Police Enforcement Policy and Programmes on European Roads

Contract No: 019744

Deliverable 2

The Role of Traffic Law Enforcement Policies in National and EU Road Safety Strategies

Due date of deliverable: 30/08/2007
Actual submission date: 06/10/2008

Start date of the project: 1/3/2006 Duration: 30 months

Organisation name of lead contractor for this deliverable: 4sight

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Project co-funded by the European Commission within the Sixth Framework Programme (2002-2006)

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Abstract

This report is based on work carried out in WP1 Task 1.1 of the PEPPER project, addressing strategy / policy issues of Traffic Law Enforcement (TLE). It is based on interviews with high level officials in EU Member States and EU institutions, survey questionnaire in several countries, and reviewing literature in print or on the web.

It describes the policy making process at the EU level, identifies the main actors in the Transport and TLE areas in EU institutions and describes the evolution of an EU TLE policy out of the general Road Safety Policy. It then provides an analysis and reframing of the Recommendation on Enforcement, which provides a framework for analysis of the role of TLE in National Road Safety plans of EU Member States.

The reality of TLE is shown to be much more complex than the idealized description of the enforcement chain. Barriers to planning and implementing Road Safety and TLE policies are described at EU and National levels. Detailed examination of TLE policy process and practice in three states, demonstrates the priority of management mechanisms and skills over the specific organizational structure of policing.
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EXECUTIVE SUMMARY

This report is based on work carried out in WP1 Task 1.1 of the PEPPER project, addressing strategy / policy issues of Traffic Law Enforcement (TLE). Chapter 2 describes the policy making process at the EU level, identifies the main actors in the Transport and TLE areas in EU institutions and describes the evolution of an EU TLE policy out of the general Road Safety Policy. Chapter 3 provides an analysis and reframing of the Recommendation on Enforcement, which provides a framework for describing TLE systems in a national context. Chapter 4 looks at the role of TLE in national Road Safety Plans. Chapter 5 describes, more in-depth, the organization and functioning of Road Safety and of TLE Planning and implementation in three member states (France, The UK, Finland). Chapter 6 concludes the report with a summary of similarities and differences between EU level and National level Road Safety and TLE policies, and of the issues facing EU and member states when trying to implement their respective policies.


The White Paper was a guiding vision and provided a challenging safety target of reducing the number of deaths on the road by half. This fatality reduction target (or its equivalent) has become a cornerstone of every EU or national road safety policy. The Action Programme suggested strategic areas of actions that included harmonizing traffic regulations and upgrading Traffic Policing. The Recommendation on Enforcement proposed a specific plan about how Traffic Policing should be carried out in member states.

EC TREN road safety policy documents convey a strategy focusing on driver behaviour and on the legal context of traffic law. They reiterate the intent of the EC to promote in member states, good traffic regulations, harmonized traffic laws, and more effective traffic police enforcement for persuading drivers to comply with traffic laws, thus driving safely.

In comparison, the strategic approach taken by UN resolutions on road safety does not focus on road user behaviour with respect to traffic regulations. It identifies broad areas of risks or needs that warrant focusing on, such as hazardous infrastructure, vulnerable road users, insufficient public transport, or speeding. A similar position can be found since 2006, in resolutions by the Council of Transport Ministers, the mid-term review of the White Paper, and the ETSC sponsored a review on a methodological approach to national road safety policies. They all emphasize the importance of developing institutional capacity to manage road safety effectively.

The ‘Commission Recommendation on Enforcement in the field of Road Safety urges member states to adopt and implement thirteen TLE action points. They concern, primarily, enforcement of the three non-compliance behaviours: speeding, drink-driving, and non-use of safety-belts, and the issue of cross-border enforcement. The action points that could be perceived as new demands upon some or most member states are:
Set up a National Enforcement Plan based on good practice suggested by the Recommendation, as part of a National Road Safety Plan

Ensure detection and sanctions against non-resident drivers

Use large scale automated speed enforcement

Use random breath testing with screening devices followed by Evidential Breathalyzer

Use intensive seat belts enforcement campaigns in addition to chance detection and apply sanctions to non-compliance

Report to the Commission, every two years, all the detailed information about the enforcement plan and its implementation.

The model of enforcement assumed by the Recommendation is described in detail in section 3.3. and figure 4. It is an idealized classic enforcement chain superimposed with a planning and evaluation functions.

That wider context is also idealized. It assumes a single National Traffic Police Force, with a single linear command structure, in control of urban and inter-urban road network. In this ideal situation the required legal, administrative, and financial supports for policing are readily available. The police are accountable to an efficient central government where all ministries and agencies work in harmony. The government can modify traffic laws when needed and is ready to transpose EU legal requirement into national laws.

The reality of traffic policing is more complicated and it has obvious practical implications for the willingness, and perhaps even more important, the ability, of states to implement some elements of the EC Recommendations on Enforcement. It may be more difficult than perhaps expected.

The reality of traffic policing

Many countries have more than one police force

Police agencies organized and function in different ways

No single national safety or TLE policy and plans

Local policing is often non-specialized

Police manpower for traffic enforcement depends on what happens in other fields of local enforcement

Details of local traffic policing are usually not determined centrally

Traffic Police do not control legislation, sanctions, courts, driving licenses, vehicle registrations or point systems.

Many countries have more than one police force and more than one Traffic Police entity. Each may have different policies and be under control of different ministries. It is always the case with Federal countries.
Traffic policing is often non-specialized. Policepersons are considered generalists, who can shift to different police tasks, as needed. This situation makes it more difficult to reliably implement any TLE plan, since police manpower for traffic enforcement depends on what happens in other fields of local enforcement.

In most countries, irrespective of the organizational structure of government or of Traffic Police, the details of local Traffic Policing are not determined at the Top, by a National Plan, but primarily by “local wisdom” that may “takes in account” the suggestions or guidelines of a National or police HQ policy or plan. It is certainly the case in Federal states and in states with a decentralized system of governance where local authorities and local police forces have a large degree of autonomy.

The actors implementing the functional enforcement chain depicted in Fig. 4.1- legislative and legal authorities, police forces, courts, administrative bodies- are typically separate organizations, each with their own objectives, administrative structure and operational practices. Achieving effective traffic policing does not depend only on police forces. It requires efficient operation of each organization as well as of the coordination between them.

States vary considerably in the degree of central management, directed coordination, or willing cooperation among the various organizations involved in the traffic enforcement chain. It appears that successful implementation of enforcement (or safety management) policies depends largely on effective cooperation and collaboration mechanisms irrespective of the centralization status of a country.

Few states instituted performance indicators for assessing the extent and efficiency of traffic police activity. Such measures are virtually non-existent for the other elements of the enforcement chain, particularly regarding legislative work and the courts.

The concept of Road Safety Observatory is perhaps the closest to the needed entity to monitor and assess the relevant safety performance (or TLE performance) indicators in a country. However, only few countries (France, Spain, The UK, Denmark, Sweden, The Netherlands, Finland) have several elements of such systems in place, although many others are planning to have them. UK has an evaluation mechanism that can be a model of good practice in monitoring, evaluating and updating national Road Safety Program including the Enforcement field. They do it well in a decentralized governing and policing system.

Massive (and efficient) Traffic Policing, as is advised by the Recommendation, does not come cheaply. However, only few NRSPs in EU states allocated special funding for the new TLE activities the plans advocated. On the other hand, there are growing trends in the EU to limit the size of police forces dedicated to traffic control.

Police forces are generally interested in acquiring new enforcement practices and technologies for traffic policing, and in transferring knowledge from other states. However, the adoption is rarely just a technical issue. Adoption of new practices requires changes in strategic level thinking, adaptation of legal systems and innovating management practices. These changes cannot be imposed by an outside authority but must evolve through internal processes.
Institutional barriers within EU and legal issues regarding EU versus States privileges, (such as the subsidiarity principle and ‘Pillar’ issues), complicate, and sometimes hinder, the definition of EU policy instruments regarding TLE. Once formulated, an EU regulation (or recommendation) is not assured implementation in member states because of the inherent difficulties, in all states, in the process of transposing the EU law into a functioning National law.

The ability to detect and prosecute non-resident drivers (or vehicles) is a test-bed for harmonized traffic law and the mechanisms of cooperation between EU member states. The White Paper marked it as a policy priority, mainly on the grounds of fairness to resident road users and potential diminishing of the deterrence effect of traffic policing. The increased concern, since then, with security and criminality issues, and with terror crossing borders, gave a further impetus to create solutions to the problems of cross-border traffic enforcement.

It may well be that this specific sector of traffic law enforcement, will pioneer use of advanced traffic violations detection technologies, use of efficient methods for processing violation data, develop efficient procedures for exchanging information with other agencies and for collecting fines and serving other sanctions. This experience, gained in the relatively more consensual area of ‘not letting foreign drivers get away with violations’ may be later transferred to the more general case of national TLE.

Within states, especially those with Federal or regional autonomy structure, there are also divisions of legal authority and administrative responsibilities, for various aspects of traffic policing, which parallel the divisions at the EU level. These, and other institutional barriers, which often exists even in centralized states, between ministries, between central and local authorities, between various police forces- impede adoption of a coherent TLE policy and its efficient implementation.

The obstacles to both formulating and implementing effective traffic enforcement strategy, were best summarised by an official from one new member state. They are, most likely, common to many states.

- lack of secure funds
- lack of political support
- non-cooperative and sluggish legal system
- inefficiency of fine collection system
- inconsistent and not safety minded court system
- lack of coordination (and cooperation) within and between public agencies
- lack of systematically collected data on enforcement performance indicators
- lack of professional expertise and personnel at various levels of enforcement planning and implementation

No state will reject the proposition that efficient and effective management of the direct enforcement chain (deployment-detection-citation-punishment-following up) is needed. Also needed is an efficient management of the process of formulating and implementing all other
aspects of a Road Safety plan and a TLE strategy. But this is a classic case of “easier said than done”.

Efficient and effective enforcement policy is much more than the sum of a set of specific “good practices” such as “use evidential alcohol breath test”. Government agencies that wish to adopt a given practice must be able to not only list it in a ‘Plan’, but to have it accepted by all those who can block it. They also need to create the mechanisms to actually introduce the practice into the repertoire of their traffic police operations.

The 2006 Finnish ‘Government Resolution of Road Safety’ deals not only with direct safety measures. It devotes considerable attention to develop horizontal strategies or actions, required to implement the objectives in each of the priority areas of the plan. In The UK, the Road Safety Strategy supports Local Partnerships to implement the policy, and similar mechanisms exist in The Netherlands. The French ‘New Deal’ in safety included a range of central and regional stakeholders’ cooperation mechanisms, re-energized by a determined leadership.

Perhaps the lesson to be learned is that ‘good practice’ in terms of actions, measures, and even policies regarding TLE, can, and should be imitated, but each state must develop its own ‘horizontal mechanisms’, suited to the context of one’s own state, in order to support the strategies it wants to implement.

States with underdeveloped transport infrastructure, and lacking relevant functioning institutions and the working cooperation mechanisms between them, might not be able to benefit much from the act of accepting the Recommendation on Enforcement. The challenges to implementation might prove too high.

In the new EU member states perhaps more than in others, there is a growing realization, , that the state needs to build the capacity of the institutions of TLE, and of Road Safety management in general, before new ambitious plans can be implemented.

It may well be that many ‘old EU’ states (such as UK, NL, Nordic countries, Germany, France) have had such capacity for many years, developing them since the 1970s and, therefore, could redirect their effort successfully to new focus in TLE, such as massive alcohol screening or automated speed control. France has dramatically succeeded, with great results, in reshaping its TLE policy on the strength of existing functioning institutions, professional knowledge, and decisive and inspirational leadership.

The evidence seems compelling that massive speed control and continued drink-driving control had a decisive role in bringing down road fatalities in France, drastically and relatively quickly. This appears to prove the strategy suggested by the EC Recommendation on enforcement. The question is – will the same thing work in more EU states, or in other countries? A related question might be, why aren’t there more countries doing the same thing, knowing well how successful it was in France, or for that matter, in The Netherlands, in The UK, or other countries that have had similar enforcement systems even earlier?

The French example shows that successful upgrade of a TLE system and general safety management requires the prior availability of institutions capable of handling the upgrading, and successfully working out cooperation mechanisms between the many institutions. In other
words, the potential capacity must be there, so that when political leadership is prodded into action there is the legal and administrative bureaucracy, the professional knowledge and skills, and the funding to implement whatever the new safety policy is about.

The concept ‘of sustainable safety’ shifts the focus from compliance as a moral issue, to view compliance as an issue of sound ergonomic design. The current model of enforcement is a classical criminal model. It assumes that compliance with traffic rules is based on fear of punishment, and that police enforcement is the way to remind us of the punishment and generate avoidance of punishment. In this view, traffic violations (observed or not) are indicators of moral failure on the part of drivers.

However, most of the time we comply with rules of conduct because we consider them reasonable, appropriate or right. Non compliance goes up when rules, signs, or driving situations are vague, inconsistent, do not agree with some vehicle or road features, require a difficult or too fast judgment, are in conflict with other rules and practices, or defy common-sense. In this view, the majority of non-compliance events are indicators of system failure, due to poor ergonomic design and management. This view may encourage new generation of ‘compliance inducers’, based on good design and technology rather than on police officers catching offenders.
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1. OBJECTIVES AND FORMAT OF THE REPORT

This report is based on work carried out in WP1 Task 1.1 of the PEPPER project. WP1 addressed strategy / policy issues of Traffic Law Enforcement (TLE): How important is TLE in the overall Strategy (of the EU and of member states) for improving Road Safety; How much social support (by relevant stakeholders) is there for TLE in the EU; What are the essential attributes of TLE systems in member states and how close are they to the policing model underlying the EC ‘Recommendation on Enforcement in the field of Road Safety’.

D7 and D6 of PEPPER of WP1 (Tasks 1.3 and Task 1.2, respectively) reported on the social support and the attributes of TLE enforcement systems. The present D2 report considers TLE in the context of a more comprehensive policy for Transport and Road Safety and examines questions such as how TLE is depicted in Road Safety policies, what is the process of formulating both types of the policies, what are the mechanisms for implementation the policies, what are the problems in safety and TLE policy decision-making and what are the barriers in implementation.

The report is based on interviews, survey questionnaires of top officials, and reviews of official documents and other literature, in print or on the web. At the EU level we looked at the policy documents concerning transport, road safety and traffic law enforcement, issued by the Commission and by organizations working closely with it (ETSC, OECD and others), but also at policy documents by other global institutions, such as the UN, WHO, the World Bank, which may impact the EU or individual member states. Interviews with top level officials at the European Commission, with national representatives to EU institutes, and with members of EU level organisations provided better understanding not only of their documented policies but also about the process of formulating and trying to implement road safety and traffic law enforcement policies (more detail on this part in W11 of pepper).

At the national level we reviewed a large amount of documents of recent surveys published by others: The ECMT / OECD TS3 Country reports (OECD / ECMT, 2006); CARE country profiles (CARE, 2005); ETSC Enforcement Compendium by Country (ETSC, 2006a); ENTRAC Country Reports (ENTRAC, 2006), ETSC report on a methodological approach to national road safety policies (ETSC, 2006b), ETSC web series of Safety Monitor and Enforcement Monitor. This information was supplemented with a country by country literature search for print and web information.

In addition, a survey questionnaire was sent to road safety or police officials in several EU states, (coordinated with Task 1.2.2 and Task 4.1of PEPPER). In the survey we asked specific questions about road safety plans, traffic policing plans, their priorities, what are the barriers to implementing plans. The most revealing information was obtained through personal interviews with top officials in few countries where the interviewers had good knowledge of the countries’ transport and policing systems, and had contacts to informed and reflective officials.

The next chapter describes the policy making process at the EU level, identifies the main actors in the Transport and TLE areas in EU institutions and other organizations, describes and analyses the main policy documents addressing Road Safety in the EU, describes the evolution of an EU TLE policy out of the general Road Safety Policy, identifies key issues for understanding the intent and limitations of EU policies on TLE. The chapter is based on PEPPER W11, available documents and interviews with selected policy- makers and stakeholders at the EU level.

Chapter 3 provides an analysis and reframing of the Recommendation on Enforcement, in order to bring out, in more detail, the policy level assumptions and implications it has regarding the basic attributes of TLE system in a ‘generic’ EU member state. This analysis will provide a framework for describing TLE systems in a national context.

Chapter 4 looks at the role of TLE in national Road Safety Plans and analyses the extent that the planning and practice of traffic policing resemble the assumptions or expectations of the Recommendation, as described in the previous chapter. Barriers to effective TLE policies and their implementations are considered. The chapter is based on PEPPER W14, available documents and on interviews and surveys conducted with relevant knowledgeable officials in selected countries.

Chapter 5 describes, more in-depth, the organization and functioning of Road Safety and of TLE Planning and implementation in three member states (France, The UK, Finland). The countries are different in many respects, not the least in the way their TLE systems are organized and operate. They generally have a good safety standing in the EU, and relatively good compliance records for their drivers. This suggests that diverse regions, states, and traffic police organizations could plan alternative TLE policies that could be equally successful, provided the jurisdictions have the capacity to manage their policies effectively.

Chapter 6 concludes the report with a summary of similarities and differences between EU level and National level Road Safety and TLE policies, and of the issues facing EU and member states when trying to implement their respective policies.
2. THE ROLE OF ENFORCEMENT IN EU SAFETY POLICY

2.1 From a White Paper on Transport to a Recommendation on Enforcement

The White Paper on European Transport Policy, which was approved by the European Commission on 12 September 2001 (European Commission, 2001) posted the safety goal of halving the number of road accident victims (fatalities) in the European Union by the year 2010. The responsibility for achieving this ambitious target is to be shared by all stakeholders in the transport system and by all Member States.

The European Road Safety Action Programme (European Commission, 2003) identified four major areas of actions for making progress towards the goal of halving the number of road fatalities:

- Induce road users to improve their behaviour
- make vehicles safer
- make professional transport safer
- improve road infrastructure

The EU, Member States, regional and local authorities, industry, transport companies and private users- all are expected to initiate or support relevant actions in those areas, so that the common goal is achieved.

The Road Safety Action Programme identified four major policy instruments for influencing road user behaviour, the first item in the action programme:

- Active Traffic Law Enforcement by the official police agencies in each member state, operating with harmonized Traffic Laws and practices, and cooperating with each other;
- Better control of driving licenses;
- Better control of professional drivers and;
- Public persuasion, by media information and campaigns, to enhance compliance.

Thus Traffic Law Enforcement had become a major policy instrument with DG-TREN Directorate in the EC, formulating the Recommendation on Enforcement (European Commission, 2004), and more recently the proposed Directive on Cross-Border Enforcement (European Commission, 2008).

How can the EC direct or influence the way police forces in EU member states conduct their traffic policing work? Who are the main actors, at the EU level, who play a role in formulating Road Safety and TLE policies and what are the obstacles to successful adoption and implementation of such policies in member states? In order to understand these issues we need first to appreciate the complexity and special balance of the European Union’s constitutional/legal structure.
2.2 The legal framework of the European Union

The next sections are based in part on IRU TransLex, 4th edition, March 2004; the Captive project final report, May 2006; the ERA2 project final report, September 2004; and on M. van Schendelen’s *Machiavelli in Brussels, the art of lobbying the EU*, 2002, (with his kind permission).

2.2.1 A brief history of legal Treaties of the EU

The European Union was established by the ECSC (European Community on Steel and Cokes) and the Treaties of Rome (EEC and EURATOM), which were unified by the Merger Treaty in 1965. The Single European Act of 1987 brought important modifications and pointed the way towards the European Union as we know it today. The Maastricht Treaty of 1993 marked a new period of consolidation, adding the Amsterdam Treaty and the Treaty of Nice. The latest major treaty, the Treaty of Lisbon, is still in the process of being ratified.

Special Accession Treaties determined the conditions of entry into the EU for newcomers (Denmark, Ireland and United Kingdom in Brussels 22.01.1972; Greece in Athens 28.05.1979; Spain and Portugal in Madrid and Lisbon 12.06.1985; Austria, Finland, Sweden). Meanwhile two Budgetary Treaties (22.04.1970 and 22.07.1975) widened the powers of the European Parliament in this field.

All these treaties, their Annexes and Protocols, as well as their amendments, are considered as "primary legislation" or "primary law" of the European Union. The Treaty of Rome – modified by the Single European Act – in Chapter 2, Articles 189 - 192 defines the types of "secondary legislation". The Maastricht Treaty modified Articles 149, 189, 190 and 191 of the Treaty of Rome concerning the process of legislation.

2.2.2 Types of secondary legislation in the EU

Legislation may be produced by the European Commission by means of Treaties, Regulations, and, to a lesser extent, Directives. These provide a general legislative framework that member states have to transpose into national legislation with a reference to the EU regulation or Directive. According to the “subsidiarity principle” certain policy issues are left to be dealt entirely by member states themselves; these items are clearly listed in the Regulation or Directive.

‘Secondary legislation’ or ‘secondary law’ of the European Union is defined by the type of legal action: Regulations, Directives, Decisions, Recommendations or Opinions, and Resolutions.

*Regulations*

Regulations have a generalised importance, are obligatory in all their elements, and are directly applicable in all Member States. Citizens’ rights and obligations originate directly from regulations without any further act by Member States. It is therefore the most effective legal act.
**Directives**

Directives oblige Member States with regard to results to be attained, leaving competence to national authorities concerning the form and means of application. These are framework laws and oblige the Member States to take the measures required in their country and impose a deadline for implementation. Directives represent a very flexible means of legal harmonisation.

**Decisions**

These directly oblige the addressee(s) of Decisions, whether Member States or natural or legal persons. The great variation concerning the addressees almost confers a regulation or directive character to decisions. They are directly communicated to the addressees and also published in the Official Journal.

**Recommendations and opinions**

Recommendations by the Council and the Commission express their points of view on various matters and are a means of submitting proposals to the addressees – Member States or citizens – without any legal obligation. Opinions are given as an appreciation of a certain situation in concrete cases, and are also non-compulsory.

**Resolutions**

The Council and the European Parliament adopt resolutions. They are not legally binding but express their political intentions.

Regulations, Directives and Decisions are published in the Official Journal in the series L (legislation), while recommendations, opinions, and resolutions are published in the series C (communications).

### 2.2.3 Decision-making procedure in the EU, an overview

Decision-making takes place mainly through two procedures, each describing the sequence of interactions between the EU Parliament, the Council (representing member states) and the Commission, and the decision adoption rules.

The cooperation procedure, depicted in Figure 1, shows the cooperation type process as is now regulated in Chapter 2, Art. 189-192 of the Maastricht Treaty.

The majority decisions of the Council have a determining role in this process. Therefore, it is important that member states resort to the Luxembourg compromise of 29 January 1966, which makes vetoes possible in vital national interest and in absolutely justified cases. A qualified majority in the Council is based on the votes of Member States, where the number of votes is determined by the population size of each country.
The *co-decision procedure*, shown in Figure 2, allows the European Parliament to have greater influence on European legislation. It is based on the original EC Treaty and simplifying amendments introduced by Article 189/b of the Amsterdam Treaty.
Figure 2: The simplified co-decision procedure
2.2.4 Secondary legislation decision making process in the EU

The decision making process for secondary laws is depicted in Figure 3.

![Decision making flow EU and Member States](image)

*Figure 3: Decision making flow in EU secondary legislation.*
Two main decision-making methods are used at EU level – *intergovernmental and Community method*.

*The intergovernmental* method is mostly applicable in *Second and Third Pillar policy issues* (Common Foreign and Security Policy, CFSP and Justice, Home Affairs, JHA). Decisions are taken by unanimity and no state can be forced to accept what it does not want to agree to.

*The Community method* is mostly applicable for policy areas of the *First Pillar* (European Communities). The European Commission makes legislative proposals, the European Parliament (representing the interests of EU citizens) and the Council of Ministers (representing the interests of Member States) co-decide on proposals, including transport matters, made by the Commission.

It is an elaborate process that allows community stakeholders, states and experts, deliberate and negotiate legislative suggestions without veto powers, and co-decide on certain type of secondary legal action. There is a strong expert recruitment, consultation and lobby process that influences the process. Member states have an organised and structured permanent representation body COREPER (Comité des représentants permanents) that continuously screens all proposed legislation.

At the end of the EU decision process the legal action agreed upon needs to be transposed to suitable legal action within each member state and implemented in practice. Each year the European Commission, in its capacity as guardian of Community law, draws up a report on the monitoring of the application of Community law, which lies primarily with national administrations and Courts. The Commission monitors transposition of and compatibility with Community law of national provisions, and the proper application of Community law at national level.

In the end, about 15% of *proposed* secondary laws results in EU secondary legislation. After that, when the process shifts to delegated/discretionary law to be transposed and implemented in member states, it is estimated that 85% of accepted secondary laws leads to national laws.

### 2.2.5 Barriers to harmonization of regulations

The complexity of the legal process in the EU, the subsidiarity principle and the ‘three pillars’ system, constitute a formidable barrier for harmonisation of legislation across member states.

According to the “subsidiarity principle” certain policy issues are left to be dealt entirely by member states. Even when a state accepts, in principle, an EU legal measure, the national legislation derived from the EU Directive or Guideline might still differ in many details with legislation in another member state, though derived from the same Directive or Guideline.

An example, bearing on cross-border traffic law enforcement, demonstrates this legal barrier to complete harmonization. DG Justice, Liberty and Security published a Framework Decision on the mutual recognition of financial penalties, (EU Council, 2004) The core of this framework Decision is that authorities from a Member State where a violation has been committed by a citizen from another Member State can put forward a request to the authorities...
of the State where that citizen officially resides, to execute the financial penalty that has been imposed on that citizen.

The Member State that receives such a request is obliged to comply with this with only minor exceptions. Annexed to this framework decision is a list of violations that are applicable, including traffic violations.

Due to the fact that there is no obligation for the Member States to ratify any EU regulation originating from DG Justice (3rd pillar) up to now only seven Member States have ratified this Framework Decision and have transposed this into national law.

2.3 The societal context of TLE in the EU

The wider context of Traffic Law Enforcement (TLE) is a concern with road safety as a societal issue, because of human and economic losses it entails. The EU’s White Paper on Transport, which identified safety as a major transport and social issue, preceded United Nations’ policy papers that addressed the same problems.

These policy papers do not have a legal status; they highlight the problem, raise national and international awareness, and urge commitment to invest good will and financial resources to address the safety problems.

2.3.1 United Nations’ resolutions on global road safety


These resolutions recognised the rapid increase in road traffic deaths, injuries, and disabilities globally, and recognised the disproportionate fatality rate in developing countries, taking note of the negative impact of road traffic injuries on national and global economies. The socio-economic costs of lost productivity, medical care and lowered quality of life are immense.

The resolutions called on Governments and civil society to raise awareness of the widespread problem of preventable road traffic deaths and injuries. The loss of lives, particularly of children and young people, should not be acceptable.

They affirmed the need to view road safety as a major public health problem and an important public policy issue. They affirmed that responsibility for road safety rests at all levels of government, in many areas, including public health education programmes and enforcement of traffic laws.

The UN recognised that effective action would require strong political commitment, in particular at the national, municipal and local levels but also at the international level. The need for the private sector and relevant non-governmental organizations to participate actively in promoting road safety was emphasized.
The UN also recognised that many developing countries have limited capacities to address these issues. Therefore, it emphasized the importance of strengthening the efforts of developing countries to build capacities in the field of road safety, and for international organizations to provide financial and technical support for those efforts.

The October 2005 UN Resolution on Road Safety recalled once again all previous resolutions, but it also included a list of proposed actions it invites its members to adopt, in their efforts to eradicate road crashes. For example, establish a lead national agency on road safety, develop a national action plan to reduce road traffic injuries, legislating and enforcing safety enhancing laws, conducting awareness-raising campaigns and putting in place systems for monitoring and evaluating implemented safety interventions.

More specifically, the resolution suggested to UN Member States to implement the recommendations of the World Report on Road Traffic Injury Prevention (World Health Organisation and World Bank, Paris 2006). In the behaviour area it recommends paying particular attention to four main risk factors: the non-use of safety belts and child restraints, the non-use of helmets, drinking and driving, and inappropriate and excessive speed.

