



## ROAD TRAFFIC AND SAFETY PROVISIONS

The establishment of a European road safety area has been one of the EU's long-standing objectives since 2010. While each Member State has the power to make its own decisions related to certain aspects of road traffic and safety provisions, the EU also carries out work in this field and has been focusing its measures on vehicle conditions, the transport of dangerous goods and road safety in general.

### LEGAL BASIS AND OBJECTIVES

Title VI of the Treaty of Lisbon, and in particular Article 91 of the Treaty on the Functioning of the European Union (TFEU), is the legal basis for creating this road safety area, the aim of which is to improve road safety and contribute to sustainable mobility. In May 2018 the Commission issued a [strategic action plan on road safety](#) where it called for a new approach to counter the stagnating trend in road safety figures in the EU and to move closer to the long-term goal of zero road fatalities across the EU by 2050 ('Vision Zero').

#### Achievements

##### A. General

EU efforts in road safety resulted in a reduction of road fatalities from 51 400 in 2001 to 19 800 in 2021 and almost reached the EU target of a 75% reduction between 2001 and 2020. However, the promising trend towards halving the number of road deaths during the first decade plateaued later. Moreover, in 2021 the number of people killed in road traffic accidents in the [EU](#) increased by 6% compared with 2020. The situation called for a new impetus for road safety efforts. In its [2017 Valletta declaration](#), the Council of the European Union (hereinafter 'the Council') called on the Commission to take political initiatives for the decade 2020 to 2030 with a view to cutting numbers of deaths and better protecting road users, especially the most vulnerable among them (cyclists and pedestrians), who make up the greatest proportion of road deaths. In its [sustainable and smart mobility strategy of 2020](#), the Commission confirmed the target of zero fatalities by 2050 (the 'Vision Zero' objective).

In May 2018, as part of the third mobility package, the Commission published the outline of a road safety policy framework for 2021 to 2030 ([SWD\(2019\)0283](#)).

Moreover, as part of the 2020 smart and sustainable mobility strategy, the Commission announced a number of initiatives to improve road safety. Some initiatives to improve road safety include potential new guidance on issues such as the maximum permitted blood alcohol content for drivers of motorised vehicles and on the use of alcohol



interlocks; an evaluation of the need to propose rules for auditing, inspecting and reporting on the quality of infrastructure for bridges or other sensitive infrastructure (2023); the adaptation of the eCall legal framework to new telecommunication technologies; and a possible extension of eCall to cover powered two wheelers, trucks, buses and agricultural tractors. In March 2023, the Commission adopted a [road safety package](#) containing three interdependent pieces of legislation: the Driving Licences Directive ([2023/0053\(COD\)](#)), the Union-wide effect of driving disqualifications ([2023/0055\(COD\)](#)), and the cross-border exchange of information on road-safety-related traffic offences ([2023/0052\(COD\)](#)). The overall aim of this package is to facilitate the free movement of people, improve road safety for all road users, prepare for zero-emission vehicles and achieve the EU's vision of no deaths on EU roads by 2050.

## **B. Technical condition of vehicles**

In 2014, the EU adopted a new package of legislative measures, referred to as the 'roadworthiness package'. The three directives that constitute the roadworthiness package are [Directive 2014/45/EU](#) on periodic roadworthiness tests, [Directive 2014/47/EU](#) on technical roadside inspections for commercial vehicles and [Directive 2014/46/EU](#) on vehicle registration documents. The roadworthiness package will be revised in the near future in order to update developments with regard to technological and regulatory aspects.

Regarding the compulsory use of seat belts in vehicles under 3.5 tonnes in weight, [Directive 2003/20/EC](#) of 8 April 2003 stipulates the compulsory use of child restraints and of seat belts for all persons seated in those buses and coaches in which they are fitted (with exemptions for local transport services in urban areas).

[Directive 2002/85/EC](#) of 5 November 2002 extended the requirement to use speed limitation devices to all goods vehicles and passenger vehicles weighing between 3.5 and 12 tonnes with more than eight seats (not including the driver's seat).

The relevant regulation regarding active safety systems is [Regulation \(EU\) 2019/2144](#) of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users ('Vehicle General Safety Regulation'). This regulation lays down certain requirements for type-approval of vehicles, and of systems, components and separate technical units designed and constructed for vehicles, tyres and tyre pressure monitoring systems, with regard to their general characteristics and safety and efficiency.

Lastly, the safety of road users was improved by reducing the 'blind spot'. The [Vehicle General Safety Regulation](#) also stipulated requirements for reducing the blind spot in rear-view mirrors in new heavy goods vehicles being driven in the EU, including in vehicles registered outside the EU. [Directive 2007/38/EC](#) of 11 July 2007 laid down that existing lorry fleets were to be fitted with additional blind spot rear view mirrors.

