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REPORT

on the proposal for a directive of the European Parliament and of the Council
on road infrastructure safety management
(COM(2006)0569 – C6-0331/2006 – 2006/0182(COD))

Committee on Transport and Tourism

Rapporteur: Helmuth Markov

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council on road infrastructure safety management
(COM(2006)0569 – C6-0331/2006 – 2006/0182(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2006)0569),
 - having regard to Articles 251(2) and 71(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0331/2006),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism and the opinion of the Committee on Industry, Research and Energy (A6-0050/2008),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Recital 3 a (new)

(3a) In recent years, major advances have been made in vehicle design (safety measures and the development and application of new technologies) which have helped to reduce the number of people killed or injured in road accidents. If the target set for 2010 is to be achieved, action must be taken in other areas too. Managing the safety of road infrastructure offers plenty of scope for improvement, which must be used to advantage.

Amendment 2
Recital 4

(4) The setting up of appropriate procedures is an essential tool for improving the safety of road infrastructure within the Trans-European road network. Road safety impact assessments should demonstrate, on a strategic level, the implications on road safety of different planning alternatives of an infrastructure project. Moreover, road safety audits should identify, in a detailed way, unsafe features of a road infrastructure project. It is therefore appropriate to establish procedures to be followed in those two fields with an aim of increasing safety of road infrastructures on the trans-European road network, whilst at the same time excluding road tunnels which are covered by Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network

(4) The setting up of appropriate procedures is an essential tool for improving the safety of road infrastructure within the Trans-European road network. Road safety impact assessments should demonstrate, on a strategic level, the implications on road safety of different planning alternatives of an infrastructure project. ***The results of the road safety impact assessment may be set out in a number of documents.*** Moreover, road safety audits should identify, in a detailed way, unsafe features of a road infrastructure project. It is therefore appropriate to establish procedures to be followed in those two fields with an aim of increasing safety of road infrastructures on the trans-European road network, whilst at the same time excluding road tunnels which are covered by Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network

Amendment 3
Recital 4

(4) The setting up of appropriate procedures is an essential tool for improving the safety of road infrastructure within the Trans-European road network. Road safety impact assessments should demonstrate, on a strategic level, the implications on road safety of different planning alternatives of an infrastructure project. Moreover, road safety audits should identify, in a detailed way, unsafe features of a road infrastructure project. It ***is*** therefore ***appropriate*** to ***establish*** procedures to be followed in those two fields with an aim of increasing safety of road infrastructures on the trans-European road network, whilst at the same time excluding road tunnels which are covered by

(4) The setting up of appropriate procedures is an essential tool for improving the safety of road infrastructure within the Trans-European road network. Road safety impact assessments should demonstrate, on a strategic level, the implications on road safety of different planning alternatives of an infrastructure project. Moreover, road safety audits should identify, in a detailed way, unsafe features of a road infrastructure project. It therefore ***makes sense to develop*** procedures to be followed in those two fields with an aim of increasing safety of road infrastructures on the trans-European road network, whilst at the same time excluding road tunnels which are covered by Directive

Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network

2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network

Amendment 4
Recital 4

(4) The setting up of appropriate procedures is an essential tool for improving the safety of road infrastructure within the Trans-European road network. Road safety impact assessments should demonstrate, on a strategic level, the implications on road safety of different planning alternatives of an infrastructure project. Moreover, road safety audits should identify, in a detailed way, unsafe features of a road infrastructure project. It is therefore appropriate to establish procedures to be followed in those two fields with an aim of increasing safety of road infrastructures on the trans-European road network, whilst at the same time excluding road tunnels which are covered by Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network.

(4) The setting up of appropriate procedures is an essential tool for improving the safety of road infrastructure within the Trans-European road network. Road safety impact assessments should demonstrate, on a strategic level, the implications on road safety of different planning alternatives of an infrastructure project **and they should play a decisive role when routes are being selected**. Moreover, road safety audits should identify, in a detailed way, unsafe features of a road infrastructure project. It is therefore appropriate to establish procedures to be followed in those two fields with an aim of increasing safety of road infrastructures on the trans-European road network, whilst at the same time excluding road tunnels which are covered by Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network.

Justification

It must be made clear in the text of the Directive that road-safety impact assessments are not simply carried out but are properly taken into account when routes are being selected.

Amendment 5
Recital 4 a (new)

(4a) Several Member States already possess well functioning road infrastructure safety management systems. These countries should be permitted to continue using their existing methods.

Amendment 6

Recital 4 a (new)

(4a) Research is vital to improving safety on European roads. Developing and demonstrating components, measures and methods (including telematics) and disseminating research results play an important part in increasing the safety of road infrastructure.

Justification

In the 7th Framework Programme for Research and Development, a substantial budget had been agreed upon in order to boost European research, also in the field of road infrastructure safety (e.g. developing advanced engineering systems and risk analysis methodologies for the design of infrastructure). Improving the dissemination of the results of Community research is however vital to achieve those goals. In its Resolution on the Road Safety Action Programme Mid-term Review of 18 January 2007, the European Parliament called for intensive research and cooperation between all stakeholders.

Amendment 7

Recital 5

(5) Safety performance of existing roads should be raised by targeting investments to the road sections with the highest accident density **or** the highest accident reduction potential. To be able to adapt their behaviour and increase compliance to traffic rules, in particular speed limits, drivers should be made aware **before entering a high risk road section**.

(5) Safety performance of existing roads should be raised by targeting investments to the road sections with **both** the highest accident density **and** the highest accident reduction potential. To be able to adapt their behaviour and increase compliance to traffic rules, in particular speed limits, drivers should be made aware **of road sections with a high accident density**.