As importantly, the report points to risks of inappropriate infrastructure, the safety needs of vulnerable road users, the safety implications of public transport, and the necessity of improving emergency response to road crashes and victim treatment.

The resolutions were followed up with progress reports by the General Secretary, and several ongoing promotion activities by UN bodies, UN affiliated organizations and global NGO such as The Commission for Global Road Safety.

The recent (25 April 2008) UN Resolution on Global Road Safety takes note of resolutions and actions by the World Health Organization, United Nations Regional Commissions (including the European one) and their subsidiary bodies, for their increasing road safety activities and advocacy for political commitment to road safety. It recognizes the World Bank for its initiative in establishing the Global Road Safety Facility, a funding mechanism designed to support capacity-building and provide technical support for road safety at the global, regional and country levels. It notes the financial contribution of governments and the NGO FIA Foundation to the fund.

FIA is also noted for producing (via its Commission for Global Road Safety) the policy report Make Roads Safe: A New Priority for Sustainable Development, (CGRS, 2006), which links road safety with sustainable development and calls for increased resources for road safety.

### 2.3.2 The European Union’s societal context of Road Safety

In 2001, the Commission presented its White Paper on Transport, (EC, 2001) proposing 60 measures to overhaul the EU’s transport policy in order to make it more sustainable and avoid the huge economic losses due to congestion, pollution, and road crashes.

With respect to road safety, which is only a small part of the document, the White Paper highlighted the facts that of all modes of transport, transport by road is the most dangerous
and the most costly in terms of human lives. It further pointed out that the economic toll of road accidents takes away the equivalent to 2% of the EU’s GNP.

The choice, in the White Paper, of specific examples of safety issues, in terms of risks and possible policy measures, clearly focus on driver behaviour and on the legal context. Together they suggest that better regulations, harmonized laws across the EU and more effective persuasion [by education, information, enforcement] of drivers to comply with the laws, is the policy the Commission intends to advance.

The paper recalls that over the years the EC formulated over 50 directives, such as regarding compulsory use of seatbelts, transport of dangerous goods, use of speed limitation devices in lorries, standardised driving licences and roadworthiness testing of all vehicles.

However, it also concedes that despite the fact that ‘the Maastricht Treaty finally provided the Community with the legal means to establish a framework and introduce measures in the field of road safety’, ‘some Member States still fail to recognise the obvious need for a proper European road safety policy, and invocation of the principle of subsidiarity is making Community action difficult.’

The visionary type appeal of the White Paper was to state that “The European Union must, over the next 10 years, pursue the ambitious goal of reducing the number of deaths on the road by half; this by way of integrated action taking account of human and technical factors and designed to make the trans-European road network a safer network”. This fatality reduction target (or its equivalent) has become a cornerstone of every EU (as well as national) road safety policy initiative in the last decade.

Responsibility for taking measures to reach the goal rests primarily with member states and their various national and local authorities. The EC commits itself to aid in the exchange of good practice, and through actions in two areas:

- harmonisation of penalties, and
- promotion of new technologies to improve road safety

The White Paper states that the Commission may, following a review of the situation in 2005, propose [other] regulatory measures.

A large part of the small section on road safety in the White Paper, indeed discusses the differences among members states in the penalties linked to various traffic violations. A reading of the more detailed text suggest that the concern is not just with penalties, but also with harmonization of regulations and controls [meaning traffic policing] in general, particularly regarding speeding and drink driving, and with harmonization of traffic signs and markings on European roads.

Harmonization of traffic signs includes the idea of ‘Proper sign-posting of black spots including an indication of the number of victims they have claimed — should make them more apparent to European motorists driving on major routes through the various countries.’. This is somewhat an unusual policy suggestion for treating black-spots.
The more detailed text of the paragraph on promoting *New technologies for improved road safety*, also suggests a focus on law enforcement, with the hope that new technologies ‘will also enhance the usual methods of control and penalties, with the introduction of automatic devices and onboard driving aids’.

A summary list of specific ideas about the policies the EC intends to advance in support of the ambitious goal of halving the number of road fatalities in the EU in ten years, is to be found in Appendix 1 of the White Paper, where a list of *Action Points* is given for every Transport area and major issue covered in the White Paper. The list is short and is reprinted here in full.

**‘UNSAFE ROADS’**

- Set a target for the EU of reducing by half the number of people killed on European roads by 2010.
- By 2005 harmonise the rules governing checks and penalties in international commercial transport on the trans-European road network, particularly with regard to speeding and drink-driving.
- Draw up a list of ‘black spots’ on trans-European routes where there are particularly significant hazards and harmonise their signposting.
- Require coach manufacturers to fit seat belts on all seats of the vehicles they produce. A directive to this end will be proposed in 2003.
- Tackle dangerous driving and exchange good practices with a view to encouraging responsible driving through training and education schemes aimed in particular at young drivers.
- Continue efforts to combat the scourge of drink-driving and find solutions to the issue of the use of drugs and medicines.
- Develop a methodology at European level to encourage independent technical investigations, e.g. by setting up a committee of independent experts within the Commission.

As a strategic policy document, the White Paper is innovative and clear on one point- the setting of an EU road safety target. Regarding target areas for investing the most effort to obtain the most gain in safety, the document considers mainly driver behaviour in general and drink- driving and speeding in particular, and offers harmonization of regulations and their control as the prime EU level mechanism for influencing driver behaviour. Much of the harmonization text is concerned with cross- border traffic and the wish to have the same penalties imposed on non complying out-of state drivers, as on local drivers.

In comparison, the strategic approach taken by the UN resolutions and the policy papers they refer to, identified broad areas of risks or needs that warrant focusing on, such as hazardous infrastructure, vulnerable road users, insufficient public transport, or speeding. It calls for building capacities in states to make reasoned choices of safety- impacting measures and
providing the political, financial and professional support to implement them. The UN policy does not focus on road user behaviour with respect to traffic regulations.

2.3.3 The mid-term Review

As planned in the White Paper, a review of its policies was conducted in 2005/2006. On 22 June 2006, the Commission published the Communication, "Keep Europe Moving - Sustainable mobility for our continent", which is a mid-term review of the progress on Commission’s White Paper (European Commission, 2006). The review reaffirmed the 2001 objectives, but acknowledged that over the last five years, the context of Europe’s transport has changed in a number of ways, requiring re-balancing of specific policies.

In advance of mid-term review publication, the EC issued a communication more specific to road safety, Road safety: we must do more Brussels, 22 February 2006. The communication refers to accident statistics from member states and concludes that:

‘Considerable progress has been made, especially in some Member States. In 2005, there were 8000 fewer road deaths than in 2001. But not enough progress has been made and more effort will be needed, at national and European level, to achieve the objective of halving the number of road deaths by 2010’.


There is no indication of which policies were implemented in EU member states, what had substantial impact on fatality reduction and what were the obstacles, if any.

However, the communication is correct in stating that the White Paper and the European Road Safety Action Programme, which followed in 2003, have helped to put road safety at the top of the political agenda of Member States, and that most states have adopted the safety target of halving the number of road fatalities by 2010 or thereabout.

Only a small part of the mid-term review itself addressed road safety. While it acknowledged the apparent delay in reaching the global EU safety targets, it upheld the target.

‘The relatively low level of fatalities in rail, sea and air transport accidents stands in sharp contrast to the high number of road fatalities. The target of halving the number of deaths in the period 2001 to 2010 remains valid’.

The review does not consider possible reasons for the delay, but the discussion on what needs to be done about it, unlike the White Paper, does not focus solely on regulations and driver behaviour.

It clearly expects ‘a joint effort involving governments at all levels, the car and motorway construction industries, infrastructure managers and road users themselves.’ The inclusion of other major actors and mechanisms is reflected also in the review’s concluding recommendation about road safety in the form of Action point:  
‘Implement an integrated approach to road safety which targets vehicle design and technology, infrastructure and behaviour, including regulation where needed; organise awareness efforts, annual road safety day; continuously review and complete safety rules in all other modes; strengthen the functioning of the European safety agencies and gradually extend their safety-related tasks.’

It is of interest to note that in the European Parliament’s resolution on the mid-term review presented to the Parliament by the Commission (European Parliament resolution on keeping Europe moving – Sustainable mobility for our continent, 12 July 2007), ‘road safety’ as such is not mentioned and not addressed even once. Among the requests Parliament asks of the Commission there is one about transposition of EU laws related to transport measures into national laws, and one about ‘to immediately start work on a well-prepared European transport policy for after 2010, which can meet the new challenges in a sustainable manner’.

### 2.3.4 Stakeholders in promoting road safety

In Europe, the preferred civil method to advance social policy is often based on the principle of "shared responsibility". The White Paper is clear in this respect. EU bodies, Member States, regional and local authorities, vehicle and roadway industry, transport companies and private users- all must do their share to progress towards the policy goal of halving the number of road fatalities by 2010. They can induce road users to improve their behaviour, make vehicles safer, make professional transport safer, and improve road infrastructure.

The European Road Safety Charter [http://www.erscharter.eu/](http://www.erscharter.eu/) established in 2004, provides an explicit expression for the shared responsibility principle. It is an appeal and a driving force for all civil society organisations to provide a tangible contribution to increasing road safety in Europe. It is a forum and a platform for the signatories to exchange experiences and new ideas across national borders. The charter is annexed to the Road Safety Action Programme (ref) and the majority of Member States and many organizations have signed this Charter.

Who are the he prime stakeholders for road safety at the EU level, other than the member states themselves? They are the administrative institutions and policy makers at the EU: the European Commission, the European Parliament, the council of transport ministers, the High Level Group; various NGOs and lobbying organizations on behalf of transport related industries; various organizations that represent both government and independent professionals active in the field of transport or safety.

In the EU commission there are the Directorate General for Transport and Energy (DG TREN) and the Directorate General for Information Society and Media (DG INFSO). DG TREN is responsible for the White Paper on Transport, the Action Programme and subsequently, the Recommendation on Enforcement., DG INFSO manages the eSafety program, DG Enterprise and Industry published the CARS21 report (CARS 21 High level Group, 2006), which contained a specific chapter on road safety, enforcement, and the important role of police in traffic enforcement. DG TREN addressed Traffic Policing in an unambiguous manner in the Recommendation on enforcement in the field of road safety, which is, in one sense, a guide for good practice in traffic policing.
The other main stakeholders are the NGO’s that are dedicated to safer roads and enhanced road safety. Examples are the European Transport Safety Council (ETSC) and TISPOL (Traffic Information Systems Police). ETSC is a Brussels based independent NGO dedicated to the reduction of the number and severity of transport crash injuries in Europe. The TISPOL Organisation was established by the traffic police forces of Europe in order to improve road safety and law enforcement on Europe’s roads. 25 member states and a number of others currently participate in TISPOL. Both organisations are well established and maintain a solid network with the EU policy makers DGTREN, DGINFSO and the European Parliament. Both are partners in the PEPPER project.
3. THE RECOMMENDATION ON ENFORCEMENT-ASSUMPTIONS AND IMPLICATIONS

3.1 Traffic Law Enforcement in the Road Safety Action Programme

The European Road Safety Action Programme (European Commission, 2003), identified four major areas for promoting road safety in the EU, and listed the major activities it intends to promote within each area, by means of political persuasion, information and research, and legislation. The areas, or domains, are:

- Road User behaviour (Enforcement, Driving licences, Campaigns);
- Vehicle safety (Technical inspection, Passive and active safety);
- Infrastructure safety;
- Professional transport
- Accident investigation and analysis.

All these areas were already mentioned in the White Paper, but the action programme is more specific about the activities underway or planned at the Commission. In the ‘road user behaviour’ area the problems that are prominently mentioned include:

Non compliance with basic road safety rules (drink- driving, belt or helmet use, speed);

Dangerous driving;

Use of illicit drugs and ‘bad for driving’ medications;

Evasion of driving licence restrictions and traffic penalties by non- resident drivers, especially professional drivers;

Drivers’ non-compliance with the three basic driving regulations is claimed to be responsible for at least half the traffic fatalities on EU roads.

‘The failure of drivers to comply with basic road safety legislation (relating to drinking and driving, wearing a seat belt or crash helmet, and speeding) is the main cause of serious accidents. Action focusing on these three factors could help to meet more than half the target of halving the number of people killed on the roads.’

The other problems (‘dangerous driving’, drug use, penalty evasion) are also about breaking driving regulations.

The EC took the approach that in order to encourage road users to improve their behaviour it is best to combine police checks with education and awareness campaigns for users. The actual work in traffic policing and campaigns must be done, of course, by each member state in its territory.

The Commission stated its intention to engage in the following activities:

- propose to member states a generic traffic law enforcement approach
• propose good practice guidelines for police checks [how to conduct speed, drink-driving and seat-belt controls]
• propose methods (harmonization and cross-border TLE cooperation) for better control over professional drivers
• support for EU wide coordinated ‘information campaigns to raise a sense of awareness about the consequences of not complying with road safety regulations and about enforcement’; more specifically, campaigns about vulnerable road users, seatbelt wearing, drink driving, and speeding
• support development and testing of detection equipment and procedures for illicit drugs in drivers, and harmonize police work in this field

3.2 Recommendation on Enforcement in the Field of Road Safety—summary of action points

The ‘Commission Recommendation on Enforcement in the field of Road Safety’ (European Commission, 2003, 2004) is in fact the implementation of the first two items of the list above (based on the Action Programme) - a generic traffic law enforcement approach and a best practice guideline for traffic policing of speeding, drink-driving and belt use.

The Recommendation urges member states to adopt and implement thirteen TLE action points. They concern, primarily, enforcement of the three non-compliance behaviours, identified in the Action Programme, as having the largest impact on un-safety: speeding, drink-driving, and non-use of safety-belts. Also cross-border enforcement and cooperation between member states are addressed in the Recommendation, even though a special directive on cross-border enforcement was under preparation.

The action points of the Recommendations are summarised below, with their original numbers but with some changes in the order. Some points were grouped because they have similar content. The action points are grouped here into three categories- the suggested generic approach to TLE, the suggested policing methods for enforcing the three ‘killer violations’, and the administrative or management demands upon member states with respect to coordinating with other states and reporting to the Commission.

The Annex to the Recommendation goes in more detail about these administrative requirements, which include reporting of the planned and actual deployment of traffic police units.
Generic approach to TLE

1. Set up a national enforcement plan containing the measures they intend to take for the implementation of this Recommendation.

2. Evaluate regularly and adapt the national enforcement plan in accordance with relevant developments.

3. Ensure that enhanced enforcement actions will be combined with information to the public, which will be given in the form of publicity campaigns.

5&8. Apply as a general policy that violations detected are followed-up by the infliction and execution of a sanction and/or a remedial measure. Ensure that sanctions are more severe in the case of repeated serious violations committed and that sanctions include the possibility of suspension or withdrawal of the driving license and of immobilization of the vehicle for serious violations.

10. Ensure that serious or repeated offences by a non-resident driver are reported to the competent authorities of the [other] Member State.

Good practice enforcement methods regarding speeding, drink-driving and seat belts

4. Ensure that automated speed enforcement equipment is used to check speeding on motorways, secondary roads and urban roads, and ensure they are carried out regularly on stretches of roads where non-compliance occurs regularly and where this brings about an increased risk of accidents.

6. Ensure the application of random breath testing with an alcohol screening device as a leading principle for surveillance of drink-driving. Ensure that officers carrying out random breath testing checks use evidential breath test devices whenever they suspect drink-driving.

7. Ensure that intensive enforcement actions concerning the non-use of seat belts with a duration of at least two weeks take place at least three times a year, and ensure that the use of seat belts is enforced in every individual case where non-use is observed and the car is being stopped.

Administrative requirements, coordination with other states, reporting to the Commission

9 & 11 Member States assist one another in matters of cross border violations, exchange good practice information and report to the Commission through a designated enforcement co-ordination point in each state.

12 &13 Report to the Commission, every two years, all the detailed information about the enforcement plan and its implementation, as listed in the Annex, and report the outcomes of the evaluation [impact on safety] of the national enforcement plan.

3.3 The implications of the Recommendation on TLE

The preamble of the Recommendations, the action points and the more detailed suggestions listed in the Annex, present a mix of strategic, tactical and procedural / management recommendations (although this classification is not used in the Recommendation).

Figure 4 is our interpretation of the overall logic of the Recommendation. It shows the generic model of a TLE system in any state, and how it should be influenced by EU safety policies. It is an idealised and simplified model, of course.
The model has a Top-Down view (down-up in the figure) of TLE policy and practice. EU level Safety policy (the White Paper and Action Programme) generate EU level TLE policy (the Recommendation on enforcement), which in turn influences National Road Safety Plan and a National Traffic Law.

On a strategic, policy level, (green arrows) it is anticipated that states adopt an explicit National Road Safety Policy or plan (NRSP), which includes an ambitious accident reduction target similar to that expressed by the Commission (-50% fatalities by year 2010).

It is also expected that states share the EC view that police enforcement is a major policy instrument to achieve the safety target. Many documents by the EC and by other organizations (e.g. ETSC) state that in the short term traffic policing is the quickest and most effective way of reducing fatalities substantially (e.g. Respecting the Rules, EC Nov. 2006)

The other strategy level suggestions (point 10 in the list but not shown in the figure), concern the issues of across- border traffic. The Recommendation expects the states to work towards harmonization of TLE regulations and practices, and develop international cooperation
mechanisms for handling non-resident violations. A Directive on cross-border enforcement was recently proposed by the EC (European Commission, 2008.)

On the tactical, good practice level, it is expected that states agree that massive enforcement of Speeding, Drink-Driving and of Non-use of Seat belts are the most effective ways of influencing road-user behaviour and of reducing road fatalities. (Points 4, 6, 7 in the Recommendation).

the Recommendation asks for a National Enforcement Plan, which is typically a strategic type document, but here it is expected to also include very specific details of police deployment (how, how often, how long, at what type of locations, with which equipment, etc.) in controlling speed, drink-driving and safety-belt use.

Also Media & Information (red bar on the left) are, in this context, a tactical element. Information serves to amplify individual or local impacts of all enforcement functions in the enforcement chain. Suggestions how to use media and information are included in the text of the Recommendation.

The group of management and procedural recommendations address two requirements. The first is about the necessity of managing the process of traffic policing, or the ‘Enforcement chain’ efficiently (blue arrows & bar).

The main actors in the Enforcement Chain are the legal system, the Police, various administrative bodies (e.g. licensing authorities) and the courts. On the basis of Traffic Law and NRSP it is expected that a TLE Policy will be formulated. Police will engage in patrolling the roads (General Surveillance, not shown), and in active traffic violations detection. Police and the other actors in the ‘chain’ will follow up the administrative and legal consequences of the citations (mainly sanctions of various forms).

The Recommendation asks for efficient processing of citations. It suggests that adopting a more administrative (compared to criminal) approach to the sanctioning process would facilitate the process. Efficient management of citations also requires good record keeping of the process. This is represented by ‘Monitoring Enforcement Performance Indicators’ in Fig. 4.1 (blue bar).

Evaluation of traffic policing also requires systematic monitoring of traffic behaviour and of enforcement activities. Deliverable 4a of PEPPER addresses the issues of monitoring and evaluation in detail and offers a ‘good practice’ methodology for doing it.

Reporting national enforcement data to the Commission (red bar in Fig. 4.1) is a procedural requirement, which could be viewed as a Top Management or EC legal control mechanism.

The next chapter will examine how the recent situation in the areas of road safety plans and in TLE in EU member states measure up against the assumptions and requirements of the Recommendation on Enforcement.
4. THE ROLE OF TRAFFIC LAW ENFORCEMENT IN NATIONAL ROAD SAFETY POLICIES

This chapter looks at the role of TLE in national Road Safety Plans, and the extent that planning and practice of traffic policing resemble the assumptions or expectations of the Recommendation on Enforcement, as described in the previous chapter.

The information for the countries is based on a survey questionnaire and interviews with relevant contacts in many of the countries (PEPPER Task 1.2.2, Task 4.1) and complemented with similar, partially overlapping, information from recent surveys published by others: The ECMT / OECD TS3 Country reports (OECD / ECMT, 2006); CARE country profiles (CARE, 2005); ETSC Enforcement Compendium by Country (ETSC, 2006a); ENTRAC Country Reports (ENTRAC, 2005), ETSC report on a methodological approach to national road safety policies (ETSC, 2006b) and several country-specific documents and personal contacts.

4.1 National Road Safety Plans in EU member states

Since the mid 1990’s many states have produced National Road Safety Plans, or Strategies, to serve as a roadmap for their efforts to substantially improve road safety. Some states produce an updated new plan every 3 or 5 years.

The OECD report “Safety on Roads what’s the vision?” (OECD, 2002), analyzed the 20+ safety plans from OECD countries and suggested several criteria for developing an effective plan. In particular, this report, and subsequent publications by others (e.g. ETSC, 2006b), sharpened the distinctions between “safety vision”, “safety targets”, “safety strategy or policy”, “detailed safety action plan”, lists of “safety measures”; It also articulated the importance of defining performance indicators (for safety, enforcement, or any other activity) and their corresponding monitoring and evaluation systems.

4.1.1 How National Road Safety Plans are made

During the last 10 years just about every country in the EU (including new members) has published a National Road Safety Plan (NRSP) with a “vision”, a “target” and a varied mix of “safety problems”, “safety priorities”, “safety measures”, “safety actions” and, sometimes, “new initiatives”. These documents are typically a product of government inter-departmental / coordinating committees, under the leadership of one most responsible department (usually a ministry of transport or equivalent), and with participants or consultants from the road safety research community and other stakeholders.

The committees reflect on the safety situation and safety problems and needs, list ongoing measures, projects and activities and suggest new measures in various areas. Some plans might be more specific than others in listing priorities, naming responsible stakeholders for various actions (usually the relevant government agencies), giving a time-table for implementing actions, estimating funding requirements or estimating the potential safety impact of given actions.
The complex administrative structure of the bodies involved in creating a NRSP is demonstrated by the case of Cyprus, a small country with a centralized government structure.

The Cyprus Road Safety Council is a national council advising the Ministry of Communications and Works on road safety issues. The Council is chaired by the Minister of Communications and Works. The members represent all involved authorities in road safety: the Chief of Police, the Attorney General, the Directors of the Departments of Public Works and Road Transport, the General Directors of the Ministry of Health, the Ministry of Education, the Ministry of Finance and the Cyprus Radio Foundation.

A Road Safety Unit has been set up in the Ministry of Communications and Works, which acts as the executive, administrative and managerial tool of the Road Safety Council. The Unit analyses road safety conditions and risk factors and monitors actions and measures scheduled for implementation out of the Strategic Action Plan 2005-2010. The Unit presents a report of the progress of the Strategic Road Safety Plan to the National Road Safety Council every four months. The Council of Ministers is briefed annually on the progress of the Strategic Action Plan and is asked to approve the funding of actions and the provision of required staff and equipment.

Finland provides a similar example of a centralized government that has had a long and successful experience in preparing effective NRSPs with significant participation of many stakeholders yet with a very coherent leadership by the coordinating Ministry. The Ministry of Transport and Communication is coordinating the plan and its implementation (by each of the agencies involved, usually with their regular budgets) with the help of The Consultative Committee on Road Safety. This is a permanent body that advises the ministry and initiates safety reviews, studies, and evaluations. The research community is very active in this body. One of its roles is to prepare a draft of next NRSP.

The Consultative Committee comprises representatives from:

- The Ministry of Transport and Communications
- The Finnish National Road Administration
- Central Organization for Traffic Safety in Finland
- The road safety research community (Technical Research Centre of Finland, University of Tampere, University of Helsinki)
- Main road-user organizations (Finnish Transport Workers Union, Central Organization for Motor Traffic, Confederation of Finnish Industry and Employers)
- Other stakeholders (Association of Finnish Local and Regional Authorities, Finnish Motor Insurers’ Centre).
The committee produces a consensus plan and the Minister of Transport seeks to get the government’s approval for it. After the political negotiation process Government passes a Resolution on road safety action programme. This resolution is the actual Road Safety Plan, and may differ in many details from the original proposal. This situation is common in most states, as a political decision process, especially about funding, has the final say about the content, priorities and time table of safety initiatives.

The NRSP in Finland is “duplicated” in the regions, where most of the implementation needs to take place. The State Provincial Offices coordinate the road safety work of several sectors in municipalities. This takes place through the Provincial Traffic Safety Committees, with representatives from key actors in the field. The traffic planning departments of the Provincial State Offices set the road safety goals for each province. They also make the plans for supporting and activating the road safety work and reporting on the progress made to the Ministry of Transport and Communications.

In Belgium, a the Federal Road Safety Plan (General Assembly on Road Safety) of 2001-2002 and 2007 was created by a working group appointed by the Federal Commission for Traffic Safety (FCVV). The group is lead by a non-governmental research body. The group includes expert representatives from various government agencies, insurance organizations, road user groups and other public and private stakeholders. Most of the professional work was done by researchers at BIVV/IBSR. The group drafted the Belgian NRSP that was debated in the parliament, modified, and eventually adopted formally by the Government.

Denmark demonstrates that a Ministry of Transport is not always the seat of bodies planning a national road safety strategy. The Danish Commission on Road Safety was appointed by the Danish Ministry of Justice in 1966. The Danish Commission on Road Safety advises the Ministry of Transport on road safety. The Commission includes members of the Danish Parliament, politicians from counties and municipalities, representatives of NGOs, research organizations, other stakeholders and various experts. It is the Danish Commission on Road Safety that drafted the National Road Safety Action Plan of 2002. Under this overall national road safety plan, all counties and more than 100 local authorities have set their own regional programs, targets, and safety action plans.

Germany is an example of a federal country that chose not to launch a formal NRSP with a Vision statement and quantitative fatality reduction Targets. The federal Ministry of Transport, Building and Housing, issued policy document called “Program For Improved Road Safety,” which lists over 100 measures addressing a wide range of safety problems. At the federal level, the Federal Police is not officially involved in preparing the policy document about road safety. However, the “Länder” may develop their own policies and action plans and involve their state’s police in the process.

Also in Switzerland, with federal structure of Cantons, The Federal Roads Authority (FEDRO) prepared a NRSP, which has only a recommendation status, but Cantons tend to follow it.

The impression of a routine, established process of generating a NRSP in EU member states is a bit misleading. Many countries, particularly in what is known as SEC countries (Southern, Eastern and Central Europe) have, since the 90’s, established new agencies or functional arrangements between existing agencies, to improve their ability to handle road safety, from
planning to implementation. There were setbacks and new starts and the process is still evolving. Old political and administrative structures mix with good practice ideas from other countries, and suggestions by the World Bank and EU organizations such as OECD, ETSC and the Commission.

The report on a *methodological approach to national road safety policies* (ETSC, 2006b), includes descriptions of the process of developing a NRSP in Hungary, the Czech Republic, Poland and Spain. It tells of changes in the process over time and demonstrates the uniqueness of the process in each state but also of similar hindrances (political, legal and administrative). Very similar situation exists in Baltic member states- Latvia, Lithuania and Estonia.

On the other hand, there are other countries, such as The Netherlands, The UK, Norway, or Sweden, with established mechanisms for managing their transport (and other) systems, that have formulated a succession of road safety policies embedded in transport policies. As each strategy was successfully implemented, the evolving new strategy took on new objectives and shape such that the relative emphasis on various elements (such as driving legislation, policing or road fixing) in the resulting action plans may have changed.

For example, the first Long-Range Plan for Road Safety in NL in 1987, focused on independent countermeasures activities related to identified accident problems: improvement of black spots, local speeding problems, drunk driving, cyclist and moped driver training, heavy vehicle safety, promotion of seatbelts and helmets, and building of roadside barriers. The current Dutch ‘National Traffic and Transport Plan’ (Netherlands, 2000) incorporates in it the concept of *sustainable safety*, which helps to organize and select safety oriented activities according to their support / contribution to the principles of sustainable safety and sustainable transport system: *functionality* of roads, *homogeneity* of masses and/or speed and direction, *predictability* of road course and road user behaviour by a recognizable road design, *forgivingness* of the environment and of road users, and *state awareness* by the road user. In this sustainable safety vision correct driver behaviour is not only a matter of policing and legal sanctions but, first, a result of good ergonomic road network design.

