



SAFETY MONITOR

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

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MARCH 2003 EDITION No. 46

Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4

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European Transport Safety Council

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European Transport Safety Council: Change of Leadership

As ETSC prepares to mark 10 years of successful campaigning and development activity, Jeanne Breen, its Executive Director since ETSC's inception in 1993, has moved on from the post and returned to the UK in February. Dr Jörg Beckmann has taken over.

Chairman of ETSC's Board of Directors, Professor Herman De Croo MP, said:

"As the only NGO in Brussels with the sole focus on providing impartial cross-EU expert advice on transport safety countermeasures to EU policymakers, ETSC has played a key role in the development of transport safety policies in Europe over the last decade.

"In particular, ETSC has encouraged road safety to the centre-stage of EU policymaking, campaigned successfully for the setting of an EU-wide target, been instrumental in influencing EU legislation on vehicle standards and, with the help of its large network of Europe's leading experts has identified systematically policy development needs to address the common transport casualty problems faced by every Member State.

"With ETSC from the start, Jeanne Breen has played a fundamental role in the establishment of ETSC and its successful activity.

"With his professional experience in European transport policy and an academic background in urban planning and social science, Jörg Beckmann is well placed to continue and further develop Jeanne Breen's excellent work."



ACROSS THE MODES

EUROPEAN PARLIAMENT

Called on the Commission to come forward with concrete proposals if the ambitious target of halving road deaths by 2010 is to be achieved

In adopting its resolution on the White Paper on the European Common Transport Policy on 12 February 2003, the European Parliament pointed out that the road safety measures set out by the Commission were far from being sufficient to meet the ambitious target of halving road deaths by 2010 (*See Safety Monitor 44 and ETSC's response to the White Paper at: www.etsc.be/pre.htm*).

The European Parliament stressed in its Resolution that it believed that each Member States should set firm objectives and statistical targets, coordinated by the Union, for reducing accidents for the various modes of transport, with a precise timescale and adequate funding proposals to ensure that targets are met.

The European Parliament also called on the European Commission to adopt as soon as possible its Third Road Safety Action Plan and to come forward with a broad range of demonstrably effective measures with high safety potential. It called for the Action Plan to focus primarily on solutions for vulnerable groups, such as pedestrians and cyclists, as well as on reducing high risks for the young, the elderly and motorcyclists. In addition, it asked for vehicle tests to be improved and devised with a view to minimising accident.

The European Parliament also proposed the creation of a European Road Safety Agency with the aim of providing policy support, speeding up developments in road safety and accommodating and providing access to road safety data and best practice information across EU.

Erratum: ETSC Safety Monitor 44 (November 2002), p. 2

The RETT Committee proposed the creation of a European Road Safety Agency but did not specify that this Agency should be publicly-funded, non-regulatory and independent, as written.

Transport Safety Budget 2004

The RETT Committee adopted its opinion to the Committee of Budget on the guidelines for the 2004 Budget on 17 February 2003.

The RETT Committee emphasised the need to adequately fund measures intended to facilitate inter-modal transport and modal shift from congested to under-utilised modes in line with the White Paper.

It also called on the Council to speed up its efforts in order to reach a reasonable agreement on the seats of the different safety Agencies.

External relations of the European Union in the field of transport

The RETT Committee voted on the own-initiative report of Brian Simpson (PSE, UK) on the EU external relations in transport on 18 February 2003 (*See Safety Monitor 44*).

The report called for full EU membership in the international organisations, which address issues coming in the EU's competences, such as the International Maritime Organisation (IMO) and the International Civil Aviation Organisation (ICAO).

The report is expected to be adopted by the April plenary session.



ROAD SAFETY

EUROPEAN COMMISSION

Where is the EU Third Road Safety Action Plan?

Despite calls from the European Parliament (*See same page, left column*) and from transport safety organisations, the European Commission has still not adopted its Third Road Safety Action Plan (2002-2010). It was expected to present the Third Road Safety Action Plan to the Transport Council on 27-28 March 2003 but it has been removed from the Agenda.

