

SAFETY MONITOR

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

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SUMMARY

The Council of Ministers

- Adopted the so-called "Verona Charter" on road safety (p.2)
- Approved the Directives on rear view mirrors and training of seafarers (p.2 and 5)

The European Commission

- Proposed new Directives on bull bars, checking procedures for commercial road transport and driving licences (p.2 and 3)
- Adopted a Recommendation on the enforcement of road safety rules (p.2)
- Amended its proposal for a Regulation on driving time (p.3)
- Adopted a Communication on eSafety (p.3)
- Published new information on the European Road Safety Charter (p.4)
- Published a list of ships banned from EU ports (p.5)

The European Parliament

- Adopted its first reading amendments of the 2004 budget (p.1)
- Approved the Directives on speed limitation devices, tunnel safety, seat belts, safety of third-country aircraft and the Second Railway Package (p.4-5 and 7)
- Set up a Temporary Committee on improving safety at sea (p.6)



ACROSS THE MODES

EUROPEAN PARLIAMENT

Transport safety budget for 2004

The European Parliament adopted on 23 October 2003 its first reading amendments of the EU Budget for 2004. It took over the transport safety budget line as fixed by the Council on 16 July 2003 (*See Safety Monitor 48*).

Exchange of views with the Transport Ministers of the new Member States

The Regional Policy, Transport and Tourism Committee of the European Parliament (RETT) held for the first time on 29 September 2003 an exchange of views with the Transport Ministers of the 10 accession countries.

Mr. Francois Lamoureux, Director-General of DG Energy and Transport of the European Commission, gave an overview of the situation in the future Member States. He expressed his worries concerning the road safety situation in those countries saying there were two to three times more accidents happening in those countries compared to the EU average. According to Mr. Lamoureux, the three main reasons for this are an old car fleet, bad infrastructures and low levels of enforcement.

The 10 Transport Ministers outlined the structure of the transport sector in their respective countries and the progress made in introducing EU legislation.

The Transport Ministers of Cyprus and Malta informed MEPs that vessels sailing under their flags would comply with all international and EU maritime safety legislation by 1 May 2004, the day they join the EU.

The Polish Transport Minister of Poland said that road safety was one of the priorities of the Polish government. He added that social legislation for the road sector was of prime importance for both the professional and private drivers.



ROAD SAFETY

COUNCIL OF MINISTERS

“Verona Charter” on Road Safety

During an informal Council meeting on road safety in Verona, Italy, on 23-24 October 2003, the EU Transport Ministers adopted a charter including a series of measures to improve road safety in Europe. The so-called “Verona Charter” will be presented to the next Transport Council on 4-5 December 2003.

Rear view mirrors

The Council approved on 20 October 2003 the one and only amendment passed by the European Parliament in second reading in July this year (*See Safety Monitor 48*). The new Directive on technical provisions for rear view devices will be formally adopted at a forthcoming Council meeting.

Pedestrian protection

The Council of Ministers formally adopted on 4 November 2003 the new Directive on pedestrian protection (*See Safety Monitor 48*).

EUROPEAN COMMISSION

Bull bars

On 10 October 2003, the Commission tabled a proposal for a Directive laying down technical requirements for frontal protection systems (bull bars), either as originally fitted to a vehicle or put on the market separately.

The proposal applies to vehicles of categories M1 and N1 up to 3, 5 tonnes. According to the

draft, manufacturers will have to demonstrate that their bull bars satisfy a series of safety tests by 1 July 2005 (for new types of vehicles and bull bars) and 1 January 2006 (for all new vehicles and bull bars).

Enforcement of road safety legislation

On 21 October 2003, the Commission proposed a package of measures aimed at improving the enforcement of road safety legislation in the Member States. The package includes a proposal for a new Directive on standard checking procedures for commercial road transport, and a Recommendation on police checks related to speeding, drink-driving and the non-use of seat belts in both professional and private road transport.

