

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

Belgium has one of the newest car fleets running on one of the densest motorway networks in the world, but its roads are still far from being the safest. Belgium has moved from 145 deaths per million population in 2001 to 90 in 2009. Although this reduction in deaths is laudable, the number of road deaths per population in 2009 is still 20% above the EU average. The quick indicators of March 2010 show that the number of road deaths is increasing again and much work still needs to be done to reach the goal of limiting to 750 deaths on Belgian roads. Key issues include tackling the relatively low level of seat belt wearing, increasing speed compliance and tackling the level of driving whilst under the influence of alcohol and drugs. Efforts must also be made to upgrade the safety levels of the infrastructure above and beyond the requirements set in the new EU Directive on Infrastructure Safety Management.

ETSC welcomes the news that road safety will be one of the priorities under land transport during the Belgian Presidency of the EU. Strong leadership is essential, especially now at a time when the EU is preparing its road safety policy for the next decade.

Belgium takes the Presidency helm after the first six months with the new Lisbon Treaty. The EU is now fully involved in how different aspects of the Treaty work in practice, both in terms of processes in decision making and fields for the development of new policy areas. This is especially important for finding a workable agreement on the Cross Border Enforcement Directive.

Following the appointment of Siim Kallas as new Transport Commissioner, the Belgian term will also be the time when the European Commission adopts the new reduction target and a new strategy with its 4th Road Safety Action Programme (RSAP). Vice President Kallas insisted that we must have ambitious road safety targets and concrete measures to support their achievement in the EU at his hearing in the European Parliament in January 2010. Another important document is also under development: the White Paper on Transport Policy to 2020. There must be a strong link between these two important Commission communications. The Belgian Presidency must work towards a strong response from the Council to these two strategic documents.

This Memorandum briefly outlines ETSC's priorities for the Belgian Presidency of the EU and presents our recommendations on key EU policy dossiers

Road Safety Developments in Belgium

Since 2001, 78,000 road deaths have been prevented in the EU-27 thanks to improvements in road safety, 4% of them in Belgium. Belgium has seen a reduction of 36% from 2000-2002 to 2009 which is well in line with the EU 27 average. Belgium saw a slight increase in the number of people killed in 2009, with an estimation of 955 compared to 944 in 2008. Belgium is far from the national objective of a maximum of 750 people killed in 2010 and a max of 500 people killed in 2015. These targets were set by a recommendation at the General State Committee on Road Safety (Etats généraux de la sécurité routière) in 2002 and 2007.

For speed, the main cause of road deaths, measurements in 2009 of speed in free flowing traffic made by the Belgian Road Safety Institute indicated that mean speeds of cars are still too high and there is no sign of a change. Only on 90km/h roads is the mean speed at 87km/h which is lower than the legal limit. Still 60% of drivers are breaking the speed limit on rural roads limited to 50km/h and 70km/h. Mean speed on these roads are respectively 53.4 km/h and 74.2 km/h. About 90% of the drivers are driving too fast around schools on regional roads (with 70km/h) where 30 km/h zones are only indicated with a road sign and where no further infrastructural adaptations have been implemented. There are no measurements available for speed on motorways.

Road deaths from drink driving dropped by 45% in 2008 (compared to the mean figure of 1998-2000). This is 10% faster than deaths from other causes over the same period in Belgium (-35%). However one of the other underlying problems is that drink driving accident data in Belgium remain incomplete and patchy, with breath test results available in only 60% of all crashes. IBSR estimates that drink driving is the main cause in 30% of all crashes.

Belgium is also the birthplace of the BOB campaign subsequently adopted by a majority of other Members States. The Bob campaign has been promoting for 15 years the designation of a driver (Bob) who will not drink and will drive friends home, especially during the year-end period. In 2009, the State Secretary Etienne Schouppe launched the campaign together with the IBSR, the Police and with representatives of the campaign sponsors. Over six weeks, 210,000 drivers were checked by the Police, of those more than 7,800 (3.7%) had an illegal BAC.