In the Dutch governing system road safety policy is linked to other policy areas that influence road safety or can be influenced by measures designed to support road safety. For example, a policy to reduce circulating motor-vehicular traffic will also reduce noise and air pollution; a policy to provide good access to city amenities for bicycle riders and public transport riders, may reduce car traffic, increase public health level and improve the demographic distribution in housing in town centers. The aim of Dutch policy makers is to formulate multidisciplinary policies that can advance multiple goals through common actions.

Dutch policy makers take conscious efforts to facilitate the ‘horizontal mechanisms’ needed to implement the policy at regional levels of the state (NL has a decentralized governing system). Therefore, the safety policy of sustainable safety was developed in consultation and cooperation with national, regional, and local levels of government and with nongovernmental organisations. In addition, the central Government signed an official traffic safety decentralisation agreement with the regions, which resulted in establishment of Regional Road Safety Agencies. These bodies build coordination and cooperation mechanisms among stakeholders in their regions, and define their own safety action programmes, in line with the national safety policy. This process seems to be quite effective (Bax, 2005).
The latest UK proposal for a new Road Safety Vision, *Beyond 2010 - a holistic approach to road safety in Great Britain* (Crawford, 2007) was prepared for PACT (Parliamentary Advisory Council for Transport Safety). Like the new Dutch vision, it integrates Road Safety with other social goals, and attempts to give traffic policing a wider role than just controlling driver behaviour.

The vision links health, overweight, employment, safe driving at work, livable neighborhoods and climate change. Traffic management, including enforcement, needs to support safety, of course, but also other agenda.

‘Speed management will be central to this, but the profession will also need to push the boundaries of its role, particularly in terms of supporting the liveable neighbourhoods agenda.’

### 4.1.2 Numerical Safety Target as a road safety ‘Vision’

In the White Paper the European Commission set an ambitious safety target for its Member States, namely, reducing by 50% the number of road fatalities by the year 2010 compared to 2001. Table 1 summarizes the accident reduction targets stated by EU countries in their National Road Safety Plans or similar policy documents. Most countries set only one target figure, overall reduction in road fatalities. Some set targets for injuries as well or differential targets for various road user types. Few countries also set specific targets for different categories of safety measures.

<table>
<thead>
<tr>
<th>Country</th>
<th>Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>-50% fatalities by 2010 compared to 1998-2000.</td>
</tr>
<tr>
<td></td>
<td>-20% less injuries; Targets for user groups and road types</td>
</tr>
<tr>
<td>Belgium</td>
<td>-50% fatalities by 2010 compared to 1998-2000 (about 750) (first indicator), or a maximum of 7 fatalities per 100 000 inhabitants (second indicator). A new target of 500 deaths by 2015 was proposed in the 2007 NRSP.</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>-50% fatalities by 2010 compared to 1991.</td>
</tr>
<tr>
<td></td>
<td>-2004 -20% fatalities by 2006</td>
</tr>
<tr>
<td>Cyprus</td>
<td>-50% fatalities by 2010 compared to 2001 of 1999- 2003</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>-50% in fatalities by 2010 compared to 2002</td>
</tr>
<tr>
<td>Denmark</td>
<td>-40% fatalities and seriously injured by 2012 compared to 1998, no more than 300 fatalities</td>
</tr>
<tr>
<td>Estonia</td>
<td>No more than 100 fatalities by 2015 compared to 2003</td>
</tr>
<tr>
<td>Finland</td>
<td>Less than 250 fatalities by 2010.</td>
</tr>
<tr>
<td></td>
<td>Less than 100 fatalities by 2025.</td>
</tr>
<tr>
<td>France</td>
<td>Unofficially, no more than 4500 by 2007, which is -50% compared to 2001 (figure for 2007 was 4620); On 13.02.2008 The inter-ministerial committee on road safety (CISR) proposed a target below 3000 fatalities by 2012.</td>
</tr>
<tr>
<td>Germany</td>
<td>No national target but states sometimes do</td>
</tr>
<tr>
<td></td>
<td>(NRW: -50% in fatalities by 2015)</td>
</tr>
<tr>
<td>Greece HE</td>
<td>-50% fatalities by 2010 compared to 2000</td>
</tr>
<tr>
<td>Country</td>
<td>Targets</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Hungary     | -30% personal injury accidents by 2010  
-30% fatalities, by 2010  
-50% fatalities by 2015 compared to 2001 |
| Ireland     | -25% fatalities by 2006 compared to 1998-2003; several sub targets  |
| Italy       | -40% personal injury crashes (fatalities & serious injuries) by 2010  |
| Latvia      | -50% fatalities and -20% injured persons by 2010.  |
| Lithuania   | -50% fatalities and -20% injury accidents by 2010. Intermediate targets 25% fatality and 10% injury accidents reduction by 2008 (base year 2004)  |
| Luxembourg  | -50% fatalities by 2010  |
| Malta       | -50 % fatalities and -50% injury accidents by 2014 compared to 2004  |
| Netherlands | Less than 580 fatalities by 2020. Several sub targets  |
| Norway      | -30% killed and seriously injured by 2015 compared to 2004.  |
| Poland      | -50% fatalities by 2013 (2,800) 2003 is the reference year  |
| Portugal    | -50% fatalities by 2010 compared to 1998-2000 Several sub targets  |
| Romania     | -50% fatalities by 2012 compared to 2002.  |
| Slovak Republic | -50% fatalities by 2010 compared to 2002; no more than 305 fatalities in 2010  |
| Slovenia    | -50% fatalities by 2005 compared to 1995. Target was not reached. New target in line of EU target.  
-50% by 2011 compared with 2001, Several sub targets.  |
| Spain       | -40% fatalities by 2008 compared to 2003.  
-50% by 2012  |
| Sweden      | -50% fatalities by 2007 compared to 1996 (target was met); long term goal (0) remains  |
| Switzerland | -50% fatalities and -50% seriously injured by 2010 compared to 2000.  |
| UK          | -40% fatal & seriously injured by 2010 compared to the average for 1994-98  
-50% fatal & seriously injured children by 2010  
-10% reduction in the slight casualty rate, expressed as the number of people slightly injured per 100 million vehicle kilometres.  |

Most EU states have adopted the EC recommended safety challenge, of -50% fatality reduction by 2010. Some states (e.g. Denmark, Latvia, Hungary, The UK) extend the target to injuries, typically with different target values for fatalities and injuries.

Most countries refer to the year 2010 or 2012 as the target year, and few set out also intermediate targets for shorter terms. The reference year is either a single recent year or the mean of three to four recent years, such as 1999- 2001. Finland, Estonia, and Netherlands use absolute numbers as a target, and some (e.g. Cyprus, Denmark) mention also the numerical representation of the % change.

Although France has not adopted a road safety target officially, the Minister in charge of the French NRSP challenged the nation to an ambitious new objective for 2007- no more than 4,000 yearly fatalities on French roads. This would mean a 50% reduction compared to 2001 figure (8,160) within only six years. This unofficial Target was announced in 2005, following the large drops in fatalities and injuries beginning in 2002, which reached to just under 5,000 fatalities in 2005. With the apparent success of the policy the target was successively revised downward in terms of time frame and fatality number. It now aims for fewer than 3000 fatalities by 2012.
There is no formal NRSP or national safety target in Germany. The federal government maintains that persistent implementation of the current hundreds of specific safety measures in all areas (with occasional new ones, as research warrants them) will continue the downwards trend in fatalities. Nevertheless, some federal states (Länder) do adopt specific fatality reduction targets, following the practice recommended by the EC. For example, North Rhine Westphalia developed its own regional RSP and established a target of halving the fatalities by 2015.

Most NRSPs do not specify fatality reduction targets by area of action, such as treatment of high-risk sites, enforcement or medical services, even though the choice of action areas is implicitly guided by the anticipated potential for safety gains (fatality reduction).

However, Ministerial or Agency programs sometimes set fatality reduction targets, in their own safety plans. For example, the Cyprus NRSP does not specify a target for the reduction of fatalities through TLE. But the Cyprus Traffic Police document “Annual Strategic Plan for Facing the Traffic Problem In 2007” does set a specific target for a reduction of 10% in fatalities in 2007 compared to 2006 (in absolute numbers, in Cyprus it would mean 77 fatalities, down from 86 in the year 2006).

Sometimes, specific targets for TLE in the NRSP are actually estimates of potential, based on assessment of behaviours involved in accidents, of what enforcement could achieve, IF it was 100% effective in elimination of those behaviours. For example, the Czech NRSP lists the contribution of speeding, drink-driving, non use of restraints and other traffic violations to fatal accidents, as 14%, 4%, 6% and 25%, respectively. Police quoted those figures in its budget requests suggesting the potential benefit TLE could have, but not committing to reach such targets. Also the Finnish plan estimates that the fatality reduction potential of TLE is about 22%.

Some national safety plans venture into specifying target compliance values for speeding, drink driving and safety belt use. This is, of course, the most appropriate performance indicator for police activities in these specific areas. For example, In Sweden, the 1995-2000 National Road Safety Programme set a target of 27% reduction in % positive detections in Random Breath Tests conducted by police. In fact, a 40% drop was achieved (ETSC Drink-Driving Monitor).

More recently, Poland’s safety strategy called for no more than 22% of traffic going over speed limits by 2013 on all types of roads, and that safety- belt use rate for front seats be 95%. In Belgium, compliance target for drink- driving by 2010 is that no more than 3% of vehicles at any given time will be driven by drivers with positive BAC. Regarding belt use, the target for 2010 in Belgium is 87% and 75% use rate by front and rear seat occupants, respectively, (it was 67% and 55% in 2005).
4.2 **The role of TLE in National Road Safety Plans**

4.2.1 The representation of TLE in national road safety plans

Road Safety Plans or Strategies address a wide range of safety problems and safety measures on a number of overlapping dimensions. Table 2, taken from an Austrian Road Safety Program (Austria, 2004), is a typical example of areas selected for focused attention in National Road Safety Plans.

![Table 2: Priority Areas of the Austrian Road Safety Program](data:image/png;base64,iVBORw0KGgoAAAANSUhEUgAAANAAAAAQA...)

The issues are classified in four general areas- human behaviour, infrastructure, vehicles, and a category that includes a mix of policy & management targets and tools, which cut across several areas. The items in the cells in the Table are not intended to be conceptually or operationally independent.

For example, Daytime Running Lights, a relatively simple safety measure, is listed under Human Behaviour, in as much as it may involve educating drivers to activate the lights during the day. Nevertheless, it may also require proper legislation, enforcement, or vehicle standards that will lead to automatic activation and turning off of lights.

The priority Table 2 does not have a category or a measure that directly refers to policing or enforcement. However, many of the measures, especially those addressing Human Behaviour problems or measures, rely on the use of TLE as part of the solution to the problem. For example, in further sections of the plan, in the priority area of “Restraint Systems”, it is stated that the safety target is to achieve a 10% increase in the use-rate of seat belts and a 95%
compliance with child restraint use. More forceful TLE is expected to induce the increase in restraint use.

There are also examples of NRSP where the role of TLE is both explicit and prominent. Such is the 2004-2006 Road Safety Strategy of Ireland (Ireland, 2004). The starting point of the strategy is that in order to achieve the primary goal of reducing fatalities and serious injuries—speeding, drink- driving and non use of restraints must be reduced.

Legislations (such as speed limits) and policing are considered central to influencing road user behaviour and increasing compliance to minimum levels specified in the plan. Much of the remaining text (more than half) of the strategy is about the large number of TLE measures proposed to advance effective TLE.

Table 3 presents the [slightly edited] summary of targets and actions / measures of the Irish Road Safety Strategy. TLE begins the list and accounts for large part of it. Some TLE related items were listed not under legislation or enforcement. Not shown are measures related to Research, Community involvement, Education, Engineering and Vehicles.

**Table 3: Summary of proposed measures in Ireland’s NRSP of 2004-2006**

<table>
<thead>
<tr>
<th>1. Enforcement of road traffic law</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Speed limit enforcement programme by police: 11.1m vehicles to be checked per year; specified compliance targets for each type of road</td>
</tr>
<tr>
<td>* Drink-driving police enforcement programme: 462,500 interventions per year</td>
</tr>
<tr>
<td>Expansion of forensic analysis programme for driving under the influence of drugs</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Legislative measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Primary Legislation</strong></td>
</tr>
<tr>
<td>* Implement revised speed limit structure</td>
</tr>
<tr>
<td>* Random breath testing legislation for drink driving screening.</td>
</tr>
<tr>
<td>Consider administrative disqualification for cases where the blood alcohol concentration is between 80mg/100ml and 100mg/100ml.</td>
</tr>
<tr>
<td>Comprehensive review of the legislation dealing with intoxicated driving, aiming to simplify the existing legal code, add drugs, and facilitate effective detections and prosecutions, increase size of possible fines</td>
</tr>
<tr>
<td>* Introduce legal provision for outsourcing of collection of fixed charges and other Improvements to the penalty points system.</td>
</tr>
<tr>
<td>* Provide for and introduce private operation of speed cameras.</td>
</tr>
<tr>
<td>Provide a legal basis for control of use of mobile phones by drivers.</td>
</tr>
<tr>
<td>* Pursue arrangements for mutual recognition of penalty points with Northern Ireland and British authorities.</td>
</tr>
</tbody>
</table>
**Secondary Legislation**

<table>
<thead>
<tr>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roll out penalty points to all applicable offences.</td>
</tr>
<tr>
<td>Abolished all exemptions regarding use of seat-belts except for medical grounds; exemptions for children to be addressed in the context of EU Directive.</td>
</tr>
<tr>
<td>Prepare fixed charge regulations to replace the on-the-spot fine system.</td>
</tr>
<tr>
<td>Prepare licensing regulations to discourage long-term reliance on provisional licences.</td>
</tr>
<tr>
<td>Introduce on-the-spot fines for licensing and tachograph offences by heavy goods vehicles and buses.</td>
</tr>
<tr>
<td>* Link the police Fixed Charge Processing System with the Courts Service IT system and the National Driver File.</td>
</tr>
<tr>
<td>*Pursue the implementation of the EU Convention on Driving Disqualification, initially on the basis of bilateral arrangements with the United Kingdom.</td>
</tr>
<tr>
<td>* Examine options for the role and make-up of the proposed Traffic Corps.</td>
</tr>
<tr>
<td>Review Rules of the Road and issue the new edition.</td>
</tr>
<tr>
<td>Train police and doctors to recognize drugs in drivers</td>
</tr>
</tbody>
</table>

4. **Road Safety awareness and education**

<table>
<thead>
<tr>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continue major public awareness campaigns on specific road safety issues (linked to enforcement)</td>
</tr>
</tbody>
</table>

The list of actions consist of a mix (typical to many NRSP) of relatively minor and major measures, some that are already in various stages of implementation and others that are controversial and may not receive political or financial support, some that do not require much change in the way TLE is practiced and others that have large implications for future functioning of TLE.

In Table 3 we marked with * measures that could have strong implications for TLE in Ireland if they were to pass (as some did) the next stages of Government, approval, funding and actual implementation. There is a strong commitment for speed control, drink-driving enforcement and seat-belt control (not listed in Table 3 but discussed in the text of the Strategy) in the form of compliance targets, substantial increase in police checks targets, and supporting legislation for more efficient and effective police work in these areas. There are legislation initiatives in support of cross- border enforcement.

Other proposed measures could have significant impact far beyond the impact on speeding, drink- driving and seat- belt enforcement. Outsourcing some aspects of police work, such as operation of speed cameras or collection of fines, come under this category. ‘Examine options for the role and make-up of the proposed Traffic Corps’ is certainly a very weighty decision, with far reaching consequences for general traffic policing in a country.

It should be pointed out that the relative representation of TLE in National Road Safety Plans is not necessarily an indication of the ‘true’ importance of TLE in the plan, or how much traffic
safety in the state is dependent on TLE initiatives. It could be the case, but it can also reflect other factors, such as the makeup of the group that prepared the plan, or the number of discrete measure ideas supplied by different government organizations (a road administration might only propose fixing 400 black spots annually, for example).

As well, a country with an adequate system of TLE might not say much about TLE in its current NRSP, because the focus may have shifted to other areas needing boosting from the Safety Plan or because the TLE system can be counted on to handle on going tasks and new challenges (for example, controlling motorized two wheelers) on its own without spelling it out in the Safety Plan. An earlier NRSP may have given a more prominent role to TLE.

### 4.2.2 Actions and initiatives involving TLE in national road safety plans

Table 4 provides an overview of selected action points, initiatives or ideas stated in recent NRSP of EU member states. Listed are those points which directly mention traffic law enforcement or implicitly rely on police to realize them. We listed mostly items that were presented in the plans as new initiatives, even though sometimes national plans included phrases to the effect that ‘police will continue with a given activity’. A given initiative could be new in one state, but a common practice in another, and may not be mentioned. It should also be repeated that not all initiatives in published plans are made into law or government act, and not all official acts are in fact implemented.

**Table 4: Action points involving TLE in recent national road safety plans in Europe**

<table>
<thead>
<tr>
<th>Country</th>
<th>Notable action points and ideas in the NRSP that involve TLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>Support de-centralization of safety management to federal states, regions and local government.; strengthening regulations &amp; inspections; increasing size of fines; “section” automatic speed enforcement; more efficient enforcement of drink-driving, belt use, following- distance; “point system” update</td>
</tr>
<tr>
<td>Belgium</td>
<td>Areas of emphasis (“attention points”) for enforcement- speeding, drink-driving, seat belt use and several specific violations with potential for automatic enforcement. Speed and Drink driving enforcement intensified. Developing legislation which will allow its commercial vehicle companies to fit alcohol interlocks. State Reform led to regionalization of road safety- speed limits vary but Justice and fines remain a federal competency,</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>Developing the legal framework and administrative tools for enforcement in general, and for speed d-d and belt enforcement, in particular.</td>
</tr>
<tr>
<td>Cyprus</td>
<td>Setting up administrative and legal tools to manage safety; TLE of d-d, belt and helmet use, control of professional drivers, extended coverage of the road network with unpredictable pattern in space and time. Increase of drink-driving tests and TLE at black spot locations. Zero tolerance to violation of traffic rules by young drivers.</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>“More efficient TLE” based on legislative support, higher penalties, penalty point system, drink- driving screening checks, some automatic speed and RL cameras, section speed control in Tunnels, Municipal police to handle drink-driving checks.</td>
</tr>
<tr>
<td>Denmark</td>
<td>Intensified police efforts targeting drink-driving, speeding and seat belt use. Strong linking of Traffic policing and public campaigns, semi- automatic speed and RL enforcement, semi- random breath tests, evidential breath test accepted, increased sanctions and follow up, point system.</td>
</tr>
<tr>
<td>Estonia</td>
<td>New Traffic Branch and Enforcement units in police force, improve “poor safety attitudes”, drink-driving, campaigns, speeding, belt use</td>
</tr>
<tr>
<td>Country</td>
<td>Notable action points and ideas in the NRSP that involve TLE</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Finland</td>
<td>Speed, Drink-Driving and drug control, alcolocks added as a sanction; continue deployment of semi- automatic fixed speed cameras, regulations regarding professional drivers, introduce more effective sanction systems; zero tolerance camera speed control, section speed control.</td>
</tr>
<tr>
<td>France</td>
<td>Focus on speed, drink-driving, restraints and helmets; Automatic speed control systems, administrative law, tougher sanctions, stricter follow-up, less leniency, organizational changes in traffic police, strong public awareness</td>
</tr>
<tr>
<td>Germany</td>
<td>No “vision” plan. Federal “Program for Improved Road Safety,” continues a policy of promoting over 100 measures covering many problem areas. Evidential breath-tests accepted up to BAC 0.11. Federal government considers alcolocks. Zero BAC for novice drivers plus tougher sanctions Federally approved.</td>
</tr>
<tr>
<td>Greece</td>
<td>2006- 2010 NRSP remains an academic proposal, based on research. TLE small aspect in the Police annual Policy Goals. Point system revived. New Driving Code (Traffic Law) under preparation. Might include higher fines and more administrative procedures.</td>
</tr>
<tr>
<td>Hungary</td>
<td>Zero tolerance for drink- driving offence,</td>
</tr>
<tr>
<td>Ireland</td>
<td>Compliance targets for TLE of speeding and seat-belt use; Penalty points to seat-belt violations; Introduction of random breath testing, mandatory BAC test of every accident, Enlarging the scope of fixed penalties charges and penalty points; outsourcing of fixed charge payments, speed cameras operations, other police tasks; a consultation process about establishment of a dedicated Traffic Corps.</td>
</tr>
<tr>
<td>Italy</td>
<td>State Police, including the National Traffic Police, the Carabinieri (body of the Italian army) and Municipal Police districts make own plans; National guidelines on legal matters and technology use; automatic section speed control on motorways. Increased level of sanctions for drink- driving</td>
</tr>
<tr>
<td>Latvia</td>
<td>Establishing a penalty point system.</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Enforcement is not presented as a major action area for achieving the targets. Test automated speed cameras. BAC level is 0.4 mg/100ml, considering legislation for differential (lower) BAC levels for novice drivers and public transport drivers. General speed limit in urban areas was reduced from 60 km/h to 50 km/h. Areas with vulnerable road users can be limited to 40 km/h. Further lowering to 30 km/h or even 20 km/h in residential areas is already under consideration. As of 2004 seat belt and child transport in vehicles legislation in Lithuania are in line with EU guidelines.</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>More police checks on speeding, drink driving and seat belts. Overhaul of the sanction system. Point system in place. BAC level lowered from .08% to .05% &amp; .02% for novice and professional drivers. Police allowed on-the-spot withdrawal of driving licenses, general increase in fines, RBT possible with Public Prosecutor order. Considering automatic speed enforcement network of safety cameras and related measures modeled after France.</td>
</tr>
<tr>
<td>Netherlands</td>
<td>25 autonomous regional police forces develop own annual plans. Declared priorities: speeding, drink driving, seat belt use, helmet use by moped riders and red light violations. Efficiency is an organization priority. National Traffic Police KLPD: Extend speed “section control”, explore close following control, increase efficiency of mass speed and drink- driving checks and fine processing, support region-wide initiatives</td>
</tr>
<tr>
<td>Poland</td>
<td>Court procedures for drink- driving shortened.</td>
</tr>
<tr>
<td>Spain</td>
<td>Enhance enforcement of Speeding, D-D, belt and helmet use; point system, compliance surveys, increase throughput of the enforcement chain, reach 800 speed cameras by 2008, recruit 3000 traffic policepersons to reach 11,000 by 2008</td>
</tr>
<tr>
<td>Country</td>
<td>Notable action points and ideas in the NRSP that involve TLE</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------------------------------</td>
</tr>
<tr>
<td>Sweden</td>
<td>National Police Board makes annual work plan. 21 autonomous police forces make own plans, including traffic policing. Vision Zero, ‘Strategy plan 2005-2014’ and ‘Activity plan 2005-2007’, by Swedish Road administration are guides for all. Speeding, drink-driving and young drivers are focus areas for TLE. Increase in alcohol checks, more targeted checks; roll out initiatives of alcolocks in commercial fleet, as sanction, and rehabilitation.</td>
</tr>
<tr>
<td>Switzerland</td>
<td>Increased traffic controls, speed checks doubled; fast-track and standardized sanctions procedures; RBT, BAC down from 0.8 mg/ml to 0.5 mg/ml, since 2005.</td>
</tr>
<tr>
<td>UK</td>
<td>DfT policy elements: maximize use of technology, integrate road policing in general policing, control commercial sector, performance measures and other good management methods, control unlicensed and uninsured drivers, penalty revision, local authorities and Highway agency to take on policing tasks. Autonomous police forces (53) develop own Road Policing Strategy based loosely on national policy with local priorities. Speed control cameras, drink driving control, crime detection through traffic policing are common elements in most forces’ strategies</td>
</tr>
</tbody>
</table>

The interest here was in what was presented as new or innovative initiatives in the National Safety Program (or sometimes as on-going initiatives during the life of a program), and not in a complete catalogue of traffic policing practices. Reports D5 and D6 of PEPPER have more detailed description of TLE practices, especially with respect to enforcing speed, drink-driving and seat belt use.

National Road Safety Plans and TLE plans are usually based on analysis of road accident data and, more limited, compliance data. The results of the analyses are conceptualized as problem areas or safety issues along various overlapping dimensions, such as location types, target populations (of road users, vehicle types or situations), risky behaviours and other factors.

The Czech Republic road safety plan, for example, lists the following as main road safety issues in the country:

- Speeding.
- Seat belts and child restraint devices in general.
- Safety in urban areas.
- Safety on railway crossings.
- Visibility of vulnerable road users.
- Safety on motorways.
- Drinking and driving of young drivers.

The issues concern different dimensions that can overlap (for example, speeding is a traffic behaviour that is contributing to the lack of safety on motorways) and no priority is implied by the order of the items in the list. Improved traffic enforcement is offered as one of the road safety initiatives to address each of these problems.

A somewhat different list of safety issues is presented in the Estonian NRSP, bringing out further removed underlying causes for the direct safety problems, such as deficiencies in driver training or societal attitude towards road safety:

- Poor attitudes in society towards road safety;
- Lack of systematic development of road safety activities;
• Deficiencies in children's traffic education;
• Deficiencies in driver training;
• Poor attitude towards road safety from drivers and pedestrians;
• Drinking and driving;
• Low level of safety restraint usage;
• Lack of infrastructure development.

Only two of the items on the list directly imply police enforcement intervention, but this does not mean that officials in Estonia did not realize the role of speeding in road crashes or did not appreciate the need for police to control speeding. In fact, according to interviews with Estonian officials, the first two items hint at the lack of political and public support for more decisive action in this area.

In Federal states such as Germany or Austria, the Federal government’s role in safety policy is perceived as primarily facilitating the implementation of policy suggestions by the states (or Cantons in Switzerland) and local governments. Each state will chose what measures to adopt, and will adapt them to its conditions.

The current German Federal policy (Germany, 2001) identified the following major goals:
• Improve the behaviour of all road users;
• Improve speed compliance and avoid drink-driving;
• Protect vulnerable road users;
• Reduce the accident rate for young drivers;
• Reduce the accident potential of heavy vehicles;
• Improve road safety on motorways.

Among the more specific TLE measures the policy advocates are:
• Extension of 30 km/h zones in built-up areas;
• Lowering the speed-limit on rural roads;
• Deploy local speed cameras;
• Intensify enforcement of drink-driving, drunk pedestrians;
• Adopt quick-testing breathalyzers, drugs screening devices, alcohol interlocks;
• Conduct frequent campaigns linked to the enforcement efforts;
• Enforce seat belt and helmet use;
• Introduce on-the-spot fines for licensing and tachograph offences by heavy goods vehicles and buses;
• Strengthen the enforcement of compulsory rest periods for drivers of heavy goods vehicles.

Clearly, none of the measures advocated are new to the German safety management inventory. The German safety strategy is based on continuous implementation efforts of a wide range of evidence-based measures in all problem areas and by all agencies, including TLE agencies.
As states became more experienced in managing road safety, the policy documents shift the balance from description of the accident problems to proposing the actions, direct and indirect, that will alleviate the problems. The actions tend to be phrased in more integrative terms, allowing different approaches, as there is rarely one type of solution, counter-measure, to a given safety problem.

The recent Finnish Road Safety Program (Finland, 2007) is an example of such approach, listing the following main policy goals of the program:

- Improve cooperation between the agencies responsible for the program,
- Prepare for new Directives and Recommendations by EU and EC in the area of transport and safety, and develop the cooperation mechanisms with other countries and the EU institutes
- Reducing head on collisions on main roads, by better enforcement and technological means
- Reducing pedestrian and cyclist accidents in urban areas by better urban planning, traffic management and speed control
- Reducing accidents involving intoxicants, alcohol and drugs
- Reducing accidents in professional transport by better regulation, enforcement, management, training and licensing
- Increase the impact of enforcement by creating more effective sanctions and follow-up (e.g. higher fines, partial owner responsibility).

These policy goals require cooperation of many stakeholders who must share the implementation of the policy in their respective capacities and responsibilities. ‘Reducing accidents involving intoxicants, alcohol and drugs’, clearly involves traffic police, but also many others in the enforcement chain (legal, medical, technical and more) as well as in other institutions such as education, public health, or the media.