The draft **Directive** (replacing Directive 88/599/EEC) sets up checking requirements to ensure compliance with EU rules governing working hours, rest periods and driving times and compliance with speed limits. Under the new proposal, inspections have to cover at least 3% (and no longer only 1%) of days worked by professional drivers. At least 30% (rather than 15%) of checks have to be carried out on the roads and 50% (rather than 25%) in the haulage companies. Moreover, Member States have to define a national strategy for applying European legislation, and designate a co-ordinating body to co-ordinate the activities of all relevant authorities in the same Member State.

In its **Recommendation** the Commission urges the Member States to draw up national enforcement plans and set up co-ordination points to ensure that cross-border offences are properly followed up. If the ensuing measures taken by the Member States will not lead to significant safety improvements over the next three years, the Commission says it will put forward a proposal for a Directive.

Driving licences

In an effort to combat driving licence fraud, the Commission presented on 21 October 2003 a draft Directive to harmonise European rules in this field. The new draft proposes to generalise the plastic card type model of European licence and to guarantee complete mutual recognition of driving licences among Member States.

Under the proposal, licence categories and

renewal procedures will be harmonised cross Europe. All licences will have the same validity periods, and a new category of driving licence for mopeds will be introduced. Finally, minimum requirements will apply to the initial qualification and training of driving examiners.

Infrastructure

At the informal Council on road safety in Verona on 23-24 October, Transport Commissioner Loyola de Palacio announced plans to present before the end of the year a draft Directive on the quality of infrastructure.

The Commission plans to propose mechanisms for the evaluation of new roads and inspections of the existing network. The goal is to eliminate high-risk sections (so-called "black spots").

Driving time

The European Commission has amended its original proposal for a Regulation on the harmonisation of certain social legislation relating to road transport (COM (2003)490).

Responding to the request of the European Parliament (*See Safety Monitor 45*) and independent safety experts, the Commission finally linked the draft Driving Time Regulation with the Working Time Directive (2002/15/EC). It now requests that the weekly driving time shall be no more than 56 hours and shall not result in the maximum weekly working time being exceeded.

ETSC welcomes the Commission's amended proposal, which makes the Driving Time Regulation compatible with the Working Time Directive. ETSC stresses the need to properly enforce both instruments (*See ETSC's report "The role of driver fatigue in commercial road transport crashes", <http://www.etsc.be/rep.htm>*).

Infringement procedure against Portugal

On 16 October 2003, the Commission sent a reasoned opinion to Portugal for failing to meet the minimum number of checks of days worked by professional drivers (Directive 88/599/EEC) during the period from 1995 to 2000. This is the last step before a formal complaint to the Court of Justice.

eSafety Communication

The European Commission adopted its Communication on "Information and Communication Technologies for Safe and Intelligent Vehicles" on 15 September 2003 (*See Safety Monitor 47*). This Communication describes the actions the Commission intends to take to accelerate the development and large-scale deployment of intelligent safety systems. The proposed actions fall into three categories:

❖ Promoting Intelligent Vehicle Safety Systems

The Commission aims to use the 6th Framework Research Programme (2002-2006) to support the development of in-car safety systems. It will maintain the eSafety Forum to facilitate co-operation of all stakeholders, and it will promote a harmonised, pan-European in-vehicle emergency call service (e-Call).

❖ Adapting the Regulatory and Standardisation Provisions

The Commission plans to take measures to eliminate legal obstacles to the use of short-range 24GHz UWB radar. It will update existing legislation on EC type approval, and ask the standard-setting authorities to establish priorities and to prepare a standardisation programme.

❖ Removing the Societal and Business Obstacles.

The Commission plans to study the socio-economic advantages of intelligent safety systems, draw up a European code of good practice, and promote the elaboration of private and public sector roadmaps for the development and deployment of these systems.

ETSC welcomes the adoption of the Commission's Communication on "ICT for Safe and Intelligent Vehicles". ETSC believes that new technologies have the potential to make a huge contribution to improving road safety.