Use of seat belts has increased in the front seats since 2005 by 15% from 65% in 2005 to 82% in 2009 (based on observations). However Belgium is at the bottom end of the EU league with front seat belt wearing rates of just 80%. Only Slovakia, Hungary, Greece and Italy have lower rates. The current levels are out of line with those in neighbouring countries (France, Germany with more than 98% and 97% respectively). Data on the use of seat belts on the rear seats based on self reporting indicates that 60% of the car passengers declare to wear seat belts very often. Here there is room for huge improvement: it's important that the Police systematically check the use of seat belts together with communication on the road risks and positive effects of seat belt wearing.

National Level Plan

A Task Force on Road Safety in which all Ministers on federal and regional level related to competences in road safety were gathered highlighted in 2008 the main elements of the Belgian Road Safety Strategy. In the short term, enhanced enforcement together with communication in the field of drink driving, seat belt wearing and speed offences was recommended. Novice and young drivers, motorcyclists, vulnerable road users and professional drivers are considered as important target groups. The Belgian Road Safety Institute developed in 2009 a communication plan based on this target groups.

The need for a problem oriented and targeted strategy was decided. Tackling recidivism and full automation of the enforcement chain are considered as a priority. In the medium term road infrastructure must help structurally to reduce the number of victims on the Belgian Roads.

New enforcement of drug driving offences

Belgium has adopted new legislation enabling the enforcement of drug driving. Already since 1997 Belgium has had a per se law on driving under the influence of illicit drugs. Control procedures based on a urine test followed by a blood test when positive revealed to be difficult to enforce and required a lot of time during the road checks. From the 1st of October onwards police forces in Belgium will be able to use saliva tests and analyses. This means that enforcement can substantially increase which will no doubt work to reduce road accidents and victims.

New legislation on using alcolocks in rehabilitation programmes

In Belgium a new framework law on using alcolocks in rehabilitation programmes was adopted in Parliament on the 4th of June 2009. The new law will enter into force by 1st October 2010. This will state the possibility of introducing alcolocks for the rehabilitation of all drink driving offenders and not only to repeat drink drivers. Following an offence a drink driver is taken to court and it is up to the judge to decide if an alcolock programme should be imposed on the offender. The alcolock will allow this person to seek help and continue driving with the 'help' of the alcolock. The limit for the lock will be set at 0.09 mg/l exhaled air (the equivalent of 0.2 BAC, which is lower than the legal limit of 0.5) - the reasoning is that the driver would otherwise be banned from traffic and with the alcolock they have a 'second chance', so a stricter system makes sense. This new law is currently being complemented with supplementary regulations on the operational considerations and other technical aspects. These will cover issues such as medical checks and psychological support during and after the programme. It is already clear that the driver will cover the costs of installing and using the interlock.

Priorities for the Belgian Presidency

4th RSAP and beyond 2010

The Belgian Presidency should consider as its highest political priority to support the European Commission in its launch of the 4th Road Safety Action Programme. As part of the Road Safety Days on 13 and 14

October, they should highlight the priority areas for action included in the new Action Programme. They should also engage all Member States in elaborating Council Conclusions in response to the Commission's plan. Moreover they should work with the European Parliament that also plans an 'own initiative report' in response to the Action Programme.

ETSC launched its "Blueprint for the EU's 4th Road Safety Action Programme 2010-2020" and hopes it will make a valuable contribution to the new programme. ETSC proposes a shared target of at least a 40% reduction of deaths with a further target to reduce injuries with lasting effects in each Member State by 40%. ETSC also recommends the EU to adopt a target of 60% reduction between 2011 and 2020 for child deaths. Alongside these targets a vision is also needed to inspire and motivate all players to work together. ETSC also proposes a vision: "Road Safety as a right and responsibility for all" whereby both mobility and safety should be a fundamental right of EU citizens.

