola de Palacio said tourists buying package holidays should receive information about the airlines they will travel with. The Commission will consider this theme as a subject of priority, de Palacio said.

### Cooperation with Eurocontrol

On 22 December 2003, the European Commission and Eurocontrol, the European Organisation for Air Safety, signed a Memorandum of Co-operation (MoC). Through the Memorandum, Eurocontrol will contribute to the Single European Sky, as agreed in the conciliation compromise of 9 December 2003 (*see below*).

The Memorandum provides for new forms of co-operation, replacing the exchange of letters that has governed the relationship between the two organisations since 1980. This includes information sharing, joint activities, elaboration of technical material and staff secondment. Meanwhile, the Commission has proposed that the European Community become a full member of Eurocontrol. The Council now has to ratify the Protocol of accession (*see Safety Monitor 50*).

### EUROPEAN PARLIAMENT

#### Safety of third-country aircraft

During a meeting on 20 January 2004, the EU Council and the Parliament reached a political agreement on the so-called "ramp checks Directive". The proposal, issued two years ago, provides for new safeguards for non-EU aircraft using European airports, including checks and public information on the safety of these aircraft.

Most importantly, the compromise empowers the Commission to extend measures taken by one Member State (e.g. bans on airlines) to the whole of the EU, following the committee procedure. In their common position, Member States governments would authorise the Commission merely to issue a recommendation, leaving Member States to decide for themselves which course of action to follow. The compromise also reinstates the two-year deadline for implementation originally foreseen by the Commission, instead of the three years proposed by the Council.

The deal was struck after the Council had rejected Parliament's second reading amendments on 20 January without a debate (*see Safety Monitor 50*). It should be formally endorsed at the Conciliation Committee meeting on 27 January.

## Single Sky package

On 9 December 2003, the European Parliament and the Council secured a conciliation agreement that paves the way for the single system of air traffic control known as Single European Sky. The parties managed to compromise on a number of controversial issues such as civil-military cooperation, "functional airspace blocks" and the role of Eurocontrol (*see above*).

The conciliation committee was convened after the Council rejected the second reading amendments adopted by the Parliament in September 2003 (*see Safety Monitor 49*). The agreement now has to be formally adopted by Parliament and Council. The complete regulatory framework should be in place by the end of 2004, according to the Commission.

## Sharm-el-Sheikh crash

At its first plenary session of this year, the Parliament held a general debate on air safety, following the Flash Air lines crash off Sharm-el-Sheikh in Egypt on 4 January 2004.

MEPs called for a list of planes banned from all European airports in line with the EU blacklist of ships published in November last year (*see Safety Monitor 50*). They also urged Member States to go public with the bans they have imposed unilaterally on airlines. So far, only the UK has named the airlines it has grounded.

## EUROCONTROL

### Protection of air traffic controllers

A workshop recently held at Eurocontrol called on EU Member States to introduce legislation to better protect all persons involved in the reporting of lapses in air safety and traffic management. Participants pointed to a recent case in the Netherlands, known as the Delta case, where criminal prosecution has led to a drop of nearly 50 percent in the number of incident reports from air traffic controllers, according to Eric Kroese, CEO of the Dutch ANS provider.

The workshop recommended that European states take the opportunity offered by the transposition of the recent Directive on occurrence reporting in civil aviation to create an open reporting culture. The Directive has to be implemented by 4 July 2005.



## RAIL SAFETY

### EUROPEAN COMMISSION

#### Third Railway package

The European Commission is preparing another package of legal measures pertaining to rail transport, which will concern

- a draft Directive introducing an EU license for train drivers (*see Safety Monitor 49*);
- a Regulation on punctuality and compensation for late arrivals;
- a Directive on the liberalisation of passenger transport;
- a Regulation on the rights and obligations of passengers in international transport.

The proposals will only be presented after the close of the conciliation procedure on the Second Railway Package (*see below*).

### EUROPEAN PARLIAMENT

#### Second Railway package

The conciliation procedure between Parliament and Council on the Second Railway Package is to be opened on 27 January 2004. The most sensitive issue to be discussed will be the timetable for the liberalisation of passenger transport. In relation to safety, Parliament and Council will have to decide on the composition of the Administration Board of the European Railway Agency and on the procedures for Member States to follow with national safety standard-setting. On this last point, the Parliament favours a system of prior authorisation by the Commission, while the Council does not want to go beyond a simple information procedure for the Commission (*see Safety Monitor 49*).

At its October plenary, the European Parliament had adopted a total of 73 amendments to the four proposals included in the package (*see Safety Monitor 50*).

## ETSC NEWS

### The SEC Safety Belt – ETSC’s road safety project 2004-2006

ETSC has started its new 3-year-project “The SEC Safety Belt”. The project’s overall aim is to contribute to a durable improvement of transport safety in the **Southern, Eastern and Central European countries** (the “SEC countries”), whose road safety performance is generally poorer than that of Northern European countries.



