

SAFETY MONITOR

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

□ Across the Modes	.....	1
□ Road Safety	.....	2
□ Maritime and Inland Waterway Safety	.....	5
□ Air Safety	.....	5
□ Safety of Railways	.....	7
□ International Events Diary	.....	7

SEPTEMBER 2002 EDITION No. 43

Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4

SUMMARY

Council of Ministers

- Agreed with the amounts proposed by the European Commission for the transport safety budget lines in its first reading of the 2003 Budget (p. 1)

The European Commission

- Postponed further the adoption of the Third Road Safety Action Plan (2002-2010) to next year, having proposed in 2001 an ambitious target of reducing by 50% EU road deaths by 2010 (p.2)
- Gave a preview of its forthcoming e-Safety Action Plan for road safety (p.2)

The European Parliament

- Discussed the Commission's proposal for amending the driving time Regulation (p.3)
- Took too little account of safety needs in its plenary vote on flight time limitations (p.5)
- Adopted speed limitation devices for buses and lorries in plenary (p.4)
- Discussed occurrence in civil aviation and rail statistics (p. 6-7)



ACROSS THE MODES

COUNCIL OF MINISTERS

Transport Safety Budget

The Council proceeded to its first reading of the 2003 Budget on 19 July. As far as the transport safety budget lines (B2- 702 and B2-702A) are concerned, the Council supported the increase proposed by the European Commission in its draft preliminary budget (*See Safety Monitor 41*). The draft budget for 2003 has been forwarded to the European Parliament.

The Regional Policy, Transport and Tourism Committee of the European Parliament adopted its opinion to the Budget Committee on 10 September. The Committee adopted the amendment by the rapporteur Alonso José Puerta (GUE/NGL, ES) seeking to increase by 1 meuro the commitment appropriations of the transport safety budget line B2-702 (*See Safety Monitor 42*). The Committee also restored the amounts that had been cut by the Council in its first reading for the European Maritime Safety Agency (B2-7010) and the European Aviation Safety Agency (B2-7000).

The European Parliament is expected to proceed to its first reading on the 2003 Budget in October.

In view of the forthcoming EU Third Road Safety Action Plan (2002-2010) and the ambitious EU target to reduce road deaths by 50% by 2010, ETSC welcomes Parliament's proposal but it represents a very modest increase which will need to be much enhanced when the action programme gets going.

EUROPEAN PARLIAMENT

White Paper on Common Transport Policy

With the aim of finding compromise amendments, the Regional Policy, Transport and Tourism Committee postponed the vote on the draft report of Mr Izquierdo Collado (PSE, ES) on the White Paper to its November meeting (*See Safety Monitor 42 and ETSC's response to the White Paper at: www.etsc.be/pre.htm*).



ROAD SAFETY

EUROPEAN COMMISSION

Third Road Safety Action Plan (2002-2010)

In a question raised at a Conference held in Brussels on 12 September, the Transport Commissioner, Loyola de Palacio, said that the European Commission would adopt its Third Road Safety Action Plan (2002-2010) next year.

She also mentioned the most significant actions, which would be included in the programme:

- Identification and signalling of black spots
- Safety audits for roads receiving Community funding

- Better knowledge of how dangerous it can be to use drugs or certain medicine when driving
- Better training of drivers
- Safety in road tunnels of the Trans-European network

The Commissioner thought that changing driver behaviour was central to the challenge of halving the number of deaths on the roads by 2010.

In view of the ambitious EU target of reducing by 50% the number of road deaths by 2010 set by the European Commission in its White Paper, ETSC deeply regrets this further delay for the adoption of the EU 3rd Road Safety Action Plan. The 3rd Road Safety Action Plan was supposed to cover the period 2002-2010 and still stands in this year's working programme of the European Commission.

ETSC believes that if the EU intends to meet the target, the 3rd Road Safety Action Programme will need to be extremely ambitious in introducing demonstrably effective measures. The programme needs to go beyond the fields of action foreseen by the Commissioner on 12 September and meeting the target will require a new willingness to take effective action.

E-Safety Action Plan for road safety

On 16 September at the e-Safety Congress in Lyon, Erkki Liikanen, European Commissioner responsible for Enterprise and the Information Society, presented the first results of the joint Industry-European Commission working group on e-Safety and highlighted the next steps towards an EU e-Safety Action Plan for road safety.

