



Road Safety Newsletter



Overcoming barriers to enforcement of highway codes

November 2013 sees the EU reach a road safety milestone, with the passing of the deadline, on 7 November, for transposition into Member State law of the requirements of Directive 2011/82/EU. This facilitates cross-border exchange of information on road safety-related traffic offences so as to ensure that drivers may be punished for offences committed abroad.

Consistent enforcement of sanctions for traffic offences is vital for ensuring effective road safety policy. However, sanctions are often not enforced for offences committed in Member States other than the one where a vehicle is registered due to lack of procedures for identifying drivers or checking addresses at which vehicles are registered.

EU figures suggest that foreign drivers are three times more likely to commit offences than resident drivers and account for around 5% of all EU traffic offences and 15% of speeding offences. In countries where transit and tourism are high, speeding offences committed by non-residents can average 25% of all offences and even 40-50% during the busiest periods of the year.

In its road safety policy orientations for 2011-20, the European Commission recognises the importance of enforcement in reducing numbers of road injuries and achieving its target of halving numbers of road deaths by 2020. It has thus prioritised adoption of measures on cross-border information exchange to permit identification and sanctioning of foreign offenders.

This led to the adoption of Directive 2011/82/EU in October 2011. The two-year period for its transposition into national law is up and the Directive can now play its full part in EU efforts to strengthen enforcement of traffic rules.



Easier exchange of information on traffic offences

The main way in which Directive 2011/82/EU should deter cross-border traffic offences is by tackling those with a critical impact on road safety, namely the four big killers of speeding, jumping red lights, not using seatbelts and drink driving, which cause 75% of road deaths. It also targets driving under influence of drugs, failing to wear crash helmets, use of forbidden lanes and illegal use of mobile phones.



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The Directive enables drivers to be identified and prosecuted for offences committed in a Member State other than the one where their vehicle is registered. It applies to all Member States, except Denmark, Ireland and the UK, which opted out.

It allows the setting-up of a network for electronic data exchange between countries where offences are committed and those in which offenders' vehicles are registered. The network is composed of national authorities in charge of vehicle registration, with each Member State designating a national contact point. Member States give each other access to their vehicle registration data to conduct searches on vehicles and their holders/owners.

Once the name and address of the holder/owner of an offending vehicle are known, a letter of information is sent to them based on a model established by the Directive. It must be written in the same language as the registration certificate and include information about the offence, its legal consequences and details related to sanctions. For cases where the offender is not the registration holder, the letter includes a reply form enabling recipients to identify the driver.

The Member State where an offence is committed decides on follow-up and its rules apply in defining the nature of and sanctions for offences. In cases where the letter of information is ignored, legislation such as Council Framework Decision 2005/214/JHA can be applied which stipulates that a fine imposed by one Member State be recognised by all others.

Future development

To ascertain the Directive's effectiveness, Member States must send comprehensive reports to the Commission by May 2016 and every two years thereafter indicating numbers of searches conducted, types of offence concerned, numbers of failed requests and follow-up to offences.



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By November 2016, the Commission is obliged to report to the Parliament and Council on application of the Directive. This will focus on whether other offences should be added to its scope, the impact on road deaths and possibilities for harmonising traffic rules. It will assess the need for common standards for automatic checking equipment and procedures, EU-level road safety guidelines, stronger enforcement of sanctions and common follow-up criteria, as well as the effectiveness of the information exchange software.

All of this should put an end to the lack of equal treatment for foreign and resident drivers which has led to low levels of acceptance of law enforcement measures.

→ The text of the Directive is available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32011L0082:EN:NOT>





Two key partners in enforcing traffic laws

The European Traffic Police Network (TISPOL) and the European Transport Safety Council (ETSC) are key organisations working alongside the European Commission in order to strengthen enforcement of traffic laws.

TISPOL was established by Europe's traffic police forces in order to improve road safety and law enforcement on Europe's roads. Its priorities are to reduce numbers of road deaths and serious injuries and, through enforcement of traffic law, to make a significant contribution to European citizens' safety and security. TISPOL has supported initiatives to drive forward an effective cross-border enforcement directive, believing that it will stop motorists driving away from justice and ensure equal treatment of citizens across the EU.

TISPOL President Koen Ricour said, 'Estimates show that nearly 500 lives a year could be saved under a system where all drivers have to comply with traffic legislation, regardless of what country they are travelling in. The freedom of movement, established by the Treaty of Rome in 1957, guarantees that any citizen of the EU, when travelling in another EU Member State, benefits from the same rights and has the same duties. The disappearance of most national frontier controls in Europe has made it straightforward for EU citizens to travel where they like, when they like. But with these rights must come responsibilities.

