

Road Safety under the Danish Chairmanship of the Presidency of the EU

This Memorandum briefly outlines ETSC's priorities for the Danish Presidency of the EU and presents our recommendations on key EU policy dossiers¹. ETSC hopes that road safety will be one of the priorities under land transport during the Danish Presidency of the EU, and that Prime Minister Helle Thorning Schmidt and Ministers of Transport and Justice Henrik Dam Kristensen and Morten Bødskov will take personal interest and show their leadership in delivering road safety in Denmark and in the EU. Key issues, carried over from the Polish Presidency, are the TEN-T and the tachograph legislation. During the Danish Presidency a number of issues presented by the European Commission in the "Road Safety Policy Orientations 2011-2020" and the Transport White Paper should also feature as specific road safety priorities. These include progress on tackling serious injuries on our roads and alcohol interlocks.

At a national level in Denmark it is fundamental to step up action to implement the use of stationary speed control and introduce safety cameras. This would assure that Denmark joins other front runners in Europe on adopting such a strong road safety measure.

Road Safety Developments in Denmark

Denmark has had a long tradition of road safety. The country adopted its first road death and injury reduction target in 1989. The targets for 2012 are to reduce by 40% the number of people killed, seriously injured and slightly injured respectively compared with 2005 figures. If the targets are achieved, there should be no more than 200 people killed, 1,850 seriously injured and 2,100 slightly injured on Danish roads in 2012. It is expected that these targets will indeed be reached for 2012. The provisional figures for the first 11 months of 2011 show 189 deaths and 3,579 injuries, which means that the national targets, of 219 deaths and 4,327 injuries respectively, have a high chance of being reached.

Denmark is the 7th safest EU country in terms of road deaths per million inhabitants, after Sweden, the UK, Malta, the Netherlands, Germany and

Ireland². It has 46 deaths per million inhabitants, while the EU average is 62. However, progress in reducing road deaths has been slightly slower in Denmark than in the rest of the EU. The number of people killed decreased by 41% in Denmark - from 431 to 255 - compared to 43% in the EU. Looking at Denmark's Scandinavian neighbours, Sweden achieved a 50% reduction while Finland a 38% reduction. There is no doubt amongst researchers that the economic crisis and some very cold and white winters have played an important role in influencing the Danish road safety record.

In 2012 the Road Safety Commission's National Action Plan will expire. After the general election in September 2011 the appointment of a new Road Safety Commission is eagerly awaited. Following this a new National Action Plan should be prepared in 2012.

The Three Main Killers on the Road: Speed, Alcohol and Non Use of Seat Belts

This section analyses data linked to the three main road safety indicators: speed, alcohol and seat belts. In Denmark, together with Poland, the percentage of drivers driving faster than the speed limit is the highest in the EU. In 2007 more than 70% of drivers went over the posted limit. Unfortunately, speed measurements stopped in Denmark in 2007 depriving Denmark from crucial feedback on further developments. In Denmark enforcement using fixed safety cameras is a relatively new practice and has only been used in a pilot project with 10 cameras. The Danish Technical University calculated the effects of using safety cameras on the basis of the results of this pilot project and presented the positive effects on speed and collisions rates in other Scandinavian and European countries. A political decision to extend this pilot and introduce fixed safety cameras more broadly is now urgently awaited in Denmark. In terms of enforcement of speed, collected data show that there were only 45 speed tickets per 1,000 inhabitants in 2008, compared with 560 in the Netherlands and 450 in Austria. Clearly there is room for more targeted enforcement action on speed.

In 2010, the Danish Road Safety Council together with police and central and local road authorities ran a campaign addressing speeding on rural roads. The campaign was targeted to rural roads because 2 out of 3 road deaths in Denmark occur on rural roads. Moreover, results from a survey showed that 6 out of 10 people living along rural roads said that they feel unsafe because of speeding, while 9 out of 10 respondents said they were affected by speeding.

Drink driving is another important risk factor in Denmark. The maximum permitted blood alcohol

content (BAC) is 0.5 g/l for all drivers. Alcohol-related road deaths have not been falling as quickly as other road deaths in Nordic countries, and the share has been relatively stable at around 25% over the 1998-2008 period³. Deaths attributed to alcohol accidents decreased in Denmark from 115 in 2001 to 64 in 2010. In terms of checks, there were only 36 roadside police tests per 1,000 inhabitants in 2008 compared with 385 in Finland and 287 in Sweden³.