The two first points of the plan are about developing / strengthening cooperation mechanisms between stakeholders within, and with EU institutions and states. They bring out to the foreground the view that road safety needs to be handled with the best management tools of social-political-technical systems and that knowing the direct ‘safety problems’ and even their ‘counter-measures’, is not sufficient to solve them. (More on that in chapter 5.3)

UK’s road safety strategy Tomorrow's roads - safer for everyone (UK, 2000) contains more than 150 measures across ten key themes, was reviewed in 2004 and 2007 and remains in effect. The structure of themes is generic enough to enable additions or modifications to specific measures, while retaining the basic framework. The themes of the Strategy:

- Theme 1 - Safer for children
- Theme 2 - Safer drivers - training and testing
- Theme 3 - Safer drivers - drink, drugs and drowsiness
- Theme 4 - Safer infrastructure
- Theme 5 - Safer speeds
Theme 6 - Safer vehicles
Theme 7 - Safer motorcycling
Theme 8 - Safety for pedestrians, cyclists and horse-riders
Theme 9 - Better enforcement
Theme 10 - Promoting safer road use.

Theme 9: Better enforcement

*Strategy objective* – ‘To maximize the contribution that road traffic law can make to reducing casualties, through persuasion, deterrence and effective and properly enforced penalties.’

The policy acknowledges the direct role of police in improving road safety through enforcing traffic law

‘Road traffic law sets the framework for using the roads safely. It provides clear standards based on experience and analysis. Enforcing the law is an essential part of reducing road casualties and the police have a central role in improving road safety’.

‘It will be easier to persuade people to get out of their cars to walk, cycle and use public transport if roads are largely free from crime as well as danger from motor traffic. Road policing is an important element in reducing crime, the opportunities for crime and the fear of crime and it must be recognised as such’.

This view, in fact, has become very central to UK’s road policing strategy (NPIA, 2007)

The dozens of specific action points in the strategy’s *enforcement theme* are grouped loosely under the following five groups, which refer to legal actions, technology and other practices used by police forces.

- more effective road traffic law enforcement;
- better public understanding of and respect for road traffic law;
- penalties more appropriate and proportionate to the seriousness of offences;
- more emphasis on education and retraining; and
- maximum use of new technology.

The 2004 – 2007 National Policing Plan, by the UK Home Office, states that:

“*Forces and [local] authorities should include in their local policing plans targeted and intelligence-led strategies for reducing deaths and injuries on the roads and achieving a safe environment for all road users*”

Indeed, literary hundreds of policy document about Road Transport, Road Safety and Traffic Policing have been produced in the UK by regional and local governments and by local police districts, taking the general framework policy provided by National level agencies, but selecting and adapting elements according to their perceived needs and priorities. For example, Norfolk Constabulary’s Road Policing Strategy 2006-2009. www.norfolk.police.wukw. (More detail on the process of Safety and TLE policy formulation and dissemination in the UK is provided in chapter 5.2).
The French NRSP of 2002 and its yearly updates (discussed in more detail in chapter 5.1), is special in two respects. It is very central- government directed, and it relies heavily and explicitly on TLE as the major mechanism to achieve the objective of reducing accidents dramatically in a short period of time.

The determined upgrading of the whole TLE chain has improved substantially its efficiency and effectiveness. As this effort produced immediate results, it served to rally French politicians, the police forces, other agencies, the media and the public, to the support of TLE, of course, but also support other measures and initiatives included in the NRSP.

Other significant safety actions in the French NRSP deal with novice drivers, vehicle inspections, registration of mopeds, and a whole program of road safety audits, safety oriented infrastructure improvements on state roads, as well as mandatory mechanisms to oblige urban communities to improve safety on their roads.

The TLE program in France’s NRSP consists of elements familiar from many other NRSPs and from the practice of TLE in other EU member states. It identifies speeding, drink-driving and non-use of seat belt as main causes of road fatalities. It increased police enforcement of these and other traffic offences, increased fines, and reinforced the penalty point system and other follow up measures, particularly that of losing a driving license.

The increases were made possible with enabling legislation (e.g. shifting most of violations from criminal court process to administrative procedure, owner liability, higher fines, lower BAC limits for professional drivers), putting into service large number of advanced fixed and mobile speeding detection equipment, instituting efficient semi-automatic systems for processing citations and collecting fines, raising the number of police officers on active TLE duties, and massive public information about road safety and TLE actions. The ‘innovation’ of the French new TLE program is, that it was well funded, large in scale, and was actually implemented as planned.

4.3 Organization and management issues in Road Safety Plans and their implementation

4.3.1 Obstacles and barriers to implementing Road Safety Plans

The perceived difficulties, obstacles, barriers to effective Road Safety or TLE policies may appear in the policy documents in background discussions on problems and limited success of previous programs or as action points about organizational prerequisites for effective implementation of the safety plan. The issue of organizational barriers also came up in interviews with state officials about their safety or policing plans.

By ‘natural self selection’ process, this section presents issues from states that reported difficulties in formulating acceptable safety plans and experienced barriers implementing them. The selection here is illustrative and not intended to cover all member states. It does not mean that other states did not experience similar problems; only that their magnitude was not severe and that the majority of difficulties had been overcome.
These other countries, for example- The UK, Sweden, The Netherlands, Finland- have in place institutions and mechanisms for policy decision-making at all levels of government, they have the critical mass of dedicated, educated and experienced civil servants to manage the process and have the economic and other resources to implement the policies.

**Poland**

Poland has an elaborate Road Safety management structure that was first (after the Soviet era) designed in 1993 and further formalized in 2002 (ETSC, 2006b). The National Road Safety Council (NRSC) is chaired by the Infrastructure Minister, his deputies are under-secretaries of state at the Ministry of Infrastructure and the Ministry of the Interior. Members of the NRSC are nominated by the Prime Minister and represent most of the ministries (defense, justice, finance, economy, planning and housing, education, health, labour, environment, and of course transport.

Also the Chief of Police, Chief Commander of the State Fire Service, Director General of National Roads and Motorways and the regional representatives of central government are on the council. The NRSC and Regional Road Safety Councils (RRSC) may invite also representatives of non-governmental organisations, researchers and independent experts, but these can only act as advisers. The NRSC works through a Secretariat, which is part of the Ministry of Infrastructure.

The NRSC is the policy-maker and coordinator of the government’s road safety efforts. Its tasks include proposing governmental policies, developing road safety programmes, initiating research, developing and evaluating road safety legal actions. It is expected to collaborate with voluntary organisations, non-governmental bodies and international bodies, analyze and evaluate safety measures and to report annually to ministers.

RRSC are established in the sixteen regions of the country. Their job is to coordinate the work of regional authorities at various levels. They have responsibility for developing regional road safety programmes, for approving the budgets of regional driver examination centres, (which have the power to spend some of their fee revenue on road safety improvements), and for analyzing and evaluating specific safety measures. By the end of January every year the RRSC are required to submit their reports.

One reason why Poland chose this road safety management structure was the need to obtain a stronger involvement from the government and local authorities in road safety work. However, in Poland’s changeable political situation and with the variety of other economic and social problems it faces, road safety never became a priority issue for the top state authorities (Parliament, Government).

The interest of regional authorities in road safety varies from region to region. Five of the 16 regions show some more involvement and developed successful regional programs.

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1 The text of the section on Poland is largely based on Ilona Butlter’s contribution to the ETSC, 2006 report on A Methodological Approach To National Road Safety Policies.
There is minimal involvement from non-governmental organisations and local communities in the delivery of the governmental road safety programme. It seems that the governmental programme itself has not provided for such involvement. There was little success in getting the interest of the private sector in crash prevention.

Poland has developed a series of integrated road safety programme, the first one in 1996, and then in 2001 ‘GAMBIT 2000’, and the current one ‘GAMBIT 2005’. GAMBIT 2000 has clear targets and an evidence based list of actions, but the Government was doing safety interventions outside the programme’s framework.

A careful analysis of the documents available shows that a definite majority of the safety programs and actions proposed in GAMBIT 2000 did not gain Government support and have not been implemented at all. The revised safety program GAMBIT 2005, set a safety target of halving the fatality number by 2013 to no more than 2800 (reference year 2003). Recently, more Government documents discuss the safety needs and targets of Poland and propose action programs: The National Transport Policy 2005 – 2025 (it proposes the adoption of Vision Zero in Poland), National Development Strategy and Strategy for Transport Development 2007-2013.

GAMBIT 2005 prescribes a broad range of preventive activities in all areas of the road safety system. The Programme includes five primary objectives:

- develop foundations for effective and long term road safety interventions
- improve road user behaviour
- protect pedestrians, children, and cyclists
- build and maintain safe road infrastructure
- reduce the severity and consequences of road crashes

Each objective comprises a package of actions and specific measures to meet the fatality reduction target at the national level. According to the programme, the greatest opportunities for saving lives lie in a more stringent enforcement combined with awareness activities and improving the safety standards of road infrastructure.

While GAMBIT and the other programs are all needed and are well reasoned, neither is addressing sufficiently the issues of how to go about the implementation process, what mechanism are necessary in Poland to start-up the various programs and assure their continuity.

**Estonia**

The National Road Safety Programme, 2003- 2015 (ENTRAC, 2005) was a one time effort to bring together all relevant stakeholders and experts in the country in order to map the projects and activities needed to advance the country towards the goal of no more than 100 fatalities in the year 2015. The numerical target is a consequence of accepting the EU challenge of halving the fatality figure from the reference years 2000-2002.

No specific targets were linked to different means of safety improvements (e.g. education, infrastructure, traffic management, drink-driving enforcement, information campaigns, speed...
control, vehicle inspection and many more). No state agency committed itself to a specific achievement. It was expected, however, that a major reduction in accidents would be gained through influencing road user behaviour by way of education, information, new traffic legislation and its enforcement.

The choice of specific activities and measures in the programme was based on analysis of Estonian road safety situation, institutional capacities (or lack of it), and promising measures based on previous international research and practical experience. Being a Baltic state, Estonia looked up at the experience of other Baltic states, and particularly to Finland.

According to Police and to officials in the Ministry of Economic Affairs and Communications, the punishment process (including collecting fines) is not sufficiently efficient and a large percentage of violations are not resolved. This is one reason both agencies are ambivalent about legislative moves to raise fines and other punishments. They believe that there should be a scale of punishing options between warning and harsh punishment.

The more general barriers (as seen by Police and by officials in the Road Administration) to effective enforcement concern the relatively low status of traffic work in the police force, not sufficient manpower allocated to traffic work in general and to “driver control” in particular, re-organization of Police that did away with most local special traffic units, conservative of legal institutions, inefficiency of fine collection procedures, lack of funding for on-going and new safety initiatives, lack or “capricious” political support.

Another general barrier is the lack of coordination between the major stakeholders in traffic law enforcement. The multi-agency task force in the early 2000s that produced the National Road Safety Programme for 2003-2015, was not active since then.

No permanent mechanism for monitoring, evaluating and updating the program was put in place. The general accident records are analyzed by the Road Administration, but few other program performance or other safety indicators are collected or evaluated for their implications. Difficulty in sharing information and data-bases among different government and public agencies and potential users, are considered a pervasive problem in Estonia.

The political initiatives for safety measures follow closely jumps in the accident fatality records. From 1998 to 2001 there was a steady decline in fatalities, with Estonia’s first years of rapid democratization and modernization. In 2000 Police was re-organized and among the changes, the special Traffic Police was disbanded. By coincidence (or some say not) in 2002 there was a jump in fatalities, which triggered the adoption of the National Road Safety Programme.

The following year there was a sharp decline in fatalities, which remained at the same level for three years until the numbers jumped again in 2006 and 2007. At this point the politicians are re-considering legal actions that might facilitate drink-driving and automatic speed enforcement. They are also debating (again) the introduction of a Demerit Point System and (of course) harsher penalties for traffic violators.

At the Ministry of Economic Affairs and Communication a one person effort is underway to formulate a new 3 year Safety-Plan (2008-2010) for Estonia. A task force was gathered again,
to produce a new program, but this time with the intention to leave it active in some capacity throughout the life of the new program. Perhaps it will be modeled after the Finnish ‘permanent advisory committee on road safety’. There is no formal procedure for stakeholders involvement, other than personally persuading each of them to participate in the plan and use their regular annual budgets to fund the projects recommended by the Plan.

In the important area of drink-driving control, which police admits it is not done efficiently, a major block is the need for a blood test. Despite several years of attempting, by the Ministry of Interior and the Police, the Ministry of Economic Affairs and the Estonian Road Administration, these institutions did not convince the Justice department and the medical establishment to accept evidential Breathalyzer instead of the cumbersome blood test procedure. Perhaps after the device has been recently approved and successfully used in Finland, it will be introduced to Estonia’s Drink-Driving enforcement process.

There are no speed enforcement targets derived from the National Road Safety Programme. At the time of the adoption of the 2003-2015 programme, legal speeds limits were raised on some of highest standard road sections, and a reference was made to trying out a system of Automatic speed enforcement based on a fixed camera. The legal system has not accepted yet some version of “vehicle owner responsibility” and, therefore, the police are not eager to start the project, which is deferred from year to year.

Currently there is a renewed attempt to modify the legislation to allow default liability of vehicles owners unless they supply police (or the courts) the name of the offending driver (usually by having another driver voluntarily admit to the offence and bear the consequences.)

There are several barriers to effective enforcement (as identified by Estonian officials):

- lack of secure funds
- lack of political support
- non-cooperative and sluggish legal system
- inefficiency of fine collection system
- inconsistent and not safety minded court system
- lack of coordination (and cooperation) within and between public agencies
- lack of systematically collected data on enforcement performance indicators
- lack of professional expertise and personnel at various levels of enforcement planning and implementation

The barriers most often mentioned specifically in connection with speed enforcement are the lack of legal and political support to create the conditions for instituting various forms of automated and efficient speed control. These include simple “vehicle owner liability” for violations committed with the owner’s vehicle, the possibility of using a license plate photo (or an electronic identification equivalent) to identify a vehicle, using a completely automated process of handling the chain of evidence, the option of using non-police personnel to install, operate and maintain most elements in the speed enforcement system.

Significantly, money was not one of the obstacles to deploy an automated speed control system, or at least to try it out. Funding is needed, of course, but there were over the years
several instances of available budgets, at least for pilot studies. Cost was never raised as an issue by those opposed to Automatic speed enforcement, as it was known that, at least in the beginning, automated system could generate large amounts of fines.

**Bulgaria**

We don’t know much about Bulgaria’s road safety management, but the bit of information presented here may point to a problem in other countries as well. The Bulgarian NRSP identified four main reasons for the accidents: inappropriate speed, alcohol consumption, driving without a license and too small penalties for such offences. According to the Bulgarian National Audit Office (BNAO), even with the small fines, Bulgaria’s traffic police had collected only six percent of the fines imposed on traffic violators. Therefore, it is not surprising that Bulgaria’s safety policy focuses on creating the legal, organizational and financial framework for enabling police to perform their tasks effectively.

This issue of an effective administration for fine collection is very relevant for cross-border enforcement. Until there are cost effective procedures to collect fines from non-resident drivers (and vehicles, in automated systems) and transfer money from one country to another, there is little motivation for state police and other agencies to vigorously process non resident violations, as the benefit might seem smaller than the cost.

### 4.3.2 Funding of NRSP and of Traffic Policing

**Different budgeting schemes**

Funding is a major implementation tool of public policy. A well reasoned NRSP, if it lacks valid funding provisions, could remain just an interesting document (although even a mere document could inspire better policy action).

Analysis of promised, budgeted, actually allocated and actually spent money in the framework of a given Road Safety Plan, is nearly intractable economic task, certainly beyond the mandate and feasibility of the PEPPER project. Only when lack of funding or the need for special, more than the usual Ministry’s and Police agency’s annual budget funding is directly mentioned in a plan, in its review, or in discussions with officials, do we know about the situation. In relatively few cases, it was clear that the Government committed special funds for a new plan.

The most common way of handling the funding issue is for every ministry that takes prime responsibility for certain area in the Plan, to refer to the NRSP when it develops its specific policies and action programs. It then submits funding requests through the mandatory public budgeting process in the country with the officially approved NRSP as a reference document that help justify the financial demands. The success of the requests depends on the many political, economic and other factors in the power-game for public funds. This process works well in Finland, in The Netherlands and The UK, but less consistently in some of the states.

For example, the 2nd NRSP of Cyprus, for the period 2007–2010, provides a general framework for specialized action programs that are to be developed by the responsible agencies. In the area of enforcement, the ministry of Justice and Public Order in Cyprus is then charged with developing action programs in the spirit of the NRSP and include their funding as
part of overall budget request. In Cyprus, the ministerial budgeting cycle takes place every two years. Financial assistance will also be sought from EU funds and from the private sector.

Some countries provide extra funds for special road safety action plans, either by increased treasury allocations or through special funding schemes linked to road taxes, fuel taxes, vehicle insurance or traffic violation fines.

**Norway**

In 2004, the parliament and the Council of State approved a resolution recommended by the Ministry of Transport and Communications, based on Norway’s National Transport Plan 2006–2015 *A safe transport system – fewer killed and injured on the road.*

The annual socio-economic cost of road accidents was estimated at approximately NOK 25 billion, with 1500 people killed or seriously injured. The Government upheld its commitment to the goal of zero serious casualties and to the intermediate objective of no more than 330 people killed or seriously injured in road crashes by 2016.

The resolution was clear about increased funding for building safety into new and existing road systems and for improved maintenance ‘which will increase both safety and traffic flow’ As to other ‘soft’ measures that are in the plan, including TLE, ‘control activity on the roads will be strengthened in order to monitor compliance with statutes and regulations concerning road traffic’, no mention is made of extra funding, although it is possible that more funding was secured in separate budget decision.

Nevertheless, the readiness to foot the bill for improving road safety in Norway appears to be stronger compared to what it was ten years earlier. Karin Køltzow, (1993), who interviews with top level decision makers in the road sector in Norway, reported that in the view of the officials, several obstacles existed to implementing safety policies: mobility had the higher priority and more lobbyists than safety, the commitment for implementing safety policies is not strong even among those responsible for it, politicians sidetrack effective (and perhaps costly) measures while making populist demands on road users. Unfortunately, this description may still be valid for other countries.

**Austria**

Austria provides an example of how revenues from traffic violation fines are turned around to be invested in roads and safety. 80% of the revenue of fines is distributed to infrastructure budgets and 20% to police forces. The police report a lack of speed enforcement devices, especially for the program of automated speeding control. A new allocation of fines is under consideration, in order to facilitate speed enforcement efforts.

Austrian officials also reported that the cost of prosecution and fine collection from non-resident drivers is too high. Therefore they support the Directive on cross border enforcement, which might help the setting up of procedures that will reduce the costs of enforcing non-residents, in addition to the legal and behaviour advantages.
Poland

Road safety funding in Poland was provided from many sources (ETSC 2006b). First, from the operating budgets of ministries, central agencies linked to the ministries, local authorities, government controlled insurance companies and state-owned enterprises. More recently, safety projects have been receiving funding from World Bank loans, from pre-accession and EU money and from private companies (e.g. Renault, Shell or the Polish Zywiec brewery). Poland’s major insurance companies have not shown much interest in promoting and investing in road safety, a situation not different from many other states. The funding from these sources is not coordinated and the measures ordinarily chosen include low cost road schemes, equipment purchases for the police and promotional and educational measures, mainly addressed to children.

The decision which preventative scheme to choose is usually made by the entity that controls the funds. The result is a lack of consistency in the measures applied, hardly any reliance on research and very little correlation with the government’s road safety programme. This makes implementation of long-term, integrated road safety programmes very difficult.

Despite many attempts, Poland has not succeeded in establishing a separate Road Safety Fund. Governments are reluctant to come up with dedicated funding system for road safety or for other policy objectives. In most states, treasury / finance ministries protect the principle of a single public ‘treasure’, which collects all revenues, taxes and fines. The government then redistributes the money according its priorities, and it wishes to retain both flexibility and control of the process.

Poland’s accession to the European Union has not had much effect on the funding situation. The funding criteria of the European Regional Development Fund and the Cohesion Fund provide support for only some of the elements of the road safety programme.

The Czech Republic

The Czech Republic’s NRSP, states that the financing of the plan will burden the budget of state, counties and municipalities, but without specifying the actual expected costs. The authors suppose that funds will be allocated, and suggest that there is a need to find in near future other sources of financing, including contributions from the private sector. According to Czech officials, the process generally did not result in increased funding for safety projects.

Belgium

In Belgium, the NRSP was allocated €420 million per annum, of which €140 million was marked for enforcement and sanctioning systems. In addition, money collected by traffic fines is put into a Federal Road Safety Fund (RSF). This fund gives financial support to police services (both federal and local) for specific road safety actions and according to actual performance. In 2004, for example, €42 million were returned to the police for enforcement of speeding, drink-driving and seat belt use (including campaigns). Police districts in Belgium are thus encouraged to submit annual TLE action plans in those areas.
Reducing size of police force

A number of countries (e.g. Switzerland, Estonia) reported a reduction in the number of police units or personnel dedicated to traffic policing. This trend is felt since the early 1990’s with the economic pressures to reduce public spending and greater importance given by the public to protection from criminal activities. One consequence of the shifting social priorities is a return to an earlier, pre-specialized mode of police functioning, where more police officers are considered generalists, who can shift to different police tasks, as needed. This situation makes it more difficult to reliably implement a TLE plan, since police manpower for traffic enforcement depends on what happens in other fields of local enforcement.

4.4 Monitoring and Evaluation

4.4.1 Safety and performance indicators and an Observatory

In the present context, “monitoring” refers to a specific mechanism for monitoring the process of implementing the policies and action plans of a NRSP (especially the parts dealing with TLE). The monitoring is supposed to go beyond a yearly count of road accidents and fatalities; it should count and measure relevant performance indicators of the actions resulting from the policies.

In the field of TLE, the indicators might be new legal actions, installation of N hundreds of automatic speed cameras, conducting N million Random Breath Tests annually, carrying out N seat-belt enforcement campaigns, belt-use rates by vehicle occupants observed in systematic field surveys, the number of issued- processed- and paid traffic citations, speed patterns on various types of roads, and many other measures. Such measures can indicate the extent that TLE plans are actually implemented and whether their behavioural or organizational effects are in the expected direction. Subsequently, some of these indicators might also be used in “evaluation”, that is, assessing and interpreting the impact of the safety oriented policies and actions on the ultimate measure of their success – the number of fatalities.

As in the case of “monitoring”, also “evaluation” in the present context, emphasizes the repeated periodic or continuous impact assessment and not a one time research effort at an evaluation. This means that a country wishing to monitor and assess the progress of its NRSP would need to define an organizational structure (newly created or within an existing research organization) and provide stable funding to carry out the monitoring and evaluation. This also implies that the monitoring and assessment need to be on a large scale, nationally (or regionally) representative, and be based on methods and tools that are standardized, transparent, relatively simple and accepted by the professional community.

Working Papers 23 and 24 of PEPPER discuss in more detail monitoring and evaluation needs and measurement issues of Enforcement Performance Indicators (EPI) and Safety Performance Indicators (SPI). The SafetyNet project has also addressed these issues (SafetyNet, 2007).

The concept of Road Safety Observatory is perhaps the closest to the needed entity to monitor and assess the relevant safety performance (or TLE performance) indicators in a country. However, only few countries (France, Spain, The UK, Denmark, Sweden, The Netherlands,
and Finland) have several elements of such systems in place, although many others are planning to have them (http://www.erso.eu/data/Content/introduction.htm).

Observers in France pointed out how having monitoring system and indicators helps Police and other agencies convince the public (and politicians) to accept further measures for advancing safety.

“A major advantage in this regard is that behavioural indicators on speed, alcohol and seat belt use, and indicators for traffic accidents have been available in France for some time. Figures proving the success of the new measures could be presented to the public without delay”.

In Spain, the National Road Safety Observatory is the responsible organization to identify and assess the best practices and to measure and follow up –on a biannual basis- the quantitative objectives [e.g. fatality reduction targets], and to measure the indicators associated with the key actions. There are 26 specific strategic objectives related to speed, drink-driving, restraints use, young drivers, black spots, motorcycles and others. The following measurable indicators were defined for some of the specific objectives:

- Fatalities in accidents per million inhabitants
- Changes in the ratio number of speed controls / sanctions
- Changes in the ratio number of drink-driving controls / sanction
- Reduction of random speeds
- Reduction of positive alcohol tests
- Changes in % of occupants using restraints
- Changes in drivers (and non-drivers) opinions about road safety
- Black spots reduction

The Spanish NRSP list 182 Key Actions, many in the area of TLE. Associated to the 182 Key Actions there are some relevant Activity Indicators and Performance Indicators.

In many countries, when specific safety measures are mandated by a NRSP, they are often introduced first as experiment or pilot project, sometimes with a research project to assess the outcomes of the measure. These are a one time projects and not a continuous monitoring mechanism. Therefore, the mere fact that a country has an active safety research program (list of various projects on a variety of subjects) or that there are several government bodies, each assigned to collect some statistical data that might be considered, in principle, as a safety indicator, is not the same as providing in the NRSP for a monitoring and evaluation system. Working paper 24 by WP4 of PEPPER offers a more detailed analysis of TLE monitoring and assessment issues, and provides several suggestions for good practice in this area.

### 4.4.2 Monitoring and evaluation of a TLE plan

Denmark provides an example of a systematic monitoring of a TLE plan, in the spirit of the Recommendation on Enforcement. The plan is not part of the NRSP itself; it is generated by the National Commissioner of police. The plan is generic and it does not describe the places
and the times for which random breath testing or speeding controls should be applied. It is assumed that Local Police have the necessary knowledge for detailed planning.

The total manpower budget is resourced to stop, say, 150000 vehicles per year (covering the whole country) for alcohol checks. The chiefs of traffic enforcement in the various police districts meet with the National commissioner and they jointly agree on the division of the allocation between the districts, based on earlier accident data, alcohol (or speeding) linked accidents, and enforcement activities in previous periods.

Enforcement actions (number of hours, number of police officers, number of vehicles stopped, number of tests, number of citations, etc.) are recorded in the next period and reported to Commissioner’s office, where they are evaluated against previous periods and new accident data. Feedback to the districts and discussions of potential changes and improvements in strategy and tactics of enforcement take place approximately every second month.

The National Traffic Police of Finland (a dedicated to inter-urban Traffic force) also works according to a very detailed plan, down to local units, and performance indicators are routinely collected. The top officials point out that in addition to the operational uses of the information, they find it very useful in the annual budget negotiations; the presentations of recorded facts are very convincing.

However, TLE monitoring ‘systems’ in many other states are ad hoc planning and control tools used by one administrative level (or rank, in police) to control a lower level. Therefore, the tools might be different at different levels. Often the higher level manager (or officer) will just look at the activity report to be satisfied that there are no obvious deviations from practice, and file it away not to be seen again.

4.5 UK review of DfT ‘Road Safety Strategy’, a model of systematic evaluation

A basic tenant of strategic planning is that the plan itself needs to be reviewed periodically, for assessing the progress of its implementation, for evaluating the success of the actions it inspired, and to re-examine the assumptions underlying the plan, its objectives and priorities in view of the world that has meanwhile changed. Indeed, most National Road Safety documents include a reference to the need for a periodic review.

In most states the review takes place in preparation for a new program, and is not necessarily periodic or systematic. It essentially consists of the sum of separate assessment or research studies of the success of the various- policy actions and direct safety measures. A body of experts may then deliberate on the overall implications of the outcomes and propose changes, if any, in the new NRSP.

4.5.1 Policy Review methodology

In The UK, the review of the Governmental Road Safety Policy is formalized, and was written into the Strategy, as the introduction to the first review states:
It was always envisaged that the strategy would evolve as new evidence, ideas and technology emerged. In addition to regular monitoring, Tomorrow's roads - safer for everyone therefore included a commitment to evaluate every three years progress in delivering the strategy and achieving the casualty reduction targets.