## **C. Transport of dangerous goods**

[Directive 2008/68/EC](#) of 24 September 2008 sets up a common regime covering all aspects of the inland transport of dangerous goods in the EU, by rail and inland



waterway as well as by road. [Commission Directive 2012/45/EU](#) of 3 December 2012 brought this into line with the latest version of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), which is updated every two years. The ADR was amended by [Council Decision \(EU\) 2018/1485](#).

#### **D. Intelligent transport systems (ITS) and the eSafety initiative**

[Directive 2010/40/EU](#) of 7 July 2010 on ITS in road transport aims to ensure the coordinated and consistent deployment of interoperable ITS services in the EU. In December 2021, the Commission [adopted a proposal](#) for revising Directive 2010/40/EU with the aim of accelerating and coordinating the deployment of ITS in order to improve, among other things, road safety by ensuring a more coherent deployment of ITS across the EU. Interinstitutional negotiations have concluded and Parliament is awaiting the Council's first reading position.

Following [Decision No 585/2014/EU](#) of 15 May 2014 on the deployment of the interoperable EU-wide eCall service, Member States were obliged to set up Public Safety Answering Points (PSAP) required to handle eCalls by 1 October 2017 at the latest. The Commission adopted [Delegated Directive \(EU\) 2021/1716](#) in June 2021 to periodically inspect the eCall system in certain vehicles.

The Commission plans to adopt a delegated regulation to adapt the requirements for emergency call centres to receive and process eCalls on 4G/5G networks.

In May 2018, the Commission adopted a strategy entitled '[On the road to automated mobility: An EU strategy for mobility of the future](#)'. With growing automation and connectivity enabling vehicles to 'speak' to one other, mobility is crossing a new – digital – frontier and poses safety concerns.

The [Vehicle General Safety Regulation](#) establishes a regulatory framework for mandatory advanced driver assistance systems to improve road safety and create a legal framework for the acceptance of fully automated and driverless vehicles.

#### **E. Safety of road infrastructure**

[Directive 2004/54/EC](#) of 29 April 2004 laid down minimum safety requirements for tunnels in the trans-European road network. The directive stipulates that all tunnels longer than 500 metres, whether in service, under construction or at the design stage, should be subject to harmonised safety rules. [Directive 2008/96/EC](#) of 19 November 2008 on road infrastructure safety management aims to ensure that road safety is taken into account, through impact assessments, at all stages of the construction, operation or substantial alteration of roads. In 2018, the Commission presented its [proposal](#) to amend the directive with a view to reducing road fatalities and serious injuries on EU road networks by improving the safety performance of road infrastructure. The final act was published in the Official Journal on 26 November 2019 ([Directive \(EU\) 2019/1936](#)).

In January 2023, the Commission established [guidelines](#) on the methodology for assessing road infrastructure safety. These guidelines are not binding but support Member States in carrying out the assessments as required under Directive (EU) 2019/1936.



## F. Drink-driving accident statistics and prevention

As part of the EU's policy on improving driving behaviour, the Commission requires Member States to carry out random breath testing and has imposed levels for maximum permitted blood alcohol content. With a view to improving road safety, the Commission has established a harmonised code governing alcohol ignition interlock devices, which has been adopted by a number of Member States (see [Directive \(EU\) 2015/653](#) of 24 April 2015 amending [Directive 2006/126/EC](#) on driving licences).

In 2023, the Commission [adopted a proposal](#) to amend [Directive \(EU\) 2022/2561](#) and [Regulation \(EU\) 2018/1724](#) and repeal Directive 2006/126/EC on driving licences with the key objective of improving road safety. The proposal's most important measures include a probation period of at least two years for novice drivers and a zero-tolerance rule on drink-driving. The co-legislators are currently working on the proposal.

## G. Cross-border enforcement in respect of road traffic offences

[Directive \(EU\) 2015/413](#) of 11 March 2015 facilitating cross-border exchange of information on road safety-related traffic offences was adopted on the basis of Article 91(1)(c) of the TFEU (Title VI, Transport). It aims to end the right to anonymity for non-resident drivers and enable prosecution for offences committed in a Member State other than that in which the vehicle is registered. In March 2023, the Commission [adopted a revision](#) to [Directive \(EU\) 2015/413](#) in order to address the directive's shortcomings. The revision focuses on allowing enforcement authorities to receive access to national driving licence registers and on strengthening the role of established national contact points to improve the cooperation of enforcement authorities when investigating offenders.