Since September 2005 drink-driving sanctions have been linked to the offender's net monthly wage. Drivers exceeding the legal BAC of 0.5 g/l (up to 2.0 g/l) have to pay a fine that is calculated as a function of their net income and their recorded BAC. If the BAC level is under 1.2 g/l, they furthermore have to re-sit a theoretical and practical driving test within three months and the driver is unconditionally disqualified from driving. Drivers with a BAC higher than 1.2 g/l are banned from driving for a period of minimum three years. All drink drivers have to take a mandatory course to learn about alcohol and traffic. Automatic tests of drivers without suspicion of drink driving have been undertaken since 2003.

Seat belt wearing rates are at 92% on front seats (compared with 98% and 97% for France and Germany) and 71% on rear seats (compared with 88% and 87% for Germany and Finland). Daytime seat belt wearing rates on front seats have increased in Denmark over the past decade by at least 12%. Daytime seat belt wearing rates on rear seats have also increased from 64% in 1998 to 79% in 2008, meaning that 42% of non-users have changed their behaviour over the past five years⁴.

Penalty Point System

Denmark introduced a penalty point system in 2005. One offence corresponds to one point and one point lasts for three years. When three points are accumulated in a period of three years the driving licence is withdrawn. In the case of novice drivers the driving licence is withdrawn when they reach two points in their first three years of

driving. At present the penalty point system does not include an escalating sanction: one sanction is equal to one point. Also, it is only severe offences that are sanctioned, e.g. exceeding the speed limit by more than 30%, red light crossing, driving in the opposite traffic lane. The driver can only be sanctioned through penalty points if a

child below 15 is not using a seat belt. At present, there are no rehabilitation courses available for reducing points. Drink driving is not included in the penalty point systems and is covered under

another procedure which includes a fine plus driving ban or re-testing. This shows that there is room for improvement in the current penalty point system in Denmark.

Good Practice – Progress on Alcolocks

Alcolock legislation was passed by the Danish Parliament in June 2010. However, the date when the Alcohol Interlock Programme for drink drivers will actually enter into force has not yet been set. Some work is still needed before all the technicalities and administrative procedures regarding the programme are ready. The Ministry of Justice will then set the exact date for implementation. The Alcohol interlock programme will be offered to first time offenders with a BAC above 2.0 as an obligatory alternative to prolonging the period with banned license. For example, if a driver received a 3 year license

ban, they must install an alcolock for the two following years in order to be permitted to drive again. If they choose not to get the alcolock installed, the period with a banned license will be prolonged with further two years, amounting to a total of five years. For second time offenders with a BAC under 1.2 the alcolock will be a possibility the driver can use in order have their license back one year earlier than “normal”. The alcolock must be installed for two years, and the driver is requested to have a medical examination in order to determine if they need treatment for alcoholism.

EU Priorities for the Danish Presidency

Road Safety Policy Orientations 2011-2020

Following the adoption in July 2010 of the European Commission’s “Policy Orientations on Road Safety 2011-2020” ETSC looks forward to seeing the first of the road safety packages for adoption by the European Commission in 2012. ETSC particularly welcomed the new emphasis on serious injuries included in the “Road Safety Policy Orientations”. The European Parliament, in its Own Initiative Report on Road Safety adopted in September 2011, also supported the strategic objectives proposed by the European Commission. However, MEPs regretted that, instead of a new Action Programme, only some weaker policy orientations were put forward. They also argued that the envisaged measures - although going in the right direction - should be further developed in order to meet the Commission’s proposed target of a further 50% reduction of road deaths by 2020. The rapporteur suggested a more ambitious ‘Vision Zero’ in the long run as well as additional and measurable targets for a better monitoring of road safety

developments. Other MEPs shared the general view that the Commission’s policy orientations were insufficiently ambitious. Other issues they raised included a harmonised low limit for blood alcohol, 30 km/h speed limit in residential areas, drug driving measures and proposals to take up new challenges such as the ageing of the EU population.

The EU Road Safety High Level Group was reconvened in October 2011 and discussed next steps to implement the different actions under the Road Safety Policy Orientations. Priorities have been set on serious injuries, PTWs and enforcement.

In order for the EU to reach its new 2020 target it is up to the Danish EU Presidency to work together with the Member States, and also the European Commission and the European Parliament, to reinforce the “Policy Orientations” and translate them urgently into determined action.

