

# Enforcement Monitor

ETSC's Newsletter on Traffic Law Enforcement in the EU

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## Editorial

The European target of a 50% cut in annual road deaths by 2010 can only be reached if traffic law is enforced more effectively. Police enforcement of rules covering speeding, drink driving and the use of seat belts alone can prevent 14,000 deaths by 2010, according to Commission estimates. This is why the European Commission adopted a Recommendation on how Member States should improve their enforcement policies. ETSC has completed its first review of progress in the 25 EU Member States and recommends the preparation of a Directive to further raise standards of enforcement in the priority areas. This comes at a time when the European Commission is preparing a public consultation on a Directive to enhance co-operation on the cross border enforcement of traffic offences. This issue of the Enforcement Monitor will present the follow up of traffic law offences in some depth. Police enforcement only carries weight if an appropriate sanction follows quickly and efficiently. Two systems from the Netherlands and France are presented in more detail. These show the experience of two Member States who have introduced systems which largely process offences automatically. Both countries report the pressing need to come up with a common European approach which will enable them to reach non-resident offenders as quickly as drivers of their own nationality. Another country, situated in the centre of Europe, to report problems with non-resident drivers not obeying traffic rules is the Czech Republic. New attempts have been made to adapt the law to enable the police to address this problem. Traffic Law enforcement in the Czech Republic is also presented here in a country focus that also details the new penalty point system introduced this July.

## Feature: Follow Up of Offences Introduction

The impact of police enforcement does not end with the detection of the offence. In fact the follow up is just as important, as research shows (ESCAPE 2003:31). This is recognised in the EC Recommendation on enforcement which stresses that the follow up of detected offences should be "effective, proportionate and dissuasive and not, as is currently the case, for instance with respect to non-use of seat belts, with only a warning".

### Types of Follow Up:

Traffic offenders face a variety of sanctions ranging from a verbal or written warning to giving on-the-spot fines, penalty points, driving bans

and more. Moreover traffic law offences fall into both administrative and criminal law. The criminal system follows the three separate stages: detection, prosecution and sanctions. Sanctions are linked by the police, public prosecutor and judge's intervention. In the administrative system these three sanctions are combined into one and the responsibility rests with the police to deal with offences leading to fines or loss or restriction of the driving license (ESCAPE 2002).

A problem arises with the EC Recommendation's insistence on following up offences with formal action such as a fixed penalty or a summons to court and not only a warning. Some countries allow police to decide whether or not to give a warning

instead of a fine. There is a particular case in the U.K. where police use their discretion in policing, meaning that no one can interfere with an individual officer's decision whether or not to prosecute an offender for minor motoring offences.

Automatic speed enforcement, i.e. the automated detection of a violation, identification of the vehicle and the owner (and/or driver) - is being used increasingly. Researchers explain that there are various advantages of using automatic enforcement methods. The EC recommendation also stresses the importance of using these systems. They can provide support to systematically increase the probability of detection of a violation without requiring a substantial increase in police man power. Also as regards public support, they may be perceived as more objective by road users, thus increasing the perceived fairness and acceptance of police enforcement (ESCAPE 2003: 101).

### Examples of Best Practice:

In **the Netherlands**, statistically every one of the ten million driving license holders received an administrative fine in 2005, including sanctions for all types of traffic offences. Most procedures are dealt with by a single national agency, the Central Fine Collecting Agency (CJIB) which was established in 1990 and employs some 900 staff.

The introduction of the new administrative law enforcement system under the so-called Mulder law, led to a shift in workload from the already overworked police and prosecution offices of the county courts to the CJIB. Many offences (e.g. low speeding and seat belt offences) are regarded as small transgressions which can be dealt with administratively without going to court. Once the police have passed on the details of an offence to the CJIB a giro collection form is sent to the offender's home address. In the event of a failure to pay the due amount even after a bailiff is engaged, the CJIB can resort to one of a number of means of coercion. It can withdraw the person's driving licence (approximately 3% per year), take the person's car out of service or – through a court- have the person sanctioned for failure to pay a fine. The CJIB can also collect out of court settlements for a number of traffic offences. Furthermore the CJIB collects fines once a court has fined an accused person for more serious traffic offences, such as driving under the influence of alcohol or excessive speeding. In this instance the Public Prosecutor's