ETSC reiterates its concerns about such an important delay. The Third Road Safety Action Plan is expected to identify the measures to meet the ambitious EU target of halving road deaths by 2010.

Transport safety organisations' fears confirmed on pedestrian protection

The European Commission adopted on 19 February 2003 the long-awaited and promised legislative proposal on safer car fronts (See *Safety Monitor 42* and *ETSC's Website* at: www.etsc.be/pre). As feared by transport and consumer organisations, the new proposed legislation does not implement with certainty the well-established EEVC crash tests for pedestrians.

In its June 2002 Resolution on the voluntary agreement, the European Parliament expressed doubts as to whether the EEVC pedestrian tests would ever be implemented by this agreement and requested a legislative proposal mandating the four EEVC tests or other test methods which offer at least the same level of protection as the clear long-term goal.

Having ignored the requests from consumer groups, safety organisations and from the European Parliament, the European Commission produced a non-satisfactory proposal on pedestrian protection. As far as the safety content is concerned, the legislative proposal is almost identical to the discredited car industry voluntary agreement with the exception that the EEVC tests are allowed as an alternative to otherwise mandatory, technically weaker tests (JRC/ACEA tests) in the first phase.

As in the voluntary agreement, the second phase of tests fails to implement the four EEVC tests with certainty. A feasibility study concerning mandatory take up of the second phase of tests (either EEVC or "equivalent measures") is foreseen before 1 July 2004.

ETSC finds it unacceptable that the EEVC tests should be subject to a feasibility study. The feasibility of EEVC has already been established during the 22-year EU-supported research and development programme. It is also indicated by the Honda Civic, a car on EU roads today which meets around 80% of the EEVC requirements without using new technology at an additional manufacturing cost of around 10 euros per car.

DG Enterprises is expected to launch a call for tender for the feasibility study in the next following months. It should be noted that the study will have approximately 10 months (the Commission has to come to a decision by 1st July 2004) to assess the feasibility of 22 years of EU-supported research and development and its potential equivalent measures!

ETSC thinks that this proposal is too weak. The proposal adopted by the Commission subjects EEVC to a feasibility study in 2004 and the only crash tests it mandates offer up to 70% less protection against fatal injuries than EEVC. DG Enterprise's statement in its press notice (See http://www.europa.eu.int/comm/enterprise/automotive/pagesbackground/pedestrian_protection/index.htm), suggesting that its proposal will implement EEVC in the second phase so preventing 2000 fatalities, is erroneous.

ETSC is also deeply concerned about the undemocratic decision-making process. While the car industry has been consulted extensively at every stage on the technical details, safety and consumer bodies have been officially refused access to the text of the draft and have been excluded from the consultation process.

ETSC will now go on to urge the Council of Ministers and the European Parliament to ensure that the proposal can be improved by making the EEVC tests - the results of 22 years of EU-supported research and development-mandatory for new car designs.

A detailed response to the new legislative proposal can be found on ETSC's website at: www.etsc.be/pre.htm.

First meeting of the eSafety Forum

The first meeting of the eSafety Forum will take place in Brussels on 22 April (See *Safety Monitor 44*).

The eSafety Forum has been created to monitor and promote the implementation of the recommendations of the eSafety Working Group as well as support the development, deployment and use of intelligent integrated road safety systems.

ETSC has finally been invited to be represented in this eSafety Forum to ensure that reference is made to impartial scientific evidences.

EUROPEAN PARLIAMENT

Seat belts

The RETT Committee adopted the recommendation for second reading without any amendments on 18 February 2003 (See *Safety Monitor 45*).

The rapporteur Eva Hedkvist Petersen (PSE, S) said that while the common position left much to be desired, she was glad that in the vast majority of vehicles children and adults would now have to use a safety belt if one was available.

The Plenary House approved the recommendation for second reading on 11 March 2003.

Training of professional drivers

The RETT Committee voted on the report of Mathieu Grosch (EPP-ED, B) on the qualification and training of EU professional drivers on 19 March 2003 (*See Safety Monitor 45*).

A number of technical amendments were also adopted, including one calling for simulators to be permitted in compulsory periodic training courses to update drivers. One amendment also asked the Commission to include the level of qualification achieved in its report on the implementation of the Directive.

