

SAFETY MONITOR

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

□ Across the Modes	.....	1
□ Road Safety	.....	4
□ Maritime and Inland Waterway Safety	.....	5
□ Air Safety	.....	6
□ Safety of Railways	.....	7
□ International Events Diary	.....	8

OCTOBER 2001 EDITION No. 38
Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4

SUMMARY

Council of Ministers

- Belgian Presidency announces transport priorities (p.1)
- Extraordinary Transport Council on Air Safety meets (p.7)

The European Commission

- White Paper on the European Common Transport Policy is published (p.2)
- Exchange of views takes place with Commissioner Liikanen on safer car fronts (p.4)
- Proposal presented for a regulation enhancing air safety (p.6)

The European Parliament

- Discusses transport safety budget (p.3)
- The Regional Policy, Transport and Tourism Committee adopted Reports on: loading and unloading of bulk carriers, requirements for single hull oil tankers and Opinions on: the European Research Area and flags of convenience.

European Transport Safety Council

- ETSC's responds to the Commission White Paper (p.2)
- ETSC publishes a new report calling on the EU to establish transport safety performance indicators (p.8)



ACROSS THE MODES

COUNCIL OF MINISTERS

Belgian Presidency Transport Priorities

Isabelle Durant, Deputy Prime Minister of Belgium and Minister for Mobility and Transport presented the Belgian Presidency transport safety priorities to the Regional Policy, Transport and Tourism Committee of the European Parliament on 10 October.

The Presidency intended to concentrate on the following issues:

- speed limitation devices in light commercial vehicles
- the proposed Directive on occurrence reporting in civil aviation
- the negotiations on the European Aviation Safety Agency
- the proposed Directive on training for cabin crews in civil aviation
- safer car fronts for pedestrians and cyclists
- equipping lorries with blind spot mirrors.

The Presidency also hoped to reach two important conciliation agreements on the Erika I package and the working time of mobile workers.

Mrs Durant also reported back from the 33rd Assembly of the International Civil Aviation Organisation (ICAO) where the EU had successfully reached an agreement on the following points: to review the Chicago

Convention, to convene an Extraordinary Ministerial Conference before the end of 2001 on air transport safety and to implement an auditing system for security measures in airports.

EUROPEAN COMMISSION

White Paper on the European Common Transport Policy

The European Commission adopted its White Paper "European Transport Policy for 2010: Time to decide" on 12 September with the aim of refocusing Europe's transport policy on the demands and needs of its citizens.

The White Paper cites safety as a priority in all modes of transport and in road transport, in particular, concluding that "Road safety is a major concern of the people of Europe, possibly even their prime concern".

To address this concern, the Commission sets for the first time a very ambitious EU-wide target of halving the number of road deaths by 2010 compared with the total in the year 2000. The Commission intends in the short term to give priority to the exchange of good practice and to propose measures applying to the Trans-European network. The White Paper mentions several measures but foresees a 3rd Road Safety Action Programme which will set out comprehensively the measures needed to reach this target. A new development is the intention to create a European Road Safety Observatory.

On other modes, the following actions are foreseen:

- measures to implement a Community structure for rail safety
- a Safety Directive to establish duties and responsibilities for the trans-European railway system
- harmonisation of safety standards for railways
- tougher rules on maritime safety
- the establishment of the European Aviation Safety Agency and
- a proposal to guarantee minimum safety conditions in aircraft from non-community countries

The White Paper can be found at: http://www.europa.eu.int/comm/energy_transport/en/lb_en.html.

ETSC's Response:

Road Safety

Responding to the European Commission's Common Transport Policy White Paper following its publication, ETSC strongly supported the Commission's intention to set a target to cut road deaths by the year 2010. ETSC welcomed the new high priority to be given to road safety policymaking. At the same time, an unprecedented level of demonstrably effective EU policies needed to be enacted now in an ambitious road safety action programme if the EU and Member States were going to be able to deliver.

The action proposed to 2005 in the White Paper was woefully inadequate and needed to be much expanded in the forthcoming road safety action programme. The two short term measures outlined are measures on the EU's safest roads – the largely motorway element of the Trans-European Road Network – and comprise harmonised signs at high risk accident sites and harmonised checks and penalties for commercial road transport drivers. These hardly address the core of the problem.

ETSC noted that the proposed target would mean that the EU as a whole would have to do better than even the two best performing Member States - Sweden and the UK – had achieved to date. The programme needed to go well beyond the fields of action foreseen to 2010: harmonising penalties (where there is little evidence of casualty reduction effect) and implementing new technologies (effective measures such as intelligent speed adaptation are unlikely to feature in all cars within the next 9 years).