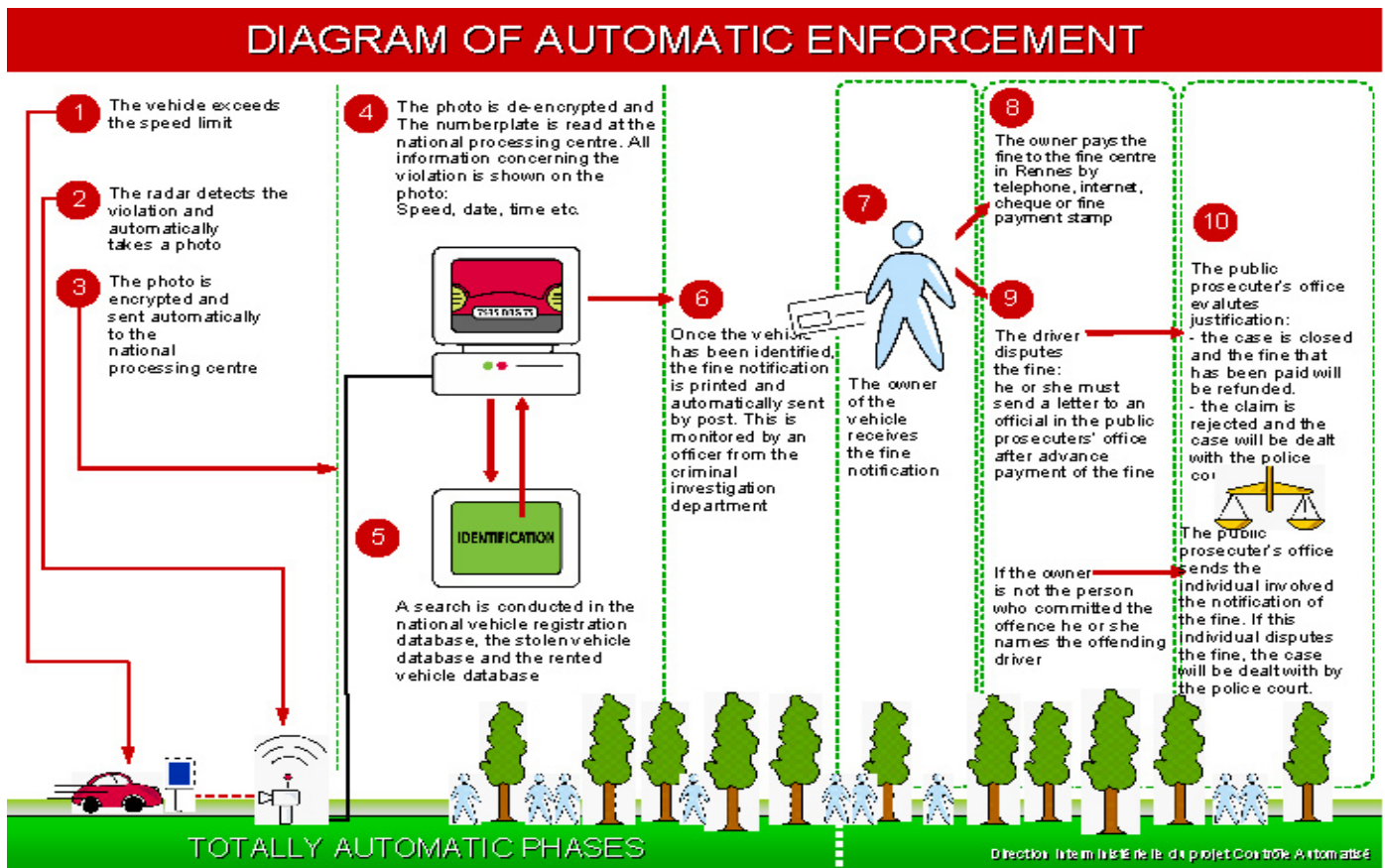
Office sends the particulars of the case to the CJIB, which then collects the fines in question.

### Results:

In 2005, 10.9 million administrative sanctions for traffic offences were turned over to the CJIB. A total of 85% were dealt with fully automatically and were paid at once, whereas about 5% were paid after the second request. In comparison: in 1990, the first year of the CJIB's existence, 250,000 administrative sanctions were turned over to the CJIB; in 2005, 7.96 million fines were charged for speeding. This increase has also been the result of intensive police surveillance, especially along motorways (SWOV: 2005).

Another EU Member State, **France**, introduced automatic speed enforcement in October 2002, in order to combat the common non compliance of speed limits. Since then, the manual processing of each fine notification has been replaced by computerised processing. Its main components are: digital video cameras, automated number plate recognition, telecommunications systems for secure image transmission, systems for the automatic consultation of remote database (vehicle registration database to identify the vehicle owner and driving licence database in order to deduct driving licence points). A national processing centre situated in Rennes, run by the Ministry of Interior, was set up in 2004 in order to process the fines issued by all automatic control equipment according to a standardised procedure. The automated enforcement system works as follow:

Figure 1 - France



### Results:

In **France** the total of detected traffic offences increased by about 30% between 2003 to 2004, essentially due to the increasing number of speeding offences. Speeding tickets issued on the basis of automated methods more than doubled, those issued on the basis of other methods increased by 16%. As a result, both the level of fines paid and the number of penalty points that were withdrawn have risen dramatically. In 2004 alone, 106 million EUR in fines were paid for speeding offences detected by automated control. While in 2003, 4.5 million points were withdrawn, resulting in 21,000 invalid licences, this figure was 6.4 million points in 2004, resulting in 39,000 invalid licences.

### Driver or Owner Liability:

The main challenge for the follow up of speeding offences detected by cameras is that the owner of the vehicle that can be identified on the basis of the number plate, may not be the driver. In the **U.K.** and **France** the follow up relies on the owner identifying the driver. In **the Netherlands**, 100% of fines are paid as the owner has to pay the fine

no matter who was driving the car (full owner liability). In other countries such as **Germany and Poland**, follow up relies on driver liability. If the driver differs from the owner of the car, police have to undertake an investigation. Although the appeal rate is under 10% in **Germany**, those cases take up valuable police time. According to data reported from the Region Baden Wurtemberg, 2/3s of proceedings are stalled (including non-residents and motorcyclists).

### Levels of sanctions:

The degree of sanction is also important in deterring traffic offenders. The EC Recommendation states: "that sanctions are more severe in the case of repeated serious violations committed by the same offender and that sanctions include the possibility of suspension or withdrawal of the driving licence and of immobilisation of the vehicle for serious violations". It is important that the level of sanctions is according to the risk related to non-compliance. Research has however found that higher sanctions have less of an impact on safety

than the level of enforcement (SUNflower 2002). In many EU countries, sanctions are still inappropriate, especially as regards the non-use of seat belts and speeding.

### Rehabilitation Courses:

In some cases it can also be more effective to impose a remedial measure in combination with a sanction. This is especially true in cases where the offender has a drinking problem and where traditional sanctions would not be sufficient to solve this problem. It is important to address this issue as drivers with a high BAC level (over 1.3mg/ml) make up a small proportion of drink drivers but are responsible for a very large proportion of alcohol-related deaths (ETSC 2003).