Amendment 8

Recital 6

(6) Network safety management has a high potential immediately after its implementation. Once **high risk** road sections have been treated and remedial measures have been taken, safety inspections as a preventive measure should assume a more important role. Regular inspections are an essential tool for preventing possible dangers for all users of the road, including vulnerable users, also in

(6) Network safety management has a high potential immediately after its implementation. Once road sections **with a high accident density** have been treated and remedial measures have been taken, safety inspections as a preventive measure should assume a more important role. Regular inspections are an essential tool for preventing possible dangers for all users of the road, including vulnerable

case of roadworks.

users, also in case of roadworks.

Amendment 9
Recital 7 a (new)

(7a) With a view to improving safety on European roads which are not part of the trans-European road network, arrangements should be made for more frequent and more systematic exchanges of proven practices among the Member States.

Justification

The risk of accidents is particularly high on single-lane main roads. On the basis of the subsidiarity principle, the Commission has no power to adopt legal measures in this area, but exchanges of proven practices would be both feasible and desirable.

Amendment 10
Recital 8

(8) In order to ensure a high level of road safety Member States should apply guidelines on infrastructure safety management. The notification of those guidelines to the Commission and regular reporting on their implementation should pave the way for a systematic improvement of infrastructure safety at the Community level and provide a basis for the evolution towards a more effective system over time. The reporting on their implementation should, furthermore, allow other Member States to identify the most effective solutions, while the systematic collection of data from before/after studies should allow selecting the most effective measure for future action.

(8) In order to ensure a high level of road safety ***on the roads in the Trans-European transport network and on motorways*** Member States should apply guidelines on infrastructure safety management. The notification of those guidelines to the Commission and regular reporting on their implementation should pave the way for a systematic improvement of infrastructure safety at the Community level and provide a basis for the evolution towards a more effective system over time. The reporting on their implementation should, furthermore, allow other Member States to identify the most effective solutions, while the systematic collection of data from before/after studies should allow selecting the most effective measure for future action.

Justification

The scope of the directive should be extended to cover motorways. Any extension to cover main roads is a matter for the Member States, in keeping with the subsidiarity principle. The second addition is designed to reduce red tape.

Amendment 11
Recital 8 a (new)

(8a) The provisions of this Directive which relate to investment in road safety should apply without prejudice to the Member States' competence as regards investment in the upkeep of the road network.

Justification

This amendment highlights the difference between investment in road safety (which is the subject of this Directive) and investment in the maintenance of infrastructure - this being a different concept falling within the Member States' area of responsibility, in accordance with their multiannual budget programmes.

Amendment 12
Recital 10 a (new)

(10a) Sufficient roadside parking areas and lay-bys are very important not only for crime prevention but also for road safety. Parking areas enable drivers to take rest breaks in good time and continue their journey with full concentration. The provision of sufficient safe parking areas and lay-bys should therefore form an integral part of road infrastructure safety management.

Amendment 13
Article 1, paragraph 1 a (new)

1a. Member States may also organise road infrastructure safety management in other ways. If the methods used diverge from those in this Directive, the approval of the Commission shall be required.

Justification

Several Member States already possess well functioning road infrastructure safety management systems. These countries should be permitted to continue using their existing methods.

Amendment 14
Article 1, paragraph 2a (new)

2a. Member States may also apply the provisions of this Directive, as a set of good practices, for national road transport infrastructure not included in the TEN-T network that was constructed using Community funding in whole or in part.

Justification

Improving road traffic safety will make it possible to save many lives, and it is therefore necessary to ensure that national road infrastructure not included in the TEN-T network can also be improved from the point of view of traffic safety.

Amendment 15
Article 2, paragraph 2

(2) “competent entity” means any public ***or private*** organisation set up at national, regional or local level, involved in the implementation of this Directive by reason of its competences;

2. “competent entity” means any public organisation set up at national, regional or local level, involved in the implementation of this Directive by reason of its competences, ***including bodies designated as the competent entity which existed before the entry into force of this Directive insofar as they meet the requirements of this Directive;***

Amendment 16
Article 2, paragraph 6

(6) “safety development ***of the road network in operation***” means ***the reduction of future accidents by targeting remedial treatment to parts of the network where, respectively, accidents occurred most frequently during previous years and accident cost reduction potential is the highest;***

(6) “***classification of the network according to the potential for safety development***” means ***a method for identifying, analysing and classifying parts of the existing road network according to their potential for safety development and accident cost savings;***

Justification

The most dangerous sections should be analysed and classified so that remedial treatment can be targeted at them.

Amendment 17
Article 2, paragraph 7

(7) “safety inspection” means *a* periodical safety *review of a road in operation*;

(7) “safety inspection” means *an ordinary* periodical *verification of the characteristics and defects that require maintenance work for reasons of safety*;

Justification

These inspections are aimed at identifying possible defects and remedying them where necessary.

Amendment 18
Article 2, paragraph 9

(9) “infrastructure project” means a project for the construction of new infrastructure or the rehabilitation of an existing infrastructure likely to have a significant effect on road safety.

(9) “infrastructure project” means a project for the construction of new infrastructure or the rehabilitation of an existing infrastructure *or a road renovation or modernisation measure* likely to have a significant effect on road safety.

Amendment 19
Article 3, paragraph 1

1. Member States shall ensure that a road safety impact assessment is carried out for all *variants of* any infrastructure project.

1. Member States shall ensure that a road safety impact assessment is carried out for any infrastructure project *which has a significant impact on safety*.

Amendment 20
Article 3, paragraph 2

2. The road safety impact assessment shall be carried out at the initial planning stage before the infrastructure project is approved *in accordance with the criteria set out in Annex I*.