ETSC believes that in the short term the priorities for EU action include:

- A Directive to implement the four EEVC performance tests leading to safer cars fronts for pedestrians and cyclists
- Harmonisation of effective seat belt reminder systems in cars
- A Directive requiring mandatory crash helmet use by motorcycle and moped riders
- Fitment and use of daytime running lamps on two wheeled motor vehicles and
- Improvements in the front and side impact crash testing legislation
- Best practice guidelines in road safety engineering (safety audit, urban safety management, speed reduction, low cost

measures) to be taken up in the first instance on all EU funded infrastructure

- Safety impact assessment of all EU-funded infrastructure projects.

Public Transport Safety

The White Paper has proposed a range of adhoc measures to address the safety of the non road transport modes, but has fallen short of proposing a comprehensive transport safety strategy covering each of the modes. With a 24% increase in passenger transport forecast to 2010 and the increased risk of crash injury exposure, ETSC believes that transport safety needs to be given explicit and equal consideration to the economic and environmental considerations of transport policy.

EUROPEAN PARLIAMENT

Transport Safety Budget

In its first reading of the budget 2002 on 20 July, the Council cut the transport safety policy budget line (B2-702) by 2.87 million euros for commitments and 2.1 million euros for payments. It also cut the expenditure on administrative management for transport safety (B2-702A) by 130,000 euros in commitments.

In its opinion to the Budget Committee, the Transport Committee restored the payment appropriations cut by the Council for transport safety to the level proposed by the Commission (See Safety Monitor 37). The Budget Committee adopted with slight modifications the amendments tabled by the Transport Committee. In its Report adopted on 19 October, the Budget Committee proposed an additional objective to the B2-702 budget line "action to promote research into transport safety" which increased further the commitments by 65,000 euros. At the same time, it reduced B2-702A budget line by 65,000 euros.

The Plenary Session endorsed on 25 October the two amendments tabled by the Budget Committee. Following first reading of the budget by the European Parliament, the situation is:

B2-702 14.06Meuro commitments 9.41Meuro payments
B2-702A 0.58Meuro commitments 0.58Meuro payments

European Research Area

At a hearing with European Research Commissioner Philippe Busquin on 11 September, MEPs expressed their concern about the absence of an explicit programme on Transport in the 6th multi-annual framework programme 2002-2006 for the European Research Area (See Safety Monitor 36). In fact, Transport does not appear as such in the defined priority areas of research in the Commission's proposal. Transport activities have to be found under the more general title of "Sustainable development and Global Change". In its opinion to the Industry Committee, the Transport Committee (RETT) proposed the unification of all the aspects of transport and mobility under a new priority "Sustainable mobility in the transport sector". Under this new priority, four themes are suggested: sustainable development, intermodality, interoperability and integration of safety and security.

In June, ETSC presented its view of an EU strategy for transport safety research. Given the challenges ahead for EU road safety policymaking, the absence of an explicit reference to road safety research in the Commission proposal is astonishing. (See ETSC website: <http://www.etsc.be/rep.htm>).

Product Safety

The Conciliation Agreement reached on the question of product safety was unanimously adopted by the first October plenary session (See Safety Monitor 35). The obligation of the authorities of the Member States to take into account the precautionary principle is seen as a significant improvement on current legislation governing the safety of products.

Impact of Transport on Public Health

The RETT Committee is preparing an own-initiative report on the impact of transport on health. In her working document, the Rapporteur Caroline Lucas (Greens/ALE, UK) makes reference to ETSC data. Discussion on this report has been postponed twice and is now expected to take place in November. Also, a public hearing (planned for November) will provide input for this report.



ROAD SAFETY

EUROPEAN COMMISSION

Exchange of views with Commissioner Liikanen on safer car fronts

There was an exchange of views between Enterprise Commissioner Liikanen and Parliament's Transport Committee (RETT) on 9 October on the negotiated voluntary agreement on safer car fronts (See Safety Monitor 37 and 36 and ETSC website: <http://www.etsc.be>).

With the exception of Ari Vatanen (PPE, FIN), who seemed satisfied with the draft agreement, all representatives of political groups stressed the weaknesses of the content and process of the voluntary agreement and expressed their support in favour of binding community legislation.

The Parliament's road safety rapporteur, Ewa Hedkvist Petersen (PSE, S) pointed out that the road casualty reduction target set out in the White Paper was very ambitious. She expressed pessimism that the target could be achieved by activities such as this weak voluntary agreement.