Finland started a three year field trial on 1st July 2005 to test the effect of alcohol ignition interlocks in a driver rehabilitation programme. Persons who have been caught drink driving are offered the possibility to take part in the trial and then receive a temporary "alcolock driver's licence. They have to take part in regular tests for alcohol dependency during a one year period. The offenders pay the expenses of the equipment themselves. At present 100-120 drivers participate per year. This may increase with time as awareness increases

Speed awareness courses are being offered to drivers in the U.K. detected speeding at a limit set by individual forces, as an alternative to prosecution and a likely £60 fine and three penalty points on their driving licence. The scheme allows the police to take into account driver history and their risk to others and offers an alternative to prosecution where appropriate. Any driver detected driving at the speed identified as suitable for an alternative to prosecution is offered a course, provided they have not already attended a course in the previous three years.

In some areas of the U.K. drivers not complying with seat belt obligations have also been able to have the £30 fine waived by attending a two-hour seatbelt awareness workshop. The seat belt awareness course explored the benefits of using a seat belt and discussed counter arguments as to why they are not worn.

### Penalty Point Systems:

With some drivers enforcement will however not have the effects of deterring non-compliance with safety rules. These drivers will continue breaking the law unless they are stopped. To single out and discourage repeat offenders, many countries have set up penalty point systems. Spain and the Czech Republic are the latest countries to introduce a penalty point system in the past month. In other countries such as Belgium, there is still no central register and no penalty point system. Therefore there is no effective system in place to discourage repeat offenders. In Belgium, repeat offenders will not even be recognised as long as they have not been caught and fined in the same district.

### Cross Border Follow Up:

A final point concerns the follow up of non-resident offenders which both the Netherlands and France, as well as other countries, have reported in increasing numbers. This is especially the case with the introduction of automatic speed enforcement. A common EU system is needed through which offenders can be identified and located. This information on offenders must be exchanged swiftly, efficiently and securely. The endorsement of the concept of mutual recognition by the European Council in 1999 was an important step forward. It paved the way for a further new instrument: the Council Framework Decision on the Application of the Principle of mutual recognition to Financial Penalties (COPEN 24) (2003). This framework decision also applies to road traffic offences and is due to be implemented by 2007.

### Conclusion:

Clearly, much must be done in EU countries to ensure that once an offence has been committed, an appropriate sanction is issued as quickly and efficiently as possible. Moreover, all countries should devise effective penalty point systems and introduce rehabilitation schemes to tackle the problem of recidivists. Finally, a pressing problem with the growing use of safety cameras is the need to introduce full owner liability for speeding offences and a European wide effective system to ensure the follow up of offences committed by non-resident drivers.

## Country focus: Czech Republic

Stronger enforcement has been attributed to the trend of falling deaths in the Czech Republic. This has reached the level of 1,286 deaths in 2005. The rate has been dropping since 2003, but there is a way to go to reach its 2010 target. This was set in the National Road Safety Strategy in 2004 to "have no more than 650 deaths on Czech roads in 2010". New legislation which came into force on 1st of July is due to further contribute to this drop.

Traffic law enforcement is undertaken by the police at a regional, district and municipal level. Broad outlines are included in the National Road Safety Strategy. A National Enforcement Plan is drawn up by the Ministry of Interior which includes general actions and specific outlines for the following year. The Plan takes the priorities of the National Road Safety Strategy into account. These are then assessed and implemented by a total of eighty District Commanders. Enforcement priorities include drink driving, speeding checks and seat belt wearing. As of the 1st of July the Municipal Police, which is not part of the national police force body, has had new limited rights to enforce traffic laws and local regulation.

New traffic law includes the introduction of a new 12 point demerit system which came into force on July 1 2006. Penalty points with relevance to speeding, drink driving and non seat belt use include:

Drink Driving: refusing a breath test	7
Driving with a BAC limit of over 0.3 BAC	6
Driving immediately when impaired by alcohol when the BAC is lower or equivalent to 0.3 BAC	3
Driving 40 km/h over the speed limit in urban areas or 50 km/h over the speed limit outside urban areas	5
Driving 20 km/h over the speed limit in urban areas or driving 30km/h outside urban areas	2
Not wearing a seat belt	2

Much higher fines were also introduced with the lowest fine being set at 1,500 crowns (approximately 50 EUR). Police are also able to confiscate the driving license on the spot for serious offences. Other changes involve making driving under the influence of alcohol of over 1.0 BAC a criminal offence. The new act also proposed a number of additional safety measures such as the mandatory use of daytime running lights throughout the year and the extension of the compulsory use of child restraint systems to all types of road.

Public support for strong enforcement and changes

that will be brought in also seems to run high. The Ministry of Transport carried out a public opinion campaign in November 2005 and found that there was 84% support for stricter enforcement, 85% support for fixed cameras, 78% support for the confiscation of the driving licence and 69% support for the introduction of the penalty point system. Experience from other Member States, such as Italy, shows the need to keep up the profile of the penalty point system well after it has been introduced with police enforcement linked to campaigns to ensure that the momentum is kept up.

### Speeding: the need to co-ordinate

Speeding is the number one priority under the National Road Safety Strategy. Speed enforcement will also change with the new legislation. This includes the greater use of safety cameras. Municipalities may be able to place fixed and mobile safety cameras. The responsibility will also be introduced for the municipal police to stop and fine for speeding offences in urban areas. However, collected revenue from the fines will not be ear-marked for road safety work. Problems are more than likely to arise as there is currently no system to enable co-ordination between the municipal police and national police for speed enforcement activities. Moreover, guidelines as to where to place fixed cameras and conduct mobile controls are not in place either. Careful ef-

forts must be made to ensure mutual support of efforts in urban areas where both police forces will be active.

The national Police currently use 300 speed measuring radars and three section control systems to check speed. There is no clear overview of the number of planned speed measurement devices (fixed and mobile) to be used by the municipal authorities. Speeding was responsible for 461 deaths in 2004 and 481 in 2005. Drivers continue to speed with a level of 29 % non-compliance at urban speed limits (2004) and 34% in 2005. There is 17 % level of non-compliance (2004) over 90km/h on rural roads (2004) and 21% in 2005.

