

SAFETY MONITOR

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

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NOVEMBER 2002 EDITION No. 44
Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4

SUMMARY

Council of Ministers

- Reached a common position on seat belts (p.2)
- Rejected the increase of 1 Meuro of the transport safety budget line in second reading (p.2)

The European Commission

- Placed EuroNCAP as an essential element of its road safety strategy (p.3)
- Announced its work programme in road safety for 2003 (p.1)
- Called on Member States to anticipate the implementation of new EU maritime safety legislation after the Prestige accident (p.5)

The European Parliament

- Linked the Driving Time Regulation to the Working Time Directive in its vote in RETT Committee (p.5)
- Called on the Commission to come forward with the Third Road Action Programme and proposed the creation of an independent non-regulatory European Road Safety Agency in its vote on the White Paper in RETT Committee (p.2)
- Reinstated confidential reporting in its vote on the Directive occurrence in civil aviation (p.7)
- Voted on the Railway package (p.7)
- Adopted reports to improve safety rules for passengers and stability requirements for ro-ro passengers ships (p.5-6)



ACROSS THE MODES

EUROPEAN COMMISSION

The European Commission's working programme in road safety for 2003

The European Commission adopted its working programme for 2003 on 30 October 2002.

Despite the EU ambitious target of halving road deaths by 2010, few road safety initiatives are foreseen in the European Commission's 2003 working programme:

- A Directive on the management of black spots and minimum standards of information to drivers on the TENs
- A Communication on "Intelligent vehicles and Road Safety"
- A Directive on driving licences repealing Directive 91/439/EEC
- A Directive on reverse and speedometer equipment of motor vehicles (amending Directive 74/443/EEVC)
- A Directive on bull bars

ETSC understands that work is continuing on the EU Third Road Action Plan (2002-2010), which is now expected to be adopted sometime in 2003.

ETSC shares the European Parliament's view (*See vote on the White Paper p.2*) that the EU ambitious target of reducing road deaths by 50% by 2010 (20 000 deaths) would require unprecedented levels of implementation of evidence-based measures at EU, national and local levels if it is to be achieved.

ETSC reiterates its concern about such a long delay for the adoption of the 3^d Road Action Programme (2002-2010) and the adhoc list of measures in the 2003 working programme of the European Commission.

EUROPEAN PARLIAMENT

White Paper on EU Common Transport Policy

The Regional Policy, Transport and Tourism Committee of the European Parliament voted on the amendments on the draft report of Mr Izquierdo (PSE, ES) on the White Paper on EU common transport policy at its meeting of 28 November (*See Safety Monitor 42 and ETSC's response to the White Paper at: www.etsc.be/pre.htm*).

ETSC welcomes the adoption by the RETT Committee of the amendments tabled by the road safety rapporteur Eva Hedkvist Petersen (PSE, S).

The RETT Committee called on the Commission to adopt as soon as possible its 3^d Road Safety Action Programme and to come forward with a broad range of demonstrably effective measures with high safety potential which can be implemented in the short to medium term. It also recommended the adoption of measures in areas such as:

- collection, analysis and dissemination of road safety data,
- best practice guidelines for use by safety professionals and
- support for demonstrably effective consumer information programmes

The RETT Committee also proposed the creation of a publicly-funded, non-regulatory and independent European Road Safety Agency with the aim of providing policy support, speeding up developments in road safety, providing access to road safety data and best practice information across the EU.

Transport Safety Budget

The plenary house voted on the amendments on the 2003 Budget (first reading) on 24 October (*See Safety Monitor 43*).

The European Parliament adopted in plenary the amendment tabled by the RETT Committee aiming at increasing by 1 Meuro the commitment appropriations of the transport safety budget line B2-702. However, the Council of Ministers rejected this increase on 26 November (second reading).

After the second reading of the Council, the transport safety budget lines remain as proposed by the Commission its draft preliminary budget:
B2-702 14.06 Meuro commitments, 9.26 Meuro payments
B2-702A 0.58 Meuro commitments, 0.73 Meuro payments.

External relations of the European Union in the field of transport

Brian Simpson (PSE, UK) presented his own-initiative report on the external relations of the European Union, to the RETT Committee at its meeting on 28 November 2002.

The goal being sought is the enhancement of the consistency between international and EU-rules and to allow for a "one voice scenario", Brian Simpson recommended taking the necessary steps to sure that the European Community becomes a member of the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO). The rationale is that this should enable the Commission to contribute to these organisations in a coordinated way and thus more effectively, though only in areas falling within its competence.