2. The road safety impact assessment shall be carried out at the initial planning stage before the infrastructure project is approved. *In that connection, Member States shall endeavour to meet the criteria set out in Annex I*.

Justification

Making the provisions of the annexes binding would restrict the Member States' scope for action too much.

Amendment 21
Article 4, paragraph 1

1. Member States shall ensure that road safety audits are carried out for all **infrastructure** projects.

1. Member States shall ensure that road safety audits are carried out for all **major** projects **with a construction cost of at least EUR 10 million**.

Justification

Additional red tape should be avoided.

Amendment 22
Article 4, paragraph 2, subparagraph 1

2. Road safety audits **shall be carried out in accordance with** the criteria set out in Annex II.

2. **When carrying out** road safety audits **the Member States shall endeavour to meet** the criteria set out in Annex II.

Justification

Making the provisions of the annexes binding would restrict the Member States' scope for action too much.

Amendment 23
Article 4, paragraph 3

3. **The audit** shall form an integral part of the design process of the infrastructure project at the stage of feasibility, draft design, detailed design, pre-opening and early operation.

3. **Road safety audits** shall form an integral part of the design process of the infrastructure project at the stage of feasibility, draft design, detailed design, pre-opening and early operation.

Justification

Linguistic adjustment.

Amendment 24

Article 4, paragraph 4

4. Member States shall ensure that the auditor sets out safety critical design elements in an audit report for each stage of the infrastructure project, ***as well as proposals to remedy any unsafe features identified***. Where unsafe features are identified in the course of the audit but the design is not rectified before the end of the appropriate stage as referred to in Annex II, the reasons shall be stated by the competent entity in an annex to that report.

4. Member States shall ensure that the auditor sets out safety critical design elements in an audit report for each stage of the infrastructure project. Where unsafe features are identified in the course of the audit but the design is not rectified before the end of the appropriate stage as referred to in Annex II, the reasons shall be stated by the competent entity in an annex to that report.

Amendment 25
Article 5, paragraph 1

1. Member States shall ensure the safety ***development*** of the road network in operation. ***They shall ensure that management of high-risk road sections and network safety management is carried out on the basis of an annual review*** of the operation of the road network ***in accordance with Annex III***.

1. Member States shall ensure ***that the classification of road sections with high accident rates and the classification of*** the safety of the road network in operation is carried out ***at least*** on the basis of ***three-yearly reviews*** of the operation of the road network. ***In that connection, Member States shall endeavour to meet the criteria set out in Annex III***.

Justification

Making the provisions of the annexes binding would restrict the Member States' scope for action too much.

Amendment 26
Article 5, paragraph 4

4. Member States shall prioritise the measures referred in point 3(f) of Annex III on the basis of their cost-benefit ratio.

deleted

Amendment 27
Article 5, paragraph 4a (new)

4a. Member States shall ensure that

corresponding signs are in place to warn road users of road infrastructure segments that are undergoing repairs and which may thus jeopardise the safety of road users. These signs shall also include luminous signs set up at a safe distance and shall comply with the provisions of the Vienna Convention on Road Signs and Signals.

Justification

Many road accidents are caused by poorly signposted repair work. The Member States have a duty to ensure that corresponding signs are in place where repairs are being carried out to the road infrastructure.

Amendment 28 Article 6, paragraph 2

2. Safety inspections shall comprise *routine inspections and inspections of road works. They shall be carried out in accordance with the criteria set out in Annex III.*

2. Safety inspections shall comprise *regular inspections of the road network and surveys on the possible impact of roadworks on the safety of the traffic flow.*

Amendment 29 Article 7, paragraph 1

1. Member States shall ensure that for each accident *involving one or more fatalities or severe injuries* occurring on a road referred to in Article 1(2), *a complete* accident report is drawn up by the competent entity. *This report shall* include each of the elements listed in Annex IV.

1. Member States shall ensure that for each *fatal* accident occurring on a road referred to in Article 1(2), *an* accident report is drawn up by the competent entity. *Member States shall endeavour to* include *in this report* each of the elements listed in Annex IV.

Amendment 30 Article 8, paragraph 1

1. *In order to assist the competent entities in the application of this Directive*, Member States shall ensure that guidelines are

1. Member States shall ensure that guidelines, *if they do not already exist*, are adopted within three years from *the* entry

adopted within three years from *its* entry into force. ***These guidelines shall be made available to all interested parties.***

into force ***of this Directive, in order to support the competent entities in the application of this Directive.***

Amendment 31
Article 8, paragraph 2

2. Member States shall communicate ***the*** guidelines ***adopted at national level*** to the Commission within three months of their adoption or amendment.

2. Member States shall communicate ***these*** guidelines to the Commission within three months of their adoption or amendment.

The Commission shall make them available on the Internet.

Amendment 32
Article 9, paragraph 1

1. Member States shall ensure that training curricula for road safety auditors are adopted within three years after the entry into force of this Directive.

1. Member States shall ensure that training curricula for road safety auditors, ***if they do not already exist***, are adopted within three years after the entry into force of this Directive.

Amendment 33
Article 9, paragraph 1

1. Member States shall ensure that training curricula for road safety auditors are adopted within three years after the entry into force of this Directive.

1. Member States shall ensure that ***mutually compatible*** training curricula for road safety auditors are adopted within three years after the entry into force of this Directive.

Justification

More appropriate wording. Compatible training curricula will facilitate transfer and use of this particular qualification across different EU countries and education and training systems.