Many MEPs were also concerned about the timetable and the enforceability of the voluntary agreement. Helmuth Markov (GUE/NGL, DE) underlined that the car industry has done a great deal for car passengers but too little for pedestrians. Therefore, he said, a Directive through co-decision would make more sense than a voluntary agreement.

Mark Watts (PSE, UK) expressed similar concerns and noted the strong support in Parliament and outside for a Directive and could not understand the delay.

Before taking a decision on whether or not to accept the draft voluntary agreement, the European Commission is currently consulting the European Parliament and the Council of Ministers on the content of the commitment. On several occasions Commissioner Liikanen said that if Parliament insisted on a Directive then the Commission would have to take this into account when coming to a decision.

ETSC and safety professionals across Europe continue to believe that the content of the

voluntary agreement is seriously flawed, will drive design in the wrong way and in representing a low level of protection to pedestrians should be rejected in favour of a Council and Parliament Directive.

Preview of 3rd Road Safety Action Programme

At the DG Transport and Energy Conference in Barcelona "A Safer Tomorrow" on 17-19 October, Mr Hilbrecht, Head of the Inland Transport Directorate, gave a preview of the forthcoming future Third Road Safety Action Programme (2002-2010).

Foreseen in the Common Transport Safety Policy, the Third Action Programme would establish the new paradigm of a more fault-tolerant and human-tolerant road system, given that road users, being human, will continue to make errors and should not be penalised for them by death and disabling injury.

In line with the White Paper, the Action Programme would set out the target to halve the number of fatalities by 2010 and the means to achieve it. Mr Hilbrecht pointed out that this target is a shared responsibility between European, national and local authorities. The EU would contribute to this target through: legislation, using financial instruments, supporting the creation of a market for safety, encouraging best practice and information exchange, accident data gathering and analysis, research and development. The EU would also establish a new framework for best practice guidelines.

The Action Programme is still under discussion in the Commission and its adoption is expected before the end of the year.

Trans-European network

The European Commission put forward a proposal to amend current EU guidelines on the development of trans-European transport network on 2 October (amendments of decision 1692/96/EC). In line with the White Paper, the amendments aim at reducing and refocusing the priorities for EU action on bottlenecks and transport congestion. These amendments concern only a transitional period: a new proposal in 2004 will introduce more wide-ranging reforms.

Shortly before presenting its proposal to revise the TEN guidelines, the European Commission adopted its Indicative Multiannual Programme for funding projects for the Trans-European Transport Network (2001-2006). The total amount (2780 million euros) is distributed as follows: 50% to the large infrastructure project endorsed by the Essen Council, 20% to the "Galileo" project, 23% to railways bottlenecks and cross-border projects and 10% to Intelligent Transport Systems projects for road and air sectors. In relation to safety, the selected projects concern: increasing safety in the Frejus tunnel, enhancement of safety and efficiency of freight transport, the promotion of road safety and efficiency through incident and emergency handling and the deployment of new technologies for air traffic surveillance.

New rules for airbags in motor vehicles

The first October plenary session adopted the Report of Malcolm Harbour (PPE-DE, UK) on the proposal for a Council decision on the position of the EC on the draft Regulation of the UN ECE concerning airbags in motor vehicles. The Regulation concerns the approval of an airbag module for a replacement airbag system, a replacement steering wheel equipped with an airbag module of an approved type, and a replacement airbag system other than that installed in a steering wheel (See Safety Monitor 35). By adopting this report, the Parliament gives its assent to legislation.

EUROPEAN PARLIAMENT

Professional driver training

The RETT Committee had its first exchange of views on 11 September on the Report of Mathieu G.H Grosh (PPE-DE, B) on this Commission's proposal (See Safety Monitor 36). As for the content of the training, MEPs believe that the rules included in the Directive should not be too detailed. Mark Watts (PSE, UK) stressed that a prescriptive approach would deprive Member States of a flexible methodology.

The Transport Committee will vote on the Grosh Report in November.

Vehicles designed to carry more than 8 passengers

The European Parliament and the Council have finally reached an agreement on the Bus directive comprising the approval of passenger transport vehicle types with more than eight seats (see Safety Monitor 34). The Council finally accepted the amendments submitted by Parliament calling for buses and coaches to be fitted with ramps or small elevators to facilitate access for people with disabilities.

Commissioner Liikanen has said that he did not envisage bringing a regulation of this complexity before Parliament again. Given the improvements to this proposal and previous key safety rules such as fronts and side impact protection in cars secured by Parliament. ETSC believes that Mr Liikanen's intention would be a backward step for safety and public scrutiny of Commission proposals.

