

SAFETY MONITOR

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

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SUMMARY

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- Endorsed the position of the European Parliament on pedestrian protection (p.2)

The European Commission

- Added new data in the CARE database (p.2)
- Announced initiatives on driving licencing for train drivers (p.6)
- Proposed to extend the tasks of the European Maritime Safety Agency (p.4)

The European Parliament

- Voted on the Directives in view of imposing the fitting of seat belts in all motor vehicles other than passengers cars (p.3)
- Discussed the Second Railway Package in view of the second reading (p.5-6)
- Voted on tunnel safety (p.3)
- Restored in the RETT Committee the amounts cut by the Council on the transport safety budget line (p.1)
- Elected a new chairman for the RETT Committee (p.1)

The European Transport Safety Council

- Published two new state-of-the-art reviews on "Transport safety organisations in public and private sectors" and on "Cost effective EU transport safety measures" (p.7)
- Becomes a Member of the European Road Transport Research Advisory Council (ERTRAC) (p.7)



ACROSS THE MODES

EUROPEAN PARLIAMENT

New chairman for the Regional Policy, Transport and Tourism Committee (RETT)

The RETT Committee of the European Parliament has elected Paolo Costa (ELDR, IT) as its chairman for the 9 lasting months of the European Parliament legislature.

Paolo Costa is replacing Luciano Caveri (ELDR, IT) who returned back to his country.

Transport Safety Budget for 2004

The RETT Committee adopted on 9 September 2003 an opinion to the Budget Committee for the second reading of the 2004 Budget (*See Safety Monitor 48*).

The RETT Committee restored the amounts cut by the Council on the transport safety budget line (Item 06 02 03 01) and asked that this budget line should also be used to support safety measures for vulnerable road users, such as pedestrians, cyclists and motorcyclists.

The Budget Committee is expected to proceed to the second reading of the budget on 9 October 2003.

ETSC would like to reiterate its concern about the Council's cut of the transport safety budget line. This decrease is in contradiction with the conclusions adopted by the Transport Council

Ministers on 5 June 2003 on the EC 3rd Road Safety Action Programme (See at: http://www.europa.eu.int/comm/transport/road/roadsafety/rsap/index_en.htm).

The Transport Council committed itself to the ambitious EU target of halving road deaths by 2010 and recalled the ensuing socio-economic damage to society as a whole. At the same time, it is trying to reduce substantially the transport safety budget.



ROAD SAFETY

COUNCIL OF MINISTERS

Endorsed the position of the European Parliament on pedestrian protection

The Competitiveness Council reached a political agreement on the proposal for a Directive on pedestrian protection at its meeting on 22 September (See *Safety Monitor 48* and ETSC's website at: www.etsc.be/pre.htm).

Following contacts with the European Parliament, it has been possible to reach an agreement in first reading and therefore the Directive will be formally adopted at a forthcoming Council meeting after finalization of the text. The formal adoption of the Directive is expected before the end of October.

The Council approved all the amendments adopted by the European Parliament at first reading, therefore escaping a second reading of the proposal.

Therefore, the Council and the European Parliament agreed that:

- The 22 years researched state-of-the-art EEVC pedestrian tests should be subject to a 5 months and 15 days feasibility study
- The EEVC tests (measure to reduce the injuries in the event of a crash) could be replaced by active safety measures (measures to prevent an accident from happening)

The Council also agreed that by 1st July 2004, the Commission should examine the feasibility of extending the scope of the Directive to vehicles with a permissible mass of up to 3.5 tonnes.

By adopting the report of the European Parliament rapporteur Herman Vermeer (ELDR, NTH), the Council missed the opportunity to provide for the best available crash protection to vulnerable road users in the event of a collision with a motor vehicle.

Despite their statement that there was an "urgent need to give special attention to the specific needs of vulnerable road users" at the Transport Council on 5 June 2003, the EU Ministers took the view that the EEVC pedestrian crash tests, which are "the best available testing method at the moment" (See *Safety Monitor 48*) should be subjected to a feasibility study, making their adoption uncertain. These tests, if implemented, could save up to 2,000 lives at EU level.