Amendment 34
Article 9, paragraph 2

2. Member States shall ensure that where road safety auditors carry out functions under this Directive, they undergo an initial

2. Member States shall ensure that where road safety auditors carry out functions under this Directive, they undergo an initial

training *within five years of the entry into force of this Directive* resulting in the award of a certificate of competence, and *follow periodic re-training at least every seven years*.

training resulting in the award of a certificate of competence, and *take part regularly in further training courses*.

Amendment 35
Article 9, paragraph 3

3. Member States shall ensure that road safety auditors hold a certificate of competence. Certificates awarded before the entry into force of this Directive shall be *taken into account*.

3. Member States shall ensure that road safety auditors hold a certificate of competence. Certificates awarded before the entry into force of this Directive shall be *recognised*.

Amendment 36
Article 9, paragraph 4 (a)

(a) they have experience in road design, road safety engineering and accident analysis;

(a) they have *relevant* experience *or training* in road design, road safety engineering and accident analysis;

Amendment 37
Article 9, paragraph 4 (b)

(b) from two years after the adoption by the Member States of the guidelines pursuant to Article 8, road safety audits shall only be undertaken by auditors meeting the requirements provided for in paragraphs 2 and 3;

(b) from two years after the adoption by the Member States of the guidelines pursuant to Article 8, road safety audits shall only be undertaken by auditors, *or teams to which auditors belong*, meeting the requirements provided for in paragraphs 2 and 3;

Amendment 38
Article 9, paragraph 4 (c)

(c) for the purpose of the infrastructure project audited, the auditor shall not be involved in the conception or operation of the relevant infrastructure project.

(c) for the purpose of the infrastructure project audited, the auditor shall not **at the time of the audit** be involved in the conception or operation of the relevant infrastructure project.

Amendment 39
Article 9 a (new)

Article 9a

Member State obligations

In order to improve the safety of roads within the European Union that are not part of the Trans-European road network, the Member States shall establish a coherent system for the exchange of best practice, covering, inter alia, existing road infrastructure safety projects and proven road safety technology.

Amendment 40
Article 10

Reporting on the implementation

1. Member States shall report to the Commission on the implementation of this Directive five years after its entry into force and thereafter every four years.

2. This report shall include:

(a) the identification of the organisation structures responsible for the implementation of the guidelines;

(b) an assessment of the need to amend guidelines on road design, signing and signalling including a list and a description of road designs that have shown to be very high risk or that have a high potential to

Continual improvements to the safety management procedure

The Commission shall facilitate and structure the exchange of knowledge and proven practices among the Member States, making use, in that connection, of the experience gained in existing relevant international forums, so that continual improvements can be made to road infrastructure safety management procedures in the European Union.

reduce risk;

(c) information on the rates, the procedures and cost elements used to calculate such rates according to Article 7(2);

(d) contact data of the competent entities,

3. A common format for reporting may be adopted in accordance with the procedure referred to in Article 11(2).

4. The Commission shall analyse the reports and information obtained and provide as appropriate a report to the European Parliament and the Council on the implementation of this Directive.

5. Where necessary to ensure a consistently high level of road safety throughout the Trans-European road network, minimum requirements for the content of the guidelines referred to in Article 8(1) shall be adopted in accordance with the procedure referred to in Article 11(2).

Amendment 41
Article 10 a (new)

Article 10a

Adaptation to technical progress

The annexes of this Directive shall be adapted to take account of technical progress in accordance with the regulatory procedure with scrutiny referred to in Article 11(2) a. Where appropriate, relevant non-governmental organisations, active in the field of safety and in the management of road infrastructures, may be consulted on matters related to technical safety aspects.

Amendment 42
Article 11, paragraph 2a (new)

..

2a. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Justification

The new comitology procedure with scrutiny is introduced with a view to its use in Articles Art.10 (5) on minimum requirements for the guidelines and Art.10a (new) on adaptation of the annexes to technical progress.

Amendment 43
Article 12, paragraph 1

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive **by [...]**. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive. When Member States adopt those provisions they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive **not later than two years after the entry into force of this Directive**. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive. When Member States adopt those provisions they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Amendment 44
Annex I, Section 1, point (d)

(d) analysis of impacts of the proposed alternatives;

(d) analysis of impacts of the proposed alternatives, **taking into account the best available know-how in safety engineering and telematics**;

Justification

Safety engineering and telematics can increase the safety of the infrastructure elements of road transport. The use of ICT (for example Intelligent Transport Systems) has a huge potential to save lives. Best available know-how should therefore be taken into account when analysing alternatives.

Amendment 45
Annex 1, Section 2, point e a (new)

ea) seasonality dependency and climatic conditions;

Amendment 46
Annex I, Section 2, point (e a) (new)

ea) presence of sufficient safe parking areas and lay-bys;

Justification

Sufficient roadside parking areas and lay-bys are very important not only for crime prevention but also for road safety. Parking areas enable drivers to take rest breaks in good time and continue their journey with full concentration. The provision of sufficient safe parking areas and lay-bys should therefore form an integral part of road infrastructure safety management.

Amendment 47
Annex I, Section 2, point (e b) (new)

eb) seismic activity.

Amendment 48
Annex II, Sections 1 and 2

1. Criteria at the *feasibility* stage:
- (a) geographical location (**exposition** to landslides, flooding, avalanches, etc.);
 - (b) types and distance of junctions;
 - (c) number and type of lanes;
 - (d) kinds of traffic admissible to the new road.
2. *Criteria at the draft design stage:*

1. Criteria at the *draft design* stage:
- (a) geographical location (*e.g.* exposure to landslides, flooding, avalanches, etc.) **seasonal and climatic conditions and seismic activity;**
 - (b) types and distance of junctions;
 - (c) number and type of lanes;
 - (d) kinds of traffic admissible to the new road;
- (e) functionality of the road in the*

(a) design speed;

(b) cross-sections (width of carriageway, cycle tracks, foot paths, etc.);

(c) visibility;

(d) junctions layout;

(e) bus and tramway line stops;

(f) road/rail level crossings

network;

(f) weather conditions;

(g) driving speeds;

(h) cross-sections (width of carriageway, cycle tracks, foot paths, etc.);

(i) horizontal and vertical alignments;

(j) visibility;

(k) junctions layout;

(l) public transport and infrastructures;

(m) road/rail level crossings.