ROAD SAFETY

COUNCIL OF MINISTERS

Seat belts

The Council of Ministers adopted a common position on the draft Directive on the use of seat belts and child-restraint systems in vehicles, in accordance with the political agreement reached

at its session on 17 and 18 June (*See Safety Monitor 42*).

The common position was discussed in the RETT Committee on 27 November. The rapporteur Eva Hedkvist Petersen (PSE, S) stressed that she was “worried and critical about the exemptions on buses and coaches.” However, she underlined the fact that the European Commission had stated that it would exercise the greatest circumspection when authorising exemptions for school buses.

The representative of the European Commission Mr Heinz Hillbrecht, pointed out that it was an “important step forward” which addressed one of the three major issues of road safety. He said that the major exemption concerned the use of seat belts by children under the age of 3 in M2 and M3 vehicles. The Council could not agree and requested the Commission to conduct a study and make a further amendment if necessary. Mr Hillbrecht informed that the European Commission would also conduct a general evaluation of all exemptions.

The recommendation for second reading is expected to be adopted in January in RETT Committee and in March in plenary.

Rear mirrors and supplementary indirect vision systems for motor vehicles Directive

The October Transport Council took note of the concerns expressed by the Belgian delegation concerning the blind spot on rear-view in lorries and vans (*See Safety Monitor 40*).

The Belgian delegation requested the Commission to present a proposal requiring specific rear-view mirrors which reduce the blind spot to be fitted on lorries and vans already in use. It received support from the Netherlands delegation.

EUROPEAN COMMISSION

EuroNCAP - a key element of the Commission's road safety strategy

At the European Vehicle Passive Safety Network's third annual conference on 2 October 2002, DG Energy and Transport official John Berry gave a presentation on the European New Car Assessment Programme (EuroNCAP).

John Berry presented EuroNCAP as a key element of the Commission's road safety strategy. He pointed out that “The EuroNCAP programme is the most cost-efficient road safety initiative that the Commission supports. Anyone involved with the EuroNCAP programme, whether they be within the organisation, with Governments or industry realises how EuroNCAP has become accepted as being an important, if not the most important, motivator for the provision of ‘best available’ passive safety technology. EuroNCAP is a success and has been the catalyst for dramatic improvements in the crashworthiness performance of modern cars. “

For the future, the plan was to include within EuroNCAP's testing protocols:

- primary safety
- active secondary safety
- full-frontal impact test
- internal head protection testing
- whiplash assessment (report expected this year and proposal next year)
- compatibility in the longer term

In order to take account of the electronic revolution, EuroNCAP planned to include the assessment of primary safety performance with its protocols such as braking and stability or visibility.

However, he raised the issue of the effectiveness of these systems. He underlined, for example, that ITS systems that were developed around younger drivers might not be effective and may even be dangerous for older people. He stressed that although primary safety systems could be evaluated and their performance assessed, it had been problematic to quantify life saving benefits in real world traffic so far. There was only limited data available, for example, that showed the number of accidents prevented by the fitment of ABS. EuroNCAP needed to be cautious and take care over the methodology used to rate cars for primary safety and how this data would be presented to the consumer.

He concluded by saying that DG TREN had direct influence over the progress, depth and direction of EuroNCAP, and would ensure that EuroNCAP's development would continue to be cohesive, progressive and pragmatic.

Jeanne Breen, ETSC's Executive Director, asked the reason why EuroNCAP had decided to

continue using EEVC as opposed to the voluntary agreement tests developed by the Joint Research Centre (JRC) and the European car industry (ACEA) for testing the pedestrian protection offered by vehicles. John Berry replied that the reason was because the JRC/ACEA tests did not represent current best practice.

The latest EuroNCAP launch in Rome on 26 November 2002 shows that new cars continue to be excessively and unnecessarily dangerous for pedestrians (See the results at: www.euroncap.com).

Despite the fact that the EEVC pedestrian tests have been used since 1996 by EuroNCAP, the latest results clearly indicate to ETSC that the car industry continues to demonstrate no willingness to implement effective improvements in the front design of cars for pedestrians. Of the eighteen new cars tested, ten cars scored only one star out of four in pedestrian protection, 7 cars scored two stars and one car delivered the worst result ever seen in the EuroNCAP pedestrian test (0 star).

