

ETSC Safety Monitor

July 2000 EDITION No. 32
Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4

SUMMARY

The Council of Ministers

- The June Council invites the Commission to propose many more actions on road safety. The Portuguese Presidency delivers a strong resolution on priorities for EU policy.
- French Presidency outlines transport safety priorities to Parliament but with emphasis on oil tanker safety.

The European Commission

- High-level group on creation of single European airspace presents first thoughts on the better organisation of air traffic management.
- Launches campaign to make air passengers aware of their rights.
- Adopts draft proposal for safer unloading and loading of bulk carrier vessels.
- Adopts draft report with temporary exemption of self-employed drivers from the scope of the proposed regulations for working time.
- Proposes a framework programme aiming to improve quality, safety and efficiency of the road transport sector.

The European Parliament

- Adopts resolution on short sea shipping in first reading.
- Adopts two reports on interoperability of conventional rail systems and licensing of railways in second reading.

Over 6,500 EU citizens died in road crashes since the May edition of Safety Monitor.



ACROSS THE MODES

June Transport Council

Transport safety dominated the discussion of the agenda of the 26-27 June Transport Council which supported Commission road safety plans to 2001

and urged it to go further. One important development was the invitation to the Commission to set a numerical target to cut road deaths in the next programme (see later sections for mode by mode coverage).

Revision of the Common Transport Policy

On 23 May 2000 Transport Commissioner Loyola de Palacio announced the Commission's intention to update the White Paper on the common transport policy of 1992. This would involve setting out priorities for each transport mode, redefining or clarifying the content of certain measures and floating new ideas.

ETSC is urging the Commission to set out an explicit transport safety strategy for the first time, given the increasing priority being given to safety by the EU institutions and the urgent need to reduce the highest external cost of transport – road crashes.

French Presidency

On 8 June 2000 Permanent Representative Pierre Vimont presented the priorities of the French EU Council Presidency. He said that French leaders would make an effort to place emphasis on subjects closer to the citizens amongst which were public health and transport safety (with the sinking of the Erika very much in mind).

On 21 June 2000, the French Minister of Transport, Mr Jean Claude Gayssot enlarged upon the Presidency's five main priorities for EU transport policy.

Road Transport and road safety

The safety of working conditions should be enhanced through harmonised working time and rest hours, a non-EU driver authorisation system, minimum training standards for drivers and harmonisation of conditions for vehicle checks on speed limiters for vehicles < 3.5 tons and heavy vehicles.

Attention would be paid to speed limiters for lighter vehicles and to information campaigns about young people and alcohol. He noted that there were still many road safety problems in the EU which needed to be tackled.

ETSC hopes that the strength of the Council Resolution on road safety (see page 4) will encourage a more ambitious line on road safety from the Presidency.

Rail Transport

Interoperability of conventional railways- obstacles should be removed and an agreement is needed on infrastructure, control command and the harmonisation of staff training. The rail package was currently under discussion and the French Minister's aim was to develop a rail and freight transport in which national problems could be taken into account and the European network strengthened. Progress was needed.

Maritime safety

The Erika disaster happened because basic safety rules were not complied with by companies. The EU had a responsibility to ensure that there would not be repetition through the:

- elimination of single hull tankers;
- systematic (port state) control;
- harmonisation of ship owners' responsibilities and duties;
- compliance with social rules for crews and equal wages for non-EU crew (to prevent social dumping)

Air Transport

An EU agreement on EASA was the best way to guarantee safety and would be encouraged.

Galileo

In order to ensure progress in the architecture of the system, a decision was expected by the end of the year.

MEPs' questions on issues linked to safety:

Mark Watts (PSE, UK) asked whether the amendments made to date would prevent another Erika. The Minister replied that such action would have helped but would not prevented such an accident. Moreover, it had become clear recently that the port state control of the Erika in Dunkirk before the disaster, had established that the tanker was defective, but that it was not picked up. Even under the new proposals the Erika would not have been banned. So stronger control was definitely necessary.