Amendment 49
Annex II, Section 3

3. Criteria for the detailed design stage:

(a) layout;

(b) horizontal and vertical alignments

(c) road signs and markings;

(d) lighting;

(e) road side equipment;

(f) road side environment including vegetation;

(g) fixed obstacles at the road side.

2. Criteria for the detailed design stage:

(a) layout;

(b) harmonised road signs and markings;

(c) lighting of roads and road junctions;

(d) roadside equipment;

(e) roadside environment including vegetation;

(f) fixed obstacles at the roadside;

(g) provision of safe parking areas and lay bays;

(h) vulnerable road users (pedestrians, cyclists and motorcyclists).

Justification

Moves should be made towards the genuine and effective harmonisation of road signs and markings at EU and international level.

Amendment 50
Annex II, Section 3, point (g a) (new)

(ga) ergonomic adaptation of road restraint systems (central reservations and crash barriers to prevent hazards to vulnerable

users).

Justification

This amendment makes the text more specific.

Amendment 51
Annex II, Section 4

4. Criteria for the pre-opening stage:

(a) *users comfort* under different conditions such as darkness and *bad weather*;

(b) readability of road signs and markings;

(c) *grip* of pavements.

3. Criteria for the pre-opening stage:

(a) *safety of road users and visibility* under different conditions such as darkness and *under normal weather conditions*;

(b) readability of road signs and markings;

(c) *condition* of pavements.

Amendment 52
Annex III, Section 1

1. Identification of *high-risk* road sections

The identification of *high-risk* road sections takes into account at least the number of fatal *and severe injury* accidents that have occurred in previous years per unit of road length and, in case of intersections, the number of such accidents per location of intersections.

1. Identification of road sections *with a high accident density*

The identification of road sections *with a high accident density* takes into account at least the number of fatal accidents that have occurred in previous years per unit of road length *in relation to the volume of traffic* and, in case of intersections, the number of such accidents per location of intersections.

Justification

There is still a reference to “high risk road sections” that has to be modified, since it is incongruous and incoherent with the text of the Directive and namely with the Definitions of the Article 2.

The same reason has to be applied for “severe injury”. Furthermore, this wording has no statistical consistence and no meaning in technical terms (there is not a common definition all over the EU and no comparable data).

Moreover, we confirm the opportunity of replying the definition of “rates” (i.e. the number of

fatal accidents in relation to the volume of traffic) within the Article 2 as well.

Amendment 53
Annex III, Section 3, point (e), indent 5

- visibility, readability and position of road markings (incl. application of rumble strips), signs and signals;

- **harmonisation**, visibility, readability and position of road markings (incl. application of rumble strips), signs and signals;

Justification

Road signs and markings should be genuinely and effectively harmonised.

Amendment 54
Annex III, Section 3, point (e), indent 6

- rocks falling;

- **protection against** rocks falling, **landslips and avalanches**;

Justification

This amendment makes the text more specific.

Amendment 55
Annex III, Section 3, point (f), indent 10 a (new)

- **use and testing of intelligent road signs and reception systems for the integrated transmission of speed limits to vehicles**;

Justification

Using intelligent road signs for the automatic transmission of speed limits to passing vehicles is a relatively straightforward technology but it can mean a substantial increase in safety.

Amendment 56
Annex III, Section 3, point (f), indent 10 b (new)

- **installation of telematics services harmonised for operational and signage purposes for Trans-European Transport Network roads and installation of intelligent transport systems.**

Justification

Telematics and the adoption of intelligent transport systems may play a key part in improving the safety of road infrastructure and should therefore be considered as potential corrective measures.

Amendment 57 Annex IV, point 7

7) data on the vehicles involved (***type, age, country, eventually safety equipments***);

7) data on the vehicles involved, ***such as type and model of vehicle, vehicle identification number, country of registration, age, performance, date of last technical check pursuant to Directive 96/96/EC, safety equipment (use of electronically-operated safety systems), previous accident damage, technical modifications, special tyres***;

Amendment 58 Annex IV, point 8 a (new)

8a) Information on the time elapsed between the time of the accident and recording of the accident, or arrival of the emergency services, and on the technology used to locate the accident and navigation systems used by the emergency vehicles (e.g. transport telematics).

EXPLANATORY STATEMENT

The Commission Proposal

On 5 October 2006, the Commission presented its proposal for a directive on Road Infrastructure Safety management. Although much has been achieved in past decades in the areas of vehicle safety and driver training, in the area of infrastructure there are still no unified European rules. Safety standards for road infrastructure in the various Member States differ significantly in their structure and scope. Safety concerns play a subsidiary role when roads are designed. There are also problems with road maintenance: the existing road network in many cases does not meet modern safety standards and was often built to carry less traffic than is currently the case. Data from investigations of accident black spots take a long time to reach the relevant authorities. In many Member States the authorities responsible for road building have to tackle the problem of more exacting safety requirements while road networks are overloaded and financial resources diminishing.

