

SAFETY MONITOR

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

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SUMMARY

The European Commission

- Transport Commissioner Loyola de Palacio tells ETSC's Best in Europe Conference: "Road safety is one of the great challenges for the transport policy of the EU" and will "figure prominently" in the forthcoming Common Transport Policy revision.
- Publishes draft Directive on the implementation of the European agreement on the working time of mobile workers in civil aviation.
- Adopts draft report proposing the exclusion of self employed truck drivers from the scope of the proposed regulation for the time being.
- Publishes statistics showing an increase in road deaths in four Member States in 1998 compared with 1996.

The European Parliament

- Road safety rapporteur Ewa Hedkvist Petersen MEP presents her working document on the Commission's road safety communication. In a press conference, she criticised the Commission for unacceptable delays in introducing a Directive on safer car fronts for pedestrians observing that: "The car industry seems to be more important for the Commission than the safety of the European citizens".
- Adopts reports on motor vehicle tyres, the Single European Sky, the rate of completion of the Internal Market for European railways, the granting of licences to railway companies and levying charges for railway infrastructure use.
- Welcomes the Agreement on organisation of Working Time in Civil Aviation while calling upon the Commission to urgently bring forward a proposal for a Regulation on flight and duty time limitations and rest requirement.

Belgian Deputy Prime Minister

- And Transport Minister Isabelle Durant addressing Best in Europe called for safety to be an explicit and principal objective in EU transport policy; a long term EU road safety policy with a numerical target as well as urgent action on safer car fronts pedestrians and cyclists, considering the repeated delays.



ACROSS THE MODES

Commission proposes Directive to ensure harmonisation of measuring instruments

The European Commission has adopted a proposal for a Directive on measuring instruments of EU-wide importance such as the breathalyser.

Legally controlled measuring instruments are traditionally required in most Member States in order to ensure trust between parties in transactions, to protect consumers and to ensure objective measurement of offences, for instance alcohol abuse. At EU level, several measuring instruments were harmonised many years ago. However, the existing Directives have not been updated to take account of technological progress or of new types of instruments.

New Consumer Committee (CC)

The European Commission has appointed 20 leading representatives of European and national consumer organisations as members of its renewed Consumer Committee. The Committee is an advisory body which is regularly consulted by the Commission on issues concerning consumer interests at Community level. The Committee consists of one representative per Member State plus five representatives from the following European wide consumer associations: BEUC

(European Bureau of Consumers' Union), AEC (Association of European Consumers), ANEC (European Association for the Coordination of Consumer Representation in Standardisation), Committee of Family Organisation in the European Communities (CFOEC) and Eurocoop (European Community of Consumer Cooperatives). Its membership is renewed every three years.

The Committee acts as a sounding board, a source of advice and produces formal opinions. It can also work through specific working groups. Its principal objective is to give consumers of all Member States a strong voice in the political decision-making process in the EU on the increasing number of varied subjects which affect consumers.

Sustainable transport in developing countries

On 6 July 2000, the European Commission approved a new Communication that sets out draft policy guidelines for promoting sustainable transport in developing countries. Its aims are to provide and increase awareness about safe, environmentally sustainable transport. To be effective in the fight against poverty, the communication says that transport must be safe for all, provide mobility, and offer equitable services and opportunities.

Euro-Mediterranean Transport Forum

The second meeting of the Euro-Mediterranean Transport Forum, postponed from July to October aims to develop cooperation through a multi-modal air-sea transport system in the region.

The two key points on the agenda are: firstly presentation of a regional cooperation project on transport to discuss ways and means that might contribute to facilitating transport in the region, guarantee maximum safety levels in maritime transport and improve and modernise port infrastructures and secondly presentation by the Commission of its work and policies on maritime safety.



ROAD SAFETY

EUROPEAN COMMISSION

Road safety – per capita death rates Fatalities rise in 4 Member States

On 6 July 2000, Eurostat, the Commission's Statistical Office published a report on road and rail transport that stated there were almost 44,000 deaths and more than 1.7 million people injured in the EU in 1998.

Road accidents alone caused nearly 43,000 deaths and the per capital death risks varies widely, up to a factor of four from one Member State to the next, but still sevenfold according to ETSC (preferring risk measurement which takes account of distance travelled). In several Member States the fatality numbers are on the increase from 1996-98 e.g. by 10 per cent in Belgium.