Jeanne Breen, ETSC's Executive Director, said:

"Time and time again, we have evidence that the car industry as a whole is not delivering voluntarily effective pedestrian protection. New cars continue to perform badly in the EEVC pedestrian protection tests even though a car on EU roads today, the Honda Civic, meets around 80 per cent of the EEVC requirements without using new technology at an additional manufacturing cost of only 10 Euros per car."

ETSC urges the European Commission to come forward as soon as possible with the promised and long-awaited legislative proposal on safer car fronts and, as urged by the European Parliament, to mandate the level of protection offered by the EEVC pedestrian requirements as the unequivocal goal for new car designs.

However, EuroNCAP demonstrated much better news for car occupants with three cars reaching 5 stars and, for the first time, meeting the new EuroNCAP specification for audible seat belt reminders.

DG Information Society establishes the eSafety Forum to improve European road safety

High-level representatives of automotive and telecommunications industries, the European Commission and other public authorities met in Brussels on 14 November to achieve consensus on the next steps on how to improve European road safety (See *Safety Monitor* 43).

The next steps on the eSafety initiative include the preparation of a Commission Communication on "Information and Communications Technologies for Intelligent Vehicles" and the establishment of the eSafety Forum.

Speaking on his proposal to establish the eSafety Forum, Mr Liikanen said "We now have a common understanding with industry on the establishment of the eSafety Forum. The goal of the Forum will be to monitor the implementation of the Working Group recommendations, and to promote the development of open platforms, open system architecture and standard software, communications, service and human-machine interfaces to accelerate the development, deployment, and use of Intelligent Integrated Road Safety Systems."

Erkki Liikanen also welcomed the industry's proposal to work together with other stakeholders towards the introduction of an emergency call system, called "e-Call", and making it a priority goal. If an accident occurs, an emergency call would be initiated automatically (based e.g. on airbag release or deceleration information), or manually. The in-vehicle e-Call would build on the public-sector E-112 infrastructure and standard, but would give more accurate location information and additional data.

ETSC welcomes the e-Call initiative and urges DG Information Society to ensure that all stakeholders can be represented to allow genuine focus on key road safety problems and reference to impartial, scientific information.

New data on CARE Database added

New data has recently been added in the CARE Database (See http://www.europa.eu.int/comm/transport/home/care/index_en.htm and *Safety Monitor* 42):

- A new category "vehicle group"

- Graphical representation of all statistical tables
- New country data for 2000 (Belgium, Greece, Ireland, Finland, Sweden and UK) and for 2001 (Austria, Sweden and UK) with data from Northern Ireland missing for both years and,
- Links to websites of national and international institutions.

EUROPEAN PARLIAMENT

Driving Time

The Regional Policy, Transport and Tourism Committee of the European Parliament voted on the amendments on the draft report of Helmut Markov (GUE/NGL, D) on the proposal for a driving time Regulation on 5 November (*See Safety Monitor 43*).

ETSC very much welcomes the adoption of Amendment 70 ensuring that the provisions of the Working Time Directive are not undermined by the Driving Time Regulation.

The report is expected to be adopted by the January plenary meeting in Strasbourg.



MARITIME & INLAND WATERWAY SAFETY

EUROPEAN COMMISSION

Loyola de Palacio calls for accelerated EU maritime safety legislation after the PRESTIGE accident

During her intervention in the plenary session of the European Parliament on 21 November, Transport Commissioner Loyola de Palacio emphasized that such a disaster could have been avoided if all proposals made by the European Commission were to have been fully adopted and implemented.

She noted that following the Commission's initial proposals on the accelerated replacement of all single hull oil tankers by ships of the double hull design, the ship PRESTIGE would have been banned by September 2002.

She called on Member States to apply fully the existing and new legislation: "I have written to all Member States to call them to accelerate and anticipate as far as possible the new EU legislation" she said.

Among the initiatives foreseen by the European Commission, are:

- The publication of an indicative list of substandard ships that would have been denied access to EU ports under the new Port State Control Directive (*See Safety Monitor 39*).
- The early establishment of the European Maritime Safety Agency. Despite the fact that the Council was not able to agree upon the Agency's location, the Commission decided to set it up provisionally on its own premises in Brussels (*See Safety Monitor 42*).
- To propose additional safety measures for the transport of this type of extremely polluting "heavy fuel" oil.