ETSC will now follow very carefully the feasibility study and its outcome. There are several aspects that need to be taken into consideration: by whom the feasibility study on the EEVC tests will be carried out, on which data the feasibility study will be based, to which degree the transparency of the feasibility study will be ensured as well as which "other equivalent measures" will be compared to EEVC and how the "equivalence of protection" will be assessed.

EUROPEAN COMMISSION

New data added in the CARE database

New data for the year 2002 and the Accession Countries have been added to the CARE database. A new table "rate by population" can also be seen at:

http://www.europa.eu.int/comm/transport/home/care/index_en.htm

New data on road accidents

The DG Energy and Transport of the European Commission has also published new data on the evolution of road accidents in Member States (See: www.europa.eu.int/comm/transport/road/figures/accidents/quickindicator/index_en.htm).

eSafety Observatory

As part of the eSafety initiative, the European Commission DG Information Society has decided to commission a Specific Support Action to act as an "eSafety Observatory" to monitor progress on

the eSafety recommendations, during 2 years starting in 2003 (See *Safety Monitor 47*).

The ERTICO proposal called "eScope" has been retained. eScope will track directly the progress achieved in specific eSafety Forum working group, and will set up a network of eScope "Advisors" and "Observers" to report on progress.

The second plenary session of the eSafety Forum will take place in Madrid on 17 November 2003, during the 10th World Congress and Exhibition on Intelligent Transport Systems and Services (See at : http://europa.eu.int/information_society/programmes/esafety/index_en.htm). It will report on the progress of the work in the eSafety Initiative and highlight the first achieved results. Plenary Forum Members will discuss the future directions and the next steps in the eSafety initiative.

EUROPEAN PARLIAMENT

EC 3rd Road Safety Action Programme (RSAP)

The European Parliament has appointed Ari Vatanen (EPP-ED, FIN) rapporteur on the EC 3rd Road Safety Action Programme (See *Safety Monitor 48*).

ETSC has just published its response to the 3rd Road Safety Action Programme. The response entitled "Towards reduced road risk in a larger Europe: Providing for a fairer distribution of safety across the EU" can be found on ETSC's website at: www.etsc.be/pre.htm

Speed limitation devices or similar speed limitation on-board systems

The RETT Committee adopted the new proposal for a Directive without amendments (simplified procedure) on 10 September.

The objective of this proposal is to extend the scope of the Directive to lighter commercial vehicles like small buses and good transport vehicles above 3,5 tonnes maximum mass (See *Safety Monitor 48*).

The European Parliament is expected to approve the proposal without debate at its Brussels plenary session on 8 October 2003.

Seat belt compulsory in all vehicles from 2004

The RETT Committee adopted on 10 September two of the three proposals for amended Directives with a view to imposing the fitting of safety belts in all motor vehicles other than passenger cars (See

Safety Monitor 48). The proposals for amended Directives relating to the safety belts and restraint systems of motor vehicles and to the anchorages for motor vehicle safety belts were adopted without amendments (simplified procedure).

However, the RETT Committee decided to proceed with a report on the third proposal relating to the seats, their anchorages and head restraints of motor vehicles. This proposal is banning the installation of side-facing seats except in city-buses in new types of vehicles from 1 July 2004 and in new vehicles from 1 January 2006. Some exemptions would also be permitted, which take into account the special use of special purpose vehicles, which could require side-facing seats, such as ambulances. The RETT Committee has appointed Dieter Koch (EPP-ED, D) rapporteur on this issue.

The European Parliament is expected to approve the proposals for amending the two first Directives without debate at its Brussels plenary session on 8 October 2003.

ETSC welcomes these Commission's new legislative proposals in view of imposing the fitting of safety belts in all motor vehicles other than passenger cars.

ETSC also recommends that any remaining exemptions for seat belt use in minibuses and light vans should be removed and levels of enforcement be increased to improve protection levels significantly (See ETSC report "Priorities for EU motor vehicle safety design" on our website at: www.etsc.be/rep.htm).

Tunnel Safety

The RETT Committee voted on the report of Reinhard Rack (EPP-ED, A) on tunnel safety on 10 September 2003 (See *Safety Monitor 48*).

The report was adopted with many amendments. Amendments by Italian MEPs were adopted demanding a complete revision of Annex I to the the Directive, which lists the infrastructure measures safety parameters, the number of tunnels and tubes, etc. These amendments are said to be largely in line with the current Council position. The Transport Council is expected to reach a political agreement on the tunnel safety Directive at its October meeting.