The Department established the Road Safety Advisory Panel which includes representatives of the main stakeholders. The Panel's role was to help government in taking forward the strategy and to review progress. The first three years review was issued in 2004 (UK, 2004), and the 2nd review in 2007 (UK, 2007).

The primary objective of a review was to provide a realistic evaluation of the effectiveness of the strategy (and its implementation) and of the likelihood of delivering the 2010 targets. Each review went over every item in the 2000 policy, suggested how to proceed with this item in the coming years, and identified other issues that have become relevant since the original Strategy. The review also looked beyond the 2010 horizon, to in anticipation of technological advances and social-economic changes that might deliver further significant casualty reductions. Therefore, the reviews may be considered as an updated version 2 and version 3 of the strategy.

The DfT sponsored during the years also other ‘thinking-projects’ evaluating the strategy or formulating new ones. For example, a report by the Transport group in UCL, *A Review of the Delivery of the Road Safety Strategy* – (Ward et al, 2003), which covered the same period and objectives as the ‘Three year review’, but was organized in a different, more traditional way.

The 2000 *Road Safety Strategy Tomorrow's roads - safer for everyone* by the DfT was briefly described in section 4.2.2 of this report. The Strategy set out a framework for delivering improvements in road safety over the next 10 years. The strategy included more than 150 measures across ten key themes:

Theme 1 - Safer for children
Theme 2 - Safer drivers - training and testing
Theme 3 - Safer drivers - drink, drugs and drowsiness
Theme 4 - Safer infrastructure
Theme 5 - Safer speeds
Theme 6 - Safer vehicles
Theme 7 - Safer motorcycling
Theme 8 - Safety for pedestrians, cyclists and horse-riders
Theme 9 - Better enforcement
Theme 10 - Promoting safer road use.

### 4.5.2 Example of the review of the theme ‘better enforcement’

**Strategy objective** - To maximise the contribution that road traffic law can make to reducing casualties, through persuasion, deterrence and effective and properly enforced penalties.

The discussion of what enforcement is and ought to be, makes these main points:

- Road policing is about persuasion and deterrence;
There has to be a wide range of penalties, corresponding to a wide range of offences in terms of seriousness, intent and outcome;

Road policing is an important element in reducing crime, indirectly influencing peoples’ readiness to use alternatives to private cars

Key strategy commitments in the 2000 plan included:

- more effective road traffic law and enforcement,
- penalties more appropriate and proportionate to the seriousness of offences,
- more emphasis on education and retraining,
- maximum use of new technology.

The document goes over each of the many actions points or issues that were in the plan, reviews the progress so far in quite detail, points to shortcomings, and offers specific suggestions as to what needs to be improved and what various government and other agencies can or must do to enable the improvement. The conclusions are backed up, whenever possible, by data provided by government and research organizations and by other documents of inquiries (such as by Parliament Transport Committee) into specific aspects of TLE, such as review of traffic law or report on safety cameras.

4.5.3 Road policing, crime, and traditionnal enforcement

The review is satisfied with the fact that the DfT enforcement strategy was accepted by many of the Police Forces.

‘The inclusion ‘of traffic policing in the National Policing Plan is strongly endorsed by the Association of Chief Police Officers (ACPO). It has adopted a policy (Modern Road Policing: A Manifesto for the Future) with four key aims of enforcing the law; promoting road safety, investigating incidents and patrolling the roads.’

It is satisfied with the contribution of other agencies to enforcement of crime on the roads.

‘While the Police continue to provide the most visible form of enforcement, many others including the Executive Agencies within the Department's Driver, Vehicle and Operator Group (DVO) are playing an increasingly active role in tackling vehicle related crime and delivering safe and secure drivers and vehicles.’

The review points to the marked increase in recorded speeding violations due to wide deployment of speed cameras (fixed and mobile) but acknowledges that detection of other offences was reduced.

The review approves of most recent development in police work, including use of Automatic Number Plate Recognition, transfer of non-policing traffic functions to others, and even reducing the number of police persons dedicated solely TLE. It apparently accepts the arguments of Police that the latter reduction is offset by Technology and by more officers fighting crime on the roads and who also deal with traffic offences.
On the critical side, the review addresses the need to improve efficiency and effectiveness of enforcement by using performance monitoring tools, and by using safety performance indicators such as number of people killed or seriously injured per vehicle kilometre in the police force area.

4.5.4 Other issues covered in the evaluation of enforcement

Enforcement in the commercial sector- the review is satisfied with performance relative to plan;

Uninsured and unlicensed driving- Considered a serious safety problem and revenue loss. DfT commissioned an independent study on the topic. The Driver Vehicle Licensing Agency and the police were given new legal powers to deal with such drivers and vehicles and fines have increased substantially.

On the issues of making penalties more appropriate and proportionate to the seriousness of offences and using education and re-training when appropriate, instead of conventional punishing, the DfT jointly with several other Departments in Government sponsored a review work that resulted in a Report on the Review of Road Traffic Penalties.

That report recommended a whole list of measures, which amounted to increasing the severity of punishment across the board of offences, in terms of fines, imprisonment, disqualification and other administrative restrictions. It also recommended allowing courts to apply community service, retraining, or improvement programmes for some offences. The ‘three year review’ points out that:

‘Implementation of these [recommendations about punishment] is subject to legislation. It has so far not been possible to implement the new penalties in full, given the competing priorities for a suitable legislative slot’.

The Review specifically notes Drink Drive Rehabilitation Scheme, and Speed Awareness Courses as new approaches that are being monitored carefully, and that emphasis will be placed on quality, and quality control, rather than volume of throughput.

In the area of encouraging use of Technology in enforcement the review is satisfied with the implementation of Automatic Number Plate Recognition (ANPR) cameras and systems based on them. They improve police efficiency when used in speed enforcement, but their main advantage is as real-time screening tool to alert police of any suspicious vehicle on the road whose license plate (automatically checked against a data base of ‘problem license plates’) is linked with crime against traffic law, customs law or any other law.

‘ANPR enabled officers are achieving ten times the expected arrest rate of other officers, and ANPR is proving a very effective tool for reduction of crime on the roads’
4.5.5 The 2nd review of the Government’s Road Safety Strategy

The 2nd review, in 2007, is organized in the same way as the first one. It reiterates the Government’s policy on Road Safety and notes the positive progress made in the last three years. In the area of road user behaviour and enforcement it identifies Drink driving, speeding and seatbelt wearing as still key issues on which Government need to do more. Also identified are groups that remain more at risk on the roads - motorcyclists, young drivers and those who drive for work. These issues are, of course, not independent. Non-resident drivers are another problem group that is attracting more attention and special legislation from authorities to make it easier to detect them and enforce the rules or the road.

The Review states that the Government has already started to up the level of enforcement on drink driving, combined with enhanced publicity campaigns. It promises to do the same regarding seatbelt wearing. Research on fatal accidents demonstrates that about a third of people dying in road accidents are not wearing their seatbelts.

Speeding control is increasingly managed by Partnerships of Local Authorities, the local Police force and other stakeholders, and the Government intends to continue supporting it. In addition to direct enforcement, the DfT supports legal and engineering actions to have greater consistency of local speed limits across the country. Many areas have already implemented 20 mph limits in residential areas and the DfT will promote their further use.

A good part of the Review describes the mechanisms for implementing (‘delivery’) the Strategy. Building partnerships between relevant stakeholders is a major mechanism that is supported by research and funding. We mentioned already the partnerships for speed management and specifically for operating automated safety cameras.

‘We will therefore set up a new national Road Safety Delivery Board to bring together representatives of our key delivery partners. The Board’s task will be to sort out problems and issues, assist in developing closer partnerships and ensure that good practice is widely disseminated. We also intend to help further those local partnerships that are struggling’. ‘Local authorities, the police and other local delivery partners are key to the delivery of our road safety objectives. We will, therefore, develop an engagement team within DfT to support local partnerships’

Perhaps the most prominent partnership is between the DfT, the Home Office in charge (but not direct command) of Police, and the Association of Chiefs of Police Officers, which results in joint or coordinated Road Policing strategies and policies that take in account road safety objectives and good practices. Even when the Review points to the national decline in the number of police officers dedicated to traffic enforcement, the tone is not critical, but rather hopeful, by signs of change and potential compensation through more efficient traffic enforcement.

Partnerships are sought also with organizations and Governments agencies other than Transport and Home Office (Police). The interests of agencies that deal with energy, climate change, social exclusion, health, urban renewal, occupational safety and health intersect those of the agencies directly dealing with Road Safety.
For example, as part of the Strategy, the independent Work Related Road Safety Task Group was formed to examine the scale of work-related road accidents. The Group concluded that “between 25% and 33% of all serious and fatal road traffic incidents involve someone who was at work at the time.” (Dykes, 2001).

One of the recommendations of the task-force was that “existing health and safety law should be applied to on-the-road work activities and that employers should manage road risk in the same way as they manage other occupational health and safety risks”.

In this context is should be noted that in the occupational health field there are very many regulations but their enforcement is carried out mainly by inspectors and not police officers.

In the context of enforcement of interest here are the tools for monitoring the success of the police in advancing the safety objectives of the Strategy. The partnership DfT- HO-ACPO developed a set of key indicators for traffic enforcement. They include:

- The proportion of breath tests following collisions which show positive, providing an indicator of the prevalence of drink driving, which can be monitored over time;

- Data from speeding monitoring devices such as those at safety camera sites, which provide an indicator of the prevalence of speeding; [in the research community speeds measured at the site of cameras are not considered a proper indicator for prevalence of speeding]

- Data on levels of observed compliance with seatbelt use; and

- Local opinion polling to monitor how safe and secure people feel on the roads.

It should be noted that Police Forces in The UK can not be forced to use these indicators, or even to adopt the Road Policing Strategy. However, Forces can be persuaded to do so by the Home Office. For example, the Home Office is implementing a Policing Performance Assessment Framework, which rates Police Forces on their overall policing performance; the Home Office might stipulate that Forces that have not adopted the Strategy and appointed a chief officer for monitoring the indicators, could not get the higher level performance rating. In order to enhance the impact of the assessment, DfT persuaded Her Majesty's Inspectorate of Constabulary (HMIC) to consider compliance with the Road Policing Strategy as part of the basic annual review it conducts of all police forces.

The 2nd review of the Road Safety Strategy ends with a timetable for the development of a strategy beyond 2010. The process of planning has already begun by funding conceptual projects such as the work by the Parliamentary Advisory Council for Transport Safety (PACTS) Crawford (2007) Beyond 2010 - a holistic approach to road safety in Great Britain. The updated version of the UK strategy on road safety will be published in the Spring / Summer of 2009.
5. CASE STUDIES OF DIFFERENT APPROACHES TO SUCCESSFUL ROAD SAFETY MANAGEMENT

5.1 The case of the New Road Safety Policy in France

5.1.1 The ‘French Experience’ in short

Until 2001, the French performance in road safety was ranking among worst EU-15 countries. This is in spite of the fact that the National policy on road safety was already centred on traffic law enforcement. Specifically TLE, in principle, focused police control on the three risk behaviours targeted by the 2003 EC Recommendation—speeding, drink driving and non use of safety belts. In fact, many of the legal measures and tactics of enforcement that the commission has recommended in 2003, have already been applied in France.

In 2001, road travel in France reached hundreds of milliards of vehicle-kilometres, 84% of it by personal transport vehicles. The previous thirty years of road safety policy had lowered the fatality rate from 16,000 deaths in the early 1970s to 8,000 road deaths in 2000, with no indications of further improvement. By the end of 2006 it was already apparent that France caught up with the best road safety performing states in the EU, and on the way to reach the EC safety target for year 2010 in record time.

This turn of events is widely attributed to the impact of the Republic’s President's inspiring speech and decision of 2002 to change the appalling situation that a great and advanced nation such as France lags behind all comparable western EU states in the safety it provides to its citizens when they travel on the country’s roads. The quick, steep, and stable downward trend in road mortality that followed the president’s executive decision, can be viewed as strong evidence for the centrality of political steering in national performance of road safety management.

The review of the French experience concentrates on key governmental strategies in the 2001-2006 period that succeeded in a short period of time to reduce significantly both speed excesses and fatal accidents on France’s roads. The analysis is based on public reports, press releases and other documentation on the political and administrative process steering the new road safety policy, and on information gained through twenty interviews with stakeholders active or knowledgeable of the process of steering the safety policy to results.

5.1.2 The road transport context in France

The domestic annual ritual of road safety appraisal in France was to compare France to the United Kingdom, which for the last two decades used to score half the number of road fatalities. The comparison was naturally tempting, since the two countries are similar in the size of population, the level of motorization, and the annual kilometres driven.

However, these similarities in total volumes of vehicles and travel, do not capture larger differences in other aspects of the transport systems in the two countries. For instance, the
dissimilarity of free flow conditions (linked to differences of road network capacity, congestion frequency and speeding opportunities) can explain some of the disparity between the UK and France in terms of speed-related mortality. At the same time, the differences between the states in road network characteristics also reflect divergent State answers (priorities, strategies) towards developing the road system including its safety management.

Over the 2nd half of the 20th century France has invested a considerable amount of money in developing its national roads and motorways. It is EU largest country in size and has the EU longest road network. Table 5 lists few more figures about basic transport attributes.

Table 5: Basic attributes of France’s transport context

<table>
<thead>
<tr>
<th>Country area</th>
<th>500 000 km²</th>
</tr>
</thead>
<tbody>
<tr>
<td>population</td>
<td>62 millions inhabitants</td>
</tr>
<tr>
<td>Road network</td>
<td>1.22 million km</td>
</tr>
<tr>
<td>Motorways</td>
<td>11 000 km</td>
</tr>
<tr>
<td>rural areas (75%)</td>
<td>8180 km</td>
</tr>
<tr>
<td>urban zones (25%)</td>
<td>2625 km</td>
</tr>
<tr>
<td>National network</td>
<td>26 000 km</td>
</tr>
<tr>
<td>Departmental network</td>
<td>360 000 km</td>
</tr>
<tr>
<td>Urban network</td>
<td>600 000 km</td>
</tr>
<tr>
<td>Car industry</td>
<td>10% of manufacturing</td>
</tr>
<tr>
<td>Annual traffic</td>
<td>568 milliards km vehicle</td>
</tr>
<tr>
<td>motorways</td>
<td>21% of the traffic</td>
</tr>
<tr>
<td>Individual motorized mobility</td>
<td>86 % of road transport</td>
</tr>
</tbody>
</table>

Figure 5 shows a map of the main road network in France. It shows the high density of roads and the many hubs, including the major Paris hub. The yellow and red marks indicate older, newer and planned camera / radar installation. This road structure reflects the centralised structure of country’s administration, based on 90 territorial Departments, a structure that was in place for centuries.

In recent years the share of National roads the network was reduced, as part of them were re-designated as regional roads, a fact that has implications regarding design standards (and maximum speed) of the roads, operational responsibility, and funding allocations. By January 2006, the residual national network represented 8% of the total length of roads. However, this part of the network carried more than 50% of the traffic volume and accounted for 25% of the road mortality in the country.
Figure 5: A map of French major road network and camera / radar installations

Yellow and red marks indicate older, newer and planned camera / radar installation.

Given France’s geographical location, commercial trans-EU traffic in North-South axis is crossing France all year along (17% of motorways traffic). Periodically, the network supports massive holidays’ migrations of northern European populations going to Mediterranean and other south destinations. As the country is also one of the 1st tourist destinations, cross-border traffic and regulation are important part of national road transport conditions.

Economically, road transport, car industries (RENAULT, PEUGEOT, CITROEN) and the petroleum companies (TOTAL, ELF) were traditional dynamos of economic growth that all Five Year State Plans have regularly supported since the second-world war. Car industry still accounts for 10% of the national manufactured production and its growth pulled upstream metallurgical and chemical industries. The 3% mean growth of road traffic per year was hauling the economic activities of road engineering and equipment, notably, the extension of motorways that grew in average of around 260 kilometres per year since the 1970s.

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2 These economic 5-years state plans lasted up to the new millennium.
Historically, generations of "Ingenieurs des Ponts et Chaussées" have promoted and supported the joint economy-and-road transport growth, attempting to keep up with increasing demands by building more roads and increasing capacity, and maintaining a free flow of traffic. In that way, motorways were built for insuring an average speed 140km/h whatever the number of curves and hard slopes along the route. The infrastructure that was built to help free traffic flow also resulted in a network that provided ample opportunities of speeding.

5.1.3 Franc’s road safety policy context

France belongs to the group of high-motorised European countries having experienced from the 1960s on, both an accelerated growth of the individualised road transport mode, and a very large increase of road morbidity. However, from the 1970s, western governments have reacted to the carnage on the roads by starting national road safety programs for stopping and reducing the annual escalation of road fatalities. The French state did the same, but in the long run, it didn't perform as well the others.

France has had in 2001 (and the years before) all the expected government institutions, police forces, non-government organizations, management mechanisms and specific safety measures to deal with road safety in all its aspects- road design and operation, vehicle design, traffic management, traffic enforcement, driver training and licensing etc. It has world class transport and safety research institutes and professionals who were knowledgeable about the state of the art in road safety.

For example, the list of road safety focused bodies and their tasks has not changed much since they were established and after 2001.

**DISR - 1972 (permanent)**

Inter-ministerial Delegate for Road Safety (permanent)

Attached to the 1st Minister (chief of governmental policy)

DISR leads traffic safety policy - action frame and development

**CISR - 1972 (periodical)**

Inter-ministerial Committee for Road Safety (periodical)

Summoned by the 1st Minister to set next policy objectives

DISR leader role + Representatives of all main ministries involved, Transport and Public Work (Roads, Army (Gendarmerie), Interior (Police and Prefects), Justice, Education, Health, Finance

**ONISR - 1972 (permanent)**

3 National elite body of civil engineers that were the historical supervisors and managers of country territory planning, of road transportation regulations, including the delivery of licences for transport of goods, of public works monitoring, especially for road network building and maintenance, ....
1st national observatory of driving behaviour (speed, seatbelt) initiates periodical roadside observations. Centralized national data (accident, offences, polls.) Publishes the annual report on road safety.

**DSCR - 1982 (permanent) Road & Traffic Safety Directorate**

Executive board of traffic safety policy management on behalf the Ministry of transport and Public Work. Five sub-directions, decentralised policy, education & communication, road network, vehicles.

**CNSR - 2001 (periodical), National Council for Road Safety, assisted by an expert group.**

Advises, recommends policy actions and orders studies. 45 representatives of all major stakeholders (sectors & actor groups)

The Gendarmerie under the Ministry of Defence

The National Police Force under the Interior Ministry

At the regional and local levels there is the Prefect- responsible for governmental policy, local mayors, the national police forces in the region and local police forces.

Road safety policy was much focused on road user behaviour. Regulations, police enforcement and punishment were considered essential for managing drivers. Even the emphasis on speeding behaviour and drink- driving as priority enforcement targets had a long standing policy and practice in France.

In the main, traffic safety policy after 2001 remained unchanged in terms of its focus, targets, action modes, Police control, legal penalty process, demerit point system, and other practices. The central bodies mentioned above continue to function. The division of responsibilities in the enforcement chain has remained almost unchanged. Yet there was a change.

**5.1.4 A ‘new deal’ in road safety management**

Road safety became a priority issue for the French Government following the results of the May 2002 elections. Increased public awareness and concern about road safety was spearheaded by road victims associations. Among other things, the traditional amnesty given after an election to road penalty code offenders was hotly debated in the media. It was argued that speeding increases and reduced enforcement led to more traffic accidents during the election campaign period (2001). The CNSR recommended to the Government not to issue the amnesty law in 2002. The recommendation was followed and favourably accepted by the public.

Quickly after the (re)-election in May 2002 of the President, a few striking political (because of the president’s involvement) events broke 30 years of habitual safety policy management and ushered a new era of determined State level commitment to implement its own policies.

Significant milestones of the start of a new era included the following events.
On 15th May & 17th June the responsibilities for road safety policy and for deployment of the Gendarmerie in road policing functions, were moved from the Ministry of Defence and attached to the Ministry of the Interior. This made one agency responsible for almost all traffic police enforcement activities in the state. This was part of a larger move led by the Minister of the Interior, (who became the new President in the next elections).

2nd July marked the abolition of the traditional President's amnesty for traffic offences, before the National day of July 14.

14th of July, an occasion of a National festive day, the French President delivered a solemn TV address, in which he declared that it is unacceptable for a great nation as France to have so many road deaths, and that he has made road safety the 1st policy priority of his next presidential term.

The specific safety measures that were implemented since that famous speech are well known and documented, especially the establishment of the camera-based automated speed enforcement system (CSA). Also the very quick and positive changes in behaviour and safety outcomes of the new measures are well known. What is of interest here are the policy and administrative elements that made it possible to implement the direct safety measures, particularly the TLE measures.

5.1.5 Key policy elements of the French New Deal

The ‘new deal’ relies on a historical conjunction of special political conditions and the emergence of new or revitalized crop of politicians and top administrators who were able to lead and motivate their staffs, and promote more effective management tools and levers.

The French State President was personally engaged in promoting the priority of road safety; he had 22 publicised presidential appearances in many events and occasions, such as the World Motor Show. The Minister of the Interior was given (perhaps took) a new role of leadership in the area of traffic safety and enforcement by taking control of traffic functions of the Gendarmerie.

The resolve of the top leadership reduced the traditional contentions between different branches of government, for example between gendarmerie and police, minimized resistance to management changes, and generated a large and lasting mobilization of all stakeholder/actors in the enforcement chain. A more representative group of stakeholders were recruited to participate in road safety policy discussions (the revived mechanism of a National Council for Road Safety), changing the traditional dominance of the Safety Directorate in the Ministry of Transport & Public work, which historically gave priority to road building and improvement.

In the years leading to the New Deal, ground work was done by the previous administration and road safety institutions to evaluate existing policies and practices and suggest better ones. The new leaders found assets (policies, management tools, safety measures ideas) that were already formulated or near implementation stage.

For example, the pre-2002 Inter-ministerial Delegate (DISR) has already produced evaluations of enforcement practices, assessed the potential for more efficient TLE, put in place a refined
process of accident data collection, created three task forces to examine new technologies of enforcement (automated road control, intelligent speed control, alcohol locks), and created local hubs of road safety management and coordination.

The general budgeting reform (LOLF), of the administrative management of state finances funding state policies, was already voted (Finance Act, 2001), starting a revolutionary change in traditional financial management, opening new and better funding conditions for road safety activities. Finance Act of Interior Security (LOPSI) initiated by the Minister of the Interior, anticipated implementation of the general LOLF reform, and helped provide the funding for the automated speed control system.

The safety research community in France was quite aware of the role of speeding in France’s accident picture and that effective speed controls (and junction management in rural areas) are critical elements in reducing road crashes. The new leadership had their full support for breaking with the old political and social tolerance toward speed excesses.

5.1.6 Support for police work

Traffic Law Enforcement was the main State action of the new French road safety policy. Police forces benefited from the new policy situation in terms of increased resources for enforcement activity. The new LOPSI mode of financial management was a powerful motor of policing efficiency, because it linked further increase in funding to objective indicators of enforcement performance (recorded activities, measures of compliance by the observatory, accident impacts, also by the observatory). Police accepted the new forms of enforcement management and practices because they had very satisfying feedback of the quick drop in fatalities and a clear increase in financial resources.

Police embraced the new technology for speed control on a large scale, which helped to produce convincing results. The technology input of mobile and fixed automated speed control was a booster for Police speed enforcement, but it also facilitated many improvements in the processing and follow-up of all traffic violations, simply because the larger volume of citations required better efficiency. From 100 cameras in 2003 the CSA system had 1000 cameras in 2005 and about 500 are added yearly.

Police now are open to ideas such as ‘section speed control’, using the records of toll roads to control speeding, lowering speeding so called tolerance to near zero. Many aspects of the support systems for police enforcement were also improved in terms of legal backing and administrative efficiency:

- Simplified legal / administrative procedures for small offences;
- Tough sanctions for criminal offences and no leniency acts;
- Strict use of disqualification sanction when legally required;
- Vehicle owner responsible of fine payment in automated citation;
- Evidential breath tests;
- Efficient management and utilization of demerit point system;
- Efficient management of National Licence Agency records.
- In summary, the main inputs of the new deal in road safety management shift in 2002 included the following elements:
  - Genuine political commitment
  - mobilization of stakeholders (including government bureaucracies)
  - changing entrenched organizational structure and procedures
  - insuring stable funding process
  - efficient management of enforcement chain
  - adoption of innovative / automated enforcement technologies
  - large scale / critical mass implementation
  - securing public trust and support through fair legislation and presentation of (positive) outcomes

The main outputs of the New Deal (correct for 2006 but valid for the next two years) can be summarized in the following figures, that are self evident and need no explanation.

![Figure 6: Decrease in % speeding with Increase in speed enforcement in France](image-url)
Figure 7: Increase in all citations, especially for speeding in France

Figure 8: Correlation between speeding reduction and fatality reduction in France
This kind of safety outcomes give French officials hope and confidence that they can further bring down road fatalities, using essentially the same management approach they have used since 2002. The French inter-ministerial committee on road safety (CISR) proposed on the 13 of February 2008 a package of measures to reach the new target that the current administration agreed upon: to fall below 3000 yearly road deaths by 2012 (the current figure is above 4500).

The measures cover many aspects, including investment in urban & rural junctions, motorcycle and bicycle safety, more drink-driving control, continuation of the deployment of automated speed cameras, and requiring regional ‘Departments’ to prepare a yearly enforcement plans for road checks and make the outcomes public.
5.2 The case or Road Safety policing in The UK

5.2.1 Road Safety policy – shared responsibility

The problem of road safety is shared between the DfT (Department for Transport, whose extensive range of responsibilities includes road safety) and the Home Office (HO) - who are responsible for funding and managing the police and determining policing priorities. This means that the DfT are responsible for setting road traffic law (and setting reduction targets and monitoring progress towards achieving them) and the HO who are mainly responsible for achieving compliance, or enforcing traffic law both ‘on the road’ and, if required, in a court of law. The two offices do engage in extensive consultation to support their respective roles.

In addition to the DfT and HO there are a number of other key stakeholders involved in the process of traffic law enforcement such as a Parliamentary Advisory Committee (PACTS), Safety Camera Partnerships and independent ‘pressure groups’ such as BRAKE, RoSPA, car clubs (such as the RAC and AA) and also a number of interested trade organisations.

The DfT, the HO, PACT, APCO (Association of Chief Police Officers) all produce and update policy documents about Road Safety and Road Policing. Some documents may include ‘good practice’ suggestions. However they do not prescriptive tactical guidelines about how the police should actually go about enforcing traffic law on a day-to-day basis; a ‘you know best’ approach appears to apply to the different police authorities.

It is notable that ACPO has a Research and Development Portfolio and is closely involved in R & D matters and maintains a close liaison with the Road Crime Section of the Home Office Public Order and Police Cooperation Unit through membership of its Road Policing Research Committee.

Changes and additions to the traffic law are initiated by DfT. In addition to its more strategic functions (e.g. planning improved infrastructure and reducing congestion) the Department also has a very strong safety focus (in part driven by targets) and this is supported by a very extensive research programme which is well staffed and funded.

Usually any proposed changes to the law are opened up for public/stakeholder debate – by means of instruments such as Policy Papers – in addition to scientific review and evaluations intended to take account of relevance, practicality and cost benefits. Typically new measures are subjected to extensive and rigorous pilot testing and longer-term monitoring that is used to identify problems with implementation and ‘fine tune’ their working.

Despite its enviable road safety record (and membership of the ‘SUNflower club’ of the 3 safest European countries) the UK’s Department for Transport set itself very challenging crash reduction targets to be achieved by 2020; similar to those set by the EU as a whole. While a wide variety of measures have been identified by the DfT (see Tomorrow’s roads: safer for everyone, UK DfT, 2000) “improved enforcement” has been specifically identified as likely to play an increasingly important role in reducing both crash numbers and their severity.
5.2.2 National guidelines – local autonomy

There are 53 individual police regional authorities in GB - there are currently 43 in England and Wales and the rest are in Scotland and Northern Ireland; (but note that Scotland has a different political hierarchy to England and Wales). They are given considerable autonomy by the HO about their policing priorities, how they go about applying traffic law in their territories and how to allocate their funding. The regional forces tend to write their own Road Safety or Policing strategies, often in cooperation with the local municipal authority of their territory. The Home Office allocate individual police authority budgets and these will be based, in part, on past activities and future needs.