The e-Safety Group (bringing together the Commission, industry and other organisations (but not safety and consumer groups) worked on several areas in order to

identify actions to be set up in the Action Plan:

- Safety systems based on autonomous in-vehicle technologies ,
- Safety systems relying on interactive and co-operative technologies (vehicle-to-vehicle and vehicle-to-infrastructure communications),
- Standardisation (Motor vehicle type-approval measures and in some cases pursuing non-legislative initiatives in order to enable rapid deployment of the new technologies in the vehicles) and,
- User awareness and public acceptability of the new technologies

The report of the e-Safety working group will be presented to the next High-Level Meeting on 14 November in Brussels. Commissioner Liikanen said: "If this report is validated during that meeting, we will then be in a good position to prepare our European Action Plan for road safety", which is expected to be adopted by the European Commission at the end of 2002 or beginning of 2003.

Commissioner Erkki Liikanen stated that he had invited the industry to join the Commission in establishing a more permanent e-Safety Forum and stressed that "The purpose of this Forum would be to accelerate the development and deployment of intelligent integrated safety systems. It could monitor the implementation of the European Action Plan, and contribute to build user awareness".

The European Commission would also propose a Communication to the Council and the European Parliament on Intelligent Vehicle and Road Safety before the end of 2002, acting as a catalyst for all other actions and use RTD funding from Sixth Framework Programme to support eSafety Research, including Advanced Driver Assistance Systems and technologies.

ETSC notes that although much can be done to stop some accidents from happening, the European Commission's DG Energy and Transport's recent Barcelona Conference concluded that active safety improvements were still volatile with safety value, feasibility and public acceptability still needing to be demonstrated.

A recent study in one EU Member State reviewed the effectiveness of casualty reduction measures nationally since 1980 and demonstrated that of all measures taken the greatest reduction was from vehicle crash protection (15 per cent) compared to drink/drive measures (11 per cent) and road safety engineering measures (6.5 per cent). The single most effective way of reducing injury risk in accidents in the short to medium term is by improving vehicle crash protection.

ETSC calls upon the European Commission to ensure that all stakeholders are represented in the e-Safety discussions to ensure that reference is made to impartial, scientific information.

EUROPEAN PARLIAMENT

Driving Time

The RETT Committee discussed the 233 amendments to the proposal for a driving time Regulation at its meeting on 11 September (*See Safety Monitor 42*).

Many amendments tabled concerned exemptions or sought to introduce more flexibility.

The rapporteur Helmut Markov (GUE/NGL, D) said that it would be a mistake to bring in many exemptions, since many of them just maintained the existing national status quo.

The rapporteur urged those colleagues who had tabled amendments to increase the daily and weekly driving time, to go back to his

original proposal (a weekly driving time of 45 hours).

The debate centred on whether or not to accept the Commission's proposal.

Mr Izquierdo Collado (PSE, ES), the rapporteur on the White Paper, said that safety was absolutely essential in the proposal and should not be negotiated. He stressed that "tiredness kills". In fact, given that around 18% of road deaths across the EU involve commercial road transport vehicles, reducing driving fatigue would play its part in reaching the ambitious new EU target to reduce deaths by 50% by the year 2010.

During the debate, several members queried the scientific basis for further driving time legislation and thought that better enforcement and controls of the existing rules would be sufficient.

Jan Andersson (PSE, S), the rapporteur for the opinion of the Employment and Social Affairs Committee of the European Parliament on the issue, pointed out that the shortcomings of the checking system did not mean that erroneous rules should not be modified.

Mr Van Vreckem, the representative of the European Commission, stressed that the existing rules were seventeen years old and needed to be adapted. He also informed that the European Commission would present soon a new proposal for a Directive on checks on the roads and for commercial transport.

In view of finding compromise amendments, the report would only be adopted in November in RETT Committee and in December in plenary.

ETSC stresses that many studies have been carried out which have addressed the relationship between fatigue, accident risk and driving and working time.

Most recently, ETSC's Report on "The role of driver fatigue in commercial road transport crashes", which has already been distributed to all members of the RETT Committee (and also available at: www.etsc.be/rep.htm), presented evidence that drivers who drive 50 or more hours per week average over 70 hours of work per week and four fifths of them have daily work spans of greater than 13 hours. Accident risk data demonstrate that after an 11-hour work span the risk of being involved in an accident doubles.

Since it seems that the Regulation will have precedence over the Working Time Directive, this situation will continue unless the Driving Time Regulation is amended further and a formal link established with the Working Time Directive. ETSC is urging MEPs to support Amendment 70 which would be an important step towards meeting these objectives.