### Drink Driving:

A 0.0 BAC level has been in force for all drivers since before the 1970s. Alcohol checks are undertaken at random and on suspicion by the traffic police. These checks are taken at high risk accident sites close to bars and restaurants at all times including prime times such as at night and at the weekend but also in the week and in the mornings. Special campaigns are also undertaken in partnership with the alcohol industry and in combination with increased enforcement. New legislation will see a steep increase in fines and introduction of penalty points for drink driving.

### Seat belts and proper child restraints for all:

Seat belt wearing is one of the enforcement priorities in the Czech Republic. The new legislation which came into force in July also included provisions for enforcing the use of child restraints. Until recently they were only compulsory on the motorway and on national roads. The Road Safety Plan also indicates as a new priority that particular attention should be paid to seat belt wearing in urban areas, rear seats and use of child restraints. A special campaign involves being in touch with the pregnant women via the hospital about child restraint and seat belt requirements. This contact is maintained via the family doctors and information is continued to be given about proper restraint methods as the child grows.

Enforcement of seat belt wearing is undertaken in combination with other checks and not separately. If a non seat belt wearing offence is identi-

fied alongside another traffic offence, the driver is charged with the offence carrying the highest sanction. Non use of a seat belts will carry a fine of approximately 50-83 EUR and the loss of two penalty points under the new system.

### Campaigns and enforcement

Nationwide campaigns on drink driving, speeding and non-seat belt use are conducted annually by the Ministry of Transport, the Ministry of Interior and the police. In 2005 a campaign was run targeting child seat belt and restraint use as part of the EU Euc hires campaign. Also in 2005 the first designated driver campaign was launched promoting the idea that one person should not drink anything. In 2006, a special campaign was launched "It is Better if I Check Myself Rather Than to be Checked by the Police!" to raise the issue of the new legislation and introduction of the penalty point system. The Police Force, Traffic Police Branch increased enforcement activities from 1st July, when the new legislation came into force. Before that they informed drivers during regular checks by distributing leaflets on the amendments of the Highway Code.

### In the Centre of Europe...dealing with neighbours:

In case of an offence committed by a non-resident driver apprehended by the police in the Czech Republic, the offender did not have to pay an on-the-spot fine but could dispute the fine in court. But this led to offenders avoiding the fines altogether. However new legislation which came into force in July will address this problem. A driver will have to pay a deposit which they will only be able to retrieve after the offence has been investigated and no charge has been tabled. At present there are no bilateral treaties between the Czech Republic and neighbouring countries to deal with a follow up of traffic law. Yet the Czech Republic has been monitoring the number of non-resident drivers involved in collisions and sanctions. In 2004 a total of 260 road accidents (of a total of 1,382 accidents in 2004) under the influence of alcohol were caused by non-resident drivers from Slovakia, Austria, Poland, Hungary and Germany.

In conclusion, the Czech Republic is going through a challenging period with the introduction of this package of new legislation. It is crucial that the police keep up a high profile to ensure that the new legislation leads to a change in behaviour not

only in the short term but also in the longer term. Moreover, linking this with clear communication with the public especially in tackling speed must be at the top of the agenda.

## News

### National approaches:

In the **Netherlands**, the Transport Minister Karla Peijs has proposed to lower the road safety target to make it more ambitious for 2010. In view of the important fatality reductions in 2004 and 2005, she wants to ensure there are no more than 750 road deaths by 2010. A new penalty point system is also being developed and is currently under discussion in the Dutch parliament. It will focus on collisions with serious consequences, drink driving and speeding. If a driver receives one negative hearing from a judge they could face a two year driving ban. A second decision could carry a two year ban followed by the need to re-take their driving test.

A new Road Safety Plan and Parliament Resolution on improving Road Safety have been adopted in Finland. The plan adopted the new target of not exceeding 100 road deaths by 2025. The government also revised the objective previously set in 1997 such that by 2010 the annual number of road deaths should be less than 250. The resolution outlined commitments under different headings, including that automatic speed surveillance will be increased so that fixed automatic surveillance will cover 3,000 km of main roads by 2010. In addition, mobile traffic surveillance based on new technology will be extended so that there will be a total of at least 25 surveillance units. The threshold for intervention by speed surveillance officials will be lowered to reduce speeding and keep speeds within the legal limits.

A new Road Safety Programme is currently under discussion and due for adoption in **Slovenia** in the autumn. The Programme is due to run for the period 2007-2011 and is entitled: "Together for a safer future". The Programme aims to set a new target to halve its roads deaths by 50% by 2011 compared with 2001, which means to reduce the number of persons killed to 600 persons by 2011. The Programme also aims to adopt and implement a "Vision Zero". Urgent measures include the groups of

measures that are expected to yield positive results soon. These include increasing the use of safety belts and child safety restraints, the reduction of speeding and abuse of alcohol, providing safety to pedestrians and especially to children. Passive protection is also a priority and includes the promotion of ISA and alcolocks. The programme also picks out traffic law enforcement, especially the enforcement of speeding, drink driving and seat belt legislation, in combination with awareness raising activities, as the most important measure to achieve the general goal of halving annual road deaths by 2011.

At present **Spain** is ahead of its 2008 target to reduce road deaths. Their new Road Safety Plan includes, among others, specific actions relating to deterrence and enforcement. This target was reiterated as a priority by President Zapatero in his "State of the Union" address on 29th May 2006. This is the first time a Spanish President included road safety as a priority worthy of being in his address to Parliament. He stressed that "the fatality rate is unacceptable despite recent improvements." Also: "that the Strategic Road Safety Plan includes measures to improve driver training and increase controls on all roads." He presented a new commitment to reach a 40% reduction in deaths by 2008.

**Spain** launched its annual summer enforcement campaign on the 1st of July to coincide with the coming into force of the new penalty point system. Guardia Civil were out in force with 8,000 officers and 300 vehicles equipped to check speeding infractions and to ensure that the 4.5 million Spaniards that are on the move, travelled safely, during the start of the holiday period. Last year, 25 died in the first big summer vacation exodus (from 15.00 of Friday to 24.00 Sunday); this year the figure was reduced slightly to 23 deaths.