The Directive therefore aims to establish infrastructure safety as an objective in its own right, in parallel with economic and environmental protection factors, at all stages of the planning, design and use of roads. A uniformly high level of safety should prevail on the roads of all the EU Member States, and infrastructure planners must be made aware of safety issues. Road infrastructure administrators should receive the guidelines, training and information they need to ensure that they can maintain a road network that meets modern safety requirements. And care must be taken to ensure that the limited resources are targeted to improving road safety.

To achieve these aims, the Directive proposes four procedures:

- impact assessment of the effect of road building on safety: for all variants of an infrastructure project the impact of new roads or major changes to existing roads must be examined;
- safety audits: an independent auditor must evaluate the design specifications of all infrastructure projects to be implemented in the Member States with regard to their accident potential;
- improving safety in the existing road network: sections of roads with a high accident rate and with a high potential for accident prevention must be investigated more intensively and when necessary appropriate measures taken;
- safety inspections: regular inspections of road infrastructure by trained staff are a binding requirement;

Some Member States already have provisions of this kind. The Directive aims to introduce such measures throughout the EU. However, it does not lay down any binding technical arrangements, so that the Member States have the option of maintaining their existing rules and procedures.

Although the proposal aims to achieve a unified safety level on all roads in the Member States, the Commission proposal refers only to the Trans-European road network. To achieve valid, universal, high safety standards for the Trans European road network, a binding methodology is needed and a basis for introducing safety procedures must be created. An exchange of good practice is not enough. However, this Directive also aims to improve the exchange of good practice between the Member States.

The rapporteur's first report

In his first report of 20 March 2007, the rapporteur essentially supported the Commission proposal. He considered, however, that some parts of it should be deepened and strengthened. He therefore proposed amendments as follows:-

- the Directive should apply not only to the trans-European road network but to all motorways and main roads in the Member States (Article 1);
- the 'competent entity' (Article 2) responsible for establishing and monitoring the guidelines required by the Directive should be the express preserve of the public authorities;
- the cost benefit analysis (Article 3 (3)) should be subject to harmonised criteria in all Member States;
- the timing of regular routine checks should be laid down more exactly (Article 6 (3)), and they should be carried out at least once in winter and once in summer;
- the time lapse before the Directive enters into force and the periods before initial training and between re-training periods should be reduced (Articles 8 and 9);
- minimum criteria should be laid down for training and re-training of auditors and certificates gained in one Member State should be recognised in all Member States (Article 9);
- the Commission should regularly analyse and evaluate the measures taken in the Member States and the data collected; your rapporteur considers that a standard format for the report form is necessary (Article 10);
- a new comitology regulatory procedure with scrutiny should be applied to the laying down of guidelines for competent entities (Article 10 (5)) and the adaptation of the annexes to technical projects (Article 10 (a) [new]. The new procedure enables Parliament to object to a measure adopted in the comitology procedure within three months;
- the annexes should include additional references, e.g. to climatic conditions, parking areas and lay-bys, safety barriers and signposting of roadworks, to improve the quality of safety measures.

However, on 4 June 2007, the Committee on Transport voted by a narrow majority (19 votes to 18) to reject the entire Commission proposal. This majority believed that the Commission proposal would not be in line with the subsidiarity principle and less binding measures such as recommendations would be more appropriate in this area. It was decided in plenary sitting in July 2007 to refer the report back to the Committee on Transport in accordance with Rule 168 of Parliament's Rules of Procedure. In August 2007, the coordinators of the Committee on Transport instructed their rapporteur to re-submit a report on the Commission proposal which was to take into account the aspects which had contributed to rejection of the first report.

Developments in the Council

On 2 October 2007 the Council agreed on a general orientation on the Commission proposal. It endorsed the idea of a directive with non-binding annexes that were not binding. Thus Article 3 of the Council text states that Member States shall endeavour to meet the criteria listed in Annex I. Article 4, paragraph 2, and Article 5, paragraph 1, also refer to the endeavours of the Member States to meet the criteria listed in Annexes II and III. The Council would like to restrict the application of the Directive to the Trans-European road network.

Rapporteur's second report: amendments

In his second draft the rapporteur took incorporated parts of the general orientation and many amendments tabled by fellow committee members to his first draft. This applies particularly to amendments criticizing rules which were allegedly unnecessarily bureaucratic where the substance and applicability of the legislative draft can be improved.

Thus the Directive should apply not only to the Trans-European road network, but also to motorways (Article I). Member States should then decide in accordance with the principle of subsidiarity on whether to extend the provisions of this Directive to other roads.

From the rapporteur's point of view, the competent entity referred to in Article 2, responsible for establishing and monitoring the guidelines required by the Directive, should be a public, not a private, entity. Nevertheless, bodies already existing as competent entities before the entry into force of this Directive should be able to continue to play this role.

Your rapporteur therefore takes the view that Annexes I, II and III should be binding. If the Annexes containing the essential provisions of this Directive were not binding, serious doubts would arise about the practicality of this Directive.

On the other hand, your rapporteur is able to agree to some streamlining of the Commission proposal.

The provisions governing the management of the existing road network (Article 5) for example, were simplified. It is not absolutely necessary to make it incumbent upon Member States to evaluate dangerous sections of road, the potential of the remedial measures listed in Annex III, 3 (e) and (f) and the costs of remedial measures. It is sufficient if a member of the team of experts, provided for in Article 5, paragraph 2, meets the requirements of Article 9, paragraph 4 (a).

The most important aspect of the safety inspections referred to in Article 6 is that it should be carried out on a regular basis. It is, however, equally necessary that these inspections be the subject of a written report pointing to safety-related shortcomings.

It is unnecessary to issue new guidelines to support the competent entities, if such guidelines already exist (Article 8, paragraph 1).