The recommendation for second reading is expected to be adopted by the April plenary session.

Commission's proposal on passenger car taxation failed to consider vehicle safety

In its opinion to the Economic and Monetary Affairs Committee (lead Committee), the Regional Policy, Transport and Tourism Committee of the European Parliament expressed general support for the European Commission's communication on harmonised car taxation.

However, the RETT Committee recalled that 40,000 people are killed in road accidents every year and regretted that the Commission's Communication failed to establish any link between taxation and vehicle safety. Therefore, the RETT Committee called upon the European Commission to explore the possibility of creating an EU framework along the lines of the European New Car Assessment Programme (EuroNCAP) (*See EuroNCAP's website at: www.euroncap.org*) for granting fiscal incentives to improve safety levels.

The lead Committee (Economic and Monetary Affairs) is expected to adopt its report on 20 May 2003.



MARITIME & INLAND WATERWAY SAFETY

COUNCIL OF MINISTERS

Stability requirements for ro-ro passenger ships

The Council of Ministers adopted the Directive on specific stability requirements for ro-ro passenger ships on 18 March 2003 (*See Safety Monitor 44*).

Safety rules for passenger ships

The Council of Ministers adopted the Directive amending Directive 98/18/EC on safety rules and standards for passenger ships on 18 March 2003 (*See Safety Monitor 44*).

EUROPEAN COMMISSION

Welcomed the appointment of the Executive Director of the new European Maritime Safety Agency (EMSA)

Following its inaugural meeting held on 4 December 2002 (*See Safety Monitor 45*), the Administrative Board of the EMSA met on 29 January 2003 in Brussels and nominated Willem de Ruiter as Executive Director of the Agency. Since 1999, Mr De Ruiter headed the maritime safety unit of the European Commission DG Energy and Transport.

The Executive Director of the Agency will, in particular, be responsible for defining and achieving the Agency's strategic objectives, establishing long-term co-operation with the relevant Commission departments and the Member States bodies responsible for implementing Community legislation in the field of maritime safety and the prevention of pollution caused by ships, and will also manage the Agency's staff and budget.

EUROPEAN PARLIAMENT

Exchange of views with Mr. Anomeritis, President in-office of the Transport Council, responsible for maritime affairs

Mr. Anomeritis, Minister of Mercantile Marine, responsible for maritime affairs in the Transport Council, appeared before the RETT Committee on 18 February 2003 to discuss the Greek Presidency priorities in the maritime field.

In his intervention, Mr. Anomeritis outlined the three main priorities in relation to maritime safety:

- Phasing out of single hull oil tankers
- Ports of refuge
- Training of seafarers

The Minister also welcomed the idea of setting up a European coastguard.

Many MEPs raised the issue of enforcement of EU maritime safety legislation and the necessity of the EU to speak with one voice in the International Maritime Organisation (IMO).

Phasing out of single hull oil tankers

Wilhelm Piecyk (PSE, D) presented to the RETT Committee his draft report on the phasing out of single hull oil tankers on 19 March 2003 (*See Safety Monitor 45*).

The rapporteur welcomed the rapid reaction of the European Commission following the "Prestige" accident and the measures proposed to improve safety at sea.

However, the rapporteur recommended pursuing, at the same time, the negotiations on the accelerated phasing-out of single hull tankers worldwide in the International Maritime Organisations (IMO). He underlined that experience has shown that the relatively slow procedures in the IMO can be speeded up under the pressure of a common EU position. Therefore, he tabled an amendment calling on the Member States to give a clearly defined negotiating mandate to the European Commission for the adoption of the provision of this Regulation in the IMO. He received support from all MEPs on this matter.

Several MEPs raised the issue of the definition of heavy oil. In addition, Gilles Savary (PSE, F) pointed out that all dangerous polluting products should also be identified.

Mr Karamitsos, representative of the European Commission, reported that Transport Commissioner Loyola de Palacio had met William O'Neil, General Secretary of the IMO, on 5 March 2003. Ms de Palacio already informed that appropriate measures would be proposed to IMO by the Council of Ministers in relation to the phasing-out of single hull tankers and prohibition of the carriage of dirty oils by single hull tankers.

