

**Opinion of the European Economic and Social Committee on the Proposal for a Directive of the European Parliament and of the Council on road infrastructure safety management**

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(2007/C 168/15)

On 10 November 2006 the Council decided to consult the European Economic and Social Committee, under Article 71(1)(c) of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 22 March. The rapporteur was Mr Simons.

At its 435 plenary session, held on 25 and 26 April 2007 (meeting of 26 April), the European Economic and Social Committee adopted unanimously the following opinion.

## 1. Conclusions

1.1 The Committee welcomes the Commission's initiative to flesh out the third pillar of road safety policy: road infrastructure safety management. As an adjunct to driver-related action and measures to improve vehicle safety, the directive now on the table seeks to integrate safety into all phases of the planning, design and operation of road infrastructure in the Trans-European Network (TEN-T). In road safety policy, all these factors are equally important.

1.2 Although the Committee is aware that, in places where infrastructure is already well developed, road infrastructure measures will, generally speaking, have less of an impact than action on the driver or the vehicle, it is convinced that every available means must be used in this field too to improve road safety and bring down victim numbers.

1.3 The Committee feels that the proposed measures for the third pillar of road safety policy should not be restricted to the TEN-T alone, but should be extended to include all roads in the Member States outside urban areas on which many accidents clearly occur. Given that the aim is to minimise the number of road traffic victims and that most gains on this front — 1 300 fewer fatalities instead of 600 — are to be made on non-TEN-T infrastructure, this is one aspect to which the Commission might be expected to give much more attention. The Committee feels that EC Treaty Article 71(1)(c) provides a sound basis for this.

1.4 The Committee would therefore ask the Member States to agree to extend the scope of the proposed measures to all roads outside urban areas.

1.5 The Commission is proposing action on the basis of a directive. With an eye to the effectiveness of the proposed measures, the Committee does not feel that a directive will have the desired impact as it gives Member States too much discretion, thus ruling out any uniform application. The Committee feels that, to achieve its objective of halving the number of road fatalities by the year 2010 compared with the 2000 figures, the

Commission must come up with a more binding legal instrument than a directive, the provisions of which will have to be complied with by all government players and private stakeholders concerned.

1.6 The fact that the subsidiarity principle has to be complied with under the legal basis mentioned in point 1.3 above is no hindrance. On the contrary, a European approach is vital to be sure of the uniform application that is so necessary in this field.

1.7 The Committee also notes the importance of analysing the causes of road traffic accidents. This is the only way to identify the precise extent to which such accidents are caused by road infrastructure design and, on that basis, to put effective measures in place.

## 2. Introduction

2.1 Until the 1990s, road traffic accidents were seen as a phenomenon inherent to mobility in our economy and society.

2.2 The European Community's role was also limited. With no explicit responsibilities in this area, it had little scope to act. It was, however, possible to adopt directives, particularly in the field of technical standards designed to improve vehicle safety (obligatory use of seatbelts, speed limiters for lorries, etc.)

2.3 Since the turn of the millennium, however, there has been a sea change in thinking in this field. Studies have shown that road safety is one of the European public's principal concerns. This applies particularly to road transport — the mode in which most fatalities occur.

2.4 In 2000, more than 40 000 people were killed and more than 1.7 million injured in road accidents in the then fifteen-Member-State European Union. The direct measurable cost of road traffic accidents is put at EUR 45 billion, while the indirect cost, including physical and psychological damage to victims and their families, comes to EUR 160 billion per year.

2.5 Since the Maastricht Treaty, the European Community has also had more effective regulatory tools at its disposal to take action in the field of road safety, although application of the subsidiarity principle continues to hinder any genuine common policy in this area.

2.6 The 2001 White Paper *European transport policy for 2010: time to decide* and the June 2003 Communication on a European Road Safety Action Programme devote a great deal of attention to measures designed to improve road safety. The third key component — alongside driver- and vehicle-related measures — is action relating to the physical infrastructure.

2.7 No European-level initiatives are yet in place for road safety infrastructure. Some roads equipped with traffic management and control systems based on information and communication technologies (ICT) have indeed become safer, but there is a long way to go before all roads are fitted with ITC systems.

2.8 Much remains to be done, therefore, to improve the safety of the physical infrastructure. The trend, however, is for national governments to provide less funding for road infrastructure — despite the increasing importance attached by road users to road standards and road safety.

2.9 The Commission's aim, therefore, in submitting this directive is to integrate safety into all phases of road infrastructure in the Trans-European Network (TEN-T). Its intention is to introduce road safety impact assessments alongside economic and environmental analyses.

### 3. General comments

3.1 In a point already made in its opinion of 10 December 2003 on the *Communication from the Commission: European Road Safety Action Programme: Halving the number of road accident victims in the European Union by 2010: A shared responsibility*, the Committee considers the Commission's objective of halving the number of road fatalities by the year 2010 compared with the 2000 figures (from 40 000 in 2000 to 25 000 in 2010) to be somewhat ambitious.

3.2 That is clearly the case, given that, in 2005, road accident victim figures in the European Union were still running at 41 500 — despite the raft of driver- and vehicle-related road safety measures now in place at EU level. The Committee thinks that each and every road traffic victim is one victim too many, and thus expects the Commission to be much more forceful in its efforts to achieve the desired objective, for instance by launching a major European road safety campaign and giving Member States recommendations on the use of tougher instruments to cut the number of road traffic victims.