The 4th Road Safety Action Programme should focus its top activities upon the main behavioural causes of death and injuries with lasting effect (speeding, drink driving and lack of seat belt and child safety restraint use) as well as badly designed infrastructure and vehicles. Alongside this, the Programme should tackle new emerging trends such as the increasing numbers of motorcyclists among those killed or injured on the roads. It should work to reap the rewards of reducing speeds and the resulting reductions in road deaths and injuries with lasting effects, as well as in emissions of carbon dioxide.

A new institutional setup with the aim of linking responsibility for implementing the Action Programme and for reaching the 2020 targets is also needed. This includes ETSC's proposal that every EU Presidency holder, both individually and in their troika formation, should make an effort to focus attention on road safety and ensure a regular meeting of Transport Ministers to concentrate on this topic.

The "Future of Transport" strategy should also reflect some of the key ideas proposed by ETSC for the 4th Road Safety Action Programme and these two future strategy documents should definitely be mutually supporting.

White Paper on the "Future of Transport"

In 2001 the Commission issued a White Paper setting the agenda for transport policy through to 2010. The White Paper also set the target to halve road deaths by 50% by 2010. Following a consultation period last year the European Commission is looking further ahead and defining a vision for the future of transport and mobility, preparing the ground for future policy developments with a ten year perspective up to 2020. Ahead of the new White Paper the European Parliament is preparing its own report on the "Future of Sustainable Transport". The European Parliament's Rapporteur has placed a considerable emphasis on road safety and the need to have compliance with clear and measurable targets including at least a 40% reduction in road deaths and serious injuries on the roads by 2020. The need for a strong section in the White Paper on road safety has also enjoyed the support of other MEPs. MEPs also support the need for the next Road Safety Action Programme and the White Paper to be inextricably linked.

ETSC stated in its contribution that road safety should always be viewed as an integral part of all transport policy considerations and not as a stand-alone issue. Road traffic volume alone is indeed the major single contributing factor to the occurrence of road crashes and related injuries, thus transport policy in respect to modal split is the starting point for any strategic decision making. Strategic tools such as target setting, planning and programming should provide a general framework for relevant policy making in the long term. Building upon the successful shared responsibility approach, the shift towards attributed responsibility and professionalism should be within the future strategy.

The Belgian Presidency should stress to the European Commission that safety related issues should not be overlooked by economic and environmental aspects.

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

This dossier is now ripe for being reconsidered by the EU Member States and ETSC welcomes that this will be an important priority for Belgium. Both the European Commission and the incoming Belgian Presidency seem keen to make headway in finding

agreement. The new Lisbon Treaty will make some key changes to both the procedure for adoption of such a text and the likely legal basis for a future Directive on Cross Border Enforcement. These changes will provide solutions for overcoming previous obstacles.

Initially ETSC welcomed the legislative proposal of March 2008 that would allow EU drivers to be identified and thus prosecuted for offences committed in a Member State other than the one where their vehicle is registered. Whilst the objective was supported by all the Member States, regrettably no agreement on the legal basis could be found at the Council in 2008 under the French Presidency. Neither the Czech nor Swedish Presidencies included the issue on their agenda. Such a Directive is needed in an increasingly mobile, integrated and enlarged EU, where non-resident drivers make up an ever increasing part of the traffic flow. If road traffic violations are committed, EU citizens are entitled to fair and equal treatment in whichever country they are travelling. At present the freedom of movement of people, established by the Rome Treaty, guarantees that a German, a Spaniard or a French, when travelling in another EU Member State, benefit from the same rights and duties. This is, however, not the case for road safety at the moment. We urge the Presidency to consider a revised Cross Border Enforcement Directive in the interests of road safety.

As the proposal is being re-drafted, ETSC would like to see that the proposal is extended to include an EU wide reference framework for convergence of enforcement best practices in the areas of speeding, impaired (drug and drink) driving and seat belt use. The Directive should thus encourage all EU Member States to consider improving their quality of enforcement.