**Germany** wants to increase fines for dangerous traffic offences. Federal Transport Minister Wolfgang Tiefensee announced at the German Transport Minister Conference that he plans to double fines for serious offences such as speeding and tailgating, drink driving and drug usage. This means that serious speeding and tailgating offences will be punished with fines of up to 2,000 EUR; while drink and drug driving offenders will have to pay up to 3,000 EUR in the future. The Transport Ministers of the German regions (Länder) also support Tiefensee in his initiative.

**Latvia** is considering further changes to its penalty

point system to include the non- use of seat belts and speeding between 10-20 km over the speed limit. This follows other amendments made last autumn which introduced stronger sanctions for those detected driving under influence of alcohol. Latvia introduced its penalty point system in 2004: 1 to 8 points are given according to the severity of the offence. The points are valid for 2 years (5 years for drink driving) and are registered in a drivers register. The maximum number of points for novice drivers is 10 points, for experienced drivers 16 points, then the licence is withdrawn. Drivers with 12 points have to attend a mandatory theoretical test. One year after the introduction of the system the number of road deaths decreased by 11.4% and the number of injury accidents decreased by 7.2%.

**Germany** is setting up a national co-ordination point for traffic law enforcement bringing together five representatives from the Länder, two representatives from the federal ministry of transport and three governmental agencies that are subordinated to the Transport Ministry. In this co-ordination point, federal and Länder level representatives are working together for the first time outside the other institutions to meet the challenge posed by the EC Recommendation on enforcement.

“Enforcement” was the topic of the **German** Traffic Experts Day (Deutscher Verkehrsexpertentag) on 22/23 June 2006 in Bonn. In their resolutions the conference participants called for better co-ordination in terms of enforcement between the federal, regional and local level in Germany. Moreover, they called for a Directive on enforcement to be developed by the European Commission. In terms of speeding, the resolution calls for a renewed discussion on owner liability, automated speed enforcement and a speed limit on German motorways. In terms of alcohol enforcement, the resolution also asked for the introduction of random breath testing in Germany. <http://www.verkehrsexpertentag.de/>

In **Belgium**, the Parliament has after two years once again amended the sanction regime for traffic offences. Following major criticism from automobile clubs, among others, fixed fines have been lowered since March 2006. Fixed fines for the lowest grades of severity used to be 50-150-175 EUR, they are now 50-100-150 EUR. A new progression of speeding fines also reflects more accurately the

severity of the offence and its potential to cause a collision. The previous sanctions regime was introduced in March 2004.

The RAC Report on Motoring 2006, an annual index of the views of **U.K** motorists, was published in June 2006. Its findings show that the vast majority (84%) of U.K motorists consider themselves to be safe and law abiding. However the report reveals that some 48% admit to speeding occasionally and 19% to driving whilst over the limit. A majority of drivers (81%) support the introduction of alco locks. Speed limiters that prevent cars from exceeding the limit are also welcomed by almost half of respondents (49%). The RAC concludes that enforcement and a visible deterrent in traffic police are key to making U.K’s roads safer. Their survey shows that one in five motorists (21%) are under the impression that they are virtually immune from prosecution and a sizeable minority (28%) believe that breaking the law is worth the risks. Finally it states that “there should be greater investment in more traffic policing on our roads to ensure that drivers breaking the law, are caught and prosecuted”.

## Enforcing speed limits

In **the Netherlands**, a new sanctions regime was introduced for speeding fines which differentiates between speeding on different roads. This means that the higher the level of speed over the limit, the higher the fine. At one end driving 4 km/h over the limit in an urban area carries a 16 EUR fine. Whilst at the other end driving 31 km/h over the limit on a motorway carries a 157 EUR fine.

The new Road Traffic Bill 2006 in **Ireland** includes very important road safety measures: in terms of the speed camera system, the bill includes a framework for the engagement of private sector interests in the provision and operation of cameras and other technology for the detection of speeding offences. Mobile and fixed cameras operated by private companies will be rolled out from the end of this year. Up to 300 cameras, both fixed and mobile, will be used at 600 locations. Once they are in place it is estimated that 50% of the country’s vehicles will pass a speed camera at least once a month. They are to be used mainly on high risk sites on rural and national roads rather than motorways. At present the police operates only 3 fixed speed cameras around 20 locations, 8 un-

marked vans and cars for mobile checks and 368 speed guns.

The **U.K.** Road Safety Campaign Think! launched an anti-speeding campaign to tackle speeding within the 30-40 mph margin and its impact on pedestrians. The slogan is: 'It's 30 for a reason'. The current campaign has been developed to counteract the widespread public perception that smaller increases in speed will not have the same repercussions as larger ones. The television ad features an eight year old girl talking directly to the audience and illustrates the differences between hitting her whilst driving at 40mph versus hitting her at 30mph. Ads will run on TV, radio and in the cinema over the summer.

In the **U.K.** a new network of safety cameras, is being installed in urban areas as an alternative to road humps. All entry and exit points to neighborhoods will be covered by cameras, which will calculate automatically the average speed of the vehicle while travelling through the area. Offenders' vehicle numbers will be transmitted instantly to an office that issues penalties. Local authorities will target 20mph zones where there have been several crashes caused by drivers breaking the limit or accelerating aggressively between humps. Trials were run in London and Belfast and are due to be approved by the Home Office in November, with the first fines being issued in 2007. This type of section control has until now only been used to enforce the limit on a single road rather than on a whole area.