Commissioner Loyola de Palacio also stressed the added value the EU is bringing to the IMO's work and how the relationship between the IMO and the EU could be strengthened and made reference to the possible EU membership at the IMO (*See Safety Monitor 42*).

Following the meeting, Commissioner Loyola de Palacio said: "Many improvements in maritime safety must be agreed at the international level and I welcome the intentions of this organisation to debate safety matters and to act as quickly as possible".

The report of the European Parliament is expected to be adopted in April in RETT Committee and in June in plenary.

Training of non-community seafarers

Bernard Poignant (PSE, F) presented to the RETT Committee his draft report on the minimum level of training of seafarers on 19 March 2003 (*See Safety Monitor 45*).

The Commission's proposal aims at introducing a Community-wide recognition system for certificates of competency of seafarers from outside the European Union. The new procedure proposed by the European Commission envisages recognition of a third country following an assessment of its system for training seafarers and issuing certificates to them instead of recognition of an individual certificate of competency, as is currently the case. The requests for recognition would still be submitted by the Member States but the assessment would be carried out by the Commission, assisted by the European Maritime Safety Agency (EMSA). The Commission would then take a decision on recognition valid for 5 years.

The rapporteur welcomed the Commission's proposal aiming at simplifying the current recognition procedure but made a number of proposals to clarify and further improve it:

- To propose a clear period of 12 months for Member States to implement the legislative proposal
- To confirm that only countries which meet the requirements of the IMO Convention on Standards of Training, Certification and Watchkeeping (STCW) may benefit from recognition
- To simplify and clarify the procedures for issuing and extending recognitions

The rapporteur for opinion of the Employment and Social Affairs Committee, Mr Manuel Perez Alvarez (EPP-ED, ES) stressed that the training of seafarers was a decisive factor for enhancing safety at sea and avoiding shipping accidents.

He pointed out that the quality of the certificates of competency can differ greatly within the same country. Hence, problems connected with individual training institutes should not lead automatically to withdrawal of recognition of all certificates issued by the country concerned. He therefore proposed the possibility of withdrawing recognition of individual certificates of competency in exceptional cases.

The report is expected to be adopted in April in RETT Committee and in June in plenary.

Public hearing: Improving safety at sea in response to the Prestige accident

On 19-20 March 2003, the RETT Committee of the European Parliament held a public hearing on maritime safety issues and the causes and consequences of the Prestige disaster.

Transport Commissioner Loyola de Palacio stressed the importance of re-examining the international rules concerning the law of the sea.

During the hearing, MEPs vehemently criticised the decision of the Spanish authorities not to allow the Prestige access to a Spanish port of refuge but instead sending it out to the open sea. They also pointed out the importance of applying existing EU legislation.

The experts came up with several recommendations, among which:

- the creation of an independent accident investigation commission
- the fitting of black boxes in all ships, not only in passenger ships as it is currently the case
- the importance of setting a list of places of refuge
- the importance of the human and fatigue factors

Responding to questions from members, Mr De Ruiter, Executive Director of the EMSA, said that a European Coast Guard could not be set up in the short period but that the EMSA would promote better coordination and cooperation

between the relevant services in the Member States. He also underlined that accident investigation needed to be improved.

On the basis of the findings of the public hearing, the Conference of Presidents will decide whether or not to set up a temporary committee investigating this issue, as requested by several political groups.

In its 2001 report "Transport accident and investigation in the European Union" (available on ETSC's website at: <http://www.etsc.be/rep.htm>), ETSC stressed that only few Member States had independent organisations for the investigation of marine accidents. ETSC believes that there is a strong case for the EU to require, as in aviation, that all Member States should be mandatorily required to establish arrangements for independent maritime accident investigation and report the results of accident investigations.



AIR SAFETY

COUNCIL OF MINISTERS

Occurrence reporting in civil aviation

The Council of Ministers decided not to accept the two amendments adopted by the European Parliament in second reading on the draft Directive on occurrence reporting in civil aviation (*See Safety Monitor 44*).