Also in March 2023, as part of the Road Safety Package and together with the [proposal](#) for the revision of Directive 2006/126/EC on driving licences, the Commission [adopted a proposal](#) to make certain driving disqualifications effective across the EU. The proposals put in place a framework that allows for an EU-wide driving disqualification in cases where a Member State has banned a driver due to a traffic offence committed in its territory.

[Directive 2006/22/EC](#) sets a framework for a national risk rating system. The Commission adopted [Implementing Regulation \(EU\) 2022/695](#) to ensure Member States use a common formula while calculating the risk rating of EU road transport undertakings.

[Commission Regulation \(EU\) 2016/403](#) sets out serious infringements that would lead to road transport operators losing their good reputation. The Commission adopted [Implementing Regulation \(EU\) 2022/694](#) in May 2022 to make sure that Member States assess these infringements in a harmonised way.

## ROLE OF THE EUROPEAN PARLIAMENT

Parliament as one of the co-legislators has participated or is participating in the adoption of all aforementioned legislative acts. Currently, the Committee on Transport and Tourism (TRAN) is working on the [proposed revision](#) of Directive 2006/126/EC on driving licences, on the [proposal for a directive](#) on the Union-wide effect of certain



driving disqualifications and on [the revision](#) of [Directive \(EU\) 2015/413](#) facilitating cross-border exchange of information on road safety-related traffic offences. Parliament plans to vote on all three files during this legislature.

Parliament has adopted numerous resolutions emphasising the importance of road safety. Parliament also advocated having a uniform definition of road safety terms in order to improve research on accidents by ensuring that findings are comparable. The TRAN Committee, together with the Committee on the Internal Market and Consumer Protection, put forward an own-initiative report entitled 'Saving lives: boosting car safety in the EU', which was later adopted as a Parliament resolution on 14 November 2017. It was based on the Commission report ([COM\(2016\)0787](#)).

On 27 February 2017, the TRAN Committee scrutinised the Commission on the application of the Roadworthiness directive ([Directive 2014/45/EU](#)) and the roadworthiness of motor vehicles. On 20 June 2017, it discussed the Commission report ([COM\(2017\)0099](#)) on the application of [Directive 2000/30/EC](#) on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the EU (reporting period 2013-2014). The TRAN Committee discussions focused on tachograph fraud and the manipulation of odometer readings as being a huge risk for safety and consumer rights. The Commission indicated that it was assessing the options for odometer registration, criminal law and cross-border exchange of information. In the meantime, on 31 May 2018, Parliament adopted a legislative initiative report entitled '[Odometer manipulation in motor vehicles: revision of the EU legal framework](#)'. The relevant policy department of Parliament also commissioned a study on the same topic entitled '[Odometer tampering: measures to prevent it](#)', which was published in November 2017. As part of its legislative agenda 'Europe on the Move', the Commission presented its proposal of 31 May 2017 ([COM\(2017\)0277](#)) for a regulation amending [Regulation \(EC\) No 561/2006](#) as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and [Regulation \(EU\) No 165/2014](#) as regards positioning by means of tachographs. Parliament adopted its position at first reading in April 2019 and the Council agreed at second reading in July 2020 ([Regulation \(EU\) 2020/1054](#)). The proposal on the Roadworthiness Package is still to be published.

In a resolution adopted on 15 January 2019 on [autonomous driving in European transport](#), Parliament provided recommendations on the issue of connected and automated vehicles. It notably underlined the need for appropriate regulatory frameworks, ensuring safe operation and providing for a clear regime governing liability.

The TRAN Committee's draft report entitled 'EU Road Safety Policy Framework 2021-2030 – Recommendations on next steps towards "Vision Zero"' was published in March 2021 and adopted by Parliament [as a resolution on 6 October 2021](#).

In April 2021, Parliament adopted a resolution on the [implementation report on the road safety aspects of the Roadworthiness Package](#). Parliament notes that the package has helped to improve the quality of the periodic technical inspections, the qualification level of inspectors and Member States' coordination and standards relating to roadside inspection of vehicles in order to enhance road safety. On the other hand, MEPs regret the fact that the Roadworthiness Package contains some non-mandatory provisions,





and stress that a revision is necessary to overcome implementation shortcomings and to respond to future challenges.

On 9 May 2023, Parliament called in its [resolution on the new EU Urban Mobility Framework](#) to strengthen the framework in order to improve road safety, accessibility and security in the EU, encourage active mobility and stress the importance of the trans-European transport network's urban nodes and green and digital urban transport transitions.

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