The theme of **European Mobility Week** this year from 16th to 22nd September culminating in the European car free day is climate change. The event therefore offers opportunities for those involved in speed management to highlight the benefits of lower speeds beyond safety improvements. For more information on what events are being planned in your area and ideas on what topics you may use to highlight the climate benefits of improved speed management see: <http://www.mobilityweek-europe.org/index.php?lang=en>

## Enforcing Blood Alcohol Levels

**Spain** ran a special drink driving enforcement campaign during a two week period in June. Of the 326,952 who were checked 4,785 were positive (1.46%). Guardia Civil traffic police were checking Spanish roads at 800 control points. The campaign which was run by the Ministry of Interior also took the opportunity to inform the public about the sanctions which would be incurred through drink driving after the introduction of the penalty point system on 1st of July 2006.

**The Netherlands** have introduced a new BAC limit of 0.2 mg/ml for novice drivers (during their first five years) in 2006. The Dutch Institute for Road Safety SWOV has calculated that the safety benefit would be a reduction of 12 deaths and 100 serious injuries each year provided a high level of enforcement is maintained. Drink driving sanctions were also increased to new levels that range between EUR 220- for BAC mg/ml of between 0.54-0.08%, to 480 EUR for levels between 1.16-1.30 BAC mg/ml.

**In Ireland**, the government is considering introducing new measures to crack-down on drink-driving, including random breath testing of motorists. The legislation will allow for random breath testing to be carried out at certain times and in certain areas where the statistical likelihood of road deaths is greater, such as on weekend nights. In the past, the Gardaí (Irish police) have needed to show that they had reasons to suspect that a driver had consumed excess alcohol before testing. The Irish National Safety Council has said such tests could save 150 lives every year. It was first promised by the government in 1999.

In June 2006, **Austria** launched a new campaign "0.0 for friends" targeting drink driving of young drivers. The aim of the programme is the reduction of fatal weekend-accidents after visits of clubs and bars. Collisions – often caused by drink driving – are the number one cause of death among 18-26 year old drivers. The campaign was inspired by other European young driver programmes such as "BOB".

New research by the **Austrian Road Safety Board** ([www.kfv.at](http://www.kfv.at)) finds that the new road side evidential breath testing method has, as foreseen, allowed for more controls in less time. Since De-

September 2005 the police have been equipped with 200 new devices. The police has also stressed that the new devices are easy to use and reliable. An example comes from the district of Vienna where the police conducted 5,341 checks with the devices from January to February 2006. This is twice as many checks as in the same period in 2005 without the evidential breath testing devices. Before the introduction of the new devices the likelihood of being tested was much lower. A new survey by the KfV showed that only 39% of drivers had to do a breath test in the past. The survey also showed that 70% of the interviewees were in favour of more checks by the police.

The **U.K.** launched its THINK! World Cup and summer drink drive campaign nationally in June to inform young men about the dangers and consequences of drink driving. The campaign incorporates TV and cinema advertising. A new radio campaign - 'Nothing random' was also launched. Also of relevance, in response to a recent Parliamentary Question on the subject of a reduction in the UK legal BAC limit the Minister responsible for Road Safety, Mr. Ladyman stated that "we are still not enforcing the 80 mg limit as strictly as I would like, and we should put our resources into that before we reduce the level to 50 mg. When we have achieved strict enforcement at 80 mg, perhaps we can re-examine the matter."

**TISPOL** (European Network of Traffic Police) launched its summer drink driving campaign to coincide with the World Cup which was also testing for drugs. Nearly 13,000 motorists were caught drink driving in what was Europe's largest ever clampdown on Summer drink driving. Nearly 600,000 drivers were tested in the week long campaign across 19 European countries with 2.18% found to have consumed excess alcohol. Police carried out checks in the usual manner for their country. The highest number of alcohol tests carried out was in Spain where 170,491 motorists were checked with 2,356 (1.38%) found positive. The highest proportion of motorists exceeding the alcohol limit was in the UK where 10,496 drivers were tested with 916 proving positive (8.8%).

### Enforcing Seat Belt Wearing

In **the Netherlands** a new law came into force in March 2006 for securing children in a car in line with the requirements of the EC Directive 2003/20.

The fixed fine for the non use of seat belts was increased from 45 EUR to 75 EUR. Intensified checks on seat belts and child safety restraints were carried out.

In **North Rhine Westphalia (Germany)**, a "blitz" enforcement action on seat belt use – with a special focus on child safety – was carried out at the beginning of May. Intensive enforcement actions by the police were combined with a public campaign by the Ministry for Interior and the local road safety association (Landesverkehrswacht). Drivers were informed with flyers and 500 roadside banners about the importance of proper child restraint systems. In 2005, among the 31 children killed in road collisions 11 were passengers in cars.

A special campaign was run in **Spain** for a two week period in May 2006 focussing on the controls of seat belts and child safety restraints. Of the 870,000 vehicles checked a total of 11,000 were sanctioned for not wearing their seat belts. Most of the sanctions were for drivers, followed by front passengers, then rear passengers and finally the absence of child restraints (361). Data collected during the campaign show a very high wearing rate of 98.9% for the drivers, and 99.2% for the passengers. TV and radio ads were shown and the slogan: Seat Belt Please, Also in the Rear was also shown on Variable Message Signs. Moreover, advice was given as to the correct fitting of child restraints and the application of the new penalty point system for not being properly secured after the 1st of July. This formed part of a concerted set of special enforcement and public awareness campaigns some of which involved coordination with enforcement campaigns proposed by **TISPOL**.

Figure 2 - Spain



New findings on child safety in cars were presented at the CHILD Project Dissemination Workshop in Berlin, **Germany** in May 2006. Two in depth studies with the aim of quantitatively determining the use and misuse of child restraint systems were carried out within the CHILD project ([www.childincarsafe-](http://www.childincarsafe-)

ty.org) in Spain and France. In Spain the data collection took place in three main cities in November 2003. The study showed that 53.4% of the children used a Child Restraint System (CRS) whereas 46.6% of children did not use such restraints. A second study in France by INRETS and LAB conducted in 2003 showed a high percentage of misuse whatever the type of CRS used: about 85% of the forward facing systems with harness were not used correctly along with 72% of rearward facing infant carriers and 65% of booster seats or cushions. The percentage of misuse for children restrained only by the adult seat belt remained at a high level with 46% showing misuse.