The total number of rail accident victims was estimated at 800 throughout the EU in 1998. If the number of passengers carried and kilometres covered by the two modes of transport are considered, travelling by road was roughly 20 times more dangerous than by rail.

Road death rate in the EU between 1990 and 1998 - Deaths per million inhabitants:

	1990	1996	1998	Change 1990/1998
B	198	134	147	-26%
DK	123	98	85	-31%
D	139	107	95	-32%
GR	202	197	212	+5%
ES	232	140	151	-35%
F	198	146	152	-23%
IRL	136	125	116	-15%
I	126	116	110	-13%
L	186	171	143	-23%
NL	92	76	68	-26%
A	202	127	119	-41%
P	305	275	243	-20%
SU	130	79	78	-40%
S	90	61	60	-33%
UK	94	64	61	-35%
EU-15	155	117	114	-26%

Working time – road transport

On 21 June 2000 the European Commission adopted a draft report from Transport Commissioner Loyola de Palacio that proposed excluding self-employed drivers from the scope of the proposed regulations, for the time being.

A package of measures for improving social conditions for road hauliers is envisaged such as better enforcement of existing rules governing driving and rest times and new minimum training standards and legislation requiring road haulage firms to pay drivers from non-EU countries the same.

In April 2000 the Council adopted the Directive on the organisation of working time to include sectors and activities previously excluded except road haulage. The amended Directive brings within its scope among others railway workers, all non-mobile workers in the excluded sectors (air, rail, road and sea transport, inland shipping and high sea fishing) and will guarantee them the same rights with regard to:

- a minimum daily rest period of 11 consecutive hours a day;
- a rest break where the working day is longer than 6 hours;
- a minimum rest period of 1 day a week;
- a maximum working week of 48 hours on average;
- 4 weeks' annual paid holiday;
- a limitation of the working time of night workers to 8 hours in 24 on average.

It will also afford mobile workers in the air, road and inland waterways transport sectors an appropriate rest period, four weeks' annual holiday and a limitation of their working hours (see Safety Monitor 26-31).

EUROPEAN PARLIAMENT

Road Safety Communication

On 13 September 2000, road safety rapporteur Ewa Hedkvist Petersen (PSE, S) briefly outlined her working document on the Commission's Communication (see Safety Monitor 31) in the Regional Policy, Transport and Tourism Committee. She made the following points:

- The annual toll of more than 42,000 deaths on EU roads was unacceptable - why should we accept this when a similar number of deaths in air transport would never be accepted;
- the exchange of best practise to limit accidents and their severity at local, national and EU level, was most important;
- Art. 71 and 95 provided a clear legal basis for working at EU level at road safety;
- the EU should set targets so that it could concentrate on them and allow evaluation of progress.

Commenting on the road safety communication she noted that:

- It did not say anything about future road safety policymaking.
- The setting of alcohol limits should be mandatory and at EU level.
- The delay on introducing a legislative proposal on safer car fronts was unacceptable since these tests already existed for the purposes of consumer information. She was not satisfied with the Industry Commissioner's evasive response to the many questions tabled.
- Driver training should receive more attention.

Ewa Hedkvist Petersen invited the feedback of colleagues and asked them to do their best to convince the policy makers that road safety should be a priority concern.

In view of the limited time available for discussion, Ari Vatanen (PPE, SF) proposed that it should be put in the next committee meeting on 10 October as first item on the agenda with time for debate. The Chair agreed.

Press conference on safer car fronts

“The car industry seems to be more important for the Commission than the safety of the European citizens” Ewa Hedkvist Petersen, MEP (PSE, S) and rapporteur on road safety in the European Parliament told a press conference on 13 September 2000. “More than 9.300 pedestrians and cyclists die every year in the road traffic. With the purpose to decrease this number the Commission has promised to introduce EU legislation on safer car fronts. On June 26th, the Council of Ministers supported this initiative and called upon the Commission to introduce legislation as quickly as possible. Still nothing has happened. I tabled a question on this issue before the summer, but the answer I got from the Industry Commissioner did not explain the delay. This is unacceptable. Every month 175 peoples lives could be saved with new legislation. How long can the Commission wait?” asks Mrs. Ewa Hedkvist Petersen.