Belgium is a transit country and 14% of speeding offences are committed by non-resident drivers according to the Impact Assessment of Cross Border Enforcement Directive undertaken by DG TREN in 2007. As fixed camera networks are extending and enforcement increases this number is likely to rise. Moreover Belgium has successfully negotiated bilateral agreements with France, but agreements with other neighbours such as the Netherlands are still awaiting negotiation.

ETSC welcomed the announcement of Mr. Schouppe, the Belgian State Secretary of Mobility, in April that Cross Border Enforcement will be one of their high priorities. This is in line with the joint

Presidency priorities set out by the Spanish, Belgian and Hungarian Trio.

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

Following the Framework Regulation proposal expected in June from the European Commission, the Belgian Presidency should work to assure that this is adequately translated into the drafts of implementing regulation programmes. Many elements of the framework Regulation have great potential for improving safety in the most risky group of road users: riders of powered two-wheelers. Stricter regulation on vehicle safety, in particular on mandatory equipment for active safety systems, could contribute to reducing the current figure of more than 6,000 annual deaths among road users of these vehicles in Europe.

Making antilock braking systems and advanced braking systems mandatory for all PTWs would largely contribute to improvements in rider safety. Similarly, anti-tampering measures are needed, since the practice of boosting the power of machines behind the category limits is becoming widespread. The proposal should also examine how new technologies such as ISA and eCall could be adapted and fitted to PTWs.

Technical Inspections and Road Worthiness

Roadworthiness checks are an important element in ensuring that vehicle safety is kept up to date. There are two types of roadworthiness assessments: on-the-spot roadside inspections and periodical checks for which the owner of the vehicle must take it to a specialist. Technical on-the-spot roadside inspections are covered by Directive 2000/30/EC¹, whereas periodical roadworthiness tests for motor vehicles and their trailers are covered by Directive 2009/40/EC². Reviews of the Annexes of both of these Directives have been undertaken in the past year and the new Annexes will be published in the Official Journal in June this year.

The European Commission is also planning to revise the roadworthiness Directive of 2009/40/EC in 2010 with a stakeholder consultation due soon. 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. Since 1996 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 these new in vehicle technologies. The EU should consider extending the Directive to cover other vehicle types such as PTWs. Technical inspection interviews should also be reassessed. Inspection protocols should be reviewed in relation to higher speed conditions relating to more severe collisions. In sum, the Directive needs to be revised to ensure that the testing of new modern vehicles are safely maintained. The Belgian Presidency of the EU should encourage the European Commission to prioritise measures with the highest life saving potential in the revision of this Directive.

Tackling Drink Driving: Fitting Alcolocks for recidivists

The European Commission estimates that across the EU at least 25% of all road deaths are alcohol related. Since 2001 deaths attributed to drink driving in the EU have decreased by about 5.7%

on average each year. 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. Fines and sanctions have been increased in the EU over the past years. Repeat offenders are also being offered rehabilitation courses in some cases, including alcolocks. So far only Finland offers alcolocks as an integrated part of their rehabilitation programme. Other countries have legislation on the way such as France, Sweden and the Netherlands. New Belgian legislation will come into force in October right in the middle of their time as EU Presidency holder.

On the occasion of their Presidency, Belgium could explain to other Member States how their new system will work and what their experience has been so far in setting up the system. 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.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0030:EN:NOT>

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32009L0040:EN:NOT>

Literature

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 ETSC, 2010. Road Safety Target in Sight: Making up for Lost Time 2010 on the Horizon
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The European Transport Safety Council (ETSC) is a Brussels-based independent non-profit making organisation dedicated to the reduction of transport crashes and casualties in Europe. ETSC seeks to identify and promote effective measures on the basis of international scientific research and best practice. The Council brings together 43 international and national organisations concerned with transport safety from across Europe.

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