EUROPEAN PARLIAMENT

Safety rules for passenger ships

The RETT Committee voted on the report of Carlos Ripoll I Martinez Bedoya (EPP-ED, ES) on the Commission's proposal to amend Directive 98/18 regarding safety rules for passengers' ships on 8 October 2002 (*See Safety Monitor 42*).

The RETT Committee adopted the Commission's proposal with amendments aiming at improving the safety of passengers with disabilities.

The plenary house adopted the report at its Brussels meeting on 7 November.

Stability requirements for ro-ro passenger ships

The RETT Committee adopted the report of Bernard Poignant (PSE, F) on the stability requirements for ro-ro passenger ships on 8 October 2002 (*See Safety Monitor 43*).

The RETT Committee adopted *en bloc* all the 17 amendments tabled by the rapporteur. It adopted amendments to the Commission's text demanding a transitional period until 2015 for compliance for ro-ro ferries operating in the South as well as a longer transitional period for vessels which had already been modified to comply with the international safety standards SOLAS 90.

The plenary house adopted the report at its Brussels meeting on 7 November.

Commissioner Loyola de Palacio welcomed the European Parliament votes: "This is a great step ahead which completes ideally the various proposals we have already made in the last years to improve maritime safety" she said. "Our proposals aim at preventing horrific accidents such as the Express Samina's in 2000: they strengthen the safety requirements and extend specific stability standards all over Europe, which means that our citizens will benefit from the same high safety levels everywhere in the European Union, irrespective of the flag of the ship" she explained.



AIR SAFETY

COUNCIL OF MINISTERS

Accession of the European Community to Eurocontrol

Thirty one Member States of Eurocontrol and the European Community signed on 8 October 2002 the protocol on the accession of the European Community to Eurocontrol, at a diplomatic conference held at the Organisation's Headquarters in Brussels under the Presidency of the Belgian Minister for Mobility and Transport, Mrs Isabelle Durant.

The signing of the accession Protocol was the culmination of extensive negotiations which began two years ago when it was recognised that there was a need to ensure consistency between the working arrangements and functions of the two organisations in matters relating to European air transport.

Commissioner Loyola de Palacio highlighted the high importance of this adhesion: "The Community's contribution to Eurocontrol will be of first importance and will allow more synergies with this organisation on the basis of strong co-ordination between the EU Member States. It will also pave the way for a smooth setting up of the European Single Sky project which cannot be developed without the expertise of Eurocontrol" she explained.

European Parliament and Council agreed on tightened EU rules in the field of civil aviation security

The Council and the European Parliament have finally reached agreement on the Regulation for common EU security rules for civil aviation on 30 October 2002 (*See Safety Monitor 43*).

Parliament and Council disagreed over several issues, in particular unannounced airport inspections, staff screening and funding arrangements. On the latest, it was agreed that the need to avoid significant external and internal distortions was a major concern for the Community and that the European Commission would carry a study on how the financial burden is shared.

It was also agreed that all staff and items entering security restricted areas would be screened and that there would be tighter checks on aircraft before take-off. The European Parliament particularly welcomed the readiness of the Council to accept Parliament's calls for unannounced airport inspections by 1 July 2004.

The proposal would have to be finally adopted by the Council and the European Parliament.

Air Transport Statistics

The Council of Ministers adopted in September a common position on the draft Regulation on statistical returns in respect of the carriage of passengers, freight and mail by air.

This proposal had been presented initially by the European Commission in 1995 but the issue had been blocked for 8 years because of the Gibraltar dispute. The proposal related to the collection by Member States of data to provide the Community with reliable information to serve as a statistical base for developing Community policy in the field of aviation.

The RETT Committee adopted the Council's common position without any amendments at its meeting on 25 November.

EUROPEAN PARLIAMENT

Occurrence in civil aviation

The RETT Committee adopted with unanimity the report by Jan Collins (UEN, IRL) on occurrence in civil aviation at its meeting on 8 October (See *Safety Monitor 42 and 43* and ETSC's website at <http://www.etsc.be/bri.htm>).

The RETT Committee adopted the amendment reinstating the article on confidential reporting. It also adopted another amendment aimed at reintroducing the possibility for Member States to institute proceedings in situations where a reported occurrence is the result of an act of gross negligence.

The plenary house adopted the draft recommendation for second reading at its Strasbourg meeting on 23 October.