Working Time

The Council has been unable to approve all the second-reading amendments passed by the European Parliament on the common position with a view of adopting a Directive concerning the organisation of working time for mobile workers performing road transport activities (See Safety Monitor 37). As a result a Conciliation Procedure has been opened.

Mrs Durant, President in-office of the Transport Council, said that she could see the point of the amendments put forward by the European Parliament. However, she underlined that the Presidency's room to manoeuvre in the Council to extend the scope of the Directive to independent workers was very limited.



MARITIME & INLAND WATERWAY SAFETY

EUROPEAN PARLIAMENT

Loading and unloading of bulk carriers

The Transport Committee adopted on 10 October the draft recommendation by Rijk Van Dam (EDD, NL) on the proposal for a Directive harmonising rules for the safe loading and unloading of bulk carriers (See Safety Monitor 32). MEPs welcomed the fact that the Council, in its common position, accepted most of Parliament's

amendments demanding much stricter rules. The amendment calling on the Commission to carry out an evaluation of the Directive has also been accepted. Mr Van Dam felt that the proposal should not be delayed any longer and therefore he had decided to table no further amendments. The draft recommendation is scheduled for debate at the second plenary session in October.

Requirements for single hull oil tankers

In the RETT Committee meeting of 11th October 2001, the Rapporteur Konstantinos Hatzidakis (PPE-DE, GR) expressed his support for the common position of the Council (See Safety Monitor 36 and 32).

In its common position, the Council adopted the timetable of the IMO Convention concerning the withdrawal of single hull oil tankers. This timetable is almost identical to the timetable adopted by the European Parliament in its first reading. The Council had also changed the limit for category (3) vessels from 3000 tonnes dead-weight (proposal of the Parliament) to 5000 tonnes and exempted the warships from the scope of the regulation.

To speed up the procedure, the Rapporteur proposed that the Council's common position should be approved without any amendments. Following the Rapporteur's position, the Committee unanimously adopted the Report allowing Parliament to hold the final plenary debate on the Erika I package in December. The two other reports of the Erika I package on port state control and on classification societies are still in conciliation, but a final agreement between Parliament and Council is likely to be reached next month.

Flags of convenience

The RETT Committee adopted the Opinion of Carlos Ripoll i Martinez De Bedoya (PPE-DE, ES) to the Fisheries Committee on the role of flags of convenience in the Fisheries sector. The opinion analyses, among other things, the impact of flags of convenience on safety at sea. In its conclusion, it calls on the EU to draw up and implement, as soon as possible, a Regulation to prevent ships flying flags of convenience from circumventing strict rules and controls with regard to safety at sea.



AIR SAFETY

COUNCIL OF MINISTERS

Extraordinary Transport Council on Air Safety

Following the terrorist attacks the Transport Council met in extraordinary session on 14th September. The Council agreed to implement fully all the key measures in Document 30 of the European Civil Aviation Conference (ECAC) and to review them in the light of recent events. Furthermore, the Council invited the Commission to set up an ad hoc multidisciplinary group with the task of:

- examining co-ordination and co-operation needs within the Union to guarantee the consistent introduction of security measures
- considering legislative initiatives that would guarantee their effective and uniform implementation.

This group produced its first report for the Transport Council of 15th October.

The Council also decided to forward EU Member States' proposals to the ICAO Plenary Assembly in Montreal (25 September-5 October). The document contains four proposals:

1. To revise annex 17 to the Chicago Convention
2. To introduce, under the auspices of the ICAO, a system for assessing airport security arrangements and national civil aviation security programmes
3. To increase the role and powers of the ICAO in civil aviation security
4. To promote the adoption and implementation by the ICAO Member States of multilateral agreements to improve security.

European Aviation Safety Agency (EASA)

The October Transport Council (15-16 October) reached political agreement on the Regulation aiming at the creation of EASA. The text would be presented as a Council common position to the European Parliament in the framework of the codecision procedure.

EUROPEAN COMMISSION

Proposal for a Regulation enhancing air safety

Following the terrorist attacks, the Commission proposed the adoption and enforcement of

common EU security rules for civil aviation, based on the rules set out in Document 30 of the ECAC. The incorporation of these rules into EC law would enable them to be applied in an effective and uniform manner.

These rules concern: controlling passengers and their hand luggage, controlling access to sensitive areas of airports and aircraft, control and monitoring of hold luggage, control of cargo and mail, training of ground staff, specification for equipment used to undertake controls, notably by strengthening systems of detection and classification of weapons and prohibited objects on board and in sensitive areas of airports.