However, ETSC is concerned that the Commission gives the greatest weight to applications that aid research into safety, rather than those that have a direct safety impact. ETSC firmly believes that we have sufficient information to use ITS *now*. Community action should therefore focus on ITS applications with proven benefits, such as audible seat belt reminders, intelligent speed adaptation devices and alcohol interlock systems.

European Road Safety Charter

DG Energy and Transport has published new information on the European Road Safety Charter (see *Safety Monitor 48*).

The Charter will consist of 11 paragraphs. While the first 10 paragraphs will describe a general attitude towards road safety, the 11th will be left blank so that signatories can fill in their specific commitments. These commitments should be measurable, go beyond legal requirements and lie within the signatories' sphere of responsibility and be subject to monitoring.

The European Commission will monitor the implementation and the success of those commitments. This includes an intermediate and a final report over the whole duration of the commitment, which is normally three years (depending on the type of commitment).

Signatories will be entitled to profit from certain promotional benefits: they may use the campaign logo, their names and commitments will be published on the Charter website and they will take part in a yearly award event. In case of a clear and/or consistent lack of implementation, or of misuse of the Charter or the logo, the signatory concerned will be deleted from the list of signatories and will no longer be allowed to use the promotion tools of the Charter.

The campaign's kick-off will be in December 2003 in Brussels. The conference on the Charter including an official signing event is expected to be held in April 2004 during the world road safety week (See <http://europa.eu.int/comm/transport/road/roadsafety/rsap/charter.htm>).

ETSC welcomes the European Road Safety Charter and supports the principles and measures listed in the Charter. ETSC believes the Charter is an innovative tool that can be a catalyst for actions which go beyond legislation. Especially local and regional authorities should be encouraged to sign up to the Charter (See *ETSC's response to the 3rd Road Safety Action Programme at* <http://www.etsc.be/pre.htm>).

CARE database

The website on the CARE accident database was restructured in November 2003. Accident data are now broken down by country and by age

group and road user type. There are also two new studies published on the site: "Evolution and Typology of Accidents and Severity" (CETE) , and "Investigating explanatory factors in fatality trends and rates between EU countries Investigating differences in definitions and collection procedures" (DFT)..

New data have been added for Belgium and Greece (2001) and France, Austria, UK and Finland (2002). For details, see http://europa.eu.int/comm/transport/care/index_en.htm.

EUROPEAN PARLIAMENT

Speed limitation devices for small coaches and vans

On 9 October 2003, Parliament approved the draft Directive in second reading without further amendments (See *Safety Monitor 48*). The proposal extends the scope of the Directive, currently limited to lorries and buses, to include all commercial vehicles above 3.5 tonnes maximum weight mass, i.e. categories M2 and M3 (buses) and N2 and N3 (goods vehicles).

The European Commission's original proposal was submitted in June (COM(2003)350). It now has to return to the Council for final approval.

Tunnel safety

During its plenary session on 9 October 2003, Parliament adopted the report by Reinhard Rack (EPP-ED) on the draft Directive on minimum safety requirements for tunnels in the trans-European road network. (See *ETSC and T&E joint position paper at: www.etsc.be/pre.htm*).

The report aims to simplify the administrative structure proposed by the Commission, and clarify co-operation between the different bodies. It also introduces a number of technical amendments. The report had been adopted by the Transport Committee on 10 September 2003 (See *Safety Monitor 49*).

Seat belts package

The European Parliament approved two out of the Commission's three proposals relating to the fitting of safety belts motor vehicles without debate and without any amendments at its Brussels plenary session on 8 October 2003 (See *Safety Monitor 49*).

Regarding the third proposal, rapporteur Dieter Koch (EPP-D) presented his draft report to the RETT Committee on 4 November 2003 (*See Safety Monitor 49*). He supports the fitting of seat belts in all types of vehicles, but says the ban of side-facing seats "seems excessive". His two amendments are aimed at lifting this ban.

EuroNCAP

Latest EuroNCAP test results

EuroNCAP released its latest crashworthiness results for new cars on 27 November 2003, including a new element in its rating system for child protection. While another two cars are awarded the maximum 5 stars for occupant protection, not a single vehicle achieved maximum scores in the ratings for child and pedestrian protection.