The European Parliament is expected to vote on the report at its plenary session on 8-9 October 2003.

ETSC and the European Federation for Transport and Environment (T&E) have published a joint position paper on the tunnel safety Directive, which can be found at: www.etsc.be/pre.htm.

In this position paper, ETSC and T&E emphasise that the Directive should concentrate on cost-effective measures, be the infrastructural, operational or related to the vehicle and the driver. These measures are likely to be much more cost-effective. Costly measures, like twin tube tunnels, could divert public funds from priority actions with higher safety potential, not yet addressed by the European Commission.



MARITIME & INLAND WATERWAY SAFETY

EUROPEAN COMMISSION

Extended the tasks of the European Maritime Safety Agency (EMSA)

The European Commission has adopted on 7 August 2003 a proposal for a Regulation to extend the tasks of the European Maritime Safety Agency (*See Safety Monitor 46*).

The European Commission has proposed that the EMSA's powers would be extended to maritime security and seafarers' qualifications. It also proposed to equip the EMSA with the legal and technical means necessary to operate specialised pollution response ships and equipment for collecting oil and other noxious substances in the sea.

"In the aftermath of the Erika and Prestige disasters, maritime safety legislation has been drastically improved to guarantee the highest level of environment protection to European shores and waters. The Commission is determined to ensure that these rules are adequately and strictly applied. The widening of the European Maritime Safety Agency's competence is today a key step in this strategy to ensure safety and security of maritime transport." said the DG Energy and Transport Commissioner Loyola de Palacio.

Erika I package: still not transposed into Member States legislation

Since the Erika I package entered into force on

22 July 2003, the European Commission has decided to initiate legal proceedings against 10 Member States for failing to notify transposition of this key EU maritime safety legislation. Both the ship inspection and survey organisation and Port State Control should have been transposed into national law by 22 July 2003. To date only Denmark, France, Germany, Spain and the UK have done so.

EUROPEAN PARLIAMENT

Minimum level of training for third countries seafarers

The European Parliament adopted the report on the minimum level of training of third countries seafarers on 2 September 2003 (*See Safety Monitor 47*).

The European Parliament adopted amendments seeking to improve the Commission's proposal and reflecting the informal agreement reached with the European Commission and the Council of Ministers.

EC-China Maritime Transport Agreement

The European Parliament approved on 2 September 2003 the proposal for a Council decision concluding an agreement on maritime transport between EC and China.

The European Parliament requested that concerns regarding the recognition of third country flags within the scope of this agreement should be evaluated in subsequent renewals.

Safety at sea in response to the Prestige accident

The European Parliament voted on the own-initiative report of Dirk Sterckx (ELDR, B) on improving safety at sea in response to the Prestige accident at its plenary session on 23 September 2003 (*See Safety Monitor 48*).

The European Parliament reiterated that all important maritime safety measures have already been taken but the implementation and above all strict implementation by the Member States of the concerned Regulations must be the first priority. It also welcomed the European Commission's proposals to shorten the implementation deadlines and called on the Commission to submit proposals not later than February 2004 for financial compensation for safe havens.

It also called on the Commission to submit as soon as possible a proposal to strengthen Port State Control by reducing the intervals between the inspections of vessels at greater risk, by expanding the reporting requirements of pilots also to include vessels in transit off the coast of Europe and by applying the 25% target (% of ships inspected) to each port that has "significant maritime traffic" instead of to the country as a whole.

The European Parliament also reiterated its call on Member States to arrange for the Union to accede to the International Maritime Organization (IMO) and give the Commission a mandate to negotiate with the IMO on behalf of the European Union.



AIR SAFETY

COUNCIL OF MINISTERS

Single European Sky

The Council of Ministers decided to reject the amendments adopted in second reading by the European Parliament on the package of four draft Regulations providing for the creation of a "Single European Sky" on 22 September 2003.

A conciliation committee has been convened (*See Safety Monitor 48*).

EUROPEAN PARLIAMENT

Safety of third countries aircraft

The RETT Committee adopted the Recommendation for second reading on the Directive on the safety of third country aircrafts using community airports on 10 September 2003 (*See Safety Monitor 48*).