Therefore, a conciliation procedure has been opened on 18 February 2003. The Council of Ministers and the European Parliament will have now 6 to 8 weeks to reach an agreement.

"Single European Sky" package

The Council of Ministers adopted on 18 March 2003 the common positions on the four Regulations providing for the creation of a Single European Sky (*See Safety Monitor 45*).

EUROPEAN COMMISSION

European Aviation Safety Agency (EASA) Update

On 29 January 2003, the Management Board of the EASA held its fifth meeting in Brussels and

adopted unanimously the 2003 budget and the establishment plan.

As the Management Board did not want to anticipate the decisions of the Executive Director, it agreed to continue its discussions on the structure of the Agency, in order to lay down a general framework but only limited to the Directorates and to the key functions. It asked the Commission to act quickly since many

decisions could not be made without the opinion of the Executive Director.

The favoured structure would reflect the main tasks of the Agency and could be described as follows: an Executive Director, an Administrative Directorate, a Regulation Directorate, a Certification Directorate and a Quality and Standardisation Directorate.

ETSC NEWS

Air safety experts presented scientific evidence to EU Institutions for a safety-critical harmonised requirement on flight time limitations

ETSC organised on 19 February 2003 a special meeting of its Air Safety Working Party on the issue of Flight Time Limitations (FTL). It was an open technical meeting to present medical and scientific evidence in support of a safety critical scheme for FTL.

A mixed audience of about 70 people from the European Commission, the European Parliament, the Civil Aviation Authorities, the Airlines and the pilots' associations attended the meeting. The European Commission and the European Parliament were invited to respond.

The shortcomings of the European Parliament rapporteur amendment for an FTL scheme were the focus of the technical meeting (*See Safety Monitor 43*). The aim was to give the Commission and Parliament a clear assessment of the current problems and potential solutions. The Working Party, in line with independent medical and scientific opinion across Europe, concluded that the proposal did not provide an acceptable basis for a safety-critical FTL scheme. The safety critical elements were clearly identified with suggestions for improvement on the basis of the scientific evidence.

A summary of the contributions is already available on ETSC's website at: <http://www.etsc.be/pre.htm>. The proceedings will also be available soon.

INTERNATIONAL EVENTS DIARY

- 7-10 April 2003 **Smart Moving, International Conference on Intelligent Transport Systems**, to be held in Birmingham, England, Contact: Corrine Paine, Tel: +44 (0)1926 61 4420, Fax: + 44 (0)1926 614977, E-mail: corinne.paine@btinternet.com
- 10 June 2003 **Best in Europe 2003 "Targeted road safety programmes in the EU"**, to be held in Brussels, Belgium, Contact: Michèle Bullaert, Tel: +32 (0)2 230 41 06/40 04, Fax: +32 (0)2 230 42 15, Email: m.bullaert@etsc.be
- 14-17 September 2003 **2003 Congress of International Traffic Medicine Association**, to be held in Budapest, Hungary, Contact: Eva Balassa, Tel: +36 1 212 0056, Fax: +36 1 356 6581, Email: eva@congress.hu, Website: www.itma2003.hu
- 10-12 November 2003 **The First International Conference on Driver Behaviour and Training**, to be held in Stratford-upon-Avon, United Kingdom, Contact: Dr Lisa Dorn, Human Factors and Air Transport Department, Cranfield University, Tel: + 44 (0)1234 750 11ext 5232, Fax: +44 (0)1234 750192, Email: L.dorn@cranfield.ac.uk, Website: www.cranfield.ac.uk/soe/dbt
- 6-9 June 2004 **7th World Conference Safety: 2004**, to be held in Vienna, Austria, Contact: Austrian Board for Safety and Prevention, Tel: +43 1 715 66 44 313, Fax: +43 1 715 66 44 30, E-mail: safety2004@sicherleben.at, Website: www.safety2004.info

ETSC is grateful for the financial support provided for the Safety Monitor by:

- DG TREN European Commission
- BP
- KeyMed
- Railtrack Group
- Rail Safety
- Scania
- Shell International
- Bombardier Transportation

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