Stricter limit values to reduce tyre noise

Alexander de Roo’s (Greens/EFA, NL) recommendation for the common position on Directive 92/23/EEC relating to tyres for motor vehicles and their trailers and to their fitting was adopted in codecision procedure, 2nd reading on 7 September 2000.

Parliament welcomed the common position in general, but felt that the limit values for tyre/road noise should be reduced further than those proposed in order to make a noticeable reduction in noise. ETSC believes that doubts expressed concerning the impact on safety of measures made for environmental reasons should be given the fullest consideration.

Parliament adopted an amendment seeking a reduction of two extra decibels for passenger car tyres but rejected a similar amendment

concerning commercial vehicles. Also carried was an amendment demanding that from 1 October 2003 the testing of the types of tyres covered by this Directive should include tests of rolling resistance and that from that date tyres should be required to comply with set rolling resistance coefficients, which would entail grip tests.

15-metre buses

On 12 September, a report by its Chairman Kostas Hatzidakis was adopted in the Transport Committee. The Committee concluded that the proposal struck a reasonable balance between commercial and competition considerations on the one hand and infrastructure, legislative and safety constraints on the other. Three technical amendments were adopted including one calling for the transition period for older buses of more than 12 metres in length for internal, national use which do not comply with the directive to be extended to 31 December 2005 rather than 2009 as proposed. The report will be debated in plenary in codecision procedure, first reading in plenary on 4 October 2000 (see Safety Monitor 31).

Headlamps and special equipment for certain vehicles

The Committee on Industry, External Trade, Research and Energy adopted on September 19 the proposals for Council Decision on the position on the draft Regulations of the United Nations Economic Commission for Europe concerning:

- Motor vehicle headlamps emitting a symmetrical passing beam or a driving beam or both and equipped with filament lamps (Com (1998) 0798)
- Motor vehicle headlamps emitting an asymmetrical passing beam or a driving beam or both and equipped with filament lamps (Com (98) 0797)
- The approval of special equipment for motor vehicles fuelled by liquified petroleum gas (Com (99) 0014).



AIR SAFETY

COUNCIL OF MINISTERS

Open Skies

After two years, the June Transport Council returned to the matter of the negotiations with the United States on a common transatlantic area in the field of aviation. The Commission is still asking that its brief be expanded to cover the negotiation of the liberalisation of air transport, so as to replace open skies agreements concluded by individual Member States and the Americans with an EU/United States agreement. The Council expressed satisfaction over the progress of work conducted at technical level on a possible negotiating brief with the United States, which it considers exhaustive. However, ministers took note of the need for further work to enable the Council to take a political decision, possibly in December. The Transport Council will return to this matter in October (see Safety Monitor 29, 30).

EUROPEAN COMMISSION

Organisation of Working Time of Mobile Workers in Civil aviation

In July 2000, the European Commission published a draft Directive on the implementation of the European Agreement on the Organisation of Working Time of Mobile Workers in Civil Aviation, concluded on 22 March by organisations representing management and labour in the sector (see Safety Monitor 32). The agreement limits annual working and flying time and stipulates a minimum monthly and yearly number of rest days for mobile personnel. The Commission urges the Council to make the measures compulsory, without amendments. If the Council decides not to implement the agreement the Commission will withdraw its proposal and examine whether another legislative instrument would be appropriate. If the Council adopts

the Directive, Member States will have two years to implement the measures.

In the European Parliament, the Committee on Employment and Social Affairs voted on September 19, 2000 in favour of Stephen Hughes' (PSE, UK) draft opinion on this issue. The Committee reiterated that "whereas the European Parliament has always found this exclusion of the transport sector unjustified, given that it is not supported by any scientific or social considerations" they welcomed this agreement.

The rapporteur recalled that "a strong link existed between occupational and operational safety in the civil aviation sector, and a high level of both is also a guarantor of protection for passengers and the environment". Mr Hughes asked the Commission to "urgently bring forward a proposal for a Regulation on flight and duty time limitations and rest requirements, with a view to maintaining high operational safety levels and the prevention of short-term crew fatigue."