Theodorus Bouwmans (ALE, NL) believed that double hull tankers needed to be classified in port state control. This was a complex issue and insufficient work was being done on the construction of double hull vessels. He also asked when the package on maritime safety would be

presented. Mr Gaysot said that if another disaster occurred without appropriate measures being taken, the EU would have to take responsibility. Every year 300,000 vessels passed through the Channel creating high risks. The double hull issue would be addressed during the French Presidency. Since it took two years to build a vessel with a double hull, it should be possible to make it obligatory soon.

Paolo Costa (ELDR, I) urged a better and more harmonious European railway system by strengthening and liberalising the railways as well as the TENs. This would also be a good opportunity to prepare for enlargement. Erik Meijer (GUE/NGL, NL) urged the Presidency to be as critical as possible towards liberalisation and indicated the need for social consequences to be taken into account as well as investment in appropriate equipment. Mr Gaysot replied that the first railway package was not enough and a second was needed. In order to make progress the French Presidency would go straight to the second without waiting for approval of the first.

Ari Vatanen (PPE, SF) said that road safety should be of serious concern and in France, for example, there were at least twice as many road fatalities as in the UK. He asked what the Minister wanted to do in order to influence the driver behaviour. Theodorus Bouwman (ALE, NL) said that speed limiters were not yet sufficiently precise and more technical development was needed.

Emmanouil Mastorakis (PSE, GR) asked what would be done about flight time limitation and whether there would be an agreement with candidate countries on working time and rest time. In view of the lack of time the Minister promised to give written answers in due course.

European Council – Feira, Portugal

The European Council held in Feira, Portugal on 19-20 June 2000:

- invited the Commission to continue within the High Level Group on the Single European Sky: a final report would be presented at the latest in the first semester of 2001 (see also page 6)
- requested the Commission to present at the European Council in Biarritz a report on the overall strategy on maritime safety for a decision by the end of 2000

Commission Programme for 2000 – Council declaration

In the Internal Market Council of 25 May 2000, the Council adopted a declaration on the Commission's Programme for 2000. The priorities included that particular attention would be paid to transport safety and a statement on enlargement (see below).

Enlargement

The year 2000 marked a new stage in enlargement, and would make possible an overall view of the negotiations which were now well advanced with the six applicant countries; the Helsinki European Council had decided to open negotiations officially with six other applicants (Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia) and a new chapter in relations with Turkey. In 2000 the European Conference should be convened to discuss subjects of common interest for the Union and the applicant countries.

At the IRU World Congress the EU Transport Commissioner noted that in December 1999 Council and Commission had recognised that the complete opening of the road transport market could have considerable effects on the sector, on safety and the environment, but that no decision had been taken on this yet.

Trans-European Networks

In the June Ecofin Council the common position concerning the criteria on the inclusion of seaports and inland ports in the TENs was adopted unanimously. It is aimed at amending the decision on Community guidelines for the development of the TEN providing a broad network for the establishment of an integrated, multimodal infrastructure network. The intention of the draft Decision was to clarify and reinforce the position of seaports and inland ports in the TENs; these interconnection points being a precondition for interchange between different transport modes. The development of these points would contribute to more efficient use of the entire network, improve the co-ordination of infrastructure development in general and of projects of common interest in particular (see Safety Monitor 30).

Transport of dangerous goods by road and rail

The June Transport Council adopted its common positions on the Directives concerning the transport of dangerous substances by road and rail. It aims essentially at specifying certain exemptions and transition provisions, as well as ensuring cohesive legislation (see Safety Monitor 28-30).



ROAD SAFETY

COUNCIL OF MINISTERS

Road safety

The June Transport Council adopted its strongest resolution yet on road safety setting out priorities for European policy, in terms of legislation, research and information.