ETSC is pleased that car makers have responded to the challenge of EuroNCAP. But with more and more vehicles being awarded the coveted five star rating for occupant protection, EuroNCAP needs to continue to develop to ensure that it remains a force for future safety improvement.

ETSC believes that awarding an overall safety rating to cars incorporating all the different current EuroNCAP safety factors would give manufacturers a genuine incentive to improve all aspects of car safety – and not just for the adult occupants (*See ETSC News release "How EuroNCAP can keep improving car safety" at <http://www.etsc.be/pre.htm>*).



MARITIME & INLAND WATERWAY SAFETY

COUNCIL OF MINISTERS

Training of seafarers

The Transport Council on 9 October 2003 endorsed without a debate all the amendments made by the European Parliament in first reading. At their following meeting on 6 November 2003, the ministers formally adopted the draft.

The Directive, presented by the Commission in January 2003, simplifies the procedures to be used in the training of seafarers from third-countries. It introduces a new system for recognition at the Community level of certificates issued in third

countries and brings the provisions of the current Directive (Directive 2001/25/EC) in line with international requirements.

EUROPEAN COMMISSION

List of ships banned from EU ports

One year after the Prestige disaster, the Commission published on 14 November 2003 the first list of ships definitively banned from EU ports. This blacklist includes ten ships and may be consulted at: http://europa.eu.int/eur-lex/en/archive/2003/c_27220031113en.html

The Commission has also published on the Internet the indicative list of ships which may be banned if they are detained in an EU once again on safety grounds. This list may be consulted at: http://europa.eu.int/comm/transport/maritime/safety/index_en.htm

Infringement procedures

The Commission has taken Belgium, Greece, the Netherlands and Finland before the Court of Justice for failing to transpose into national law Directive 2002/35 on safety standards for fishing vessels.

It has also summoned Austria and the Netherlands to Court for failing to transpose Directive 2002/59 on port reception facilities for ship-generated waste.

Italy, Portugal, Austria, Luxembourg, Greece and Finland have received reasoned opinions (the second step of the infringement procedure) for not-transposing Directive 2002/75 on marine equipment.

The same countries, as well as Belgium and the Netherlands, have been warned for their failure to respect EU legislation on classification societies (Directive 2001/105) and/or on Port State control (Directive 2001/106). EU Member States had to adopt the necessary legislation before 23 July 2003 and had, following the accident of the Prestige last autumn, committed themselves to implement these new, more stringent rules, ahead of schedule.

Maritime transport website

DG Energy and Transport of the European Commission has moved the Maritime Transport website to: www.europa.eu.int/comm/transport/maritime/index_en.htm.

EUROPEAN PARLIAMENT

Temporary Committee on maritime safety

During its plenary session on 6 November 2003, the European Parliament approved a decision made earlier by the Conference of Presidents to set up a Temporary Committee on improving safety at sea. The Temporary Committee will look into ways of strengthening maritime safety and how to avoid new maritime disasters like the Prestige and Erika. It is composed of 44 members.

The Temporary Committee held its constituent meeting on 26 November 2003 and appointed Georg Jarzembowski (EPP-ED, D) as its chair and Dirk Sterckx (ELDR, B) as its rapporteur. Its first meeting, on 1 and 2 December 2003, will take a detailed look at maritime disasters.

Until February 2004, another four meetings are scheduled. The report will be presented to the Temporary Committee on 17 March 2004, with the vote scheduled for Monday 5 April. The report will be adopted during the plenary session of 20-22 April 2004.



AIR SAFETY

EUROPEAN COMMISSION

European Aviation Safety Agency

The European Aviation Safety Agency (EASA) has been operational since 28 September 2003 (*See Safety Monitor 48*).

«The Commission welcomes the fact that the Agency can now start its certification activities. » said Loyola de Palacio, European Transport and Energy Commissioner. She added “Thanks to the Agency, the high level of safety and environmental protection that EU air passengers and citizens already enjoy will be significantly improved. And the aviation industry’s costs will fall as a result of the issuing by the Agency of certificates recognised EU-wide”.