The RETT Committee adopted few amendments on the Council's common position. It demanded that the yearly information report should be made available to the public and industry stakeholders. It also requested a prompt implementation and monitoring of the Directive by shortening the implementation deadline from three years to two years and the evaluation report deadline from 5 years to 4 years after the entry into force of the Directive.

The recommendation for second reading is expected to be adopted in plenary on 8-9 October 2003.



RAIL SAFETY

EUROPEAN PARLIAMENT

Second Railway Package

The RETT Committee discussed on 9 September 2003 the common positions adopted by the Council of Ministers on the Second Railway Package (*See Safety Monitor 48*).

Directive on Safety of Railways

The rapporteur Dirk Sterckx (ELDR, B) pointed out to the RETT Committee that the Council's common position had amended the Commission's proposal in a significant number of ways. Therefore, the rapporteur has tabled a certain number of amendments for the second reading.

The rapporteur emphasised particularly the issue of the introduction of new national rules. In its common position, the Council provided that Member States may continue in future to introduce national rules in order to attain a higher safety level than under the common safety targets (CST). However, the rapporteur thought that the current situation, where national rules continue to play a role, should be regarded as a transitional stage leading ultimately to a situation in which only European rules would apply. He therefore tabled an amendment asking for new national rules to be kept to a minimum.

The rapporteur also tabled some amendments on the deadlines for the implementation of the common safety targets (CST) and methods (CSM).

ETSC welcomes the fact that the Council of Ministers amended the Parliament's first reading on the issue of the independence of accident investigation bodies. While the Parliament had undermined the full independence of accident investigation bodies in its first reading, the Council requested that the accident investigation bodies shall be functionally independent from the safety authority and from any regulator of railways.

ETSC believes that the functional and organisational independence of accident investigation bodies are a major step towards the improvement of safety. Our comments on the rail safety Directive can be found on ETSC's website at: www.etsc.be/pre.htm.

European Railways Safety Agency

The rapporteur Gilles Savary (PSE, F) welcomed the Council's common position, which took on board many of Parliament's amendments with only minimal changes of wording.

However, the rapporteur considered that several points of the common position needed to be changed. Therefore he has retabled some amendments from the first reading in order to:

- ensure the involvement of the social partners in the work of the Agency at preliminary stage in the working parties.
- ensure that the qualified persons of the Administrative Board are not nominated by the European Commission but by their respective professional organisations.
- strengthen and institutionalize the consultation with and between the competent national authorities by creating two advisory committees within the Agency: the permanent advisory committee of national safety authorities and the permanent advisory committee of national bodies responsible for investigating rail accidents.
- ensure a better balance between the representation of the Council of Ministers and the European Commission in the Administrative Board.

The European Parliament is expected to vote on the Second Railway Package in RETT Committee on 30 September and in Plenary Session on 20-23 October.

ETSC welcomes the setting of the permanent national advisory committees and believes that they will provide a good opportunity for the exchange of best practices in rail safety.

EUROPEAN COMMISSION

European driving licence for train drivers

In response to the request of the European Parliament, the European Commission has announced its intention to present by the end of 2003 to the European Parliament and the Council a proposal relating to the introduction of a European driving licence for train drivers. The European Commission already held a hearing on train drivers' certification on 16 July 2003. The European Commission's working document is to be found at:

http://www.europa.eu.int/comm/transport/rail/package2003/licence_en.htm.

The European Commission also expressed its support for the work in progress within the framework of the European Social Dialogue concerning the harmonization of driving time and rest periods for train drivers and other train staff.

ETSC NEWS

ETSC becomes Member of the European Road Transport Research Advisory Council (ERTRAC)

Following its request, ETSC has been invited to participate in the European Road Transport Research Advisory Council (ERTRAC) (*See Safety Monitor 48 and ETSC's website at: www.etsc.be/pre.htm*). Dr Jörg Beckmann, ETSC's Executive Director, will represent ETSC in the ERTRAC Plenary.

ETSC publishes two new state-of-the-art international reviews:

Cost effective EU Transport Safety Measures

ETSC has brought together independent experts from across the EU to identify a series of cost-effective EU transport safety measures which, if applied, could give a substantial contribution to the reduction of the number and severity of transport crashes in the European Union.