With the EU enlargement in 2004, an increased transport volume will bear additional risks for those countries which are already rather “unsafe”. Without appropriate policies, the current situation in the accession countries is likely to worsen and might lead to a permanent situation in which the European Union is divided in two “safety zones”.

ETSC’s “SEC Safety Belt” project seeks to translate a European safety vision into practical measures to improve the safety of transport users within the SEC-Belt Countries. It will raise awareness for the introduction of measures within six priority areas: user behaviour, vehicle technology, road infrastructure, road technology, information and databases, evaluation of national road safety policies.

The project comprises 3 phases.

**Phase I (Identifying Risks & Opportunities)** addresses safety practitioners and road users in the SEC-Belt countries. It will explicitly deal with the three classical activity areas of transport safety policies: the vehicles, the users and the roads. Hence, it will identify the risks and opportunities in user behaviour, vehicle technology, road infrastructure and road technology.

**Phase II (Evaluating Data & Policies)** addresses international safety experts. It will focus on overarching transport safety issues such as the evaluation of data and policies. Hence, it will specifically look at information and databases as well as evaluation of national road safety policies.

**Phase III (Promoting Practice & Behaviour)** addresses local, national and European policy-makers. It will promote best transport safety practice and behaviour in the SEC-Belt countries over a period of three years. The phase will also lead to the establishment of an **ETSC Safer Cities Network** gathering European towns and cities committed to the integration of road safety into public health and general accident prevention policies.

### **6<sup>th</sup> European Transport Safety Lecture**

ETSC will hold its next safety lecture on Monday, 26 April 2004, in Brussels. Josef Mikulík, Director of the Czech Transport Research Centre (CDV) will speak about the road safety situation in the enlarged Europe. Respondents include Iлона Buttler (Motor Transport Institute, Poland), Mario Falzon (Transport Authority, Malta), Peter Holló (Institute for Transport Sciences, Hungary) and Tomaž Pavčič (Ministry of Transport, Slovenia).

### **ETSC Main Council Meeting**

The next Main Council Meeting will take place on 27 April 2004

### **Electronic version of Safety Monitor**

Starting from this issue, Safety Monitor will be distributed also by email. If you would like to receive the electronic version, please send an email to [information@etsc.be](mailto:information@etsc.be).

## **INTERNATIONAL EVENTS DIARY**

- 24-27 February 2004 TRAFIC 2004 – International Road Safety and Equipment Exhibition, Madrid, Spain, Contact: IFEMA Feria de Madrid, Fax: +34 91 7225790, E-mail: [trafic@ifema.es](mailto:trafic@ifema.es), Website: [www.trafic.ifema.es](http://www.trafic.ifema.es)
- 5 April 2004 UNECE Seminar on Aggressive Driving Behaviour, Geneva, Switzerland, Contact: UNECE Transport Division, Tel: +41 22 917 2400, Fax: +41 22 917 00 39, E-mail: [marie-noelle.poirier@unece.org](mailto:marie-noelle.poirier@unece.org)
- 4-5 May 2004 3<sup>rd</sup> Annual European Energy & Transport Conference “Placing the citizen at the heart of European energy and transport policies”, Luxemburg, Contact: DG Energy and Transport, E-mail: [tren-conference@cec.eu.int](mailto:tren-conference@cec.eu.int)
- 5-7 May 2004 2<sup>nd</sup> Traffic and Road Safety International Congress, Ankara, Turkey, Contact: CMS International, Tel: +90 312 442 8845, Fax: +90 312 442 8846, E-mail: [infor@trodsa.com](mailto:infor@trodsa.com), Website: [www.trodsa.com](http://www.trodsa.com)
- 24-26 May 2004 ITS Congress “Moving towards an integrated Europe”, Budapest, Hungary, Contact: Mobility Events & Services B.V., Tel: +31 30 666 7388, Fax: +31 30 666 3336, E-mail: [its@deferrante.com](mailto:its@deferrante.com), Website: [www.itsineurope.com](http://www.itsineurope.com)
- 6-9 June 2004 7<sup>th</sup> World Conference on Injury Prevention and Safety Promotion, Vienna, Austria, Contact: Conference team, Tel: +43 1 715 66 44 0, Fax: +43 1 715 6644 30, E-mail: [safety2004@sicherleben.at](mailto:safety2004@sicherleben.at), Website: [www.safety2004.info](http://www.safety2004.info)
- 3-4 September 2004 1<sup>st</sup> “Expert Symposium on Accident Research” (ESAR), Hannover, Germany, Contact: Medical University Hannover, Accident Research Unit, Tel: +49 511 532 6411, Fax: +49 511 532 6419, E-Mail: [ARU-MUH@mh-hannover.de](mailto:ARU-MUH@mh-hannover.de)

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