In **Austria** penalty points for the misuse or absence of child safety restraints were introduced as part of the new Penalty Point system on the 1st of July 2005. Responsible adults also face a 5,000 EUR fine and with less serious offences a fine of only 36 EUR. A case of a collision where the child is injured due to insufficient securing can lead to a criminal sanction. A huge proportion of the total penalty points, namely 41% of the recorded 18,179 penalty points were for wrongly or not sufficiently secured children. In Austria, 11 drivers have already been sanctioned three times for this offence and have subsequently lost their driving licences as a result of not improving their record of securing their children properly. Next in the list of offences with 31% and 5,595 offenders were drivers not keeping to the 0.5 BAC limit. Analysis from the year 2005 shows that 14% of children were not transported safely. Especially babies are at risk where belts were either observed to be too loose, twisted or even that the babies had managed to wriggle out. A total of 22% of the killed and seriously injured children in

It uncovered widespread low levels of seat belt use. In total 171,458 drivers and passengers were found not to be wearing seat belts in checks that included all vehicle types. One of the disturbing findings of the police was the fact that thousands of child passengers were found not to be wearing correct safety restraints.

### Vehicle Technology

A new Road Safety Plan and Parliament Resolution on improving Road Safety have been adopted in **Finland**. The Parliament resolution also mentions the commitment to supporting Sweden's initiative on making the alcolock a standard device in new vehicles. Local authorities and public sector purchasers of transport services are also encouraged to specify the alcolock as a competitive factor or even as a requirement. The government will introduce a recommendation this August to cities providing school transport that they should choose transport companies which use alcolocks in transporting school children and other special groups.

An in-depth qualitative field trial on alcolocks in four European countries (**Belgium, Germany, Norway and Spain**) has been conducted. The project, co-ordinated by the Belgian Road Safety Institute (IBSR/BIVV), held a seminar in June in Brussels to present its results. The aim of this trial was to study the psychological, sociological, behavioural and practical impact of alcolocks on five groups of thirty drivers (Spanish and Norwegian public transport drivers, German goods transport drivers, Belgian recidivist drink drivers and Belgian alcohol dependent patients). The data collected and analysed in the project provides an in-depth exploration of people's real life experiences with alcolocks in a European context. All together, the results revealed that it is possible to apply alcolocks in a European context. Presentations can be downloaded from the Belgian Road Safety Institute website is: <http://www.ibsr.be> The final report with all the results is due for publication in September.

### Road Infrastructure

Transport Commissioner Jacques Barrot's services are preparing a new Directive on safe infrastructure. The proposal should be presented in the course of the summer. A consultation paper was published on 12th April 2006 and interested parties were invited to respond before 19th May 2006 at the latest. ETSC welcomed the proposal for a Directive on road infrastructure safety management,

Figure 3 - TISPOL



A seat belt campaign was conducted by TISPOL (European Network of Traffic Police) for a two week period during May 2006 across 19 European states namely **Cyprus, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Ireland, Netherlands, Norway, Poland, Portugal, Romania, Slovenia, Spain, Sweden, Switzerland and the U.K.**

with its stated aim of helping providers of road infrastructure to avoid unnecessary risks in the road network. ETSC also agreed with the European Commission on the four measures/instruments proposed in order to improve road safety on the trans-European network: road safety impact assessment, road safety audit, network safety management and safety inspections. In its position, ETSC stated that the Commission should also consider safety impact assessment, safety audits, network safety management and safety inspections to be a condition for all EU-funded infrastructure and not just apply to the trans-European networks which are limited in extension and already relatively safe. ETSC also took the opportunity to encourage the Commission to develop best practice guidelines in the fields of urban safety management and speed reduction techniques.

### Cross Border enforcement

A new law on traffic offences has come into force in **Slovenia** in June which will enable police officers to give on the spot sanctions including fines and penalty points. This will allow Police to deal with offenders more swiftly and efficiently and counter the backlog at the courts. Moreover introductory measures will enable police to tackle non-resident drivers. If the police have a suspicion that an offending driver is due to leave the country then they may seize property or a travel document such as a driving licence or passport to ensure their presence during the follow up procedure at court.

### European Action

The European Commission is preparing a public consultation on a Directive to enhance co-operation on the cross border enforcement of traffic offences. A meeting of experts from the Member States is taking place on the 20th of July to prepare this process and take stock of the current situation across the EU.

The **Transport Council of Ministers** of 8th-9th June adopted conclusions on road safety. These included that: "measures concerning cross-border enforcement of offences committed by non-resident drivers should be pursued in the appropriate form with a view to providing improvement of road safety in an increasingly integrated and enlarged European Union. "Also measures to combat drink/drug driving, excessive speeding and the promotion of the use of seat belts are particularly relevant." As regards technologies: New initiatives on vehicle safety, as set out in the Report "CARS 21", such as (...) seat belt reminders (..) should be subject to special attention. In addition advanced technologies such as (...) the introduction of speed

limiters and speed management systems together with alcolocks to combat drink driving may warrant further political and scientific evaluation." Another action which Transport Ministers committed to was the organisation of: "A joint European awareness-raising campaign fighting accident risks, such as drivers' fatigue or drink driving".