Ministers supported the new Commission Communication on promoting road safety to 2001 by encouraging the economic analysis of accident costs and inviting the Commission to pursue the drafting of six legislative texts as soon as possible. The Council also invites the Commission to set an EU-wide numerical target to reduce deaths in the next programme. The legislative priorities are:

- 1) make obligatory the wearing of seat belts in all the vehicles equipped with them as well as the use of standardised child restraint systems (modification of Directive 91/671);
- 2) extend the speed limitation Directive to vehicles of more than 3.5 tonnes transporting goods or passengers (modification of Directive 92/6);
- 3) harmonise vehicle design to produce less aggressive fronts in impacts with, among others, children, pedestrians and cyclists (new Directive);
- 4) make obligatory the wearing of helmets for motorbike and moped drivers (new Directive);
- 5) harmonise the subcategories of licences in relation to vehicle type and target better the enforcement of medical criteria in relation to driving licences (modification of Directive 91/439, which should soon be presented by the Commission);
- 6) increase lateral and rear visibility by reducing blind spots in mirrors (modification of Directive 71/127). The Council also includes in this section a 'recommendation' encouraging the Member States to examine the adoption of a maximum level of alcohol authorised when driving of 0.5 mg/ml (instead of the ceiling of 0.8 mg/ml in Italy, Luxembourg, Ireland and UK).

With regard to research, the Council invites the Commission:

- to pursue and deepen the European assessment programme for new car models (EURO-NCAP), notably to integrate new

criteria on active safety and existing criteria on pedestrian safety;

- study best practice by Member States on testing drivers under the influence of drugs or certain medicines, and draft detection methods allowing for more effective checks;
- continue research on the use of advanced technologies for driver support for vehicles and infrastructure which could significantly improve road safety;
- continue the assessment of technologies that have an effect on speed management and the identification of possible technical, organisational, administrative and legal difficulties for their implementation;
- continue and deepen the work relating to the protection of vehicle occupants in case of a rear impact ("whiplash");
- examine the possibility of using devices to prevent the starting of vehicles where the driver is over the national blood alcohol limit;
- continue work relating to the installation of in vehicle seat belt reminder systems with the aim of developing a specification;
- look into the possibility that a mandatory requirement for helmet use by cyclists might lead to secondary negative effects on bicycle use .
- continue the assessment of the value and consequences of requiring daytime running headlamps.
- assess the possible secondary effects of air bag inflation notably in cases of multiple impact;
- study the effect and methods for the obligatory installation of speed warnings or speed governors on light vehicles regulated and started by the driver.

As regards information activity, the Council proposes:

- dissemination of EuroNCAP test results;
- the use of the Community CARE database on accidents and road use;
- awareness campaigns on the consequences of driving under the influence of alcohol and driving too fast, as well as on the importance of wearing seat belts and helmets,
- the releasing of information on aid to be given to accident victims,
- the production of guidelines on the development of "forgiving" roadsides and remedial action at accident "black spots".

EUROPEAN COMMISSION

A framework for better and safer road transport

The Commission has proposed a number of measures aimed to improve the quality, safety

and efficiency of the road transport sector. It is a framework programme which proposes a series of measures including in particular:

- The proposed Community rules on permitted working time in the road transport sector are blocked in the Council because of a lack of agreement on their application to self-employed drivers. By now proposing to allow, if there is a sufficient majority in the Council, self-employed drivers temporary exemption from the rules, the Commission hopes that the Council will be able to adopt the proposed Working Time Directive.
- In order to avoid degeneration of the conditions of employment of lorry drivers within the Community and to prevent freight companies from applying lower standards to drivers from outside the Community, the Commission recommends application of the conditions of employment in force in the Member State where the carrier – the employer – is established.
- Road controls play an essential role in encouraging compliance with the rules and should be made more effective and uniform. Consequently, the introduction of the electronic tachograph in 2002 and better co-operation and administrative coordination between the competent authorities are proposed. A medium-term increase in the number of road controls is also envisaged.
- The introduction of basic Community rules on initial and continuing vocational training of lorry drivers has also been proposed.

The Commission thinks this package of proposals will lead to coherent and coordinated progress in improving road transport safety and efficiency, as well as ensuring fair competition within the Community. Safety experts believe that a revision of the driving time regulation to include duty time, with appropriate enforcement, is the key regulatory change needed if safety is the objective.