The Commission proposed to adopt the implementing measures with the support of a Committee of Representatives of the Member States. A monitoring mechanism, based on a quality control system for each operator and airport, would be implemented by a national authority designated by each Member State. The national authorities would themselves be monitored by trained multinational teams of inspectors backed up by an inspection body set up within the Commission.

The October Transport Council welcomed this proposal and requested Coreper to give top priority to examine this proposal so that the approval of the regulation could be reached in December. They invited the Commission to present a more detailed programme following the ad hoc multi-disciplinary group set up by the extraordinary September meeting.

Single European Sky

The European Commission adopted on 10 October a major package of legislative proposals to create by 2004 the Single European Sky. The package comprises a proposal for a framework regulation establishing a Single European Sky and three other proposals for specific regulations concerning the provision of air navigation services, organisation and use of airspace and the interoperability of equipment. This package aims at transforming the fragmented managed European airspace into a harmonised space governed by the same rules and based on the same principles. The focus will be on the establishment of a European regulator in charge of organising the way airspace is used. The new institutional framework gives the EU a regulatory role and Eurocontrol a complementary role

regarding the preparation and implementation of legislation. (The legislative package can be viewed at: http://www.europa.eu.int/comm/transport/themes/air/english/single_eur_sky_en.htm)

EUROPEAN PARLIAMENT

Protection of air passenger

The September Plenary Session endorsed the Report of Gerard Collins (UEN, IRL) on the protection of air passengers in the EU. Although the Commission's communication (See Safety Monitor 32) in general was welcomed, MEPs took the view that much remained to be done to enhance passengers rights, including passengers with disabilities. Parliament called on the Commission to allocate money from the EU research budget to carry out an independent study on health risks on long-haul flights, in particular on deep vein thrombosis.

European Aviation Safety Agency (EASA)

On 5 September, the European Parliament voted on the Commission proposal on the creation of EASA (See Safety Monitor 37). Although the Parliament generally welcomed the Commission proposal, it adopted several amendments aiming at improving safety in civil aviation further. In one amendment, the Commission was asked to submit, as soon as possible, a proposal on setting up an independent body with a task of looking into the causes and circumstances of accidents and making recommendations. In another amendment, Parliament demanded that the scope of the regulation encompass all aircraft with Community connections.



RAIL SAFETY

EUROPEAN PARLIAMENT

Rail statistics

The September plenary session adopted the Report of Juan Ojeda Sanz (PPE-DE, E) on the proposal for a regulation on rail transport statistics (See Safety Monitor 37). The initial proposal has been slightly amended. One amendment deleted metro and light rail systems from the regulation.

ETSC NEWS

Transport Safety Performance Indicators

A new review on Transport Safety Performance Indicators has been issued and disseminated by ETSC during the International Transport and Energy Conference "A Safer Tomorrow" in Barcelona on 18th October.

The new report calls on the EU to introduce a set of relevant safety performance indicators for the continuous monitoring and analysis of safety performance in all transport modes.

The full reviews, as well as an executive summary, are available on ETSC's website at: <http://www.etsc.be/rep.htm>.

INTERNATIONAL EVENTS DIARY

- 8 Nov 2001 **"Killing Speeds, saving Lives", a Belgian Presidency Seminar**, to be held in Brussels, Belgium, Contact: GIC Management, Avenue des Gaulois 7, B-1040 Brussels, Tel: +32 (0)2-743 15 40, Fax: +32 (0)2 743 15 50, E-mail: info@associationhq.com
- 20 Nov 2001 **18th International Conference "Safety of Commercial vehicles"** to be held in Brussels, Belgium, Hosts: the German Traffic Safety Council (DVR) and The Confederation of the German Insurance Industry (GDV), Contact: GWM, Obere Wilhelmstrasse 30, D-53 225 Bonn, Tel: +49 (0) 2 28 4 21 72-0, Fax:+ 49 (0)2 28 47 64 08, E-mail: GWM-Bonn@t-online.de
- 21 Nov 2001 **"Improving road safety with Intelligent Transport Systems", Scania Road Safety Seminar 2001**, to be held in Brussels, Belgium, Contact: Scania, Ms Joanna Przetakiewicz, c/o Kreab, avenue de Tervueren 13 A, B-1040 Brussels, Fax: +32 (0)2 737 69 50.

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

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

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: information@etsc.be, Internet: www.etsc.be

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

© ETSC 2001 Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4