The website of the European Aviation Safety Agency is <http://www.easa.eu.int>.

Accession to Eurocontrol

The Commission presented on 26 September 2003 a proposal for a Council decision in view of making the European Community a full member of Eurocontrol, the European organisation for aviation safety.

The Commission proposed the ratification of the Protocol of accession, which was signed on 8 October 2002 (*See Safety Monitor 44*).

“The accession of the European Community to Eurocontrol will enable the EU to ensure that Eurocontrol’s activities go hand in hand with, supplement and strengthen European policy concerning the reorganisation of airspace in the context of the European Single Sky initiative”, stated Loyola de Palacio, European Commissioner for Transport and Energy.

EUROPEAN PARLIAMENT

Safety of third-country aircraft

The European Parliament adopted on 9 October 2003 in second reading the proposal for a Directive on the safety of third-country aircraft using EU airports. The text provides for monitoring and exchanging information on these aircraft (*See Safety Monitor 49*).

By making only some technical amendments, rapporteur Nelly Maes (Greens/EFA-B) hopes that the Directive will be transposed into national law one year earlier than proposed by the Council in its common position. The rapporteur also says the European Commission should publish an annual report with information on incidents with third-country aircraft, which must be made available to the public and to industry stakeholders.



RAIL SAFETY

EUROPEAN PARLIAMENT

Second Railway Package

During its October plenary session, the European Parliament approved its four reports on the proposals contained in the Second Railway Package in second reading. They had been adopted by the Transport Committee on 30 September (*See Safety Monitor 49*).

ETSC NEWS

Proceedings of Best in Europe 2003 on “Targeted road safety programmes in the EU” now available

ETSC has published the proceedings of its Best in Europe 2003 conference on “Targeted road safety programmes in the EU”. They will be disseminated amongst the conference’s participants in December.

The proceedings are available in paper copy or in electronic format upon request from the ETSC secretariat.

New member organisations joined ETSC

In November 2003, the Spanish FITSA Foundation and CDV, the Czech Transport Research Centre, joined ETSC. FITSA (Fundación Instituto Tecnológico para la Seguridad del Automóvil) is a recently created Spanish non-profit organisation with the mandate of promoting and coordinating research, technical development, innovation and professional training in the fields of active and passive vehicle safety, energy and environmental efficiency and the relationships between the vehicle and the social and economical environment. FITSA is supported by the Spanish Ministry of Science and Technology and by the Ministry of Interior.

CDV (Centrum dopravního výzkumu) has a record of more than forty years in research and development. Since 1 July 1996, it has been appointed by the Minister of Transport of the Czech Republic as the only research institute under the responsibility of the ministry.

INTERNATIONAL EVENTS DIARY

- 8-14 December 2003 12th Transport Forum of the CIS and Baltic States, London and Liverpool, UK,
Contact: LVA (UK) Ltd., Tel: + 44 208 795 2970/7600, Fax: + 44 208 795 2977,
Website: www.lva.co.uk
- 5-7 May 2004 2nd Traffic and Road Safety Internaional Congress, Ankara, Turkey, Contact:
CMS International, Tel: +90 312 442 8845, Fax: +90 312 442 8846, E-mail:
infor@trodsa.com, Website: www.trodsa.com
- 6-9 June 2004 7th World Conference on Injury Prevention and Safety Promotion, Vienna,
Austria, Contact: Conference team, Tel: +43 1 715 66 44 0, Fax: +43 1 715 6644 30,
E-mail: safety2004@sicherleben.at, Website: www.safety2004.info
- 3-4 September 2004 1st International Conference on “Expert Symposium on Accident Research”
(ESAR), Hannover, Germany, Contact: Medical University Hannover, Accident
Research Unit, Tel: +49 511 532 6411, Fax: +49 511 532 6419, E-Mail: ARU-MUH@mh-hannover.de

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