Erratum: ETSC Safety Monitor (Sept 2002)

" ETSC believes confidential human incident reporting systems can play an important role in improving air safety and has, for many years (not tears – as written) pointed to the need for an EU-wide system which could be established at tiny cost."

ETSC observes that it is, nonetheless, a crying shame that policymakers have still to make specific provision for such an EU-wide system, but welcomes the European Parliament's and European Commission's insistence that confidential incident reporting remains within the scope of the Directive.



RAIL SAFETY

EUROPEAN PARLIAMENT

Rail statistics

The RETT Committee adopted the Council's common position without any amendments at its meeting on 7 October (See *Safety Monitor 43*).

The plenary house adopted the recommendation for second reading at its Strasbourg meeting on 24 October.

Second railway package

The RETT Committee held a debate on the second railway package at its meeting on 5 November (See *Safety Monitor 42* and <http://www.etsc.be/pre.htm>).

Mark Watts (PSE, UK) underlined that the Savary report on the European Railway Agency for safety and interoperability (ERA) should recognise the need for a common approach to safety agencies. He was supported by Herman Vermeer (ELDR, NTH) who tabled amendments to model the ERA on the agencies already active in other modes.

Discussions also focused on the need and scope of workers' participation in the definition of safety procedures.

The representative of the European Commission stressed the importance of independent safety authorities and independent technical accident investigation. He added that there was a need for demanding rules towards the granting of safety certificates.

In its opinion on the railway package adopted at its plenary session on 10 October, the Committee of Regions called for safety standards to be based on EU best practice, rather than minimum standards that were acceptable to all and called on the European Commission to extend the ERA's role to include investigations into serious accidents in particular.

The October Transport Council noted that considerable progress had been made on the railway package at technical level. While agreement on provisions related to safety, interoperability and COTIF (Convention concerning international carriage by rail) seemed within reach, the some of the issues concerning proposals on freight liberalisation and the creation of a rail agency were, however, proving more difficult.

Outcome of the vote

The RETT Committee voted on the Safety of Railways Directive and on ERA on 27 November.

On the Safety of Railways Directive, the RETT Committee adopted an amendment to introduce a European driving licence for train drivers carrying out trans-border services. It also asked the Commission to propose rules to harmonise driving

time and rest periods for train drivers and any train staff performing vital safety tasks. The RETT Committee also called for the introduction on safety grounds of a single working language for operational communications in the European rail industry.

In opposition to these amendments aiming at raising the level of safety, the RETT Committee adopted an amendment which undermines the full independence of accident investigation bodies (Amendment 193). The amendment allows investigation bodies to be independent only in their decision-making but does not grant them full organisational independence.

On the European Railways Agency, the RETT Committee adopted a number of technical amendments. The amendments calling for a common approach for safety agencies were mostly rejected, as well as, those regarding the

participation of the social partners in the working of safety procedures.

Both reports are scheduled for debate at the January plenary session in Strasbourg.

ETSC sees the functional and organisational independence and transparency of accident investigation as a major step towards the improvement of safety (*See ETSC's response to the draft Directive on Safety of the Railways at: <http://www.etsc.be/pre.htm>*).

ETSC urges MEPs to correct this in their plenary vote and to go back to the original text proposed by the European Commission and to delete Amendment 193.

INTERNATIONAL EVENTS DIARY

22 January 2003

Fifth European Transport Safety Lecture "Ageing Europe: the challenges and opportunities for transport safety" by Professor Liisa Hakamies-Blomqvist, Research Director at Swedish VTI, to be held in Brussels, Bibliothèque Solvay, Contact: Michèle Bullaert, Events Officer, ETSC, Rue du Cornet, 34, B-1040 Brussels, Tel:+32 (0)2 230 41 06/40 04, Fax: +32 (0)2 230 42 15, E-mail: m.bullaert@etsc.be

19-23 October 2003

10th World Congress on Intelligent Transport Systems and Services, to be held in Madrid, Spain, Contact: Mrs Cornelien Baijens/ Ms Melissa Koeners, Mobility Events and Services B.V, PO Box 168, 3454 ZK De Meern, The Netherland, Tel:+31 (0)30 666 7388, Fax:+31 (0)30 666 3336, E-mail: cornelien@deferrante.com

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

- DG TREN European Commission
- BP
- KeyMed
- Railtrack Group
- Rail Safety
- Scania
- Shell International
- Bombardier Transportation

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