The **Finnish** Presidency of the EU took over the helm from a very active Austrian Presidency on the 1st of July 2006. Road Safety has been stated as a priority on the Transport Agenda. A high-level international conference: "Towards a Ubiquitous European Information Society" is being held in Finland during the Presidency in September. A session will also look at: "the intelligent car and intelligent transport systems". In addition, Italy will host a Road Safety Conference in Verona in November. ETSC addressed a memorandum to the Ministers of Transport and Justice. It stressed that: "Finland ranks number one in the field of traffic law enforcement. This is a real chance for the country to take a leadership role in several areas of road safety. Specifically the Presidency should push for the introduction of legislation in the field of cross-border enforcement." [www.eu2006.fi](http://www.eu2006.fi) and [www.etsc.be](http://www.etsc.be)

The MEP Ewa Hedqvist Petersen is preparing a Report on behalf of the Transport Committee of the **European Parliament** in response to the European Commission's Mid Term Review of the Third Road Safety Action Programme. In order to gain input to the Report there will be a Mini-Hearing on "Road Safety in the EU" on the morning of the 14th of September in the European Parliament. Two renowned road safety experts (Jesus Monclus of FITSA, Spain and Ilona Buttler of the Motor Transport Institute, Poland) will address MEPs. The discussion will focus on short term priorities including traffic law enforcement in order to reach the 2010 target to half road deaths, and what are the most important long-term actions

**TISPOL** (European Network of Traffic Police) will be holding a one day conference in London on 22nd May 2007 on the theme of 'Making Europe's roads safer'. Conference speakers will include UK Transport Minister, European Commission, Chief Police Officers, ETSC, FERSI & SWOV and there will also be examples of good practice from a number of European countries. Demand for this conference is expected to be high and early booking is recommended. Delegates will be able to register online and obtain further information at the TISPOL website – [www.tispol.org](http://www.tispol.org)

## EU Research

A new study from "Support Point for Traffic Safety" has found that almost 37% of children in the Flanders region are not restrained and those of the children who are restrained, half are prematurely taken out of the appropriate restraint system. Especially the age group of 7 to 9 years old are often unrestrained or inappropriately restrained. The study has found that restraint use increases when the driver has buckled up, the ride is less than one hour, the children are younger, the children are in front of the car. Also restraint use is higher when driving to recreation areas in comparison to driving to school. The study can be downloaded from [www.steunpuntverkeersveiligheid.be](http://www.steunpuntverkeersveiligheid.be).

Two SUNflower+6 reports have been published which identify major road safety policies, programmes and road traffic risks of "central" European road users in the Czech Republic, Hungary and Slovenia and "southern" European users in Greece, Portugal, Spain and Catalonia. The Report on central Europe concludes that "The major road safety problems the three countries have to face nowadays are: very low respect for the Highway Code and ineffective enforcement, a lack of political will to accord road safety a high priority in the Czech Republic and Hungary, and a lack of available resources are all levels in all the three countries". Whereas the report on the south points to "maintaining and increasing police enforcement directed especially at young drivers, drink drivers and speeding drivers. "Greece and Portugal could especially save lives by improving driver compliance with existing seat belt law." For Spain and Catalonia the focus should be "on drink driving and increasing severity of sanctions to match higher alcohol levels". Both reports cover a wide range of topics in detail including the safety belts, drinking and driving and speed as well as infrastructure, young drivers, pedestrians and cyclists. Three other publications which are also part of the SUNflower+6 are also downloadable at: <http://sunflower.swov.nl/>

In third party liability insurance in **Germany**, the number of accidents registered per year is used as a basis for premium rating by granting a bonus for an accident free year or by imposing a malus after an accident respectively. A study of the Federal Highway Research Institute (BAST) has shown that this system should better be linked to driver behaviour instead of accidents registered: Analyses of the German Central Penalty Point Register show that the number of traffic infringements of a driver registered per year indicate a significantly higher accident risk of the respective driver for

the coming year. The BAST suggests therefore that the existing bonus/malus rating should be enhanced by a penalty point-based model of risk differentiation. This could improve the effectiveness of the bonus/malus system and give stronger incentives for a safer behaviour than the existing model of premium rating.

## ETSC

A new ETSC publication "**Traffic Law Enforcement across the EU: An Overview**" evaluates the progress made by the 25 EU member states in the areas of speeding, drink driving and seat belt law enforcement during 2003 and 2004. The publication is the first ever published that covers activities in every single one of the EU 25 member states on the three priority areas as identified in the EC Recommendation on traffic law enforcement (2004)." It shows that EU countries increasingly apply best practice methods as outlined in the EC Recommendation in the areas of speed and alcohol enforcement. Countries are moving towards introducing automated speed enforcement, random screening tests and evidential breath tests for alcohol. Of the three areas, seat belt actions based on the recommended blitz approach are far less common. One of the main conclusions was that "The European Commission should initiate a further increase in standards by preparing a Directive on minimal requirements in the areas covered by the Enforcement Recommendation."

A new ETSC publication entitled "Intelligent Speed Assistance – Myths and Reality" has reviewed and debunked ten myths that are commonly used to block the development of ISA from the research area into the policy domain. It highlights why the continued blockage of this robust and effective technology is based on myths rather than reality. Having cleared the road of these obstacles, ETSC called for the need to drive forward quickly the implementation process.

On the 7th of June 2006, ETSC, together with the Swedish Road Administration and Toyota Motor Europe, launched a new programme to pin down EU Member State's performance in road safety. The Road Safety Performance Index (so-called "Road Safety PIN") is comparing Member States' performance in promoting safe road user behaviour, infrastructure and vehicles, as well as sound and evidence-based policymaking, on the basis of performance indicators. The PIN programme is gathering and communicating data of relevance to monitoring the impact of enforcement of speeding, drink driving and seat belt use across the EU 25.



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## Enforcement Monitor

### Editor

Ellen Townsend  
[ellen.townsend@etsc.be](mailto:ellen.townsend@etsc.be)  
Timmo Janitzek  
[timmo.janitzek@etsc.be](mailto:timmo.janitzek@etsc.be)

For more information about ETSC's activities, and membership, please contact

ETSC  
rue du Cornet - Hoornstraat 22  
B-1040 Brussels  
Tel. + 32 2 230 4106  
Fax. +32 2 230 4215  
E-mail: [information@etsc.be](mailto:information@etsc.be)  
Internet: [www.etsc.be](http://www.etsc.be)