In reformulating the criteria in Annexes I, II and III, your rapporteur took into account as far

as possible the Council's proposals.

28.3.2007

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on Transport and Tourism

on the proposal for a directive of the European Parliament and of the Council on road infrastructure safety management
(COM(2006)0569 – C6-0331/2006 – 2006/0182(COD))

Draftsman: Ivo Belet

SHORT JUSTIFICATION

In 2001 the EU set itself the ambitious objective of halving the number of fatalities on European roads by 2010. While progress is being made, EU road accidents still cause at present around 40.000 victims and 1.7 million injuries per year. This is the equivalent of a jumbo jet crashing every day on our roads. Road accidents are the leading cause of death for people under 45 years.

Road safety requires action on the level of the vehicle, the driver and the infrastructure. Significant progress has been made in the past decades in terms of vehicle safety and traffic rules. However, for road safety infrastructure, no such joint effort has yet been carried out at European level. This Directive aims at filling this gap by ensuring that safety is integrated in all phases of planning, design and operation of road infrastructure in the Trans-European Network. All Member States are required to carry out road safety impact assessments, road safety audits, safety inspections and network safety management. The setting and defining of technical standards or requirements is left to the Member States.

Your draftsman welcomes this proposal, which is estimated to reduce the number of fatalities by more than 600 per year, creating an annual welfare benefit of more than € 2.4 billions. Our economy and society depend heavily on a safe and efficient road transport. The unnecessary loss of life and the huge socio-economic cost of road accidents (estimated at € 200 billion a year) are both unacceptable. Safety is and should be one of the major issues for all stakeholders in the area of road transport. Your draftsman sees this Directive, therefore, as part of a new "safety deal", linking in a realistic way all the actors of the safety chain - the drivers, the vehicles, the roads, the policy makers and the citizens - in their common effort to save thousands of needless casualties and billions of euros every year. Attention to safety during road design, construction and maintenance can make a significant contribution in reducing the frequency and severity of road traffic accidents by influencing driver behaviour and by eliminating defects in road design. The importance and relevance of improved infrastructure (e.g. quality of motorways and road networks, traffic lanes, traffic signs) was

also highlighted recently in Parliament's Resolution on the mid-term review of the European Road Safety Action Programme (18th of January 2007).

Your draftsman would like to highlight two points. The first one concerns the scope of the Directive, which is limited to the Trans-European road Network. This network consists of almost 90.000 km of roads, but is almost entirely made up of motorway or similar grade roads. These roads are not where the majority of fatalities occur. Most of the casualties are produced on single carriageway roads outside of urban areas. According to research many of those accidents could be avoided if the existing road infrastructure was managed according to the best available know-how of safety engineering. From a subsidiarity point of view, a limitation of the scope of the Directive to trans-European roads is understandable. However, in order to increase the safety of all other roads in the EU, your draftsman would recommend to improve the use of existing, but fragmented exchanges of best practices. Furthermore, your draftsman would like to introduce a review clause in the proposal, requesting the commission on the basis of the experience gained to, inter alia, reassess the scope of the proposal.

Your draftsperson would like to stress the importance of research, especially in the field of Information and Communication Technologies (ICT). Research is a vital instrument in improving safety on European roads. Developing and demonstrating components, measures and methods (including telematics) can increase the safety of the infrastructure elements of road transport. In particular, research and development of communications technology for infrastructure can enable safe and secure transfer of information between vehicle and infrastructure. This is necessary for new vehicle safety technology to become available and used to its full capacity. Intelligent Transport Systems, that for example detect hazards on the road ahead and inform drivers of them even before they are visible, have the potential to save lives and reduce the congestion caused by accidents. In this respect, your draftsman would like to stress the importance of research projects carried out under the Research Framework Programme and the dissemination of their results. Furthermore, the interesting and important work done by research networks, such as the European Road Assessment Programme (EURORAP), and Technology Platforms, such as the European Road Transport Research Advisory Council (ERTRAC), should be mentioned.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on Transport and Tourism, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1
Recital 4 a (new)

¹ Not yet published in OJ.

(4a) Research is a vital instrument in improving safety on European roads. Developing and demonstrating components, measures and methods (including telematics) and disseminating research results play an important part in increasing the safety of road infrastructure.

Justification

In the 7th Framework Programme for Research and Development, a substantial budget had been agreed upon in order to boost European research, also in the field of road infrastructure safety (e.g. developing advanced engineering systems and risk analysis methodologies for the design of infrastructure). Improving the dissemination of the results of Community research is however vital to achieve those goals. In its Resolution on the Road Safety Action Programme Mid-term Review of 18 January 2007, the European Parliament called for intensive research and cooperation between all stakeholders.

Amendment 2
Recital 5 a (new)

(5a) In order to improve the safety performance of existing roads further, the adverse impact of particularly heavy vehicles with a total weight of up to 60 tonnes and a maximum length of 25,25 metres which pose many safety risks should be taken into account.

Justification

So-called Gigaliners and Megatrucks are endangering safety on Europe's roads. Many motorways have no retention systems capable of withstanding a collision with these vehicles. Road accidents involving such vehicles would have grave consequences and bridge constructions would also be exposed to high stress levels.

Amendment 3
Recital 8 a (new)

(8a) In order to improve the safety of roads within the European Union that are not part of the Trans-European road network, a coherent system for the exchange of best practice between Member States should be

established, covering, inter alia, existing road infrastructure safety projects and proven road safety technology such as the embedded road-marking reflectors known as cats' eyes. The Commission should timely evaluate this Directive in order to establish whether its scope should be broadened to include all major roads in the Member States, having particular regard to vulnerable road users.

