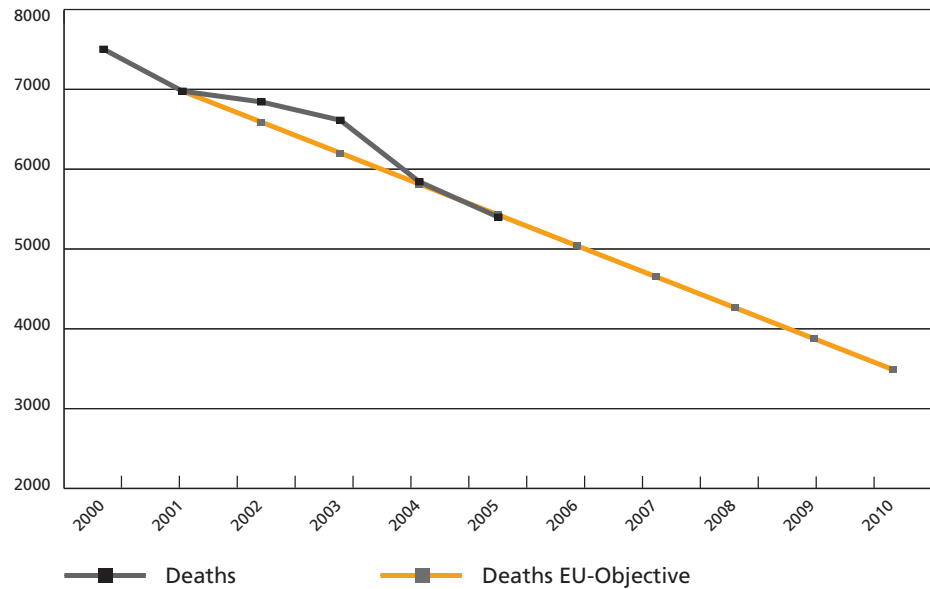


6.9 GERMANY



General Road Safety: In Germany, the number of accident casualties have been decreasing continuously. In 2004, the number of deaths even dropped by some 12% while the total of deaths and injuries decreased by 5%.

Traffic safety levels vary however considerably between the different regions (Länder). For example, North Rhine Westphalia in the West has a safety level which is comparable to that of the neighbouring Netherlands, in terms of deaths per 100,000 inhabitants. Mecklenburg West Pomerania in the East, on the other hand, reaches only a safety level comparable to that of Estonia or Portugal.

Traffic Safety Programmes have been adopted for all 16 länder as well as the federal level. While some länder, e.g. North Rhine Westphalia, have also set themselves a fatality reduction target, Germany as a whole has not adopted such a target. The German government esteems that such a target might breed complacency whereas progress must be continuous and efforts to further improve road safety must be unrelented. The Federal Highway Research Institute (BASt) forecasts a 43% drop in traffic deaths by 2010 if the current road safety policy is continued (Ratzenberger 2000).

The responsibility for traffic law enforcement is at länder level. As regards planning, some länder establish yearly plans, other multi-annual plans. A national enforcement plan as required by the EC Recommendation is also being established, based on a database set up at the German Federal Highway Research Institute (BASt).

Speed: In Germany, speed limits are among the highest in Europe and there is no general speed limit on the motorways. However, 12% of traffic deaths occur on motorways. A trial in the Land of Hesse has shown that the number of deaths and serious injuries dropped by 50% when a limit of 100 km/h was introduced from 1992 to 1994.

Three types of equipment are used to control speeds: fixed cameras, onboard video devices and portable radar and laser guns. There are a total of 2,127 fixed camera locations in Germany. Most of them are operated by local authorities and their density varies a lot from Land to Land. While Baden-Württemberg (35,700 km², 10,717 Mio. inhabitants) has 562 sites, double-sized Bavaria (70,500 km², 12,400 Mio. inhabitants) has only 13 speed camera locations (Lipphard 2005). Police mostly use mobile and portable equipment. They generally focus on major speed excesses and stop cars further down the road to apprehend offenders.

In Germany, most serious crashes occur on rural roads resulting in 63% of all traffic deaths in 2004. Analysis shows that these accidents are largely related to inappropriate speeds (Otte 2000). A major field trial has therefore been started looking into the safety benefits of installing fixed speed cameras at regular intervals along these roads.

In the Land of **Brandenburg**, the number of traffic deaths outside built-up areas decreased by 19% in 2004, and this has contributed significantly to the overall death reduction by 14.6%. In that year, increased speed enforcement led to a 32% increase in speeding offences and the number of speed-related traffic deaths dropped by 16%. These effects were however offset by a 43% rise in deaths from drink driving. The level of alcohol offences remained at the same level as 2003.

Speeding continues to be the most important cause of fatal accidents. In 2004, 45.5% of the deaths were related to speeding⁹. Whilst this proportion has been decreasing over the years, it contributes practically nothing to the general fatality reduction in 2004.