This ETSC Review on "Cost effective EU transport safety measures" is of a cross-modal character. However, it takes into account that road transport represents by far the greatest transport safety problem in all European countries with around 97% of all transport fatalities occurring in the road sector. Thus, particular emphasis is given to road transport and no attempt has been made to standardise the analysis of road and non-road measures.

For the road mode, the Review has identified five cost-effective EU road safety measures:

- Daytime running lights,
- Random breath testing (best practice guidelines),
- Audible seat belt reminders,
- Use of EuroNCAP as an incentive for developing safer cars,
- Road safety engineering (best practice guidelines).

ETSC believes that the implementation of these measures, which are ready-to-go, could give a substantial contribution to reaching the ambitious EU target of halving road deaths by the year 2010. Moreover, a swift implementation of these measures from 2004 onwards will increase their likely benefits because in an enlarged EU the relative costs per capita will decrease.

The new Review also deals with the rail, maritime and air modes. It shows that cost-benefit analyses are not commonly used in these three modes because decisions for the introduction of safety measures are made more on the grounds of practicality and improved system function, whenever the specific safety elements cannot be properly estimated or quantified.

Finally, the Review contains an update of ETSC's estimates of the costs of transport accidents and the value of safety from 1995-prices to 2000-prices (in Appendix 1).

Transport Safety Organisations in Public and Private Sectors

ETSC has published a new Review on "Transport safety organisations in public and private sectors" compiled by transport safety experts from across the EU.

The new Review is dedicated to the organisational problems and solutions that determine contemporary transport safety policies. The importance of organisational aspects cannot be stressed enough. Only if policy-makers are able to integrate their objectives, strategies and measures are they able to deliver the kind of safety solutions that a highly complex transport system requires. This review seeks to map the various organisational aspects of transport safety and address a number of them more specifically in terms of their role and function within an overall transport safety network.

The Executive Summary and the full Report of the Reviews are available from ETSC's secretariat or on ETSC's website www.etsc.be/rep.htm

INTERNATIONAL EVENTS DIARY

- 22-24 October 2003 **Your Safe Mobility 2003 Congress**, to be held in Brussels, Belgium, Contact: GOCA, Tel: Tel: +32 (0)2 469 09 00 Fax: +32 (0)2 469 05 70, Website: <http://www.yoursafemobility.be/html/En/ability.html>
- 29-30 October 2003 **4th Annual Congress of the European Traffic Police Network**, to be held in Berlin, Germany, Contact: David Rowland, Fax: +44 (0)871 242 9019, Email: congress@tispol.org, Website: www.tispol.org.
- 29-31 October 2003 **16th International Symposium on Theory and Practice in Transport Economics**, to be held in Budapest, Hungary, Contact: Economic Research Centre, 2, rue André Pascal, 75 775 Paris Cedex 16, Tel: +33 1 45 24 97 23/24, Fax: +33 1 45 24 97 42, Email: andreas.kopp@oecd.org; Website: www.oecd.org/cem.
- 11-12 November 2003 **1st International Conference on Driver Behaviour and Training**, to be held in Stratford upon Avon, UK, Contact: Dr Lisa Dorn, Human Factors and Air Transport Department, Cranfield University, Fax: +44 (0)1234 750192, Email: L.dorn@cranfield.ac.uk, Website: www.cranfield.ac.uk/soe/dbt.
- 16-20 November 2003 **10th World Congress and Exhibition on Intelligent Transport Systems and Services**, to be held in Madrid, Spain, Contact: ERTICO, Website: www.madrid2003.itscongress.org.
- 2-4 June 2004 **13th International Conference on Safe Communities**, to be held in Prague, Czech Republic, Contact: Conference secretariat, Tel: +420 224 942 575, Fax: +420 224 942 550, Email: safe@cbttravel.cz, Website: www.13safecomm.com
- 6-9 June 2004 **7th World Conference on Injury Prevention and Safety Promotion**, to be held in Vienna, Austria, Contact: Conference team, Tel: +43 1 715 66 44 0, Fax: +43 1 715 6644 30, E-mail: safety2004@sicherleben.at, Website: www.safety2004.info

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