Speed Limitation Devices

The RETT Committee voted on the draft recommendation by Konstantinos Hatzidakis (EPP-ED, GR) on the Council common position on speed limitation devices for buses and lorries (*See Safety Monitor 42*).

Since the European Commission committed itself to present an evaluation study as soon as possible after the full entry into force of the Directive and when meaningful data for the relevant period were available, the RETT committee adopted the Council's common position without any amendments.

The September 24th plenary session adopted the recommendation for second reading

Under the new directive, speed limitation devices will be phased in gradually, for vehicles operating EU-wide from 1 January 2004 for new vehicles and from 1 January 2005 for those registered between 1 January 2001 and 1 January 2004. Vehicles used exclusively for national transport operations

will have to comply with the Directive's provisions from 1 January 2005.

The new rules provide for:

- speed limitation devices allowing a maximum speed of 100 km/h for passenger vehicles with a maximum of eight seats and a maximum weight of five metric tonnes and also for small buses having a maximum weight above five metric tonnes (categories M2 and M3);
- speed limitation devices allowing a maximum speed of 90 km/h for goods vehicles with a maximum weight of between 3, 5 and 12 metric tonnes (category N2).



MARITIME & INLAND WATERWAY SAFETY

EUROPEAN PARLIAMENT

Stability requirements for ro-ro passengers' ships

Bernard Poinant (PSE, F) presented his draft report on the stability requirements for ro-ro passengers' ships to the RETT Committee on 11 September (*see Safety Monitor 41*).

The rapporteur welcomed the Commission's proposal to apply the stability requirements of the Stockholm Agreement to all ro-ro passengers' ships operating international journeys from or to Community ports by 2010. However, he proposed to extend the deadline to 2015 for ships which had already been modified to comply with the international safety standards SOLAS 90.

The draft report is expected to be adopted in October in RETT Committee and in November in Plenary. Working closely with the Council, the rapporteur expressed his hope to close the dossier at first reading.

ETSC supports the introduction of the "Stockholm Agreement" into European legislation. However, while considering the 50cm criterion as an important step forward, ETSC believes that the stability of ro-ro ferries could be improved further. To this end, the use of dynamic, rather than static simulation is essential in testing to replicate more representative and realistic conditions experienced by vessels (*See ETSC Report Priority Measures for Maritime Accident Prevention, 1997*).



AIR SAFETY

EUROPEAN PARLIAMENT

Flight Time Limitations – Plenary takes too little account of safety needs

The European Parliament voted on the Regulation on the harmonisation of the technical requirements and administrative procedures in civil aviation on 3 September 2002 during its plenary session (first reading).

MEPs approved the amendment on detailed flight time and rest period for pilots and other cabin crew proposed by the rapporteur Brian Simpson (PSE, UK) (*See Safety Monitor 42*).

ETSC believes that preventing cumulative fatigue and better addressing safety needs should be the primary objective of harmonised EU requirements for flight time limitations. Medical and safety experts across Europe believe that the flight duty limitation aspects of the amendment are totally unacceptable and fail to take proper account of safety needs.

ETSC had urged MEPs, at least before coming to a final decision on this important safety matter to call a hearing of medical and scientific experts from across the EU to understand their evidence and the worrying implications for safety of taking the route proposed by the rapporteur.

Single European Sky

The European Parliament voted on the Single European Sky during its plenary session on 3 September 2002 (*See Safety Monitor 42*).

The plenary adopted the report of Claudio Fava (PSE, I) on the framework of the creation of the Single European Sky and the reports by Marieke Sanders Ten Holte (ELDR, NTH) on the three technical Regulations for its implementation (first reading).

At the plenary debate, Energy and Transport Commissioner Loyola de Palacio, pointed out that air safety was a priority of the Danish Presidency and she looked to them to take the lead in progressing the negotiations.

Safety of third countries aircraft

The European Parliament adopted the report of Nelly Maes (Greens/EFA, B) on the safety of third countries aircraft at its plenary session on 3 September 2002 (*See Safety Monitor 42*).

During the plenary debate, Mark Watts (PSE, UK) said: "Mrs Maes is absolutely right that in 20 to 30 years we could well be witnessing a major aviation tragedy every week unless we take action now. The Single European Sky and the proposals for checks of non-EU aircraft are important contributions to making our skies safer".