Amendment 4
Recital 8 b (new)

(8b) Modal shift from road to rail for its part can also be an important tool to promote road safety.

Amendment 5
Article 10, paragraph 1

1. Member States shall report to the Commission on the implementation of this Directive **five years** after its entry into force and thereafter every four years.

1. Member States shall report to the Commission on the implementation of this Directive **four years** after its entry into force and thereafter every four years.

Justification

It is important to review this proposal. In order for the review to be in time, the Commission should earlier be aware of the state of implementation.

Amendment 6
Article 10, paragraph 4

4. The Commission shall analyse the reports and information obtained and **provide as appropriate a** report to the European Parliament and the Council **on the implementation of this Directive.**

4. The Commission shall analyse the reports and information obtained and **shall review this Directive in order to establish whether its scope should be broadened to include all major roads in the Member States, having particular regard to vulnerable road users. It shall forward an appropriate report and the results of its review** to the European Parliament and the Council.

Amendment 7
Article 11 a (new)

Article 11a

Member State obligations

In order to improve the safety of roads within the European Union that are not part of the Trans-European road network, the Member States should establish a coherent system for the exchange of best practice, covering, inter alia, existing road infrastructure safety projects and proven road safety technology.

Amendment 8
Annex I, point 1, point (d)

(d) analysis of impacts of the proposed alternatives;

(d) analysis of impacts of the proposed alternatives, ***taking into account the best available know-how in safety engineering and telematics;***

Justification

Safety engineering and telematics can increase the safety of the infrastructure elements of road transport. The use of ICT (for example Intelligent Transport Systems) has a huge potential to save lives. Best available know-how should therefore be taken into account when analysing alternatives.

Amendment 9
Annex I, point 2, point (d a)

(d a) any need for improvement or construction of pedestrians' paths and cycle lanes;

Amendment 10
Annex III, point 3, point (f), indent 10 a (new)

– use and testing of intelligent road signs and reception systems for the integrated transmission of speed limits to vehicles.

Justification

Using intelligent road signs for the automatic transmission of speed limits to passing vehicles is a relatively straightforward technology but it can mean a substantial increase in safety.

Amendment 11

Annex III, point 3, point (f), indent 10 b (new)

– installation of telematics services harmonised for operational and signage purposes for Trans-European Transport Network roads and installation of intelligent transport systems.

Justification

Telematics and the adoption of intelligent transport systems may play a key part in improving the safety of road infrastructure and should therefore be considered as potential corrective measures.

PROCEDURE

Title	Road infrastructure safety	
References	COM(2006)0569 - C6-0331/2006 - 2006/0182(COD)	
Committee responsible	TRAN	
Opinion by Date announced in plenary	ITRE 23.10.2006	
Drafts(wo)man Date appointed	Ivo Belet 28.11.2006	
Discussed in committee	26.2.2007	27.3.2007
Date adopted	27.3.2007	
Result of final vote	+: 40	-: 0
	0: 0	
Members present for the final vote	Jerzy Buzek, Jorgo Chatzimarkakis, Giles Chichester, Silvia Ciornei, Pilar del Castillo Vera, Den Dover, Lena Ek, Nicole Fontaine, Adam Gierek, András Gyürk, Fiona Hall, Rebecca Harms, Erna Hennicot-Schoepges, Mary Honeyball, Ján Hudacký, Romana Jordan Cizelj, Anne Laperrouze, Angelika Niebler, Reino Paasilinna, Atanas Papparizov, Francisca Pleguezuelos Aguilar, Miloslav Ransdorf, Vladimír Remek, Herbert Reul, Mechtild Rothe, Paul Rübig, Andres Tarand, Britta Thomsen, Radu Țîrle, Patrizia Toia, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis, Alejo Vidal-Quadras	
Substitute(s) present for the final vote	Alexander Alvaro, Ivo Belet, Philip Dimitrov Dimitrov, Matthias Groote, Satu Hassi, Esko Seppänen	

PROCEDURE

Title	Road infrastructure safety
References	COM(2006)0569 – C6-0331/2006 – 2006/0182(COD)
Date submitted to Parliament	5.10.2006
Committee responsible Date announced in plenary	TRAN
Committee(s) asked for opinion(s) Date announced in plenary	ITRE
Not delivering opinions Date of decision	ITRE 9.10.2007
Rapporteur(s) Date appointed	Helmuth Markov 27.8.2007
Discussed in committee	22.11.2007 25.2.2008
Date adopted	26.2.2008
Result of final vote	+: 23 -: 5 0: 13
Members present for the final vote	Gabriele Albertini, Inés Ayala Sender, Paolo Costa, Michael Cramer, Luis de Grandes Pascual, Christine De Veyrac, Saïd El Khadraoui, Robert Evans, Emanuel Jardim Fernandes, Brigitte Fouré, Mathieu Grosch, Georg Jarzembowski, Stanisław Jałowiecki, Dieter-Lebrecht Koch, Sepp Kusstatscher, Bogusław Liberadzki, Eva Lichtenberger, Marian-Jean Marinescu, Seán Ó Neachtain, Josu Ortuondo Larrea, Willi Piecyk, Reinhard Rack, Luca Romagnoli, Brian Simpson, Renate Sommer, Dirk Sterckx, Ulrich Stockmann, Georgios Toussas, Yannick Vaugrenard, Lars Wohlin, Roberts Zīle
Substitute(s) present for the final vote	Zsolt László Becsey, Philip Bradbourn, Armando França, Anne E. Jensen, Helmuth Markov, Vladimír Remek, Leopold Józef Rutowicz, Ari Vatanen, Corien Wortmann-Kool
Substitute(s) under Rule 178(2) present for the final vote	Pierre Pribetich