3.3 The Committee believes that Community action on drivers and vehicles is most effective in improving road safety. Measures to improve the road infrastructure — the third pillar of road safety policy — are, in the Committee's view, less effective and, depending on the circumstances prevailing in the

Member State concerned, will have less of an impact on cutting the number of road accident victims. That said, the Committee does feel that every available means must be used to bring down victim numbers, for instance by introducing standards for road infrastructure design and signposting in the EU Member States.

3.4 The Committee's view as to the effects of the measures on the table is confirmed by the impact analysis of the proposed directive conducted in 2003 by the thematic network ROSEBUD. This study found that implementation of the directive on TEN roads would — at a realistic estimate — lead to more than 600 fewer fatalities and more than 7 000 fewer injury accidents per year. If, however, the directive were also to be applied to all roads outside urban areas, the number of victims would be cut by some 1 300 per year, equating to an annual saving of EUR 5 billion.

3.5 The Committee feels that EC Treaty Article 71(1)(c) provides a sound basis for this. The Committee would therefore ask the Member States to agree to extend the scope of the proposed measures to all roads outside urban areas.

3.6 The draft directive sets out a minimum set of elements that the Commission feels are necessary to have an impact on safety and to spread procedures that have shown to be effective. In that connection, the Commission cites the following four procedures that are central to any system of road infrastructure safety management: road safety impact assessments; road safety audits; identification of black spots; and safety inspections as part of regular road maintenance. The Committee has serious doubts about the effectiveness of any such measures in the form of a directive as these four procedures will most definitely not be applied in a uniform way in all the EU Member States.

3.7 The Commission feels that this directive strikes a good balance between improving safety, limiting administrative burdens and respecting the different traditions, values and standards in the Member States. The Committee disputes this, for the reasons set out in points 3.4 and 3.5 above.

3.8 A directive will not have the desired impact as it gives Member States too much discretion, thus ruling out any uniform application. The Committee feels that, to achieve its objective of halving the number of road fatalities by the year 2010 compared with the 2000 figures, the Commission must come up with a more binding legal instrument than a directive, the provisions of which will have to be complied with by all government players and private stakeholders concerned.

3.9 The Commission thinks that cost increases as a result of the proposals contained in the draft directive will be no more than marginal and will be offset within a short time through savings made as a result of the reduced number of accidents. The Committee wonders on what basis the Commission makes this assertion.

#### 4. Specific comments

4.1 The Committee thinks that, like action relating to vehicles and drivers under the first two pillars, the proposed measures on the third pillar of road safety policy — road infrastructure — should cover not just the TEN-T, but should be extended to include all roads outside urban areas on which many accidents clearly occur.

4.2 This is also one of the findings of the internet public consultation held from 12 April to 19 May 2006. A significant number of respondents suggested extending the provisions of the directive to roads not part of the trans-European road network, since it is precisely on those roads that most lives could be saved.

4.3 The proposed directive lays down procedures for road safety assessments, audits and inspections. Member States are expected to use the elements listed in the annexes to provide the requested information in a uniform way. In the Committee's view, however, the fact that the provisions are laid down in a directive gives Member States too much leeway for any sound comparison to be made of the impact of the measures contained therein.

4.4 Annex I, for instance, sets out a number of components and elements to be used by Member States in road safety impact assessments. This list gives Member States so much discretion in the conduct of such assessments that it is highly doubtful whether they will produce comparable data.

4.5 The same can also be said of the list of elements for road safety audits set out in Annex II. Here too Member States have broad scope for their own interpretation.

4.6 The same shortcoming also applies to the safety inspections, with the additional difficulty that, in Annex III of the directive, one of the elements for reporting by the inspection team is given as 'analysis of the accident reports'. The

Committee feels that the focus should not be so much on analysing the accident reports as on identifying what actually causes the accidents in the first place. This consideration is, regrettably, also missing from Article 7 of the draft directive and from Annex IV, which deals in greater detail with the accident data to be included in accident reports.

4.7 As the Committee already pointed out in its opinion of 10 December 2003 on the *Communication from the Commission: European Road Safety Action Programme: Halving the number of road accident victims in the European Union by 2010: A shared responsibility*, a great deal of information may be obtained by giving closer consideration to black spots, with an analysis of the causes of accidents for each one. In the same opinion, the Committee also notes the work of the 'Euro-RAP' organisation which publishes a road map of various European countries indicating the level of danger on different roads, based on accidents that have actually occurred.

4.8 The Committee recommends that the Commission include in its proposal a provision enjoining the Member States to increase the number of parking areas for all users, including those with disabilities, along major infrastructure routes. Such parking areas should be secure as otherwise drivers will simply carry on with their journey, resulting, among other things, in non-compliance with the rules on driving time and rest periods and thus compromising road safety.

4.9 The Committee feels that not enough attention has been paid to the issue of road lighting. With a view to improving road safety, it is recommended that Member States coordinate their policy in this area.

4.10 A final point the Committee would draw to the Commission's attention is that a visual presentation of black spots by Member States — i.e. infrastructure on which accidents frequently occur — is an important tool in raising road users' awareness.

Brussels, 26 April 2007.

The President  
of the European Economic and Social Committee  
Dimitris DIMITRIADIS