Regulation on type-approval of two- and three wheel motor vehicles and quadricycles

ETSC welcomed the proposal for a Regulation on the approval and market surveillance of two- or three- wheel vehicles and quadricycles (L-category vehicles). ETSC considers the proposal extremely useful as a means to improve the safety of Powered Two Wheelers (PTWs), the most unprotected group of road users. Stricter regulation on vehicle safety, and in particular on mandatory equipment for active safety systems, will contribute to reducing the current figure of more than 6,000 annual deaths among road users of these vehicles in Europe. The users of PTWs (huge majority of vehicles concerned) represent 16% of the total number of road deaths in the EU while accounting for only 2% of the total kilometres driven. For the same distance travelled, the risk for riders of being killed in road accidents is on average 18 times higher than the risk for car drivers. While the number of road deaths has declined considerably in the past decade in Europe, the number of killed PTW riders rose in 13 out of 27 countries.

Many elements of the proposed Framework Regulation have great potential for improving the safety of riders of powered two-wheelers. ETSC supports the proposal of the European Commission of mandating ABS systems for all PTWs with an engine power above 125cc and an advanced braking system (either Anti-Lock Braking System or Combined Braking System) for all other PTWs. ETSC also adds that riders should be educated regarding their use and benefits.

Moreover, evidence shows that motorcyclists are safer riding with lights on during the daytime and one third of all motorcycle accidents are linked directly to the lack of conspicuity⁵. ETSC supports the proposal to introduce mandatory 'Automatic Headlights On' for all L-category vehicles.

The Danish Presidency should work together with the European Parliament to agree on a legislative text that can be adopted swiftly by both the Council and the Parliament, while ensuring road safety benefits, both for the PTW riders and the other road users.

Revision of the TEN-T Road guidelines and Funding of Safe Road Infrastructure

Denmark will continue the work on the new proposals for the revision of the TEN-T Guidelines and accompanying Connecting Europe Facility Fund announced under the Polish Presidency. The review of the guidelines included a specific reference to the two main infrastructure Directives: Directive 2008/96/EC on road infrastructure safety management and Directive 2004/54/EC on minimum requirements for tunnels in the Trans-European Road Network. The guidelines also include the prioritisation of "road safety" when promoting projects of common interest. The Guidelines foresee the provision of secure parking areas as a priority,

this is important for managing fatigue amongst professional drivers and thus reducing risk. The reference made in the guidelines to ITS safety applications, under the ITS Directive and Action Plan, is also welcome. Promoting walking and cycling is one of the new priorities of the Transport White Paper within urban areas and the European Commission argues that they "could readily substitute the large share of trips which cover less than 5km". The TEN-T urban infrastructure nodes should reinforce this new commitment by encouraging safe and sustainable integrated transport options especially for the last kilometer.

Regional Funds

The Danish Presidency should ensure that the 'conditionality' clause to comply with EU infrastructure safety legislation which exists now in the proposal for the TEN-T Guidelines

should be extended to all EU funds including the European regional development funds going to support transport infrastructure. The present proposals do not reflect this.

Road Freight and the Social Rules: Sleepiness

The Danish Presidency will also be continuing the work on the recent proposal⁶ to revise the tachograph's legal framework. The legislative proposal looks at using the satellite positioning system, improving the technical capabilities of the digital tachograph and linking it into current ITS developments. In a new report entitled: "Tackling Fatigue: EU Social Rules and Heavy Goods Vehicle Drivers"⁷, ETSC looks at how enforcing the social rules is one of the important tools to manage fatigue. Research shows that driver sleepiness is a significant factor in approximately 20% of commercial road transport crashes⁸. Moreover, the European Commission has calculated that non compliance with obligations for minimum rest periods is estimated to produce an increase in the societal cost of collisions of 2.8 Billion Euro a year⁹. ETSC welcomes the revision of one of the important tools in tackling sleepiness amongst professional drivers, the tachograph.

The proposal underlines the need for more efforts in training enforcement officers. At present, there is room for interpretation in terms of procedures and application of the legislation which means that the decisions of control officers vary. Drawing up European minimum standards for the training of inspection bodies and for coordinating cooperation between the

inspection bodies in line with the proposals of the TRACE project¹⁰ could lead to welcome improvements. When the regulations on working hours and tachographs are ignored or circumvented, the lives of drivers, passengers and other road users may be put at risk. Non-compliance and fraud also give undue competitive advantages to those breaking the law, with negative impacts on the functioning of the internal market. ETSC welcomes efforts included in the proposal to tackle this with, for example, higher standards demanded to the workshops which install and calibrate the tachograph.

The new proposal includes the intention to ensure a minimum degree of harmonisation of sanctions in relation to the tachograph rules. This is also welcomed as at present the rules on penalties applicable to serious infringements between Member States vary greatly. For drivers and undertakings engaged in international transport, it is therefore very difficult to receive a clear message concerning the gravity of possible infringements when they do not comply with certain provisions of regulations. There is much more to be done in this area to improve road safety including communicating more with the drivers and also their employers.