The HO publish annual policing data for individual forces (such as number of breath tests conducted, the percentage change from the previous year, the proportion of breath tests that were positive, and the number of speeding offences recorded by both mobile patrols and ‘safety’ cameras). This does not appear to serve as a recognised benchmark of performance level, or league table. However, it is likely that responsible officers in individual forces will have more than a passing interest in how they compare to others.

Also the Traffic Police Policy Unit, a committee operating under the national Association of Chief Police Officers (ACPO) provides a ‘joint strategy’ to all forces (for example, The ACPO ANPR Strategy for the Police Service 2005/08) but they see this as having the status of “good practice advice to forces” and do not provide detailed strict ‘rules’ to be followed, or checked on, for how they respond to the advice.

In Britain enforcement plans are required as part of local government’s Local Transport Plans (LTP) submitted by individual regions to central Government for approval and funding; It is worth noting that LTPs also cover things such as safety targets, anti-congestion planning, environmental issues, provision of public transport and access for the disabled – and make reference to progress made towards previous targets (and past spending). The local police force will often contribute and share in the plan.

Each of the separate police authorities that operate within the UK can decide how to best employ (what they typically describe as ‘scarce’) resources. The advantage is that the police can tailor their activities to suit local conditions. Some police areas have many miles of motorways to cover, some areas are more urban and some more rural, and others have shipping ports so that they have, for example, many more UK and foreign HGV drivers to monitor than is the norm.

In the main, the differences in the practice of traffic policing between the forces reflects the many differences between the territorial areas covered by police forces. Some differences might also reflect personal preferences by Chief Constables and reliance on local

The system of granting freedom and autonomy to the different police forces is generally not a matter for institutional or public debate, or concern. However, what is often questioned - in a high profile public debate – is the varying (and increasing) number of speed camera employed in different regions, hearsay that different tolerances (the speed over the posted limit required before a violation is considered to have occurred) apply in some areas, and the widely reported variability of penalties issued by different courts for similar offences.
5.2.3 Policing, road policing and traffic law enforcement

British police forces consider ‘active traffic law enforcement’ (in the sense of planned speed or alcohol checks, for example) as a subset of a larger domain of road policing that, in turn, is a subset of ‘policing’, which covers all aspects of police work.

Road Policing still has the traditional meaning of general traffic surveillance, incident and accident management, traffic direction and active enforcement of regulations; but in the UK it has acquired an additional meaning.

Road policing is perceived by police as an important player in the fight against crime (‘real’ crime and criminals). There are crimes against vehicles, road users and authorities (e.g. theft and robbery of vehicles and goods, non payment of insurance or vehicle charges). In addition, criminals of all sorts who use vehicles and roads in their criminal schemes do not respect traffic law and often endanger other road users. Indeed, Department for Transport (2002) has shown a link exists between traffic safety offences and other criminal offences for UK drivers. Therefore, police believe that monitoring the roads is a useful policing method to investigate, deter and catch criminals.

A British Parliamentary Committee Report (House of Commons, 2004) commented that “most forces saw road policing as a peripheral task”. The committee did recognised that some police forces are using roads policing as part of their wider strategy, and are taking the need to reduce road deaths and injuries seriously, but insisted that other forces should also follow this lead.

In another query, the Committee raised concerns about insufficient levels of traffic police in Britain, and the Government’s failure to make roads policing a national policing priority. The response was that any police officer can enforce traffic law and the number of dedicated traffic police should not be the sole measure of roads policing activity.

The ‘National Community Safety Plan’ (UK Home Office 2006, 2008) identifies implementation of a ‘Roads Policing Strategy’ as a key action for the police during 2006-09. Eleven Government Departments, including the DfT, contributed to the Plan, lead by the Home Office. The linking of community safety and road safety was made clear:

“The enforcement of traffic law and more general law enforcement are not mutually exclusive activities. Specifically, academic research has shown conclusively that those who commit a wide range of criminal offences are also predisposed towards traffic law offending. As such, an effective way of targeting and disrupting mainstream offenders is to target their traffic offending.

For example, a prolific burglar who uses a motor vehicle in the commission of his offending is also likely to be driving an uninsured and unlicensed vehicle. Targeting uninsured and unlicensed vehicles, particularly through the use of ANPR, is quite likely to bring this burglar to police attention. Use of our new powers to seize uninsured and unlicensed vehicles will then result in this criminal losing the means to commit crime as readily, thereby significantly disrupting their criminal activity as well as improving road safety.”

Also the 2008-2011 plan list road safety among its 5 top priorities.
'a reduction in deaths and serious injuries on our roads, especially as a result of the most serious offences (e.g. drink driving, speeding or driving while disqualified, uninsured or without a licence, among other offences)'

Committing the Government to

'support the Police Service in implementing the joint Roads Policing Strategy to reduce road casualties and help deny criminals the use of the roads, counter terrorism, reduce the anti-social use of roads and enhance confidence and reassurance'.

In January 2005, the DfT, Home Office, and APCO issued a new joint strategy for policing roads (UK, 2005), which included a commitment to a higher visible police presence on the roads. At about the same time a Road Safety Bill was introduced in the parliament aimed to give police new legal powers. It included the following items: to take drink drive evidence at the roadside, to target uninsured vehicles through the use of Automatic Number Plate Recognition (ANPR) and to require mandatory re-testing of drivers disqualified for two years or more. Police forces expected, of course, additional funds for these activities. However, it is not clear that any significant increase in resources resulted from this legislation.

5.2.4 Public concerns about TLE in the UK

Although the Police are typically viewed as the ‘front line’ in traffic law enforcement, compliance with traffic rules is achieved through the work of a variety of agencies with each playing a part in the process. These include (at the ‘top-end’) the policy makers who frame the legislation to be enforced and the penalties for non-compliance.

In the UK it is considered essential that the legislation is accepted, at least in broad terms, by the majority of road users - and by the police who have to support its value and approve its practicality. Thus policymakers may only consider legislation when debate and surveys show this acceptable; and may also reinforce the implementation of policy with extensive public awareness campaigns explaining the reason for and justification of the legislation.

By and large, in the UK there is a good appreciation within the general public about the importance of road safety and the need to comply with traffic laws and regulations. In part this is the result of extensive and ongoing public education and publicity programmes and in part it is the result of ‘selling’ enforcement as a way of improving safety – rather than simply punishing people for committing offences.

5.2.5 The shifting balance in the enforcement chain

The increased use of automatic enforcement in the UK over the last few years has significantly changed the role played by the police. The majority of driving violations resulting in some form of sanction (e.g. fine, penalty points, loss of licence) are now the result of fixed (automatic) penalties resulting from camera enforcement, with only a small number involving ‘active’ police enforcement at the roadside and direct contact with drivers. In the case of drink-drive offences there is the process of stopping vehicles and personal contact.
Notably, the increase of automatic enforcement has also been supplemented by a number of new laws such as the use of mobile phones while driving and legislation aimed at making aberrant/unsafe behaviour easier to prosecute in a court of law.

A much smaller proportion of offending drivers attend a court of law; with these often being as a result of appealing a fixed penalty, or being prosecuted for a more serious offence. In such cases the courts are given the responsibility for ensuring that those caught failing to comply with the law are given an appropriate penalty. While the nature and range of the penalty will usually be defined in the original law, courts often have a substantial freedom to interpret sentencing policy so that consistency is often brought into question.

Another consideration here is that traffic law can be administered in different ways. For example, some offences fall under (Administrative) Civil Law while others come under the Criminal law; drivers can lose their licence in both Crown and magistrates courts. It is worth noting that the number of offences dealt with in the courts (per head of population) in Britain is about double the number in the other SUNflower countries such as the Netherlands and Sweden.

5.2.6 Enforcing non-compliance target behaviours in the UK

The SUNflower+6 report on the three safest EU countries (Wegman et al, 2005) estimated the percentages of road accidents that could be theoretically prevented by focusing enforcement on target behaviours. These were 17, 10 and 10 % for speed enforcement in Sweden, the UK and the Netherlands respectively; 2, 4 and 8 % for seat belt enforcement in Sweden, the UK and the Netherlands respectively; and 3, 4 and 5% for drink-drive enforcement in Sweden, the UK and the Netherlands respectively.

These figures may have reflected the relative levels of compliance already achieved in each state with the behaviours, and what extra benefit could be gained from targeted effective enforcement in each area. The UK expected gains were relatively small in seat-belt and drink driving improvement but more significant in the area of speeding.

The statistics published by the HO show a very marked increase over the last few years in speeding offences (the vast majority resulting from cameras), a relatively steady number of breath-tests and drink-drive convictions and only a very small number of registered offences for not wearing seat belts.

**Seat-belt wearing enforcement**

All available statistics show that seat belt wearing rates in the UK are amongst the highest in Europe, if not the world. This is in spite of the fact that the UK was relatively late within Europe in introducing compulsory seat belt wearing. Notably the introduction of the seat belt law was preceded with extensive public education and publicity campaigns aimed at persuading the public of the value of wearing belts.

The introduction of the law making seat-belt wearing compulsory resulted in wearing rates quickly going up from around 45 – 50% to well over 90%; and wearing rates have been
maintained at this level for many years such that active targeted enforcement is no longer common practice.

One consequence of this is the lower priority given to ‘full’ enforcement of such offences, with only around 10% of offending drivers actually being prosecuted, with the others simply given a verbal warning (for ‘forgetting’ rather than deliberately ‘disobeying’ the law). The strategy of improving drivers’ behaviour in this area by education rather than punishment is also serving to maintain good working relations between the police and the driving public.

A similar development took place with respect to rear-seat passengers. Current publicity and enforcement activity is focussed on the use of child restraints (the right type for the size of the child) which will also serve to reinforce the continuing high rates of confidence in the safety value of wearing your own seat belt - and also further encourage complying with the law.

As a result there is a public perception that being stopped by the police for ‘low-level’ speeding or not wearing a seat belt might often only result in a simple warning or ‘talking to’ – which is certainly not the case for driving over the legal drink-drive limit.

**Drink-driving enforcement**

The introduction of the breathalyser, increased enforcement and ongoing publicity and education programmes, produced sizeable change in both behaviour and public attitude regarding drink-driving. It is considered bad form. Yet there has been recent concern that year-on-year improvements have slowed and may even be slightly in reverse – especially for younger drivers.

A major issue with respect to other countries in Europe is that the UK has one of the highest legal limits in Europe (0.8 compared to the majority of countries with 0.5, and some even lower limits of 0.2 or 0.0). However, this higher limit is paired with having extremely high penalties for offenders; a minimum of 12 months disqualification in most cases.

To complicate the issue in the UK further, there is no formal random breath testing (RBT) programme in the UK, unlike in many other countries. This means that although the number of breath-tests conducted is relatively low, the use of ‘targeted testing’ (of drivers observed to be driving erratically, or over-safely, or those involved in accidents who are supposed to be tested automatically) means that the proportion of positives is much higher than in other countries.

Road-side surveys conducted in the UK and, for example the Netherlands (with very different enforcement practices) show very similar rates of drivers over the limit (about 4.5% of drivers being over the legal limit during surveys conducted at high risk periods at night over the weekend). Given the difference in the legal BAC level between the countries it is logical to conclude that the 4.5% of British drivers with, on average, higher level of BAC in their blood.

The autonomy given to individual forces means that the police forces differ widely in the way they enforce drink-driving. For example, the number of breath tests carried out in 2002 per 100,000 population varied from 410 in the West Midlands Area to 3,970 in Derbyshire. Similarly, the proportion of positive tests varied from ‘only’ 4 % in Derbyshire to 48 % in the
West Midland – demonstrating the inverse relationships between the number of tests and number of positives.

The level of resources applied to drink driving enforcement is a matter for individual chief constables. Police Officers in the UK conduct breath tests when they suspect alcohol or where a collision has occurred. The decision to breath test, in the absence of random testing, is a matter of discretion for the individual officer. There have been suggestions that more tests are conducted than actually reported in order to avoid the ‘negative test conducted’ paperwork.

It is sometimes noted that although random breath-testing is not standard procedure the police are allowed to stop drivers more or less at random to check the safety of their vehicles and at the same time can routinely invite the driver to undergo a breath test - with those refusing possibly being required to give one ‘on suspicion’ of drinking. It should be noted that any refusal to give a breath or blood sample is treated in the same way as if a ‘positive’ test had been conducted.

A number of forces do engage in such random checking, especially at the times of national publicity campaigns – such at Christmas. It is also likely that some forces may vary the number of hours/cars/officers allocated to traffic policing (of both speeding and drink-driving) to fit in with local ‘informal’ targets (but this may simply be a way to ‘keep up with other forces’ or ‘to beat last years number’).

Interestingly a comment from an ACPO report suggests:

“Although national crash reduction targets are based the numbers of accidents caused by drink-driving together with a ‘best guess’ estimate of what proportion of these are (realistically) preventable - by public education, publicity and police enforcement - there are no specific ‘targets’ set – or to be achieved. A ‘simple’ year on year reduction (rather than any increase) is the target. It should be noted that sizeable improvements in combating drink-driving have been achieved consistently over a number of years such that only a ‘hard core’ are left – who may be problem ‘drinkers’ rather than problem drivers."

In line with other types of driving violations, in recent years there has been a move to ‘educate rather than punish’ first time drink-drive offenders by the provision of drink related rehabilitation course. Studies (Davies et al, 1999; Davies, 2003) have shown that rehabilitation training for drink-drive offenders has a positive effect on offender attitudes and knowledge. The reconvicted rate of rehabilitated drivers 3 years after initial conviction was less than half the rate for drink-drive offenders. After 6 years, just under 2.5 times more non-course attendees than course attendees had committed a further drink drive offence.

There has been a long history of drink-drive education and publicity in the UK on TV, radio and by means of posters and leaflets. A sizeable majority of drivers now recognise it as being socially unacceptable (unlike, perhaps, exceeding the speed limit by 5 mph, or ‘forgetting to wear their seat belt) and at social occasions where alcohol is to be consumed the designated (non-drinking) driver will typically be identified, provided with ‘soft’ drinks and monitored by both hosts and anyone being driven home by them.
There is public support for increased alcohol restrictions. A representative driver survey based on face to face interviews with over 2000 UK drivers (RAC Report on Motoring, 2007), found a significant support (69%) among UK drivers for lowering the maximum allowed BAC level from 0.08 to 0.05, the level advocated by the EC. Furthermore, 67% of the drivers supported alco-locks as a standard equipment in cars.

Police enforcement activity will also take account of the DfT’s national drink-drive publicity campaigns; part of the THINK! Programme. Both major national summer and winter (Christmas) publicity campaigns are conducted and local police activity supports these campaigns by publicising that more police enforcement will be taking place; sometimes in a way that approaches RBT.

While some stakeholders argue that the high drink-drive limit – at least compared to most other European countries – gives the wrong message, other argue that the present limit which appears to permit one or two ‘social’ drinks is more likely to be followed than a more ‘draconian’ law that does not allow any alcohol to be consumed – especially in a society where the consumption of alcohol is a common event. The harsh penalty for those breaking the law also gives the right message; and in order to avoid the question of ‘how much can I drink?’ national campaigns adopt the message that ‘the only safe limit is not to drink’.

The Parliamentary road safety committee (PACT) received the following response, from an ACPO representative, about a question on the perceived ‘shift’ away from traffic law enforcement: “

The real question is how much of an impact are police in the UK having upon drink related road death. In 2003, drink-driving fatalities in the UK were 0.98 per 100,000 population—one of the five lowest of the 14 EU countries that provided the data. The data gathered in the UK is very accurate, this cannot necessarily be said for some of those countries shown to have a better record than the UK—Slovakia, Czech Republic and Italy for example. In short, it is not the number of tests that are carried that is important but testing the right people and detecting the drink drive offenders. The ACPO recommendation that all drivers in collisions dealt with by police should be breath tested is an important factor in this.”

**Speeding**

Over the last decade drivers in the UK have seen a sizeable growth in the use of automatic enforcement with speed cameras – now called ‘safety’ cameras. As a consequence the vast majority of speed violations (and indeed of all violations) are now detected by cameras and subject to a fixed penalty. This trend is likely to continue, in spite of arguments that UK drivers are already the most monitored within the EU - and against persistent claims in the media that police and local authorities are keen on cameras for the purpose of raising revenue. Public support for speed control and for safety cameras, as assessed in opinion surveys, is actually quite high.

A number of factors support the trend. First, there is good evidence that fixed camera- based automatic speed enforcement is effective. Second, the growing sophistication of available camera technology enables monitoring for additional violations and increases its efficiency and
cost benefit figures. Third, police often prefer this non-contact method of control in order to avoid alienating the general public by stopping and charging drivers manually. Fourth, and not least, police now are being required to devote more of their resources to more general anti-criminal and security operations, and well organized automatic enforcement makes it possible.

Currently, cameras provide evidence in around 90% of speeding offences. The DfT initially set clear criteria for camera sites based on high accident levels rather than sites where large numbers of offenders were likely, and recommended that camera sites are clearly visible to drivers.

In the UK there is typically an advance warning sign denoting that the driver is entering a camera area, and cameras are highly visible to the driver (and even painted yellow to increase their conspicuity; a policy unique in Europe). A series of white lines are painted on the road so that the vehicle’s speed can be confirmed with taking two photos separated by a short interval.

A critical element of speed enforcement in the UK is the use of the penalty points system. In addition to receiving a fine (which is fixed if resulting from a ‘safety camera’) the driver will also receive 3 penalty points. Note that some speed offences recorded by the police and resulting in the driver being prosecuted in court can result in much larger fines and receiving more than the ‘regulation’ 3 points.

It is important that speed enforcement is seen by the majority of road users as a way of making the roads safer and more efficient - rather than simply a way of controlling people and raising revenue. This is difficult in the case of ticketing drivers for relatively small deviations from the legal speed limit. The public is not convinced that a ‘little speeding’ is unsafe for the traffic system.

When speed cameras where first introduced, the governments issued tough guidelines on where cameras can be located. There needed to be a clear local safety problem at the site. The authorities insist on using the term ‘Safety Cameras’ and not speed cameras. This approach was believed more acceptable to the public, to some professionals and, initially, to those who had to approve the funding. As the benefits of general speed control and reduction to safety, traffic management and the environment have become apparent, the early guidelines seemed somewhat restrictive. Transport Select Committee (House of Commons, 2004) concluded that “the attempt to make cameras more acceptable through tough guidelines on their use has backfired”.

This early restrictions have been relaxed so that Local Authorities can decide for themselves about the numbers, locations and allowed threshold over the limit of such cameras – although safety (recorded crashes) is still likely to be the key factor in their decision making.

Another change that is being tested at the present is the way revenues from cameras are used. Money raised in fines is no longer paid directly to the treasury but can be used to promote local safety plans and, for example, support improvements to public transport.

The safety benefits of the deployment of safety/speed cameras have undergone a considerable amount of research in the UK. The latest study reported impact estimates for personal injury collisions in the range of 15-33% with overall reduction of 22%. (Gains et al. 2005)
Despite various criticisms of the program by those who object to the camera systems the best and most compelling evidence that cameras work effectively for safety comes from UK.

Media reports often carry claims about the safety cameras being a revenue source for authorities. In the RAC driver survey mentioned above, 73% of the drivers indeed agreed (strongly or slightly) with the statement that ‘Speed cameras are more about raising money than improving road safety’ but on other direct questions on speed control, 56% believed that speed cameras and radars contribute to safety, 52% believed that speeding is a serious unsafe behaviour and even higher percentages supported lowering speed limits in urban areas. So it appears that drivers can maintain a cynical attitude about the government as a tax collector in parallel to accepting safety cameras as a safety-useful device.

More recently, the use of ‘average speed’ cameras is being evaluated – where two cameras with automatic number plate recognition systems can track a car over a length of road and work out its average speed. Such systems have been trialled on sections of motorway undergoing repair, on a few stretches of motorway and some sections of trunk roads. The sections are signed to inform drivers of their operation. The Netherlands Austria and other countries have deployed such systems successfully.

**Other uses of safety cameras**

Automatic camera-based enforcement is being used in the UK in controlling red-light running and use of bus-only lanes. In the latter case road-side and bus mounted cameras are used. Other potential camera uses, such as enforcing seat-belt wearing, mobile phone use and close following are studied and will be adopted when technology will mature in terms of reliability and cost.

The adopting of ANPR as a mainstream policing tool has led to the establishment of at least one dedicated ANPR intercept team (usually one Sgt and six PCs) in all forces in England and Wales, with a commitment to increase this number in the next few years. Whilst many of these units may not be termed roads policing resources, they are in fact a very high profile visible policing presence on the roads, collecting intelligence and poised to screen and at stop vehicles on the basis of intelligence. In addition to searching for ‘real’ criminal cases, the units routinely screen vehicles, on basis of black lists or when suspecting, for being not insured, being stolen, suspicion of being driven by disqualified or unlicensed drivers and other offences.

A parliamentary committee answer from an ACPO representative – on the perceived ‘shift’ away from traffic law enforcement resulted in the following response:

> “Whilst speed cameras play an important role in reducing those killed and seriously injured on the roads, there is no doubt that other types of offending also need to be addressed if the downward trend in KSIs [killed + seriously injured] is to continue.

> This includes enforcement of seat-belt legislation, enforcement in regard to the roadworthiness of vehicles and targeting those drivers most likely to be involved in collisions (e.g. disqualified drivers, drink/drug drivers, uninsured drivers, unlicensed drivers and those driving stolen motor vehicles or driving aggressively or antisocially).
ANPR is considered the best method of targeting many of these offences. As such, ACPO advocates that when funding for the Safety Camera Partnerships changes in 2007-08 to funding for more general road safety activity, there should be an anticipation that some of this funding will be spent on enabling police enforcement campaigns—for example, through purchasing additional ANPR equipment.”

5.2.7 Other enforcement issues in the UK

A number of other violations are now receiving increasing attention in the UK. There are concerns about the use of mobile phones while driving, about drug use (both recreational and prescription) and fatigue, the need to direct enforcement increasingly towards those indulging in more extreme behaviour, such as higher risk drink-drivers, excessive speeders and the already disqualified drivers – which can lead to an increasing emphasis on intelligent detection methods.

Careless, reckless or dangerous driving

One of the areas of offences most difficult to define is that associated with careless or dangerous driving. In 1991 British law was revised in an attempt to give a clearer definition of the actions that warranted these offences. However it is not clear that the revised regime has resulted in more considerate driving or in an appropriate application of the sanctions by the courts.

Further research suggested the need for a third “intermediate” offence of reckless driving to ensure that offences were not reduced to “careless” when there was doubt as to whether a “dangerous” verdict could be sustained. This debate was further complicated by victim’s groups developing an increasing voice in the debate; they have a particular concern that causing death by one of these offences should be treated more severely than lesser injury outcomes.

The HO consulted on potential changes to the law to introduce the intermediate offence and to ensure separate offences (and therefore harsher penalties) for causing death by both reckless and dangerous driving. The actual number of court convictions causing death by both reckless and dangerous driving remains very low, and it is not clear if the incidence is low, if police designation of such cases is infrequent because of difficulty to determine ‘reckless’ or ‘dangerous’ driving, or that it reflect the courts inclination to convict on this charge.

The use of automatic cameras and the increased focus on security and criminality policing may mean that in some forces there is less police presence on the roads and an increasing public perception that there are fewer police monitoring their driving behaviour. Many of the public, and of professionals, believe in the positive influence of ‘general surveillance’ and personal contact with the police officer after being stopped.

Unlicenced or disqualified drivers

One current and increasing concern about enforcement activities in the UK are the number of unlicenced or banned drivers. It is estimated that over 450,000 drivers on the roads do not
possess a current licence and that around 5\% of them are uninsured. Unlicensed drivers currently commit nearly 10\% of all motoring offences.

While the number of motoring licence and insurance offences dealt with by police action in England and Wales has remained fairly constant in recent years the number of number of offenders sentenced for driving while disqualified nearly doubled (to around 25,000 per year) nearly 4 times the increase for all drivers being disqualified.

One probable consequence is that in the UK there has been a marked increase in the number of hit-and-run accidents. Broughton (2004) reports that hit and run accidents formed a constant fraction of the accident total until 1998, but this fraction has risen rapidly for non-fatal accidents on built-up roads (but not for non built-up roads or motorways).

In Britain in 2002, 23\% of the offenders found guilty by the courts were disqualified from driving. Of these, 45\% were for alcohol related offences and 39\% for vehicle or driving licence or insurance offences. 90\% of the drivers found guilty of dangerous driving were also disqualified and for about 60\% of these the driving test has to be retaken.

**Penalty points systems**

Britain has been operating a penalty points system for many years based on disqualification if 12 points are accumulated. The system was strengthened in 1989 when penalty points were increased for careless driving, driving without insurance, and failing to stop after an accident. From 1997, drivers who accumulate 6 or more points during the first two years after passing their test are required to have a compulsory retest before regaining their licence.

The number of drivers having endorsements (i.e. adding to their penalty points) but without disqualification has increased from 1,292,000 in 1992 to 2,246,000 in recent years. Virtually all of this increase has been an increase in endorsements through a fixed penalty notice (stemming from safety cameras). However, the number of drivers disqualified under the penalty points system has stayed fairly constant at about 30,000 per year since 1992. This raises some doubts about the functioning and impact of the system.

Currently, the HO is consulting on the use of graduated penalties for different levels of excess speeding – which include the suggestion to reduce the points loss from 3 to 2 if an offence involves speeds only around 10mph above the limit; however, there is considerable opposition among road safety practitioners to any reduction in points since it is thought to ‘convey the wrong message’.

Although there are national guidelines on the appropriate size of penalties for different driving violations and actions to be taken against drivers who have exceeded their penalty points ceiling, it is commonly felt (and reported in the press) that some drivers get away with relatively minor punishments while others seem to be very harshly treated.

**Young / novice drivers**

Despite one of the most regulated driver training and testing regimes in Europe the UK continues - with the rest of the world - to have a young/novice driver problem. Although there is no probationary licence scheme currently in place this continues to be pushed by some
organisations, although it does not appear to have a strong body of public support. Currently safer novice driver behaviour is encouraged by much stricter penalty point regulations (e.g. a 6 point ceiling as opposed to 12 points for drivers with two years experience) and offers of insurance reductions for those undergoing additional post licence training.

**Shifting traditional enforcement tasks to non police bodies**

The fast adoption of ‘safety cameras’ was facilitated by creation of special Partnerships for safety cameras installation and operation, composed of local police, local authorities, and other local agencies. They were given a small share of the paid fines to further invest in cameras.

These Partnerships are gradually taking a larger role in developing broader enforcement and road safety strategies and initiatives in their Local Authority, and demand an increasing share of the revenue from speeding fines. Recently, incident management responsibilities for the national roads were transferred to non-police traffic officers in the Highway Agency (in charge of all national roads). These trends raised concerns by some safety practitioners about possible effects of reduced police presence on the road network.

Another concern is about the professional quality of local initiatives. The following news item (ITS International, Thursday 28 August 2008) is a very recent example of an enforcement initiative by a local partnership, an initiative that actually was aimed to enhance the apparent presence of traffic police on the road:

**‘UK council deploys helicopter speed camera**

Essex County Council, northeast of London, has put up 20 signs across the county to warn drivers that helicopter traffic enforcement is now being used. The aircraft is equipped with radar speed detection, automatic number plate recognition (ANPR) with a range of over 200 metres, as well as a ‘skyshout’ public address system to tell drivers they have been caught.

The scheme is the brainchild of the Essex Casualty Reduction Board, which operates speed cameras and is made up of local authority and police representatives. According to its chairman, the new initiative is aimed primarily at speeding motorcyclists.

However, the scheme has been ridiculed by campaign groups. According to the Taxpayers’ Alliance, using a helicopter, at around US$2,000 an hour to run, would be a very expensive speed camera. AA president, Edmund King, commented that the signs could distract drivers.’