EUROPEAN PARLIAMENT

Road safety Communication

The Regional Policy, Transport and Tourism Committee appointed Mrs Hedkvist Petersen (PSE, Sweden) as rapporteur for the Road Safety Communication that was presented last March (see Safety Monitor 31). Her report and resolution will be discussed in September 2000.



**MARINE & INLAND
WATERWAY SAFETY**

COUNCIL OF MINISTERS

Maritime safety

The June Transport Council noted that the maritime safety dossier had progressed sufficiently to allow for the adoption of the first measures in the autumn. The Transport Commissioner emphasised that the three measures concerning classification companies, port controls and elimination of single hulls were part of an indivisible package:

- *Classification companies:* By modifying Directive 94/57 Member States would transfer to the Commission powers to certify the inspecting companies and to remove authorisations. The new Directive would also prevent ships from changing inspectors too often. A common position could be adopted in October.
- *Port state control:* Ministers also noted the significant progress being made on the strengthening of port checks on tankers. By modifying Directive 95/21, the future text would make obligatory annual inspections of high-risk ships, the inspection of ships of more than 15 years old and the pre-notification of the arrival of ships in port. In their conclusion, Ministers invited the permanent representatives to continue, as a matter of priority, the examination of the modification to the Directive concerning port checks, to adopt this proposal before the end of 2000.
- *Elimination of single hull tankers:* Most Member States opposed the Commission proposal anticipating the elimination of single hull tankers, either in 2008 instead of 2026 as foreseen by the WTO or 2010 by the United States. France, Denmark, Italy and Finland supported the Commission proposal, believing that the steps taken to accelerate the implementation of the WTO timetable must go hand in hand with the adoption of measures at a European level. According to the Commission, the adoption of European measures would also enable the EU to put pressure on the IMO, citing as proof the fact that the IMO already decided to dedicate a meeting to the issue in October.

In its conclusions, the Council called on COREPER to continue its study of this proposal and the Commission to present as quickly as possible an assessment of the economic, social and legal consequences for the European economy and for the supply of fuel. The Council indicated in its conclusion to:

- 1) take stock of the Commission's intention to propose a legal framework aiming to strengthen provisions to reduce oil pollution,
- 2) invite the Member States to support the IMO work for the revision of the timetable for the elimination of single hulls
- 3) call on the Member States and the Commission to seek an increase in the compensation ceiling in case of accidents foreseen by Fipol,
- 4) invite the Commission to consider the creation of a European data base on maritime accidents and report on the implementation of existing maritime legislation,
- 5) ask the Commission for a "communication on the recruiting and training of seamen, notably taking into account the suggestions formulated by the social partners."

EUROPEAN COMMISSION

Safety loading and unloading of bulk carrier vessels

On 22 May 2000 the Commission adopted a draft Directive establishing harmonised requirements and procedures for the unloading and loading of bulk carrier vessels. The aim is to reduce the number of accidents during the unloading of ships carrying solid goods in bulk. During the 1990-1998 period 131 vessels sunk, killing 731 sailors. The Directive translates into European law measures adopted by the IMO in December 1997 and will make it compulsory for Member States to ensure that in their ports there is

- good working material for bulk carriers and terminals according to a control criteria list
- responsibility assumed by the commander of the bulk carrier as operations are carried out
- the provision for bulk carriers stopping over in port of an information manual on handling operations
- the maintenance of a quality system in the terminals, based on ISO 9000 norms
- the intervention of a competent authority, when cargo handling operations give rise to situations likely to threaten the ship's safety.

EUROPEAN PARLIAMENT

Short sea shipping

On 7 July 2000 the resolution of Carla Peijs (EPP, NL) on short sea shipping was adopted in Plenary in the first reading. The resolution calls on the Commission and Council to take steps to increase the contribution of this form of shipping to the

European transport system (see Safety Monitor 27, 28, 31).