Directive on Cross Border Enforcement of Traffic Law in the Field of Road Safety

ETSC strongly welcomed the final adoption of the Directive 2001/82/EU of October 25th, which aims to "facilitate cross-border enforcement in the field of road safety"¹². The Directive introduces a system of exchanging information to enable the follow up of road safety related traffic offences committed by non-resident drivers. Enforcement is a means to prevent crashes from happening by way of persuading drivers to comply with the safety rules. Deterrence is based on giving drivers the feeling that they run too high a risk of being caught when breaking the rules. Thus effective

enforcement leads to a rapid reduction in deaths and injuries.

At present Denmark has an opt-out for this entire area of policy: however, ETSC would encourage Denmark to consider opting in, in the future. Also, the Presidency should prioritise supporting the other Member States in transposing the Directive into their own national law. ETSC welcomes that some Member States are working to transpose this new EU legislation before the final deadline of 7 November 2013.

Tackling Drink Driving: Fitting Alcolocks

The European Commission estimates that, across the EU, at least 20% of all road deaths are alcohol related. ETSC much welcomed the European Commission's proposal of the possibility of making use of alcohol interlock devices obligatory in certain specific cases mentioned in the "Road Safety Policy Orientations on Road Safety 2011-2020". Along with awareness-raising of the legal BAC limits, increased enforcement sanctions and rehabilitation programmes make up the solution to tackling drink driving in the EU. Repeat offenders are being offered rehabilitation courses in some cases, including alcolocks. So far only Finland and Belgium

offer alcolocks as an integrated part of their rehabilitation programme. Other countries, including Denmark, France, Sweden and the Netherlands have adopted legislation and are currently preparing its implementation.

On the occasion of their Presidency, Denmark could present their progress on alcolocks to other Member States. They could also encourage other Member States to introduce similar schemes with the aim of deterring drink driving in the first place and, in case of repeated detection, helping re-offenders to separate drinking from driving.

Technical Inspections and Road Worthiness

The European Commission is planning to revise the roadworthiness Directive 2009/40/EC in 2012. Although the Directive was recast in 2009, this involved only minor changes to the administrative articles. The body of the text has not seen any major revision since adoption in 1996.

However, in the last 15 years, both cars and in vehicle safety systems that are electronically controlled have developed rapidly. Vehicle examiners also need to assure a similarly rigorous testing regime for new in vehicle technologies.

Technical inspection interviews should also be reassessed and inspection protocols should be reviewed in relation to higher speed conditions relating to more severe crashes. In sum, the Directive needs to be revised to ensure that the testing of new modern vehicles is safely maintained. The EU should consider extending the Directive to cover other vehicle types such as PTWs. The Danish Presidency of the EU should encourage the European Commission to prioritise measures with the highest life saving potential in the revision of this Directive.

Notes:

1. The European Transport Safety Council (ETSC) is a Brussels-based independent non-profit making organisation dedicated to the reduction of deaths and injuries in transport in Europe. ETSC seeks to identify and promote effective measures on the basis of international scientific research and best practice. The Council brings together 45 international and national organisations concerned with transport safety from across Europe.
2. ETSC (2011), 5th Road Safety PIN Report, 2010 Road Safety Target Outcome.
3. ETSC (2009), How Far From Zero? Benchmarking of Road Safety Performance in Nordic Countries.
4. ETSC (2010) 4th Road Safety PIN Report, Road Safety Target in Sight: Making up for lost time.
5. ETSC (2011) Position on the Proposal for a Regulation on the approval and market surveillance of two- or three- wheel vehicles and quadricycles. See also The critical importance of the "Automatic Headlights On" (AHO) function for Powered-Two Wheelers (PTWs) – Video <http://drop.allespast.be/etsc/AHO%20Headlight.mpg>
6. Proposal for a Regulation of the European Parliament and of the Council amending the Council Regulation (EEC) N. 3821/85 on recording equipment in road transport and amending Regulation (EC) N. 561/2006 of the European Parliament and the Council.
7. ETSC (2011) Tackling Fatigue: EU Social Rules and Heavy Goods Vehicle Drivers http://www.etsc.eu/documents/Report7_final.pdf
8. ETSC (2001) The Role of Driver Fatigue in Commercial Road Transport Crashes.
9. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0451:FIN:EN:PDF>
10. <http://www.traceproject.eu/>

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