**Harmonisation**

Although harmonisation of traffic law throughout the EU is not a high profile public concern - it is perhaps seen as a slow moving process and probably something that will happen in the distant future. To some extent this is a reflection of the democratic process by which traffic law is made and enforced in the UK. Typically changes are the result of extensive stakeholder consultation and debate, including the use of preliminary research and pre-testing.

While the UK ministries and organizations fully participate in the ongoing activities of the EU they do maintain a degree of deciding for themselves on what is the best way of dealing with ‘local’ issues and problems. It is perhaps fair to say that in the area of TLE in the UK, where
policies are formulated by agreement and methods are handled by persuasion, the EU institutions are not perceived as being strong stakeholders in the process.

5.3 The case of Finland, road safety policy integrated with transport policy

In Finland, Road Safety unit is in of the Transport planning division of the Ministry of Transport and Communication, and together with four other unit chiefs, its head is a member of the ministry’s management group, the top level decision body next to the minister. This means, that every transport project or action is examined by all members of the management team, so all considerations can be taken into account until a decision accepted to all is reached or alternative options can be presented to the minister.

5.3.1 Strategic planning of road safety in Finland

Ministry of Transport and Communication is the leading ministry in developing long term policies for road safety. It heads a “Consultative Committee on Road Safety” that drafted previous Road Safety Plans, and the current 2006-2010 National Road Safety Plan (NRSP). The next plan is already in preparation.

The committee is made up by members of the Ministries of Transport, Justice, Interior (and Police), Environment, Education and Health, Finance; Research organizations, the Central Organization for Traffic Safety (Liikenneturva), the Road Administration, Municipalities and other stakeholders and experts organizations.

The proposed programme has to be approved by the Government and Parliament, going through a process of political and public debate. The formal “Government Resolution on Road Safety” is not identical to the “Road Safety Programme”. It is a more selective government action plan reflecting its priorities and funding intentions. It reiterates continuing policies and enounces new ones. Both documents are referred to in subsequent ministerial or regional safety plans.

Each item in the Resolution is linked to the Ministries or agencies most responsible for implementing the policy and make it happen. The Resolution requires that all relevant ministries and other authorities execute its decisions, allocate budget funds as necessary, and co-operate in its implementation.

The Police department in the Ministry of the Interior, the National Traffic Police and other Police authorities are active participants in the formulation of the five year Safety-Programme and particularly influential in listing their traffic enforcement priorities and the new activities they expect to engage in order to attain the objectives of the plan. Police representatives are regularly consulted during the process of formulating the Government Resolution.
5.3.2 TLE policies and action points in the Government’s Resolution on road safety

In the “Government Resolution on improving road safety, 9 march 2006”, at least 15 of the 37 items in the resolution dealt directly with enforcement issues, specifically mentioning speeding and speed control, drink-driving and drugs, cross-border traffic and professional driving.

Strategic outlook on speed control, drink-driving, lorries and cross-border issues

In the area of Speed Control (or compliance) the Resolution includes the following topics:

- Cooperate with EU to install ISA as standard equipment in new vehicles;
- Lower the maximum values in speed limiters in heavy vehicles;
- Reduce maximum speed limits in urban areas, especially in populated or residential areas;
- Lower the “tolerance” threshold in the operational procedures of speeding detection;
- Provide drivers with current speed limit, through devices inside their vehicles;
- Increase the deployment of Automatic Speed surveillance (fixed camera based) to cover about 3,000 km of main roads by 2010;
- Increase number of Mobile Surveillance Units (video-equipped patrol cars);
- Test new methods of speed control, including “section control” (mean speed over several km travelled) and automatic vehicle identification;

In the area of drink-driving control, the Resolution requests that:

- Police preventive work with large scale breath testing continues, and improved screening devices for alcohol and drugs be developed;
- The use of the alcolocks will be extended to larger number of drivers and with different target groups, both voluntarily and by legal measures;
- Finnish authorities support an initiative at the EU on making alcolocks standard devices in new vehicles;

In the related areas of Heavy Truck and cross-border traffic control, the Resolution calls for intensified surveillance of cross-border and heavy-vehicle traffic with respect to:

- Compliance with regulations specific to professional driving (hours on duty, loads etc.);
- Speeding (including the potential for controlling driving speeds by means of tachographs)
- Legislating and Promoting widespread use of the alcolocks among professional drivers;

Other significant decisions in the resolution that affect directly TLE deal with:

- Simplifying the structure of sanctions and fines system;
- Increasing the range of sanctions using limits on driving license;
- Creating a type of “point system” for repeat offenders;
- Examining the option of fines against bike riders not using helmets or reflectors;
- Increasing Surveillance of traffic behaviour on roads with the most winter accidents.
Some of the decisions in the resolution are quite specific and operational, while others are more general or request an examination of an issue, which may mean a workgroup discussion, a literature review, a legal opinion, an experiment or any combination of these and other methods. For example, item 24 of the Resolution states:

“The threshold for intervention by speed surveillance officials will be lowered to reduce speeding and keep speeds within the legal limits. (Ministry of the Interior)”

This is a direct request of the police to reduce the so called “tolerance” in speed control so that not only extreme speeders are issued citations but anyone driving over the speed limit (+ accuracy margin, which is rather small).

In response to this decision, the Finnish police and the Road Administration invited a controlled field study with automatic fixed cameras on two stretches of interurban roads (VTT, draft report, 2008).

On the other hand, item 22 in the Resolution states:

“Alternative methods of financing the development, implementation and upkeep of the surveillance system will be examined. Possibilities of carrying out municipal traffic surveillance aided by the development of automatic surveillance system and technology will be studied. (Ministry of Transport and Communications, Ministry of Finance, Ministry of Education, Ministry of the Interior.)”

The first part appears to deal with the issue of financing the [traffic] surveillance system, but the second part brings in (cautiously, calling for examinations) a rather radically new policy of allowing non-police entities (municipalities) to carry out traffic surveillance, possibly with automatic technology.

This may be interpreted as an invitation for municipalities such as Helsinki, to experiment with automatic speed camera enforcement in urban areas. The resolution requires, in effect, all the involved authorities to cooperate, assist and enable interested municipalities to implement such surveillance schemes.

The Finnish National Road Safety Program and the linked Government Resolution on Road Safety document clearly define a framework policy for TLE in Finland (Finland, 2006a, 2006b). They identify Speed control, alcohol control, cross-border and professional driving as priority areas for TLE. Safety belt use is not considered a priority area.

5.3.3 Strategic outlook on managemen mechanisms for Road Safety

Traditionally, government public service anywhere is structured into relatively independent ministries, with well defined responsibilities to each, to minimize conflicts. Each ministry is organized hierarchically with fixed lines of authority and responsibility within the organization. The management style of such organizations is essentially vertical, from top down.

This arrangement can work reasonably well when the issues to be dealt with are largely confined to one ministry (or, to generalize- one organization, or one agency, or one region, or one state-), but with complex issues that cross organizational boundaries, vertical management
must be assisted by various coordination mechanisms. This solution, when applied in the vertical management context is not sufficient, and often not effective. (See section 4.3.1 on obstacles and barriers to implementation of national road safety plans).

Horizontal management is the collective name for a ‘culture’, policies and techniques for engaging organizations that are not necessarily part of a hierarchical structure (they can be viewed as members of a network) in a cooperative effort for a mutual goal or benefit.

Horizontal strategies may range from techniques for conducting productive meeting, through procedures for obtaining a clear commitment from each partner what it can and is willing to provide, to principles for sharing responsibilities, leaderships, funding or revenues. The UK Local Partnership for safety cameras is an example of a horizontal strategy sponsored and funded by the Department for Transport. The complex arrangements between Federal states, or Cantons or Regions could be seen as an example of horizontal management mechanisms on a large scale.

Managing road safety requires coordination, cooperation and collaboration between different central government ministries and agencies, regional & local government, non-government organizations, community groups and leaders, research institutes and academia. Often the biggest problem is not deciding what to do about reducing crashes but agreeing how to get it done, and what each party is going to do.

The Finnish policy documents refer specifically to horizontal strategies or actions, to implement the objectives in each of the priority and compliance problem areas. In the list of the five major strategies, two of them (Mechanisms for assessing policy options and tactical methods and [Clarify] agency responsibilities (and accountability) for pursuing the details of the Safety Programme and Resolution) deal with horizontal measures, (discussed in more detail in the original documents.)

- Strong reliance on technology (e.g. speed limiters, Intelligent speed adjustment, tachographs, alcolocks, automatic speed cameras, automatic number plate recognition, drug screening devices);
- Enabling legislation such as lowered speed limits, gradual move in the direction of “vehicle owner responsibility”, simplified and more administrative fine system, allowing non-police entities to perform some enforcement tasks;
- Improved accident and traffic data collection, analysis, dissemination and sharing;
- Mechanisms for assessing policy options and tactical methods- through stakeholders discussions, task-forces and workgroups, preparatory background research, controlled experiments by suitable professional bodies, documented monitoring and evaluations;
- [Clarify] agency responsibilities (and accountability) for pursuing the details of the Safety Programme and Resolution; requiring subordinate government units (such as in regions, municipalities, police commands) to develop their own Safety Plans based on, and responsive to, the National Plan.
5.3.4 Finnish Police and Traffic Law Enforcement

Finnish police has its own Traffic Safety Plan, embedded in the Policing Strategy and action plan developed by the Police Department of the Ministry of the Interior, and adapted every year. In recent years Road Safety is a part of Security and Safety strategy. In terms of general goals, priority areas the overall action plan, the official police strategy is based on government's Resolution on Improving Road Safety.

Finnish police is a hierarchical National Force. It has five Provincial Police commands which are divided in 90 local police districts. Each district deals with all public order issues, including traffic, in its territory. Large cities have dedicated traffic units. In addition, Finland has a National Traffic Police, (NTP) focusing on traffic control on the inter-urban roads (and few other tasks).

Regional Commands and even Police districts may develop their own Police Strategies, or action plans, derived from the National Police strategy, but adapted to local needs. The plans are made in consultation with local authorities (municipalities) and other local stakeholders, especially.

National Traffic Police, which operates as a separate command, also develops a bi-annual action plan based on the government's Resolution and the general Police Strategy regarding Traffic Control and Road Safety. The NTP plan considers additional targets group, such as motorcycles, and accommodates TISPOL coordinated EU-wide enforcement campaigns

Road safety campaigns are integrated with enforcement planning. The Ministry of the Interior's Police Department, together with Liikenneturva are responsible for the Government’s annual safety campaigns plan. The plan is linked in content and timing to real time enforcement actions of the police. Police use media to advise road users how to travel safely, and to inform the public directly about enforcement activities and their consequences.

The Finnish (local) police and the Finnish National Traffic Police (at least those in managing positions) are generally satisfied with their Traffic work and its safety outcomes. They consider their targets and Strategy appropriate to Finland and believe that the tactical activities go according to the plans. It is reported that police officers are well motivated to fulfil their traffic control tasks, and that they do it effectively.

Police enjoy great confidence among the Finnish public. Finnish citizens are perceived as quite law abiding drivers. According to Finnish Police Barometer Survey in 2005, 95 % of the public were satisfied with police work in traffic enforcement. In the SARTRE survey Finnish drivers had high level of trust in their traffic police. The majority of respondents, including drivers who have been punished be the law, requested more traffic enforcement on the roads, to control speeding, drink-driving and other offences.

Finland’s system of determining the fines and other punishments for traffic violations has been somewhat cumbersome. There was little use of fixed fines, the size of the fine was proportional to a person’s income, and relatively large fraction of traffic citations required a slow and largely manual process of court involvement.
With the increased application of unattended fixed cameras for speeding control, the need to reform the citation process and make it more automated and efficient, resulted in a number of legal changes in recent years. These include broadening the range of “minor violations” that are not handled by the criminal process and can be resolved with fixed fines, and partial “owner responsibility” for many camera detected violations, which can now be resolved without the need to investigate and positively identify the actual driver. These changes may have a large impact on traffic police work, especially in areas where options for automatic and mass detection of offences can be made technically possible.

5.3.5 Drink driving enforcement in Finland, policy and practice

Years of extensive drink-driving enforcement (along with public campaigns, education and other preventive measures) developed in Finland a social norm that driving after excessive alcohol consumption is socially unacceptable behaviour. The punishment for convicted drink-driving is considered tough—high fines, driving license suspension and increasingly tougher measures for repeat offences.

In recent years the proportion of drivers with BAC level > 0.05% (the legal limit) was about 0.15%, one of the lowest rates in the EU. In the period 2003-2007 the number breath tests ranged between 1.6 and 2.0 million annually, one of the largest screening programs in the EU. 50% to 62% of Finish drivers were tested annually, compared to 40% in the end of the ‘90s.

Nevertheless, alcohol is still a significant factor in road accidents in Finland. The average proportion of fatal single-vehicle accidents caused by drunken drivers in 2001-2005 was approximately 40%. The proportion of multi-vehicle accidents with drink-driving involvements was close to 15%, and the proportion of alcohol involvement in all types of accidents was 25-30%.

Enforcement of drink-driving in Finland is considered among the best in Europe. It reflects a strong preventive approach. Its main policy features include:

- Supportive legislation enabling mass screening checks for excessive alcohol consumption, without need for a reasonable suspicion for it to have happened;
- Large number of cheap Breath Test devices in the possession of every traffic police officer to screen potential drink-driving offenders;
- Efficient field procedures to carry the screening tests in mass quantities;
- Evidential Breath Testing devices in sufficient number, removing the bottleneck previously caused by blood tests at medical facilities;
- Alcolocks devices that have passed field trials and are now headed to wider application with repeat offenders and possibly with professional drivers.

The 2006 Government’s Resolution on road safety confirms the continuation of the existing policy on alcohol enforcement. It also calls for examining the possibility of lowering the legal BAC, for some groups of drivers, to 0.02%, and lists a number of actions to widen the use of
alcolocks, either voluntarily or by legislation. However, no formal fatality reduction targets linked to drink-driving control were set in the Resolution.

Police strategy on drink-driving enforcement follows closely the Government policy. It maintains the extensive programme of breath-testing, upgrades the testing devices and participates in EU projects trying out drug screening devices. As requested in the Resolution, Police and other agencies (Justice, Interior, Health, Transport and Communication, Liikenneturva) target professional drivers for more intensive monitoring, enforcement, education and treatment of alcohol use while driving. These various agencies cooperate well in planning and implementing the various activities derived from the policy.

All police officers are trained to enforce drinking laws in traffic control. Alcohol enforcement is considered to be a very important task of the police. The National Traffic Police (~ 600 persons) estimates that approx 18% of their traffic enforcement capacity is devoted to alcohol enforcement.

Every patrol car is equipped with a device for a quick screening test. In the National Traffic Police almost every police officer on patrol duty has his/her own screening device. Any contact with traffic police involves a screening breath test.

- When a driver is arrested, for any reason;
- When a vehicle is stopped by the police, for any reason;
- Drivers (and other road users) involved in an accident (unless too hurt in the crash to take a breath test; in that case a BAC test will be taken in a medical facility);

Planned, Random Breath Tests at:

- Special alcohol check campaigns of all drivers at a checkpoint location during Christmas, New Year and other holidays or during large local events;
- During the weekends and holidays, at night, early morning and especially in areas of bars, restaurants and other venues where drinking is expected;
- In conjunction with other planned large scale checks for other issues;
- During any time of day and night and on many different roads

Evidential breath analysis instruments are located in all police districts (over 100 units). The evidential breath analysis devices are linked to the police database and the National Public Health Institute, which is responsible for the quality control of the test. A preliminary decision has been made for introduction of mobile evidential breath analyzers to police vehicles, in order to save the special trips to the police station in the cases where the screening test indicates an excessive alcohol level. This move will further increase the efficiency of alcohol checks.

Police try to convey to the public (by practice and the associated information and media campaigns) that enforcement of drink-driving is done on all kind of roads and at all times, that drivers might be stopped for a breath test on any trip they take. In practice, the location,
frequency and timing of alcohol checks depend on the amount of traffic, the possibility of setting up an efficient and safe road block, the expected likelihood of drink-driving, the available enforcing resources and other local factors.

The main purpose of the large number of checks for alcohol is preventive; the detection and prosecution of drink-drivers being a secondary objective. However, because of evidence of large proportion of repeat drink-driving offences, attention is also directed to effective methods of punishment such as license suspension or revocation, and innovative methods of prevention such as alcolocks and special alcohol rehabilitation treatments.

The potential of alcolocks is being explored in a number of directions- as a condition for being allowed to drive for repeat alcohol offenders, as a required preventive in-vehicle device in selected categories of professional transport vehicles such as heavy trucks, buses, school transport. A recent evaluation of alcolocks as an optional alternative to driving license suspension, with drivers paying for the cost of the unit, came up with positive results and, therefore, an expansion of the program is underway.

There is clear political support for this approach. The Government Resolution on Road Safety includes the following decision:

*The use of the alcolock will be extended. Widespread use of the alcolock among professional drivers will be promoted by voluntary and legislative measures. It is especially important that when the public sector purchases transport services it should specify the alcolock as a competitive factor or even as a requirement. The use of the alcolock in transporting school children and other special groups will be promoted by examining whether it should be made compulsory for those types of transport services.*

### 5.3.6 Speed enforcement in Finland, policy and practice

Speed limits are set with great consideration for mobility needs, the needs of pedestrians and residential life, and the local risky situations that require slower speeds. Therefore, low speed limits are set in urban areas, variable speeds limits are in use along with new technological means to inform drivers about them, and systems for automatic adjustment / control of speed are encouraged (e.g. speed limit data base to be used by navigation service providers, ISA equipped vehicles)

Speed enforcement, mainly on main and secondary roads, is carried out on a large scale, as planned activities with specified locations, times and procedures. Fines for speeding are high. Police supports the reduction of legal speed limits in urban streets down to 20 km/h in pedestrian areas, but is not decided on the suggestion to reduce the general speed limit from 80 km/h to 70 km/h (as in Sweden.) At the present public opinion (as expressed in the media) is against lowering the general speed limit.

The decision to install fixed, un-attended, speed cameras on all high-accident sections of the major inter-urban roadway network was a significant strategic move to increase substantially the extent of speeding control as well as to gradually automate the process. As legal barriers are gradually removed, the system is evolving into an automated, efficient, and influential
speed control mechanism. Tryouts with minimal tolerance setting for speeding detection and with “section control” (average speed along a stretch of road, measured automatically) promise even greater effectiveness.

Main roads constitute approximately 8600 kilometres of the Finnish public road network. Fixed camera “cover” (approximately one camera position to 30-40 km) begun with 250 km in 2001 and gradually increased to 1500 km in 2006. It is expected to further increase to 3000 km by 2010. Finnish Road administration provides the infrastructure and Police acquires the cameras and operates them.

Automated speed camera boxes or mobile units are, as a rule, visible and drivers are informed, by road signs and media report, of the location and sometimes also the timing of traffic controls. Speed enforcement, most of it planned (and not a by-product of general surveillance), takes approximately 40 % of the total amount of traffic enforcing hours. The general planning guidelines and procedures of speed enforcement are uniform throughout the country.

With the increasing volume of operation and maintenance work it was realized that the regular “back office” support for operating cameras and handling citations cannot cope effectively with the large load of work. This resulted in a number of on-going changes.

Internal reorganization of police work, such as establishment of seven “Traffic Enforcement Centres” around the country, linked to local Police districts, which deal with all traffic offences detected by automatic systems, fixed or mobile. A second change is in the form of legal adaptation of traffic law to allow “conditional owner responsibility” and simplified fine structure, which facilitate the processing of automatic (and manual) citations. More recent trends are in the direction of unburdening Police of the tasks of camera operation and maintenance and allowing municipalities to install and operate speed cameras.

Upgrading the camera systems with ANPR (Automatic Number Plate Recognition), or its electronic equivalent, will become a must, and the legal system will find a solution to that. This will enable additional application for the cameras that will assist Police in traditional and routine jobs. For example, detect stolen vehicles, detect vehicles that evaded annual inspection or did not pass it, detect vehicles of drivers under suspension.

Another strategic move was the decision to institute variable speed limits based on different criteria (winter conditions speeds, risky sections, traffic density, visibility, urban landscape and pedestrian activity, etc.) and link speed enforcement to the changing limits. This requires building and updating a digital database on speed limits and using technology (roadside displays and in-vehicle devices) to display the changing information to drivers. Police and the Road Administration cooperate in this area.

Mobile video systems, installed in unmarked patrol cars, are used (among other things) for catching unsuspecting speeders. The system is based on following the target vehicle over a predefined stretch of road, and calculating the average speed. This method does not yield a large number of detections but is considered to have a deterrent effect and is liked by some police personnel and others. In fact, the Resolution on Road Safety mentions specifically the need to procure another 25 such units for Traffic Control.
Traffic offences committed by foreign drivers are not considered a big problem for the Finnish Police. Studies in Finland have shown that foreign drivers are not disproportionately involved in road accidents, and regarding fine collection there is good cooperation among Nordic countries.

Renewed political support for legal reforms was credited for the specific changes in legislation that helped traffic enforcement in general and automated speed enforcement in particular. More changes are expected if the political support continues.

5.3.7 Safety belt enforcement in Finland, policy and practice

Seat Belt use rate in Finland is considered high. In recent years counts or rural roads showed that 91–93% of front seat occupants use belts. Use rates on major roads are nearing 100%. Use rate by back seat occupants, and in vehicles other than passenger cars, are lower, but still among the highest in Europe.

Yet, accident data show that among vehicle occupants’ fatalities, high proportion were not belted. In 2004 it was estimated that 43 lives could have been saved annually, had all vehicle occupants been belted properly.

Seat belt enforcement is part of routine Traffic Policing. Non-use is supposed to be observed and acted upon during general surveillance patrolling. Seat belt check will be included as one of the behaviours to note during roadside check for other main purpose. The National Traffic police spend less than 4 – 5 % of working time for specific seat belt enforcement.

Planned, belt targeted enforcement takes place few days a year during special belt focused information campaigns taking place in Nordic countries (SANT initiative) or EU wide (TISPOL initiative). Liikenneturva is coordinating the campaigns in Finland. At such times, police will set check points at full- stop junctions in urban areas. Under those conditions it is possible to observe non-use of belts and signal the driver to stop at the road side. The focus is on informing and educating car occupants and not necessarily punishing them. Police officers may be visiting schools and talking to pupils during these campaign days.

Police consider the issue of belt use primarily an education- information issue and less of an active enforcement issue. Most of the remaining non-compliance is with rear- seat passengers and occupants of utility vehicles and trucks. However, conventional surveillance and even targeted road checks, cannot reliably detect non-use of belts in rear seat and those type of vehicles.

The penalty for not wearing a belt is not high and often the officer will issue a warning. Some police officers believe that a mandatory fine of 50 € will be effective incentive for not forgetting to use the belt.

The police would welcome a technology-based solution for detecting non-use of belt by a vehicle occupant. A prototype video- based automatic system for detecting seat-belts was developed by PEPPER partner VTT (see report D10). When such developments will result in an operational device, police will be able to implement systematic belt use enforcement activities. With the possibility of recording firm evidence for belt violation recorded, it will be
easier to convince legislators to increase fines for non-compliance and perhaps further increase the effectiveness of enforcement.

5.3.8 National system for monitoring traffic behaviour

Safety directed activities by police, as well as others (e.g. media campaigns or education) are guided and evaluated with behaviour data collected systematically. Such information also helps politicians and other decision makers. The monitoring system was launched in 1992. It supplements accident statistics and opinion surveys, in providing Safety Performance Indicators for assessing the status of the traffic system and evaluating the impact of safety measures.

Periodic, systematic observation / measurement surveys are conducted on several traffic behaviours that are directly relevant to police enforcement:

- Driving speeds of cars
- Driver compliance with traffic lights
- Following distance (measured in time units) between cars
- Seat belt use by car occupants and use of child safety seats
- Signaling upon making a turn, by car drivers
- Alcohol consumption by drivers (independent of Police checks)
- Bicycle riders use of helmet
- Pedestrians compliance with traffic lights
- Pedestrians’ use of reflectors

5.3.9 Management culture and skills in public institutions in Finland

Finland is fortunate to have a slim, logical organization of a government, with effective management structure that enhances information sharing and cooperation. Once policies regarding Road Safety and Traffic Law Enforcement are defined by Government, there is quite good chance that these will be implemented.

Efficient and effective enforcement policy is much more than the sum of a set of specific “good practices” such as “use evidential alcohol breath test”. Government agencies that wish to adopt a given practice must be able to not only list it in a ‘Plan’, but to have it accepted by all those who can block it. They also need to create the mechanism to actually introduce the practice into the repertoire of their traffic police operations. The SUNflower (Koornstra et al, 2002) and SUNflower+6 (Wegman et al, 2005) reports elaborated on the importance of mobilizing cooperative and active participation of all relevant stakeholders.

The 2006 Finnish ‘Government Resolution of Road Safety’ addressed some of these mechanisms by discussing horizontal strategies or actions, required to implement the objectives in each of the priority areas of the plan:
• Mechanisms for assessing policy options and tactical methods—through stakeholders discussions, task-forces and workgroups, preparatory background research, controlled experiments by suitable professional bodies, documented monitoring and evaluations;

• Clearly specified agency responsibilities (and accountability) for pursuing the details of the Safety Programme and Resolution; requiring subordinate government units (such as in regions, municipalities, police commands) to develop their own Safety Plans based on, and responsive to, the National Plan;

• Cooperate with justice ministry to develop enabling legislation such as lowered speed limits, vehicle owner liability, simplified and more administrative fine system, allowing non-police entities to perform some enforcement tasks.

• Cooperation based on acknowledged common goals, mutual trust, goodwill and restrained self-interest, among government authorities and stakeholders.

The latter mechanism was not addressed in the Finnish document, perhaps it was taken for granted. But there is little doubt that it is a prerequisite for successful policy formulation and implementation. In the real world there is no 100% cooperation, but how close to it are stakeholders, does matter.

What are the implications of the for other EU member states? It is hardly practical to mimic the organizational structure of Finnish authorities, their ministries, their police, or their legal system. Finland is not Poland or Italy or Cyprus, each with its unique land, people, and governing organization. But Finland is also not The UK and is not France, yet each of these three countries succeeded to deal reasonably well with their transport, safety and TLE enforcement.

Perhaps the lesson to be learned is that ‘good practice’ in terms of actions, measures, and even policies regarding TLE, can, and should be imitated, but each state must develop its own ‘horizontal mechanisms’, suited to the context of one’s own state, in order to support the strategies it wants to implement.
6. CONCLUSIONS: ROAD SAFETY PLANS AND TRAFFIC LAW ENFORCEMENT- THE MORE COMPLEX REALITY

6.1 EU policy on Road Safety and Traffic law enforcement

The three major Road Safety policy documents of the EU are: ‘The White Paper on European Transport Policy’, ‘The European Road Action Programme’, and the ‘Commission Recommendation on Enforcement in the field of Road Safety’. The first was a guiding vision and provided a challenging safety target; the second document suggested strategic areas of actions (including EU-Harmonized and Active Traffic Policing); and the third document proposed a specific plan about how Traffic Policing should be carried out in member states.

As a strategic policy document, the White Paper is innovative and clear on one point- the setting of an EU road safety target.

“The European Union must, over the next 10 years, pursue the ambitious goal of reducing the number of deaths on the road by half; this by way of integrated action taking account of human and technical factors and designed to make the trans-European road network a safer network”.

This fatality reduction target (or its equivalent) has become a cornerstone of every EU (as well as national) road safety policy initiative in the

The subsequent EU safety policy documents clearly converged on driver behaviour and on the legal context of traffic law. They reiterate the intent of the EC to promote in member states, good traffic regulations, harmonized traffic laws across the EU, and more effective traffic police enforcement for persuading drivers to comply with traffic laws, thus driving safely.

In comparison, the strategic approach taken by many UN resolutions and the policy papers they refer to, do not focus on road user behaviour with respect to traffic regulations. They identified broad areas of risks or needs that warrant focusing on, such as hazardous infrastructure, vulnerable road users, insufficient public transport, or speeding.

The UN and the World Bank (WHO, 2004) have come to the conclusion that the first priority in advancing Road Safety in less developed countries is to give them financial and training support to develop their institutional and professional capacities, so they are able to formulate and implement agreed upon policies and action plans in various areas of safety.