Occurrence in civil aviation

The rapporteur Gerard Collins (UEN, IRL) presented his draft recommendation for second reading at the RETT Committee meeting on 11 September (*See Safety Monitor 42*).

The rapporteur tabled an amendment to reinstate article 9 on confidential reporting. He stressed the importance of confidential reports for a better understanding of human

factors, which may be involved in the occurrence of air accidents.

Despite an amendment by Jan Marinus Wiersma (PSE, NTH) who deleted article 8, para 3 of the draft Directive in first reading, the rapporteur also expressed his intention to retable this paragraph which stated that the name of the person submitting a report or of a person to whom it relates should be disclosed when required to do so in the context of judicial inquiries.

The draft recommendation for second reading is expected to be adopted in October in RETT Committee and in November in Plenary.

ETSC believes that confidential human incident reporting systems can play an important role in improving air safety and has, for many years, pointed to the need for an EU-wide system which could be established at tiny cost.
(An ETSC briefing on confidential incident reporting in aviation can be found on the ETSC website at: <http://www.etsc.be/bri.htm>).

Common EU security rules for civil aviation

The European Parliament and the Council of Ministers held the first meeting of the conciliation procedure on the common EU security rules for civil aviation on 19 September (*See Safety Monitor 42 and 41*).

Due to major differences, the Council and the European Parliament agreement could not reach an agreement.

After the meeting, the chairman of the Council, the Danish Minister for Transport, Mr Flemming Hansen, said:

"It became clear during our meeting that Parliament and Council – against our expectations – remain divided on the question of Member States' contribution to the financing of the proposed security measures in airports and planes.

More than a year has passed since the tragic events of 11 September 2001 without Council and Parliament being able to agree on the new security measures. That is too long. We have to show decisiveness and adopt these measures. This would be an important step towards increasing security in our civil aviation “.

Another conciliation meeting will take place on 24 September.



RAIL SAFETY

EUROPEAN PARLIAMENT

Rail statistics

The rapporteur Felipe Camison Asienso (EPP-ED, ES) advised the RETT Committee on 10 September to adopt the Council's common position without any amendments

and called for a rapid implementation of the Regulation (*See Safety Monitor 42*).

In the discussion, Gilles Savary (PSE, F), the rapporteur on the European Railway Agency for Safety (ERA), expressed regret that rail statistics would not be transmitted instead to ERA, in order to avoid duplication.

The draft recommendation for second reading is expected to be adopted in October in RETT Committee and in November in Plenary.

ETSC deeply regrets that the Council in its common position has extended the lead time for collecting statistics on rail accidents (annex H) for a further two years.

INTERNATIONAL EVENTS DIARY

- 2 October 2002 **Third European Vehicle Passive Safety Network Conference**, to be held in Brussels, Contact: TNO Automative, Crash Safety Centre, Ms Murié Attané, Tel:+31 15 269 65 13, Fax: +31 15 262 43 21, E-mail:attane@wt.tno.nl
- 21-23 October 2002 **2nd Safety on Road International Conference**, to be held in Bahrain, Contact: Mr Hashim Al-Madani, Tel: (+973) 782103, Fax: (+973) 780137/684844, E-mail: soric02@eng.uob.bh, Website: www.uob.edu.bh
- 28-30 October 2002 **On safe roads in XXI century**, to be held in Budapest, Hungary, Tel: +361 459 80 60, Fax: +361 459 80 65, E-mail: meeting@euroweb.hu
- 30-31 October 2002 **Third European Traffic Police Network (TISPOL) Annual Congress**, to be held in Tenerife, Canary Islands, Contact: Congress Secretariat, E-mail: conference@tispol.org, Website: www.tispol.org.
- 11-13 November 2002 **2nd Annual European Energy and Transport Conference “Building Energy and Transport Infrastructure tomorrow’s Europe”**, to be held in Barcelona, Contact: Mrs Christine Cordie, Email: Christine.cordie@cec.eu.int, Mrs Margaret White-Branagan, E-mail: Margaret.white-branagan@cec.eu.int.
- 21-22 November 2002 **Promoting Excellence in Transport for Sustainable Cities and Regions, 17th Annual Polis Conference**, to be held in Brussels, Contact: Mrs Suzanne Hoadley, Tel: +32 2 282 84 63, Fax: +32 2 282 84 66, E-mail: polis@polis-online.org, Website: www.polis-online.org.

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

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 2002 Bureau de dépôt - Afgiftekantoor: 1040 Bxl 4