Alcohol: Alcohol checks are targeted to suspicious drivers as it is not allowed for German police to submit a driver to an alcohol test without any suspicion. Random breath testing according to the EC Recommendation is therefore not carried out. As a result, about two thirds of all detected alcohol offences are related to BAC levels of 1.1 mg/ml and higher. More than a quarter of German drivers think that the BAC limit is at 0.8 mg/ml and not 0.5 mg/ml as is the case (EuroTest 2005).

If a first screening test shows a BAC lower than 1.09 mg/ml a second evidential breath test follows. From 1.1 mg/ml the necessary legal evidence can only be established through a blood test. A nationwide field test is being run to explore the possibility of introducing evidential breath testing also above this level.

The decrease in alcohol-related accidents, and deaths has contributed substantially to the overall drop in accidents and deaths in Germany. Drink driving deaths dropped by 13% in 2003 and by 14% in 2004. Still, 12% of all traffic deaths in 2003 were related to drink driving.

Seat belts. Seat belt checks are part of routine police controls, but Länder also carry out intensive actions of varying frequency and duration. German seat belt wearing rates are among the highest in Europe and 98% of children are properly restrained in Germany across the network.

Follow-up of offences: Germany has a penalty point system. Points are applied in the case of speeding offences from 21 km/h over the limit and all drink driving offences, but not in the case of non-use of seat belts. Sanctions for minor speeding offences are little dissuasive. For drink driving on the other hand, the minimum fine is 250 € and 4 points, plus a driving ban of one month.

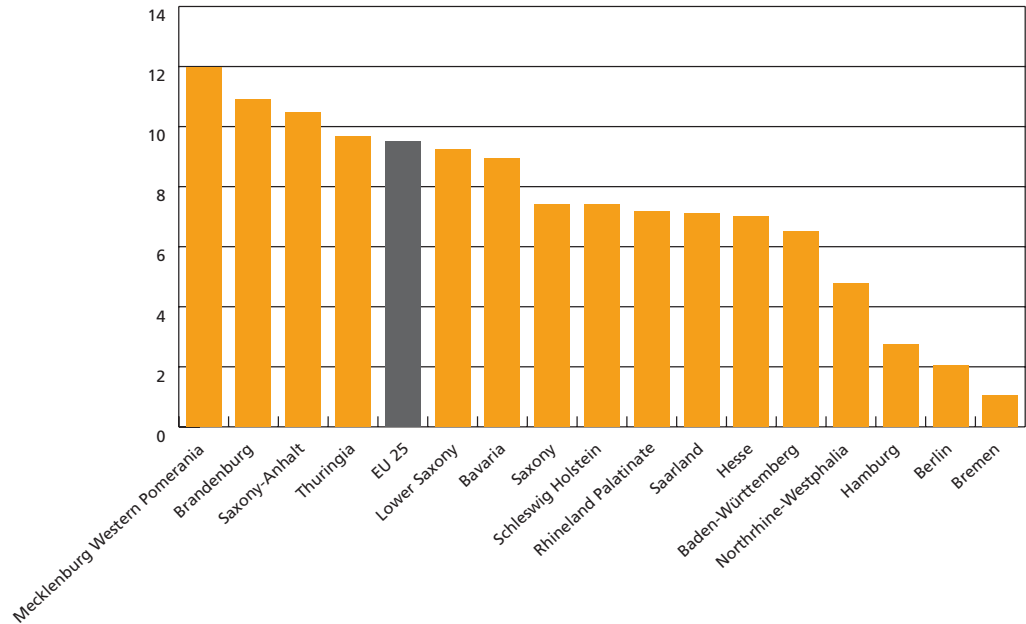
In the case of automated speed enforcement, the driver is held responsible. If the driver differs from the owner of the car, the police have to start a potentially time consuming investigation.

Information: Road safety campaigns are run by the Transport Ministries of the Länder and federal level as well as NGOs such as DVR, "Verkehrswachten", automobile clubs, etc. In summer 2005 a nationwide road safety day was carried out for the first time. It is planned to continue and implement such a day every year.

Police forces combine intensive actions on alcohol and seat belt use with information to the press. A BASt study from 2001 has however found that media reporting on the results of speeding and drink driving enforcement can still be improved. It also concludes that measures should be taken to dispel the idea that "breaking the speed limit" is merely a trivial offence (Pfeifer and Hautzinger 2001).

⁹ We added up deaths from "excessive speed" and "inappropriate speed" because police reporting is not precise in this point. Generally, police will resort to the accident cause "inappropriate speed" even if the limit was exceeded as they cannot provide sufficient evidence to prove that the speed limit was broken (Köppel and Meewes 2003). In 2004, 8.2% of deaths were linked to "excessive speed", according to official statistics.

Fatalities per million inhabitants in German regions 2004



Recommendations:

- Increase sanctions particularly for speeding and seat belt use.
- Improve follow-up of speeding offences registered by automated equipment.
- Legalise and carry out random breath testing.
- Ensure better co-ordination between Länder and national level in the field of enforcement.
- Introduce a comprehensive enforcement monitoring system at Länder and federal level, including data on checks and resulting compliance with legal speed limits, the legal BAC level and seat belt wearing rates.