A similar position was, in fact, accepted by the Council of Transport Ministers in its 2006 meeting in Dublin. The ministers reaffirmed the EU commitment to the goal of reducing fatalities by 50%, but in addition to the traditional focus on road user behaviour (which is exemplified in the Recommendation on Enforcement) the Council also calls for developing, in parallel, the institutional capacity to manage road safety effectively.

"Establishing the framework for long-term and sustainable high levels of traffic safety, focusing on increasing awareness among society and within key groups regarding the problem and need to act; creating a sound organizational and
in institutional framework for work on road safety; and ensuring efficient financing and management of road safety efforts. “ (ECMT, 2006).

The mid-term review (Keep Europe moving - Sustainable mobility for our continent, 2006), of the progress on Commission’s 2001 White Paper, acknowledged the apparent delay in reaching the global EU safety targets, upheld the target, but the discussion on what needs to be done about it, unlike the White Paper, does not focus solely on regulations and driver behaviour.

‘implement an integrated approach to road safety which targets vehicle design and technology, infrastructure and behaviour, including regulation where needed’

The ETSC sponsored a review on a methodological approach to national road safety policies, which focused on EU SEC member states, with relatively lower road safety levels compared to western / Nordic states (ETSC, 2006b). The authors recognized the sharp contrast between their systematic approach to the difficulties experienced in SEC countries trying to formulate and implement national safety plans, including the elements of enforcement.

Therefore, the last chapter is devoted to discussion of the various legal and institutional barriers common in most countries and the importance of effective management mechanisms and skills. However, the methodology falls short on how to develop management mechanisms, and how to impart the needed skills.

6.2 The role of enforcement in EU safety policy

6.2.1 What is expected from member states by the Recommendation on Enforcement

Traffic Law Enforcement had become a major policy instrument with DG-TREN Directorate in the EC, formulating the Recommendation on Enforcement (European Commission, 2004), and more recently the proposed Directive on Cross-Border Enforcement (EC, 2008).

The ‘Commission Recommendation on Enforcement in the field of Road Safety ‘(European Commission, 2003, 2004) urges member states to adopt and implement thirteen TLE action points. They concern, primarily, enforcement of the three non-compliance behaviours, identified in earlier EC safety policy documents, as having the largest impact on un-safety: speeding, drink-driving, and non-use of safety-belts. They also refer to enforcing cross-border violations.

The substance of the action points of the Recommendations can be grouped in three categories, with an horizontal category of ‘doing every thing efficiently’ which includes use of effective management tools such as monitoring performance, evaluating outcomes and modifying plans accordingly.

Generic approach to TLE

- Set up a National Enforcement Plan based on good practice suggested by the Recommendation, as part of a National Road Safety Plan
Use publicity campaigns and information to drivers combined with enforcement

- Apply wide range of sanctions to all violations detected in proportions to their severity
- Ensure detection and sanctions against non-resident drivers

**Good practice enforcement methods regarding speeding, drink-driving and seat belts**

- Use large scale automated speed enforcement
- Use random breath testing with screening devices followed by Evidential Breathalyzer
- Use intensive seat belts enforcement campaigns in addition to chance detection and apply sanctions to non-compliance

**Administrative requirements, coordination with other states, reporting to the Commission**

- Member States cooperate with each other by harmonizing legislation and coordinating cross-border enforcement.
- Report to the Commission, every two years, all the detailed information about the enforcement plan and its implementation.

### 6.2.2 The idealized enforcement chain and its wider context

The model of enforcement presumed by the Recommendation is described in detail in section 3.3. and figure 4. It is essentially an idealize enforcement chain based on the criminal model of deterrence.

It can be summarized in the following simplified list:

**Ideal Enforcement chain of active traffic enforcement**

- Traffic Law ▼
- Police patrolling and issuing citations) ▼
- Police enforcing target behaviours: ▼
  - Speeding ▼
  - Drink driving ▼
  - Belt use ▼
- Administrative Processing of citations▼
- Courts processing of violations▼
- Other outcomes of citations
The Recommendation on Enforcement added two important elements to the basic model of the enforcement chain

The first element is the necessity of having a detailed and spelled out National Traffic Enforcement Plan, addressing each of the priority areas and the methods of accomplishing each of the functions in the enforcement chain. It is expected that the National Enforcement Plan will be derived from a National Road Safety Plan or Strategy, although it is not quite obvious why it must be so. One can imagine (in fact it existed for many years) having a plan for TLE without an official NRSP.

The second element is the necessity to quantitatively assess the progress of enforcement efforts along the chain, and evaluate the impact of enforcement actions on compliance and on safety. For that purpose, the Recommendation suggested (in the Annex) a long list of variables that need to be monitored by police agencies.

At a conceptual schematic level, the model of the enforcement chain superimposed with a planning and evaluation functions is straightforward enough. However, it also implies a wider institutional context for traffic policing, where the actions in the ‘enforcement chain’ must take place. That wider context is also idealized and has approximately the following attributes:

**The ‘idealized’ context of traffic policing**

- Single national traffic police force,
- Single linear command structure,
- In control of the total road network,
- Required legal, administrative, and financial supports for policing are readily available.
- An efficient central government,
- All ministries and agencies work in harmony
- A government that can modify traffic laws as needed,
- Government ready to transpose EU legal requirement into national laws.

### 6.3 The organizational reality about traffic policing

The reality of Road Safety Plans, of Traffic Enforcement plans, and more importantly, of the structure and functioning of national institutions dealing with transport, with safety, with enforcement, with traffic enforcement, is more varied and complex than the idealized models. Countries vary in the organization of their governing institutions, in the amount of autonomy to regions, in their legal systems, in the effectiveness of cooperation and coordination between government agencies and much more. A country may have more than one traffic police force, they may be centralized or be semi-autonomous, there may a single policing strategy or different ones by each police force.
There are more “deviations” of traffic policing from the idealized model, as depicted in the following list about the reality:

**The reality of TLE policing**

- Many countries have more than one police force
- Police agencies organized and function in different ways
- Not necessarily a single national safety or TLE policy and plan
- Local policing is often non-specialized
- Police manpower for traffic enforcement depends on what happens in other fields of local enforcement
- Details of local traffic policing are usually not determined centrally
- Traffic Police do not control legislation, sanctions, courts, driving licenses, vehicle registrations or point systems.

### 6.3.1 Typical elements of TLE in Road Safety Plans

During the last 10 years just about every country in the EU (including new member states) has published a National Road Safety Plan with a “vision”, a “target” and a varied mix of “safety problems”, “safety priorities”, “safety measures”, “safety actions” and, sometimes, “new initiatives”.

Just about all states adopted the concept of accident reduction targets, and the chosen figure is similar to EC target of about -50% fatality reduction, from reference years 2001 to 2010, or thereabout. By and large, the plans do not specify separate fatality reduction targets for TLE activities or for other action areas.

These documents are typically a product of government inter-departmental / coordinating committees, under the leadership of one most responsible department (usually a ministry of transport or equivalent), and with participants or consultants from the road safety research community and other stakeholders.

TLE is always represented, in all countries, in the committees preparing a NRSP, by experts from ministry of police and traffic police, ministry of justice, ministry of interior and other agencies responsible for legal or administrative sanctions.

States have assimilated the EC position about the centrality of enforcing speeding, drink-driving and non-use of belts (and helmets) in the strategy for reducing road fatalities. These problem areas, or target behaviours, are mentioned in all NRSPs.

The proposed means to improve the efficiency and effectiveness of TLE in these areas include general reference to “intensify” police enforcement in these areas, increased reliance on automatic speed enforcement, raising the number of alcohol tests (random or otherwise), conducting seat belt enforcement campaigns, and increasing the coordination of police
enforcement with public media campaigns. Some national safety plans even mention that they follow the EU policy in these areas.

Another common set of stated initiatives are legal measures to increase the impact of police enforcement by raising sanctions on speeding and drink-driving, lowering speed limits and drink-driving thresholds, and by improving follow-up actions in the enforcement chain, such as fine collection, setting up point systems and better handling of repeat violators through a larger set of sanctions/rehabilitation measures, including alcolocks, for example.

While TLE is a significant element in most NRSPs, not many countries reported having a National Traffic Law Enforcement strategy or program derived from the National Road Safety Plan, in a sense of new vision, priorities, directions and methods of enforcement. The new French Enforcement strategy of 2002 was a unique case in this respect.

In the new EU Member States perhaps more than in others, the NRSPs are also concerned (often by analyzing former plan’s failures) with building the capacity of the institutions of TLE, by provision of the needed legislative supports for TLE, by re-defining the best organization of Traffic Police forces or functions, and by securing stable funding.

NRSPs do not usually address the methods of police operations, with the exception of reference to massive automatic speed enforcement, or random breath tests. When a problem area (e.g. speeding on rural roads) or a road user target group (e.g. professional truck drivers or young drivers) are mentioned in the policy document, the needed legislation might be mentioned, but police are expected to deal with the non-compliance behaviours relevant to the issue, using their usual methods, perhaps “more of it”.

However, in recent years, a growing number of countries include efficiency objectives and performance measures for their government institutions, requiring also traffic policing to show better efficiency in their operations.

### 6.3.2 Traffic Policing Organization and Enforcement Policies

Many countries have more than one police force and more than one Traffic Police entity. Each may have different policies and be under control of different ministries.

Traffic policing is often non-specialized. Policepersons are considered generalists, who can shift to different police tasks, as needed. This situation makes it more difficult to reliably implement any TLE plan. Police manpower for traffic enforcement depends on what happens in other fields of local enforcement.

In all countries, irrespective of the organizational structure of government or of Traffic Police, the details of local Traffic Policing are not determined at the Top, by a National Plan, but primarily by “local wisdom” that may “takes in account” the suggestions or guidelines of a National or police HQ policy or plan. It is certainly the case in Federal states and in states with a decentralized system of governance where local authorities and local police forces have a large degree of autonomy.
TLE Policy documents are often embedded in General Policing documents. They provide a list of targeted violations, and may refer to general methods police use in traffic control. For example, reference to massive automatic speed enforcement, as in the UK, France, The Netherlands, or Spain, or massive alcohol screening tests as in the Nordic countries.

Police forces (especially those dedicated to traffic work) usually have internal operational guidelines for tactical deployment of personnel, vehicles, and equipment for traffic policing tasks. The guidelines are based on accident history, risk assessment, target behaviours and target road-user groups, available resources, and other policing tasks.

The deployment plan itself is usually considered a local matter rather than a ‘National Enforcement Plan’. Deployment plans of automatic speed cameras and enforcement campaigns linked to national media campaigns are often coordinated in a national or regional context.

Few states (among them France, Norway, the UK, The Netherlands) instituted performance indicators for assessing the extent and efficiency of traffic police activity. Such measures are virtually non-existent for the other elements of the enforcement chain, particularly regarding legislative work and the courts.

Most police agencies have elements of monitoring their own activities, as part of a management philosophy or budget control. However, there are very big differences in the detail and consistency of the monitoring, how formalized are the procedures, who are the recipients of the data, what is actually done with it, what is the nature of feedback, if any.

Only few states have a TLE monitoring system that was purposefully designed for evaluating the effectiveness or efficiency of traffic policing.

The concept of Road Safety Observatory is perhaps the closest to the needed entity to monitor and assess the relevant safety performance (or TLE performance) indicators in a country. However, only a few countries (France, Spain, The UK, Denmark, Sweden, The Netherlands, and Finland) have several elements of such systems in place, although many others are planning to have them.

UK has an evaluation mechanism that can be a model of good practice in monitoring, evaluating and updating its national Road Safety Program including the Enforcement field. They do it well in a decentralized governing and policing system.

Massive (and efficient) Traffic Policing, as is advised by the Recommendation, does not come cheaply, however. Only few NRSPs in EU states allocated special funding for the new TLE activities the plans advocated. On the other hand, there are growing trends in the EU to limit the size of police forces dedicated to traffic control.

Police forces are generally interested in acquiring new knowledge, enforcement practices, and technologies for traffic policing. However, the adoption is rarely just a technical issue. Adoption of new practices requires changes in strategic level thinking, adaptation of legal systems, and innovative management practices. These changes cannot be quickly imposed by an outside authority but must evolve through internal processes.
6.4 **Barriers to effective traffic enforcement**

6.4.1 Barriers to Harmonization at the EU level

The complexity of the legal process in the EU, the subsidiarity principle and the ‘three pillars’ system, constitute persistent barriers for harmonisation of legislation across member states. Legislation bearing directly on police work is particularly sensitive to these barriers.

For example, the *Framework Decision on the mutual recognition of financial penalties*, was introduced in 2004 (Council of The European Union, 2004). Due to the fact that there is no obligation for Member States to ratify any EU regulation originating from DG Justice (3rd pillar), up to now only seven Member States have ratified this Framework Decision and have transposed this into national law.

A recent study ordered by the European Parliament’s Committee on Legal Affairs documented the reasons why EU legal decisions take a long time to become national laws (Batta, 2007). The study was carried out in co-operation with the ECPRD (the European centre for parliamentary research and documentation). It was based on an ECPRD questionnaire survey answered by 24 EU national parliaments.

The report identifies reasons for modifications to the original EC law and for delays in transposing it to national law. Some problems were common to many states and some issues specific to states with Federal or strong regional structures.

- Length of national process, it varies a lot among states, but is was always a prolonged process;
- The obligation to consult many socio-economic and stakeholders groups causes delays and may force changes in the law;
- In most countries the EU law can’t just be translated; it has to be re- written in accordance with national practice of drafting laws; the national legal ‘transposer’ is in effect an interpreter that can elaborate, sometimes change, the meaning of the regulation in the local context;
- The EU legal terminology itself is not easy to translate into national legal terms, especially in new member states;
- Sometimes states will amend the EC text with national provisions using more detailed or more restrictive regulations than prescribed by the EC directive itself.
- Lack of coordination between administrative departments in charge of transposition duties, within a country (e.g. parliament committee and Justice ministry, or Justice ministry and Interior ministry in charge of police), can cause difficulties and delays in the transposition process;
- In federal or decentralized states, like Germany, Belgium, Austria, Italy, Spain, The UK, the legislative bodies of the federated states or regions have to transpose or accept the EC law before or in addition to the transposing by the central government. This
complicates and prolongs the process. Each of the federal type countries has developed somewhat different solutions to the transposition issue.

After a long process, most EC directives find their way into national law, one way or another. It is a rare case, but sometimes the EC resorts to legal action against a state that has failed to transpose and act on a safety related directive. The Example that follows is, in fact, about a road safety related law.

EC takes Ireland to ECJ over drivers training

'The European Commission decided to launch proceedings in the European Court of Justice against Ireland for failing both to transpose the Directive 2003/59/EC on the training of professional drivers and to notify measures for its implementation. This Directive provides for compulsory initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers. This Directive calls for Member States to set up a system of qualification either based on training course and a test, or on a test only. Periodic training is to be organised by approved training centres. Member States have to apply these arrangements from 10 September 2008 for drivers of passenger vehicles, and from 10 September 2009 for goods vehicle drivers'.

(ETSC safety monitor)

6.4.2 Directive on cross-border traffic enforcement

The ability to detect and prosecute non-resident drivers (or vehicles) is a test-bed for harmonized traffic law and the mechanisms of cooperation between EU member states. Already the White Paper marked it as a policy priority, mainly on the grounds of fairness to resident road users and possible diminishing of deterrence effect. The increased concern, since then, with security and criminality issues, and with terror crossing borders, gave a further impetus to create solutions to the problems of cross-border traffic enforcement.

EU project CAPTIVE (Project on Common Application of Traffic Violations Enforcement (2006) was dedicated to this subject. It mapped the situation in member states in terms of needs, legal and other barriers, current practices and analyses alternative technical and legal configurations to implement a working system of EU level cross-border enforcement.

The project came up with a suggestion for an incremental system that states can join when they are ready for it, and formulated a proposal for a policy recommendation that the Commission can take through the legislative process in the EU level and than to member states. The first step was recently done with the submission of the proposal to the European Parliament Council (EC, 2008).

It may well be that this specific sector of traffic law enforcement, will pioneer use of advanced traffic violations detection technologies, use of efficient methods for processing violation data, develop efficient procedures for exchanging information with other agencies and for collecting fines and serving other sanctions. This experience, gained in the relatively more consensual
area of ‘not letting foreign drivers get away with violations’ may be later transferred to the more general case of national TLE.

### 6.4.3 Barriers at national level

The obstacles to both formulating and implementing effective traffic enforcement strategy, were best summarised by an official from a new member state. They are, most likely, common to many states.

- lack of secure funds
- lack of political support
- non-cooperative and sluggish legal system
- inefficiency of fine collection system
- inconsistent and not safety minded court system
- lack of coordination (and cooperation) within and between public agencies
- lack of systematically collected data on enforcement performance indicators
- lack of professional expertise and personnel at various levels of enforcement planning and implementation

Contrast with that the ‘barrier busters’ actions and conditions reported in France, largely in the area of enforcement, which enabled the ‘new deal’ in road safety management in France since 2002 (chapter 5.1).

- Policy barrier busters
  - Genuine political commitment,
  - mobilization of stakeholders (including government bureaucracies)
  - changing entrenched organizational structure and procedures,
  - insuring stable funding process,
  - efficient management of enforcement chain,
  - adoption of innovative / automated enforcement technologies,
  - large scale / critical mass implementation,
  - securing public trust and support through fair legislation and presentation of (positive) outcomes.
- Many aspects of the support systems for police enforcement, were also improved in terms of legal backing and administrative efficiency:
  - Simplified legal / administrative procedures for small offences;
  - Tough sanctions for criminal offences and no leniency acts;
  - Strict use of disqualification sanction when legally required;
  - Vehicle owner responsible of fine payment in automated citation;
  - Evidential breath tests;
  - Efficient management and utilization of demerit point system;
  - Efficient management of National Licence Agency records.
Efficient and effective enforcement policy is much more than the sum of a set of specific “good practices” such as “use evidential alcohol breath test”. Government agencies that wish to adopt a given practice must be able to not only list it in a ‘Plan’, but to have it accepted by all those who can block it. They also need to create the mechanism to actually introduce the practice into the repertoire of their traffic police operations.

The 2006 Finnish ‘Government Resolution of Road Safety’ addressed some of these mechanisms by discussing horizontal strategies or actions, required to implement the objectives in each of the priority areas of the plan:

- Mechanisms for assessing policy options and tactical methods— through stakeholders discussions, task-forces and workgroups, preparatory background research, controlled experiments by suitable professional bodies, documented monitoring and evaluations;

- Clearly specified agency responsibilities (and accountability) for pursuing the details of the Safety Programme and Resolution; requiring subordinate government units (such as in regions, municipalities, police commands) to develop their own Safety Plans based on, and responsive to, the National Plan;

- Cooperate with justice ministry to develop enabling legislation such as lowered speed limits, vehicle owner liability, simplified and more administrative fine system, allowing non-police entities to perform some enforcement tasks.

- Cooperation based on acknowledged common goals, mutual trust, goodwill and restrained self-interest, among government authorities and stakeholders.

The latter mechanism was not addressed in the Finnish document, perhaps it was taken for granted. But there is little doubt that it is a prerequisite for successful policy formulation and implementation. In the real world there is no 100% cooperation, but how close to it are stakeholders, does matter.

What are the implications for other EU member states? It is hardly practical to mimic the organizational structure of Finnish authorities, their ministries, their police, or their legal system. Finland is not Poland or Italy or Cyprus, each with its unique land, people, and governing organization. But Finland is also not The UK and is not France, yet each of these three countries succeeded to deal reasonably well with their transport, safety and TLE enforcement.

Perhaps the lesson to be learned is that ‘good practice’ in terms of actions, measures, and even policies regarding TLE, can, and should be imitated, but each state must develop its own ‘horizontal mechanisms’, suited to the context of one’s own state, in order to support the strategies it wants to implement.

### 6.5 An Alternative view on non-compliance

The EU Council of Ministers discussed the issue of ‘Road Safety reaching the target of reducing road fatalities by 50%’ in the context of ‘Sustainable Transport Policies’ (ECMT, 2006). The resolution document adopted the Netherlands definition of sustainable safety
Advancing Sustainable Safety, SWOV, 2006) as a road environment embodying the functionality, homogeneity, predictability, forgiveness and state awareness.

This approach highlights the importance for of urban-transport, and road planning, engineering, new technology, education, management and funding, for creating a road environment that embeds those principles. This view holds that drivers are not solely responsible for (real or apparent) non-compliance behaviour and, more importantly, that to be sustainable, a whole range of solutions are available for improving compliance and police enforcement should have only a small role, as a last and not first resort.

The concept of sustainable safety shifts the focus from compliance as a moral issue, to view compliance as an issue of sound ergonomic design (Zaidel, 2000). The current model of enforcement is a classical criminal model. It assumes that compliance with traffic rules is based on fear of punishment, and that police enforcement is the way to remind us of the punishment and generate avoidance of punishment. In this view, traffic violations (observed or not) are indicators of moral failure on the part of drivers; (or, by some accounts, a selfish cost-benefit balance, which may reflect moral insensitivity.)

However, most of the time we comply with rules of conduct because we consider them reasonable, appropriate or right. As a consequence, these rules become a matter of habit, are internalized and become normative, or ‘sustainable’, and do not require policing.

Non compliance goes up when rules, signs, or driving situations are vague, inconsistent, do not agree with some vehicle or road features, require a difficult or too fast judgment, are in conflict with other rules and practices, or defy common-sense. In this view, traffic violations (and crashes) are indicators of system failure, due to poor ergonomic design and management (Zaidel, 2000).

In discussing enforcement, The SWOV document Advancing sustainable safety National Road Safety Exploration for 2005-2020 (SWOV, 2006), recognizes the obvious, but often ignored fact, that the issue of compliance is about correct behaviour and not necessarily about police enforcement. It states:

‘We comply with rules unintentionally or spontaneously when they are prompted by the environment, the road layout incites correct behaviour or we imitate the correct behaviour of others. A sustainable safe traffic system should aim at spontaneous compliance with rules..., To achieve this, rules must fulfil a number of preconditions: that we know the rules, that rules are clear, specific and understandable, and that violations are easy to identify [by drivers]. We comply more easily, if rules logically fit the road environment, if the link with our own safety is clear and we sense that the rules are fair and neutral, we experience them as 'just' [fair].’

Further, the document points at changing forms of compliance inducers, many which rely little or not at all on policing the way we know it now. Instead of waiting for a violation to occur, ‘enforcement’ may prevent it from happening even before a trip begins, for example alcohol-locks or seatbelt locks. Intelligent transport systems should be encouraged to include means for warning drivers when they are about to commit a violation (or error) and even prevent it from happening.
It is a good sign that a police organization explicitly recognizes that speed management is first the responsibility of car manufacturers, roadway managers, those who set speed limits and only last the police (Briggs, 2008). This TISPOL policy document fully accepts the implications of the ECMT/OCED report on Speed Management, (OECD /ECMT Transport Research Centre, 2006), which has highlighted seven factors that are required to develop an integrated strategy to reduce speeds (police enforcement is just one of them).

‘TISPOL is adamant that the speed management must integrate all the above factors to achieve significant reductions in speeding by drivers.

TISPOL supports the improved design of all vehicles to reduce the speeding levels on the road network. Vehicle manufacturers should be pressured to reduce the speed capacity of vehicles, as well as improving the means by which drivers are aware of the speed that they are travelling at. TISPOL wants support, actively, any further development in ISA and would desire to continue to be a partner in any further development in the project.’

All these measures that TISPOL adamantly supports are, in our view, ergonomic solutions to inevitable non-compliance conditions imposed on drivers by poor design.

### 6.6 The implications of the French Experience to Road Safety Policies elsewhere

The evidence seems compelling that massive speed control and continued drink-driving control had a decisive role in bringing down road fatalities in France, drastically and relatively quickly. This appears to be a successful, pre-ante, example of the strategy suggested by the EC Recommendation on enforcement to reach the goal of 50% cut in road fatalities in the EU by 2010. The question is – will the same thing work in more EU states, or in other countries? A related question might be, why aren’t there more countries doing the same thing, knowing well how successful it was in France, or for that matter, in The Netherlands, in The UK, or other countries that have had similar enforcement systems even earlier?

Obviously, France had a road system that encouraged speeding and performed under-par, compared to many EU states, regarding the discouragement of speeding. So it had a way to go to achieve parity. Having known of the situation was not enough. In fact, many countries in the EU are quite aware that they have speeding problem, drink-driving problem, and safety belt use problem (to list a few). All EU States have at least some professionals and officials who are aware of effective measures that are needed to begin solving the problems.

Our analysis of the policy context of the ‘New Deal’ in France suggests that it is not so much the ‘what to do’ as the ‘how to do’ issue. For example, using speed cameras for speeding enforcement is a basically a ‘what’ type issue. It may have new technical, legal and administrative aspects but they have been resolved many times over in many countries with different police, legal and administrative structures. The real issue is how to have real impact on speeding on the road network, which requires a massive deployment of camera systems and because of that also an automated operation and processing of citations.
This requires stable and large amount of funding, political commitment, legal and organizational adaptation, significant cooperation between stakeholders, reliable collection and interchange of various data, and other elements of efficient management.

Knowing all of that is still not sufficient for implementation of the idea of a large automated system of speeding control. A country needs the political leadership, functioning public /governing institutions, capable and dedicated public servants, and knowledgeable professionals, in order to formulate a viable policy about the system and implement it.

If one looks at the list of actions that the French Road safety Council recommended in recent years, one finds no unfamiliar safety management tools or legal actions. Almost all have been applied before (sometimes only written in the plans or resolutions and not applied) in other countries. Again, it is the readiness and ability to mobilize what is needed to carry through the action that an administration chooses, that counts, not just the declared intention.

It is hard to tell if the French mobilization for road safety in 2002 was a unique event or can it be replicated in other countries, such as Italy or Poland for example. It is unfortunate, in a way, that so much interest from other countries was expressed by police professionals interested in the technical and legal aspects of operating the CSA system in France, and not that much interest was shown by politicians and top administrators, in learning how was the ‘New Deal’ in road safety pushed through politically.

France is a rare example where a determined upgrading of the whole TLE chain was achieved in a short time and has improved substantially its efficiency and effectiveness. As this effort produced immediate results, it served to rally French politicians, the police forces, other agencies, the media and the public, to the support of TLE, of course, but also support other measures and initiatives included in the NRSP.

Perhaps contrary to the impression one might obtain from many EC or ETSC documents claiming that enforcement is the quickest and most cost-effective way of reducing crashes substantially, this upgrading did not come cheaply. The French invested a lot of resources in it. Poorer countries might not afford it. Every country that implemented automated enforcement on a large scale had to invent new ways of financing a very expensive operation.

There is also some confusion between the proven safety impacts of speed reducing measures (by whatever means) with the less solid claim that where there is high level of enforcement there is a reduction of crashes. It could be so, but often it was not. It is speeding that must be reduced, not only tickets issued, or police patrolling or drivers punished.

The French example shows that successful upgrade of a TLE system and general safety management requires the prior availability of institutions capable of handling the upgrading and successfully working out cooperation mechanisms between the many institutions. In other words, the potential capacity must be there, so that when political leadership is prodded into action there is the legal and administrative bureaucracy, the professional knowledge and skills, the readiness of mass media to promote safety, and the funding to implement whatever the new safety policy is about.
REFERENCES


Crawford Emily (2007). *Beyond 2010 - a holistic approach to road safety in Great Britain* Parliamentary Advisory Council for Transport Safety (PACTS), Clutha House, 10 Storey’s Gate, London SW1P 3AY


Davies, G. (2003). *Reconvictions of drink/drive course offenders; a six year follow up*. TRL Report TRL574


06/10/2008  115  Final


Finland (2006b). Government Resolution On Improving Road Safety, 9 March 2006


Schendelen van, M. (2002) Machiavelli in Brussels, the art of lobbying the EU.


UK (2004). Tomorrow’s roads - safer for everyone - The first three year review, DfT. April.


UN (2008a). *UN Resolution on Road Safety*. April 21, 2008. Resolution A/62/L.43,


WHO (2004). *Road safety and health*, resolution WHA57.10 adopted by the World Health Assembly (22 May 2004)