AIR SAFETY

COUNCIL OF MINISTERS

European Common Aviation Area

The European Economic Area Council held on 23 May 2000 noted the ongoing negotiations on the establishment of a European Common Aviation Area, extending the internal market in air transport to encompass more than 30 countries, and trusted that a solution would be found regarding the institutional modalities for the participation of Iceland and Norway.

Establishment of a European Aviation Safety Authority (EASA)

The June Transport Council recognised that the creation of a European safety agency would be more appropriate than the creation of an international organisation. Ministers urged the Commission to come forward with a proposal for a regulation for the creation of this agency, which will be charged with certifying aeronautical products and providing a technical basis to enable the Commission to take decisions on rules for product approval. Ministers requested that certain elements of airport management should not fall within the competence of the future Agency. The Council Presidency specifies in a memo that: 1) third countries should be able to take part in the work of the agency; 2) the agency would be responsible for elaborating provisions for the application of environmental norms finalised by relevant bodies; 3) the executive director of the agency will take individual decisions concerning safety issues (but the Member States could designate national experts responsible for taking part in the preparatory work for these decisions).

The European Economic Area Council held on 23 May 2000 welcomed the initiative of the EU towards establishing a new European Aviation Safety authority with a pan-European dimension for the development of high and uniform standards in the field of aviation safety, and asked for a solution be found for the participation of EEA EFTA states (see Safety Monitor 29-31).

EUROPEAN COMMISSION

Air passengers rights in air transport

On 23 June the European Commission launched a campaign to make passengers more aware of the rights that the European Community has created for them, beginning with the display of a charter in airports throughout the Community. The Charter on which the campaign is based sets out passengers' rights in four main areas:

- information about flights and reservations
- overbooking
- compensation in case of an accident; passengers or their relatives travelling with an EU airline, have the right to full compensation for death or injury (there is no upper limit to the airline's liability). They also have the right to up-front payments if needed to help with immediate economic hardship.
- air travel as part of a package holiday

Apart from this the Commission wants to go further in protecting passengers' interests and therefore presented on 21 June 2000 a proposal to complete the existing rights with new legal and voluntary commitments by airlines and airports (see Safety Monitor 31).

On 26 June 2000 the Commission presented the campaign and its communication on new guarantees for consumers to the Transport Council. The Irish delegation said that the voluntary commitments the Commission is asking of airlines would not be enough and that legislation would be necessary. The Council will discuss this further in October.

Air Traffic Management

The High Level Group presided over by Commissioner de Palacio proposed initial orientations towards the better organisation of air traffic management (ATM) in Europe.

The report identifies a series of problems in traffic organisation:

- The working methods of the controllers have not fundamentally changed in sixty years
- The organisation of the airspace and control remains national, causing fragmentation of ATM
- Despite liberalisation of air transport, responsibilities on safety legislation and ATM were not clearly defined at European level
- Military requirements were not dealt with in the same way across Europe
- The interoperability of equipment and procedures was not always guaranteed which affects cooperation and the introduction of new technologies
- Europe suffered from a lack of experienced air controllers

With these observations in mind, the High-Level Group reached consensus on the following basis for a recommendation that should be presented next Autumn:

- Europe needed both a strong regulatory authority to promote safety and guarantee the continuity of air transport activities.
- A consistent legislative framework throughout the EU should be established with mechanisms to ensure effective application, not only by Member States' authorities but also by service providers and users were needed. Here, the structure of Eurocontrol could be used. The Group urges the Council to resolve the dispute between UK and Spain over Gibraltar blocking the decision of the EU to sign the Accession Act to Eurocontrol.
- A pan-European airspace could be initially created at the highest altitudes. In the meantime there was a need to resolve the problems of airspace management to respond to local needs like access to airports, military demands.
- Both civilians and military should have access to the airspace, the military authorities need to participate in the reorganisation for defining and implementing the regulatory framework..
- Recruitment and participation of air controllers was the key to the reform. Harmonisation of professional qualifications at European level to increase mobility between air traffic control centres was needed
- Providers of services and users of the airspace should be encouraged to use equipment for which interoperability could be guaranteed, mandatorily if necessary.
- The main regulatory authority for safety would be, in the future, the European air safety authority, in favour of which Member States are currently considering the delegation of powers (see Safety Monitor 28-31).