'We fully support the Directive, as it removes the opportunity to drive away from justice. Cross-border enforcement of traffic offences will prove a vital tool for police officers across Europe and will help make a big contribution to the European Commission's aim of halving road deaths by 2020. We believe the presence of the Directive will help raise the profile of road safety across Europe and will prove an effective deterrent to those people who previously assumed they could drive according to their own wishes, rather than according to the appropriate rules, when away from their home country. In summary, the Directive will make Europe not only a safer place, but also a fairer and more equal place where the same standards of justice apply to all.'

Providing expert advice on transport safety

ETSC is a Brussels-based independent non-profit organisation which provides impartial expert advice on transport safety and seeks to identify and promote effective measures to reduce numbers of transport deaths and injuries, based on international scientific research and best practice.

In 2004-07, ETSC ran a dedicated traffic law enforcement programme and continues to monitor enforcement activities through regular publications. Two reports, 'Tackling the Three Main Killers' and 'Institutional Setups Fit to Deliver Road Safety' published under its Road Safety Performance Index PIN programme, address enforcement of traffic laws to tackle risky behaviour.



ETSC supports Directive 2011/82 as a means of reaching the EU's 2020 road safety target. Enforcement prevents collisions by deterring drivers from breaking rules. Well-explained, publicised and sustained enforcement has a long-lasting effect on driver behaviour and the Directive will raise awareness among EU citizens of road safety traffic rules in force. ETSC is also in favour of preparation of best practice guidelines on road safety enforcement.

The benefits of applying existing enforcement best practice across the EU are thought to exceed the costs by factors of 4 for drink driving to 10 for seat belt use.¹ The life-saving potential of tackling the main risk factors has been calculated as follows:

- If average driving speeds dropped by 1 km/h on all EU roads, some 2 200 deaths could be prevented annually.
- If, as estimated by the Commission, 25% of road deaths occur in drink driving collisions, at least 7 500 deaths could be prevented if all drivers were sober.
- If 99% of occupants wore a seat belt, 2 500 deaths could be prevented.

Moreover, approximately 70% of European drivers are in favour of more enforcement of traffic laws according to a Eurobarometer survey.²

- For more information on TISPOL, please visit <https://www.tispol.org/>
- To find out more about ETSC, please visit <http://www.etsc.eu/home.php>



1. ICF Consulting (2003): Costs-benefit analysis of road safety improvements. Final Report
 2. Ewers, U. (2004) Changes over time. Presentation at the SARTRE 3 Final Seminar in Paris, France



New edition of Road Safety Charter to strengthen commitment to safer roads

The European Road Safety Charter is a participatory platform of businesses, associations, research institutions and public authorities. Signatories perform actions and share good practice in order to solve road safety problems that they encounter in their everyday environments and cut road deaths. The European Commission has recently signed a three-year contract with P.A.U. Education for management of the Charter.

P.A.U. Education managed previous editions of the Charter, helping to build up a network of 2 351 members from different sectors of civil society committed to improving road safety in Europe. The new Charter should maintain civil society's commitment and ensure pan-European coverage, while addressing vulnerable road users such as children and young people.

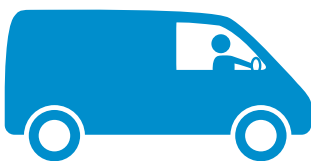
The new edition aims to simplify the commitment process and operates based on a membership concept under the slogan 'Together we are road safety'. A Charter newsletter was issued at the end of October 2013. It explains changes from previous editions and emphasises the continuity of members' work and commitment.

A one-stop shop for traffic law information across the EU

Some 100 million cross-border road trips are undertaken annually in the EU, primarily for business and tourism. Drivers crossing national borders in the EU must inform themselves of traffic rules in the countries they visit.

Under Directive 2011/82, the EU and its Member States must inform road users of traffic rules in each country. The European Commission 'Going Abroad' website provides information on rules in all Member States in the fields covered by the Directive. TISPOL (European Traffic Police Network) has also published a series of guides, available on its website, providing information about national traffic laws in European countries.

→ The Going Abroad website is at http://ec.europa.eu/transport/road_safety/going_abroad/index_en.htm



→ For more information, please visit <http://www.erscharter.eu/>
<http://erscharter.eu/sites/default/files/newsletters/NL-October-2013.html>

Find out more...

If these subjects have revved up your interest, then check out the road safety website at: ec.europa.eu/roadsafety

European Youth Forum for Road Safety (EYFRS) also has a Facebook page at: www.facebook.com/EYFRS

EYFRS has its own website at: ec.europa.eu/eyfrs
Visit these sites for inspiration and information.

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