It was noted that such a Regulation, together with the proposed Directive on working time would be an indispensable instrument of the "acquis communautaire" in the context of a future multilateral agreement between the EU and other European countries on the establishment of a European Common Aviation Area and in the context of future enlargement".

Aviation cooperation with India

The External Relations Commissioner Chris Patten and Foreign Minister of India, Jaswant Singh signed a Financing Agreement for the EU-India Civil Aviation Project of 32 million Euro. Air traffic in India is expected to increase yearly by 10% for domestic passenger traffic and 7% for international passenger traffic in the next 10 years. The sector cannot reach its full potential without improvement of the operational framework for air transport and of the infrastructure. Furthermore there are significant safety issues which must be urgently addressed.

The project will concentrate on the development of cooperation in 7 key areas:

- Airworthiness;
- Airline Management;
- Air Traffic Management;
- Product Support;
- Cooperation on Technologies for economic success in the Aerospace Industry;
- Pilot/Instructor Training and
- Airport activities.

EUROPEAN PARLIAMENT

Single European sky

On 6 July 2000, the European Parliament adopted the report by Robert Atkins (PPE, UK) on the creation of a Single European Sky. It urged EU Transport Ministers without delay to take the necessary measures to address the delays affecting European flights and called on the Council to take the political decision of asking the EC to create a single airspace to guarantee optimal conditions for air traffic in Europe. It also noted that over 80 per cent of air accidents take place during take off or landing phases so emphasising the increasing importance of action to improve safety in and around airports as air traffic increases.

The plenary session placed emphasis on air capacity problems in ATM as one of the causes of delays. Urgent reconsideration of the definition, protection and use of military airspace and the creation of an emergency action plan for dealing with international crisis situations was demanded (see Safety Monitor 26-28, 30,31).



MARITIME & INLAND WATERWAY SAFETY

EUROPEAN PARLIAMENT

Maritime safety

On 12 September 2000, three rapporteurs presented their working documents on the

maritime safety items under discussion in the Transport Committee.

Standards for shipping using Community ports

Rapporteur Mark Watts (PSE, UK) said that after the Erika disaster many demanded action and that he was glad that the Commission had come forward with a comprehensive proposal. The problem was not the lack of regulatory requirement but enforcement. No new regulations were needed except for an update of port state control. The Council should address the question of the lack of enforcement of existing regulations and he was disappointed that a number of Member States were not fulfilling their obligations e.g. France.

The quality of inspection was too superficial and Members States were not prepared to put in enough money. Political commitment was needed.

Equasis was an important tool but Mark Watts was not convinced that it would stand up to scrutiny because resource issues and technical issues were not globally dealt with. A black list needed to be used to indicate practices from countries like Panama that were a disgrace to the maritime industry.

Organisations responsible for ship inspections

Rapporteur Josu Ortuondo Larrera (Greens, P) said that most Member States gave the responsibility for carrying out inspections to non-profit organisations. The existing Directive was incomplete and the following provisions should be included: financial responsibility should be introduced in case of negligence; the responsible inspection organisation should be liable for up to 5 million Euro maximum and if deliberate, action should be dealt with by unlimited fines. He wondered whether the EU would have enough technicians for implementation. Currently Member States run checks on organisations every two years and the European Commission every three years.

Furthermore, he believed that a minimum time is required for serious inspection, that the system should be more transparent and that blackboxes to identify causes of accidents were needed.

Requirements for single hull oil tankers

Rapporteur Hatzidakis (PPE, GR) said that unfortunately, both France and Greece were not following up nor applying the existing Directive.

- The reason for the accident with the single hull tanker Erika was besides corrosion also a lack of communication at EU level or/and international level
- The EU needed to have one voice in the IMO, and in the October Transport Council Member States want to reach consensus on this. Even if there is no international response, the EU could move forward with the banning of single hull tankers older than 1982 before 2005.

The Commission would come forward with additional proposals before 2001 on:

- 1) non-EU ships in EU waters;
- 2) creation of an agency to help setting up new legislation in the safety field and
- 3) the liability question of the transport of oil products.