Safety requirements and professional skill for cabin staff

At the June Transport Council the Commission noted that work concerning a draft Directive presented in 1997 for standardising the minimum requirements for the recruitment of cabin crew regarding medical training and general training, had not progressed.



RAIL SAFETY

Interoperability and the licensing of railways

The June Transport Council adopted its common position on the draft framework Directive for the technical harmonisation of rail systems on the trans-European network for freight transport. The Directive will establish Community mechanisms for the elaboration and adoption of technical specifications for the interoperability of rail equipment. It will cover the renewal, modernisation and construction of equipment: signalling systems, command and control, rolling stock, energy and infrastructure, operating technologies and information.

The Council has specified the priorities and the timetable of the working group which is to prepare standards. It has defined a series of sectors which should be treated in three years: the control-command and signalling system, the telematic applications of freight, traffic management (including staff qualifications for cross-border service), freight wagons, and rolling stock for international use. The Council has made minor technical changes to the text adopted at first reading by the European Parliament.

ETSC NEWS

New Members

ETSC welcomes two new organisations onto its Main Council: the Italian 'Centro Studi Città Amica' (CeSAM) of the University of Brescia and the Royal Society for the Prevention of Accidents (RoSPA) in Britain.

INTERNATIONAL EVENTS DIARY

- 4-7 Sept. 2000 International Conference on Traffic and Transport Psychology, Bern, Switzerland. Organised by the Swiss Council for Accident Prevention (Bfu). Contact ICTTP c/o bfu, Fax: +41 31 390 22 30, E-mail: icctp@bfu.ch.
- 12 Sept. 2000 **ETSC's "Best in Europe: road safety conference", Hotel Europa Inter-Continental, Rue de la Loi 107 B-1040 Brussels, Registration form and fee must reach us before 20th August 2000 Contact: ETSC Rue du Cornet 34, B-1040 Brussels. Tel: +32 2 230 41 06, Fax: +32 2 230 42 15, E-mail: info@etsc.be, Internet: www.etsc.be.**
- 20-22 Sept. 2000 The International Research Council on the Biomechanics of Impact organises the 2000 IRCOBI Conference on the Biomechanics of Impact in Montpellier, France. Contact Antoinette Charpenne, IRCOBI Secretariat/INRETS, 25 avenue François Mitterand, Case 24, 69675 BRON Cedex, France, Tel: +33 4 72 14 24 20, Fax: +33 4 72 14 23 60, E-mail: charpenne@inrets.fr.
- 20-22 Sept. 2000 Traffic Safety on Three Continents, 11th International Conference organised by the South African council for Scientific & Industrial Research, Technikon-Pretoria, Swedish Road and Transport Research Institute, US Transportation Research Board and Federal Highway Institute in the CSIR Conference Centre Pretoria, South Africa. Contact VTI, Kenneth Asp SE-58195 Linköping Sweden, Tel: +46 13 20 40 00, Fax: +46 13 12 61 62, E-mail: info@vti-utveckling.se.
- 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.
- 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.
- 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.

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

- DG TREN European Commission
- BP Amoco
- Ford of Europe
- KeyMed
- Railtrack
- Scania
- Shell International

The contents of the Safety Monitor are the sole responsibility of ETSC and do not necessarily reflect the views of sponsors.

© ETSC 2000 Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4

ETSC Board of Directors:
Professor Herman De Croo
Professor Manfred Bandmann
Professor G. Murray Mackay
Professor Kåre Rumar
Pieter van Vollenhoven

Executive Director & Editor: Jeanne Breen

For information about ETSC's activities and membership, please contact:
ETSC, 34 rue du Cornet - Hoornstr. 34, B-1040 Brussels. Tel: + 32 2 230 4106, Fax: +32 2 230 4215
E-mail: info@etsc.be, Internet: www.etsc.be