SAFETY OF RAILWAYS

EUROPEAN PARLIAMENT

Rail Package

In the July Plenary, the European Parliament adopted a report on the rate of completion of the Internal Market for European railways of Georg Jarzembowski (EPP, D). A conciliation procedure on the development of Community railways was now likely since MEPs have decided to reject key elements of the Council's common position.

The main objection to the Council's common position concerns the scope of liberalisation and the pace at which the rail sector should be opened to competition. Furthermore, MEPs were against derogations for Ireland, Greece and the UK and rejected the creation of a rail transport observatory because it believes the task of monitoring and control of the development of the rail sector should remain the responsibility of the European Commission.

The report of Johannes Swoboda (PSE, A) on granting licences to railway companies and levying charges for the use of railway infrastructure was adopted. The primary objective for Parliament was to guarantee properly adapted public transport services and to make sure that the principle of full cover only applies when it applies also other transport modes, notably the transport of goods by road.

EUROPEAN COMMISSION

Revitalisation of European railways

On 4 June 2000, Transport Commissioner Loyola de Palacio advocated a dynamic and integrated European railway policy before the Conference of European Transport Ministers in Prague.

She explained the principal lines of the European strategy to reinforce the share of the railroad in the various modes of transport. She said that the task of revitalisation of the railways in Europe, in the European Union but more particularly in central Europe, was immense. It was however necessary to take up the challenge of durable mobility and environmental protection (see Safety Monitor 29-31).

ETSC NEWS

Secretariat

Karine Lamaille joined ETSC in September for five months as a Stagiaire.

INTERNATIONAL EVENTS DIARY

- 9-20 October 2000 Safe Bus Driving under Difficult Circumstances organised by CIECA, Alvisse Parc Hotel, Rue d'Echternach 120, L-1453 Luxembourg. Contact: CIECA, PO Box 5201 NL-2280 HH Rijswijk Tel: +31 70 372 0543 Fax: +31 70 372 0599, E-mail: cieca.project@cbr.nl
- 24-26 Oct. 2000 On safe roads into the XXI century, Conference in Budapest (Hungary) organised by the Hungarian Road Association and World Road Association. Contact: conference office Szilágyi u.3. Budapest H-1081 Hungary, Tel: +361 459 8060, Fax: +361 459 8065, E-mail: meeting@hungary.net
- 6-9 Nov. 2000 7th World Congress on Intelligent Transport Systems held at the Lingotto Fiere in Turin, Italy. Contact: Esther de Waard, E-mail: its4fer@wxs.nl, Internet: www.torino2000.itscongress.org
- 10 & 11 Nov. 2000 TISPOL Road Safety Conference Enforcement and Mobility in cooperation with ESCAPE in Amsterdam, The Netherlands. Contact: Wim Does POBox 3098, 1620 GB Hoorn, Tel: +31 229 24 89 15, Fax: +31 229 24 88 25, Gsm: +31 651 83 42 85, E-mail: info@wim-does.nl, Internet: www.wim-does.nl
- 23 January 2001 **ETSC's 3rd European Transport Safety Lecture, Brussels**
- 30 Sept.-3 Oct.2001 1st WHO Safe Community Conference on Cost Calculation and Cost-effectiveness in Injury Prevention and Safety Promotion organised by Viborg County Council and WHO Collaborating Centre on Community Safety Promotion, Golf Hotel Viborg and Golf Salonen, Viborg, Denmark. Contact: Viborg Amt, WHO Safe Community-Conference 2001 Skottenborg 26, Postbox 21 DK-8800 Viborg Denmark, Fax: +45 8660 2311, E-mail: ukhkk@vibamt.dk, Internet: www.vibamt.dk/conference2001
- 1-5 Oct. 2001 8th World Congress on Intelligent Transport Systems to be held at the Sydney Convention & Exhibition Centre, Darling Harbour, Australia. Internet: www.itsworlcongress.org
- 12-15 May 2002 6th World Conference Injury Prevention and Control organised by the WHO, Palais des Congrès Montréal, Convention Centre, Montréal Québec, Canada. Contact: place d'Armes 511 #600 Montréal QC H2Y 2W7 Canada Tel: +514 848 1133 Fax: +514 288 6469, E-mail: trauma@coplanor.qc.ca, Internet: www.trauma2002.com

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